

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 14, 2009
6:00 PM

ROLL CALL

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.

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

7:30 PM or as soon as possible thereafter

SPECIAL ORDERS OF THE DAY

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

ATTACHMENT

CITY MANAGER COMMENTS

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 duration of Oral Communications period to 30 minutes.

APPROVAL OF MINUTES

July 13, 2009

July 20, 2009

July 27, 2009

August 03, 2009

CONSENT CALENDAR

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

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

CMR 365:09 & ATTACHMENT

4. Approval of Contract with Prodigy Press in the Amount Not to Exceed \$180,000 Annually for a Three-Year Period for Digital Imaging Services and Printing Projects

CMR 353:09 & ATTACHMENT

5. Finance Committee Recommendation to Preliminarily Approve Fiscal Year 2009 Reappropriation Requests to be Carried Forward into Fiscal Year 2010

CMR 354:09 & ATTACHMENT

6. 2nd Reading Adoption of an **Ordinance Amending Sections 18.10.130 (Historical Review and Incentives), 18.10.060 (Parking), 18.12.140 (Historical Review and Incentives), 18.12.060 (Parking), and 18.13.040(c) (Single-Family and Two-Family Uses) of Title 18 (Zoning), and Sections 21.20.010 (General Provisions) and 21.20.301 (Flag Lots) of Title 21 (Subdivisions) of the Palo Alto Municipal Code Regarding Subdivision of One Lot into Two Nonconforming Lots Where Covenants are Provided to Protect Historic Properties**

(First reading July 27, 2009 – Passed 6-0, Barton, Morton, Schmid Absent)

7. Adoption of a Resolution Expressing Appreciation to Paula Kirkeby for Outstanding Public Service as a Member of the Public Art Commission

ATTACHMENT

8. Adoption of a Resolution Expressing Appreciation to Barbara Mortkowitz for Outstanding Public Service as a Member of the Public Art Commission

ATTACHMENT

9. Adoption of a Resolution Expressing Appreciation to Gerald Brett for Outstanding Public Service as a Member of the Public Art Commission

ATTACHMENT

10. Approval of a Storm Drain Enterprise Fund Contract with Peak Engineering, Inc. in the Amount of \$573,004 for Alma Street Storm Drain Improvement Project, Capital Improvement Program Project SD-08101

CMR 362:09 & ATTACHMENT

11. Approval of a Contract with Valley Slurry Seal Company in an Amount of \$376,261 for the 2009 Street Maintenance Program Slurry Seal Capital Improvement Program Project PE-86070

CMR 360:09 & ATTACHMENT

12. Adoption of a **Budget Amendment Ordinance for Fiscal Year 2010 to Accept \$1,085,000 in Federal American Recovery and Reinvestment Act "Stimulus" Funding** and Approval of a Contract with A. Ruiz Construction Company & Associates, in the Amount of \$1,105,648 for the 2009 Street Maintenance Program San Antonio and Lytton Asphalt Overlay Capital Improvement Program Project PE-86070

CMR 361:09 & ATTACHMENT

13. Finance Committee Recommendation to Accept the Auditor's Office Quarterly Report as of June 30, 2009

ATTACHMENT

14. Adoption of a Resolution Approving Revisions to the City of Palo Alto Energy Risk Management Policy

CMR 359:09 & ATTACHMENT

AGENDA CHANGES, ADDITIONS, AND DELETIONS

HEARINGS REQUIRED BY LAW: Applications and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and put 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 three minutes per speaker.

UNFINISHED BUSINESS

PUBLIC HEARINGS

15. Consider the: 1) Approval of the Negative Declaration; 2) Adoption of a Resolution 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*

CMR 357:09 & ATTACHMENT

PUBLIC COMMENT

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**

CMR 363:09 & ATTACHMENT

REPORTS OF COMMITTEES AND COMMISSIONS

ORDINANCES AND RESOLUTIONS

REPORTS OF OFFICIALS

17. Update on Measure N Library Bond Measure Projects; Adoption of a **Budget Amendment Ordinance 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

CMR 368:09 & ATTACHMENT

ATTACHMENT

PUBLIC COMMENT

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

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.

THE FOLLOWING CLOSED SESSION WILL BE HELD WITH THE CITY LABOR NEGOTIATORS.

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)

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

Authority: Government Code section 54957.6(a)

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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)

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) 24 hours in advance.