



CITY OF PALO ALTO ACTION MINUTES

Special Meeting
December 9, 2013

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 4:03 P.M.

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

Absent:

CLOSED SESSION

1. CONFERENCE WITH CITY ATTORNEY/LEGAL COUNSEL
Potential Litigation (as plaintiff/defendant) – One Matter
Subject: Construction of the Mitchell Park Library and Community Center
Authority: Government Code Section 54956.9
2. CONFERENCE WITH CITY ATTORNEY/LEGAL COUNSEL
Potential Litigation (as plaintiff) – One Matter
Subject: Senate Bill No. 7 – State interference with Constitutional power of Charter Cities to direct municipal affairs
Authority: Government Code Section 54956.9
3. CONFERENCE WITH CITY ATTORNEY/LEGAL COUNSEL
Potential Litigation (as defendant) – One Matter
Subject: Potential Challenge to Municipal Code Section 9.06.010 (Human Habitation of Vehicles Prohibited)
Authority: Government Code Section 54956.9

The City Council Adjourned to the Council Chambers at 5:42 P.M. Mayor Scharff announced there was no reportable action.

STUDY SESSION

4. Transportation Demand Management Study Session

No Action Taken

AGENDA CHANGES, ADDITIONS AND DELETIONS

MOTION: Vice Mayor Shepherd moved, seconded by Council Member Kniss to pull Agenda Item Number 7: Approval of Contract Number C14152214 in the Amount of \$2,000,000 with Tobar Equipment Company Inc. for Soil Brokering and Closure Maintenance Assistance Services at the Palo Alto Landfill and Adoption of a Resolution Approving the Third Amendment of Lease PRC 7348.9 with the California State Lands Commission for Additional Use of Lands Claimed by the State, per Staff request to be scheduled to a date uncertain.

MOTION PASSED: 9-0

CONSENT CALENDAR

MOTION: Vice Mayor Shepherd moved, seconded by Council Member Holman to approve Agenda Item Numbers 5-6.

5. Approval of Banking Services Contract Extension with Wells Fargo for One Year in a Not to Exceed Amount of \$120,000.
6. Approval Of The Agreement Between The City Of Palo Alto And The Friends Of The Palo Alto Junior Museum & Zoo For Mutual Cooperation And Support.

MOTION PASSED: 9-0

ACTION ITEMS

8. Review Infrastructure Survey Findings and Recommendations and Provide Direction to Staff on Next Steps.

MOTION: Council Member Klein moved, seconded by Mayor Scharff that the City Council refer this item to the Infrastructure Committee.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that any General Fund tax measure suggested by the Infrastructure Committee would include an accompanied advisory measure explaining the use of the funds.

MOTION PASSED: 9-0

9. Public Hearing: Recommendation From Policy and Services Committee for Council to Adopt an Ordinance for Electric Vehicles Supply Equipment Requirement for all New Single Family Residential Constructions

Public Hearing opened at 9:20 P.M.

Public Hearing closed at 9:36 P.M.

MOTION: Council Member Kniss moved, seconded by Council Member Klein to adopt the attached Ordinance, along with the necessary findings to require that all new construction of single family housing install the necessary circuitry for EV chargers.

SUBSTITUTE MOTION: Council Member Holman moved, seconded by Council Member XX to continue this item until the issues in question could be addressed.

SUBSTITUTE MOTION FAILED DUE TO LACK OF SECOND

MOTION PASSED: 9-0

10. Public Hearing: Recommendation From the Policy and Services Committee to Adopt an Ordinance for Penalties on Expired Permit Enforcement for Residential Projects

Public Hearing opened at 9:46 P.M.

Public Hearing closed at 9:52 P.M.

MOTION: Council Member Kniss moved, seconded by Council Member Holman to adopt the Ordinance, adopting penalties for maintenance of expired residential building permits.

MOTION PASSED: 9-0

11. Public Hearing: Council Review of an Appealed Architectural Review Approval of a Four Story, 15,000 s.f. Mixed Use Building Replacing a Two Story, 7,000 s.f. Commercial Building at 240 Hamilton, a CD-C(GF)(P) Zoned Parcel; Council Adoption of the Mitigated Negative Declaration and Approval of a Record of Land Use Action for the Project. (A related Variance for Encroachment Into Special Setbacks on Hamilton Avenue and Ramona Street Was Not Appealed) (Continued from November 12, 2013).

Public Hearing opened at 10:15 P.M.

Public Hearing closed at 11:29 P.M.

MOTION: Council Member Kniss moved, seconded by Council Member Klein that Council take the following actions: 1) Adopt the Mitigated Negative Declaration and Mitigation and Monitoring Report for the project, and 2) Deny the appeal of the Director's Decision and adopt the Record of Land Use Action approving the Architectural Review of the project with revised approval conditions to reflect Council's adoption of an interim Ordinance eliminating certain parking exemptions.

SUBSTITUTE MOTION: Council Member Holman moved, seconded by Council Member Schmid that Council uphold the appeal due to not making the Architectural Review Board (ARB) findings.

SUBSTITUTE MOTION FAILED: 3-6 Burt, Holman, Schmid yes

MOTION PASSED: 6-3 Burt, Holman, Schmid no

MOTION: Council Member Burt moved, seconded by Council Member Berman to continue Agenda Item Number 12.

~~12. Council Discussion and Direction to Staff Regarding the 567-595 Maybell Avenue Site, to December 16, 2013.~~

MOTION PASSED: 9-0

ADJOURNMENT: The meeting was adjourned at 12:28 A.M. in honor of Nelson Mandela.