The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:04 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka arrived at 5:21 P.M.

Absent:

Study Session
1. Annual Earth Day Report Study Session.

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

None.

Minutes Approval

2. Approval of Action Minutes for the April 1, 2019 Council Meeting.

MOTION: Council Member Kniss moved, seconded by Vice Mayor Fine to approve the Action Minutes for the April 1, 2019 Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Council Member Kniss moved, seconded by Mayor Filseth to pull Agenda Item Number 5- “Approval and Authorization for the City Manager or his Designee to Execute Utility Program Services Contract...” to be heard on April 22, 2019.

MOTION PASSED: 7-0

MOTION: Council Member DuBois moved, seconded by Council Member Kou, third by Council Member Cormack to pull Agenda Item Number 4- “Selection of Applicants to Interview on April 29, 2019 for one Position on
the Architectural Review Board…” to be heard tonight as Agenda Item Number 5A.

**MOTION:** Vice Mayor Fine moved, seconded by Mayor Filseth to approve Agenda Item Number 3.

3. Approval of a Professional Services Agreement With Professional Meters, Inc. in the Amount of $483,722 Over a 12-Month Period to Perform a Comprehensive Utility Meter Field Survey of all Electric, Gas, and Water Meters in the Field, Including $48,372 for Additional Services, for a Total Not-to-Exceed Amount of $532,094; and Approval of Budget Amendments in the Electric Fund, Gas Fund, and Water Fund.


5. Approval and Authorization for the City Manager or his Designee to Execute Utility Program Services Contract Number C19171513 With CLEAResult Consulting, Inc. for a Total Compensation of $737,000 and a Maximum Term of Five Years.

**MOTION PASSED FOR AGENDA ITEM NUMBER 3:** 7-0

**Action Items**


**MOTION:** Council Member DuBois moved, seconded by Council Member Kou to:

A. Interview all applicants, excluding the candidate for the Architectural Review Board (ARB); and

B. Re-open the recruitment for the Architectural Review Board.

**MOTION PASSED:** 7-0
6. PUBLIC HEARING / QUASI-JUDICIAL: 190 Channing Avenue [18PLN-00274]: Request for Approval of a Vesting Tentative Map to Allow for Four Residential Condominium Units and two Office Units on One Parcel. Environmental Assessment: The Project is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines Section 15315 (Minor Land Divisions). Zoning District: RT-35 SOFA II CAP (Residential Transition).

Public Hearing opened at 6:40 P.M.

Public Hearing closed at 6:43 P.M.

**MOTION:** Council Member Kniss moved, seconded by Council Member DuBois to:

A. Find the project is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15315, Minor Land Divisions; and

B. Approve the Vesting Tentative Map based on findings and subject to conditions of approval in the Draft Record of Land Use Action (RLUA).

**MOTION PASSED:** 7-0

Council took a break at 6:49 P.M. and returned at 7:17 P.M.

7. PUBLIC HEARING: Adoption of an Ordinance Amending Section 18.42.110 (Wireless Communication Facilities) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC) to Update the Code to Reflect Recently Adopted Federal Communications Commission (FCC) Regulations. The Planning and Transportation Commission Recommended Approval of the Ordinance With Minor Modifications on March 27, 2019 (6-0 Roohparvar absent); and Adoption of a Resolution 9825 Entitled “Adopting Objective Aesthetic and Related Standards for Streetlight and Wood Utility Poles in the Public Rights of Way. Environmental Assessment: This Ordinance and Resolution are Exempt From Environmental Review Under the California Environmental Quality Act (CEQA) Guidelines Sections 15061(b)(3) and 15305.”

Public Hearing opened at 7:38 P.M.

Public Hearing closed at 8:40 P.M.

**MOTION:** Council Member DuBois moved, seconded by Council Member Kniss to:
A. Adopt the Staff recommendation to approve the Resolution and an interim Ordinance;

B. Direct Staff to come back as soon as possible, but no more than six months, with an updated Ordinance that includes:
   i. An explicit hierarchy of preferred location and preferred type of installation. Applicants must use most preferred solution unless demonstrated to be infeasible. Preferred hierarchy should include:
      a. by zoning type;
      b. local context including characteristics such as visibility, street size and type, and existing foliage;
      c. by installation type;
      d. a clear definition infeasibility as suggested in the Staff Report;
   ii. Define objective standards for underground vaults and for buildings;
   iii. Create list of city-owned buildings that would be appropriate sites;
   iv. Identify any private buildings that are appropriate sites in the midst of residential neighborhoods and approach for willingness to be on recommended list;
   v. Architectural Review Board (ARB) and Staff to have workshop to create additional acceptable Wireless Communications Facilities (WCF) designs such as integrated street pole approaches;
   vi. Propose recommended distances from homes and schools and between installations to preserve aesthetics;
   vii. Add a maintenance clause that includes damage, changes to appearance, paint, graffiti, rust, etc.;
   viii. Strengthen the Replacement/Upgrade clause to include that replacement will be evaluated, at a minimum, when repairs are being made or a unit is being upgraded;
   ix. Specify a higher price for street poles if FCC regulations are invalidate; and

C. Review the effectiveness of the Ordinance in one year with Council.

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Kniss to:

A. Adopt the Staff recommendation to approve the Resolution and an interim Ordinance;

B. Direct Staff to come back as soon as possible, but no more than six months, with an updated Ordinance that includes:
   i. An explicit hierarchy of preferred location and preferred type of installation. Applicants must use most preferred solution unless demonstrated to be infeasible. Preferred hierarchy should include:
      a. by zoning type;
      b. local context including characteristics such as visibility, street size and type, and existing foliage;
      c. by installation type;
      d. a clear definition infeasibility as suggested in the Staff Report;
   ii. Create list of city-owned buildings that would be appropriate sites;
   iii. Propose recommended distances from homes and schools and between installations to preserve aesthetics;

C. Review the effectiveness of the Ordinance in one year with Council.

AMENDMENT: Council Member Kou moved, seconded by Council Member DuBois to return to Council within six months with best practices regarding inspections of antennas.

AMENDMENT PASSED: 5-1 Kniss no, Tanaka absent

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion “Direct Staff to do federal legislative advocacy related to wireless facilities regulations.”

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to make the word “hierarchy” plural in the Motion Part B. i.
AMENDMENT: Vice Mayor Fine moved, seconded by Mayor Filseth to amend the timeline to return to Council within one year.

AMENDMENT PASSED: 4-2 DuBois, Kou no, Tanaka absent

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part A the word “interim,” and change the Motion Part B to state “…an updated Ordinance/Resolution that considers.”

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Kniss to:

A. Adopt Staff recommendation to approve the Resolution and Ordinance;

B. Direct Staff to come back as soon as possible, but no more than one year, with an updated Ordinance/Resolution that considers:
   i. Explicit hierarchies of preferred location and preferred type of installation. Applicants must use most preferred solution unless demonstrated to be infeasible. Preferred hierarchies should include:
      a. by zoning type;
      b. local context including characteristics such as visibility, street size and type, and existing foliage;
      c. by installation type;
      d. a clear definition infeasibility as suggested in Staff Report;
   ii. Create list of city-owned buildings that would be appropriate sites;
   iii. Propose recommended distances from homes and schools and between installations to preserve aesthetics;
   iv. Return to Council within one year with best practices regarding inspections of antennas;

C. Review the effectiveness of the Ordinance in one year with Council; and

D. Direct Staff to do federal legislative advocacy related to wireless facilities regulations.
MOTION AS AMENDED PASSED: 6-0 Tanaka absent

State/Federal Legislation Update/Action

Council took a break at 10:12 P.M. and returned at 10:21 P.M.

8. Colleagues Memo on the Santa Clara County Cities Association’s Position on Housing in Relation to State Legislative Initiatives.

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

A. Support the Santa Clara County Cities Association’s Position Paper on housing; and

B. Communicate accordingly on legislation unless specified.

MOTION PASSED: 4-2 Fine, Kniss no, Tanaka absent

Adjournment: The meeting was adjourned at 11:07 P.M.