

ACTION MINUTES

Special Meeting
October 15, 2012

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 5:05 P.M.

Present: Burt arrived @ 7:55 P.M., Espinosa arrived at 5:10 p.m., Holman, Klein, Price, Scharff, Schmid arrived @ 8:06 P.M., Shepherd, Yeh

Absent:

CLOSED SESSION

1. Conference with Legal Counsel
Conference with Legal Counsel - Government Code Section 54956.9(b), (c)
Potential Litigation Relating to the Mitchell Park Library and Community Center Construction
Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: 1 Potential Case
Potential Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: 1 Potential Case

The City Council reconvened from the Closed Session at 6:00 P.M. and Mayor Yeh advised no reportable action.

Council Member Price left the meeting at 6:00 P.M. and returned at 7:00 P.M.

STUDY SESSION

2. City Council Study Session with Assemblyman Gordon Proposed Topics of Discussion.

The City Council participated in a study session with Assembly Member Rich Gordon. Assembly Member Gordon discussed the State budget and cuts that may be made if some of the ballot legislation does not pass in November. This past year the State Legislature took action on several items, including Worker's Compensation and a pension reform package. He gave an update on the San Joaquin Valley Browns Water Project and the proposed bond measure. Assembly Member Gordon spoke about reform efforts for the

Regional Housing Mandate requirements, and the California Environmental Quality Act (CEQA). He stated one of his main concerns is the State budget, how much has been cut and the programs that have had to be cut. In the coming year, he sees water, education reform, and CEQA as the main topics for discussion.

MINUTES APPROVAL

MOTION: Council Member Espinosa moved, seconded by Council Member Klein to approve the minutes of July 16, July 23, September 4, and September 10, 2012.

MOTION PASSED: 7-0 Burt and Schmid absent

CONSENT CALENDAR

MOTION: Council Member Espinosa moved, seconded by Council Member Price to approve Agenda Item Nos. 3-8.

Council Member Klein advised he would not be participating in Agenda Item No. 5 because he has previously represented the Casa Olga organization.

3. Resolution 9292 entitled "Resolution of the Council of the City of Palo Alto Relating to Amendments to Utility Rate Schedule E-16 (Unmetered Electric Service)".
4. Approval of Contract in a Not to Exceed Amount of \$545,338 with Forrest Richardson & Associates for Design Services and Preparation of the Environmental Impact Report for the Golf Course Redesign and the Potential Expansion of the Baylands Athletic Center and Adoption of the Budget Amendment Ordinance 5166 to Reallocate \$545,338 from the Infrastructure Reserve Fund to the Recreation Division Operating Budget.
5. Approval of Amendment No. 2 to an Agreement Between the City of Palo Alto and Casa Olga Relating to the University Avenue Area Off-Street Parking Assessment District.
6. Resolution 9293 of Intent and (2) Ordinance to Amend the Contract Between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Palo Alto to Implement California Government Code Section 20475: Different level of benefits provided for new employees, Section 21363.1: 3.0% @ 55 Full Formula, and Section 20037: Three Year Final Compensation for Safety Police Employees.

7. Approval of Contract with Muzak, LLC, in the Amount of \$201,992 for Media Broadcast System for the Mitchell Park Library and Community Center (CIP PE-09006)
8. Request City Council Designate Voting Delegate for the Upcoming National League of Cities Annual Business Meeting.

MOTION PASSED for 3, 4, 6-8: 7-0 Burt, Schmid absent

MOTION PASSED for 5: 6-0 Klein not participating, Burt, Schmid absent

ACTION ITEMS

9. Public Discussion of Employee Pension, Health Care, Compensation and Other Benefits and Strategies for the Future.

No action required.

10. Interim Urgency Ordinance 5167 entitled "Ordinance of the Council of the City of Palo Alto to Place Temporary Moratorium on use of "Exempt Floor Area Ratio" Parking Exemption Contained in Section 18.52.060(c) of the Zoning Ordinance in the Downtown and California Avenue Assessment Districts".

Council Member Schmid left the meeting at 10:21 p.m.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Shepherd to adopt the Interim Urgency Ordinance establishing a moratorium on the use of the Exempt Floor Area parking exemption set forth in Section 18.52.06 (c) of the Palo Alto Municipal Code in connection with any permit, entitlement or development project, pending further study of Downtown and California Avenue parking issues. Return to Council within 45 days regarding the potential exemptions.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that the Staff report in 45 days will contain a proposal for the exemptions to include the preparation of a robust Transportation Demand Management (TDM) program for the projects.

MOTION PASSED: 8-0 Schmid absent

COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Price reported on attending a fundraiser for Outlet, which is a member of Project Safety Net. The Mental Health Board held a meeting regarding Veterans services. She also attended a crisis intervention training program conducted at Stanford University.

Council Member Holman asked about a letter from a citizen regarding a construction project. She asked Staff to provide information to Council regarding the letter.

Council Member Shepherd reminded everyone that the League of California Cities is recruiting for several of their policy setting committees.

Mayor Yeh noted that three members of the public had commented on Elizabeth Seton School item and asked when it would come back to Council.

Curtis Williams, Director of Planning & Community Environment stated that that item will be on Council's agenda on November 5, 2012.

Mayor Yeh asked if it was standard timing to come before Council.

Mr. Williams answered yes and stated that Council could set a Public Hearing for a later date.

Mayor Yeh asked about the DAS process and an individual appeal process.

Mr. Williams stated that was also coming to Council on November 5, 2012 and would be the same process as the Elizabeth Seton School item.

Mayor Yeh appointed Council Member Burt to the new Caltrain Policy Maker Committee. Each January the new Mayor will appoint to this committee. He thanked the Council and public for their participation in Bike Palo Alto.

ADJOURNMENT: The meeting was adjourned at 11:03 P.M.