



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
January 19, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:00 P.M.

Present: Berman, Burt, DuBois, Filseth arrived at 5:05 P.M., Holman, Kniss arrived at 7:20 P.M., Scharff, Schmid arrived at 5:05 P.M., Wolbach arrived at 5:02 P.M.

Absent:

Closed Session

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, Dania Torres Wong, and 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).

MOTION: Council Member Wolbach moved, seconded by Council Member Berman to go into Closed Session.

MOTION PASSED: 6-0 Filseth, Kniss, Schmid absent

Council went into Closed Session at 5:04 P.M.

Council returned from Closed Session at 6:10 P.M.

Mayor Burt announced no reportable action.

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Agenda Changes, Additions and Deletions

None.

Minutes Approval

2. Approval of Action Minutes for the January 4, 2016 Council Meeting.

MOTION: Vice Mayor Scharff moved, seconded by Council Member DuBois to approve the Action Minutes for the January 4, 2016 Council Meeting.

MOTION PASSED: 8-0 Kniss absent

Consent Calendar

MOTION: Council Member DuBois moved, seconded by Council Member Berman to approve Agenda Item Number 3.

3. Adoption of an Ordinance Amending Palo Alto Municipal Code Chapter 4.60 (Business Registration Program) to Exempt Very Small Businesses, Very Small Non-Profits, and Religious Organizations With no Ancillary Business on Site From the Business Registration Program, and Review of Policy and Services Committee Recommended Updates to Enforcement Approach and Questionnaire.

MOTION PASSED: 8-0 Kniss absent

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4. Approval of a Request for Proposal (RFP) for the Sale of 2,500 Square Feet of Transferrable Development Rights for the Sea Scout Building (Without Parking Exemption) and Direction to Amend the Lease Between the City and the Environmental Volunteers to Reflect Updated Obligations Regarding Restroom Construction.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Wolbach to:

- A. Approve the Request for Proposal (RFP) for the sale of 2,500 square feet of Transferrable Development Rights (TDR) from the Sea Scout

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Building (without inclusion of parking exemptions) at the minimum starting price of \$225 per square foot; and

- B. Authorize the City Manager or his designee to execute and complete the sale of the subject TDR that do not contain "Parking Exemption Rights" to the highest qualified bidder(s), at a price not less than \$225 per square foot; and
- C. Authorize the City Manager or his designee to reimburse the Environmental Volunteers (EV) in the amount of \$300,000 from the sale proceeds of the TDR for expenses incurred for the rehabilitation and capital improvement of the Sea Scout Building.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to begin the process of using the Budget Stabilization Reserve to build a restroom at the site." (New Part D)

MOTION PART D RESTATED: Direct Staff to begin the process of building a restroom at the site and identifying a funding source.

SUBSTITUTE MOTION: Council Member Filseth moved, seconded by Council Member DuBois to:

- A. Allocate \$300,000 from the Budget Stabilization Reserve to fund this project; and
- B. Direct Staff to begin the process of building a restroom at the site and identifying a funding source.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Substitute Motion, "release EV from the construction obligation." (New Part C)

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in Part B of the Substitute Motion, "direct Staff to begin the process of building a restroom at the site and identifying a funding source" with "direct Staff to work with the Parks and Recreation Commission to identify a funding source and location for a restroom."

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SUBSTITUTE MOTION AS AMENDED FAILED: 3-5 DuBois, Filseth, Schmid yes, Kniss absent

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in Part D of the Motion, "direct Staff to begin the process of building a restroom at the site and identifying a funding source" with "direct Staff to work with the Parks and Recreation Commission to identify a funding source and location for a restroom."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "amend Section IXB of the Lease between the City of Palo Alto and EV to release EV from the development and construction obligations of building a public restroom in the Baylands Parkland and authorize the City to assume and manage the construction of the public restroom." (New Part E)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "reduce the payment from EV to the City for the cost of construction of the public restroom from \$75,000 to \$35,000." (New Part F)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to return to Council at a later date regarding sale price and the use of any excess funding above \$300,000." (New Part G)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part G of the Motion with, "direct Staff to transfer any excess funds to EV for the maintenance of the building if allowed by the TDR Ordinance, or if not allowable transfer the funds to a historic renovation fund."

MOTION AS AMENDED PASSED: 8-0 Kniss absent

5. PUBLIC HEARING: Adoption of an Emergency Ordinance Amending Chapters 12.32 (Water Use Regulations) and 16.14 (California Green Building Standards Code) of the Palo Alto Municipal Code and Adding a New Chapter 16.13 (Water Efficient Landscaping) to Adopt a Local Water Efficient Landscape Ordinance Pursuant to AB 1881 and the Governor's Executive Order B-29-15.

Public Hearing opened at 7:44 P.M.

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Public Hearing closed at 7:49 P.M.

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

- A. Take no action on the proposed emergency Ordinance; and
- B. Direct Staff to return at the earliest possible time after convening a stakeholder group made up of groups such as Canopy, Acterra, Audubon, and after discussions with the Parks and Recreation Commission and relevant City Staff including Urban Forester and Arborist; and
- C. Conduct review processes keeping the Urban Forest Master Plan and the Parks Master Plan as part of input consideration.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part B, "with an Ordinance" after "earliest possible time."

MOTION AS AMENDED PASSED: 9-0

Council took a break from 8:05 P.M. to 8:16 P.M.

6. Joint Session With the Citizens Advisory Committee for the Comprehensive Plan Update: Introduction to the Comprehensive Plan Update Draft Environmental Impact Report & Review of Next Steps in the Planning Process.

Council Member Kniss left the meeting at 10:54 P.M.

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

- A. Direct Staff to present an updated schedule of Citizens Advisory Committee for the Comprehensive Plan Update (CAC) and Council meetings relating to the Comprehensive Plan Update, as soon as possible with check ins in April, May and September with a goal of delving into key decision areas on job and population growth assumptions, growth management, traffic, and a final Draft Environmental Impact Report (DEIR); and

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- B. Direct Staff to move forward with a Draft Environmental Impact Report (DEIR) of various scenarios, replacing Scenario Four "Sustainability Tested" with a scenario which shifts the jobs/housing balance by limiting office expansion and replacing some commercial use with housing.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part B of the Motion with, "direct Staff to move forward with a Draft Environmental Impact Report (DEIR) of various scenarios, adding a fifth scenario which shifts the jobs/housing balance by limiting office expansion and replacing some commercial use with housing."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part A, "as Action Items" after "May and September."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part A of the Motion with, "direct Staff to come to the City Council Retreat with a more definitive schedule of when the variety of issues discussed this evening will be scheduled for Council consideration."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part B of the Motion with, "direct Staff to return to Council with the DEIR as well as a possible fifth scenario which lowers the jobs/housing ratio and the implications that will have on the timing and process of completing the Comprehensive Plan Update."

AMENDMENT: Council Member Wolbach moved, seconded by Council Member XX to add to the Motion, "Council empowers the Citizens Advisory Committee for the Comprehensive Plan Update (CAC) if it so chooses to establish small sub-committee meetings that do not require Staff support."

AMENDMENT WITHDRAWN BY THE MAKER

MOTION AS AMENDED PASSED: 8-0 Kniss absent

MOTION: Council Member Wolbach moved, seconded by Council Member XX to add to the Motion, "council empowers the Citizens Advisory Committee for the Comprehensive Plan Update (CAC) if it so chooses to establish small sub-committee meetings that do not require Staff support."

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MOTION FAILED DUE TO THE LACK OF A SECOND

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 12:07 A.M.