

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
November 8, 2004, 5:00 – 6:30 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

CLOSED SESSION

1. Public Employee Performance Evaluation
Subject: City Auditor
Authority: Government Code Section 54957(b)(1)

ADJOURNMENT

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Special Meeting
Council Chambers
November 8, 2004, 7:00 p.m.

ROLL CALL

STUDY SESSION

1. Status of Library System (7:00 – 8:00 PM)

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

September 27, 2004
October 4, 2004

CONSENT CALENDAR

Items will be voted on in one motion unless removed from the calendar by two Council Members.

LEGISLATIVE



2. **(CMR:465:04)** Adoption of a Budget Amendment Ordinance in the Amount of \$580,353 and Approval of a Contract with Anderson Pacific Engineering Construction, Incorporated in the Amount of \$4,690,000 For Phase I Water Distribution System Improvements Project (WS01010, WS01011, WS01012)

Ordinance of the Council of the City of Palo Alto Amending the Budget for the Fiscal Year 2004-05 to Approve Transfer of Appropriation From Capital Improvement Program (CIP) WS-02005, El Camino Park Reservoir and Pump Station with \$443,325; to (CIP) Project WS-01010, Reservoir Booster Improvements; \$92,561 to CIP Project WS-01011, District System Water Quality Enhancements; and \$44,467 to CIP Project WS-01012, Booster Station Improvements-PRV's

3. **(CMR:460:04)** Adoption of a Resolution Approving the Assignment Administration Agreement for Western Area Power Administration Base Resource Percentage Between Northern California Power Agency and City of Palo Alto

Resolution of the Council of the City of Palo Alto Approving the Assignment Administration Agreement for Western Area Power Administration Base Resource Percentage between Northern California Power Agency and City of Palo Alto

4. **(CMR:430:04)** Adoption of a Resolution Authorizing Execution of a Letter of Agreement and Payment of \$300,000 to the City of Roseville in Compensation for Calaveras Hydroelectric Project Water Storage Transfers Pertaining to the Culmination of the Agreement Between the Cities of Palo Alto and Roseville for the Assignment of Capacity in the North Fork Stanislaus River Hydroelectric Development Project and Other Electric Resources

Resolution of the Council of the City of Palo Alto Approving Settlement Agreement Between the City of Palo Alto and the City of Roseville Regarding the Disposition of Water Storage Transfer Rights of Roseville under the Assignment of Capacity in the North Fork Stanislaus River Hydroelectric Development (Calaveras) Project Agreement

5. **(CMR:424:04)** Adoption of a Resolution Approving the Long-Term Power Purchase Agreement (Wind Power) with PPM Energy, Inc. for the Purchase of Electricity Generated by a Wind Electric Generating Facility for a Term of 23 Years and Seven Months and a Contract Amount of \$78.4 Million

Resolution of the Council of the City of Palo Alto Approving the Long-Term Power Purchase Agreement (Wind Power) with PPM Energy, Inc. for the Purchase of Electricity Generated by a Wind Electric Generating Facility

6. **(CMR:461:04)** Adoption of a Resolution Approving the Long-Term Power Purchase Agreements (Landfill Gas Power) with Ameresco Santa Cruz Energy L.L.C. for the Purchase of Electricity Generated By Landfill Gas Electric Generating Facilities for a Term of 20 Years; and Contract Amount of \$13.9 Million

Resolution of the Council of the City of Palo Alto Approving the Long-Term Power Purchase Agreement (Landfill Gas Power) with Ameresco Santa Cruz Energy, L.L.C. for the Purchase



7. **(CMR:417:04)** Adoption of a Park Improvement Ordinance Associated with the Improvement of the Lucy Evans Baylands Nature Interpretive Center Parking Lot in Byxbee Park and City Owned Baylands

Ordinance of the Council of the City of Palo Alto Approving and Adopting Plans for Parking Lot Improvements in Byxbee Park

8. **(CMR:469:04)** Adoption of a Resolution of Intention Setting a Public Hearing on a Proposed Exchange Between the City of Palo Alto and the Palo Alto Unified School District of Minor Portions of Land to Adjust the Boundary Between Walter Hays School and Rinconada Park

Resolution of the Council of the City of Palo Alto Setting a Time and Place for a Public Hearing on a Proposed Exchange of Land Between the City of Palo Alto and the Palo Alto Unified School District Adjusting the Boundary Between Walter Hays School and Rinconada Park, a Dedicated Public Park, without Increasing or Decreasing the Area of Either Property

ADMINISTRATIVE



9. **(CMR:463:04)** Contract Between the City of Palo Alto and Bleyco Inc. in the Amount of \$607,500 for Construction of Baylands Athletic

UNFINISHED BUSINESS

10. Approval of an Ordinance Amending the 2004-05 Budget to Add a Position of Senior Deputy City Attorney to the Table of Organization
(Item continued from 10/25/04)

Ordinance of the Council of the City of Palo Alto Amending the Budget for the Fiscal Year 2004-05 to Add a Senior Deputy City Attorney Position to the Table of Organization

Resolution of the Council of the City of Palo Alto Amending the Compensation Plan for Management and Professional Personnel and Council Appointees Adopted by Resolution No. 8353 to Add Two New Classifications



11. **(CMR:450:04)** Amendment No. One to the Agreement Between the City of Palo Alto, the Palo Alto Library Foundation, and the Friends of the Palo Alto Library and Approval of Contract Amendment No. One to Contract No. C05108354 with Architectural Resources Group in the Amount of \$44,275 for Additional Design Services for a 610 Square Foot South Addition to the Children’s Library *(Item continued from 10/25/04)*

12. Public Hearing: The City Council will consider an Application by Hoover Associates on Behalf of Richard Peery for Site and Design Review of a New 73,932 Square Foot Office Building with at Grade Parking and Related Site Improvements Located on a 5.66-Acre Site at 2300 East Bayshore Road Within the LM (D)(3) Limited Industrial Site Combining Zone District. Draft Initial Study Recommending the Preparation of a Mitigated Negative Declaration. File Numbers: 03-EIA-17, 03-D-04.
(Item continued from October 18, 2004 – Public Testimony Closed – Item to be continued to a date uncertain)

PUBLIC HEARING

REPORTS OF COMMITTEES AND COMMISSIONS

ORDINANCES AND RESOLUTIONS

13. **(CMR:462:04)** Adoption of a Budget Amendment Ordinance Transferring \$200,000 from the Technology Fund into the Police Vehicle-Mounted Video Recording Capital Improvement Program Project Number PD-05010 for the Purchase and Installation of In-Car Video Recording Systems in Police Patrol Vehicles

Ordinance of the Council of the City of Palo Alto Amending the Budget for Fiscal Year 2004-05 to Establish Capital Improvement Program Project Number Pd-05010, Police Vehicle-Mounted Video Recording CIP to Purchase Hardware and Installation of In-Car Video Recording Systems in Police Patrol Vehicles and to Provide an Appropriation in the Amount of \$200,000 from the Technology Fund

REPORTS OF OFFICIALS



14. **(CMR:464:04)** Results of Outreach for Storm Drain Election

UNFINISHED BUSINESS

15. Recommendation from Human Relations Commission to Refer to Policy and Services Committee (P&S) a Recommendation to the City Council to Adopt a Resolution Opposing the Federal Marriage Amendment (*Item continued from 10/25/04*)

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.

16. Conference with City Attorney -- Potential/Anticipated Litigation
Subject: Significant Exposure to Litigation on One Matter (Claim of Jameel Douglas)
Authority: Government Code Section 54956.9 (b)(1) & (b)(3)(C)
17. Conference with City Attorney -- Existing Litigation
Subject: Diane L. Buzzell v. City of Palo Alto; SCC #1-04-CV-012909
Authority: Government Code section 54956.9(a)

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) 24 hours prior to the meeting.