



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
April 1, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:05 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka arrived at 5:58 P.M.

Absent:

Closed Session

1. CONFERENCE WITH LABOR NEGOTIATORS
City Designated Representatives: City Manager and his Designees Pursuant to Merit System Rules and Regulations (Ed Shikada, Michelle Flaherty, Rumi Portillo, Sandra Blanch, Nicholas Raisch, Molly Stump, Terence Howzell, and Kiely Nose)
Employee Organization: (1) Utilities Management and Professional Association of Palo Alto (UMPAPA); (2) Service Employees International Union (SEIU), Local 521; (3) Police Officers' Association of Palo Alto (PAPOA); (4) Palo Alto Police Managers' Association (PMA); (5) International Association of Fire Fighters (IAFF), Local 1319; and (6) Palo Alto Fire Chiefs' Association (FCA)
Authority: Government Code Section 54957.6 (a).

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:09 P.M.

Council returned from Closed Session at 6:27 P.M.

Mayor Filseth announced no reportable action.

Special Orders of the Day

2. Resolution 9824 Entitled, "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Jim Amores Upon his Retirement".

Mayor Filseth read the Resolution into the record.

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MOTION: Mayor Filseth moved, seconded by Vice Mayor Fine to adopt a Resolution expressing appreciation to Jim Amores upon his retirement.

MOTION PASSED: 7-0

3. Proclamation Honoring National Library Week.

Council Member Cormack read the Proclamation into the record.

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 6.

Council Member Tanaka registered a no vote on Agenda Item Number 4.

MOTION: Vice Mayor Fine moved, seconded by Council Member Kniss to approve Agenda Item Numbers 4-6.

4. Approval of Contract Number C19173514 With SP Plus in an Amount Not-to-Exceed \$900,000 for Ambassador and Valet Parking Services in Palo Alto Garages and Surface Lots.
5. Approval of Contract Number C19174153 With Burns & McDonnell Engineering Company, Inc. in an Amount of \$633,456 for the Colorado Power Station High Voltage Circuit Breaker Implementation as Part of the Colorado Power Station Equipment Upgrade Capital Project (EL-19001); Authorization to Negotiate and Execute Related Change Orders in the Amount of \$95,018 for a Total Not-to-Exceed Amount of \$728,474; and Approval of Budget Amendments in the Electric Fund.
6. Ordinance 5460 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Various Sections of Title 18 of the Palo Alto Municipal Code Related to Residential and Mixed-use Development Standards Including, but not Limited to, Minimum and Maximum Unit Density, Unit Size, Floor Area Ratio, Height, and Open Space, Including Rooftop Gardens; Parking Requirements Including, but not Limited to, Regulations Related to In-lieu Parking for Downtown Commercial Office Uses and Retail Parking for Mixed-use Projects; Exclusively Residential Projects in Certain Commercial Zoning Districts; Ground-floor Retail and Retail Preservation Provisions; the Entitlement Approval Process; and Other Regulations Governing Residential, Multi-family Residential and Commercial Zoning Districts, all to Promote Housing Development Opportunities in These Zoning Districts in Furtherance of Implementation of the Comprehensive Plan. California Environmental Quality Act (CEQA): Determination of Consistency With the

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Comprehensive Plan Environmental Impact Report (EIR), Certified and Adopted on November 13, 2017 by Council Resolution Number 9720. The Planning and Transportation Commission Recommended Approval of the Proposed Ordinance on October 10, 2018 (FIRST READINGS: December 3, 2018 and January 28, 2019: PASSED)."

MOTION PASSED FOR AGENDA ITEM NUMBER 4: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 5: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBER 6: 6-1 Kou no

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7. PUBLIC HEARING/QUASI-JUDICIAL: 3200 El Camino Real [17PLN-00156]: Consideration of an Applicant's Request to Adopt an Ordinance Amending the Setback Map to Eliminate the 50-foot Special Setback for the Subject Property Adjacent to Hansen Way; and Consideration of a Request for Approval of an Architectural Review Board Application Allowing the Demolition of the Existing Building and Construction of a new 99-Guestroom Hotel Development. The Request Also Includes a Reduction in Parking to be Off-set by Valet Parking. Environmental Assessment: An Initial Study/Mitigated Negative Declaration was Circulated for Public Comment From December 4, 2018 to January 3, 2019. The Planning and Transportation Commission Recommended Adoption of the Applicant's Proposed Map Amendment on December 12, 2018. Zoning District: Service Commercial (CS).

Public Hearing opened at 7:36 P.M.

Public Hearing closed at 7:41 P.M.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to:

- A. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as set forth in the Record of Land Use Action;
- B. Introduce an Ordinance amending the Setback Map to eliminate the special setback for the subject property including recommended restrictions made by the Planning and Transportation Commission;
- C. Adopt the Record of Land Use Action approving the Architectural Review, based on findings and subject to conditions of approval as recommended by the Architectural Review Board with the added conditions:

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- i. Standard condition for Transportation Demand Management (TDM) program and reporting;
 - ii. Condition for participation in the Palo Alto Transportation Management Association (TMA); and
- D. Maintain the right turn lane in an appropriate design as determined by Staff

AMENDMENT: Vice Mayor Fine moved seconded by Council Member Kniss to remove Motion Part D.

AMENDMENT WITHDRAWN BY THE MAKER

MOTION SPLIT FOR THE PURPOSE OF VOTING

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to amend the Motion Part D to state "...capacity in an appropriate design as determined by Staff working with Caltrans."

MOTION TO BE VOTED ON AS WHOLE

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Kou to:

- A. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as set forth in the Record of Land Use Action;
- B. Introduce an Ordinance amending the Setback Map to eliminate the special setback for the subject property including recommended restrictions made by the Planning and Transportation Commission;
- C. Adopt the Record of Land Use Action approving the Architectural Review, based on findings and subject to conditions of approval as recommended by the Architectural Review Board with the added conditions:
 - i. Standard condition for Transportation Demand Management (TDM) program and reporting;
 - ii. Condition for participation in the Palo Alto Transportation Management Association (TMA); and
- D. Maintain the right turn capacity in an appropriate design as determined by Staff working with CalTrans.

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MOTION AS AMENDED PASSED: 7-0

Council took a break at 8:45 P.M. to 8:57 P.M.

8. Ordinance Amending Section 18.18.120 (Grandfathered Uses and Facilities) of the Palo Alto Municipal Code to Adjust Regulations Pertaining to Noncomplying Facilities. California Environmental Quality Act (CEQA): This Ordinance is Within the Scope of the Comprehensive Plan. Environmental Impact Report (EIR) Certified and Adopted on November 13, 2017 by Council Resolution Number 9720; the Ordinance is Also Exempt From Environmental Review Under CEQA Guidelines Sections 15061(b)(3) and 15305.

Public Hearing opened 9:01 P.M.

Public Hearing closed at 9:23 P.M.

MOTION: Vice Mayor Fine moved, seconded by Council Member Kniss to adopt on first reading an Ordinance amending Section 18.18.120 of the Palo Alto Municipal Code to allow non-complying (grandfathered) facilities in the Commercial Downtown zoning district to convert an existing use to another permitted use, except for a conversion from residential uses to non-residential uses.

SUBSTITUTE MOTION: Council Member Kou moved, seconded by Council Member XX to continue this item to a date uncertain and schedule a Closed Session to discuss the implications of this item.

SUBSTITUTE MOTION 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 "Amend the Ordinance Section 18.18.120 b. 2. F. to state '...shall not be converted to a non-residential land use or reduced in gross floor area or number of units.'"

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "Amend the Ordinance Section 18.18.120 b. 2. F to state '...shall submit a statement of its position with all claims and all supporting documentary evidence at the time...'"

MOTION AS AMENDED RESTATED: Vice Mayor Fine moved, seconded by Council Member Kniss to adopt on first reading an Ordinance amending Section 18.18.120 of the Palo Alto Municipal Code to allow non-complying (grandfathered) facilities in the Commercial Downtown zoning district to

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convert an existing use to another permitted use, except for a conversion from residential uses to non-residential uses, including the following changes:

- A. Amend the Ordinance Section 18.18.120 b. 2. F. to state "...shall not be converted to a non-residential land use or reduced in gross floor area or number of units."
- B. Amend the Ordinance Section 18.18.120 b. 2. F to state "...shall submit a statement of its position with all claims and all supporting documentary evidence at the time..."

MOTION AS AMENDED PASSED: 6-1 Kou no

Adjournment: The meeting was adjourned at 10:12 P.M.