# CITY OF PALO ALTO

# CITY OF PALO ALTO CITY COUNCIL

Special Meeting February 24, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:06 P.M.

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

Shepherd

Absent:

# AGENDA CHANGES, ADDITIONS AND DELETIONS

Mayor Shepherd announced that Agenda Item Numbers 9 and 12 would be heard at the same time.

#### MINUTES APPROVAL

**MOTION:** Council Member Price moved, seconded by Vice Mayor Kniss to approve the minutes of January 13, 2014.

**MOTION PASSED:** 8-0 Burt Absent

#### CONSENT CALENDAR

**MOTION:** Council Member Scharff moved, seconded by Council Member Price to move Agenda Item Number 11 to the Consent Calendar.

**MOTION PASSED**: 6-2 Kniss, Schmid, no Burt absent

Council Member Holman registered a No vote on Agenda Item Number 8.

**MOTION:** Mayor Shepherd moved, seconded by Council Member Klein, third by Vice Mayor Kniss to remove Agenda Item Number 2, to become Agenda Item Number 8A.

**MOTION:** Council Member Scharff moved, seconded by Council Member Price to approve Agenda Item Numbers 1, 3-8, 11.

1. Adoption of an Ordinance to Close FY 2013 Budget; Close Completed Capital Improvement Projects and Transfer Remaining Balances to Reserves; Approve the City's FY 2013 Comprehensive Annual Financial Report (CAFR).

- 2. Adoption of a Budget Amendment Ordinance and Approval of a Construction Contract with Redgwick Construction Company in The Amount of \$7,143,031 for the California Avenue Streetscape Improvements Project, including Waterline Replacement.
- 3. Park Improvement Ordinance 5232 entitled "Ordinance of the Council of the City of Palo Alto for the Palo Alto Municipal Golf Course Reconfiguration Project (First Reading: February 3, 2014 PASSED: 9-0)."
- 4. Approval of Contract Amendment One to Contract No. C13149364 with 4Leaf To Increase Funds Not to Exceed \$1,500,000 and Approval of Contract Amendment One to Contract No. C14139368 with Kutzmann To Increase Funds Not to Exceed \$363,000 for On-call Development Services Consulting Services.
- 5. Approval of Contract with Standard Parking Corporation in the Amount of \$120,000 for Operation of the Lot R Parking Garage Attendant Program and Adoption of a Budget Amendment Ordinance Amending the Fiscal Year 2014 University Avenue Parking Permit Fund Operating Budget to Provide Additional Appropriations of \$120,000.
- 6. Policy and Services Committee Recommendation for the City Council to Approve the Revised Boards and Commission Applications.
- 7. Approval of City Clerk Recommendation to Add to the Spring Board and Commission Recruitment the Vacancy on the Planning & Transportation Commission.
- 8. Approval of an Agreement with Townsend Public Affairs for Up To 22 Months in an Amount not to Exceed \$187,000 for State Legislative Advocacy Services.
- 11. (Former Action Item No. 11) Colleagues Memo From Council Members Berman, Burt, Holman, and Klein Regarding Creation of a Palo Alto Business Registry.

MOTION PASSED for Agenda Item Numbers 1, 3-7, and 11: 8-0 Burt absent

**MOTION PASSED for Agenda Item Number 8:** 7-1 Holman no, Burt absent

8A. (Former Agenda Item No.2) Adoption of a Budget Amendment Ordinance 5234 entitled "Ordinance of the Council of the City of Palo Alto" and Approval of a Construction Contract with Redgwick Construction Company in The Amount of \$7,143,031 for the California Avenue Streetscape Improvements Project, including Waterline Replacement.

**MOTION:** Mayor Shepherd moved, seconded by Vice Mayor Kniss to: 1) approve and authorize the City Manager or his designee to execute, the construction contract with Redgwick Construction Company in an amount not to exceed \$6,211,331 for the Based Bid elements of the California Avenue Transit Hub Corridor Streetscape Improvement Project, CIP PL-11002; 2) authorize City Manager or his designee to negotiate and execute one or more change orders to the contract with Redgwick Construction Company for related, unforeseen work, which may develop during the project, for a total value of not to exceed \$931,700, or 10 percent of the Based Bid work, bringing the total construction contract award total of \$7,143,031; and 3) adopt a Budget Amendment Ordinance to increase funding for the California Avenue Transit Hub Corridor Streetscape Improvements Project (PL-11002) in the amount of \$5,370,745 and a reduction to the Infrastructure Reserve by \$4,740,745 as well as other adjustments to the General Fund and Water Fund.

## **MOTION PASSED:** 8-0 Burt absent

#### **ACTION ITEMS**

- 9. Transportation Demand Management (TDM) Recommendations. Staff Recommends City Council Authorize Staff to Take The Following Actions In Furtherance of a Coordinated TDM Program Aimed At Reducing Traffic Congestion And Parking Demand: a. Solicit Proposals to Establish; a. Non-Profit Transportation Management Authority (TMA); b. Solicit Proposals For An Expanded Palo Alto Shuttle Program; c. Solicit Proposals to Provide Car Share Services Within City-Owned Parking Lots; and d. Evaluate Rideshare Tools, Including a Trial of the Twogo Rideshare App, for Coordination and Marketing By The TMA.
- 12. City Council Authorization to Staff and the City Manager to Enter into an Agreement with the Peninsula Corridor Joint Powers Board to Introduce the Caltrain Go Pass into the Civic Center Transportation Demand Management Program.

**MOTION:** Council Member Klein moved, seconded by Council Member Scharff to direct Staff to take actions to implement a coordinated Transportation Demand Management (TDM) program aimed at reducing traffic congestion and parking demand in Palo Alto, and to solicit proposals to establish a non-profit Transportation Management Authority (TMA).

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER TO: 1) Solicit Proposals to Provide Car Share Services Within City-Owned Parking Lots; 2) Evaluate Rideshare Tools, Including a Trial of the "Twogo" Rideshare App, for Coordination and Marketing By The TMA; and 3) to authorize the City Manager to enter into an Agreement with the Peninsula Corridor Joint Powers Board to participate in the Caltrain Go Pass Program.

#### **MOTION AS AMENDED PASSED: 9-0**

**MOTION:** Mayor Shepherd moved, seconded by Vice Mayor Kniss to direct Staff to solicit proposals for an expanded Palo Alto Shuttle Program.

## **MOTION PASSED**: 9-0

10. Direction to Staff on Lease Terms for the Renewal of the Cubberley Lease Between City of Palo Alto and Palo Alto Unified School District.

**MOTION:** Council Member Scharff moved, seconded by Council Member Klein to accept Staff recommendation authorize the City Manager to negotiate with the Palo Alto Unified School District (PAUSD) Superintendent to execute a new lease agreement based on the following potential terms and conditions, offered for Council consideration. These terms are intended to provide a balance of flexibility and certainty to both City and PAUSD for the Cubberley site, in the near term and the long term, while enabling most effective investment of public funds. Suggested terms for consideration:

- 1. Eliminate the *Covenant not to Develop* from the lease. Reallocate that funding towards investment in the Cubberley facilities for long neglected and ongoing maintenance. Consider inclusion of Ventura Community Center site for reinvestment dollars.
- 2. Eliminate the Consumer Price Index (CPI) annual increases.

- 3. Create a longer term lease (20 year) with PAUSD to allow creation of a long-term plan for the City owned 8-acre site, investment in facility improvements and public access to playing fields.
- 4. Explore new terms with PAUSD to allow potential reconfiguration of City 8 acres within the Cubberley site.
- 5. Eliminate the language allowing PAUSD to purchase the City's 8 acres.
- 6. Eliminate the buy-back /repurchase option clause that allows PAUSD to repurchase Ventura.
- 7. Continue Child Care program per terms and condition of the existing lease.
- 8. Allow for use of the playing fields at Cubberley for maximum time period possible.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to adjust the rent on the 27 acres to be the same as the 35 acres, and discuss with PAUSD appropriate measures to be taken for the portion of Palo Alto that is not in the PAUSD.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to include: 1) adjustment of rent paid by City to PAUSD, if City loses anchor tenants such as Foothill College, 2) eliminate the 24 month Notice Clause in the existing lease which gives the PAUSD the right to cancel the lease, and 3) discussion of better access to other school site fields and facility use.

**AMENDMENT:** Council Member Burt moved, seconded by Vice Mayor Kniss to direct the City Manager to attempt to complete the lease agreement negotiations by May 2014.

**AMENDMENT PASSED:** 7-2 Klein, Schmid no

Mayor Shepherd advised she would separate Number 6 out of the original Motion to be voted on separately.

#### MOTION AS AMENDED EXCLUDING VENTURA CLAUSE PASSED: 9-0

**MOTION to** Eliminate the buy-back /repurchase option clause that allows PAUSD to repurchase Ventura.

MOTION PASSED: 5-4 Holman, Kniss, Price, Schmid no

Adjournment: The meeting was adjourned at 11:05 P.M.