



Margaret Abe-Koga, Councilmember
Ronit Bryant, Councilmember
John M. Inks., Councilmember

R. Michael Kasperzak, Jr., Councilmember
John McAlister, Vice Mayo
Jac Siegel, Councilmember

Daniel H. Rich, City Manager
Lorrie Brewer, City Clerk

Christopher R. Clark, Mayor

Jannie L. Quinn, City Attorney

December 16, 2014

Council Chambers - 500 Castro Street

THIS SPECIAL MEETING WAS TELECONFERENCED (G.M.T. TIME ZONE) PURSUANT TO GOVERNMENT CODE SECTION 54953(b) WITH MAYOR CLARK PARTICIPATING IN THE MEETING FROM CITIZENM LONDON BANKSIDE, 20 LAVINGTON ST., LONDON GB SE1 0NZ. THE TELECONFERENCE LOCATION WAS ACCESSIBLE TO THE PUBLIC AND AN AGENDA FOR THE MEETING WAS POSTED AT THAT LOCATION PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(3). MEMBERS OF THE PUBLIC HAD THE OPPORTUNITY TO ADDRESS THE LEGISLATIVE BODY AT THIS LOCATION.

CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY MEETING

6:30 P.M.-SPECIAL SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Vice Mayor McAlister called the meeting to order at 6:32 p.m.

Girl Scout Troop 60912 led the Pledge of Allegiance.

2. ROLL CALL

Present: 3 - Councilmember Inks, Councilmember Kasperzak, and Mayor McAlister

Absent: 1 - Councilmember Clark

3. PRESENTATION

3.1 Vice Mayor McAlister presented a Proclamation to Jamil Shaikh in recognition of his service on the Human Relations Commission.

4. CONSENT CALENDAR

Councilmember Inks registered a no vote on Item 4.5

MOTION - M/S Siegel/Kasperzak - To approve the Consent Calendar with Councilmember Inks registering a no vote on Item 4.5. The motion carried by the following vote:

Yes: 6 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, and Mayor McAlister

Absent: 1 - Councilmember Clark

4.1 Approval of Minutes.

That City Council approve the following minutes:

- 1. November 24, 2014 Council meeting; and**
- 2. November 25, 2014 Council meeting.**

SPEAKING FROM THE FLOOR WITH CONCERNS WITH ITEM 4.1:

Don Letcher

4.2 Recommendation to Approve Engagement of City's External Audit Firm.

- 1. Approve the Council Finance Committee's recommendation to extend the contract with Maze & Associates (Maze) for one additional year as the City's external audit firm. Then, contract with Macias Gini & O'Connell (MGO) as the City's external auditor starting in Fiscal Year 2015-16 and for three subsequent years with an option for two additional years.**
- 2. Authorize the City Manager to execute an extension of the contract with Maze for one additional year.**
- 3. Authorize the City Manager to execute a contract for audit and other related services with MGO commencing with Fiscal Year 2015-16 and three subsequent years with an option for two additional years.**

4.3 Naming of Shoreline Athletic Fields.

Select "Shoreline Athletic Fields" as the name for the new athletic field facility at 2450 Garcia Avenue.

- 4.4 2014-15 Facilities Maintenance Plan-Amend Project Funding.**
- Appropriate and transfer \$148,000 from the General Non-Operating Fund to the 2014-15 Facilities Maintenance Plan, Project 15-14. (Five votes required)**

- 4.5 Updated Business Terms for the Moffett Gateway Site.**

- 1. Approve modified business terms, including rent, development fee provisions, and access easement by and between the City and developer Broadreach Capital Partners for the development of Moffett Gateway.**

- 2. Authorize the City Manager to execute minor amendments to the Development and Disposition Agreement and Ground Lease that do not have a net financial impact of greater than \$100,000.**

Councilmember Inks registered a no vote on this item.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH ITEM 4.5:

Sarah McDermott, Unite Local 19 Research Analyst

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Don Letcher spoke in support of the City hiring an independent City auditor.

6. PUBLIC HEARING - None.

7. NEW BUSINESS

- 7.1 Acquisition of 2254 Wyandotte Street (APN 147-06-015).**

Real Property Program Administrator Drennan presented an oral staff report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE RECOMMENDATION:

Don Letcher
Bill Cranston

MOTION - M/S Abe-Koga/Kasperzak - To:

- 1. Approve the acquisition of real property located at 2254 Wyandotte Street (APN 147-06-015) owned by Sherry Stevenson-Mahoney, Successor Trustee of the Shirlee Roberts 2010 Trust;**
- 2. Approve a midyear capital improvement project titled “Acquisition of Real Property, 2254 Wyandotte Street”;**
- 3. Transfer and appropriate \$2,760,000 from the Park Land Dedication Fund to the new capital project for the purchase (\$2,575,000) and other costs (\$185,000) to acquire 2254 Wyandotte Street. (Five votes required); and**
- 4. Authorize the City Manager or his designee to execute all documents and take all necessary actions related to the acquisition of 2254 Wyandotte Street (APN 147-06-015).**

The motion carried by the following vote:

Yes: 6 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, and Mayor McAlister

Absent: 1 - Councilmember Clark

7.2 El Camino Real Bus Rapid Transit Project Draft Environmental Impact Report/Environmental Assessment.

Assistant Public Works Director Solomon presented an oral staff report and she, Public Works Director Fuller and City Manager Rich, responded to Council's questions.

Due to a potential conflict of interest that may arise from public comments presented, Vice Mayor McAlister recused himself from participating during the comment process and left the dais.

SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR EXPRESSING CONCERNS:

Don Letcher
Bill Cranston

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR WITH RECOMMENDATIONS:

Aldina Levin, Friends of Caltrain

Javier Perez

Eugene Bradley, Silicon Valley Transit Users

Amanda Siegel

Janet Lafleur

Chris Lepe

Charisse Ma Lebron. Ms. Lebron also responded to Council's questions.

Brennan Robins

Vice Mayor McAlister returned to the dais at 7:49 p.m.

MOTION - M/S Siegel/McAlister - To authorize the Mayor to send a letter to the Santa Clara Valley Transportation Authority (VTA) commenting on the El Camino Real Bus Rapid Transit Project Draft Environmental Impact Report/Environmental Assessment. The motion carried by the following vote:

Yes: 5 - Abe-Koga, Bryant, Councilmember Kasperzak, Siegel, and Mayor McAlister

Absent: 1 - Councilmember Clark

Abstain: 1 - Councilmember Inks

Vice Mayor McAlister recused himself from acting on the second component of the item and left the dais at 8:05 p.m.

MOTION - M/S Kasperzak/Bryant - To direct the City Manager to send a letter expressing Council's concerns with the proposed project.

Yes: 4 - Abe-Koga, Bryant, Councilmember Kasperzak, and Siegel

Absent: 1 - Councilmember Clark

Recused: 1 - Mayor McAlister

Abstain: 1 - Councilmember Inks

Council recessed at 8:30 p.m. and reconvened at 8:43 p.m. with Mayor Clark joining the meeting by teleconference.

7.3 ROEM NOFA Proposal-779 East Evelyn Avenue.

Project Manager Gil, ROEM Corporation Director of Development Derek Allen, MidPen Housing President Matt Franklin and Palo Alto Housing Corp Executive Director Candace Gonzalez presented oral reports and they, Administrative and Neighborhood Services Manager Lauzze, City Attorney Quinn, and City Manager Rich, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT:

Grace Kay, Silicon Valley Leadership Group

MOTION - M/S Kasperzak/Abe-Koga - To:

1. Appropriate \$1.12 million in BMR In-Lieu fees for predevelopment costs and authorize the City Manager to enter into an agreement with ROEM Development Corporation for use of the predevelopment funds and appropriate \$246,000 in Housing Impact fees for environmental, parking, and other special studies required for this project. (Five votes required);

1b. Add \$6.0 million in affordable housing funds to the NOFA and reserve a total of \$21.5 million for a 116-unit affordable workforce housing development;

2. Allow two additional NOFA projects to proceed with the funding reservation process; and

3. Authorize the assignment of staff resources for consideration of a General Plan Land Use Map Amendment for 1.93 acres from Industrial to Residential and rezoning request from developer to remove the Sylvan-Dale Area Plan and replace it with R(3) Multiple-Family Residential or R(4) High-Density Multiple-Family Residential. The motion carried by the following vote:

Yes: 7 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

MOTION - M/S Kasperzak/McAlister - To amend the composition of the NOFA Review Committee to be comprised of the City Manager, two City Councilmembers appointed by the Mayor, and an Environmental Planning Commissioner and a Human Relations Commissioner, both appointed by the respective Commission Chairs. The motion failed by the following vote:

Yes: 3 - Councilmember Inks, Councilmember Kasperzak, and Mayor McAlister

No: 4 - Abe-Koga, Bryant, Siegel, and Councilmember Clark

MOTION - M/S Bryant/Abe-Koga - To amend the composition of the NOFA Review Committee to be a Council subcommittee that will meet as necessary. The motion carried by the following vote:

Yes: 5 - Abe-Koga, Bryant, Councilmember Inks, Siegel, and Councilmember Clark

No: 2 - Councilmember Kasperzak, and Mayor McAlister

7.4 Approve a Mid-Year Capital Improvement Project-Library Chiller Replacement.

Public Works Director Fuller presented an oral staff report.

MOTION - M/S Siegel/Kasperzak - To approve a mid-year capital improvement project, Library Chiller Replacement, and transfer \$865,000 from the Construction/Conveyance Tax Fund to the new project. (Five votes required). The motion carried by the following vote:

Yes: 7 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

8. ITEMS INITIATED BY COUNCIL

8.1 Resolution Supporting Proposition 13 Commercial Property Reform.

The Council Procedures Committee recommends the City Council adopt a Resolution Supporting Proposition 13 Commercial Property Reform, to be read in title only, further reading waived (Attachment 1 to the Council report).

Assistant to the City Manager Thomas presented an oral staff report and responded to Council's questions:

SPEAKING FROM THE FLOOR IN SUPPORT:

Emil Margolis, Evolve

MOTION - M/S Kasperzak/Siegel - To adopt Resolution No. 17939 Supporting Proposition 13 Commercial Property Reform, to be read in title only, further reading waived (Attachment 1 to the Council report). The motion carried by the following vote:

Yes: 6 - Abe-Koga, Bryant, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

No: 1 - Councilmember Inks

9. COUNCIL, STAFF/COMMITTEE REPORTS

None.

10. CLOSED SESSION REPORT

None.

11. ADJOURNMENT - At 10:17 p.m., Vice Mayor McAlister adjourned the meeting to the next Council meeting to be held on Tuesday, January 6, 2015 at 6:30 p.m., in Council Chambers, 500 Castro Street.

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

CHRISTOPHER R. CLARK
MAYOR