



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
November 5, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:02 P.M.

Present: Burt, Espinosa, Holman, Klein, Scharff, Schmid arrived at 7:00 p.m., Shepherd, Yeh

Absent: Price

STUDY SESSION

1. Study Session with the Public Art Commission

The Public Art Commission (Commission) gave a brief overview of the Commission's purpose and the variety of programs it hosts. The Commission showed some recently completed projects, such as the maintenance and restoration efforts of the past year, temporary public art partnerships, youth art engagement and the Oliver Ranch Tour. Present endeavors, such as the Mitchell park artworks were discussed along with the art being fabricated for the Main Library and Art Center, Hoover Park and the Juana Briones Park restroom. The Public Art Commission also showed the upcoming temporary art installation, *Aurora*, by Charles Gaden and discussed larger scale projects involving bridges, tunnels and transit hubs and mural programs for downtown. Discussions after the presentation included percent for art in public and private developments, mobile apps for the art, temporary art and possible artwork to be included in our various bridges and tunnels.

MINUTES APPROVAL

MOTION: Council Member Espinosa moved, seconded by Council Member Klein to approve the minutes of September 24, 2012 and October 1, 2012.

MOTION PASSED: 8-0 Price absent

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CONSENT CALENDAR

Council Member Klein said he would not participate in Agenda Item No 13 because it involved Stanford.

MOTION: Council Members Klein, Holman, and Schmid to pull Agenda Item Number 8 from the Consent Calendar and direct Staff to set a public hearing at a future date.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Shepherd to approve agenda item nos. 2-7, 9-12, 14-17

2. Adoption of Form 806, as Required by the California Fair Political Practices Commission, to Provide for Reporting of Election of City Council Members to Stipended Positions, such as Mayor and Vice-Mayor
3. Appointments of Jennifer Hetterly and Ed Lauing to the Parks and Recreation Commission for Two Full Terms Ending on December 31, 2015
4. Approval of Amendment No. 2 to the Amended and Restated Stewardship Agreement Between The City of Palo Alto and Acterra in the Amount of \$10,000 for the Initial year of Services for the Enid W. Pearson Arastradero Preserve
5. Finance Committee Recommendation to Adopt a Resolution 9294 Approving a Power Purchase Agreement with Brannon Solar LLC for the Purchase of Electricity over 25 Years at a Cost not to Exceed \$91 Million
6. Utilities Advisory Commission and Finance Committee Recommendation that the City Council Approve the Proposed Definition of Carbon Neutrality to Use in the Development of a Plan to Achieve a Carbon Neutral Electric Supply Portfolio by 2015
7. Second Reading: Ordinance 5168 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 (1st Reading- October 15, 2012 7-0 Burt, Schmid absent)

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- ~~8. Approval of a Record of Land Use Action for a Conditional Use Permit Amendment Allowing the Operation of a New Pre-Kindergarten Program Within an Expanded Building and an After-School Day Care Program Associated with an Existing Private School (K-8 Program) at 1095 Channing Avenue.~~
9. Adoption of a Budget Amendment Ordinance 5169 in the Amount of \$549,000 to Capital Improvement Program Project PE-86070 and Approval of Contract with JJR Construction, Inc. in the Amount Not to Exceed \$785,716 for the 2012 Surface Transportation Program (STP) Resurfacing Project: Lytton Avenue / Channing Avenue
10. Award of Contract to Ideal Computer Services, Inc. for Hardware Support
11. Appeal of Director's Architectural Review Approval of the Collocation by AT&T Mobility LLC of Wireless Communications Equipment on 15 Pole-Mounted Wireless Communication Antennas and Associated Equipment Boxes on Existing Utility Poles Within City Rights-of-Ways Near the Following Locations: 528 Homer; 896 Melville; 1491 Greenwood; 1061 Fife; 1496 Dana; 697 Wildwood; 973 Embarcadero Rd; 671 Seale; 731 Lincoln; 1594 Walnut/Embarcadero side; 1280 Newell; 643 Coleridge; 401 Marlowe; 1196 Hamilton; 933 N. California
12. Approval of Agreement Between the City of Palo Alto on Behalf of the Cable Joint Powers Agency and the Midpeninsula Community Media Center, Inc. for Cablecasting Equipment Funding Support
13. Final Annual Public Review of Stanford University's Compliance with Development Agreement for the Sand Hill Road Corridor projects
14. Approval of Contract Amendment No. Six with Group 4 Architecture, Inc., for Additional Design Services for the Mitchell Park Library and Community Center Project, to Add \$692,810 for a Total Amount Not to Exceed \$8,595,231, which includes funding for all three Libraries Utilizing Bond Funds
15. Approval of Contract Amendment No. 4 for Additional Construction Management Services with Turner Construction, Inc., to add \$2,052,016 for a Total Amount Not to Exceed \$5,835,761 for all three Libraries Utilizing Bond Funds

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16. Adoption of Resolution 9295 of Intent to Fix the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act with Respect to Members of the Palo Alto Fire Chiefs' Association and Rescinding Resolution No. 8666
17. Approval of Agreement Between the City of Palo Alto on Behalf of the Cable Joint Powers Agency and Comcast Corporation of California IX, Inc. For The Use of Fiber; Approval of Agreement Between the City of Palo Alto on Behalf of the Joint Powers and the Cities of Palo Alto, East Palo Alto and Menlo Park, and the Town of Atherton for Storage and Operation of I-Net Equipment; and Approval of Agreement Between the City of Palo Alto on Behalf of the Joint Powers and the Palo Alto Unified School District, the Ravenswood City School District, the Menlo Park City School District, the Las Lomas Elementary School District, and the Sequoia Union High School District Covering Shared I-Net Responsibilities; and Approval of Agreement Between the City of Palo Alto on Behalf of the Joint Powers and Internet Systems Consortium, Inc. Covering the Provision of Internet Services to I-Net Connected Institutions

MOTION PASSED: to approve Agenda Item Numbers 2-7 and 9-12, 14-17, 8-0, Price absent, Klein not participating Item Number 13

MOTION PASSED: to approve Agenda Item Number 13, 8-0, Price absent

AGENDA CHANGES, ADDITIONS AND DELETIONS

MOTION: Vice Mayor Scharff moved, seconded by Mayor Yeh to continue item #19 to November 13, 2012.

19. Adoption of Budget Amendment Ordinance and Approval of a Loan Request from Palo Alto Housing Corporation in the Amount of \$5,820,220 for the Acquisition of 567-595 Maybell Avenue

MOTION PASSED: 8-0 Klein absent

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18. Colleagues Memo from Vice Mayor Scharff and Council Members Holman and Schmid Regarding Re-evaluation of Ground Floor Retail Protections in the Downtown Commercial District

MOTION: Council Member Burt moved, seconded by Vice Mayor Scharff to request Staff: 1) to return to Council with a proposal to retain retail on the

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Emerson Street between Hamilton Avenue and Forest Avenue, 2) as part of the review of the Downtown Development cap direct staff to review the boundaries of the ground floor overlay and evaluate bringing into compliance non-conforming uses within the ground floor overlay area of the downtown CD district.

AMENDMENT: Council Member Klein moved, seconded by Council Member Price, to delete from the main Motion number 2 on: "2) as part of the review of the Downtown Development cap direct staff to review the boundaries of the ground floor overlay and evaluate bringing into compliance non-conforming uses within the ground floor overlay area of the downtown CD district."

AMENDMENT WITHDRAWN

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER at the time of the scope of services review of the downtown cap TDM Study, Staff shall bring back costs associated with: "as part of the review of the Downtown Development cap direct staff to review the boundaries of the ground floor overlay and evaluate bringing into compliance non-conforming uses within the ground floor overlay area of the downtown CD district."

MOTION PASSED: 8-1, Shepherd no

20. Adoption of Budget Amendment Ordinance 5170 to Provide Appropriation of \$1 Million for a Loan Commitment for the Rehabilitation of Stevenson House

MOTION: Mayor Yeh moved, seconded by Council Member Shepherd to approve the Palo Alto Senior Housing Project, Inc. request to commit \$1,000,000 for the rehabilitation of Stevenson House by adopting a Budget Amendment Ordinance to allocate \$1,000,000 from the Stanford University Medical Center Project's Infrastructure, Sustainable Neighborhoods and Communities, and Affordable Housing community benefit payment for the rehabilitation.

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to request to commit a \$1 million loan to the Stevenson House rehabilitation.

MOTION PASSED: 9-0

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21. Update of Parking Program and Review and Direction on Parking Policy Strategies

MOTION: Council Member Holman moved, seconded by Council Member Price to move Agenda Item Number 21 "Update of Parking Program and Review and Direction on Parking Policy Strategies" to November 13, 2012.

MOTION PASSED: 9-0

22. Status Report on Current High Speed Rail and Caltrain Electrification Issues Submitted for Council Review and Comment

NO ACTION REQUIRED

COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Klein spoke to the loss of Sally Probst stating that she was revered in the community. She served as a housing advocate and also on the League of Women Voters. She lived in Palo Alto for 24 years. He asked to adjourn the meeting in her honor.

Mayor Yeh spoke of Sally Probst stating that she was genial and strong at the same time.

ADJOURNMENT: The meeting was adjourned in honor of Sally Probst at 10:33 p.m.