

# ACTION

Regular Meeting  
May 16, 2011

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:06 P.M.

Present: Burt, Espinosa, Klein arrived @ 7:07 P.M., Scharff, Schmid, Shepherd, Yeh arrived @ 7:09 P.M.

Absent: Holman, Price

## SPECIAL ORDERS OF THE DAY

### 1. Proclamation Community Star Awards.

Council Member Scharff read the Proclamation for Teri Vershel into the record.

Council Member Schmid read the Proclamation for the Summer's Excellent Adventure Volunteers into the record.

Council Member Burt read the Proclamation for Elizabeth Hogan into the record.

Council Member Shepherd read the Proclamation for Becky Beacom into the record.

### 2. Proclamation Recognizing the Housing Trust of Santa Clara County for Their Work Promoting Affordable Housing.

Vice Mayor Yeh read the Proclamation into the record.

3. Selection of Candidates to be Interviewed for the Utilities Advisory Commission for Two Terms Ending on June 30, 2014.

**MOTION:** Council Member Klein moved, seconded by Vice Mayor Yeh to interview all applicants for the two terms ending on June 30, 2014.

**MOTION PASSED:** 7-0 Holman, Price absent

#### CONSENT CALENDAR

Council Member Klein advised he would not be participating in Agenda Item Number 5 where it pertains to a contract with Wave One because they are one of his clients.

**MOTION:** Council Member Shepherd moved, seconded by Council Member Scharff to approve Agenda Item Numbers 4, 6-9.

4. Approval of Sponsorship of the 2011 United Nations Association Film Festival and Authorization for the City Manager to Enter into a Sponsorship Agreement in an Amount Not to Exceed \$10,000.
5. Approval of Energy Efficiency Contracts with Acetera, Base Energy, Inc., Bay Area Refrigeration/Castrovilla, Ecology Action, SBW Consulting, Inc., Synergy Companies, Wave One and Willdan Energy Solutions; for Expansion of a Large Business 3<sup>rd</sup> Party Energy Efficiency Program by Amendment No. 1 of the Contract with Enovity, Inc.; for 3<sup>rd</sup> Party Oversight of Commercial Efficiency Programs with Energy & Resource Solutions; and for Evaluation, Measurement and Verification of Programs with Navigant Consulting in the Combined Amount of \$2,096,986 for the First Year from Gas and Electric Public Benefit and Supply Funds.
6. Approval of a Water Enterprise Fund Contract with Proven Management, Inc. in a Not to Exceed Amount of \$4,843,777 for the Construction of the Mayfield Pump Station Augmentation Project WS-08002-50.
7. Budget Amendment Ordinance 5120 for Fiscal Year 2011 to Transfer Funds from the FY 2012 Street Resurfacing Budget into the FY 2011 Street Resurfacing Budget and Approval of a Contract with O'Grady Paving, Inc. in the Amount of \$2,065,308 for the 2011 Street Maintenance Program Asphalt Overlay Capital Improvement Program Project PE-86070.
8. Request for Approval to Authorize the City manager to sponsor the Palo Alto Gran Fondo/Echelon Challenge/ Taste of Palo Alto Community Event for September 17, 2011, Not to exceed \$50,000.

9. Confirmation of Appointment of Monique le Conge as Director of Libraries and Approval of At-Will Employment Agreement.

**MOTION PASSED for Agenda Item Nos. 4, 6-9:** 7-0 Holman, Price absent

**MOTION:** Vice Mayor Yeh moved, seconded by Council Member Shepherd to approve Agenda Item Number 5 with the exception of the contract with Wave One.

**MOTION PASSED:** 7-0 Holman, Price absent

**MOTION:** Vice Mayor Yeh moved, seconded by Council Member Shepherd to approve Agenda Item Number 5 as it pertains to the Wave One contract.

**MOTION PASSED:** 6-0 Holman, Price absent, Klein not participating.

#### STUDY SESSION

10. Wireless Communications Facilities.

The Council conducted a study session on Wireless Telecommunications Facilities, receiving presentations and commentary from staff and staff's consultant, representatives from the wireless industry, the Joint Venture Silicon Valley Network, local cities, and members of the public. The Council expressed appreciation for staff's efforts to provide context for the community on the subject, and noted their concerns and desires for future conversations.

#### COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Shepherd reported on attending the Santa Clara Valley Transportation Agency El Camino Corridor Rapid Transit meeting on Friday, May 13, 2011. She advised they will be hosting a meeting in our Council Chambers on June 20, 2011 with all the information on the El Camino Rapid Transit Corridor.

Vice Mayor Yeh reported on attending the Northern California Power Agency annually lobbying effort in Washington, D.C. last week. Discussions centered on hydropower legislation, clean energy standards, debt limit, and cyber security.

Council Member Klein reported on attending the Santa Clara County Cities Association (SCCCA) meeting last week where the discussion focused on; 1) the process of redistricting for County Supervisors is underway based on the recent census data, 2) the City of Los Altos is considering leaving the PERS

system, 3) the SCCCA is reducing annual membership dues for the upcoming fiscal year, and 4) Santa Clara County Supervisor Liz Kniss will be hosting a Caltrain meeting on May 17, 2011 in Council chambers.

Mayor Espinosa

The City Council convened into the Closed Session at 11:16 P.M.

CLOSED SESSION

11. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION

Subject: Sterling Park, et al. v. City of Palo Alto, Santa Clara County Superior Court, Case No. 109-CV-154134; California Court of Appeal, Sixth Appellate District Case No.: H036663

Subject Authority: Government Code section 54956.9(a)

The City Council reconvened from the Closed Session at 11:23 P.M. and Mayor Espinosa announced no reportable action.

ADJOURNMENT: The meeting was adjourned at 11:24 P.M.