

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  
November 03, 2008  
6:00 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager James Keene  
Authority: Government Code section 54957
  
2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Authority: Government Code Section 54956.8  
Property: 3281 E. Bayshore Road, APN 8-5-005  
Negotiating Party: John Anderson, AR Automotive, LLC dba Anderson Honda  
City Negotiator: James Keene, Steve Emslie, Lalo Perez, Donald Larkin, Bill Fellman  
Subject of Potential Negotiations: Price and Terms of Payment

## STUDY SESSION                    **7:00 PM or as soon as possible thereafter**

3. Comprehensive Reusable Bag Program and Related Actions on Plastics and Polystyrene

## CITY MANAGER COMMENTS

## 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 15, 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 Recommendation to Approve a Below Market Rate (BMR) Program Resale Price Formula Policy to Continue the Existing Consumer Price Index (CPI) Formula with an Annual Maintenance and Replacements Credit Program

CMR 422:08 Attachment

5. Approval of a Utilities Enterprise Fund Contract with Lewis and Tibbitts, Inc. in the Amount not to Exceed \$3,859,795 for Gas Main Replacement Capital Improvement Program GS-07002 Project 17 in the College Terrace, Evergreen Park, Ventura, Crescent Park, University South, Duveneck/St. Francis and University Park Subdivisions

CMR 423:08 Attachment

6. Adoption of a Resolution Summarily Vacating a 10-foot Public Utilities Easement at 3510 Murdoch Drive

CMR 429:08 Attachment

7. Adoption of a Resolution Summarily Vacating a Public Utilities Easement at 3180 Waverley Street

CMR 430:08 Attachment

8. Adoption of a Resolution Recognizing the Environmental Goals of Wave One and Directing City Staff Members to Support Achievement of These Goals

CMR 434:08 Attachment

9. Adoption of a Resolution of the Council of the City of Palo Alto Expressing Appreciation to Sean Riley Upon His Retirement

Attachment

10. Request for Authorization to Increase Existing Contract With the Law Firm of Hanson Bridgett LLP By an Additional \$45,000 for a Total Contract Not to Exceed Amount of \$185,000

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

11. Approval of Lease to Palo Alto Lawn Bowls Clubs, Inc. for the City-Owned 474 Embarcadero Road, to the Palo Alto Lawn Bowls Club, Inc.

CMR 425:08 Attachment

### CLOSED SESSION

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

12. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION  
Subject: Harvey Jones v. City of Palo Alto, et al., Santa Clara County  
Superior Court Case No.: 108CV106206  
Subject Authority: Government Code section 54956.9(a)

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

*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) 24 hours in advance.*