



## CITY OF PALO ALTO OFFICE OF THE CITY CLERK

August 15, 2016

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

### **Approval of Action Minutes for the June 20, 27 and 28, 2016 Council Meetings**

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

#### **ATTACHMENTS:**

- Attachment A: 06-20-16 DRAFT Action Minutes (DOC)
- Attachment B: 06-27-16 DRAFT Action Minutes (DOC)
- Attachment C: 06-28-16 DRAFT Action Minutes (DOC)

Department Head: Beth Minor, City Clerk





# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
June 20, 2016

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

Present: Burt, DuBois, Filseth, Holman, Kniss, Scharff arrived at 6:27 P.M., Schmid, Wolbach arrived at 5:15 P.M.

Absent: Berman

## Closed Session

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Authority: Govt. Code Section 54956.8  
Property: 4230-4270 Terman Drive, Palo Alto, CA 94306  
Assessor's Parcel Numbers 167-05-029 and 167-04-008  
Agency Negotiators: James Keene, Lalo Perez, Hamid Ghaemmaghami  
Negotiating Parties: Terman Associates, LP and City of Palo Alto  
Under Negotiation: Potential Sale of City Purchase Option – Including Price and Terms of Payment.

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

**MOTION PASSED:** 6-0 Berman, Scharff, Wolbach absent

Council went into Closed Session at 5:05 P.M.

Council returned from Closed Session at 6:18 P.M.

Mayor Burt announced no reportable action.

## Agenda Changes, Additions and Deletions

None.

# DRAFT ACTION MINUTES

## Minutes Approval

2. Approval of Action Minutes for the June 6, 2016 Council Meeting.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor Scharff to approve the Action Minutes for the June 6, 2016 Council Meeting.

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

## Consent Calendar

**MOTION:** Council Member Holman moved, seconded by Council Member Kniss, third by Council Member Filseth to pull Agenda Item Number 10-411-437 Lytton Avenue [14PLN-00489]: Appeal... to be moved to a date uncertain.

**MOTION:** Council Member Kniss moved, seconded by Mayor Burt, third by Council Member Wolbach to pull Agenda Item Number 12- Denial of a Request for Waiver of the City's ... to be moved to a date uncertain.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor Scharff to approve Agenda Item Numbers 3-9, 11, and 13-16.

3. Approval of the Renewal of a Public-Private Partnership Agreement Between the City of Palo Alto and TheatreWorks, Palo Alto Players and West Bay Opera for the use of the Lucie Stern Community Theatre.
4. Approval of a Contract With Con-Quest Contractors, Inc., in the Amount of \$3,293,734 for Channing Avenue/Lincoln Avenue Storm Drain Improvements - Phase III, Capital Improvement Program Project SD-11101, and Approval of a Budget Amendment in the Storm Drainage Fund.
5. Resolution 9604 Entitled, "Resolution of the Council of the City of Palo Alto Approving a Professional Services Agreement Between the Northern California Power Agency and the Cities of Palo Alto and Santa Clara for Electric Transmission, Generation and Regulatory Consulting Services for a One-Year Term."
6. Approval of a Program Agreement With Motivate, LLC for the Continuation of Bike Share Operations and Maintenance of Existing

# DRAFT ACTION MINUTES

Bay Area Bike Share (BABS) Equipment From June 30, 2016 to November 30, 2016 While a Replacement Bike Share System is Planned and Deployed.

7. Review and Approval of Concept Plans for Quarry Road and Transit Center Bicycle and Pedestrian Improvements Consistent With the Stanford University Medical Center Development Agreement.
8. Approval of a Professional Services Contract With CAD Masters, Inc. for the Ongoing Support, Maintenance, Development, and Enhancement of the Geospatial Design and Asset Management System for the Utilities Department in an Amount of \$500,000 per Year for a Total Amount Not-To-Exceed \$2,500,000 for up to Five Years.
9. Approval of a Contract With Graham Contractors, Inc., in the Amount of \$1,340,469 for the FY 2017 Street Maintenance Program Preventive Street Maintenance Project, Capital Improvements Program Project PE- 86070.
10. ~~411 437 Lytton Avenue [14PLN 00489]: Appeal of the Planning and Community Environment Director's Architectural Review Approval for the Construction of a new Three Story Mixed use, Office and Residential Building (two units) and a 1,417 SF Addition to an Existing Historic Category 2 Residence on two Lots to be Merged. A two Level Underground Parking Garage is Proposed to be Constructed Under the new Mixed use Building Adjacent to the Existing Residential Building. Environmental Assessment: A Mitigated Negative Declaration has Been Prepared. Zoning District: Community Commercial Downtown District and Pedestrian Shopping Combining District CD C(P).~~
11. Approval of Acceptance of State Funding in the Amount of \$424,000 for the Replacement of the City's 9-1-1 System.
12. ~~Denial of a Request for Waiver of the City's Moratorium on Conversion of Ground Floor Retail for the Property at 100 Addison Avenue.~~
13. Resolution 9605 Entitled, "Resolution of the Council of the City of Palo Alto Calling a General Municipal Election for Tuesday, November 8, 2016."

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14. Approval of a Contract for On-Call Traffic Signal Equipment Installation Services for Three Years in the Amount of \$375,000 With Bear Electric Solutions, Inc.
15. Approval of a Cooperation and Support Agreement With Friends of the Magical Bridge Playground and Authorization to Remit \$38,302 in Remaining Funds to the Friends for Playground Services and Activities.
16. Renewal of "Smart Cities" Partnership With Yangpu District, Shanghai, China.

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

## Action Items

17. PUBLIC HEARING: Resolution 9606 Entitled, "Resolution of the Council of the City of Palo Alto Confirming the Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein."

Public Hearing opened and closed without public comment at 6:55 P.M.

**MOTION:** Council Member Kniss moved, seconded by Council Member Schmid to adopt a Resolution confirming the Weed Abatement Report and order abatement costs to be a special assessment on the properties specified in the report.

**MOTION PASSED:** 7-0 DuBois not participating, Berman absent

18. Midtown Connector Feasibility Study and Direction Regarding Potential Bicycle and/or Pedestrian Paths Along Matadero Creek or Parallel Routes.

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

- A. Investigate minor improvements to Loma Verde Avenue and a separated path on East Meadow Drive and see if the Santa Clara County grant money can be applied to the East Meadow Drive improvements; and

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- B. Focus on a crossing at East Meadow Drive and Alma Street with consideration for the Caltrain trench discussion.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to remove from the Motion Part A, "minor."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion Part B "or Loma Verde Avenue" after "East Meadow Drive."

**AMENDMENT:** Mayor Burt moved, seconded by Council Member Kniss remove from Motion Part B, "at East Meadow Drive or."

## **AMENDMENT WITHDRAWN BY THE MAKER**

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member XX to add to Motion Part A, "if not proceed, use the grant money on Segments D, E, and F."

## **AMENDMENT WITHDRAWN BY THE MAKER**

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

- A. Direct Staff to work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, return to Council of where to use the grant money on Segments D, E, and F; and
- B. Focus on a crossing at Loma Verde Avenue and return to Council prior to spending the funds.

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Substitute Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

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**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Substitute Motion Part A, "or the Loma Verde Avenue path is determined to be infeasible" after "and if not."

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part B of the Substitute Motion with, "return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds."

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part A of the Substitute Motion with,

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F.

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member DuBois to remove from the Substitute Motion Part B, "if not or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F."

**AMENDMENT RESTATED:** Council Member Wolbach moved, seconded by Council Member DuBois to replace in the Substitute Motion Part B, "if not or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money" with "if not return to Council with alternatives for use of the grant money if possible."

**AMENDMENT FAILED:** 3-5 DuBois, Filseth, Wolbach yes, Berman absent

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Substitute Motion Part A, "with clear indication of what signage and on street markings would be recommended by Staff."



# DRAFT ACTION MINUTES

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to remove from the Motion Part B, "of where."

**SUBSTITUTE MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member Schmid to:

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements with clear indication of what signage and on street markings would be recommended by Staff; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue path is determined to be infeasible, return to Council to use the grant money on Segments D, E, and F; and
- C. Return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds; and
- D. Adopt the Midtown Connector Feasibility Study.

**SUBSTITUTE MOTION AS AMENDED PASSED:** 7-1 DuBois no, Berman absent

Council took a break from 9:29 P.M. to 9:39 P.M.

- 19. PUBLIC HEARING: 567 Maybell Avenue [15PLN-00270]: Approval of Mitigated Negative Declaration and Tentative Tract Map With Lot Size Exceptions to Subdivide Four Parcels Totaling 2.47 Acres Into 16 Single-Family Lots, Ranging from 5,000 SF to 6,186 SF, and one Parcel for a Private Street. Environmental Assessment: Mitigated Negative Declaration. Zoning Districts: R-2 and RM-15.

Public Hearing opened at 10:09 P.M.

Public Hearing closed at 10:50 P.M.

This Agenda Item was continued to the June 28, 2016 Council meeting.

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20. Approval of one Contract and two Contract Amendments: (1) Construction Contract With Wadsworth Golf Construction Company in the Amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, CIP PG-13003; (2) Deductive Change Order Number 1 With Wadsworth Golf Construction Company in the Amount of \$1,191,800, Reflecting Cost Savings; and (3) Amendment Number 2 to Contract C13148028 With Golf Group, Ltd. in the Amount of \$125,720 for Construction Support and Environmental Mitigation Monitoring Services; Discussion and Direction to Staff Regarding Updated Pro-Forma and Financing Options; Adoption of Resolution 9607 Entitled, "Resolution of the Council of the City of Palo Alto Declaring Intention to Reimburse Expenditures From the Proceeds of Tax-Exempt Obligations (e.g. Certificates of Participation) for a Not-To-Exceed Par Amount of \$10.5 Million to Fund a Portion of the Cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and Approval of a Budget Amendment in the General Capital Improvement Fund."

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

- A. Approve, and authorize the City Manager or his designee to execute, a contract with Wadsworth Golf Construction Company in the amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, Capital Improvement Program Project PG-13003; and
- B. Approve, and authorize the City Manager or his designee to execute, deductive Change Order No. One to the contract with Wadsworth Golf Construction Company in the amount of \$1,191,800 to reflect negotiated cost savings measures to be incorporated into the project; and
- C. Authorize the City Manager or his designee to negotiate and execute one or more additional change orders to the contract with Wadsworth Golf Construction Company for related, additional but unforeseen, work which may develop during the project, the total value of which shall not exceed \$1,077,282; and
- D. Approve, and authorize the City Manager or his designee to execute, Amendment No. Two to Contract No. C13148028 with Golf Group, Ltd. in the amount of \$125,720 for construction support and environmental mitigation monitoring services for the Palo Alto Municipal Golf Course

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Reconfiguration Project (PG-13003). The amendment includes \$52,395 for basic services and \$73,325 for additional services. The revised total contract amount is not to exceed \$1,127,751, including \$831,995 for basic services and \$295,756 for additional services; and

- E. Adopt a Resolution declaring intention to reimburse expenditures from the proceeds of tax-exempt obligations (e.g. Certificates of Participation) for not-to-exceed par amount of \$10,500,000 to fund a portion of the cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and
- F. Amend the Fiscal Year 2017 Budget Appropriation for the General Capital Improvement Fund by:
  - i. Increasing the estimate for Other Revenue from financing proceeds in the amount of \$2,017,616; and
  - ii. Increasing the Capital Improvement Program appropriation for the Golf Reconfiguration & Baylands Athletic Center Improvements Project PG-13003 by \$2,252,248; and
  - iii. Decreasing the Capital Infrastructure Reserve by \$234,632.

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

## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Vice Mayor Scharff reported his attendance at the Bay Area Conservation and Development Commission (BCDC) meeting where the Commission approved a design school on the Oracle campus for high school students.

Council Member Kniss reported that the Bay Area Air Quality Management District (BAAQMD) recently moved into a new building which is shared by the Metropolitan Transit Commission (MTC) and the Association of Bay Area Governments (ABAG).

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Council Member Wolbach reported his participation on a ride-along with a Palo Alto Police Officer this past Tuesday. During the ride-along, he joined the Officer representing the Palo Alto Police Department in response to the death of San Jose Police Officer Michael Katherman. He requested Council Members and the community remember Office Katherman, thank Palo Alto Police Officers for their continued service, and remember to drive and ride carefully.

Mayor Burt reported his and his wife's attendance this past Friday at the opening of *Fired Up: Monumental Clay* at the Palo Alto Art Center. He encouraged members of the community to visit the show. He reported his attendance Saturday night at the Achieve Kids annual Reach for the Stars BBQ. He reported his attendance at and the success of World Music Day on Sunday.

Adjournment: The meeting was adjourned in honor of Joe Shakes at 11:52 P.M.



# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
June 27, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:10 P.M.

Present: Berman, Burt, DuBois arrived at 5:13 P.M., Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

1. Approval of Action Minutes for the June 13, 2016 Council Meeting.

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Berman to approve the Action Minutes for the June 13, 2016 Council Meeting.

**MOTION PASSED:** 9-0

## Consent Calendar

**MOTION:** Council Member Berman moved, seconded by Vice Mayor Scharff, third by Council Member Kniss to pull Agenda Item Number 3-Finance Committee Recommendation That Council Adopt a Resolution Adopting a Net Energy Metering... to be continued to a date uncertain.

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**MOTION:** Council Member Holman moved, seconded by Vice Mayor Scharff, third by Council Member DuBois to pull Agenda Item Number 15- Approval of a Contract With West Coast Arborists... to be heard on June 28, 2016.

**MOTION:** Council Member Kniss moved, seconded by Council Member Berman to approve Agenda Item Numbers 2, 4-14, and 16, including changes to Agenda Item Number 10- Approval of the Purchase of All Rights... as outline in an At Place Memorandum.

2. Approval of a Contract Amendment With Cypress Security, Inc. (C16160138A) in the Amount of \$884,552 for a Total Not-to-Exceed Amount of \$1,323,992 and Extend the Term of the Agreement to December 31, 2016.
3. ~~Finance Committee Recommendation That Council Adopt a Resolution Adopting a Net Energy Metering Successor Rate E-EEC 1 (Export Electricity Compensation), Establishing the Net Energy Metering Transition Policy, and Amending Rule and Regulation 2 (Definitions and Abbreviations) and 29 (Net Energy Metering and Interconnection).~~
4. Approval of Budget Amendments in the General Fund's Transportation Contingency Fund and in the Capital Fund in the Amount of \$45,000 for Citywide Engineering and Traffic Speed Surveys.
5. Approval and Authorization for the City Manager to Execute a Purchase Order With CSC Integrations in an Amount Not-to-Exceed \$207,025 for an Intrusion Detection System (IDS) to Improve Safety Along the Caltrain Right of Way in the City of Palo Alto and Adoption of a Related Budget Amendment in Fiscal Year 2016 General Fund.
6. Resolution 9608 Entitled, "Resolution of the Council of the City of Palo Alto Amending Utilities Rate Schedule E-15 (Electric Service Connections) and Rules and Regulations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 18, 20, 23, and 24 (Adoption of Rules, Definitions and Abbreviations, Description of Utility Services, Application of Service, Service Contracts, Establishment and Reestablishment of Credit, Deposits, Access to Premises, Discontinuance, Termination and Restoration of Service, Meter Reading, Billing, Adjustments, and

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Payment of Bills, Metering, Utility Service Connections and Facilities on Customers' Premises, Special Electric Utility Regulations, Special Wastewater Utility Regulations, and Special Refuse Service Regulations)."

7. Resolution 9609 Entitled, "Resolution of the Council of the City of Palo Alto Amending the Net Surplus Electricity Compensation Rate (E-NSE-1)."
8. Approval and Authorization for the City Manager or his Designee to Execute the Off-Taker Generation Percentage Protection Amendment to the City's Power Purchase Agreement (PPA) With Shiloh I Wind Project LLC (Shiloh PPA) and Delegation of Authority to the City Manager to Execute Documents Necessary to Administer the Shiloh PPA and the City's Five PPAs Associated With Landfill Gas to Energy Projects.
9. Approval of and Authorization for the City Manager to Execute a Master License Agreement for use of City-Controlled Space on Utility Poles and Streetlight Poles and in Conduits With GTE Mobilnet of California Limited Partnership, DBA Verizon Wireless for a Combined Initial and Potential Extension Term of 20 Years.
10. Approval of the Purchase of All Rights, Title, and Interest Held By Globe Wireless at Property Known as Baylands ITT Transmitter Site, Assessor Parcel Numbers: 008-05-001 And 008-05-004 From Globe Wireless Located at 2601 East Bayshore Road And Approve an Amendment to the Budget in the General Fund.
11. Resolution 9610 Entitled, "Resolution of the Council of the City of Palo Alto Determining the Proposed Calculation of the Appropriations Limit for Fiscal Year 2017."
12. Approval of a Construction Contract for the Lucie Stern Buildings Mechanical and Electrical Upgrades, Capital Improvements Program Project PE-14015, With Iron Construction, Inc. in the Amount of \$2,239,781 and Approval of Amendment Number 2 to Contract Number C13148737 With Advance Design Consultants Inc. in the

# DRAFT ACTION MINUTES

Amount of \$349,512 for a Not-to-Exceed Amount of \$670,267 for Construction Phase Services.

13. Approval of Amendment Number 3 to Contract Number C14153012 With Metropolitan Planning Group to add \$440,000 for a Total Not-to-Exceed Amount of \$940,000 for Support of Planning Review of Architectural Review Applications.
14. Approval of Amendment Number 5 to Contract Number S13149754 to add \$85,000 for a Total Amount Not-to-Exceed \$421,000 and Amendment Number 3 to Contract Number S15155809 to add \$45,000 for a Total Amount Not-to-Exceed \$95,000 With Renne Sloan Holtzman Sakai LLP Public Law Group for Labor Negotiations Services and to Extend Both Contract Terms to June 30, 2017.
15. ~~Approval of a Contract With West Coast Arborists, Inc., in an Amount Not to Exceed \$3,680,960 for Three Years for Tree Pruning and Removal Services on a Ten Year Maintenance Cycle.~~
16. Resolution 9611 Entitled, "Resolution of the Council of the City of Palo Alto Adopting the 2017-2019 Management & Professional Compensation Plan."

**MOTION PASSED:** 9-0

## Action Items

21. Review of Recommendations From the Storm Drain Blue Ribbon Committee Regarding Future Storm Water Management Funding and Request for Council Direction on Whether to Proceed With a Proposition 218 Hearing and Property Owner Ballot-by-Mail to Approve Future Storm Water Management Rates (Continued From June 6, 2016).

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



# DRAFT ACTION MINUTES

- A. Accept the Storm Drain Blue Ribbon Committee Report; and
- B. Direct Staff to proceed with a Proposition 218 ballot-by-mail process to gain property owner approval of the proposed Fee (Recommendation Numbers 1 and 2); and
- C. Direct Staff to implement the other Report recommendations, consistent with stated qualifiers (e.g. "consider") (Recommendation Numbers 3-15).

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member XX to add to the Motion, "return in three (3) months with an Informational Report on point source data."

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

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "return within six (6) months with an Informational Report on point source data." (New Part D)

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

- A. Accept the Storm Drain Blue Ribbon Committee Report; and
- B. Direct Staff to proceed with a Proposition 218 ballot-by-mail process to gain property owner approval of the proposed Fee (Recommendation Numbers 1 and 2); and
- C. Direct Staff to implement the other Report recommendations, consistent with stated qualifiers (e.g. "consider") (Recommendation Numbers 3-15); and
- D. Return within six (6) months with an Informational Report on point source data.

**MOTION AS AMENDED PASSED:** 9-0

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18. Approval of Memorandum of Understanding (MOU) Between the Santa Clara County Housing Authority, the County of Santa Clara and the City of Palo Alto to Provide up to \$14.5 Million in City Affordable Housing Funds in Support of the Housing Authority's Potential Acquisition of the Buena Vista Mobile Home Park for Deed Restricted Affordable Housing, From June 28, 2016 Through June 28, 2018; Authorize the City Manager to Implement MOU Subject to Council Conditions and Reporting.

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

- A. Approve a Memorandum of Understanding (MOU) with the Housing Authority of the County of Santa Clara and the County of Santa Clara relating to providing funding for the Housing Authority's potential acquisition of the Buena Vista Mobile Home Park in an amount not to exceed \$14,500,000 for period June 28, 2016 through June 28, 2018, for the purpose of affordable housing; and
- B. Authorize the City Manager or his designee to implement and administer the MOU, subject to conditions described in this report.

**MOTION PASSED:** 9-0

Council took a break from 7:16 P.M. to 7:30 P.M.

19. CONTINUED PUBLIC HEARING: to Hear Objections to the Levy of Proposed Assessments on the Palo Alto Downtown Business Improvement District; Resolution 9612 Entitled, "Resolution of the Council of the City of Palo Alto Confirming the Report of the Advisory Board and Levying Assessment for Fiscal Year 2017 on the Downtown Palo Alto Business Improvement District; and Possible Council Direction on Next Steps (Continued From June 6, 2016)."

Public Hearing continued from June 6, 2016.

Public Hearing closed at 7:33 P.M.

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**MOTION:** Vice Mayor Scharff moved, seconded by Council Member DuBois to adopt a Resolution confirming the report of the Advisory Board and levying an assessment for Fiscal Year 2017 on the Downtown Palo Alto Business Improvement District.

**MOTION PASSED:** 8-0 Berman not participating

17. Consideration of Ad Hoc Committee Report and Recommendations, Review of Polling, and Discussion and Direction on Potential 2016 Business Tax to Fund Transportation and Parking Improvements, Including Alternative Timing Options, Elements of Measure, Preliminary Revenue Estimates, and Potential Projects and Impacts.

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

- A. Consider placing a special tax measure requiring a two-thirds vote on a special election ballot in 2017 and utilize the additional time to refine the proposal, build consensus and neutralize potential sources of opposition; and
- B. Consider placing a general tax measure requiring a simple majority vote on the November 2018 ballot and utilize the additional time to refine the proposal and build consensus and neutralize potential sources of opposition; and
- C. Create a stakeholder committee.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the beginning of Motion Part B, "if necessary."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part C, "to explore priority transportation needs, identify funding requirements and explore various funding options."

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**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member XX to add to Motion Part C, "committee members would ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group."

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part C, "committee members would include a balance of business and resident interests, ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "direct Staff to return with a timeline with activities to plan for a ballot measure." (New Part D)

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the end of Motion Part D, "and options for structure of the stakeholder committee."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part C, "and develop a funding plan" after "various funding options."

**MOTION RESTATED:** Council Member Kniss moved, seconded by Council Member Holman to:

- A. Consider placing a special tax measure requiring a two-thirds vote on a special election ballot in 2017 and utilize the additional time to refine the proposal, build consensus and neutralize potential sources of opposition; and
- B. If necessary, consider placing a general tax measure requiring a simple majority vote on the November 2018 ballot and utilize the

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additional time to refine the proposal and build consensus and neutralize potential sources of opposition; and

- C. Create a stakeholder committee to explore priority transportation needs, identify funding requirements and explore various funding options and develop a funding plan. Committee members would include a balance of business and resident interests, ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group; and
- D. Direct Staff to return with a timeline with activities to plan for a ballot measure and options for structure of the stakeholder committee.

## **MOTION AS AMENDED PASSED: 9-0**

- 20. ~~PUBLIC HEARING: 1601 California Avenue [15PLN-00500]: Request by The Board of Trustees of the Leland Stanford Junior University to Amend the Final Map for Tract Number 10281 Recorded January 2015 for the 1451-1601 California Avenue Development, Which Includes a Total of 180 Dwelling Units. Environmental Assessment: City of Palo Alto/Stanford Development Agreement and Lease Project Environmental Impact Report (State Clearinghouse No. 2003082103) Zoning District: Research Park and Alternative Standards Overlay Two (RP(AS2)) District~~ **(Continued to June 28, 2016).**

## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Vice Mayor Scharff announced that the Federal Aviation Administration Select Committee on South Bay Aircraft Noise will hold meetings on June 29<sup>th</sup> in Mountain View, and July 15<sup>th</sup> and July 22<sup>nd</sup> in Palo Alto.

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Council Member DuBois encouraged Council Members and members of the community to attend the Select Committee meetings. He reported that the Select Committee meeting in Santa Cruz drew more than 500 attendees.

Mayor Burt reported on his participation at the Energy Efficiency Forum in Washington D.C. The sustainability and energy efficiency work of the City of Palo Alto was highlighted at various points during the event. He noted the strength of Palo Alto's Chief Information Officer in supporting coordination between departments. He suggested that a comprehensive narrative highlighting the City's numerous energy efficiency and sustainability initiatives be drafted.

Mr. Keene reported that the City's narrative continues to evolve as Staff and Council initiate new programs and initiatives.

Adjournment: The meeting was adjourned in recognition of federal legislators participating in the recent gun control sit-in at 10:31 P.M.



# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
June 28, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:09 P.M.

Present: Berman, Burt, DuBois arrived at 6:14 P.M., Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Agenda Changes, Additions and Deletions

Council will hear Approval of a Contract With West Coast Arborists... as Agenda Item Number 4 (Continued from June 27, 2016).

## Action Items

1. ~~CONTINUED PUBLIC HEARING: to Hear Objections to the Levy of Proposed Assessments on the Palo Alto Downtown Business Improvement District; Adoption of a Resolution Confirming the Report of the Advisory Board and Levying Assessment for Fiscal Year 2017 on the Downtown Palo Alto Business Improvement District; and Possible Council Direction on Next Steps.~~
2. ~~Review of Recommendations From the Storm Drain Blue Ribbon Committee Regarding Future Storm Water Management Funding and Request for Council Direction on Whether to Proceed With a Proposition 218 Hearing and Property Owner Ballot by Mail to Approve Future Storm Water Management Rates (Continued From June 6, 2016).~~
- 2A. PUBLIC HEARING: 567 Maybell Avenue [15PLN-00270]: Approval of Mitigated Negative Declaration and Tentative Tract Map With Lot Size Exceptions to Subdivide Four Parcels Totaling 2.47 Acres Into 16 Single-Family Lots, Ranging from 5,000 SF to 6,186 SF, and one Parcel

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for a Private Street. Environmental Assessment: Mitigated Negative Declaration. Zoning Districts: R-2 and RM-15 (CONTINUED FROM JUNE 20, 2016).

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

- A. Adopt a Mitigated Negative Declaration; and
- B. Approve a Record of Land Use Action, including the Mitigation Monitoring and Reporting Program, for the Tentative Tract Map and related lot size exceptions based on findings and conditions of approval included in the Staff Report.

**MOTION PASSED:** 8-1 Wolbach no

Council took a break from 6:53 P.M. to 7:00 P.M.

- 3. CONTINUED PUBLIC HEARING: 1601 California Avenue [15PLN-00500]: Request by The Board of Trustees of the Leland Stanford Junior University to Amend the Final Map for Tract Number 10281 Recorded January 2015 for the 1451-1601 California Avenue Development, Which Includes a Total of 180 Dwelling Units. Environmental Assessment: City of Palo Alto/Stanford Development Agreement and Lease Project Environmental Impact Report (State Clearinghouse No. 2003082103) Zoning District: Research Park and Alternative Standards Overlay Two (RP(AS2)) District (Continued From June 27, 2016).

Council Member DuBois advised that he would not participate in this Agenda Item because he has a source of income from Stanford University.

Council Member DuBois left the meeting at 7:02 P.M.

Public Hearing opened at 7:10 P.M.

Public Hearing closed at 8:03 P.M.

Council took a break from 8:09 P.M. to 8:17 P.M.



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**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to adopt a Record of Land Use Action (ROLUA) regarding the Amendment to the Final Map for Tract Number 10281.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion,

- A. Including the following additions in the ROLUA:
- i. Incorporated Comprehensive Plan consistency findings; and
  - ii. Standard indemnification clause; and
  - iii. A reference to the Amending Map of Tract No. 10281.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER** to add to the Motion, "Six Mitigation Measures identified in Environmental Disclosure: University Terrace Project, Palo Alto, California, March 2016, Section 4.1." (New Part iv)

**AMENDMENT:** Council Member Wolbach moved, seconded by Mayor Burt to add to the Motion, "an additional vapor intrusion measure be added including subslab ventilation or depressurization." (New Part v)

**AMENDMENT PASSED:** 6-2 Filseth, Schmid no, DuBois absent

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "direct Staff to withhold issuing building permits to the seven homes adjacent to the hotspots until the California Department of Toxic Substances Control (DTSC) issues its No Further Action determination." (New Part B)

**AMENDMENT:** Council Member Wolbach moved, seconded by Mayor Burt to add to Motion Part v, "for all 40 single family homes not yet under construction."

**AMENDMENT PASSED:** 7-1 Filseth no, DuBois absent

**AMENDMENT:** Mayor Burt moved, seconded by Council Member Kniss to add to the Motion, "direct Staff to work with the project Developer to

# DRAFT ACTION MINUTES

attempt to locate pedestrian access either toward Page Mill Road or Hanover Street.”

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, “direct Staff to work with the project Developer to attempt to locate pedestrian and bicycle access either toward Page Mill Road or Hanover Street.” (New Part C)

**MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member Kniss to adopt a Record of Land Use Action (ROLUA) regarding the Amendment to the Final Map for Tract Number 10281:

- A. Including the following additions in the ROLUA:
  - i. Incorporated Comprehensive Plan consistency findings; and
  - ii. Standard indemnification clause; and
  - iii. A reference to the Amending Map of Tract No. 10281; and
  - iv. Six Mitigation Measures identified in Environmental Disclosure: University Terrace Project, Palo Alto, California, March 2016, Section 4.1; and
  - v. An additional vapor intrusion measure be added including subslab ventilation or depressurization for all 40 single family homes not yet under construction; and
- B. Direct Staff to withhold issuing building permits to the seven homes adjacent to the hotspots until the California Department of Toxic Substances Control (DTSC) issues its No Further Action determination.
- C. Direct Staff to work with the project Developer to attempt to locate pedestrian and bicycle access either toward Page Mill Road or Hanover Street.

**MOTION AS AMENDED PASSED:** 8-0 DuBois absent

- 4. Approval of a Contract With West Coast Arborists, Inc., in an Amount Not-to-Exceed \$3,680,960 for Three Years for Tree Pruning and

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Removal Services on a Ten Year Maintenance Cycle (Continued from June 27, 2016).

**MOTION:** Council Member Holman moved, seconded by Council Member Kniss to approve and authorize the City Manager or his designee to execute a three-year contract with West Coast Arborists Inc. in an amount not to exceed \$3,680,960 for tree pruning and removal services on a ten-year maintenance cycle with the following amendments:

- A. The contract shall include an annual review and optional extension/amendment clause subject to Council review and approval pending:
  - i. Design of a tree management plan befitting a 29-year Tree City USA designation that addresses the recommendations from the State Urban Forester and relevant others including but not limited to:
    - a. Greenhouse gas reduction benefits of a healthy and well-maintained urban forest including reduced carbon dioxide, lowered energy use, reduced heat island effect; and
    - b. Safety, especially during times of drought and potential resultant limb loss; and
    - c. Storm water interception, habitat retention and creation; and
    - d. Economic and social benefits of a healthy urban forest; and
  - ii. Determination of whether a single source contract is the best method to contract for Palo Alto's tree care; and
  - iii. The cost benefit ratio of maintenance (average \$19.00 per tree cost vs \$5.82 in benefit is returned for every \$1 spent); and
- B. Such a plan should be presented to Council prior to consideration of a contract in the 2018 budget cycle.

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

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- A. Direct Staff to accept the original bid of \$4,702,450, an additional \$1,021,490 over the three-year term; and
- B. Authorize the City Manager or his designee to execute a new three-year contract with West Coast Arborists, Inc. in an amount not to exceed \$4,702,450 for tree pruning and removal services on a 7-year maintenance cycle; and
- C. Amend the Fiscal Year 2017 Budget Appropriation Ordinance for the General Fund by:
  - i. Increasing the Public Works Department contract services appropriation by \$316,900; and
  - ii. Decreasing the General Fund Budget Stabilization Reserve by \$316,900.

**SUBSTITUTE MOTION PASSED:** 8-0 DuBois absent

## Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 10:23 P.M.