



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

June 11, 2018

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

Approval of Action Minutes for the May 29, 2018 Council Meeting

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

ATTACHMENTS:

- Attachment A: 05-29-18 DRAFT Action Minutes (DOCX)

Department Head: Beth Minor, City Clerk



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
May 29, 2018

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:01 P.M.

Present: DuBois, Filseth, Fine; Holman arrived at 5:07 P.M., Kniss; Kou arrived at 8:10 P.M., Scharff; Tanaka arrived at 5:03 P.M., Wolbach

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION
Significant Exposure to Litigation (One Potential Case, as Plaintiff/Defendant) – Issues Relating to the Cable Franchise and Public, Education and Government (PEG) Fee Audit (May 10, 2016)
Authority: Government Code Section 54956.9(d) (2).
2. PUBLIC EMPLOYMENT
Title: City Manager
Authority: Government Code Section 54957(b).

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

MOTION PASSED: 5-0-1 Scharff abstain, Holman, Kou, Tanaka absent

Council went into Closed Session at 5:02 P.M.

Council returned from Closed Session at 7:12 P.M.

Mayor Kniss announced no reportable action.

Agenda Changes, Additions and Deletions

MOTION: Council Member Fine moved, seconded by Council Member Holman to continue Agenda Item Number 7- Adoption of an Updated Salary Schedule and Revised Compensation Plan... to June 18, 2018.

DRAFT ACTION MINUTES

MOTION PASSED: 8-0 Kou absent

Minutes Approval

3. Approval of Action Minutes for the May 14, 2018 Council Meeting.

MOTION: Council Member Scharff moved, seconded by Vice Mayor Filseth to approve the Action Minutes for the May 14, 2018 Council Meeting.

MOTION PASSED: 8-0 Kou absent

Consent Calendar

Council Member Holman registered a no vote on Agenda Item Number 4- Preliminary Approval of the Downtown Business Improvement District (BID)...

Council Member Tanaka registered a no vote on Agenda Item Number 6- Approval of Three Contracts...

MOTION: Vice Mayor Filseth moved, seconded by Council Member Scharff to approve Agenda Item Numbers 4-6, 8.

4. Preliminary Approval of the Downtown Business Improvement District (BID) 2018-2019 Annual Report; and Resolution 9758 Entitled, "Resolution of the Council of the City of Palo Alto Declaring an Intention to Levy an Assessment Against Businesses Within the BID for Fiscal Year 2019 and Setting a Time and Place for a Public Hearing on June 11, at 6:00 PM or Thereafter, in the City Council Chambers."
5. Approval of Amendment Number One to Contract Number C17167868 With Artist Mary Lucking to Increase the Contract Amount by \$10,000 for the Completion of the Public Art for the Highway 101 Bike and Pedestrian Bridge.
6. Approval of Three Contracts: 1) a Five-year Contract With BrightView Landscape Services in the Amount of \$5,821,106 for Landscape Maintenance Services; 2) a Five-year Contract With Gachina Landscape Management, in the Amount of \$376,842 for Landscape Maintenance Services; and 3) a Five-year Contract With Acterra in the Amount of \$298,456 for Habitat Restoration in Foothills Park.
7. ~~Adoption of an Updated Salary Schedule and Revised Compensation Plan for Unrepresented Limited Hourly Employees Effective July 1, 2017 – June 30, 2021.~~

DRAFT ACTION MINUTES

8. Approval of a Construction Contract With State Roofing Systems, Inc. in an Amount Not-to-Exceed \$775,506 in the Roofing Replacement (PF-00006) Capital Improvement Program Project to Provide Construction Services to Replace the Existing Roofs at Ventura Community Center Units 1, 2, & 3 and Repair the Water Damaged Soffit Areas and Stucco Under all Three Roof Overhangs.

MOTION FOR AGENDA ITEM NUMBER 4 PASSED: 7-1 Holman no, Kou absent

MOTION FOR AGENDA ITEM NUMBER 6 PASSED: 7-1 Tanaka no, Kou absent

MOTION FOR AGENDA ITEM NUMBERS 5 AND 8 PASSED: 8-0 Kou absent

Action Items

9. Resolution 9759, Entitled "Resolution of the Council of the City of Palo Alto Designating 450 Bryant Street, Known as the Avenidas Building, as a 'Sender Site' in the Transfer of Development Rights (TDR) Program; Direction to Staff to Issue Requests for Proposals for Avenidas and College Terrace Building TDRs; and Approval of Commitment of Additional \$2 Million for Enhancements to the New Junior Museum and Zoo."

MOTION: Council Member Scharff moved, seconded by Council Member Wolbach to:

- A. Adopt a Resolution designating 450 Bryant Street, known as the Avenidas Building, to be eligible as a "Sender Site" for 9,188 square feet in the Transfer of Development Rights (TDR) program;
- B. Direct the City Manager or his designee to issue a Request for Proposals (RFP) for the sale of 9,188 square feet of TDRs from the Avenidas Building at the minimum starting price of \$275 per square foot;
- C. Direct the City Manager or his designee to issue a Request for Proposals (RFP) for the sale of 2,500 square feet of TDRs from the College Terrace Building located at 2300 Wellesley Street at the minimum starting price of \$275 per square foot and direct Staff to return to City Council with the results of the RFP;

DRAFT ACTION MINUTES

- D. Authorize the City Manager or his designee to transfer \$2.5 million in proceeds from the sale of the TDRs to Avenidas, to be used for the cost of historic and seismic rehabilitation of the Avenidas Building (this \$2.5 million contribution will fulfill the remaining portion of the City's pledge to contribute a total of \$5 million towards the historic and seismic rehabilitation of the Avenidas building); and
- E. Approve the commitments described in Staff Report Attachment B from the City Manager to Dick Peery in support of the Junior Museum and Zoo (JMZ) project, stating that the City supports construction of \$2 million in enhanced features and will contribute an additional \$1 million toward the cost, with the Friends of the Junior Museum and Zoo conducting private fundraising for \$1 million, by fiscal year 2020.

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION1: Council Member Scharff moved, seconded by Council Member Wolbach to:

- A. Adopt a Resolution designating 450 Bryant Street, known as the Avenidas Building, to be eligible as a "Sender Site" for 9,188 square feet in the Transfer of Development Rights (TDR) program;
- B. Direct the City Manager to issue a Request for Proposals (RFP) for the sale of 9,188 square feet of TDRs from the Avenidas Building at the minimum starting price of \$275 per square foot;
- C. Direct the City Manager or his designee to issue a Request for Proposals (RFP) for the sale of 2,500 square feet of TDRs from the College Terrace Building located at 2300 Wellesley Street at the minimum starting price of \$275 per square foot and direct Staff to return to City Council with the results of the RFP; and
- D. Authorize the City Manager or his designee to transfer \$2.5 million in proceeds from the sale of the TDRs to Avenidas, to be used for the cost of historic and seismic rehabilitation of the Avenidas Building (this \$2.5 million contribution will fulfill the remaining portion of the City's pledge to contribute a total of \$5 million towards the historic and seismic rehabilitation of the Avenidas building).

AMENDMENT TO MOTION1: Council Member Holman moved, seconded by Council Member XX to replace in Motion1 Parts B and C, "\$275" with "\$300."

AMENDMENT TO MOTION1 FAILED DUE TO THE LACK OF A SECOND

DRAFT ACTION MINUTES

MOTION1 PASSED: 7-2 Filseth, Kou no

MOTION2: Council Member Scharff moved, seconded by Council Member Wolbach to:

- E. Approve the commitments described in Staff Report Attachment B from the City Manager to Dick Peery in support of the Junior Museum and Zoo (JMZ) project, stating that the City supports construction of \$2 million in enhanced features and will contribute an additional \$1 million toward the cost, with the Friends of the Junior Museum and Zoo conducting private fundraising for \$1 million, by fiscal year 2020.

MOTION2 PASSED: 8-1 Kou no

- 10. Connecting Palo Alto Rail Program Status Update and Initial Screening of Ideas for Further Study (Continued From May 14, 2018).

Mayor Kniss advised she will not participate in this Agenda Item because she owns real property within 500 feet of the Caltrain rail corridor. She left the meeting at 9:09 P.M.

Vice Mayor Filseth advised he will not participate in this Agenda Item because he owns real property within 500 feet of the Caltrain rail corridor. He left the meeting at 9:09 P.M.

Council Member DuBois advised he will not participate in this Agenda Item because he lives within 500 feet of the Caltrain rail corridor. He left the meeting at 9:09 P.M.

Council took a break from 9:09 P.M. to 9:21 P.M.

MOTION: Council Member Fine moved, seconded by Council Member Wolbach to:

- A. Approve moving forward with the following specific grade separation options, and authorize polling if Staff deems appropriate:
 - i. CAH - Churchill Avenue roadway under railroad hybrid;
 - ii. CAR - Churchill Avenue roadway over railroad reverse hybrid;
 - iii. CAX - Churchill Avenue crossing closed; improvement options include: widen existing Embarcadero Road undercrossing, add new traffic signals at Embarcadero Road ramps, build bike/pedestrian crossing at Churchill Avenue, and/or build Seale Avenue bike/pedestrian crossing to connect to Peers Park and

DRAFT ACTION MINUTES

Stanford Avenue bicycle boulevard;

- iv. MCL - Meadow Drive and Charleston Road railroad over roadway hybrid and build Loma Verde Avenue bike/pedestrian crossing to connect to Margarita Avenue bicycle boulevard;
- v. MCR - Meadow Drive and Charleston Road roadway over railroad reverse hybrid and build Loma Verde Avenue bike/pedestrian crossing to connect to Margarita Avenue bicycle boulevard;
- vi. MCT - Meadow Drive and Charleston Road roadway over railroad trench or tunnel; Alma Street would not be within trench or tunnel (maintains Alma Street connections to Meadow Drive and Charleston Road);
- vii. MCV - Meadow Drive and Charleston Road railroad over roadway viaduct;
- viii. PAH - Continue proposed Menlo Park railroad over roadway hybrid and/or viaduct across San Francisquito Creek and Palo Alto Avenue;
- ix. PCX - Palo Alto Avenue crossing closed; improvement options include: build an Everett Avenue bike/pedestrian undercrossing and widen University Avenue; and
- x. WBP - City-wide deep-bore railroad under roadway tunnel within Palo Alto city limits with two new underground rail stations.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to return to the Rail Committee and/or Council with an enhanced community engagement plan in June." (New Part B.i.)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to continue exploring the future of freight and the possibility of 2 percent grade." (New Part B.ii.)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to engage with our lobbyists to help with freight, funding, and other matters." (New Part B.iii.)

DRAFT ACTION MINUTES

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER OR SECONDER to add to the Motion Part A.x., "with or without freight."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER OR SECONDER to add to the Motion Part A.xi., "with Alma Street in its existing alignment or a new alignment."

AMENDMENT: Council Member Tanaka moved, seconded by Council Member Kou to add to the Motion, "take permanent eminent domain off the table."

AMENDMENT RESTATED: Council Member Tanaka moved, seconded by Council Member Kou to add to the Motion, "take full permanent property takings off the table."

AMENDMENT AS AMENDED FAILED: 2-4 Kou, Tanaka yes, DuBois, Filseth, Kniss absent

AMENDMENT: Council Member Tanaka moved, seconded by Council Member XX to add to the Motion, "take widening Embarcadero Road off the table."

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

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

- A. Approve moving forward with the following specific grade separation options, and authorize polling if Staff deems appropriate:
 - i. CAH - Churchill Avenue roadway under railroad hybrid;
 - ii. CAR - Churchill Avenue roadway over railroad reverse hybrid;
 - iii. CAX - Churchill Avenue crossing closed; improvement options include: widen existing Embarcadero Road undercrossing, add new traffic signals at Embarcadero Road ramps, build bike/pedestrian crossing at Churchill Avenue, and/or build Seale Avenue bike/pedestrian crossing to connect to Peers Park and Stanford Avenue bicycle boulevard;
 - iv. MCL - Meadow Drive and Charleston Road railroad over roadway hybrid and build Loma Verde Avenue bike/pedestrian crossing to connect to Margarita Avenue bicycle boulevard;

DRAFT ACTION MINUTES

- v. MCR - Meadow Drive and Charleston Road roadway over railroad reverse hybrid and build Loma Verde Avenue bike/pedestrian crossing to connect to Margarita Avenue bicycle boulevard;
- vi. MCT - Meadow Drive and Charleston Road roadway over railroad trench or tunnel; Alma Street would not be within trench or tunnel (maintains Alma Street connections to Meadow Drive and Charleston Road) with Alma Street in its existing alignment or a new alignment;
- vii. MCV - Meadow Drive and Charleston Road railroad over roadway viaduct;
- viii. PAH - Continue proposed Menlo Park railroad over roadway hybrid and/or viaduct across San Francisquito Creek and Palo Alto Avenue;
- ix. PCX - Palo Alto Avenue crossing closed; improvement options include: build an Everett Avenue bike/pedestrian undercrossing and widen University Avenue;
- x. WBP - City-wide deep-bore railroad under roadway tunnel within Palo Alto city limits with two new underground rail stations with or without freight;

B. Direct Staff to:

- i. Return to the Rail Committee and/or Council with an enhanced community engagement plan in June;
- ii. Continue exploring the future of freight and the possibility of 2 percent grade;
- iii. Engage with our lobbyists to help with freight, funding, and other matters.

MOTION AS AMENDED PASSED: 6-0 DuBois, Filseth, Kniss absent

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 12:19 A.M.