



## CITY OF PALO ALTO OFFICE OF THE CITY CLERK

March 14, 2016

The Honorable City Council  
Attention: Finance Committee  
Palo Alto, California

### **Approval of Action Minutes for the February 22, 23, and 29, 2016 Council Meetings**

Staff is requesting Council review and approve the attached Action Minutes.

#### **ATTACHMENTS:**

- Attachment A: 02-22-16 DRAFT Action Minutes (DOC)
- Attachment B: 02-23-16 DRAFT Action Minutes (DOC)
- Attachment C: 02-29-16 DRAFT Action Minutes (DOC)

Department Head: Beth Minor, City Clerk





# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
February 22, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:01 P.M.

Present: Berman, Burt, DuBois, Filseth, Holman arrived at 7:25 P.M.,  
Kniss, Scharff, Schmid, Wolbach

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, Rumi Portillo, 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).

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

**MOTION PASSED:** 8-0 Holman absent

Council went into Closed Session at 6:02 P.M.

Council returned from Closed Session at 7:15 P.M.

Mayor Burt announced no reportable action.

# DRAFT ACTION MINUTES

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

2. Approval of Action Minutes for the January 30, February 1 and 8, 2016 Council Meetings.

**MOTION:** Council Member DuBois moved, seconded by Vice Mayor Scharff to approve the Action Minutes for the January 30, February 1, and 8, 2016 Council Meetings.

**MOTION PASSED:** 9-0

## Consent Calendar

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

3. Resolution 9576 Entitled, "Resolution of the Council of the City of Palo Alto Approving the City of Palo Alto Utilities Legislative Policy Guidelines."

**MOTION PASSED:** 9-0

## Action Items

4. Comprehensive Plan Update: Discussion Regarding Development of a Fifth Scenario With an Improved Jobs / Housing Balance for Inclusion in the Environmental Impact Report and the Overall Project Schedule.

**MOTION:** Council Member Schmid moved, seconded by Council Member XX to include a cap on the increase of square footage in Palo Alto at 100,000 square feet per year as part of a "fifth scenario".

**MOTION FAILED DUE TO THE LACK OF A SECOND**

# DRAFT ACTION MINUTES

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member DuBois to direct Staff to develop a “fifth scenario” for analysis in a supplement to the Draft Environmental Impact Report (DEIR) that:

- A. Adds the sustainability options from the current scenarios, which reduce impacts, including traffic, greenhouse gas impacts, etc.; and
- B. Includes further mitigations for a scenario that improves the quality of life in Palo Alto by mitigating the impacts of future growth and development; and
- C. Wherever possible, the scenario will use Palo Alto specific data; and
- D. Where possible to integrate the Sustainability Climate Action Plan (S/CAP) in the fifth scenario.

**AMENDMENT:** Council Member DuBois moved, seconded by Council Member XX to add to the Motion, “propose a mechanism to use in existing office buildings.”

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, “evaluating mechanisms for regulating employment densities in existing buildings.” New Part E

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, “evaluating regulation triggers if mitigation measures are failing.” New Part F

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, “evaluating relaxing regulations if mitigation measures are succeeding.” New Part G

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Parts F and G, “transportation and parking” after “evaluating.”

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to combine and restate Parts F and G as, “evaluating transportation and parking regulation triggers if mitigation measures are failing or exceeding expectations.” New Part F

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**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part A, "noise" after "greenhouse gas impacts."

**AMENDMENT:** Council Member Holman moved, seconded by Council Member XX to add to Motion Part B, "along with mitigation enforcement measures" after "further mitigations."

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part B, "along with prospective mitigation enforcement measures" after "further mitigations."

**AMENDMENT:** Council Member DuBois moved, seconded by Council Member XX to add to Motion Part B, "assuming job growth below Scenario 2" after "growth and development."

## **AMENDMENT FAILED DUE TO LACK OF SECOND**

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part E, "below Scenario 2 including" after "regulating employment."

**AMENDMENT:** Council Member Holman moved, seconded Council Member Kniss to add to the Motion after Part E, "evaluate lower General Office and R/D development than Scenario 2" (New Part F) and remove from the Motion Part E, "below Scenario 2 including."

**AMENDMENT PASSED:** 5-4 Berman, Filseth, Scharff, Wolbach no

**AMENDMENT:** Council Member Holman moved, seconded by Council Member XX to add to the Motion, "direct Staff to return with comments regarding reducing Level Of Service (LOS) impacts to zero."

## **AMENDMENT FAILED DUE TO THE LACK OF A SECOND**

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member XX to add to the Motion, "evaluate higher housing growth than in Scenario 4."

## **AMENDMENT FAILED DUE TO THE LACK OF A SECOND**

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**AMENDMENT:** Council Member Schmid moved, seconded by Council Member Wolbach to add to the Motion, "return to the jobs housing balance of 2.5 jobs for each employed resident."

**AMENDMENT RESTATED:** Council Member Schmid moved, seconded by Council Member Wolbach to add to the Motion, "evaluate a return to the jobs housing balance of 2.5 jobs for each employed resident."

**AMENDMENT FAILED:** 2-7 Schmid, Wolbach yes

**MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member DuBois to direct Staff to develop a "fifth scenario" for analysis in a supplement to the Draft Environmental Impact Report (DEIR) that:

- A. Adds the sustainability options from the current scenarios, which reduce impacts, including traffic, greenhouse gas impacts, noise, etc.; and
- B. Includes further mitigations along with prospective mitigation enforcement measures for a scenario that improves the quality of life in Palo Alto by mitigating the impacts of future growth and development; and
- C. Wherever possible, the scenario will use Palo Alto specific data; and
- D. Where possible to integrate the Sustainability Climate Action Plan (S/CAP) in the fifth scenario; and
- E. Evaluate mechanisms for regulating employment densities in existing buildings; and
- F. Evaluate lower General Office and R/D development than Scenario 2; and
- G. Evaluate transportation and parking regulation triggers if mitigation measures are failing or exceeding expectations.

**MOTION AS AMENDED PASSED:** 8-1 Schmid no

# DRAFT ACTION MINUTES

## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Council Member Kniss announced the League of California Cities, Peninsula Division bocce ball event will be held on April 20, 2016.

Mayor Burt reported his attendance at the Chinese New Year event at the Mitchell Park Community Center on Sunday. He felt the event highlighted the efforts of Former Mayor Yiaway Yeh in welcoming new members of the community.

Adjournment: The meeting was adjourned at 11:46 P.M.





# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
February 23, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 3:05 P.M.

Present: DuBois, Filseth, Kniss, Schmid, Wolbach

Absent: Berman, Burt, Holman, Scharff

At this time Council heard Agenda Items 1 and 2 concurrently.

## Action Items

1. Ordinance 5380 Entitled, "Ordinance of the Council of the City of Palo Alto to add Section 10.50.085 (Eligibility Areas) and to Amend Section 10.50.090 (Modification or Termination of Districts) of the Palo Alto Municipal Code Relating to Residential Parking Programs (FIRST READING: February 1, 2016 PASSED: 5-0 Berman, Burt, Holman, Scharff absent)."
2. Resolution 9577 Entitled, "Resolution of the Council of the City of Palo Alto Amending Resolution 9473 to Implement Phase 2 of the Downtown Residential Preferential Parking District Pilot Program (Continued from February 8, 2016)."

Beth Minor, City Clerk advised Mayor Burt, Council Members Berman, Filseth, and Holman, live within the Residential Preferential Parking Permit (RPP) District and Vice Mayor Scharff owns a business property within the RPP District, requiring their recusal from this Agenda Item.

Following random selection in February 1, 2016, pursuant to California Code of Regulations Section 18705 (Legally Required Participation), Council Member Filseth will participate in this Agenda Item.

Council took a break from 5:06 P.M. to 5:15 P.M.

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

- A. Adopt a Resolution amending Resolution 9473 to implement Phase 2 of the Downtown Residential Preferential Parking (RPP) District Pilot Program; and
- B. Direct Staff to make corresponding changes to the Council approved RPP Administrative Guidelines.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "include dailies and scratchers in the Resolution." New Part C

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "move up Council review to six months." New Part D

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part C of the Motion with, "add to Resolution Section 5(c)(2)(g)(1) 'no daily or five day scratchers will be sold in Zones 9 and 10' after 'be sold randomly.'"

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace in the Motion Part D, "six" with "four."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "add to Resolution Section 6.D., a Number 3, 'reduced rate for Addison Elementary School employees - \$100/year.'" New Part E

**MOTION RESTATED:** Council Member Filseth moved, seconded by Council Member DuBois to:

- A. Adopt a Resolution amending Resolution 9473 to implement Phase 2 of the Downtown Residential Preferential Parking (RPP) District Pilot Program; and
- B. Direct Staff to make corresponding changes to the Council approved RPP Administrative Guidelines; and

# DRAFT ACTION MINUTES

- C. Add to Resolution Section 5(C)(2)(g)(1) "no daily or five day scratchers will be sold in Zones 9 and 10" after "be sold randomly;" and
- D. Move up Council review to four months; and
- E. Add to Resolution Section 6.D., a Number 3, "Reduced rate for Addison Elementary School employees - **\$100/year.**"

**MOTION AS AMENDED PASSED:** 5-0 Berman, Burt, Holman, Scharff absent

**MOTION:** Council Member DuBois moved, seconded by Council Member Kniss to adopt an Ordinance of the Council of the City of Palo Alto to add Section 10.50.085 (Eligibility Areas) and to Amend Section 10.50.090 (Modification or Termination of Districts) of the Palo Alto Municipal Code Relating to Residential Parking Programs.

**MOTION PASSED:** 5-0 Berman, Burt, Holman, Scharff absent

Adjournment: The meeting was adjourned at 6:31 P.M.



# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
February 29, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:05 P.M.

Present: Berman arrived at 7:12 P.M., Burt, DuBois, Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Study Session

1. Finance Committee Recommends the City Council Review the Assessment Results of the Enterprise Resource Planning System (ERP) Needs; Review Recommendation to Plan for the Acquisition of a new Integrated Government-Oriented ERP System and Separate Provisioning of Utilities Billing Systems.

## Agenda Changes, Additions and Deletions

None.

## Consent Calendar

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to approve Agenda Item Numbers 2-7.

2. Approval and Acceptance of Palo Alto Fire Department Quarterly Performance Report for Second Quarter Fiscal Year 2016.
3. Approval of a Professional Services Contract With Plante & Moran, PLLC in an Amount Not-to-Exceed \$359,925 for Enterprise Resource Planning System (ERP) and Utility Billing Planning and System Selection.

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4. Approval of the Acceptance and Expenditure of Citizens Options for Public Safety (COPS) Funds for Various Law Enforcement Equipment and Approval of a Budget Amendment in the Amount of \$104,621 for the Supplemental Law Enforcement Services Fund.
5. Authorization to Apply for "Art Works" Grant From the National Endowment for the Arts for Temporary art at Cubberley Community Center.
6. Approval of a Contract With Breneman Inc. in the Amount Not-to-Exceed \$250,000 for the Bowden Park Improvements Capital Project PE-13008.
7. Finance Committee Recommends Approval of Amendment to Table of Organization by Adding 1.0 Management Analyst in the Development Services Department.

**MOTION PASSED:** 8-0 Berman absent

## Action Items

8. PUBLIC HEARING: Adoption of two Ordinances: 1) Ordinance Amending the Palo Alto Municipal Code Regulations Related to Hazardous Materials use, Storage and Handling in the Office, Research and Manufacturing Zoning Districts and Nonconforming Uses and Facilities; and 2) Ordinance Regarding Amortization of Nonconforming Uses at Communications & Power Industries LLC (CPI) Located at 607-811 Hansen Way. Amendments to the Municipal Code Affect the **Following Sections and can be Reviewed at the Planning Department's** Offices During Regular Business Hours at 250 Hamilton Avenue, Palo Alto, 5th Floor: a. Chapter 18.04 (Definitions) Section 18.04.030 (66) (A) and (B) and (127.7); b. Chapter 18.20 Office, Research, and Manufacturing [MOR, ROLM, RP and GM] Section 18.20.030 (Land Uses) Table 1 (Industrial/Manufacturing District Land Uses); Section 18.20.040 Subsections (b) and (c); and Section 18.20.050 (Performance Criteria) c. Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) Section 18.23.100 (Hazardous Materials) Subsection (B) d. Chapter 18.70 (Nonconforming Uses and Noncomplying Facilities) Sections 18.70.020 Through 18.70.100, Including Section 18.70.070 (Nonconforming Use - Required Termination) e. Chapter 17.16 (Hazardous Materials Management Plan) Sections 17.16.010

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(Hazardous Materials Management Plan) and 17.16.025 (Supplemental Requirements for Emergency Response Plans) and f. Chapter 17.20 (Hazardous Materials Inventory) Section 17.20.020 (Information required). Environmental Assessment: As a Regulatory Action That Would Modify the List of Permitted Uses in Industrial Zones to Protect the Health and Life Safety of Palo Alto Residents, the Proposed Ordinances are Categorically Exempt From Review Under Section 15308 (Class 8, Actions for Protection of the Environment) of the State Guidelines for the California Environmental Quality Act.

Public Hearing opened at 7:38 P.M.

Public Hearing closed at 7:45 P.M.

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

- A. Adopt the hazardous materials Ordinance included in the Staff Report as Attachment A; and
- B. Adopt the amortization Ordinance included in the Staff Report as Attachment C, including the added text referencing a possible agreement between the City and Communications & Power Industries LLC (CPI).

**MOTION PASSED:** 9-0

- 9. Agreement With Empowerment Institute on Cool Block Small Pilot Program (Continued From February 1, 2016).

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member DuBois to authorize the City Manager or his designee to sign the Cool Block Pilot Memorandum of Understanding between the City of Palo Alto and Empowerment Institute **with the deletion of "City of Palo Alto Deliverables" Number 2-** "Participate with the Office of Sustainability and other City Staff to integrate the Cool Block Program into the S/CAP strategy and encourage the participation of the S/CAP Advisory Board."

**MOTION PASSED:** 9-0

# DRAFT ACTION MINUTES

## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Council Member Kniss announced her attendance at the National League of Cities Congressional City Conference in Washington D.C. from March 5 through March 8. She reminded Council Members of the League of California Cities, Peninsula Division bocce ball event being held on April 20, 2016. She will attend the Cities Association of Santa Clara County Board of Directors Meeting on March 10. She has submitted her name to continue serving on the Bay Area Air Quality Management District.

Vice Mayor Scharff advised that Council Member Kniss may be elected as Chair of the Bay Area Air Quality Management District. He reminded Council Members to participate in a survey relating to the merger of the Association of Bay Area Governments (ABAG) and Metropolitan Transit Commission (MTC). He attended an ABAG meeting on this topic on Friday. He is also attending the National League of Cities Congressional City Conference along with the American Public Power Association meeting during the same trip.

Mayor Burt will also be attending the National League of Cities Congressional City Conference and plans to meet with congressional representatives to discuss airplane noise and other priorities for the City. He had an opportunity to speak at the East Bay Islamic Center on Sunday. The event **highlighted the region's values including community and tolerance.**

Adjournment: The meeting was adjourned at 9:18 P.M.