



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
November 10, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:05 P.M.

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

Absent: Kniss

Parks and Recreation Commission Members

Present: Ashlund, Crommie, Hetterley, Knopper, Lauing, Markevitch, Reckdahl

Absent:

## Study Session

1. Council Study Session with Parks and Recreation Commission.

## Special Orders of the Day

2. Partner Presentation Between the Palo Alto Library and Palo Alto Art Center for Veteran Audiences.
3. Appointment of Candidates to the Architectural Review Board, the Historic Resources Board, and the Planning and Transportation Commission.

**MOTION:** Council Member Holman moved, seconded by Council Member XXX to vote on the current applicants and if four members were not voted in, then direct Staff to reopen the application process for the remaining openings on the Historic Resources Board.

**MOTION FAILED DUE TO THE LACK OF A SECOND**

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**MOTION:** Council Member Burt moved, seconded by Council Member Schmid to reopen the recruitment for the Historic Resources Board.

**MOTION FAILED:** 3-5 Berman, Klein, Price, Scharff, Shepherd no, Kniss absent

Vice Mayor Kniss attended via teleconference at 7:45 P.M.

Beth Minor, Acting City Clerk, announced that Catherine Ballantyne with 6 votes was appointed to the Architectural Review Board for three years, with a term ending on October 31, 2017,

**MOTION:** Council Member Scharff moved, seconded by Council Member Burt to reconsider to vote for the Architectural Review Board.

**MOTION PASSED:** 7-1 Price no, Kniss absent

Ms. Minor announced that Kyu Young Kim with 5 votes was appointed to the Architectural Review Board for three years, with a term ending on October 31, 2017,

Ms. Minor announced that Martin Bernstein with 8 votes, Roger Kohler with 7 votes, Michael Makinen with 9 votes, and Margaret Wimmer with 9 votes, were each appointed to the Historic Resources Board for three years, with terms ending on October 31, 2017.

Ms. Minor announced that Yekaterina Vershov Downing with 6 votes was appointed to the Planning and Transportation Commission for four years, with a term ending on October 31, 2018.

Ms. Minor announced that Adrian Fine with 5 votes was appointed to the Planning and Transportation Commission for four years, with a term ending on October 31, 2018.

**MOTION:** Mayor Shepherd moved to revote for Planning and Transportation Commission.

**MOTION PASSED:** 7-1 Price no, Kniss absent

Ms. Minor announced that Adrian Fine with 5 votes was appointed to the Planning and Transportation Commission for four years, with a term ending on October 31, 2018.

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## Minutes Approval

**MOTION:** Council Member Klein moved, seconded by Council Member Berman to approve the minutes of September 15 and 22, 2014.

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

## Consent Calendar

**MOTION:** Council Member Klein moved, seconded by Council Member Berman to approve Agenda Item Numbers 4-18.

4. Policy and Service Committee Recommendation to Release Agenda Packets One Week Earlier and Make Other Conforming Changes.
5. Finance Committee Recommendation that the City Council Approve Design Guidelines for the 2014 Water Utility Drought Rate Cost of Service Study.
6. Finance Committee Recommends Approval of Staff's Second Follow-up Response to the Inventory Management Audit.
7. Resolution 9446 entitled "Resolution of the Council of the City of Palo Alto Summarily Vacating Public Easement Which has been Relocated at 1050 Page Mill Road."
8. Denial of a Historic Designation Request for the Palo Alto Little League Site Located at 3672 Middlefield Rd.
9. Resolution 9467 entitled "Resolution of the Council of the City of Palo Alto Concurring with the City of Menlo Park for the Naming of the Mike Harding Pedestrian/Bicycle Bridge at San Mateo Drive (Menlo Park)."
10. Approval of Contract With Concern: EAP for the City of Palo Alto's Employee Assistance Plan, in the Amount of \$2,800.60 per Month for up to Sixty Months for a Total Amount not to Exceed \$168,036.
11. Approval of a Public-Private Partnership Agreement between the City of Palo Alto and the Palo Alto Players for the Cooperative Use of the Lucie Stern Community Theatre.

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12. Approval of the Renewal of a Public-Private Partnership Agreement Between the City of Palo Alto and West Bay Opera for the Use of the Lucie Stern Community Theatre.
13. Approval of a Three Year Contract with Downtown Streets, Inc. in a Total Amount Not to Exceed of \$470,616 for Maintenance Services for the City's Five Downtown Parking Garages, Downtown Sidewalks and Alleys, Lytton and Cogswell Plaza, the Stanford/Palo Alto Playing Fields, and the Old Community Garden, and Provide Outreach Case Management Services to the Downtown Core with the Intent of Linking Homeless Individuals to Community and Housing Services.
14. Approval of a Blanket Purchase Order with TMT Enterprises in an Amount Not to Exceed of \$2,407,850 to be the Primary Supplier of New Construction Materials and Haul Away of Construction Debris from the Municipal Service Center to Off-Site Recycling and Disposal for the Utilities, Community Services and Public Works Department for a Three Year Period from October 27, 2014 through October 26, 2017.
15. Approval of Contract No. C15153692 With RMC Water and Environment in a Total Amount Not to Exceed \$4,357,899 to Provide Program Management Services for Projects Under the Long Range Facilities Plan of the Regional Water Quality Control Plant – Capital Improvement Program Project WQ-14001, and for Projects Under the Organic Facilities Plan of the Palo Alto Landfill Project RF-11001.
16. Approval of Extension of the Trial Caltrain Go Pass Program for City Employees and Adoption of a Budget Amendment Ordinance 5282 entitled "Budget Amendment Ordinance of the Council of the City of Palo Alto in the Amount of \$80,280 for the 2015 Go Pass Program."
17. Approval of Contract No. C15155378 With Carollo Engineers, P. C. in the Total Amount Not to Exceed \$291,335 to Provide Design Services for Old Pumping Plant (OPP) Rehabilitation at Regional Water Quality Control Plant - Capital Improvement Program Project WQ- 80021.
18. Approval of the Submission of a National Endowment for the Arts Our Town Grant Application.

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

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## Action Items

19. PUBLIC HEARING: Resolution 9468 entitled "Resolution of the Council of the City of Palo Alto Adopting the 2015-2023 Housing Element of the Comprehensive Plan and Associated Mitigated Negative Declaration and Mitigation Monitoring Program."

**MOTION:** Council Member Schmid moved, seconded by Council Member Scharff to adopt the Resolution adopting: 1) the Mitigated Negative Declaration, 2) the Mitigation Monitoring and Reporting Program, and 3) the Revised 2015-2023 Housing Element Update Public Review Draft as the Housing Element of the City's Comprehensive Plan.

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

20. Approval of Letter of Intent for Construction and Operation of the New Junior Museum and Zoo Building by the Friends of the Junior Museum and Zoo in 2019.

**MOTION:** Council Member Berman moved, seconded by Council Member Shepherd to adopt Staff recommendations to: 1) approve a Letter of Intent by which the City and the Friends of the Palo Alto Junior Museum and Zoo (JMZ) will collaborate to develop agreements for the building of a new and enhanced Junior Museum and Zoo facility, and the operation of the new facility for up to 40 years. Approval of the guiding negotiation principles, noted below: Staff is requesting Council's direction to staff to negotiate these agreements with the following guiding negotiation principles in mind:

1. Delineate methods for appropriate public and City input to programs and services;
2. Oversight and cooperation of the construction project;
3. Establish a long-term structure for financial and programmatic oversight of the operations;
4. Stabilize and reduce long-term the City's financial support for the JMZ's operation;
5. Outline the possible transition of the operation of the facility to the City at time of lease expiration; and
6. Endeavor to complete negotiations within 12 months.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER TO CHANGE** item Number 3 in the Motion from "Establish a long-term structure for financial and programmatic oversight of the operations" to "Analyze the cities financial long term support for the JMZ operations."

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**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to delete from the Motion- Approval of the guiding negotiation principles, noted below: Staff is requesting Council's direction to staff to negotiate these agreements with the following guiding negotiation principles in mind:

1. Delineate methods for appropriate public and City input to programs and services;
2. Oversight and cooperation of the construction project;
3. Establish a long-term structure for financial and programmatic oversight of the operations;
4. Stabilize and reduce long-term the City's financial support for the JMZ's operation;
5. Outline the possible transition of the operation of the facility to the City at time of lease expiration; and
6. Endeavor to complete negotiations within 12 months.

**MOTION AS AMENDED PASSED:** 7-0 Burt not participating, Kniss absent

21. Approval of a Two-Year Contract with Flint Strategies For a Communications and Outreach Contract to Support the Our Palo Alto Initiative and the Planning and Community Environment Department at a Cost Not to Exceed \$175,000 (Continued from October 27, 2014).

**MOTION:** Council Member Scharff moved, seconded by Council Member Holman to not approve a Two-Year Contract with Flint Strategies.

**SUBSTITUTE MOTION:** Council Member Klein moved, seconded by Council Member Berman to approve and authorize the City Manager or his designee to execute contract C15154961 with Flint Strategies in an amount not to exceed \$175,000 for a two-year period to provide consulting services for communication and outreach support for the Our Palo Alto initiative and the Department of Planning & Community Environment. The City Manager is not to expend more than \$75,000 for the contract without returning to the Council for approval, such approval is to contain the appropriate metrics showing whether or not the consultants efforts have been successful.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND** to add "well defined objectives and metrics" after "..contain the appropriate...".

**SUBSTITUTE MOTION AS AMENDED PASSED:** 8-0 Kniss absent

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~~22. Review of City Hall Remodel Project (Continued From October 20, 2014).~~

The City Council convened into the Closed Session at 10:52 P.M.

## Closed Session

23. CONFERENCE WITH ATTORNEY/LEGAL COUNSEL  
Potential Litigation Relating to the Mitchell Park Library and  
Community Center Construction  
Significant Exposure to Litigation: 1 Potential Case  
Potential Initiation of Litigation: 1 Potential Case  
Authority: Government Code Section 54956.9

The City Council reconvened from the Closed Session at 11:40 P.M. and Mayor Shepherd announced no reportable action taken.

ADJOURNMENT: The meeting was adjourned at 11:40 P.M.