

Special Meeting
January 14, 2008

1. Joint Meeting with Public Art Commission Regarding Local Public Art Issues	3
ORAL COMMUNICATIONS	3
2. Selection of Candidates to Interview for the Human Relations Commission	4
3. Selection of Candidates to Interview for the Library Advisory Commission	4
4. Selection of Candidates to Interview for the Planning and Transportation Commission	5
5. Selection of Candidates to Interview for the Storm Drain Committee	5
6. Resolution 8787 entitled "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Agent Paul Scheff Upon His Retirement"	5
7. Resolution 8788 entitled "Resolution of the Council of the City of Palo Alto Making Findings Regarding Continuing Need for Unexpended Community Center Development Fees in The Amount of \$3,150 and Library Development Fees in The Amount of \$1,190"	6
8. First Reading "Ordinance Approving and Adopting a Park Improvement Plan for Foothills Park and Approval of an Agreement with the Los Altos Hills County Fire District for a Joint Fire Hydrant and Water Main Upgrade Project	6
9. Resolution 8789 "Resolution Determining Underground Utility District No. 41 Property Owners Who Elect to Pay Underground Conversion Costs Over a Period of Years.....	6
10. Approval of a Wastewater Treatment Enterprise Fund Contract With Anderson Pacific Engineering Construction in the Amount of \$756,000	

for the Installation of an Auxiliary Disinfection System at the Regional Water Quality Control Plant; and Ordinance 4986 Amending the Budget for the Fiscal Year 2007-08 to Provide an Additional Appropriation of \$831,600 to Capital Improvement Program (CIP) WQ-80021, Plant Equipment Replacement, for the Regional Water Quality Control Plant	6
11. Resolution 8790 "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated"	6
12. Approval of a Sublease Agreement With the Santa Clara Valley Transportation Authority (VTA) and the Silicon Valley Bicycle Coalition for a Portion of the University Avenue Depot, 95 University Avenue	7
13. Acceptance of Service Efforts and Accomplishments Report FY 2006-07	7
COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES	12
ADJOURNMENT: The meeting adjourned at 9:04 p.m.	13

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 6:00 p.m.

Present: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

STUDY SESSION

1. Joint Meeting with Public Art Commission Regarding Local Public Art Issues

The Palo Alto Public Art Commission participated in a joint meeting with City Council on January 14, 2008. During 2006-07 the Commission's major focus has been the care and maintenance of the city's public art collection. The Commission has received a grant from the Conservation Assessment Program (CAP) who is in the process of compiling a draft report on the condition and storage of the City's two-dimensional art collection.

Projects completed during the year included the Children's Library Mural by artist Jeff Petersen, and the selection process for the Mitchell Park Sculpture Competition which is scheduled for completion in spring, 2008. Michael Szabo, sculptor was chosen by citizens of Palo Alto as the project artist. Projects in progress include "The Color of Palo Alto" by Sam Yates, artist; and an artwork for San Francisquito Creek Pump Station by artist Ceevah Sobel, scheduled to be installed in fall, 2008. The Commission is involved in the final planning stages for an Artist Lecture series of three lectures to be held in 2008.

No action required

ORAL COMMUNICATIONS

Marilu Serrano, 224 Gardenia Way, East Palo Alto, spoke regarding Ravenswood School District.

Fred Balin, 2385 Columbia Street spoke regarding hate speeches at Council meetings.

Mark Petersen-Perez spoke regarding freedom of speech and "police practices".

SPECIAL ORDERS OF THE DAY

2. Selection of Candidates to Interview for the Human Relations Commission

MOTION: Council Member Morton, seconded by Barton to interview the two candidates.

MOTION PASSED: 9-0

3. Selection of Candidates to Interview for the Library Advisory Commission

MOTION: Council Member Morton, seconded by Council Member Espinosa to interview the four candidates.

SUBSTITUTE MOTION: Council Member Morton moved to forego the interviews and appoint the four candidates.

MOTION FAILED DUE TO LACK OF SECOND

SUBSTITUTE MOTION: Vice Mayor Drekmeier moved, seconded by Council Member Morton to readvertise the vacancies and interview the four existing candidates along with the new candidates after the readvertisement.

Council Member Kishimoto stated there were two positions with four qualified candidates and we interview the four or go back out for more candidates.

Council Member Burt stated he wanted to seek more applicants and asked to utilize the City website to promote these positions.

Council Member Espinosa reinforced that these were four strong candidates to interview and staff could recruit for more candidates if needed.

Council Member Schmid stated the terms started on January 31, 2008 and the Library Advisory Commission would need to move forward. He supported moving forward with the interviews.

Mayor Klein stated that readvertising would be an additional cost of eight hundred dollars to the newspapers not counting any additional staff time. He supported moving forward with the interviews.

Council Member Kishimoto asked if this went back out when it would return to the Council.

City Clerk Donna Rogers stated it would have to be readvertised. The Municipal Code states that it would need to be advertised two days a week, two weeks in a row. This would delay the Library Advisory Commission (LAC) appointment a month.

SUBSTITUTE MOTION FAILED: 2-7 Kishimoto, Morton yes

MOTION PASSED: 9-0

4. Selection of Candidates to Interview for the Planning and Transportation Commission

MOTION: Council Member Barton, seconded by Council Member Morton to interview the six candidates.

MOTION PASSED: 9-0

5. Selection of Candidates to Interview for the Storm Drain Committee

MOTION: Council Member Morton, seconded by Council Member Barton to interview the two candidates.

MOTION PASSED: 9-0

APPROVAL OF MINUTES

MOTION: Council Member Morton moved, seconded by Vice Mayor Drekmeier, to approve the minutes of October 29, 2007 with corrections, November 13, 2007, and November 19, 2007 as submitted.

MOTION PASSED: 9-0

CONSENT CALENDAR

MOTION: Council Member Morton moved, seconded by Mayor Klein, to approve Consent Calendar Items 6-10.

Council Member Burt voluntarily recused himself from voting on Item 10 due to a personal relationship with principle Anderson Pacific Engineers and to avoid any appearance of a conflict of interest.

6. Resolution 8787 entitled "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Agent Paul Scheff Upon His Retirement"

7. Resolution 8788 entitled "Resolution of the Council of the City of Palo Alto Making Findings Regarding Continuing Need for Unexpended Community Center Development Fees in The Amount of \$3,150 and Library Development Fees in The Amount of \$1,190"
8. First Reading "Ordinance Approving and Adopting a Park Improvement Plan for Foothills Park and Approval of an Agreement with the Los Altos Hills County Fire District for a Joint Fire Hydrant and Water Main Upgrade Project
9. Resolution 8789 "Resolution Determining Underground Utility District No. 41 Property Owners Who Elect to Pay Underground Conversion Costs Over a Period of Years
10. Approval of a Wastewater Treatment Enterprise Fund Contract With Anderson Pacific Engineering Construction in the Amount of \$756,000 for the Installation of an Auxiliary Disinfection System at the Regional Water Quality Control Plant; and Ordinance 4986 Amending the Budget for the Fiscal Year 2007-08 to Provide an Additional Appropriation of \$831,600 to Capital Improvement Program (CIP) WQ-80021, Plant Equipment Replacement, for the Regional Water Quality Control Plant

MOTION PASSED for Items 6-9: 9-0

MOTION PASSED for Item 10: 8-0 Burt not participating

PUBLIC HEARINGS

11. Resolution 8790 "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated"

Mayor Klein stated there was a script that the presiding officer must follow. There had been notice given for this public hearing within the time, manner, and form provided from the Palo Alto Municipal Code and he asked if there were any written objections.

City Clerk Donna Rogers stated there were none.

Public Hearing opened and closed with no speakers.

MOTION: Council Member Morton moved, seconded by Council Member Barton to adopt the resolution ordering the abatement of weed nuisances in the City of Palo Alto.

Council Member Schmid asked for clarification whether we were voting on a “nuisance” and were not referring to aesthetics but for public safety.

Assistant City Manager Emily Harrison stated that was correct.

Council Member Schmid asked whether it could be more specific.

Ms. Harrison stated that correction could be made.

MOTION PASSED: 9-0

12. Approval of a Sublease Agreement With the Santa Clara Valley Transportation Authority (VTA) and the Silicon Valley Bicycle Coalition for a Portion of the University Avenue Depot, 95 University Avenue

Mayor Klein excused himself from participating in Item #12 due to this item indirectly involving Stanford University and his wife being on staff at Stanford University.

MOTION: Council Member Morton motioned, seconded by Council Member Kishimoto, to continue this item until a date uncertain.

City Attorney Gary Baum stated that we were in the process of negotiations with the Santa Clara Valley Transportation Authority (VTA) and VTA needed to go through their process. He clarified that if an item was continued to a date uncertain this item would need to be readvertised for additional public notice.

MOTION PASSED: 8-0, Klein not participating

REPORTS OF OFFICIALS

13. Acceptance of Service Efforts and Accomplishments Report FY 2006-07

City Auditor Sharon Erickson stated this was the sixth annual report on City Government performance to provide an independent, impartial assessment of past performance to strengthen public accountability, improve government efficiency and effectiveness and support future discussion making. The Government Accounting Standards Board issued concept statement number two, which was entitled Service Efforts and Accomplishments (SEA) Reporting. By annually preparing, publishing and distributing this report Palo Alto was in the forefront in the nation in accountability. The information about service efforts and accomplishments in this report pertains to the last fiscal year, which ended June 30, 2007. The

report includes information regarding cost, quality, quantity, and timeliness of City services, five-year historical trends and comparisons to other Cities. She added that the report was informational and the statistics were meant to be a starting point for analysis. The Association of Government Accountants initiated the certificate of excellence in SEA reporting, Palo Alto was a charter participant, and in the last three years we had received the Association Certificate of Achievement for producing this type of report. The National Citizen Survey was administered across the country to a variety of jurisdictions using standard questions throughout.

Vice Mayor Drekmeier stated that Palo Alto recycles more than 63 percent and asked why the graph in the report did not reflect that.

Ms. Erickson stated that the number was calculated by us and reported to the state, which was in conformance with state regulations. However, that was tonnages recycled and the difference was avoided materials.

Vice Mayor Drekmeier asked for clarification with the map of the fiber optic ring in the report.

Ms. Erickson stated the blue line would be the fiber optic ring and the other lines would be the services connections.

Council Member Barton asked whether there were percentages of the classifications of the people who took the survey.

Ms. Erickson stated that was available in the attachments.

Council Member Barton asked what they would do differently next time in regards to the survey.

Ms. Erickson stated she would get cross tabs on the data received to see more data about the people taking the survey.

Council Member Barton asked whether there were any negatives to why the trends were not good in certain areas.

Ms. Erickson stated there was a lot of negative press coverage for the City for certain departments, which would account for the drops in those departments.

Council Member Espinosa asked whether there were some red flags or significant changes in the data for concern.

Ms. Erickson stated that street maintenance, library services, and the Fire Department had low numbers and things that were considered not important were dropping off.

Council Member Morton stated there was a discrepancy in the presentation regarding General Fund dollars that stated that Fire was 16 percent and Community Services was 15 percent. The next slide showed that Community Services was higher than Fire and those numbers were off about 10 percent.

Ms. Erickson stated that the quality of recent development was broken down to 11 percent excellent, 46 percent good, 30 percent fair and 13 percent poor and she would review the other numbers for accuracy.

Council Member Schmid asked whether the five percent error translated into five percentage points.

Ms. Erickson stated that was correct.

Council Member Schmid stated that made it hard to get year-to-year differences and to track it over time. He added his concern for the population growth too fast from 40 percent in 2003 to 55 percent in 2007. He stated that the number of business outreach contacts in 2003 were at 70 percent and in 2007 they were at 24 percent. He asked whether there was a connection between that and the new priority of economic health of the City.

Ms. Erickson stated in prior years there had been efforts for business outreach contacts. However, residents feel like we were doing a better job in regards to business contacts.

Council Member Schmid acknowledged that the same amount of people who stated they had attended a public meeting had watched it on TV.

Council Member Kishimoto stated there needed to be a different way of financing capital spending; for example sidewalk maintenance.

Ms. Erickson asked if she was talking about the street trees.

Council Member Kishimoto stated that was correct.

Director of Public Works Glenn Roberts stated there was a combination of factors for capital spending from the sidewalk issue and street trees. They were a significant contributor to the problem. However, the biggest issue was the expectation level we had created over the years by providing an extremely high level of service where most other Cities in California do not.

Council Member Kishimoto stated in the last five years Palo Alto had lost three to five trees per year, which were trimmed or removed.

Ms. Erickson stated that there were about 34 thousand City maintained trees and it may be a less than perfect measurement in counting them.

Director of Public Works Glenn Roberts stated that over the past few years there had been a significant amount of trees being removed and at the same time they were trying to renew and replace.

Council Member Kishimoto asked whether they would have a chance to review that with Urban Canopy Master Plan.

Assistant City Manager Emily Harrison stated that was correct.

Council Member Kishimoto asked when it would come to the Council.

Ms. Harrison stated there was no date set due to consultant dollars through Grant Funding, which would slow down the process.

Council Member Kishimoto stated people would be interested in understanding the breakdown of the utility costs and service structure.

Council Member Burt stated the City car fleet went up 10 percent in miles traveled year over year and he asked why that was.

Ms. Erickson stated they were currently doing an audit of vehicle maintenance and replacement.

Council Member Burt stated the report did not show inflation adjusted dollars it showed absolute dollars, which were hard to interpret. In regards to the Street Capital Projects in 2005-2006 spending went from 2.5 million dollars to 5.2 million dollars in 2006-2007. He asked what the explanation was if the miles maintained were constant every year and potholes repaired were cut in half.

Mr. Roberts stated that the increase in funding were a number of one time moneys received from State Grant Applications approved and State Bond Measure pass through which would happen for the next year.

Council Member Burt asked whether those special pass throughs go to unusual projects and not our normal maintenance.

Mr. Roberts stated they were intended for street maintenance and repair.

Council Member Burt asked why the miles maintained or potholes repaired went down when we got a doubling of the funding.

Mr. Roberts stated the potholes were done in-house by staff and were not reflected in the contractual numbers. Lane miles repaired were reflective of the increased costs that have doubled in the past five years.

Council Member Burt asked how the money could double within that year with the same number of lane miles repaired and half the potholes repaired.

Mr. Roberts stated there were two types of street maintenance: 1) resurfacing which was an overlay of asphalt; 2) "slurry sealing" which was done with the Charleston/Arastradero and Middlefield and that was not indicated in the report which would need to be included.

Council Member Burt stated in the fire section there were a low number of residents served per fire station and a low cost per capita, which was a positive contradiction.

Ms. Erickson stated we have more fire stations than other jurisdictions the difference was there were two stations that service Stanford and we were able to share those costs with Stanford.

Council Member Burt asked if we got comparable cost recovery compared to other Cities.

Ms. Erickson stated she did not have that information.

Council Member Burt suggested that a section from the report be posted weekly on the City website to allow the public to view this information.

Council Member Yeh asked what kind of discussions were going on with the different departments now that this data is available.

Ms. Erickson stated we are better at compiling the data than utilizing it. Some departments did meet with the auditors to make sure everything was correct and to discuss the numbers.

Council Member Yeh asked whether mailing of the surveys were getting the best response rate in other jurisdictions.

Ms. Erickson stated our consultants recommend mailing the surveys and he wrote a book on citizen surveys.

Mayor Klein asked what questions we had to judge the effectiveness of outreach to our citizens.

Ms. Erickson stated there was some data in this report that may be valuable to that effort and there may be more specific detailed and discreet information that would be helpful in trying to measure the effectiveness of whatever effort that the City and others put together.

Mayor Klein asked to add how much our citizens are using our website as a question to the survey.

Ms. Erickson stated that we already had that information. 62 percent of citizens used the internet to connect businesses with the City.

Mayor Klein stated that his question was how many people find out information about the City from our website and he asked whether we could put information into the utility mailers.

Ms. Erickson stated anything could be done for a price and it could be discussed with the consultant whether it could be done at all.

Council Member Morton asked what the non-commute traffic was in regards to the Greenhouse Gas Emissions.

Ms. Erickson stated it would be other people in our community and primarily us running errands like shopping and driving kids to school.

Council Member Morton clarified that we have ten times as much personal driving as we do commuting to Palo Alto.

Ms. Erickson stated these were baseline numbers. The Green Ribbon Taskforce was working on these numbers and we agreed to put these estimates in the report because they were baseline. They wanted to have another forum in which to continue to report on these numbers. These estimates were subject to change.

Mayor Klein thanked Sharon for a job well done and noted this report could be used as a tool to move through the rest of the year.

No action required

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

Council Member Kishimoto congratulated Ford Nightly Music Club they had an event to commemorate their centennial. She also attended a meeting to improve traffic flow across the Dumbarton Bridge to 101 and up and down the Peninsula. She stated she wanted to set up a study session on regarding this issue.

Mayor Klein stated he attended the Santa Clara County Cities Association Board of Directors last Thursday, they were looking for three of our priorities of the year, and we will receive written material with ideas.

City Attorney Gary Baum reminded the Council Members that under AB1234 they were required to report where they travel at City expense.

ADJOURNMENT: The meeting adjourned at 9:04 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.