



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
November 17, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:16 P.M.

Present: Berman, Burt arrived at 5:46 P.M., Klein arrived at 5:21 P.M., Kniss, Price, Scharff, Schmid arrived at 5:46 P.M., Shepherd

Absent: Holman

Study Session

1. Update on Santa Clara County Valley Transportation Authority (VTA) El Camino Real Bus Rapid Transit Project.

Agenda Changes, Additions and Deletions

MOTION: Mayor Shepherd moved, seconded by Vice Mayor Kniss to hear from the public on Agenda Item Number 12- Approval of the Proposed Grocery Store Tenant (College Terrace Market) Within PC 5069 (College Terrace Centre) Based on the Finding that the Proposed Grocery Tenant Would Likely be Comparable in Quality of Products and Services as JJ&F as it Existed and Operated on December 7, 2009 at 2180 El Camino Real, and then continue the discussion to December 1, 2014.

MOTION PASSED: 8-0 Holman absent

Minutes Approval

MOTION: Council Member Klein moved, seconded by Council Member Schmid to approve the minutes of September 8, 2014.

MOTION PASSED: 8-0 Kniss absent

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Consent Calendar

MOTION: Council Member Price moved, seconded by Council Member Berman to approve Agenda Item Numbers 3-9, with modifying the date of Agenda Item Number 9 from December 15 to December 8, 2014.

2. Resolution 9469 entitled "Resolution of the Council of the City of Palo Alto Approving and Authorizing the Execution of the State of California Department of Community Services and Development October 2014 - April 2017 Direct Payment Program Agreement No. 14Y-1419 Governing the City of Palo Alto Utilities Department's Administration of Home Energy Assistance Program Funds"
3. Approval of a Construction Contract with G. Bortolotto & Co. Inc., Contractors in the Amount of \$333,824, for the Mitchell Park Parking Lot Project (CIP PE-09003)
4. Approval of a Contract with Trafficware in the Amount of \$2,139,005 for the Palo Alto Traffic Signal Upgrade Project and Approval of Budget Amendment Ordinance 5284 entitled "Budget Amendment Ordinance of the Council of the City of Palo Alto in the Amount of \$915,603 to Transfer Funds from the Citywide Traffic Impact Fee Program to the CIP Program for the Project."
5. Council Appointed Officers Committee Recommendation to Select Recruiting Firm for City Clerk Recruitment
6. Approval of a Utilities Enterprise Fund Contract with Jana Corporation In the Amount of \$107,768 for a Risk Assessment Study of Piping Material in the City's Natural Gas Distribution System, Capital Improvement Program GS-11002, Gas System Improvement
7. Approval of Institute of Museum and Library Services Grant of \$88,010 to Palo Alto Art Center for a Collaborative Project Between the Palo Alto Art Center and the Junior Museum and Zoo
8. Resolution 9470 entitled "Resolution of the Council of the City of Palo Alto Authorizing the City Manager to Sign a Memorandum of Understanding on Behalf of the City of Palo Alto, for a Grant of Funds for the State Homeland Security Grant Program State Homeland Security Grant for FY 2013."
9. Comprehensive Plan Update: Discussion of the Scope and Schedule of the Planning Process, Including Concurrent Zoning Changes (An initial discussion on this item took place on November 3, 2014 and was

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expected to continue on November 17, 2014. Staff requests that the item be continued to December 15, 2014.)

MOTION PASSED: 8-0 Holman absent

Action Items

10. Approval of Third Amendment to the Lease Between the Palo Alto Unified School District and the City of Palo Alto at the Cubberley Community Center.

MOTION: Council Member Schmid moved, seconded by Council Member Klein to approve Staff recommendation to authorize the Mayor to sign the Third Amendment to the Lease between the City of Palo Alto and Palo Alto Unified School District (PAUSD)/ (District) in substantially the form as contained in Attachment A, extending the Cubberley Community Center (CCC) lease for an additional five years and updating the financial terms to permit additional City investment in the aging infrastructure of the Cubberley Community Center (CCC).

MOTION PASSED: 8-0 Holman absent

11. Adoption of an Ordinance Repealing the Prohibition on Human Habitation of Vehicles (Ordinance No. 5206, Codified as Palo Alto Municipal Code Section 9.06.010).

MOTION: Council Member Berman moved, seconded by Council Member Price to adopt an Ordinance repealing the prohibition on Vehicle Habitation (Ordinance No. 5206, codified at Palo Alto Municipal Code Section 9.06.010), enforcement of which has been continuously stayed since its adoption in August 2013, while continuing to monitor conditions and impacts on residents.

SUBSTITUTE MOTION: Council Member Klein moved, seconded by Council Member XXX to refer this back to Policy and Services Committee ca updated ordinance and should include differential about size of vehicle

MOTION FAILED DUE TO THE LACK OF A SECOND

MOTION PASSED: 7-1 Klein no, Holman absent

- ~~12. Approval of the Proposed Grocery Store Tenant (College Terrace Market) Within PC 5069 (College Terrace Centre) Based on the Finding that the Proposed Grocery Tenant Would Likely be Comparable in~~

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~~Quality of Products and Services as JJ&F as it Existed and Operated on December 7, 2009 at 2180 El Camino Real.~~

13. Review of City Hall Remodel Project (Continued From November 10, 2014).

No Action Taken

14. Policy Discussion on Whether to Conduct a Closed Session Prior to an Open Session to Discuss the 2014-2015 Management & Professional Compensation Plan; Possible Referral to Policy & Services Regarding Closed/Open Session Practice for Compensation Matters.

MOTION: Council Member Price moved, seconded by Council Member Burt to accept Staff recommendation to that the City Council:

- 1) Continue the current practice of discussing appropriate elements of the FY 2015 proposed Management & Professional Compensation Plan ("Plan") in closed session as permitted under the Ralph M. Brown Act ("Brown Act"), followed by a presentation, discussion and adoption of the Plan in open session as an Action Item.
- 2) Refer to the Policy and Services Committee the discussion of alternatives regarding the use and sequence of closed and open sessions for discussing compensation and benefits changes for the various labor groups and the unrepresented Management and Professional group.

SUBSTITUTE MOTION: Council Member Scharff moved, seconded by Council Member XXX to: 1) discuss proposed Management and Professional Compensation in public session, and 2) refer to the Policy and Services Committee the discussion of alternatives regarding the use and sequence of closed and open sessions for discussing compensation and benefits changes for the various labor groups and the unrepresented Management and Professional group.

SUBSTITUTE MOTION FAILED DUE TO THE LACK OF SECOND

MOTION PASSED: 7-1 Scharff No, Holman absent

ADJOURNMENT: The meeting was adjourned at 10:47 P.M.