

Agenda posted according to PAMC Section 2.04.070. A binder containing supporting materials is available in the  
**Council Chambers on the Friday preceding the meeting.**

Special Meeting  
Council Conference Room  
December 16, 2002 5:30 p.m.

ROLL CALL

SPECIAL MEETING

1. Interview of Candidates to the Parks and Recreation Commission

ADJOURNMENT

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Special Meeting  
Council Conference Room  
December 16, 2002 6:30 p.m.

ROLL CALL

SPECIAL MEETING

1. Study Session - Single Family Individual Review Program: One-Year Status Report

ADJOURNMENT

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Special Meeting  
Council Chambers  
December 16, 2002 7:30 p.m.

ROLL CALL

ORAL COMMUNICATIONS

*Members of the public may speak to any item not on the agenda; three minutes per speaker. Council reserves the right to limit the Oral Communications period to 30 minutes*

SPECIAL ORDERS OF THE DAY

APPROVAL OF MINUTES

COUNCIL MAKES EVERY EFFORT TO COMPLETE ALL AGENDA ITEMS BY 11:30 P.M. PRIOR TO TAKING A BREAK AT 9:30 P.M., COUNCIL WILL REVIEW THE REMAINING AGENDA ITEMS AND DETERMINE IF ANY ITEMS SHOULD BE POSTPONED TO A FUTURE DATE.

CONSENT CALENDAR

*Items will be voted on in one motion unless removed from the calendar by a Council Member.*

LEGISLATIVE



1. (CMR:447:02) **Ordinance of the Council of the City of Palo Alto Amending the Budget for Fiscal Year 2002-03 in the Amount of \$596,066 for the Construction of Trails, Bay Trail Path and Foot Bridge (CIP 10001, Open Space Trails), Construction of Baylands Parking Lots (CIP 10003, Baylands Parking Lot Improvements), and Design and Fabrication of Interpretive Exhibits (Open Space Operating Budget)**
  
2. (CMR:473:02) Approval of Resolutions Amending and Restating the Deferred Compensation Plan for Regular Employees, and Incorporating Tax Law Changes, by Adoption of ICMA and Hartford Plan and Trust Documents (as amended) in Place of City's Current Deferred Compensation Plan Document and Trustee Designations; Approval of Resolutions Appointing the City Manager and Director of Administrative Services to Act on Behalf of the City Under the Plans

**Resolution of the Council of the City of Palo Alto Amending and Restating the City of Palo Alto's Deferred Compensation Plan for Regular Employees, and Incorporating Tax Law Changes, by Adoption of the ICMA Deferred Compensation Plan and Trust Document, As Amended**

**Resolution of the Council of the City of Palo Alto Appointing the City Manager and the Director of Administrative Services to Act on Behalf of the City Under the City of Palo Alto's Deferred Compensation Plan for Regular Employees, including the ICMA Deferred Compensation Plan and Trust Document, As Amended**

**Resolution of the Council of the City of Palo Alto Amending and Restating the City of Palo Alto's Deferred Compensation Plan for Regular Employees, and Incorporating Tax Law Changes, by Adoption of the Hartford Deferred Compensation Plan and Group Annuity Contract (Trust Substitute), As Amended**

**Resolution of the Council of the City of Palo Alto Appointing the City Manager and the Director of Administrative Services to Act on Behalf of the City Under the City of Palo Alto's Deferred Compensation Plan for Regular Employees, including the Hartford Deferred Compensation Plan and Group Annuity Contract (Trust Substitute), As Amended**

3. (CMR:472:02) Approval of Resolutions Amending Memoranda of Agreement and Compensation Plans in Accordance with the Agreements Between City and Employee Groups to Adopt City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar 2003

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Management and Confidential Personnel and Council Appointed Officers Adopted by Resolution No. 8194, and Amended by Resolution No. 8223, to add the City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Classified Personnel (SEIU) adopted by Resolution No. 8056, and Amended by Resolution Nos. 8059 and 8141, to add the City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Fire Department Personnel (IAFF) Adopted by Resolution No. 8030, to Add the City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Police Non-Management Personnel adopted by Resolution No. 8082, to add the City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Fire Chiefs' Association Management Personnel Adopted by Resolution No. 8125, to Add the City of Palo Alto's PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending Section 1401 of the Merit System Rules and Regulations Regarding the Memorandum of Agreement Between the City of Palo Alto and Local 715A, SEIU, AFL-CIO, CLC, to Add the City of Palo Alto PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending Section 1501 of the Merit System Rules and Regulations Regarding the Memorandum of Agreement Between the City of Palo Alto and Local 1319, International Association of Fire

Fighters, to Add the City of Palo Alto PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending Section 1601 of the Merit System Rules and Regulations Regarding the Memorandum of Agreement Between the City of Palo Alto and the Palo Alto Peace Officers' Association, to Add the City of Palo Alto PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

Resolution of the Council of the City of Palo Alto Amending Section 1801 of the Merit System Rules and Regulations Regarding the Memorandum of Agreement Between the City of Palo Alto and the Palo Alto Fire Chiefs' Association, to Add the City of Palo Alto PERS Choice/PORAC Medical Incentive Plan for Calendar Year 2003

4. (CMR:474:02) Approval of Resolutions Amending Memoranda of Agreement and Compensation Plans in Accordance with Agreements between City and Employee Groups to Adopt an Alternate Medical Benefit Plan

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Management and Confidential Personnel and Council Appointed Officers adopted by Resolution No. 8194, and Amended by Resolution No. 8223, to Add an Alternate Medical Benefit Plan

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Classified Personnel (SEIU) adopted by Resolution No. 8056, and Amended by Resolution Nos. 8059 and 8141, to Add an Alternate Medical Benefit Plan

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**Resolution of the Council of the City of Palo Alto Amending Section 1801 of the Merit System Rules and Regulations Regarding the Memorandum of Agreement Between the City of Palo Alto and the Palo Alto Fire Chiefs' Association, to Add an Alternate Medical Benefit Plan**

5. Resolution Declaring Results of the Consolidated Special Election

**Resolution of the Council of the City of Palo Alto Declaring Results of the Consolidated Special Election Held on Tuesday, November 5, 2002**

ADMINISTRATIVE

6. (CMR:475:02) Acceptance of Office of Traffic Safety Grant in the Amount of \$97,322 for Seat Belt and Child Safety Seat Educational and Enforcement Program
7. (Attorney Report) Request for Authorization to Increase the Amount of the Existing Contract for Legal Services with the Law Firm of Brobeck, Phleger & Harrison, LLP, No. S1137688
8. (CMR:477:02) Agreement Between the City of Palo Alto and Children's Creative Learning Centers (CCLC) in the Amount of \$50,000 for Backup Childcare Services for City of Palo Alto Employees
9. Auditor's Office Quarterly Report



- 10. (CMR:438:02) Amendment No. 1 to Contract No. C1131960 Between the City of Palo Alto and DES Architects & Engineers in an Amount Not to Exceed \$21,620 for Services Associated with Additional Design Development, Construction Documents, Bid Assistance, and Reimbursable Expenses for Improvements to Three Baylands Parking Lots and Harbor Road (CIP 10003)
- 11. (CMR:479:02) Approval of Amended "Citizen Participation Plan for the City of Palo Alto Community Development Block Grant (CDBG) Program"
- 12. (CMR:481:02) Agreement Between the City of Palo Alto and Avenidas in the Amount of \$120,000 for Funds Allocated during Fiscal Year 2002-03 under the Community Development Block Grant Program
- 13. (CMR:482:02) Agreement Between the City of Palo Alto and Palo Alto Community Child Care, Inc. in the Amount of \$98,000 for Funds Allocated during Fiscal Year 2002-03 under the Community Development Block Grant Program

COUNCIL COMMITTEE RECOMMENDATION

AGENDA CHANGES, ADDITIONS, AND DELETIONS

*HEARINGS REQUIRED BY LAW: Applicants and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and up to three minutes for concluding remarks after other members of the public have spoken.*

*OTHER AGENDA ITEMS: Public comments or testimony on agenda items other than Oral Communications shall be limited to a maximum of five minutes per speaker unless additional time is granted by the presiding officer. The presiding officer may reduce the allowed time to less than five minutes if necessary to accommodate a larger number of speakers.*

UNFINISHED BUSINESS

PUBLIC HEARINGS



- 14. (CMR:480:02) PUBLIC HEARING: The City Council will hear a referral by the Director of Planning and Community Environment of a recommendation from the Architectural Review Board for approval of design details of the Homer Avenue Undercrossing Project, a pedestrian tunnel located approximately between the intersection of Homer Avenue and Alma Street and connecting to the Palo Alto Medical Foundation under the Caltrain/Peninsula Corridor Joint Powers Board railroad right-of-way, including a recommendation by the Historic Resources Board regarding the placement of a fence monument at the terminus of Homer Avenue at Alma Street

REPORTS OF COMMITTEES AND COMMISSIONS  
ORDINANCES AND RESOLUTIONS

REPORTS OF OFFICIALS

15. (CMR:476:02) City Council Sidewalk Office Hours

COUNCIL MATTERS

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

*Members of the public may not speak to the item(s).*

CLOSED SESSION

*This item may occur during the recess or after the Regular Meeting.*

*Public Comments: Members of the public may speak to the Closed Session item(s); three minutes per speaker.*

ADJOURNMENT

Persons with disabilities who require auxiliary aids or services in using City facilities, services, or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact 650-329-2550 (Voice) or 650-328-1199 (TDD)

**TO: HONORABLE CITY COUNCIL**

**FROM: CITY MANAGER DEPARTMENT: POLICE**

**DATE: DECEMBER 16, 2002 CMR:475:02**

**SUBJECT: ACCEPTANCE OF OFFICE OF TRAFFIC SAFETY GRANT IN THE AMOUNT OF \$97,322 FOR SEAT BELT AND CHILD SAFETY SEAT EDUCATIONAL AND ENFORCEMENT PROGRAM**

**RECOMMENDATION**

Staff recommends that the City Council accept grant funds from the State Office of Traffic Safety (OTS) in the amount of \$97,322 for a seat belt and child safety seat education and enforcement program.

**BACKGROUND**

In March 1999, after determining that approximately 95 percent of child safety seats were installed improperly, the Police Department sent two traffic officers to a 40-hour child safety seat course hosted by the National Highway Traffic Safety Administration (NHTSA). The purpose of the course was for the officers to gain knowledge in the area of child safety seats and become NHTSA certified technicians who would be able to properly install the seats. Shortly thereafter, the Department began providing monthly child safety seat courses to expectant parents at the Palo Alto Medical Foundation. Additionally, officers conducted numerous presentations to local community groups and schools on this topic. Police staff have assisted approximately 2,500 parents/caretakers with the installation of child safety seats.

Because of the critical safety issues associated with proper installation of child safety seats, in the past three and a half years the Police Department has been inundated with requests for additional information and installation. On average, the Department receives 75 requests per month for installation assistance. As a result, in May 2001 the Department sent two additional officers to be NHTSA trained and certified.

Even with these efforts, in 2000-2001, there were 10 injury accidents reported in Palo Alto involving children below the age of six. Due to the continuing safety concern, in January 2002, the Police Department submitted a grant proposal to the State Office of Traffic Safety (OTS) to develop



a more comprehensive occupant protection and child safety seat education program that would help fund the salary for an existing part-time officer to facilitate the program.

## **DISCUSSION**

Staff has been notified that OTS approved the grant proposal. The program associated with the acceptance of the OTS grant funds is designed to provide additional education to community members about the use of child safety seats and seat belt compliance. The primary goals of the program are to reduce fatalities and injuries for vehicle occupants under the age of six, to insure proper installation of child safety seats, and to increase seat belt compliance. The Police Department proposes to reach these goals by continuing a program, which will include increased enforcement, child safety seat training and check-up events, child safety seat inspections/installations, and enhanced public awareness campaigns. The Department intends to utilize an officer to educate and train additional police personnel in this area. As a requirement of the grant, the Police Department will also enlist participation from community-based organizations, distribute child seats to low income families, teach child safety seat classes, and assist schools in implementing child safety seat policies. Specific grant goals and objectives are included in the attached grant agreement.

## **RESOURCE IMPACT**

An allocation in the amount of \$24,957 will be made at midyear for costs associated with the purchase of equipment, supplies and overtime for participating Police staff in 2002-03. Grant revenue totaling \$52,517 to offset these expenditures and the salary of the existing part-time officer will be received from OTS as reimbursements. In 2003-04, \$15,805 in expenses and \$44,805 in reimbursements will be requested to maintain the program through March 2004. No additional officer positions will be added to the Department's approved staffing allocation and the program will be implemented with existing staff. The program will be reevaluated at the end of the grant period to determine continuation of the program.

## **POLICY IMPLICATIONS**

Expenditure of funds for traffic safety programs is consistent with City policy.

## **ENVIRONMENTAL ASSESSMENT**

This is not a project subject to California Environmental Quality Act (CEQA) requirements.

**ATTACHMENTS**

ATTACHMENT A: OTS Project Agreement

PREPARED BY:

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JENNIFER NIGH  
Traffic Officer

DEPARTMENT HEAD REVIEW:

\_\_\_\_\_  
PATRICK DWYER  
Chief of Police

CITY MANAGER APPROVAL:

\_\_\_\_\_  
EMILY HARRISON  
Assistant City Manager