



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting
March 20, 2017

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:07 P.M.

Present: DuBois, Filseth, Fine, Holman arrived at 6:11 P.M., Kniss, Kou, Scharff, Tanaka, Wolbach

Absent:

Closed Session

1. CONFERENCE WITH LABOR NEGOTIATORS.
THIS ITEM WILL NOT BE HEARD THIS EVENING AND BE WILL RESCHEDULED.

Special Orders of the Day

At this time Council heard Agenda Item Number 3.

3. Proclamation of the Council of the City of Palo Alto Honoring Loretta Green.

Agenda Changes, Additions and Deletions

None.

Minutes Approval

4. Approval of Action Minutes for the February 13 and 27, 2017 Council Meetings.

MOTION: Council Member Filseth moved, seconded by Council Member Fine to approve the Action Minutes for the February 13 and 27, 2017 Council Meetings.

MOTION PASSED: 9-0

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Consent Calendar

Council Members DuBois, Holman, and Kou registered no votes on Agenda Item Number 13- 429 University Avenue [14PLN-00222]...

Vice Mayor Kniss advised she will not participate pertaining to Agenda Item Number 13- 429 University Avenue [14PLN-00222]...

MOTION: Vice Mayor Kniss moved, seconded by Council Member Fine to approve Agenda Item Numbers 5-14.

5. Appointment of 2017 Emergency Standby Council.
6. Authorize Acceptance of Relinquishment of one Parcel From the State of California (Caltrans) and the Release and Quitclaim of Nine Parcels to the State of California (Caltrans) for the 101 Auxiliary Project Between the State Route 85 (SR 85) Interchange in Mountain View and the Embarcadero Road Interchange and the Replacement of the San Francisquito Creek Bridge.
7. Ordinance 5406 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning); Chapters 18.04 (Definitions), 18.30(F) (Automobile Dealership (AD) Combining District Regulations), 18.52 (Parking and Loading Requirements), and 18.54 (Parking Facility Design Standards); Adding Sections 18.40.160 (Replacement Project Required), 18.40.170 (Deferral of Director's Action), and 18.42.140 (Housing Inventory Sites Small Lot Consolidation); and Repealing Chapter 10.70 (Trip Reduction and Travel Demand). The Proposed Ordinance is Exempt From the California Environmental Quality Act (CEQA) per Section 15061(b)(3) (FIRST READING: February 27, 2017 PASSED: 8-0 Tanaka absent)."
8. 1470 Monte Bello Road [16PLN-00180]: Approval of a Site and Design Review to Allow the Replacement of an Existing 24-foot Long Wooden Bridge Across an Unnamed Tributary to Steven's Creek With a new 45 to 50-foot Long Steel Bridge and to Construct a new 45 to 50-foot Long Steel Bridge Across Steven's Creek. Environmental Assessment: The Lead Agency, Midpeninsula Regional Open Space District, Prepared an Initial Study/Mitigated Negative Declaration, Which was Adopted by the District on March 9, 2016. Open Space (OS) Zoning District.
9. Approval of a Construction Contract With Alcal Specialty Contracting, Inc. in an Amount Not-to-Exceed \$364,728 to Provide Construction Services to Replace the Existing Roof at the Cubberley Community Center Auditorium Wing.

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10. Approve and Authorize the City Manager to Execute Contract Amendment Number 1 to Contract Number C15157280 in the Amount of \$30,000 With Project Consultant David J. Powers for Historical Evaluation of Rinconada Park Additional Services; and Approve a Budget Amendment in the Capital Improvement Fund for Rinconada Long Range Plan (Project PE-12003) in the Amount of \$45,000.
11. Approval of a Professional Services Agreement With SRT Consultants for a Total Not-to-Exceed Amount of \$708,736 for Assessment of the City's Current Water System Configuration and Recommendations to Enhance the City's Emergency Water Supply.
12. Approval of Contract Amendment Number 2 With SP Plus in the Amount of \$368,390 for Additional Services for Parking Permits and On-site Customer Service and to Extend the Term of the Agreement to March 15, 2019; Approval of Contract Amendment Number 2 With Serco, Inc. in the Amount of \$751,224 for Enforcement of Evergreen Park-Mayfield Residential Preferential Parking (RPP) District and to Extend the Term of the Agreement to May 31, 2019; Approval of Contract Amendment Number 2 With McGuire Pacific Constructors in the Amount of \$181,035 for Construction Services for Evergreen Park-Mayfield Residential Preferential Parking District.
13. 429 University Avenue [14PLN-00222]: Adoption of a Mitigated Negative Declaration, a Mitigation Monitoring Plan, and a Record of Land Use Action Approving a Mixed Use Project With 28,547 Square Foot of Floor Area and two Subterranean Levels of Parking on an 11,000 Square Foot Site. Environmental Assessment: Mitigated Negative Declaration was Circulated From November 17, 2014 to December 12, 2014. Zoning District: CD-C (GF)(P).
14. Ordinance 5407 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Chapter 18 of the Palo Alto Municipal Code Making Permanent Interim Urgency Ordinance 5330 (Limiting the Conversion of Ground Floor Retail and Retail Like Uses), With Some Modifications; Extending the Ground Floor Combining District to Certain Properties Located Downtown; Modifying the Definition of Retail; Adding Regulations to Improve Pedestrian Oriented Design Standards in the Downtown; and Related Changes. The Proposed Ordinance is Exempt From the California Environmental Quality Act (CEQA) per Section 15308. The Planning and Transportation Commission Recommended Approval of the Proposed Ordinance (FIRST READING: February 13, 2017 PASSED: 6-3 Fine, Kniss, Tanaka no)."

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MOTION FOR AGENDA ITEM NUMBERS 5-12, 14 PASSED: 9-0

MOTION FOR AGENDA ITEM NUMBER 13 PASSED: 5-3-1 DuBois, Holman, Kou no, Kniss abstain

Special Orders of the Day

At this time Council heard Agenda Item Number 2.

2. Proclamation of the Council of the City of Palo Alto Honoring Roy Clay.

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15. TEFRA HEARING: Resolution 9672 Entitled, "Resolution of the Council of the City of Palo Alto Regarding Conduit Financing for the Channing House Project Located at 850 Webster Street, Palo Alto, and Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority for the Purpose of Financing and Refinancing the Acquisition, Construction, Equipping and Furnishing of Improvements to Channing House."

MOTION: Council Member Filseth moved, seconded by Council Member Wolbach to adopt a Resolution approving the issuance of the bonds by the California Municipal Finance Authority (CMFA) for the benefit of Channing House (Borrower).

MOTION PASSED: 8-0 Kniss not participating

16. PUBLIC HEARING: Comprehensive Plan Update: Public Hearing on the Supplement to the Draft Environmental Impact Report and Revised Fiscal Study; Council Discussion and Direction to Staff Regarding a Preferred Planning Scenario; and Council Discussion and Direction to Staff Regarding the Organization of the Comprehensive Plan.

Public Hearing opened at 7:29 P.M.

Public Hearing closed at 8:31 P.M.

MOTION: Council Member Wolbach moved, seconded by Council Member DuBois to direct Staff to:

- A. Proceed with Option 4-B to include programs in the Implementation Plan and also in the main body of the Comprehensive Plan; and
- B. Complete the process of consolidating redundant Programs and eliminating infeasible Policies/Programs; and

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- C. Incorporate suggestions from Comprehensive Plan Update Citizens Advisory Committee (CAC) and public and use their own judgement to identify relative priority and timeline for implementing Programs (e.g. maintain current practice, short-term, medium-term, long-term; or current, 1-year, 5-year, 13-year) and estimate level of effort/cost associated with each Program (e.g. low, medium, high); and
- D. Return to Council to review the above prior to adoption.

MOTION PASSED: 9-0

MOTION: Mayor Scharff moved, seconded by Council Member Filseth to accept the description of a preferred scenario for the Comprehensive Plan Update Final Environmental Impact Report described in the Staff Report with the following elements and adjustments:

- A. Estimated housing growth would be between Scenario 5 (3,545 dwelling units) and Scenario 4 (4,420 dwelling units); and
- B. Estimated non-residential square footage would be similar to Scenario 2 (3 million square feet, of which 1.3 million square feet has already been approved at the Stanford University Medical Center); and
- C. Estimated employment growth would be between Scenario 2 (9,850 jobs) and 11,500 jobs; and
- D. Transportation investments would be those listed in the Staff Report, subject to additional review and refinement when the Transportation Element returns to Council on May 1; and
- E. Additional Zoning Code amendments and policies advancing sustainability measures would be those listed in the Staff Report, subject to additional review and refinement when the Land Use Element returns to Council on May 1.

AMENDMENT: Council Member Wolbach moved, seconded by Council Member Fine to replace Part A of the Motion with, "estimated housing growth would be between Scenario 4 (4,420 dwelling units) and Scenario 6 (6,000 dwelling units)."

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Amendment, "Scenario 4 (4,420 dwelling units)" with "Scenario 5 (3,545 dwelling units)."

AMENDMENT AS AMENDED RESTATED: Council Member Wolbach moved, seconded by Council Member Fine to replace Part A of the Motion

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with, "estimated housing growth would be between Scenario 5 (3,545 dwelling units) and Scenario 6 (6,000 dwelling units)."

AMENDMENT AS AMENDED FAILED: 4-5 Fine, Kniss, Tanaka, Wolbach yes

AMENDMENT: Council Member Holman moved, seconded by Council Member Wolbach to replace Part C of the Motion with, "estimated employment growth would be between Scenarios 5 and 6 (8,868 jobs) and Scenario 2 (9,850 jobs)."

SUBSTITUTE AMENDMENT: Council Member DuBois moved, seconded by Council Member Holman add to Part C of the Motion, "to reintroduce some form of cap on development Downtown."

SUBSTITUTE AMENDMENT WITHDRAWN BY THE MAKER

AMENDMENT FAILED: 3-6 Holman, Kou, Wolbach yes

AMENDMENT: Council Member Fine moved, seconded by Council Member Tanaka to replace Part C of the Motion with, "estimated employment growth would be between Scenario 2 (9,850 jobs) and Scenario 4 (15,870 jobs)."

AMENDMENT FAILED: 2-7 Fine, Tanaka yes

AMENDMENT: Council Member Kou moved, seconded by Council Member XX to replace in Part A of the Motion, "Scenario 5 (3,545 dwelling units)" with "Scenario 2 (2,720 dwelling units)."

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED RESTATED: Mayor Scharff moved, seconded by Council Member Filseth to accept the description of a preferred scenario for the Comprehensive Plan Update Final Environmental Impact Report described in the Staff Report with the following elements and adjustments:

- A. Estimated housing growth would be between Scenario 5 (3,545 dwelling units) and Scenario 4 (4,420 dwelling units); and
- B. Estimated non-residential square footage would be similar to Scenario 2 (3 million square feet, of which 1.3 million square feet has already been approved at the Stanford University Medical Center); and
- C. Estimated employment growth would be between Scenario 2 (9,850 jobs) and 11,500 jobs; and

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- D. Transportation investments would be those listed in the Staff Report, subject to additional review and refinement when the Transportation Element returns to Council on May 1; and
- E. Additional Zoning Code amendments and policies advancing sustainability measures would be those listed in the Staff Report, subject to additional review and refinement when the Land Use Element returns to Council on May 1.

MOTION AS AMENDED PASSED: 8-1 Wolbach no

Inter-Governmental Legislative Affairs

Mayor Scharff reported that there are a number of bills in the State legislature that impact housing and potentially impact local control. He requested Council schedule an agenda item to discuss these bills.

James Keene, City Manager advised that he will work with the Mayor to schedule such an agenda item.

Mayor Scharff supposed that the Association of Bay Area Governments (ABAG) may take a stance of some of these bills.

Council Member Questions, Comments and Announcements

Council Member DuBois shared his appreciation of Robert De Geus, Peter Jensen, and James Reifschneider for their attendance at the Barron Park Annual Meeting and their presentations regarding Community Services and Police services.

Vice Mayor Kniss reported her attendance at the National League of Cities Congressional City Conference in Washington, D.C. She and several Council colleagues met with the Federal Aviation Administration (FAA). She shared that the Conference is a great opportunity to interact with officials from around the country. She reported a general sense of negativity towards California. She shared her appreciation at having the opportunity to attend the Conference and that there was significant discussion about changes that may be made by the current administration.

Council Member Wolbach announced that he also attended the Conference and encouraged other Council Members to participate in the future. He felt that meeting with the FAA was helpful regarding airplane noise. He shared his hopes that Caltrain electrification funding becomes available, that relief from airplane noise becomes a reality, and that funding for the upstream portions of the San Francisquito Creek project becomes available. He

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reported his appointment to the Legislative Action Committee of the California League of Cities, Peninsula Division. This is a new Committee.

Mayor Scharff shared that he attended the Conference and felt it was worthwhile. He felt speaking with Republican Senators that share the City's concerns about potential transportation funding cuts was helpful. He is hopeful that the federal government will support Caltrain electrification.

Vice Mayor Kniss reported that the New York Times recently ran an editorial in support of electrification.

Adjournment: The meeting was adjourned at 10:50 P.M.