



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
November 30, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:05 P.M.

Present: Berman, Burt, DuBois, Filseth arrived at 5:07 P.M., Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

Planning and Transportation Commission:

Present: Alcheck, Downing, Fine, Gardias, Rosenblum, Tanaka, Waldfogel

Absent:

Action Items

19. PUBLIC HEARING: To Consider a Continued Appeal of the Director of Planning and Community Environment's Architectural Review Approval of a 31,407 Square-Foot, Four Story, Mixed Use Building With Parking Facilities on two Subterranean Levels on an 11,000 Square-Foot Site in the Downtown Commercial (CD-C (GF)(P)) Zone District Located at 429 University Avenue; and Approval of a Mitigated Negative Declaration. Environmental Assessment: A Mitigated Negative Declaration has Been Prepared. This Hearing is Continued From May 4, 2015 *Quasi Judicial.

Public Hearing opened at 5:11 P.M.

Public Hearing closed at 6:02 P.M.

At this time Council heard Agenda Item Number 2.

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Special Orders of the Day

2. Proclamation Honoring Winners of the 2015 Architectural Review Board Awards.

At this time Council heard Agenda Item Number 3.

3. Appointment of Three Candidates to the Parks and Recreation Commission to Terms Ending December 15, 2018.

First Round of voting for three positions on the Parks and Recreation Commission with terms ending December 15, 2018:

Voting For Jim Cowie: Berman, Burt, DuBois, Filseth,
Holman, Kniss, Scharff, Schmid,
Wolbach

Voting For Anne Cribbs: Berman, Burt, DuBois, Filseth,
Holman, Kniss, Scharff, Schmid,
Wolbach

Voting For Judith Fields:

Voting For Cybele LoVuolo-Bhushan: Burt

Voting For David Moss: DuBois, Filseth, Kniss, Scharff,
Schmid

Voting For Victoria Thorp: Berman, Holman, Wolbach

Beth Minor, City Clerk announced that Jim Cowie with 9 votes, Anne Cribbs with 9 votes and David Moss with 5 votes have been appointed to the Parks and Recreation Commission.

At this time Council returned to Agenda Item Number 19.

19. PUBLIC HEARING: To Consider a Continued Appeal of the Director of Planning and Community Environment's Architectural Review Approval of a 31,407 Square-Foot, Four Story, Mixed Use Building With Parking Facilities on two Subterranean Levels on an 11,000 Square-Foot Site in the Downtown Commercial (CD-C (GF)(P)) Zone District Located at

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429 University Avenue; and Approval of a Mitigated Negative Declaration. Environmental Assessment: A Mitigated Negative Declaration has Been Prepared. This Hearing is Continued From May 4, 2015 *Quasi Judicial.

MOTION: Council Member Scharff moved, seconded by Council Member Berman to:

- A. Refer this project back to Architectural Review Board (ARB) to address concerns raised by City Council; and
- B. Direct the ARB to vote whether to recommend project approval to the City Council.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "request that the ARB reconsider the project in its entirety as it complies with Context and Architectural Review Findings, specifically Municipal Code Sections:

- A. 18.76.020 Architectural Review (d)(4); and
- B. 18.76.020 Architectural Review (d)(12); and
- C. 18.18.110 Context Based Design Criteria (a)(1)(B); and
- D. 18.18.110 Context Based Design Criteria (a)(2)(B)(i); and
- E. 18.18.110 Context Based Design Criteria (a)(2)(B)(iii); and
- F. 18.18.110 Context Based Design Criteria (b)(2)(B)."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "18.76.020 Architectural Review (d)(1)."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "18.76.020 Architectural Review (d)(2)."

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "18.18.110 Context Based Design Criteria (a)(2)(B)(ii)."

MOTION AN AMENDED PASSED: 9-0

Study Session

4. Joint Study Session of the City Council and Planning and Transportation Commission.

Agenda Changes, Additions and Deletions

None.

Minutes Approval

5. Approval of Action Minutes for the November 9 and 16, 2015 Council Meetings.

MOTION: Council Member Scharff moved, seconded by Vice Mayor Schmid to approve the Action Minutes for the November 9 and November 16, 2015 Council Meetings.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Council Member Scharff moved, seconded by Council Member Wolbach to approve Agenda Item Numbers 6-18.

6. Approval of Transformer Supplier Pre-Qualification Process and Authorization to Spend up to \$1,000,000 per Year With any of the Qualified Vendor(s) Over the Next Five Years, Total of not to Exceed \$5,000,000 for the Purchase of Electric Distribution Transformers Required to Provide Service to Customers.
7. Resolution 9562 Entitled, "Resolution of the Council of the City of Palo Alto Adopting a Complete Streets Policy to Maintain the City's Eligibility for Regional Transportation Funding."

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8. Review and Approval of Proposed Bicycle and Pedestrian Improvements Along Bryant Street, Redwood Circle, Carlson Court, Ely Place, Duncan Place, Creekside Drive, Nelson Drive, Shasta Drive and MacKay Drive.
9. Policy and Services Committee Recommendation to Accept the Auditor's Office Quarterly Report as of June 30, 2015.
10. Approval of a Contract Amendment With VOX Network Solutions, Contract Number C12144216 for Additional Phone Equipment and Maintenance in the Amount of \$159,899.
11. Approval of Contract Number C16159083 With Cleary Brothers Landscape in the Amount of \$831,781 for the Mayfield Soccer Complex Synthetic Turf Replacement Project (Stanford Palo Alto Playing Field, Capital Improvement Project PG-13001).
12. Approval of a Contract With California Land Management Corporation in the Amount of \$127,434 for the First Year of Service for Park Ranger Patrol Services in Palo Alto's Urban Parks, Byxbee Park and Baylands Nature Preserve.
13. Approval of Blanket Purchase Order With Hill Brothers Chemical Company in an Amount not to Exceed \$536,461 for the Purchase of Bulk Magnesium Hydroxide for the Water Quality Control Plant and Approval of Two One Year Extensions.
14. Authorization to Amend the Legal Services Agreement With the Law Offices of Renne Sloan Holtzman & Sakai LLP to add \$45,000 for a Total Not to Exceed Amount of \$95,000 for Litigation Defense Services.
15. Request for Pre-Screening of a Proposed Hotel Development at 744-750 San Antonio Road (to be Scheduled for December 7, 2015).
16. Approval of a Contract With Peninsula Corridor Joint Powers Board in the Amount of \$89,490 for 2016 Caltrain Go Pass Program.
17. Approval of Amendment Number Four to Contract Number S13149754 to add \$120,000 for a Total Amount not to Exceed \$336,000 and Amendment Number Two to Contract Number S15155809 to add

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\$25,000 for a Total Amount not to Exceed \$50,000 With Renne Sloan Holtzman & Sakai LLP Public Law Group for Labor Negotiations Services and to Extend Both Contract Terms to June 30, 2016.

18. Ordinance 5363 Entitled, "Ordinance of the Council of the City of Palo Alto Establishing a Single Story Overlay District for 83 Homes Within the Los Arboles Tract by Amending the Zoning Map to Rezone the Area From R-1 Single Family Residential and R-1 (7,000) to R-1(S) and R-1(7,000)(S) Single Family Residential With Single Story Overlay. Environmental Assessment: Exempt From the California Environmental Quality Act per Section 15305 (FIRST READING: November 9, 2015 PASSED 9-0)."

MOTION PASSED: 9-0

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20. Approval of Staff's Plan to Simultaneously Pursue Response to Council's Motion on Fiber-to-the-Premises Master Plan and Wireless Network Plan and Continuation of Negotiations With Google Fiber, AT&T; Approval and Authorization for the City Manager to Execute Amendments to two Contracts With Columbia Telecommunications Corporation dba CTC Technology & Energy Extending Each Contract Term Through June 30, 2016 and Increasing Compensation Under: (1) Contract Number C15152568 by \$94,490 for a Total not to Exceed Amount of \$226,140; and (2) Contract Number C15152569 by \$58,850 for a Total not to Exceed Amount of \$203,794; Approval of a Temporary Fiber and Wireless Senior Program Manager Position for Three Years at \$228,000/Year; and Budget Amendment Ordinance 5364 Entitled, "Budget Amendment Ordinance of the Council of the City of Palo Alto for Fiscal Year 2016 to Provide Appropriation in the Amount of \$172,850."

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

- A. Approve Staff's plans to pursue the following work concurrently:
 - i. Response to Council Motion on Municipal Fiber and Wireless:

Staff has developed the Work Plan set forth below to address, by the third quarter of 2016, the Council's September 28, 2015

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Motion (the "Council Motion") requesting clarification and additional work in connection with the City' Fiber to the Premises ("FTTP") Master Plan and Wireless Network Plan; and

- ii. Third Party Provider (Google Fiber, AT&T) Negotiations: Staff is continuing discussions and negotiations with third parties considering new service deployments in Palo Alto, including both Google Fiber (potential citywide FTTP network) and AT&T (GigaPower service), and is currently targeting the end of 2015 through Q1, 2016 for Council consideration of necessary agreements and approvals; and
- B. Approve a temporary contract position for a Fiber and Wireless Senior Program Manager, dedicated to Fiber-to-the-Premises and wireless initiatives, in the amount of \$228,000 annually, \$684,000 for a period up to three (3) years; and
- C. Approve and authorize the City Manager or his designee to execute amendments to two contracts with Columbia Telecommunications Corporation dba CTC Technology & Energy ("CTC") as follows:
- i. Increasing the not-to-exceed amount for Contract No. C15152568 (Wireless Network Plan) by \$94,490 from \$131,650 to \$226,140 (includes a 10% contingency for the provision of related additional, but unforeseen consulting services) and extend the contract to June 30, 2016 to develop a Request for Proposal for dedicated wireless communications for Public Safety and Utilities, in addition to evaluating the expansion of wireless access in retail areas; and
 - ii. Increasing the not-to-exceed amount for Contract No. C15152569 (FTTP Master Plan) by \$58,850 from \$144,944 to \$203,794 (includes a 10% contingency for the provision of related additional, but unforeseen consulting services) and extend the contract to June 30, 2016 to provide technical analysis of the Request for Information (RFI) responses and any consulting services needed to help develop a "Dig Once" Ordinance for consideration by the Council; and
- D. Approve a related Budget Amendment Ordinance in the total amount of \$172,850 for Fiscal Year 2016 from the Fiber Fund Rate Stabilization Reserve; appropriate \$114,000 to fund the temporary Fiber and

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Wireless Senior Program Manager position for the second half of FY 2016 and \$58,850 to fund the CTC contract amendments for FTTP; and

- E. Move forward with either Google or AT&T to have discussions to concurrently lay City fiber.

MOTION PASSED: 9-0

- 21. PUBLIC HEARING: Adoption of an Ordinance Establishing a Single Story Overlay District for 72 Homes Within the Greer Park Tract Number 796, by Amending the Zoning Map to Re-Zone the Area From R-1 Single Family Residential to R-1(S) Single Family Residential with Single Story Overlay. Environmental Assessment: Exempt From the California Environmental Quality Act Per Section 15305. The Planning and Transportation Commission Recommended Rezoning Only the 47 Parcels With Frontage on Metro Circle and Moffett Circle.

Public Hearing opened at 11:13 P.M.

Public Hearing closed at 12:08 A.M.

MOTION: Vice Mayor Schmid moved, seconded by Council Member Wolbach to adopt an Ordinance reflecting the Applicant-requested Greer Park North boundary for rezoning to R-1-S, Single Story Overlay (SSO) zone district.

MOTION PASSED: 9-0

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

None.

Council Member Kniss left the meeting at 12:30 A.M.

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Closed Session

MOTION: Council Member Scharff moved, seconded by Vice Mayor Schmid to go into Closed Session.

MOTION PASSED: 8-0 Kniss absent

Council went into Closed Session at 12:34 A.M.

1. CONFERENCE WITH LABOR NEGOTIATORS
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Molly Stump, Suzanne Mason, Kathy Shen, Dania Torres Wong, Alison Hauk)
Employee Organizations: Palo Alto Police Officers Association (PAPOA); Palo Alto Police Managers' Association (PAPMA); Palo Alto Fire Chiefs' Association (FCA); International Association of Fire Fighters (IAFF), Local 1319; Service Employees International Union, (SEIU) Local 521; Management, Professional and Confidential Employees; Utilities Management and Professional Association of Palo Alto (UMPAPA)
Authority: Government Code Section 54957.6(a).

Council returned from Closed Session at 12:52 A.M.

Mayor Holman announced no reportable action.

Adjournment: The meeting was adjourned at 12:52 A.M.