



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
March 2, 2015

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, DuBois, Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Study Session

1. Study Session on Shuttle and Rideshare Program for the Future (Continued from February 2, 2015).

## Minutes Approval

**MOTION:** Vice Mayor Schmid moved, seconded by Council Member Kniss to approve the minutes of December 1, 2 and 8, 2014.

**MOTION PASSED:** 8-0 DuBois not participating

## Consent Calendar

**MOTION:** Council Member Scharff moved, seconded by Vice Mayor Schmid to approve Agenda Item Numbers 2-7.

2. Approval of Amendment No. 2 to Contract C12143475 with Alta Planning + Design to Extend the Contract Term to December 31, 2015 for the Safe Routes to School Planning Project.
3. Approval and Authorization for the City Manager to Execute an Electric Fund Construction Contract with MP Nexlevel of California, Inc., in the Amount of \$1,697,836.50, for Trenching and Installation of Utility Substructures for Underground Utility District No. 47 (Project: EL-

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11010) in the Area of Middlefield Road, Homer Avenue, Webster Street, and Addison Avenue; and Approval and Authorization for the City Manager to Execute Addendum No. 2 to the Agreement for Joint Participation in the Installation of the Underground Facilities System Between the City of Palo Alto, AT&T, and Comcast Corporation of California IX, Inc.

4. Resolution 9497 entitled "Resolution of the Council of the City of Palo Alto Designating 300 Homer Street Known as the Roth Building as a "Sender Site" in the Transfer of Development Rights (TDR) Program and Direction to Staff to Advertise Request for Proposal to Market the TDRs."
5. Utilities Advisory Commission Recommendation that the City Council Adopt a Resolution 9498 entitled "Resolution of the Council of the City of Palo Alto Approving the City of Palo Alto Utilities Legislative Guidelines."
6. Appeal of Director of Planning and Community Environment's Architectural and Historic Review Approval of a Rehabilitation of a Category 3 Historic Resource located at 261 Hamilton – Request for Continuance to April 6, 2015.
7. Approval of Amendment Number 3 to Contract C08125506 with The Planning Center ; DCE, now Known as Placeworks, to Increase the Contract by \$157,525 to an Amount Not to Exceed \$1,894,731 and Adoption of a Budget Amendment Ordinance (BAO) 5306 entitled "Budget Amendment Ordinance of the Council of the City of Palo Alto to Increase the Fiscal Year 2015 Appropriation to the Planning and Community Environment Department for Preparation of a Fiscal Study in Conjunction with the Comprehensive Plan Update."

**MOTION PASSED:** 9-0

## Action Items

8. Public Hearing: On Objections to Weed Abatement and Adoption of Resolution 9499 entitled "Resolution of the Council of the City of Palo Alto #9489 Ordering Weed Nuisance Abated."

Public hearing opened and closed without public comment at 7:50 P.M.

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**MOTION:** Council Member Kniss moved, seconded by Council Member Filseth to adopt the Resolution ordering the abatement of weed nuisances in the City of Palo Alto.

**MOTION PASSED:** 9-0

9. Public Hearing: Resolution 9500 entitled "Resolution of the Council of the City of Palo Alto Amending Water, Gas and Wastewater Connection and Capacity Fees and Miscellaneous Utility Charges (Utility Rate Schedules S-5, G-5, W-5 and C-1)".

Public hearing opened and closed without public comment at 7:51 P.M.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor Schmid to adopt the resolution amending the following Utility Rate Schedules: W-5 (Water Service Connection Fees), G-5 (Gas Service Connection Fees), S-5 (Wastewater Service Connection Fees), and C-1 (Utility Miscellaneous Charges), effective May 1, 2015.

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

10. Discussion and Direction to Staff Regarding Establishment of an Office/R&D Annual Growth Limit (Continued from February 9, 2015).

**MOTION:** Council Member Berman moved, seconded by Council Member Wolbach to direct Staff to study and bring back to Council:

1. Methods for requiring new construction to meet target Single Occupancy Vehicle (SOV) rates;
2. Different revenue generating options from new building construction including development fees that can be spent on trip reduction efforts;
3. Different revenue generating options from existing buildings potentially including fees on commute trips or square footage that can be spent on trip reduction efforts.

**SUBSTITUTE MOTION:** Vice Mayor Schmid moved, seconded by Council Member Filseth to direct Staff to analyze the impacts of an annual development limit on Office/R&D of 10,000 sq. ft. and 40,000 sq. ft. for the draft Environmental Impact Report.

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**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to analyze and report back to Council within 45 days the impact of the implementation (on a temporary basis as the Comprehensive Plan is developed) of immediate zoning changes to include:

- A. Chapter 18.52 to change parking requirements for General Business Administrative offices, professional and general business offices, and R&D space to one parking space per 125 sq. ft. until sufficient data is available from the Business Registry to modify again;
- B. Expand ground floor retail protection citywide and prevent conversion of retail to office;
- C. End exceptions in zoning ordinances. Staff to provide complete list of current exceptions and suggestions on which to modify.

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to change "10,000 sq. ft" to "20,000 sq. ft."

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to change in Section A "125 sq. ft." to "175 sq. ft."

**SUBSTITUTE MOTION AS AMENDED FAILED:** 3-6 DuBois, Filseth, Schmid yes

**SUBSTITUTE MOTION:** Council Member Scharff moved, seconded by Council Member Berman to direct Staff to return with: 1) an interim Ordinance prohibiting the conversion of retail to any other use and; and 2) options to strengthen and expand ground floor retail protections.

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add at the end of Number 1 in the Motion-as quickly as possible.

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to change in Number 1 of the Motion- "retail" to "retail and services".

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**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the end of Number 2 in the Motion-: "and reconsider: a) definitions of retail and services; and b) locations throughout commercial areas.

**SUBSTITUTE MOTION AS AMENDED PASSED:** 9-0

**MOTION TO CONTINUE:** Council Member Scharff moved, seconded by Council Member Berman to continue this Agenda Item and Motion until March 23, 2015.

**MOTION TO CONTINUE FAILED:** 4-5 Berman, Scharff, Wolbach, Kniss yes

**MOTION TO CONTINUE:** Council Member DuBois moved, seconded by Council Member Burt to continue this Agenda Item until March 23, 2015 and withdraw the current Motion.

**MOTION TO CONTINUE PASSED:** 6-3 Berman, Kniss, Wolbach no

## Council Member Questions, Comments, and Announcements:

Council Member Wolbach attended the Library Commission Meeting the previous week, Sheena Chin is continuing as Chair, June Loy is the Vice Chair for this year. The Palo Alto Library Foundation will dissolve in June of this year.

Council Member Kniss was elected the Vice President of the League of California Cities Peninsula Division.

Adjournment: The meeting was adjourned at 12:00 A.M.