

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.

Regular Meeting
Council Chambers
March 16, 2009
7:00 PM

ROLL CALL

**AT THIS POINT THE CITY COUNCIL WILL ADJOURN AND
RECONVENE AS THE PUBLIC IMPROVEMENT CORPORATION**

SPECIAL ORDERS OF THE DAY

1. Proclamation for the Black and White Ball

ATTACHMENT

2. Welcome to Visitors from Tsuchiura, Japan

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

February 2, 2009

February 9, 2009

CONSENT CALENDAR

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

- 3. Adoption of a Resolution Establishing a Citizen Oversight Committee for Expenditures of Library Bond Funds

CMR 176:09 ATTACHMENT

- 4. Approval of a Letter Agreement with the Friends of Lytton Plaza LLC to Authorize the Reimbursement of 50% of Design Costs Incurred by the Friends up to a Maximum of \$50,000

CMR 173:09 ATTACHMENT

- 5. Approval of a Contract with JJR Construction Inc., in an Amount Not to Exceed \$457,217 for the 2009 Street Maintenance Program Concrete Preparation Capital Improvement Project PE-86070

CMR 165:09 ATTACHMENT

- 6. Approval of Amendment No. 2 to Contract Number C08126592 with the Palo Alto Art Center Foundation in the Amount of \$6,249 for a Total Not to Exceed Amount of \$374,829 for the Development of Construction Documents for the Renovation and Capital Improvements to the Palo Alto Art Center, Capital Improvement Program Project PF-07000

CMR 168:09 ATTACHMENT

- 7. Adoption of Resolution Authorizing the City Manager to Execute Amendments to the City's Electric Supply Agreements to Operate Effectively Under the New Transmission Market Rules of the California Independent System Operator Corporation

CMR 167:09 ATTACHMENT

- 8. Adoption of Two Resolutions to Incorporate Two Side Letter Agreements to the 2006-2009 Memorandum of Agreement with Service Employees International Union (SEIU), Local 521, Clarifying Vacation Accrual and the Term of the PERSChoice Reimbursement Plan: 1) Amending Section 1401 of the Merit System Rules and Regulations Regarding the 2006–2009 Memorandum of Agreement Between the City of Palo Alto and Service Employees International Union (SEIU), Local 521 and 2) Amending the 2006-2009

Compensation Plan for Service Employees International Union (SEIU),
Local 521, Adopted by Resolution No. 8658

CMR 164:09

ATTACHMENT

9. Adoption and Approval of Nine Documents Facilitating the Construction and Funding of the Ultraviolet Disinfection Facility Project at the Palo Alto Regional Water Quality Control Plant
 - (1) Resolution Authorizing the City Manager to Execute a State Revolving Fund Financial Assistance Agreement in an Amount Not to Exceed Eight Million Five-Hundred Thousand Dollars from the State Water Resources Control Board on Behalf of the Palo Alto Regional Water Quality Control Plant for the Design and Construction of the Ultraviolet Disinfection Facility;
 - (2) Resolution Designating Certain Ultraviolet Disinfection Facility Project Expenditures to be Reimbursed by Proceeds from State Revolving Fund;
 - (3) Resolution Establishing One or More Dedicated Sources of Revenue for Repayment of Funding Pursuant to the Federal Clean Water Act Amendments and Rescinding Resolution 8792;
 - (4) Enterprise Wastewater Treatment Fund Contract with Anderson Pacific Engineering Construction in a Total Amount Not to Exceed \$6,645,200 for Construction of the Ultraviolet Disinfection Facility;
 - (5) Amendment No. 2 to Enterprise Wastewater Treatment Fund Contract C06116829 with RMC Water & Environment in a Total Amount Not to Exceed \$400,000 for Engineering Services During Construction of the Ultraviolet Disinfection Facility;
 - (6) Enterprise Wastewater Treatment Fund Contract with the Covello Group in a Total Amount Not to Exceed \$659,370 for Construction Management Services at the Ultraviolet Disinfection Facility;
 - 7) Addendum No. 7 to the Basic Agreement Between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System;
 - (8) Amendment No. 5 to Contract Restatement and Amendment No. C237 Between the City of Palo Alto and the East Palo Alto Sanitary District; and

- (9) Amendment No. 3 to Contract No. C869 Between the City of Palo Alto and the Board of Trustees of the Leland Stanford Junior University

CMR 159:09 ATTACHMENT

10. Approval of a Three Year Contract with SCS Field Services in the Total Amount of \$470,484 for Landfill Gas and Leachate Control Systems Maintenance, Monitoring and Reporting Services

CMR 158:09 ATTACHMENT

11. Approval of a Purchase Order for the "As Needed" Acquisition of Electric Wire and Cable for Municipal Service Center (MSC) Warehouse Stock Items with Wesco Distribution for an Amount Not to Exceed of \$900,000 for a Term of Up to Three Years

CMR 139:09

12. Adoption of a Resolution Authorizing the City Manager to File an Application for a State Revolving Fund Financial Assistance Agreement in an Amount Not to Exceed \$37 Million from the State Water Resources Control Board for the Construction of the Palo Alto Recycled Water Project

CMR 162:09 ATTACHMENT

13. Request for Authorization to Increase Existing Contract with the Law Firm of Hanson Bridgett LLP by an Additional \$6,472 For a Total Contract Not to Exceed Amount of \$191,472

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

14. Approval of a Mitigated Negative Declaration and Adoption of an **Ordinance Amending Chapter 5.35 (“Retail Sales – Requirement for Paper Bags”) of Title 5 (“Health and Sanitation”) of the Palo Alto Municipal Code to Place a Limited Prohibition on Single-Use Plastic Checkout Bags**

CMR 138:09 ATTACHMENT

- 15A. Approval of a Mitigated Negative Declaration and Architectural Review for a 35-Unit, 100% Affordable Housing Project, Adoption of an **Ordinance Amending Section 18.08.040 of the Palo Alto Municipal Code (The Zoning Map) to Change the Classification of Property Located at 488 West Charleston Road from PC Planned Community (PC 2565) to PC Planned Community _____**, and Approval of Record of Land Use Action

CMR 151:09 ATTACHMENT

- 15B. Approval of a Loan Agreement with Tree House Apartments, L.P. to Provide an Acquisition Loan in the Amount of \$2,838,577 from the Residential Housing Fund and Community Development Block Grant (CDBG) Funds for the Development of a 35-Unit Affordable Housing Project at 488 West Charleston Road

CMR 169:09 ATTACHMENT

REPORTS OF OFFICIALS

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

CMR 137:09 ATTACHMENT

17. Approval of a Sister City Alliance Agreement Between the City of Tsuchiura City, Japan and the City of Palo Alto

CMR 163:09 ATTACHMENT

18. Human Relations Commission Recommendation to the Council that June 21st Should be Established as World Music Day in Palo Alto and Applicable General Fund Fees Should be Waived

CMR 157:09 LETTER

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

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

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.

CONFERENCE WITH CITY ATTORNEY – Anticipated Litigation

19. Subject: Initiation of amicus curiae litigation in the matter of Town of Atherton, a Municipal Corporation, Planning and Conservation League, a California nonprofit corporation, City of Menlo Park, a Municipal corporation, Transportation Solutions Defense and Education Fund, a California nonprofit corporation, California Rail Foundation, a California nonprofit corporation, and Bayrail Alliance, a California nonprofit corporation, and other similarly situated entities, v. California High Speed Rail Authority, a public entity, Sacramento County Superior Court, Case No.: 34-2008-80000022

Authority: Government Code Section 54956.9(c)

CITIZEN LETTERS

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.