

ACTION MINUTES

Special Meeting
April 9, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5: 30 P.M.

Present: Burt, Espinosa arrived @5:35 P.M., Holman, Klein, Price, Schmid arrived @5: 35 P.M., Shepherd, Yeh

Absent: Scharff

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Sandra Blanch, Marcie Scott, Darrell Murray)

Employee Organization: Palo Alto Police Officers Association (PAPOA)

Authority: Government Code Section 54957.6(a)

2. CONFERENCE WITH CITY ATTORNEY - EXISTING LITIGATION

Subject: City of Palo Alto et al. v. California High-Speed Rail Authority
Superior Court of California, County of Sacramento,
Case No. 34-2010-80000679

Authority: Government Code section 54956.9(a)

The City Council reconvened from the closed session at 7:09 P.M., and Mayor Yeh announced that the City Council has authorized an appeal in the case of the City of Palo Alto et al. v. California High-Speed Rail Authority.

SPECIAL ORDERS OF THE DAY

3. Proclamation for National Library Week, April 8-14, 2012.

04/09/2012

4. Community Partnership Presentation – Chamber of Commerce and Whole Foods Market.

Community Services Director Greg Betts introduced Palo Alto Chamber of Commerce Chief Executive Officer Paul Wright, mentioning to Council that in addition to featuring local non-profit partnership initiatives, staff will occasionally introduce local businesses who are working to make a difference in the community. Paul Wright outlined the Chamber's annual "Tall Tree Award" program that features an outstanding professional, non-profit, volunteer and local business. This year's Tall Tree recipient for outstanding local business is Whole Foods Market.

Whole Food's store manager Mike Price shared with Council some of the many ways that the company gives back to the community. In addition to their active support of the City's annual Moonlight Run and Chili Cook-off, Whole Foods also supports local organic farmers, promotes farm-fresh produce and works to provide school age children with tours of the store so that kids can get a better understanding of where their food and produce come from. Mr. Price also explained Whole Foods' "5% Days" program. On designated days throughout the year a total of 5% of the day's net sales are donated to local non-profit organizations. Customers help support our selected organizations just by shopping on these 5% Days. A recent recipient of these funds is Canopy and their tree planting program.

APPROVAL OF MINUTES

MOTION: Council Member Shepherd moved, seconded by Council Member Schmid to approve the minutes of December 5, 2011 and December 12, 2011.

MOTION PASSED: 8-0 Scharff absent

CONSENT CALENDAR

MOTION: Council Member Shepherd moved, seconded by Mayor Yeh to pull Agenda Item 13 to become Agenda Item No. 17A.

Council Member Holman registered a no vote on Agenda Item No. 14.

MOTION: Council Member Espinosa moved, seconded by Council Member Price to approve Agenda Item Nos. 5-12 and 14-17.

5. Approval of Utilities Enterprise Fund Contract with Ranger Pipelines Incorporated in an Amount of \$4,220,699 for Water Main Replacement Capital Improvement Program WS-09001 Project 23 and WS-10001

Project 24 in Crescent Park, Duveneck/St. Francis, Old Palo Alto, University Park, and Ventura Subdivisions.

6. Approval of a Contract Modification for \$10,510 for Alta Planning and Design to Complete the Bicycle and Pedestrian Transportation Plan Update.
7. Approval of a Construction Contract with Republic Intelligent Transportation Services Inc. in the Amount of \$924,740 to Supply & Install New Energy Efficient Light Emitting Diode (LED) Street Lighting Luminaires.
8. Approval of Permanent Traffic Calming Plan for College Terrace Neighborhood.
9. Approval of Two Contract Amendments with Baker & Taylor to (1) Add \$300,000 for a Total Amount Not to Exceed \$1,250,000 for Additional Library Collection Materials and (2) Add \$100,000 for a Total Amount Not to Exceed \$189,000 for Additional Library Collection Services Associated with the Mitchell Park Library Opening.
10. Approval of a Contract with Vellutini Corp., dba Royal Electric, in the Amount of \$865,393 for the Replacement of an Electric Power Transformer at Hanover Substation.
11. Budget Amendment Ordinance 5149 in the Amount of \$179,000 to CIP Project PE-12011, Newell Road/San Francisquito Creek Bridge Replacement, Approval of a Contract with Nolte Associates, Inc. in the Amount of \$519,177 for Design Services for the Newell Road/San Francisquito Creek Bridge Replacement Project, Capital Improvement Program Project PE-12011, Approval of the Inclusion of Public Art in the Design and Construction of the Newell Road/San Francisquito Creek Replacement Bridge, and Approval of a Cost Share Agreement with the Santa Clara Valley Water District Providing for Contribution of Local Matching Funds for the Newell Road/San Francisquito Creek Replacement Bridge Project.
12. Approval of Amendment No. 1 to Contract No. C11135684 with Pacific Technologies, Inc. to extend Term Through June 30, 2012.
- ~~13. Recommendation From Policy & Services to Approve Labor Guiding Principles.~~
14. Ordinance 5150 of the Council of the City Of Palo Alto Amending Section 18.08.040 of the Palo Alto Municipal Code (The Zoning Map) to Change the Classification of Property Located at 2080 Channing

Avenue (Edgewood Plaza) from Planned Community (PC 1643) to PC Planned Community Zone (PC_) for the Renovation of Three Existing Eichler Retail Structures, On-Site Relocation of One of the Retail Structures, Construction of Ten New Single-Family Homes, And Creation Of A 0.20 Acre Park. (First reading March 19, 2012 – Passed 8-1).

15. Approval of Amendment No. 1 in the Amount of \$31,460 to Contract No. C09129898 with Golder Associates, Inc. for a Total Contract Amount of \$150,460 for Development of Alternate LFG Flare Stack Design on Water Quality Control Plant Premises - Refuse Fund Capital Improvement Program Project RF-10002.
16. Request for Authorization to Increase Existing Contract with the Law Firm of Stubbs & Leone by an Additional \$200,000 For a Total Contract Not to Exceed Amount of \$385,000.
17. Submittal of Mitchell Park Library and Community Center Monthly Construction Contract Report and Council Direction to Staff to Continue Construction Contract Monthly Reports.

MOTION PASSED for Agenda Item Nos. 5-7, 9-12 and 15-17: 8-0
Scharff absent

MOTION PASSED for Agenda Item No. 8 with the additional language- Staff will work with College Terrace residents to explore potential public/private partnerships or other means to landscape the traffic circles and bulb-outs: 8-0 Scharff absent

MOTION PASSED for Agenda Item No. 14: 7-1 Holman no, Scharff absent

AGENDA CHANGES, ADDITIONS, AND DELETIONS

- 17a. (Former Agenda Item No. 13) Recommendation From Policy & Services to Approve Labor Guiding Principles.

MOTION: Council Member Shepherd moved, seconded by Council Member XXX to change the first part of Labor Guiding Principle No. 3 to: Because of budgetary needs, the City shall, reach agreement on the successor MOA with recognized employee organizations on matters within the scope of representation prior to expiration of their existing MOA. The City will work with employee groups to set an appropriate starting time for negotiations

MOTION FAILED DUE TO LACK OF SECOND

MOTION: Council Member Schmid moved, seconded by Council Member Holman to adopt the Labor Guiding Principles recommended by the Policy and Services Committee.

MOTION PASSED: 8-0 Scharff absent

MOTION: Council Member Klein moved, seconded by Council Member Holman to move Agenda Item No. 19 forward to be heard before Agenda Item No. 18.

MOTION PASSED: 8-0 Scharff absent

ACTION ITEMS

19. PUBLIC HEARING: Approval of Site and Design Review Application and a Record of Land Use Action for a change in Use from Office to a Day Care Center at 2585 East Bayshore Road. * Quasi-Judicial.

Public hearing opened at 8:50 P.M.

Public hearing closed at 9:13 P.M.

MOTION: Council Member Price moved, seconded by Council Member Schmid to: 1) approve the Record of Land Use Action approving a Site and Design review to allow a change in use from office to day care center as well as other associated site improvements at 2585 East Bayshore Road.

AMENDMENT: Council Member Holman moved, seconded by Council Member Price that should Staff determine traffic backups occur, Staff is to evaluate the situation and work with the applicant to explore solutions such as staggered pickup schedules.

AMENDMENT PASSED: 5-3 Klein, Shepherd, Yeh no, Scharff absent

MOTION AS AMENDED PASSED: 8-0 Scharff absent

The City Council took a break from 9:52 P.M. until 10:00 P.M.

18. Recommendation that Council Adopt the Draft Cubberley Guiding Principles, Confirm the City Manager's Appointments to the Community Advisory Committee (CAC) and Review the Conceptual Site Plans Prepared Jointly by the Staff of the PAUSD and City of Palo Alto.

MOTION: Council Member Shepherd moved, seconded by Council Member Holman to have Staff evaluate the expansion of the Community Advisory

Committee by at least two additional school representatives and return with the information at the April 16, 2012 Council meeting.

MOTION PASSED: 6-2 Klein, Price no, Scharff absent

MOTION: Council Member Price moved, seconded by Council Member Shepherd to defer the discussion of the Conceptual Site Plans to April 16, 2012 Council meeting or as soon as possible.

MOTION PASSED: 8-0 Scharff absent

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Price reported attending the Project Cornerstone event which focused on the 41 Developmental Assets. She also attended the Silicon Valley Leadership Group Housing Trust presentation and took a tour with the Palo Alto Housing Corporation of Palo Alto properties they own.

ADJOURNMENT: The meeting was adjourned at 12:12 A.M.