

Agenda posted according to PAMC Section 2.04.070. A binder containing supporting materials is available in the Council Chambers on the Friday preceding the meeting.

Special Meeting
Council Chambers
April 19, 2004, 6:00-6:45 pm

ROLL CALL

CLOSED SESSION

Public Comments: Members of the public may speak to the Closed Session item(s); three minutes per speaker.

1. Conference with City Attorney -- Potential/Anticipated Litigation
Subject: Significant Exposure to Litigation on One Matter
Authority: Government Code section 54956.9(b)(1) & (b)(3)(A)

ADJOURNMENT

Special Meeting
Council Chambers
April 19, 2004, 6:45 pm

ROLL CALL

SPECIAL ORDERS OF THE DAY

1. Joint Community Relations Committee Report for the Palo Alto Airport
2. Proclamation Expressing Appreciation to Pat Roy for her Generous Donation to the City of Palo Alto for use at the Lucy Evans Baylands Nature Interpretive Center

ADJOURNMENT

Special Meeting
Council Chambers
April 19, 2004, 7:00-8:00 pm

ROLL CALL

STUDY SESSION

1. Funding Options, Fiber to the Home

ADJOURNMENT

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Special Meeting
Council Chambers
April 19, 2004, 8:00 pm
or soon thereafter

ROLL CALL

ORAL COMMUNICATIONS

Members of the public may speak to any item not on the agenda; three minutes per speaker. Council reserves the right to limit the Oral Communications period to 30 minutes

APPROVAL OF MINUTES

CONSENT CALENDAR

Items will be voted on in one motion unless removed from the calendar by a Council Member.

LEGISLATIVE

1. **CMR:211:04** Adoption of an Ordinance Amending Ordinance No. 4763, Relating to the Imposition and Collection of Certain Development Impact Fees on Residential Dwelling Units Smaller than or Equal to 900 Square Feet.

Ordinance of the Council of the City of Palo Alto Amending Ordinance No. 4763, Relating to the Imposition and Collection of Certain Development Impact Fees on Residential Dwelling Units Smaller Than or Equal to 900 Square Feet

ADMINISTRATIVE

2. **CMR:234:04** 4010 Page Mill Road - Record of Land Use Action (ROLUA) of the City Council denying an application by Cartmell/Tam Architects on behalf of David Ditzel for a Site and Design Review to allow a 1,677 square-foot addition to an existing 3,433 single-family

residence and construction of a new swimming pool, including a request for a variance to exceed the maximum impervious area allowed, and a variance for extensions into the side yard and front yard setbacks. Zone District: Open Space (OS). Environmental Assessment: a Negative Declaration has been prepared for public review and comment.



3. **CMR:226:04** Contract between the City of Palo Alto and J.W. Riley and Sons Incorporated in the Amount of \$291,135 for the 2004 Street Maintenance Capital Improvement Program Phase 1 Project PE-86070



4. **CMR:225:04** Contract between the City of Palo Alto and B&B Landscape Contractors, Inc. for the Installation of an Irrigation System at Jordan Middle School

5. **CMR:218:04** Restatement and Amendment of a Four Year Contract with Bay Span Inc. for Temporary Skilled Facilities Staff in the amount of \$82,000 for Fiscal Year 2003-04; and \$73,000 for Each of the Two Additional Year Terms



6. **CMR:219:04** Request for Approval to Increase Contingency Authority to Kuehne Construction Contract C04100292 in the Amount of \$24,000 for the Baylands Interpretive Center Roof Replacement – Capital Improvement Project PF-00006

7. Recommendation of Staff to Deny Request for Hearing of Appeal by Andrew Chiang of the Director of Planning and Community Environment's Approval of the Individual Review Application (03-IR-69) for a New Two-Story Single Family Residence Owned by Filiberto Alvarez at 800 Sycamore Drive

8. Response to 2003-04 Santa Clara Civil Grand Jury Report, Inquiry into the City of Palo Alto's Code Enforcement Program

COUNCIL COMMITTEE RECOMMENDATION

9. **CMR:214:04** Finance Committee Recommendation Regarding Use Of Downtown Parking Structure Surplus Construction Funds

10. **CMR:233:04** From Planning and Transportation Commission: 321 California Avenue – Request to Continue to a Date Uncertain

AGENDA CHANGES, ADDITIONS, AND DELETIONS

HEARINGS REQUIRED BY LAW: Applicants and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and up to three minutes for concluding remarks after other members of the public have spoken.

OTHER AGENDA ITEMS: Public comments or testimony on agenda items other than Oral Communications shall be limited to a maximum of five minutes per speaker unless additional time is granted by the presiding officer. The

presiding officer may reduce the allowed time to less than five minutes if necessary to accommodate a larger number of speakers.

REPORTS OF COMMITTEES AND COMMISSIONS

11. Utilities Advisory Commission Recommendation re Fiber To The Home (FTTH) Business Plan Phase 2 Final Report

UNFINISHED BUSINESS

12. Public Hearing: The Palo Alto City Council will consider a request by Peter Baltay of TOPOS Architects, on behalf of Jeff and Mary Thomas, for a Site and Design application for the construction of a new 5,008 square-foot, two-story single-family residence on a 10-acre parcel (435,000 square feet) within the Open Space zoning district of which the total impervious surface area would be 11,350 square feet including a 6,851 square-foot asphalt driveway located at 3849 Page Mill Road. Approval of a Mitigated Negative Declaration is requested in accordance with California Environmental Quality Act (CEQA) Guidelines. *(To be continued to 05/03/04 at the request of staff)*

PUBLIC HEARINGS

ORDINANCES AND RESOLUTIONS

REPORTS OF OFFICIALS

COUNCIL MATTERS

CLOSED SESSION

This item may occur during the recess or after the Regular Meeting.

Public Comments: Members of the public may speak to the Closed Session item(s); three minutes per speaker.

13. Conference with City Attorney -- Existing Litigation
Subject: In re Enron Corp., Debtor, U.S. Bankruptcy Court, Southern District of New York; Case No.: 01-16034(AJG)
Authority: Government Code section 54956.9(a)

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Members of the public may not speak to the item(s).

ADJOURNMENT

Persons with disabilities who require auxiliary aids or services in using City facilities, services, or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact 650-329-2550 (Voice) or 650-328-1199 (TDD)

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