



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
January 14, 2013

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:00 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price, Scharff, Schmid, Shepherd

Absent:

## SPECIAL ORDERS OF THE DAY

1. Presentation From Lisa Hendrickson Regarding Avenidas.
2. Selection of Candidates to be Interviewed for the Public Art Commission for One Term Ending on April 30, 2015.

**MOTION:** Vice Mayor Shepherd moved, seconded by Council Member Price to interview all candidates for the Public Art Commission for one unexpired term ending on April 30, 2015.

**MOTION PASSED:** 8-1 Klein no

3. Selection of Candidates to be Interviewed for the Parks and Recreation Commission for Two Terms Ending on December 31, 2015.

**MOTION:** Council Member Kniss moved, seconded by Council Member Schmid to interview all candidates for the Parks and Recreation Commission for two terms ending on December 31, 2015.

**Motion Passed:** 9-0

4. Selection of Candidates to be Interviewed for the Planning and Transportation Commission for One Unexpired Term Ending on July 31, 2014.

**MOTION:** Vice Mayor Shepherd moved, seconded by Council Member Kniss to interview all candidates, except for Jeff Brown who withdrew his

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application, for the Planning and Transportation Commission for one unexpired term ending on July 31, 2014.

**Motion Passed:** 8-1, Klein no

## MINUTES APPROVAL

**MOTION:** Vice Mayor Shepherd moved, seconded by Council Member Holman to approve the minutes of November 13, 2012 and December 3, 2012 as amended.

**MOTION PASSED:** 7-0 Berman, Kniss Abstained

## CONSENT CALENDAR

Council Member Holman said she would not participate in Agenda Item Number 8 because she lived within a live 500 foot radius.

**MOTION:** Council Member Klein moved, seconded by Vice Mayor Shepherd to approve Agenda Item Numbers 5-15.

5. Review and Acceptance of Annual Status Report on Developers' Fees for Fiscal Year 2012 and Adoption of Resolution 9313 Making Findings Regarding Continuing Need for Unexpended Parkland Development Fees in the Amount of \$38,729; Community Center Development Fees in the Amount of \$562,329; Library Development Fees in the Amount of \$213,729.
6. Adoption of Budget Amendment Ordinance 5178 in the Amount of \$167,734 and Approval of Enterprise Refuse Fund Contract with GSE Construction Company, Inc. in the Total Amount of \$704,220 for the New Landfill Gas Flare Project at Regional Water Quality Control Plant - Capital Improvement Program Project RF-10002.
7. Adoption of a Budget Amendment Ordinance 5179 in the Amount of \$205,150 to Capital Improvement Program Project RF-070001 and Approval of Contract with American Asphalt Repair and Resurfacing Co., Inc. in the Amount Not to Exceed \$376,200 for Improvements to the Existing Household Hazardous Waste Station Located at the Entrance to the Regional Water Quality Control Plant.
8. Second Reading: Adoption of an Ordinance 5180 Establishing Underground Utility District No. 47 (Middlefield Road/Addison

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Avenue/Cowper Street/ Homer Avenue) by Amending Section 2.16.02 of the Palo Alto Municipal Code (First Reading: 12/10/2012, Passed: 8-0 Holman not participating).

9. Second Reading: Adoption of an Ordinance 5181 Amending the Zoning Map to Change the Zoning Designation for 423-451 Page Mill Road from R-1 Single Family Residential Zone to C-S Service Commercial Zone with Site and Design (D) Review Combining District (First Reading: 12/10/2012, Passed: 9-0).
10. Approval of Amendment No. 1 to Mutual Cooperation and Support Agreement Between the City of Palo Alto and Friends of the Palo Alto Junior Museum & Zoo to Extend Term for Another Three Years.
11. Approval of a Three Year Contract with West Coast Arborists, Inc. in a Total Amount Not to Exceed \$1,050,000 for Tree Pruning and Removal Services.
12. Adoption of a Budget Amendment Ordinance 5182 in the amount of \$173,231 to Provide an Additional Appropriation for the Biosolids Facility Plan Project at the Regional Water Quality Control Plant (WQ-10001); and Approval of a Wastewater Treatment Enterprise Fund Contract with CH2M HILL Engineers, Inc. in a Total Amount Not to Exceed \$421,678 for the Biosolids Facility Plan at the Regional Water Quality Control Plant-Capital Improvement Program WQ-10001.
13. Approval of the Acceptance and Expenditure of Citizens Options for Public Safety (COPS) Funds on Various Law Enforcement Equipment.
14. Adoption of a Budget Amendment Ordinance 5183 in the Amount of \$182,902 to Fund the Purchase of Two Ford F-250 Pickup Trucks, One Chevrolet Express 350 Cargo Van, Two Regenerative Air Sweepers and \$16,000 for Vehicle Outfitting Work and Approval of Purchase Orders with 1) Towne Ford in an Amount Not to Exceed \$52,146 for Purchase of Two Ford F-250 Pickup Trucks; 2) Courtesy Chevrolet in an Amount Not to Exceed \$39,756 for Purchase of One Chevrolet Express 3500 Cargo Van; and 3) Municipal Maintenance Equipment in an Amount Not to Exceed \$539,646 for Purchase of Two Regenerative Air Sweepers; (Capital Improvement Program project VR-13000).
15. Policy and Services Committee Recommendation to Approve a Policy for the Office of Economic Development.

**MOTION PASSED for Agenda Item Numbers 5-7 and 9-15: 9-0**

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**MOTION PASSED for Agenda Item Number 8:** 8-0 Holman not participating

## ACTION ITEMS

16. Public Hearing: on Objections to Weed Abatement and Adoption of Resolution 9317 entitled "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated".

Public Hearing opened at 7:43 P.M.

Public Hearing closed: 7:45 P.M.

**MOTION:** Council Member Kniss moved, seconded by Council Member Price to adopt the Resolution ordering the abatement of weed nuisances in the City of Palo Alto.

**MOTION PASSED:** 9-0

17. Public Hearing: TEFRA Hearing and Approval of Conduit Refunding Obligations for the Oshman Family Jewish Community Center Through the California Development Authority Relating to Facilities Located at 3921 Fabian Way, Palo Alto, California 94303, Resolution 9314 approving the issuance of tax-exempt refunding obligations by the California Enterprise Development Authority (CEDA), and Resolution 9315 Approving Associate Membership by the City of Palo Alto in the California Enterprise Development authority and the Execution of an Associate Membership Agreement Relating to Associate Membership of the City in the Authority.

Public Hearing opened and closed at 7:48 P.M. without public comment.

**MOTION:** Vice Mayor Shepherd moved, seconded by Council Member Kniss to adopt a Resolution approving the issuance of tax-exempt refunding obligations by the California Enterprise Development Authority (CEDA) for the benefit of Oshman Family Jewish Community Center (the Borrower) and authorize the Mayor, City Manager (or such other designated signatory) to execute the Joint Exercise of Powers of Agreement with the CEDA.

**MOTION PASSED:** 8-1 Holman no

18. Energy-Compost Facility and Export Option RFP Approval and Recommendation for the Landfill Capping Considerations.

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**MOTION:** Council Member Price moved, seconded by Council Member Kniss to; 1) approve the issuance of a Request for Proposal for development of an energy compost facility, 2) direct Staff to seek regulatory approval for postponing the remaining 51 acres of uncapped landfill when there will be a final decision of the remaining 10 acres, if any needed for the facility, and 3) direct Staff to research possibilities for an appeal and/or a legislative solution if the request for an extension of capping the landfill is denied by the regulatory agencies

**INCORPORATED INTO THE MOTION WITH THE APPROVAL OF THE MAKER AND SECONDER** after "2) direct Staff to seek regulatory approval for postponing the" add "capping of the"

**INCORPORATED INTO THE MOTION WITH THE APPROVAL OF THE MAKER AND SECONDER** after "Staff to seek regulatory approval for postponing" add "for a period of up to 16 months" and after "remaining 51 acres of uncapped landfill" delete "until 2014"

**INCORPORATED INTO THE MOTION WITH THE APPROVAL OF THE MAKER AND SECONDER** to add "4) *and all of this with the goal of remaining in regulatory compliance.*"

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER** to authorize Staff to issue a bid on the capping but no release of the contract without approval of Council.

**MOTION RECAPPED:** Council Member Price moved, seconded by Council Member Kniss to;1) approve the issuance of a Request for Proposal for development of an energy compost facility, 2) direct Staff to seek regulatory approval for postponing for a period of up to 16 months the capping of the remaining 51 acres of uncapped landfill for a period of up to 16 months when there will be a final decision of the remaining 10 acres, if any needed for the facility, and 3) direct Staff to research possibilities for an appeal and/or a legislative solution if the request for an extension of capping the landfill is denied by the regulatory agencies, 4) And all of this with the goal of remaining in regulatory compliance, 5) to authorize Staff to issue a bid on the capping but no release of the contract without approval of Council.

**MOTION PASSED:** 7-2 Holman and Schmid no

19. Approval of Pilot Residential Compostables Collection Program and Adjustment to Refuse Collection Frequency.

**MOTION:** Vice Mayor Shepherd moved, seconded by Mayor Scharff to approve and authorize Staff to implement a Pilot Residential Compostables

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Collection program for a one-year period in a small geographic area that will be evaluated and selected by Public Works Environmental Services Division Staff.

**MOTION PASSED:** 8-0 Kniss absent

## COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Berman said he was elected as a delegate to the California Democratic Party Convention in 2013-2014. He said he would be happy to answer questions on the subject.

Council Member Schmid noted that Former Mayor Sandy Eakins passed away on January 2, 2013. She was engaged in youth activities and had a background in art history. She was on the Planning and Transportation Commission, Public Art Commission, Comprehensive Planning Committee and finally the City Council.

ADJOURNMENT: The meeting was adjourned the meeting at 10:27 P.M.