



## **CITY OF PALO ALTO OFFICE OF THE CITY CLERK**

**May 29, 2018**

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

### **Approval of Action Minutes for the May 14, 2018 Council Meeting**

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

**ATTACHMENTS:**

- Attachment A: 05-14-18 DRAFT Action Minutes (DOCX)

Department Head: Beth Minor, City Clerk





# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting  
May 14, 2018

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

Present: DuBois arrived at 10:02 P.M., Filseth, Fine; Holman arrived at 5:55 P.M., Kniss; Kou arrived at 5:10 P.M., Scharff, Tanaka, 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, Ed Shikada, Michelle Flaherty, Rumi Portillo, Sandra Blanch, Nicholas Raisch, Molly Stump, Terence Howzell, Charles Sakai, Lalo Perez, Kiely Nose, Robert Jonsen, Eric Nickel)  
Employee Organizations: Palo Alto Peace Officers' Association (PAPOA); Palo Alto Fire Chiefs' Association (FCA); International Association of Fire Fighters (IAFF), Local 1319; and Palo Alto Police Managers' Association (PAPMA)  
Authority: Government Code Section 54957.6(a).

**MOTION:** Vice Mayor Filseth moved, seconded by Council Member Wolbach to go into Closed Session.

**MOTION PASSED:** 6-0 DuBois, Holman, Kou absent

Council went into Closed Session at 5:04 P.M.

Council returned from Closed Session at 6:19 P.M.

Mayor Kniss announced no reportable action.

## Special Orders of the Day

2. Proclamation Honoring MacArthur Park for Maintaining a Piece of Palo Alto's Historic Past.

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3. Affordable Housing Week Proclamation.

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

4. Approval of Action Minutes for the April 30, 2018 Council Meeting.

**MOTION:** Council Member Wolbach moved, seconded by Council Member Holman to approve the Action Minutes for the April 30, 2018 Council Meeting.

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

## Consent Calendar

**MOTION:** Vice Mayor Filseth moved, seconded by Council Member Scharff to approve Agenda Item Numbers 5-8.

5. Approval of a Contract With O'Grady Paving, Inc. in the Amount of \$4,743,018 for Fiscal Year (FY) 2018 Street Resurfacing Project, Capital Improvements Program Projects PE-86070, PO-12001, PL-16000, PL-16001, and PL-04010.
6. Adoption of an Ordinance Amending Chapter 10.51 of Title 10 of the Palo Alto Municipal Code Related to the Crescent Park No Overnight Parking Program to Reflect the Current Status of Approved Streets Within the Program, to Tentatively Approve Additional Street Segments Within Crescent Park, and to add Provisions for Opting-out of or Dissolving the Restricted Parking Area.
7. Adoption of an Ordinance Amending Palo Alto Municipal Code Chapter 4.39 (Private Intrusion Alarms) to Include the Addition of Unwanted, Unwarranted Residential and Commercial Fire Alarms.
8. Resolution 9756 Entitled, "Resolution of the Council of the City of Palo Alto Correcting an Error in the Previously Adopted Resolution for the Southgate Residential Preferential Parking Program Related to the Availability of Daily Employee Parking Permits and Restating the Program Provisions."

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

# DRAFT ACTION MINUTES

## Action Items

9. PUBLIC HEARING / QUASI JUDICIAL: 305 N. California Avenue [17PLN-00446]: Approval of a Request for a Conditional Use Permit to Allow a Community Center use at the First Baptist Church. Environmental Assessment: Exempt per Sections 15301 and 15323 of the California Environmental Quality Act (CEQA) Guidelines. Zone District: R-1 (10,000) (Single Family Residential).

Public Hearing opened at 7:31 P.M.

Public Hearing closed at 9:24 P.M.

Council took a break from 9:43 P.M. to 9:50 P.M.

**MOTION:** Council Member Scharff moved, seconded by Council Member Fine to:

- A. Find the proposed project exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15301 and 15323 of the CEQA Guidelines;
- B. Adopt a Record of Land Use Action as submitted to the Planning and Transportation Commission on April 11, 2018, approving the proposed Conditional Use Permit based on findings and subject to conditions of approval with the following changes:
  - i. Replace in Condition 2, "7:30pm" with "8:30pm" and "8:00pm" with "9:00pm;" and
  - ii. Replace Condition 15, with "in addition to community center events authorized by these conditions of approval, six (6) special events may be held each calendar year to allow for community center events that exceed the occupancy limitations set forth in these conditions. The Applicant shall notify the Planning and Community Environment Department no less than 7 days prior to the event. No more than 2 special events occur during the same month. The maximum occupancy shall not exceed (280) occupants."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "replace in Condition 10, '50 persons' with '70 persons.'" (New Part B.iii.)

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**AMENDMENT:** Council Member Holman moved, seconded by Council Member Wolbach to add to the Motion, "replace in Condition 3, 'three individual counselors' with 'five individual counselors.'" (New Part B.iv.)

**AMENDMENT PASSED:** 7-2 Filseth, Fine no

**AMENDMENT:** Council Member Holman moved, seconded by Council Member Kou to remove Part B.iii. from the Motion.

**AMENDMENT FAILED:** 3-6 DuBois, Holman, Kou yes

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "replace the last sentence of Condition 12 with, 'community center events greater than 32 persons shall stagger pick up and drop off times by 15 minutes to facilitate access at drop off and pick up locations.'" (New Part B.v.)

**AMENDMENT:** Council Member Holman moved, seconded by Council Member Kou to replace in the Motion Part B.e., "15 minutes" with "30 minutes."

**AMENDMENT FAILED:** 2-7 Holman, Kou yes

**MOTION:** Council Member Scharff moved, seconded by Council Member Fine to continue Agenda Item Number 10- Connecting Palo Alto Rail Program Status Update... to a date uncertain.

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

**AMENDMENT:** Council Member Holman moved, seconded by Council Member Kou to add to the Motion, "add to Condition 17, 'in the event three violations occur in any given month, the Conditional Use Permit shall be reconsidered.'" "

**INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER** to replace in the Amendment, "reconsidered" with "revoked."

**AMENDMENT AS AMENDED RESTATED:** Council Member Holman moved, seconded by Council Member Kou to add to the Motion, "add to Condition 17, 'in the event three violations occur in any given month, the Conditional Use Permit shall be revoked.'" "

**AMENDMENT AS AMENDED FAILED:** 3-6 DuBois, Holman, Kou yes

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**AMENDMENT:** Council Member Holman moved, seconded by Mayor Kniss to add to the Motion, "add a Condition, 'if a church ceases to exist at 305 N. California Avenue, the Conditional Use Permit expires.'"

## **SECOND TO THE AMENDMENT WITHDRAWN**

**AMENDMENT:** Council Member Holman moved, seconded by Council Member Wolbach to add to the Motion, "add a Condition, 'if a church ceases to exist at 305 N. California Avenue, the Conditional Use Permit expires.'" (New Part B.vi.)

**AMENDMENT PASSED:** 6-3 Filseth, Scharff, Tanaka no

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part B.i. with "replace Condition 2 with, 'Community center events shall not occur at the same time and shall be separated by at least fifteen (15) minutes from any organized religious worship or religious education. Community center events shall only occur between 10:00am and 7:30pm 8:30pm, Monday through Thursday, and between 10:00am and 7:30pm, Friday, Saturday, and Sunday, except that ancillary counseling and psychotherapy may occur as early as 9:00am and regardless of any organized religious worship or religious education. All individuals attending or affiliated with any community center event shall vacate the premises no later than 9:00pm nightly Monday through Thursday, and 8:00pm nightly Friday, Saturday, and Sunday.'"

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member XX to add to the Motion, "allow 1 event per week with up to 120 participants, ending by 7:30pm."

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

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member XX to add to the Motion, "the Conditional Use Permit requires annual renewal."

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

**AMENDMENT:** Vice Mayor Filseth moved, seconded by Council Member DuBois to add to the Motion, "the Conditional Use Permit comes up for renewal after 10 years."

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the

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Motion, "the Conditional Use Permit comes up for renewal after 5 years."  
(New Part B.vii.)

**MOTION AS AMENDED RESTATED:** Council Member Scharff moved, seconded by Council Member Fine to:

- A. Find the proposed project exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15301 and 15323 of the CEQA Guidelines;
- B. Adopt a Record of Land Use Action as submitted to the Planning and Transportation Commission on April 11, 2018, approving the proposed Conditional Use Permit based on findings and subject to conditions of approval with the following changes:
  - i. Replace Condition 2 with, "Community center events shall not occur at the same time and shall be separated by at least fifteen (15) minutes from any organized religious worship or religious education. Community center events shall only occur between 10:00am and 7:30pm 8:30pm, Monday through Thursday, and between 10:00am and 7:30pm, Friday, Saturday, and Sunday, except that ancillary counseling and psychotherapy may occur as early as 9:00am and regardless of any organized religious worship or religious education. All individuals attending or affiliated with any community center event shall vacate the premises no later than 9:00pm nightly Monday through Thursday, and 8:00pm nightly Friday, Saturday, and Sunday ;
  - ii. Replace Condition 15, with "in addition to community center events authorized by these conditions of approval, six (6) special events may be held each calendar year to allow for community center events that exceed the occupancy limitations set forth in these conditions. The Applicant shall notify the Planning and Community Environment Department no less than 7 days prior to the event. No more than 2 special events occur during the same month. The maximum occupancy shall not exceed (280) occupants;"
  - iii. Replace in Condition 10, "50 persons" with "70 persons;"
  - iv. Replace in Condition 3, "three individual counselors" with "five individual counselors;"



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- v. Replace the last sentence of Condition 12 with, “community center events greater than 32 persons shall stagger pick up and drop off times by 15 minutes to facilitate access at drop off and pick up locations;”
- vi. Add a Condition, “if a church ceases to exist at 305 N. California Avenue, the Conditional Use Permit expires;” and
- vii. The Conditional Use Permit comes up for renewal after 5 years.

**MOTION AS AMENDED PASSED:** 7-2 Holman, Kou no

- 10. ~~Connecting Palo Alto Rail Program Status Update and Initial Screening of Grade Separation Ideas for Further Study.~~

This Agenda Item continued to a date uncertain.

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 11:31 P.M.