



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
May 8, 2017

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:03 P.M.

Present: DuBois, Filseth arrived at 5:05 P.M., Fine, Holman, Kniss, Kou, Scharff arrived at 5:05 P.M., Tanaka, Wolbach

Absent:

Planning and Transportation Commission

Present: Alcheck, Gardias, Lauing, Monk, Rosenblum, Summa, Waldfogel

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, Lalo Perez, Molly Stump, and Rumi Portillo)
Employee Organizations: Service Employees International Union Hourly, (SEIU) Local 521; Palo Alto Police Managers' Association (PAPMA) Authority: Government Code Section 54957.6(a).

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

MOTION PASSED: 7-0 Filseth, Scharff absent

Council went into Closed Session at 5:03 P.M.

Council returned from Closed Session at 6:06 P.M.

Mayor Scharff announced no reportable action.

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At this time Council heard Agenda Item Number 3.

Study Session

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

Council took a break from 7:03 P.M. to 7:16 P.M.

Special Orders of the Day

2. Appointment of two Candidates to the Human Relations Commission, Four Candidates to the Public Art Commission, and two Candidates to the Utilities Advisory Commission for Terms Ending May 31, 2020, and Appointment of one Candidate to the Human Relations Commission for the Unexpired Term Ending May 31, 2019.

First Round of voting for two positions on the Human Relations Commission with terms ending May 31, 2020:

Voting For Mehdi Alhassani: DuBois, Filseth, Fine, Holman, Kniss, Scharff, Tanaka, Wolbach

Voting For Deepali Brahmhatt: Filseth, Kou, Scharff

Voting For Rebecca Eisenberg:

Voting For Steven Lee: Fine, Kniss, Kou, Tanaka, Wolbach

Voting For Kristen Podulka: DuBois, Holman

Beth Minor, City Clerk announced that Mehdi Alhassani with 8 votes and Steven Lee with 5 votes were appointed to the Human Relations Commission.

First Round of voting for four positions on the Public Art Commission with terms ending May 31, 2020:

Voting For Britta Erickson: DuBois

Voting For Linda Fenney:

Voting For Bette Kiernan: Fine, Kou

Voting For Jim Migdal: DuBois, Filseth, Fine, Holman, Kniss, Scharff, Tanaka, Wolbach

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- Voting For Donna Pettit: Filseth
- Voting For Amanda Ross: DuBois, Filseth, Holman, Kniss, Scharff, Tanaka, Wolbach
- Voting For Mary Ann Scharf: Tanaka
- Voting For Hisnya Shen: Filseth, Fine, Kniss, Kou, Scharff, Wolbach
- Voting For Jeny Smith: Kou, Tanaka
- Voting For Nia Taylor: DuBois, Fine, Holman, Kniss, Kou, Scharff, Wolbach

Beth Minor, City Clerk announced that Jim Migdal with 8 votes, Amanda Ross with 7 votes, Hisnya Shen with 6 votes, and Nia Taylor with 7 votes were appointed to the Public Art Commission.

First Round of voting for two positions on the Utilities Advisory Commission with terms ending May 31, 2020:

- Voting For Claude Ezran:
- Voting For Lisa Forssell: DuBois, Filseth, Fine, Holman, Kniss, Kou, Scharff, Tanaka, Wolbach
- Voting For Lauren Segal: Filseth, Fine, Kniss, Scharff, Tanaka, Wolbach
- Voting For Curtis Smolar:
- Voting For Jay Weber: DuBois, Holman, Kou

Beth Minor, City Clerk announced that Lisa Forssell with 9 votes and Lauren Segal with 6 votes were appointed to the Utilities Advisory Commission.

First Round of voting for one position on the Human Relations Commission with an unexpired term ending May 31, 2019:

- Voting For Deepali Brahmhatt: Filseth, Fine, Holman, Kniss, Kou, Scharff, Tanaka, Wolbach
- Voting For Rebecca Eisenberg:
- Voting For Kristen Podulka: DuBois

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Beth Minor, City Clerk announced that Deepali Brahmabhatt with 8 votes was appointed to the Human Relations Commission.

Agenda Changes, Additions and Deletions

None.

Consent Calendar

Council Members Holman and Kou registered no votes on Agenda Item Number 6- Ordinance 5412...

MOTION: Council Member Fine moved, seconded by Vice Mayor Kniss to approve Agenda Item Numbers 4-8.

4. Resolution 9678 Entitled, "Resolution of the Council of the City of Palo Alto Adding a 15-year Contract Term Option to the Palo Alto CLEAN Program, Continuing the Existing Program Rate Structure of 16.5 ¢/kWh for Local Solar Resources Until Reaching 3 MW of Program Capacity and for all Local Solar Resources Installed in Excess of 3 MW and all Non-solar Eligible Renewable Energy Resources at Avoided Cost, and Amending Associated Program Rules and Agreement."
5. Approval of a Contract With O'Grady Paving, Inc. in the Amount of \$2,283,754 for the Fiscal Year 2017 Asphalt Paving, Capital Improvements Program Project PE-86070.
6. Ordinance 5412 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Chapter 18 (Zoning) to Implement a new State Law Related to Accessory Dwelling Units and Junior Dwelling Units and to Reorganize and Update the City's Existing Regulations. The Ordinance is Exempt From the California Environmental Quality Act (CEQA) per Public Resource Code Section 21080.17 and CEQA Guideline Sections 15061(b), 15301, 15303 and 15305 (FIRST READING: April 17, 2017 PASSED: 7-2 Holman, Kou no)."
7. Approval of a Professional Services Agreement With UtiliWorks Consultants, LLC in an Amount Not-to-Exceed \$174,735 Over two Years for Phase I of the Utility Smart Grid Assessment and Development of a Utility Technology Roadmap and Implementation Plan.
8. Approval and Authorization for the City Manager to Execute a Cooperative Agreement With the Federal Transit Administration (FTA) for the Management of and Participation in a Grant Award to Enhance

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and Evaluate a Comprehensive Technology/Policy Solution Called Fair Value Commuting (FVC), Designed to Reduce Traffic Congestion.

MOTION PASSED FOR AGENDA ITEM NUMBERS 4-5, 7-8: 9-0

MOTION PASSED FOR AGENDA ITEM NUMBER 6: 7-2 Holman, Kou no

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9. PUBLIC HEARING/QUASI-JUDICIAL 689-693 Arastradero [16PLN-00228]: Consideration of Applicant's Request for Approval of a Preliminary Parcel Map, With Exceptions, to Merge two Existing Parcels Into one Parcel. The Exception Would Allow the Merged Parcel to Exceed the Maximum lot Area for the Purpose of Constructing a new Private School Campus for Bowman School. The Planning and Transportation Commission Reviewed and Recommended Approval of the Project. Environmental Assessment: A Draft Initial Study and Mitigated Negative Declaration was Circulated on January 19, 2017 for Public Review. A Final Initial Study/Mitigated Negative Declaration is Available. Zoning District: R-1 (10,000).

Public Hearing opened at 8:49 P.M.

Public Hearing closed at 8:50 P.M.

MOTION: Council Member Filseth moved, seconded by Council Member Kou to:

- A. Adopt a final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
- B. Approve a Record of Land Use Action for the Preliminary Parcel Map application, with exceptions, based on findings and subject to conditions of approval set forth in the Staff Report.

MOTION PASSED: 9-0

10. Adoption of Formal Positions Supporting Four State Bills.

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

- A. Formally support SB 22 (Hill), ACA 4 (Aguiar-Curry), SB 5 (De Leon), and AB 18 (Eduardo Garcia); and

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- B. Direct Staff and the City's lobbyists to advocate for these bills, including submitting letters to legislators, participating in stakeholder meetings, meeting with legislative staff, and testifying before committees.

MOTION PASSED: 9-0

11. Discussion and Approval to Defer to a Future Date the Consideration of the Formation of a Stakeholder Committee to Address Potential Local Business Tax for Transportation.

MOTION: Vice Mayor Kniss moved, seconded by Mayor Scharff to defer the formation of a transportation tax stakeholder advisory committee and reconsider the need, purpose and specific tasks associated with such a committee and return in the Fall to Council.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "with a review of existing initiatives, funding sources and an assessment of the gap between the need and resources available."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "(September/October)" after "return in the Fall."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion, "review of existing initiatives, funding" with "review of existing and potential initiatives, existing and potential funding."

MOTION AS AMENDED RESTATED: Vice Mayor Kniss moved, seconded by Mayor Scharff to defer the formation of a transportation tax stakeholder advisory committee and reconsider the need, purpose and specific tasks associated with such a committee and return in the Fall (September/October) to Council with a review of existing and potential initiatives, existing and potential funding sources and an assessment of the gap between the need and resources available.

MOTION AS AMENDED PASSED: 9-0

12. Colleagues' Memo From Council Members Fine, Holman, Kou, and Wolbach Regarding a Matching Funding Opportunity and Proposal to Increase Programming for Youth Through Youth Community Services.

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MOTION: Council Member Holman moved, seconded by Council Member Wolbach to refer the matching funding opportunity and proposal to increase programming for youth through Youth Community Services to the Finance Committee at the earliest opportunity for discussion for potential inclusion in the FY 2018 Budget with advisory to that effect to Supervisor Simitian.

MOTION PASSED: 9-0

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

Mayor Scharff reported Council Members DuBois, who will be attending to family concerns, and Tanaka, who will be attending the Asian Pacific American Institute for Congressional Studies (APAICS) National Leadership Academy, requested to participate remotely in the May 15 Council meeting. He announced his support of their remote participation and requested an update regarding updates to the City Council protocol pertaining to remote participation.

Molly Stump, City Attorney advised that the protocol updates are undergoing Staff review by the City Attorney's Office.

Mayor Scharff, reported that while remote participation by Council Members is allowed, it is discouraged. He communicated his expectations that remotely participating Council Members will minimize their participation in order to reduce disruption of the meeting.

Council Member Holman requested clarification of the type of technology planned for remote participation on May 15, i.e. telephone, Skype, etc.

Mayor Scharff announced the Clerk's Office is coordinating the technology for the Council Members' remote participation and confirmed that both Council Members are aware of the necessary agenda posting requirements.

James Keene, City Manager shared his experience with other City Councils and supported the Mayor's expectations of judicious participation from remotely participating Council Members.

Vice Mayor Kniss reported the Bay Area Air Quality Management District (BAAQMD) released a new document, *Spare the Air, Cool the Climate, A Blueprint for Clean Air and Climate Protection*. She read the Mission Statement of BAAQMD and reported the joy she feels serving as the Chair of the BAAQMD Board of Directors.

Adjournment: The meeting was adjourned at 11:02 P.M.