

Special Meeting
November 13, 2006

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The City Council of the City of Palo Alto met on this date in the Council Conference Room at 6:05 p.m.

Present: Barton, Beecham, Cordell, Drekmeier, Kishimoto, Kleinberg, Morton, Mossar

Absent: Klein

SPECIAL MEETING

1. Joint Annual Meeting with Supervisor Liz Kniss to discuss issues related to Palo Alto

No action required.

ORAL COMMUNICATIONS

Jeff Hoel spoke regarding voting machines.

ADJOURNMENT: The meeting adjourned at 7:05 p.m.

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:15 p.m.

Present: Barton, Beecham, Cordell, Drekmeier, Kishimoto, Klein, Kleinberg, Morton, Mossar

ORAL COMMUNICATIONS

Lenore Cymes, 714 Wildwood, spoke regarding a fund raiser for Common Ground Relief in New Orleans.

Mimi Arfin, 159 Seale Avenue, spoke regarding the Lung Cancer Awareness Proclamation.

Pam Sturner, 3921 E. Bayshore Road, spoke regarding the San Francisquito Creek stewardship.

Cynthia D'Agosta, Executive Director San Francisquito Creek JPA, spoke regarding the Creek.

Glenn Roberts, Palo Alto Public Works Director, spoke regarding winter preparedness.

Mayor Kleinberg asked if the winter preparedness volunteers were knowledgeable in the event of an emergency, of the location to meet and when to arrive.

Mr. Roberts stated Barbara Cimino, the Emergency Services Coordinator in the Fire Department, and Avenidas worked with volunteers to help identify those in need as an ongoing effort.

Mayor Kleinberg asked whether Avenidas served only senior citizens.

Mr. Roberts stated Avenidas offered services for the senior citizen community, but Barbara Cimino's office could be contacted by anyone.

Mayor Kleinberg asked whether the notification system had been upgraded.

Mr. Roberts stated the communications system functioned through a Teleminder Community Alert System. It made phone calls to targeted areas of the City should a flood risk arise. Activation would occur on a limited basis at a 50 percent level of the San Francisquito Creek and went to full activation at 70 percent creek level.

APPROVAL OF MINUTES

MOTION: Council Member Barton moved, seconded by Council Member Morton, to approve the minutes of October 16, 2006, as submitted.

MOTION PASSED 9-0.

CONSENT CALENDAR

MOTION: Council Member Morton moved, seconded by Council Member Barton, to approve Consent Calendar Item No. 1, with correction, and No. 2.

Mayor Kleinberg noted the correction to the City Manager's Report (CMR) for Agenda Item No. 1, which removed the last sentence of page 2 of the Resource Impact section, which stated "This cost increase will be largely offset by employee reimbursements."

Dick Rosenbaum, 717 Garland Drive, spoke regarding the extension of the pension benefit to local miscellaneous employees to 2.7 percent at age 55.

Robert Moss, 4010 Orme Street, spoke regarding his concern for the lost knowledge of history with the retirement age at 55, and the high cost to train new employees.

Council Member Beecham stated the \$25,000,000 stated in the staff report (CMR:409:06) was the amount for the entire miscellaneous group; i.e. SEIU and Management and Professionals. The \$1,008,000 per year was the average annual cost amortized over 23 years.

Council Member Mossar registered a no vote on Agenda Item No. 1

Vice Mayor Kishimoto registered a no vote on Agenda Item No. 1

Mayor Kleinberg registered a no vote on Agenda Item No. 1

1. 1st Reading - Approval of an **Ordinance Authorizing an Amendment to Contract Between the City of Palo Alto and the Board of Administration of the California Public Employees' Retirement System (to Provide Section 21354.5 (2.7% @ 55 Full Formula) for Local Miscellaneous Members)**

Resolution 8664 entitled "Resolution of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council City of Palo Alto to Adopt 2.7% @ 55 For Local Miscellaneous Members

Approval of a Resolution Implementing the Provisions of Section 414(h)(2) of the Internal Revenue Code on Behalf of Local Miscellaneous Members"

Resolution 8665 entitled "Resolution Describing Employer Paid Member Contributions to the Public Employees' Retirement System for Local Miscellaneous Members"

2. Approval of Professional Services Agreement with Geodesy in the Amount of \$154,425 for Development Support of New Computer Applications Linked to the Geographic Information System (GIS)

MOTION PASSED for Agenda Item No. 1: 6-3 Kishimoto, Kleinberg, Mossar no

MOTION PASSED for Agenda Item No. 2: 9-0.

UNFINISHED BUSINESS

PUBLIC HEARINGS

3. Public Hearing – To consider a request by West Bayshore Associates on behalf of Classic Communities, Inc. for City Council approval of a Vesting Tentative Subdivision Map for a proposed 96-unit residential condominium project at 3270 West Bayshore Road. Environmental Assessment: An Initial Study has been completed and a Negative Declaration has been approved for this project in accordance with the California Environmental Quality Act (CEQA) requirements. Zone District: Research, Office and Limited Manufacturing (ROLM)

Record of the Council of the City of Palo Alto Land Use Action for 3270 West Bayshore Road Vesting Tentative Map 06PLN-00000-00149 (Classic Communities Inc., Applicant)

City Attorney Gary Baum stated the purpose of the Vesting Tentative Map was to subdivide the land consistent with the Architectural Review Board (ARB) approval. The Subdivision Map Act required Council approval of the Vesting Tentative Map; the findings were to be specified within the City Manager Report (CMR).

MOTION: Council Member Mossar moved, seconded by Morton, to approve staff and the Planning and Transportation Commission's recommendation to approve the proposed Vesting Tentative Parcel Map, in order to merge two parcels (approx. 6.5 acres) and create 96 condominium units at 3270 West Bayshore Road for the purpose of constructing previously approved residential buildings, based upon findings and conditions contained within the draft Record of Land Use Action.

Council Member Morton stated the project had the support of the Council and Staff.

Public Hearing was opened at 7:48 p.m.

Joy Ogawa spoke regarding the 3270 West Bayshore Road condominium project. She was concerned about the Below Market Rate (BMR) units.

Public Hearing was closed at 7:51 p.m.

Council Member Klein asked why a section of the report was entitled Resource Impact.

Assistant City Manager Emily Harrison stated Resource Impact was required for all land use decisions.

Council Member Klein asked why expenses were not discussed.

Ms. Harrison stated expenses were discussed when the project was approved.

Council Member Klein requested all future Resource Impact sections include the expenses, revenues, and the impact on the Palo Alto Unified School District.

Ms. Harrison said she would verify the completion of the process.

Vice Mayor Kishimoto stated her commitment to maintaining Palo Alto's walkable community.

City Manager Frank Benest stated his support for the openness of the community and would review the planning process for any gaps.

Council Member Morton asked the difference between a private road where the developer and residents were financially responsible versus a closed road where the City was responsible.

Mr. Benest stated it made financial and land use sense if the roads were private roads.

Council Member Morton stated the question was the financial description as opposed to usage description.

Vice Mayor Kishimoto asked what relationship the process of the tentative map had to the project approval.

Planning and Transportation Director Steve Emslie stated the relationship worked in conjunction with the site design review at the Architectural Review Board level.

Vice Mayor Kishimoto stated the Planning and Transportation Department should follow the State of California recommended guidelines for traffic and sensitive land uses.

Mayor Kleinberg asked whether that raised a California Environmental Quality Act (CEQA) question or was it just a recommendation.

Vice Mayor Kishimoto stated it was a guideline not a legal requirement.

Mayor Kleinberg inquired about a policy being in place for moving Below Market Rate (BMR) units from one location to another.

MOTION PASSED 9-0.

REPORTS OF OFFICIALS

COUNCIL MATTERS

4. Colleagues Memo from Vice Mayor Kishimoto and Council Member Mossar Recommendation to Direct Staff to Explore Improving Bicycle and Pedestrian Access across Highway 101 in Existing and Future Projects and Initiatives

Council Member Mossar stated the memo did not propose a particular project; it identified future funding sources.

MOTION: Council Member Mossar moved, seconded by Kishimoto, to direct staff to explore, in conjunction with appropriate existing and future initiatives and projects, the concept of improved pedestrian and bicycle access across the 101 corridor.

Vice Mayor Kishimoto stated there were a number of ongoing projects and studies regarding the improved pedestrian and bicycle access. The goal was to create as little extra work as possible and not commit financially.

Assistant City Manager Emily Harrison reported that staff met with Vice Mayor Kishimoto, and Council Member Mossar to discuss their goals to ensure they were incorporating the vision of the increased access into the projects which were already going forward.

Mayor Kleinberg asked the current working projects be identified in order to determine where the Colleagues Memo would be incorporated.

Ms. Harrison stated one of the projects was the updated Master Bicycle Plan.

Council Member Drekmeier said he thought it would encourage people to ride bicycles.

Council Member Morton requested there be notification posted for tunnel openings and closures.

Council Member Beecham noted the purpose of the memo was to keep the important objectives in mind as projects came through; not to spend money or propose a special project.

Council Member Klein reiterated that Agenda Item No. 5 of the memo stated "this project would require an initial City investment of \$100,000."

Planning and Transportation Director Steve Emslie stated the \$100,000 was for the feasibility analysis required by the water district for the Matadero Creek.

Council Member Klein asked whether the \$100,000 was agreed to in advance.

Mr. Emslie stated the \$100,000 would be considered in next year's budget.

Mayor Kleinberg asked whether the vote authorized the \$100,000.

Mr. Emslie stated it would not.

Council Member Klein asked whether approval meant the cost of a significant sum of money.

Ms. Harrison stated the Council would consider improved access to the 101 Baylands.

Council Member Klein stated concern about the amount of time the Planning and Transportation Commission and the Parks and Recreation Commission would spend on the project.

Ms. Harrison spoke with the Director of Community Services; he felt no additional work was necessary as the work plan was complete. The Colleagues Memo was in line with opportunities across the City which had been recently reviewed.

Council Member Klein said the California Department of Transportation (CalTrans) had a new overpass project at San Antonio Road in the future.

Mayor Kleinberg asked what the impact might be with the Army Corps of Engineers or Joint Powers Authority (JPA) efforts.

Council Member Mossar stated the project was to get City Staff, Boards and Commissions and the Council to think about the importance of increased and improved access across 101.

Mayor Kleinberg cautioned staff to not encumber the process.

MOTION PASSED 9-0.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

Council Member Beecham reported he attended the Northern California Power Agency (NCPA) legislative regulations meeting last week, as well as a special Governance Committee meeting, which determines allocation of expenses among the members of the NCPA.

Council Member Mossar noted as Chair of the National League of Cities, Energy, Environment and Natural Resources Steering Committee, she was invited by the Government of France to a conference in Paris and Lyon the end of the month. She would be attending a huge international trade show in Lyon and is willing to look at any environmental activities of interest, such as the water system in France.

Mayor Kleinberg said along with Vice Mayor Kishimoto and Council Member Mossar, she attended the Bay Area Air Quality Management District Climate Protection Global Warming Summit last Friday to hear former Vice President Gore. She also mentioned she has initiated a blood drive competition with University of California Berkeley in connection with the upcoming Big Game, noting there are three Stanford blood donor centers in the area.

CLOSED SESSION

Council Adjourned to the Closed Session at 8:27 p.m.

5. CONFERENCE WITH LABOR NEGOTIATOR
Agency Negotiator: City Manager and his designees pursuant to the Merit System Rules and Regulations (Frank Benest, Emily Harrison, Carl Yeats, Russ Carlsen, Sandra Blanch, Joe Saccio)
Employee Organization: Unrepresented Employee Group Management Professional Employees
Authority: Government Code section 54957.6(a)

Mayor Kleinberg reported no action was taken.

FINAL ADJOURNMENT: The meeting adjourned at 9:00 p.m.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.