



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 Chambers  
September 15, 2003 5:30 p.m.

ROLL CALL

SPECIAL MEETING

1. Joint Annual Meeting with Assemblyman Joe Simitian

ADJOURNMENT

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Regular Meeting  
Council Chambers  
September 15, 2003 7:00 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

1. Resolution Of The Council Of The City Of Palo Alto Expressing Appreciation to Richard Ferguson Upon His Retirement From The Utilities Advisory Committee

APPROVAL OF MINUTES

June 16, 2003  
July 14, 2003  
July 21, 2003

09/15/03

## CONSENT CALENDAR

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

### LEGISLATIVE

2. (CMR:431:03) Resolution of the Council of the City of Palo Alto in Support of the Santa Clara Valley Water Resources Protection Collaborative Memorandum of Consensus for Mutual Cooperation to Jointly Develop and Implement Water and Watershed Resources Protection Measures, Guidelines and Standards in Santa Clara County
3. Ordinance of the Council of the City of Palo Alto Amending the 2003-04 Municipal Fee Schedule to Correct for an Inaccurate Fee Change

### ADMINISTRATIVE

4. (CMR:421:03) Contract Between the City of Palo Alto and Redwood Plumbing Co., Inc. in the amount of \$79,747 for the Foothill Park Interpretive Center Mechanical Upgrades - Capital Improvement Program Project
5. (CMR:422:03) Contract Between the City of Palo Alto and J.J.R. Construction, Inc. in the Amount of \$593,927 for the Contracting Out Construction of the 2003-04 Phase 1 Sidewalk Replacement Project



### 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

- \*6. (CMR:428:03) Public Hearing: The Palo Alto City Council will consider an application by Santa Clara Valley Water District for Site and Design approval for the downstream portion of the Matadero Creek Long Term Remediation Project, the construction of an overflow flood control channel downstream of East Bayshore Road and adjacent to the City Municipal Service Center, to increase flood protection and convey a 100-year (1%) flood event flow. The project address is 3201 East Bayshore Road. Council actions on this item include: approval of site and design and architectural review for the project based on

findings and conditions of approval, adoption of findings for the environmental review, adoption of a Park Improvement Ordinance for the portion of the project within Byxbee Park, direction to staff to include project in text and maps of the Baylands Master Plan when updated, and authorization for the City Manager to grant easements necessary for the construction of the project. *(Continued from July 14, 2003)*

**Ordinance of the Council of the City Of Palo Alto Approving and Adopting Plans of Santa Clara Valley Water District for a Flood Control Channel in Byxbee Park for Matadero Creek Remediation Project**

**Resolution of the Council of the City Of Palo Alto Certifying the Adequacy of the Final Environmental Impact Report for the 3201 East Bayshore Road; Matadero Creek Long-Term Remediation Project Pursuant to the California Environmental Quality Act**

*\*This item is quasi-judicial and subject to Council's Disclosure Policy*

7. (CMR:389:03) Policy and Services Committee Recommendation to the City Council Regarding Approval of Protocols for Council Meeting Consent Calendar in Memorandum Dated July 15, 2003, as Modified *(Continued from September 8, 2003)*

**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.*

8. Conference with Labor Negotiator  
Agency Negotiator: City Council Ad Hoc Personnel Committee (Judy Kleinberg, Dena Mossar, Nancy Lytle, Vic Ojakian)  
Unrepresented Employees: Interim City Attorney Wynne Furth, City Auditor Sharon Erickson, City Clerk Donna Rogers, City Manager Frank Benest  
Authority: Government Code section 54957.6
9. Conference with Labor Negotiator  
Agency Negotiator: City Manager and Human Resources Director pursuant to the Merit System Rules and Regulations  
Employee Organization: Unrepresented Management and Confidential Employees  
Authority: Government Code Section 54957.6
10. Conference with Labor Negotiator

Agency Negotiator: City Manager and his designee pursuant to the Merit System Rules and Regulations (Leslie Loomis, Nick Marinaro, Charles Perl and William Avery)

Represented Employees Organization: International Association of Firefighters (IAFF), Local 1319

Authority: Government Code section 54957.6

## PUBLIC HEARINGS



11. (CMR:429:03) Public Hearing: The City Council will consider approval of an ordinance adding Chapter 12.10 to Title 12 [Public Works and Utilities] to establish fees to mitigate damage caused by excavation in public rights-of-way.

### **Ordinance of the Council of the City Of Palo Alto Adding Chapter 12.10 to Title 12 [Public Works And Utilities] to Establish Fees to Mitigate Damage Caused by Excavation in Public Rights-Of-Way**

12. Public Hearing: The City Council will consider an appeal by Weiping Wang and Helen Feng of the Director of Planning and Community Environment's denial of a Home Improvement Exception application (03-HIE-12) to allow an addition to the existing residence located at 4044 Sutherland Drive, 90 square feet of which would encroach 5'0" into the required 25'0" contextual front yard setback. **(Item to be rescheduled to October 20, 2003 at the request of staff)**

## REPORTS OF COMMITTEES AND COMMISSIONS

## ORDINANCES AND RESOLUTIONS

## REPORTS OF OFFICIALS

## COUNCIL MATTERS

## COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

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

## 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)