



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
September 28, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:36 P.M.

Present: Berman, Burt arrived at 5:49 P.M., DuBois, Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

Special Orders of the Day

1. Presentation of Cyber Security Proclamation for Participating in the National Cyber Security Awareness Campaign, in October 2015, Which is Designated by the President of the United States as National Cyber Security Awareness Month to Guide the Nation to a Higher Level of Internet Safety and Security.
2. Proclamation Celebrating the 80th Anniversary of the Palo Alto Airport.
3. Proclamation of Appreciation for Ralph Britton.

Agenda Changes, Additions and Deletions

MOTION: Vice Mayor Schmid moved, seconded by Mayor Holman to hear Agenda Item Numbers 8- Discussion of Fiber-to-the-Premises Master Plan... and 9- Approval of the Preferred Concept Plan Line... before Agenda Item Number 7- Utilities Advisory Commission Recommendation That Council Adopt... which is now Agenda Item Number 9a.

MOTION PASSED: 9-0

ACTION MINUTES

Consent Calendar

MOTION: Council Member Scharff moved, seconded by Council Member Wolbach to approve Agenda Item Numbers 4-6.

4. Adoption of an Ordinance of the City Council of the City of Palo Alto Adding Section 16.63 to the Municipal Code Relating to Expedited Permitting Procedures for Small Residential Rooftop Solar Systems.
5. Approval of Amendment Number 3 to Contract Number S12145610 With Wells Fargo Insurance Services for Benefit Consulting and Broker Services, Increasing the Contract by \$68,500 for a Total Not to Exceed Amount of \$304,000 Through June 30, 2016 With an Option to Renew for One Additional Year to June 30, 2017.
6. Vote to Endorse the Slate of Candidates for the Division's Executive Committee for 2015-16 and Direct the City Clerk to Forward to Jessica Stanfill Mullin, the Regional Public Affairs Manager for the Peninsula Division, League of California Cities the Completed Ballot for the City of Palo Alto.

MOTION PASSED: 9-0

Action Items

- ~~7. Utilities Advisory Commission Recommendation That Council Adopt: 1) Resolution to Certify the Final Environmental Impact Report for the Proposed Recycled Water Distribution Project; 2) Resolution Approving the Recycled Water Distribution Project; and 3) Direct Staff to Proceed With Filing Funding Applications for the Project Consistent With the Project Description.~~
8. Discussion of Fiber-to-the-Premises Master Plan and Direction to Staff on Next Steps for Fiber and City Wireless Services.

Council took a break from 6:10 P.M. to 6:19 P.M.

ACTION MINUTES

MOTION: Council Member DuBois moved, seconded by Council Member Burt to:

- A. Adopt a goal of creating a ubiquitous fiber network in Palo Alto with City ownership of Fiber assets; and
- B. Reject the consultant's report "as is" and request:
 - i. In the Fiber-to-the-Premises (FTTP) Master Plan, detailed assumptions, and their impacts, used to forecast the FTTP capital additions are to be reviewed by, and agreed to, by a majority of active citizen advisors; once this is accomplished, a revised forecast is to be provided; and
 - ii. In the Wireless Network Report:
 - a. A 20-year forecast should be provided consistent with the FTTP report; and
 - b. The description of Scenario 1 lacked both a price forecast and fiber backhaul details for the proposed municipal properties to be served; these details should be included in an update prior to a Request for Proposals (RFP). (Scenario 1); and
- C. Issue an RFP for Public Safety and Utilities Departments (Scenarios 3 and 4); and
- D. Wireless plans will not use Fiber funds; and
- E. Direct Staff to bring a dig-once Ordinance as soon as possible; and
- F. Direct Staff to discuss co-build with AT&T, Google, and Comcast how the City can lay its own conduit to the premise during their buildouts; and
- G. Move forward with Request for Information (RFI) exploring both Muni-owned model with contractors for build and ongoing operations, and public-private model with City owning fiber and private partner (such as Sonic) operating and owning electronics, considering both Google in the market and without Google in the market.

ACTION MINUTES

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part A, "reaching nearly all residents" after "Palo Alto."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion at the end of Part D, "at this time."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part B, Subsection (ii)(b), "expanding wireless to retail areas in North and South Palo Alto."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion at the end of Part A, "and that goal will be revisited in the first quarter of 2016."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion at the end of Part B, Subsection (i), "to the Council as an Action Item."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part B, Subsection (i), "and agreed to, by a majority of active citizen advisors" with "Citizens Advisory Committee (CAC); if there is a disagreement between the consultant's report and the CAC's recommendation, the Staff Report to Council will highlight the discrepancy."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part B, "Reject the consultant's report "as is" and request" with "Request an update to the consultant's report including:"

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part A, "goal" with "preferred alternative."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part F, "Comcast."

ACTION MINUTES

AMENDMENT: Council Member Berman moved, seconded by Council Member Scharff to remove from the Motion Part G, "Move forward with Request for Information (RFI) exploring both Muni-owned model with contractors for build and ongoing operations, and Public—private model with City owned fiber and private partner (such as Sonic) operating and owning electronics, considering both Google in the market and without Google in the market."

AMENDMENT FAILED: 4-5 Berman, Holman, Kniss, Scharff yes

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part B, Subsection (i) "by the majority of."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part E, "as soon as possible."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part C, "to add dedicated wireless communications to increase communication" after "Issue RFP."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion at the end of Part D, "but will be revisited when Council reviews Fiber Goals in the first quarter of 2016."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion at the end of Part B, Subsection (ii)(b), "with an option for expanding Wi-Fi coverage at City facilities and public areas as part of the Request for Proposals (RFP)."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part A, "as a public benefit" after "Fiber assets."

MOTION AS AMENDED PASSED: 9-0

ACTION MINUTES

9. Approval of the Preferred Concept Plan Line for the Charleston Arastradero Corridor Project.

MOTION: Council Member Burt moved, seconded by Council Member Kniss to approve the proposed Concept Plan Line for the Charleston-Arastradero Corridor, leading to final design and implementation of landscaped medians, bulb-outs, and other pedestrian and bicycle improvements consistent with the existing striping, which was approved for permanent retention in 2008 and 2012.

AMENDMENT: Council Member DuBois moved, seconded by Council Member XX to test lane merges with striping and look for way to implement low cost changes if necessary in the future.

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION PASSED: 9-0

- 9a. (Former Agenda Item Number 7) Utilities Advisory Commission Recommendation That Council Adopt: 1) Resolution 9548 Entitled, "Resolution of the Council of the City of Palo Alto Certifying the Adequacy of the Final Environmental Impact Report for the Recycled Water Project Pursuant to the California Environmental Quality Act and Adopting the Mitigation Monitoring and Reporting Program"; 2) Resolution 9549 Entitled, "Resolution of the Council of the City of Palo Alto Accepting a Modification to the City's Long Range Facilities Plan for the Regional Wastewater Quality Control Plan which includes the Recycled Water Project and Authorizing the City Manager or his Designee to Initiate Preliminary Design and Prepare a Funding Plan for the Project"; and 3) Direct Staff to Proceed With Filing Funding Applications for the Project Consistent With the Project Description.

Council Member DuBois advised he would not be participating in this Agenda Item due to his wife's employment at Stanford University. He left the meeting at 10:43 P.M.

MOTION: Council Member Burt moved, seconded by Council Member Kniss to:

- A. Adopt a Resolution that certifies the Final Environmental Impact Report for the proposed Recycled Water Distribution Project; and

ACTION MINUTES

- B. Adopt a Resolution accepting a Modification to the City's Long Range Facilities Plan for the Regional Wastewater Quality Control Plant which includes the Recycled Water Project with the following modifications:
- i. Section 1, end of the second sentence add, "Subject to further Council action to consider and approve funding applications, financing, design and construction"; and
 - ii. Section 1, third sentence after "to proceed with" add, "evaluation of funding opportunities and return to Council for further consideration regarding"; and
 - iii. Section 2, remove "to initiate preliminary design and."
- C. Direct Staff to develop funding options for the Project and for other water recycling options and return to Council with specific recommendations on funding applications prior to being submitted.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part B, Subsection (iii), 'Section 2 of the Motion, "initiate preliminary design and"' with "remove Section 2."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add Part D to the Motion, "Council reaffirms its commitment of setting a maximum threshold of 600 Total Dissolved Solids (TDS)."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove Part D of the Motion, "Council reaffirms its commitment of setting a maximum threshold of 600 Total Dissolved Solids (TDS)" and add to Part A of the Motion, "and in doing so the Council reaffirms its commitment of setting a maximum threshold of 600 Total Dissolved Solids (TDS)" after "Recycled Water Distribution Project."

MOTION AS AMENDED PASSED: 8-0 DuBois not participating

Inter-Governmental Legislative Affairs

None.

ACTION MINUTES

Council Member Questions, Comments and Announcements

Council Member Wolbach reported his participation in a ride-along with the Fire Department. He was impressed at the level of service and professionalism he observed. He encouraged Council Members to participate in a ride-along either for a full 12-hour shift or a portion of a shift.

Council Member Kniss continues to be concerned about artificial turf. She has not heard from Staff whether there is an opportunity to use natural grass at El Camino Park. She reminded Council Members of the League of California Cities Conference this week.

Vice Mayor Schmid attended Palo Alto Airport Day. The San Francisco International Airport (SFO) tabled at the event with information on noise complaints received by SFO. These complaints cluster around Palo Alto.

Mayor Holman requested additional information regarding the need to water trees, including City owned trees during the drought.

Adjournment: The meeting was adjourned at 11:58 P.M.