

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
October 06, 2008
6: 30 PM

ROLL CALL

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.

1. Conference with City Attorney-Existing Litigation

Title: Palo Alto Sanitation Co. v. City of Palo Alto, et al.;
Santa Clara County Superior Court Case No.: CV107084380

Authority: Government Code Section 54956.9(a)

Regular Meeting will start no earlier than 7:00 PM

SPECIAL ORDERS OF THE DAY

2. Proclamation for United Nations Association Film Festival (UNAFF)

ATTACHMENT

3. Selection of Candidates to be Interviewed for the Architectural Review Board

ATTACHMENT

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 duration or Oral Communications period to 30 minutes.

APPROVAL OF MINUTES

September 08, 2008

CONSENT CALENDAR

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

4. Policy and Services Committee and Human Relations Commission Recommendation to the City Council to Adopt an **Ordinance Amending Section 9.72.070 of Chapter 9.72 [Mandatory Response to Request for Discussion of Disputes Between Landlord and Tenant] of Title 9 of the Palo Alto Municipal Code to Void Rent Increases Given Without Notice of the Right to Mediation**

CMR 380-08

ATTACHMENT

5. Acknowledge Receipt of Notice of Nonrenewal of Land Conservation Contract and Review and File Annual Report of Williamson Act Contracts Within the City of Palo Alto

ATTACHMENT

6. Council Appointed Officer's (CAO) Committee Recommendation to Direct the City Attorney to Set a Public Employee Performance Evaluation Closed Session With City Manager James Keene for the Purpose of Performance Evaluation Goal Setting

CMR 403-08

ATTACHMENT

7. Acknowledge Withdrawal of Appeal of Director's Approval of a major Architectural Review Application for a Three Story Commercial Mixed Use Retail/Office Building at 310 University Avenue
** This item is quasi-judicial and subject to Council's Disclosure Policy*

ATTACHMENT

8. Adoption of a Resolution Expressing Appreciation to Richard A. Wetzel Upon His Retirement

ATTACHMENT

9. Approval of a Final Map to Subdivide One Lot Into 45 Residential Condominiums, Streets and a Public Park, Located at 4249 El Camino Real

** This item is quasi-judicial and subject to Council's Disclosure Policy*

CMR 378-08 ATTACHMENT

10. Approval of a Contract with Spencon Construction, Inc. in the Amount of \$584,134 for Fiscal Year 2008-09 Sidewalk Replacement Project – Capital Improvement Program Project PO-89003

CMR 383-08 ATTACHMENT

11. Approval of a Utilities Enterprise Fund Contract with Asplundh Tree Expert Company in an Amount Not to Exceed \$797,080 for the First Year and \$1,062,000 for Up to Four Additional Years for the 2008 Power Line Clearing Project

CMR 386-08 ATTACHMENT

12. Approval of a Contract with Blossom Valley Construction, Inc. in an Amount of \$1,056,900 for the San Antonio Street Tree Replacement, Median and Road Improvement Project – Capital Improvement Program Project PE-00104 and Street Maintenance Program Project PE-86070

CMR 390-08 ATTACHMENT

13. Adoption of a **Budget Amendment Ordinance to Transfer Appropriation of \$58,920 from Capital Improvement Program (CIP) Project PE-06006, Alma Street Landscaping Improvements to CIP Project PE-06005, University Avenue Gateway Landscaping Improvements**

CMR 389-08 ATTACHMENT

14. Adoption of a Resolution Requesting the Santa Clara County Local Agency Formation Commission (LAFCO) Approve a Reorganization Consisting of Detachment of the Land Known as the "Former Los Altos Sewage Treatment Plant Site" (1237 San Antonio Road) From the City of Los Altos and Annexation of the Land to the City of Palo Alto and Authorization for the City Manager to Execute and Submit the Annexation Application to LAFCO

15. 2nd Reading Adoption of an **Ordinance Amending Section 2.08.210 of Chapter 2.08 of Title 2 [Officers and Departments] and Section 22.04.035 of Chapter 22.04 of Title 22 [Park and Recreation Building Use and Regulations] of the Palo Alto Municipal Code to Amend Employee Titles and Names of Divisions and Reflect the Titles of Employees Who are Authorized to Issue Citations, Respectively**
(First reading September 15, 2008 – Passed 9-0)
16. 2nd Reading Adoption of an **Ordinance Adding Sections 22.04.342 and 22.04.343 of Chapter 22.04 of Title 22 [Park and Recreation Building Use and Regulations] of the Palo Alto Municipal Code to Prohibit the Consumption of Alcoholic Beverages in Heritage Park and Eleanor Pardee Park**
(First reading September 15, 2008 – Passed 9-0)
17. 2nd Reading Adoption of a **Park Improvement Ordinance Approving and Adopting a Park Improvement Plan for the Rehabilitation and Relocation of the Building Commonly Known as the Palo Alto Sea Scouts Base Building and Improvement of the 2500 Block of Embarcadero (Harbor) Road Within Byxbee Park and City-Owned Baylands**
(First reading September 15, 2008 – Passed 9-0)
18. 2nd Reading Adoption of an **Ordinance Amending Section 2.21.020 [Architectural Review Board], Section 16.49.030 [Historic Resources Board], Section 2.22.015 [Human Relations Commission], Section 2.24.020 [Library Advisory Commission], Section 2.25.020 [Parks and Recreation Commission], Section 2.20.015 [Planning and Transportation Commission], Section 2.18.030 [Public Art Commission], and Section 2.23.020 [Utilities Advisory Commission] to Reduce the Publication of Board and Commission Recruitment Ads From Four Advertisements to Two Advertisements in a Two Week Period**
(First reading September 15, 2008 – Passed 9-0)
19. Approval of Additional Funds in the Amount of \$100,000 for Blanket Order No. 4609000100 with Skylonda Equipment for Green Material Compost Grinding Services at the City's Composting Facility

CMR 387-08

20. Approval of a Wastewater Treatment Enterprise Fund Contract with JMB Construction, Inc. in the Total Amount of \$878,800 for the Recycled Water Contact Chamber Retrofit Project at the Regional Water Quality Control Plant - Capital Improvement Program Project WQ-80021

CMR 379-08

ATTACHMENT

21. Approval of Sole Source Software Purchase, Support and Maintenance Contract and Contract Contingency with Pitney Bowes Software, Inc. in the Amount of \$330,000 for the Upgrade of the Utilities Bill Print Processing and Storage Systems

CMR 400-08

ATTACHMENT

22. Adoption of an Emergency **Ordinance Amending Section 2.31.010 [Surplus Property and Equipment Disposal or Destruction] of the Palo Alto Municipal Code to Allow the Donation of Surplus Property to Nonprofit Organizations and Declaring the Urgency Thereof, to Take Effect Immediately**

CMR 401-08

ATTACHMENT

AGENDA CHANGES, ADDITIONS, AND DELETIONS

HEARINGS REQUIRED BY LAW: Applications and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and put 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.

PUBLIC HEARINGS

23. Approval of Mitigated Negative Declaration, Site and Design Review and Record of Land Use Action for a New Childcare Facility (San Antonio Children's Center) Located at 1129-1137 San Antonio Avenue
** This item is quasi-judicial and subject to Council's Disclosure Policy*

CMR 374-08

ATTACHMENT

24. Approval of a Negative Declaration and Adoption of a Resolution Approving the Palo Alto Baylands Master Plan 2008

CMR 376-08

ATTACHMENT

10/06/08

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MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION IN THE CITY CLERK'S OFFICE AT PALO ALTO CITY HALL, 250 HAMILTON AVE. DURING NORMAL BUSINESS HOURS.

REPORTS OF OFFICIALS

25. Library Department Update on Progress of Audit of Library Operations Recommendations

CMR 375-08 ATTACHMENT

26. Approval of an Agreement Between San Mateo County Convention and Visitors Bureau and the City of Palo Alto for the Provision of Destination Palo Alto Visitorship Services in the Amount of \$215,000 for Fiscal Year 2008-09 and \$240,000 for Fiscal Year 2009-10 and Approval of an Agreement Between the Palo Alto Weekly and the City of Palo Alto for the Provision of the Destination Palo Alto Website Update and Revision, Visitor Guide and Associated Services in the Amount of \$25,000 for Fiscal Year 2008-09

CMR 335-08 ATTACHMENT

REPORTS OF COMMITTEES AND COMMISSIONS

27. Policy and Services Committee Recommendation to Approve a Pilot Program to Implement "Open City Hall" Online Service

CMR 398-08 ATTACHMENT

COUNCIL MATTERS

28. Adoption of a Resolution Opposing Santa Clara County Measure B Enacting a One-Eighth Cent Sales Tax Increase over 30 Years in the November 2008 Santa Clara County Election

ATTACHMENT

29. Colleague's Memo from Mayor Klein and Council Member Kishimoto Requesting Adoption of a Resolution Supporting State of California Ballot Proposition 1A, the Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century

ATTACHMENT

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

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

10/06/08

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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) 24 hours in advance.