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September 14, 2009

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The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:00 p.m.

Present: Barton, Burt, Drekmeier, Espinosa arrived at 6:30 p.m., Kishimoto, Klein, Morton, Schmid, Yeh arrived at 6:30 p.m.

Absent:

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Attorney Gary Baum
Authority: Government Code section 54957(b)

Council returned from the Closed Session at 8:05 p.m. and Mayor Drekmeier announced there was no reportable action.

SPECIAL ORDERS OF THE DAY

2. Proclamation Expressing Appreciation to Anne Warner Cribbs and the 2009 National Senior Games Local Organizing Committee.

Vice Mayor Morton read the Proclamation into the record expressing appreciation to Anne Warner Cribbs and the 2009 National Senior Games Local Organizing Committee.

Anne Cribbs accepted and expressed her appreciation for the Proclamation.

John Guislin, 225 Middlefield Road, on behalf of the Palo Alto Athletes, expressed appreciation and presented a plaque to Anne Cribbs and the Local Organizing Committee for organizing the games.

CITY MANAGER COMMENTS

City Manager, James Keene said in July the Metropolitan Transportation Commission had approved a Grant in the amount of \$55,000 for the City to update its Bicycle and Pedestrian Transportation Plan, \$60,000 for the Park Bicycle Boulevard, \$50,000 for bike rack installations, \$51,300 for crosswalk enhancements, and \$40,000 for bicycle route directional signage. Shared arrow road signs (SHARO) were painted on Alma Street, northbound from Homer Avenue to Forest Avenue, to direct bicycle and vehicle traffic for the safety of cyclist coming from the Homer Avenue undercrossing. The Planning Department was notified by Magnussen Toyota Dealership that a

binding lease was signed to expand their operations across the street from their current dealership located on San Antonio Road. Planner Kristin Heinen, Green Building Specialist, passed her Plan Check and Field Exams in August and was certified as a GreenPoint Rater under the auspices of Build It Green. A partnership between the City and the Palo Alto Unified School District (PAUSD) regarding efficiency education and building online links to the City's residential webpage, would be available on PAUSD's website called "Up to Us."

ORAL COMMUNICATIONS

Bonny Turner, 474 Embarcadero, spoke regarding the Palo Alto Lawn Bowling Club and thanked the City for allowing them to participate in the Senior Games.

Chris Grillone, 516 Thain Way, spoke on regulating second hand smoke and encouraged the City to adopt regulations similar to those adopted by the City of Belmont. California law declared anything that was injurious to health or obstructed the free use of property that interfered with comfortable and enjoyment of life and property was a nuisance.

Rosemary McGuire, 3367 St. Michael Drive, spoke on police harassment and her experience as a black woman driving in Palo Alto.

Blazena Vauckova, 455 E. Charlestons #C241, spoke about the unfair treatment she received from the Palo Alto Police Department when she was stopped for a traffic violation.

Christine Craig, 4270 Terman Drive, spoke about the Police Chief's recruitment and expressed the need for new blood in the Palo Alto Police Department.

Christopher Rafferty, 165 Colorado Ave, spoke regarding his concerns with the City's Variable Management Compensation (VMC) benefit.

Mark Weiss, 1788 Oak Creek Drive, spoke regarding the recruitment of the new Police Chief.

Aram James, spoke regarding the Police Chief's recruitment process and requested all three finalists be brought before the public to be heard and to have transparency in the selection.

Tim Gray, 4173 Park Boulevard, spoke regarding the timing of the Police Chief's selection. He said it was an opportunity to mend and rebuild the

positive and strong connection between City's Police and residents by being transparent in the selection process.

Judith Wormley, Palo Alto, spoke regarding the Police Chief's selection and encouraged a thorough review of each applicant in moving forward to help mend a broken relationship between the Police Department and the community.

Reverend Amy Zucker Morgenstern, spoke regarding Service Employees International Union (SEIU) and spoke of being opposed to the healthcare and pension cuts for City employees.

Peggy Quillman, spoke regarding SEIU and City employees who provide the quality of service to the City. She urged the Council to support the City employee by honoring the work they do and ensure continuance to recruit and retain a quality workforce.

Alex Hamilton, spoke regarding SEIU and the hardship she would face if she were to lose a portion of her healthcare coverage. She raised concerns regarding the \$22 million the City had in excess funds and requested a public hearing regarding the matter.

Vic Farisato, spoke regarding SEIU and expressed the need for a public hearing on the \$22 million and further investigate how the City had allocated the funds.

Melody Vega, spoke regarding SEIU, and raised concerns regarding employees leaving the organization due to the future uncertainties of the City. She spoke of the loyalty and the experience employees had offered to the City and asked the Council to value the workers who are the backbone of the organization.

Albert Carlson, spoke regarding SEIU, and questioned how the \$22 million was allocated and disbursed. He will be submitting a public records request asking for the exact balances and encumbrances of the funds.

Brian Ward, spoke regarding SEIU and expressed the Union's willingness of to do their part and urged the Council to do the right thing.

Michael Francois, 224 Gardenia Way, East Palo Alto, spoke regarding SEIU and was in support of the Union members who were asking for secured salaries and decent medical and retirement benefits.

Judy Glaes, 1595 S. California #J101, City's Code Enforcement Officer, spoke on behalf of herself and fellow coworkers who have put in 27-years of service or more with the City. She asked the City to be transparent about the funds and not force loyal workers with City expertise out the door.

Robert Moss, 4010 Orme Street, spoke regarding fiscal reality. He spoke of the City's uncommitted reserves for emergencies and capital improvements. Funds needed to be set aside for large deficits and he did not want to see a massive layoff.

APPROVAL OF MINUTES

MOTION: Council Member Barton moved, seconded by Council Member Espinosa to approve the minutes of July 13, 2009, July 20, 2009 (as amended), July 27, 2009, and August 03, 2009.

MOTION PASSED: 9-0

CONSENT CALENDAR

Vice Mayor Morton advised he would not be participating in Agenda Item No. 4 due to a potential conflict with an organization he was connected with that was considering contracting with Prodigy Press.

MOTION: Council Member Barton moved, seconded by Council Member Kishimoto to approve Agenda Item Nos. 3-14.

3. Approval of a Contract with W. Bradley Electric, Inc. in an Amount Not to Exceed \$248,269 to Construct and Install a Fully Actuated Traffic Signal at the Intersection of Embarcadero Road and the Town and Country Shopping Center and Palo Alto High School Driveways, and to Modify the Pedestrian Signal to Palo Alto High School.
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MOTION PASSED for Item Nos. 3, 5-14: 9-0

MOTION PASSED for Item No. 4: 8-0 Morton not participating

PUBLIC HEARINGS

15. Consider the: 1) Approval of the Negative Declaration; 2) Adoption of a Resolution 8981 entitled "Resolution of the Council of the City of Palo Alto Amending the Comprehensive Plan Land Use Map to Change the Land Use Designation from Multiple Family Residential to Commercial Hotel; and 3) Adoption of an Ordinance Amending the Zoning Map to Change the Zone Designation for Approximately 0.30 Acre at 4261 and 4273 El Camino Real (Dinah's Hotel) from RM-15 (Low Density Residential Multi-Family) to CS(L)(D) (Service Commercial with Landscape and Site and Design Review Combining Districts)."

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

Director of Planning and Community Environment, Curtis Williams gave a presentation as outlined in Staff Report CMR:357:09.

Planning and Transportation Commissioner (P&TC) Susan Fineberg said on July 8, 2009, the P&TC voted 6-0-1 to initiate the zone change and Comprehensive Plan Amendment. The intent was to create a pedestrian/bicycle access and more direct connectivity between the new park on the Redwood Gate site and the surrounding neighborhood and to protect adjacent properties for adequate landscaping. On August 12, 2009, P&TC held a public hearing and voted 7-0 to recommend the Council approve the proposed project. The P&TC found the proposed Comprehensive Plan Amendment would benefit the public interest, health, safety and welfare of Palo Alto and the surrounding region. It would bring consistency to the land use designation of the area and facilitate development of a better transition between surrounding land uses. The proposed Zoning Amendment would bring consistency to the zoning designations of the subject property and consistent with the new Comprehensive Plan designation. She echoed the recommendations as outlined in Staff Report CMR:357:09. The construction of the pathway required a Conditional Use Permit and a Site and Design Review because a nexus was not available to condition the zone change in the Comprehensive Plan Amendment.

Council Member Kishimoto asked whether the emergency access was necessary.

Mr. Williams said the emergency access was included in the plan but had not yet been determined. It would be more difficult to try and include it in the future. The access was not a requirement but would be determined if and when the development occurred on the Dinah's site.

Council Member Kishimoto asked whether there was a main access to El Camino Real.

Mr. Williams said there was.

Council Member Kishimoto asked whether another access was required.

Mr. Williams said not necessarily. The two adjacent developments had emergency connections that were available but did not resemble emergency access. They were shared driveways onto properties and looked more like a pathway. Installation of an emergency access could be required in the future if there was a need to link the developments and access could not be made from the El Camino Real side.

Council Member Kishimoto asked if there was only one egress.

Mr. Williams said currently there were several driveways on the El Camino Real and speculated there could be a desire for one in the future.

Council Member Kishimoto said it was not required at this point and since the rezoning created value for the hotel, she asked if there was a way of tying in a requirement to the easement agreement since it created economic value to the landowner.

Mr. Williams said he did not believe there was since no development was currently proposed and the zoning change was initiated by the City.

City Attorney, Gary Baum said there was no nexus since there was no project development. In the event the site was to redevelop and the issue reopened, the City could determine at that point whether there would be, depending on what was being built.

Council Member Schmid referred to the small panhandle area in the Proposed Rezoning Map and questioned what the color-coded area represented.

Mr. Williams said the purple area was the actual dedicated easement. The portion outlined in red was the area being rezoned from multi-family to commercial and the entire panhandle area was being rezoned. The yellow portion was unencumbered by an easement although it still had the landscape overlay and the Site and Design. The purple portion was the easement for the trail access.

Council Member Schmid asked whether the public had access to the yellow portion.

Mr. Williams said no.

Council Member Schmid said the rezoning was a very expensive process in gaining half a parcel.

Mr. Williams said it was an issue for the Council to determine the value in rezoning. In addition to the easement, there were no guarantees that all of the additional development would be used. Staff felt it was valuable space and could generate \$20,000 - \$200,000 a year for commercial or hotel use.

Council Member Schmid said his understanding of the development process was the City would have no oversight if an outsider comes in with a maximum proposal even if it involved larger buildings.

Mr. Williams clarified a Site and Design Review process would need to take place. The Planning Department would work with the site making it compatible with the surrounding properties.

Vice Mayor Morton asked whether the emergency access would allow other types of vehicle usage other than bicycles or pedestrians.

Mr. Williams said only bicycles and pedestrians would be permitted.

Mayor Drekmeier said in negotiations with Dinah's there may be a possible request in the future of having the easement extend to El Camino Real.

Mr. Williams said at the present time, Dinah's did not want to entertain the option and Staff did not pursue the issue because the neighborhood had many concerns and objected to the easement extension.

Public Hearing opened at 9:36 P.M.

Jean Olmsted, 240 W. Charleston, said she would like to see a study on permit parking before access was opened to the public. The final decision should be made by the Council on what was best for Palo Alto. She urged Council to approve the zoning changes and Comprehensive Plan updates.

Deborah Ju, 371 Whitclem Drive, spoke regarding the overflow parking due to the proposed rezoning and encouraged a parking permit program. She was not in favor of the proposed emergency vehicle access and said there were already two on Wilkie Way.

Sara Armstrong, 4118 Park, asked the emergency vehicular access not be part of the easement agreement and for the Council to direct Staff to begin the permit parking process for the affected areas on Wilkie Way.

Herb Borock, P.O. Box 632, said the site development regulations for the landscape overlay allowed vehicular access with a Conditional Use Permit. Neighbors would want a better guarantee at this stage with a newly elected Council next year.

Public Hearing closed at 9:47 P.M.

MOTION: Council Member Barton moved, seconded by Vice Mayor Morton to: 1) Approve the Mitigated Negative Declaration, 2) Adopt the Resolution for a Comprehensive Plan Map Amendment to change the land use designation for approximately 13,200 square foot (sq. ft.) site from Multiple Family Residential to Commercial Hotel, and 3) Adopt the Ordinance to change the site's zone district from RM-15 Multi-Family to CS(L)(D)Service Commercial with Landscape and Site and Design Review Combining Districts.

Council Member Barton said he was in favor of allowing access to the public park. Development on the site would potentially provide the City with revenue and would not provide the high density housing that concerned the surrounding area. He supported Staff's recommendation.

Vice Mayor Morton said parks should be accessible. He was in favor of having the barriers at the emergency vehicle access openings to prevent use by other vehicles. He supported Staff's recommendation.

Council Member Kishimoto asked when the path would be built.

Mr. Williams said between one and two years.

AMENDMENT: Council Member Kishimoto moved, seconded by Council Member Klein to remove from Attachment E, Number 3, under No Vehicular Use the words...except for emergency vehicles use (fire and police).

Council Member Barton did not accept the Amendment.

Mr. Baum said the emergency vehicle use had been requested by the City in the interest of safety. It was not a legal requirement but a practical requirement and was included in a signed Easement Agreement.

Mr. Williams had raised concerns about removing an item from a signed Easement Agreement which needed to be presented to Summerhill Homes and could require renegotiations.

AMENDMENT RESTATED: Council Member Kishimoto moved, seconded by Council Member Klein that it is the policy of the Council that the easement not be used for emergency access unless Staff returns to Council with an emergency access plan for emergency vehicles only.

Mr. Baum stated for point of clarification he asked Council Member Klein if the emergency access plan was to return with the Site and Design Review.

Council Member Klein said yes.

Council Member Barton asked whether the panhandle currently allowed emergency access.

Mr. Williams said he was not aware of anything that prohibited access.

Council Member Barton raised concerns because fire trucks required access within 150 feet from all parts of a building. If the City takes away the right to bring a fire truck in the back end, it could restrict their ability to redevelop the site. He urged the Council to vote no on the Amendment.

Council Member Schmid said there was an economic value in keeping the emergency access opened. An option would be to have an easement for the entire panhandle and there would be a larger park useful to children in the future. He asked the maker of the Motion if that was acceptable to add as a negotiating point.

Council Member Klein asked Council Member Schmid to clarify his suggested Amendment.

Council Member Schmid said the City was giving up 26,000 square feet of Floor Area Ratio (FAR) for half of the panhandle and suggested offering the security access in order to obtain the entire panhandle.

Council Member Klein did not accept the suggested Amendment.

Vice Mayor Morton said due to safety reasons he was not in favor of taking away the emergency access. He urged the Council not to support the Amendment.

Council Member Burt asked whether there was a 150 foot setback requirement for emergency access to a development.

Mr. Williams clarified the Fire Department required that they be able to get a hose to reach 150 feet from any point of the development.

Council Member Burt asked Staff to clarify whether the elimination of the emergency vehicle access to the panhandle would not restrict the ability to build at the rear of the property.

Mr. Williams said he did not anticipate that; the intent would be if there was a hazardous situation that prevented access from El Camino Real that there be a secondary access that would allow emergency vehicles to get through.

AMENDMENT PASSED 6-3 Barton, Drekmeier, Morton, no

AMENDMENT: Council Member Kishimoto moved, seconded by Council Member Schmid to create a Council policy at the time of Site and Design Review to implement a residential permit parking system with majority neighborhood support and operating revenue neutral.

Council Member Barton advised that he would not be participating in this Amendment due to living in close proximity.

Vice Mayor Morton did not accept the Amendment.

Council Member Barton asked the City Attorney if he would be recused from the entire question if the Amendment was adopted.

Mr. Baum clarified that portion of the Motion would be removed allowing Council Member Barton to participate.

Council Member Burt said it was too premature to move forward to implement a permit parking program.

AMENDMENT FAILED: 3-5 Kishimoto, Schmid, Yeh yes, Barton not participating.

AMENDMENT: Council Member Kishimoto moved, seconded by Council Member XXXX that it is the intent of Council to plant redwood and oak trees on the landscape site.

AMENDMENT FAILED DUE TO LACK OF SECOND

AMENDMENT: Council Member Kishimoto moved, seconded by Council Member Burt that a path be built within one year of the opening of the park and the pathway connector.

AMENDMENT PASSED: 8-1 Morton no

MOTION PASSED: 9-0

~~16. Consider Adoption of an **Uncodified Ordinance Extending the Life of Specific Permits Which are Currently Active Pursuant to Title 18 (Zoning) of the Palo Alto Municipal Code**~~

MOTION: Council Member Klein moved, seconded by Council Member Barton to continue Agenda Item No. 16 (Consider Adoption of an Uncodified Ordinance Extending the Life of Specific Permits Which are Currently Active Pursuant to Title 18 (Zoning) of the Palo Alto Municipal Code) to September 21, 2009.

MOTION PASSED: 8-1 Espinosa no

REPORTS OF OFFICIALS

17. Update on Measure N Library Bond Measure Projects; Adoption of a Budget Amendment Ordinance 5053 in the Amount of \$109,041 for Temporary Library Facilities; Approval of a Contract with Turner Construction Company, Inc. in the Amount of \$138,198 for Construction Management Services for the Mitchell Park Library and Community Center and the Downtown Library and Approval of Amendment No. 1 to Contract C09130744 with Group 4 Architecture to add \$92,034 for a Total Not to Exceed Amount of \$3,919,324 for Measure N Library Projects Capital Improvement Program Projects PE-009006 and PE-09005, PE-09010.

Assistant Public Works Director, Mike Sartor said Staff was aware of concerns of some members of the public regarding the Downtown Library and said the recommended contract actions were not related to the such concerns.

Library Director, Diane Jennings gave a presentation based on Staff Report CMR:368:09.

Dawn Merkes, Group 4 Architecture said the Downtown Library and the Mitchell Park Library and Community Center project were both on schedule. The Downtown Library was in the construction document phase and Mitchell

Park Library and Community Center completed a 100 percent Design and Development and moved to a construction document phase. Both projects were moving forward to bid in Spring of 2010. Staff Report CMR:368:09 gave a breakdown of the Board and Commission meetings held to date. The Mitchell Park Library and Community Center project was well received and the design was approved. A Park & Recreation Commission (PARC) meeting was scheduled for September 22, 2009 and a Teen Workshop and Community Meeting were scheduled for October 29, 2009 to provide updates regarding the projects. Group 4's presentation included Design Development updates, Sustainable Strategies, 100 percent Design Development of both projects, and site plans as shown in the slide presentation.

Council Member Barton raised concerns regarding the room where the temporary library was to be housed. He said it was highly utilized by the community and asked whether there was a schedule outlined for usage of the room.

Recreation Manager, Rob DeGeus said there would be a variety of spaces that would be available once the Jewish Community Center (JCC) vacated the Cubberley Community Center.

Council Member Schmid addressed the parking problem at the Cubberley Community Center and had concerns of a parking crisis once the library traffic was added.

Interim Director of Community Services, Greg Betts said with the JCC's reduced programming, Staff believed Cubberley would be able to accommodate the parking demands.

Council Member Schmid asked whether the bookshelves in the temporary program room were included in the Downtown Library collection of 17,000 volumes.

Ms. Jennings said they were included.

Council Member Schmid said the space north of the temporary program room was adequate for additional shelving that would make the room more acceptable for library activities.

Council Member Yeh said the community had raised concerns regarding the capacity for collections in the Downtown Library and questioned the height and the number of shelves available in each of the shelving units.

Ms. Jennings said the height of the shelves would be the same as the existing shelves. The units that were used for browsing were not as high and similar to the bookstore-style shelves. It would allow the collections to be displayed in an attractive manner, giving the area a more pleasant atmosphere, and the capability to view the patio.

Council Member Yeh said the community had expressed an interest of having a computer layout similar to the cubicle approach at the Mitchell Park Library. He asked how the Downtown Library layout was reached versus the existing computer configuration layout at Mitchell Park Library.

Ms. Merkes said the design for the Downtown Library layout had not been designed. The computer station tables could have dividers installed between the computers with privacy screens and could easily be included in the design. All of the tables would have power and data for personal computer use making the seating stations a technology station with wireless provisions.

Council Member Yeh asked whether there had been a cost benefit analysis of looking at certain collections versus laptop usage being higher in the Downtown Library than other branches.

Ms. Jennings said each branch was not viewed in that respect. If more electronic or downloadable books were offered they would be available to everyone who had a library card. It was more a common practice for patrons to bring their own laptop to all the branches including Downtown. Since this was an evolving area the floor space would be designed to accommodate the possibility of the print collection decreasing making more study and table space for the public to use personal devices.

Council Member Yeh asked whether the program room could be addressed if it was in use with no access to the West Terrace.

Ms. Merkes said without taking away functional library space and providing some kind of passage way to allow people to come through the patio, there was no access unless there was an exterior passage from the perimeter of the building.

Council Member Burt asked what the proposed shelf height was on the permanent shelving.

Ms. Jennings said it was 66 inches which would allow six shelves.

Council Member Burt asked what the shelf height was in Main Library.

Ms. Jennings it was close to 90 inches.

Council Member Burt asked the shelf height at Mitchell Park Library.

Ms. Jennings said it was a mixture with mostly high shelves. It was important to remember that people do not like to get down too low or having to reach extremely high.

Council Member Burt said there was an issue of how to accommodate future volume expansion and the choice of having either 66 or 90 inch shelves did not sound logical.

Ms. Jennings said that was the gradient in inches and could be reviewed.

Council Member Schmid raised concerns regarding Mitchell Park as being a Center and questioned the placement of the large sculpture at the Mitchell Park Library on Middlefield Road and the snack bar located in the parking lot with no seating accommodations and being cutoff from the large inner-plaza.

Ms. Merkes said the café intends to provide exterior seating along the café area with interior seating in the courtyard being developed where people could bring books and utilize the seating area under the trees. Secluded tables will be placed closer to the courtyard.

Pat Markevitch, Parks and Recreation Commission Chairperson, 231 Emerson Street, said the Commission was pleased with the Mitchell Park Library design and appreciated how Group 4 was transparent in their communication and were anxious to move forward with the project.

Alison Cormack, 3487 Ross Road, Palo Alto Library Foundation Board representative said they were pleased with the City's progress in renovating all of the libraries. She said during the past year six new members had been added to the Board, a new part-time operations manager was hired, the donor database was upgraded and linked to the new website www.palf.org, and the Foundation was preparing to launch their 2010 campaign.

Vic Befera, 2180 High Street, was not in favor of spending \$4 million to renovate libraries with very little being spent on books, CDs, DVDs, and periodicals.

Enid Pearson, Palo Alto, urged the Council to redirect Staff to reconfigure the Downtown Library with a collection of 35,000 minimum.

Gretchen Emmons, 169 Walter Hays Drive, expressed the need for more books and materials at the Downtown Library.

Susie Thom, 753 Maplewood Place, said the Library Advisory Commission's (LAC) vision was for the library system to include modern, comfortable and adaptable spaces and expected to add 71,000 in collections and items to the City's collections. The Downtown and College Terrace Libraries focused on high interest and high demand items with the core collection being housed at Mitchell Park and at the Main library.

Valerie Stinger, 721 Christine Drive, spoke of the Downtown Library and gave an update of what the LAC went through during the progress of the library plans.

John Hackmann, 235 Embarcadero, said he was pleased with the library plans but expressed the need for the Downtown Library collection to be larger. It did not adequately serve the community from a book perspective.

Ellen Wyman, 546 Washington, urged the Council to follow-through with a promise to increase collections and add more public space to the Library.

Herb Borock, PO Box 632, urged the Council to change the library floor plan strictly for library use only and the space not be used by other City departments and outside entities.

Joyce McClure, 1005 Bryant Street, said the proposed plan did not accomplish what the community had voted for and wanted. The design should be restored to its original community-friendly design, the capability to support a larger collection, and to provide an attractive setting for library patrons.

Elaine Meyer, 609 Kingsley, said the design should allow for a collection to attract users and be an asset to downtown.

Jeff Levinsky, 1682 Hamilton Avenue, said voters were told Measure N would lead to a better collection. He said \$4 million was being spent on the Downtown Library, another \$4 million to relocate the staffing, making collections rank last.

Council Member Espinosa said by moving the Staff space out of the Downtown Library, it would allow for a larger collection and promote a stronger library.

MOTION: Council Member Barton moved, seconded by Vice Mayor Morton to: 1) Adopt a Budget Amendment Ordinance in the amount of \$109,041 to increase appropriation for CIP Project Community Center and Library-Temporary Facilities (PE-09010); 2) Authorize the City Manager or his designee to execute the contract with Turner Construction Company, Inc., in an amount not to exceed \$138,198, for initial construction management services for the Downtown Library and for the Mitchell Park Library and Community Center, including a total of \$13,361 for additional services, and 3) Authorize the City Manager or his designee to execute Contract Amendment No. to add \$92,034 for additional services with Group 4 Architecture for design of the Temporary Library (PE-09010) for a total not to exceed \$3,919,314.

Council Member Barton said the issue was not to talk about changing plans, elevations, sections, or LEED certification. It was to get additional dollars for the temporary library facilities and to pay the architect for the added work associated with the design. He was not in favor of changing the plans but spoke of the importance of moving forward with the construction.

AMENDMENT: Council Member Burt moved, seconded by Council Member Espinosa to: 1) Direct Library Staff and Library Advisory Commission to review additional space for collections in the Downtown Library, 2) Reconsider relocation of Administrative Staff to Mitchell Park Library or Main Library, and 3) Evaluate space for additional computers at the downtown library.

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to include the possibility of moving Library Administrative Staff to City Hall.

Council Member Klein asked if there would be a delay in the implementation of Measure N's building schedule if the Amendments were passed.

Mr. Sartor said the Downtown Library schedule was three months ahead of Mitchell Park Library and Community Center. Staff had internal discussions as whether to bid both at the same time. The three months of float time could be used to review space at the Downtown Library without impacting the construction of the Mitchell Park Library and Community Center.

Council Member Klein said that timeframe was for a study. He asked if there would be a delay in starting the construction of the Downtown and/or Mitchell Park Library and the Community Center if the Council were to direct Staff on the suggested changes.

Mr. Sartor said it would cause a delay for the Downtown Library but he could not provide an estimated time for the delay.

Council Member Klein asked whether there would there be a delay in the construction of the Mitchell Park Library if the offices were moved from Downtown to Mitchell Park.

Mr. Sartor said Staff would need to configure where to place the Administrative Staff which would cause a delay at the Mitchell Park Library.

Council Member Klein asked what the estimated delay would be.

Mr. Sartor said it would be a 1-2 month delay. He suggested looking at the Main Library or other sites for potential locations in order to keep Mitchell construction on track.

Council Member Klein asked whether footage space at Mitchell would be reduced if the Administrative Staff were moved to Mitchell.

Ms. Jennings said it would reduce the public space. The Administrative Offices were to be placed in 750 square feet space at the Downtown Library.

Alison Cormack clarified there would be an increase in space for collections, but not an increase of collections at the Mitchell Park.

Ms. Jennings said the Library Service Model Analysis and Recommendations (LSMAR) did not specify a number but anticipated an increase of 70,000 at Mitchell Park and 5,500 at Downtown.

Council Member Klein said if the collections were increased at the Downtown Library by 15,000 to 20,000 items the two choices were either to reduce the increase at Mitchell, or find additional funds to pay for the 15,000 to 20,000 items.

Ms. Jennings said that was correct.

Council Member Schmid said he was in favor of relocating the Library Director to Mitchell Park Library because of the current market and economic climate and the political health of the City.

Vice Mayor Morton said the bulk of the Administrative area was for staffing to run the Downtown Library and he urged the Council not to send the entire plan back for redesign. He suggested moving forward and in the future to look at converting the program room to library space if it was not used.

Council Member Kishimoto asked if the intent of the space was to be used for larger collections.

Council Member Burt said it was for collections to enable expansion of space in the future.

Council Member Kishimoto asked whether the intent was to have the item return to the Council.

Council Member Burt said it was his understanding that the Downtown Library layout would come back to the Council one way or another.

City Manager, James Keene said in order to stay on track with the current design there were ways to inform the Council where Staff was with the project but not bring it back to the Council for detailed review or redesign.

Council Member Burt said he did not want to micro-manage the design and was comfortable in not returning to the Council.

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER that the design of the Downtown Library is to come back as an information item to Council.

Council Member Yeh raised concerns regarding the Downtown Library not being included in Link Plus.

Ms. Jennings said all library users could use Link Plus, but would need to pickup the item at the Main Library because Link Plus configuration was different from most of the libraries in that consortium, and it would require added funds to load the proper software on all PCs at the various branches.

Vice Mayor Morton said for clarification that Link Plus was not available at College Terrace or Mitchell Park Libraries.

Council Member Yeh asked whether Link Plus could be used for collections or meeting spaces.

Ms. Jennings said it was sometimes difficult to find meeting space at City Hall.

Council Member Yeh said the Downtown Library's primary interest was the impact on collections based on the existence of Staff space and whether or

not Staff space in the Downtown Library location had a negative impact on the size of collections in the Downtown branch.

Ms. Jennings said under the current plan for the Downtown Library, one-third of the space was not administrative space. A total of 25 percent of all the space at Downtown was for Staff including Staff that served the public and the public service desk area. The overall administrative space that served the entire library system was 1 percent of the total square footage. She recommended not taking away space from Mitchell Park since it was the only library in that half of Palo Alto which served a large volume of community.

Council Member Kishimoto said the Downtown Library never felt like a real library to her. There was not a commitment in making it a welcoming, full functioning library either through services or collections. The children's section seemed to only have 600 children's books. She was looking to move the Director's office to either Mitchell Park or the Main Library. She supported the Motion.

Council Member Klein said the reduced construction costs would not last forever and the City should take advantage of it. The voters were promised that the project would move along expeditiously and by not doing so the City would not be keeping faith. If the City were to move along the lines of the proposed Amendment there would be a dispute between the people living at the Mitchell Park area and those who were advocates of the branch they used the most. People who lived in the Mitchell Park area had been underserved for a long period of time and the Mitchell Park Library was far behind in standards. Mitchell Park residents were the driving force of what became Measure N. He said savings from the Bond issues could not be used to purchase collections.

Council Member Barton asked what the square footage was of the Mitchell Park Library.

Ms. Merkes said it was 36,000 square feet.

Council Member Barton asked what the footage was for public space.

Ms. Merkes said approximately two-thirds or 24,000 square feet.

Council Member Barton said if 750 square feet were removed from the 24,000 square feet there would be a minimum of a 6-month delay. He did not support the Motion.

Council Member Espinosa said there would not be a long delay factor since a buffer was built in to the timeline. The Council was not approving a different design but reevaluating the design. He encouraged the Council to look at the big picture and that the focus was on a small size space. If the offices and conference room and portions of the workspace were to move to another location, the entire administrative space would be designed to make the library more inviting and having the capability to increase the collection making it a real library.

Mayor Drekmeier supported the idea of increased collection at the Downtown Library but did not support the Amendment. He supported the main Motion.

AMENDMENT PASSED: 5-4 Barton, Drekmeier, Klein, Morton no

MOTION AS AMENDED PASSED: 9-0

MOTION: Council Member Barton moved, seconded by Council Member Espinosa to move directly to the Closed Session.

Council adjourned to the Closed Session at 12:41 a.m.

CLOSED SESSION

18. CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Kelly Morariu, Russ Carlsen, Sandra Blanch, Darrell Murray, Marcie Scott, Lalo Perez, Joe Saccio)

Employee Organization: Local 521 Service Employees International Union

Authority: Government Code Section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator: City Manager and his designees pursuant to the Merit System Rules and Regulations (James Keene, Kelly Morariu, Russ Carlsen, Sandra Blanch, Darrell Murray, Lalo Perez, Joe Saccio, Marcie Scott)

Employee Organization: Unrepresented Employee Group Management and Professional Personnel and Council Appointees

Authority: Government Code section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Kelly Morariu,

Russ Carlsen, Sandra Blanch, Darrell Murray, Marcie Scott, Lalo Perez,
Joe Saccio)
Employee Organization: Palo Alto Peace Officers' Association
Authority: Government Code Section 54957.6(a)

Mayor Drekmeier advised no reportable action taken.

ADJOURNMENT: The meeting adjourned at 2:10 a.m.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.