



Policy and Services Committee ACTION Minutes

Special Meeting
Tuesday, May 12, 2015

Chairperson Burt called the meeting to order at 7:02 P.M. in the Community Meeting Room at 250 Hamilton Avenue, Palo Alto, California.

Present: Berman, Burt (Chair) DuBois, Wolbach

Absent:

Agenda Items

1. Legislative Update and Review and Approval of the Draft Fall 2015 Semi-Annual Legislative Strategic Initiatives.

MOTION: Council Member Berman moved, seconded by Chair Burt to recommend the City Council approve the Fall 2015 Semi-Annual Legislative Strategic Initiatives document with the following changes:

- A. Under the Top Seven Fall 2015 Semi-Annual Legislative Strategic Initiatives add "with a priority on non-Green House Gas (GHG) emitting energy sources;" and
- B. Change the title of the Employee Relations and Risk Management Section to make it more clear and change it so that it's clear it's referring to public employees only; and
 - i. Under Employee Relations and Risk Management replace in Item A, "focusing" with "focus", "corruption" with "abuse", and add "and" after "abuse;" and
- C. Under the Environmental Section:
 - i. Replace Item A with, "with a priority on non-Green House Gas (GHG) emitting energy sources;" and
 - ii. Replace Item H with, "reduce the approval requirement to below two-thirds of voters for capital projects;" and

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- iii. Item H should be removed from the Environment Section and placed in Local Control Section; and
 - iv. Replace Item L with, "advocate for programs and policies that promote advanced low emission vehicle technology and encourage or promote alternative fuels with a priority on non-Green House Gas (GHG) emitting energy sources;" and
 - v. Add Item M, "reduce airplane noise and its impact on the City;" and
- D. Replace Housing Section Item A with, "advocate for Association of Bay Area Governments (ABAG) housing mandate reform via a revised formula for housing allocations and reforms to elements of the State Density Bonus law that are counterproductive to the jobs/housing imbalance;" and
- E. Replace Transportation Section Item A with, "support or oppose legislation that is consistent with the Palo Alto City Council Rail Committee Guiding Principles;" and
- F. Add Item C, "pursue and advocate for grade separation funding."

MOTION PASSED: 4-0

At this time the Committee heard Agenda Item Number 3.

3. City Auditor's Office Fiscal Year 2016 Proposed Work Plan.

MOTION: Council Member Berman moved, seconded by Council Member DuBois to recommend the City Council approve the Fiscal Year (FY) 2016 Proposed Audit Work Plan and direct the Auditor to return to the Policy and Services Committee after conducting a preliminary review to determine whether an audit of the Transferable Development Rights (TDR) sites would be warranted and if so, the preliminary scope and time required to conduct the audit.

MOTION PASSED: 4-0

2. Discussion and Direction on Expansion of City Smoking Ordinance to Multi-Family Housing, Adding Electronic Cigarettes, and Restricting Sales of Tobacco Products and E-Cigarettes.

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Council Member Berman advised he would not be participating in this Agenda Item because he lives in multi-family housing.

MOTION: Chair Burt moved, seconded by Council Member DuBois to continue recommendation Number One to a date uncertain and direct Staff to return to the Policy & Services Committee with further information regarding:

- A. Engineered protections to prevent migration of carcinogens such as exhaust systems for venting through the roof lines; and
- B. Cleaning processes to convert a smoking unit (both tobacco and e-cigarette) to a non-smoking unit; and
- C. How potentially harmful materials are transferred and in what amounts they become dangerous; and
- D. Benchmarking with other cities' multi-family Ordinances and how they allow smoking (partial units, smoking areas designated, condo exemption process, disclosure process, etc.); and
- E. Possible legal contradiction with medical marijuana law.

MOTION PASSED: 3-0 Berman not participating

MOTION: Council Member DuBois moved, seconded by Council Member Berman to direct Staff to draft an Ordinance making e-cigarettes subject to the same regulations as the current Smoking Ordinance and return to the City Council for review and adoption.

MOTION PASSED: 4-0

MOTION: Council Member DuBois moved, seconded by Council Member Berman to direct Staff to enact a tobacco retail license program and return to the City Council for review and approval.

MOTION PASSED: 4-0

Adjournment: Meeting was adjourned at 11:07 P.M.