



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
June 20, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:03 P.M.

Present: Burt, DuBois, Filseth, Holman, Kniss, Scharff arrived at 6:27 P.M., Schmid, Wolbach arrived at 5:15 P.M.

Absent: Berman

## Closed Session

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Authority: Govt. Code Section 54956.8  
Property: 4230-4270 Terman Drive, Palo Alto, CA 94306  
Assessor's Parcel Numbers 167-05-029 and 167-04-008  
Agency Negotiators: James Keene, Lalo Perez, Hamid Ghaemmaghani  
Negotiating Parties: Terman Associates, LP and City of Palo Alto  
Under Negotiation: Potential Sale of City Purchase Option – Including Price and Terms of Payment.

**MOTION:** Council Member Schmid moved, seconded by Council Member Kniss to go into Closed Session.

**MOTION PASSED:** 6-0 Berman, Scharff, Wolbach absent

Council went into Closed Session at 5:05 P.M.

Council returned from Closed Session at 6:18 P.M.

Mayor Burt announced no reportable action.

## Agenda Changes, Additions and Deletions

None.

# ACTION MINUTES

## Minutes Approval

2. Approval of Action Minutes for the June 6, 2016 Council Meeting.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor Scharff to approve the Action Minutes for the June 6, 2016 Council Meeting.

**MOTION PASSED:** 8-0 Berman absent

## Consent Calendar

**MOTION:** Council Member Holman moved, seconded by Council Member Kniss, third by Council Member Filseth to pull Agenda Item Number 10-411-437 Lytton Avenue [14PLN-00489]: Appeal... to be moved to a date uncertain.

**MOTION:** Council Member Kniss moved, seconded by Mayor Burt, third by Council Member Wolbach to pull Agenda Item Number 12- Denial of a Request for Waiver of the City's ... to be moved to a date uncertain.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor Scharff to approve Agenda Item Numbers 3-9, 11, and 13-16.

3. Approval of the Renewal of a Public-Private Partnership Agreement Between the City of Palo Alto and TheatreWorks, Palo Alto Players and West Bay Opera for the use of the Lucie Stern Community Theatre.
4. Approval of a Contract With Con-Quest Contractors, Inc., in the Amount of \$3,293,734 for Channing Avenue/Lincoln Avenue Storm Drain Improvements - Phase III, Capital Improvement Program Project SD-11101, and Approval of a Budget Amendment in the Storm Drainage Fund.
5. Resolution 9604 Entitled, "Resolution of the Council of the City of Palo Alto Approving a Professional Services Agreement Between the Northern California Power Agency and the Cities of Palo Alto and Santa Clara for Electric Transmission, Generation and Regulatory Consulting Services for a One-Year Term."
6. Approval of a Program Agreement With Motivate, LLC for the Continuation of Bike Share Operations and Maintenance of Existing

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Bay Area Bike Share (BABS) Equipment From June 30, 2016 to November 30, 2016 While a Replacement Bike Share System is Planned and Deployed.

7. Review and Approval of Concept Plans for Quarry Road and Transit Center Bicycle and Pedestrian Improvements Consistent With the Stanford University Medical Center Development Agreement.
8. Approval of a Professional Services Contract With CAD Masters, Inc. for the Ongoing Support, Maintenance, Development, and Enhancement of the Geospatial Design and Asset Management System for the Utilities Department in an Amount of \$500,000 per Year for a Total Amount Not-To-Exceed \$2,500,000 for up to Five Years.
9. Approval of a Contract With Graham Contractors, Inc., in the Amount of \$1,340,469 for the FY 2017 Street Maintenance Program Preventive Street Maintenance Project, Capital Improvements Program Project PE- 86070.
10. ~~411 437 Lytton Avenue [14PLN 00489]: Appeal of the Planning and Community Environment Director's Architectural Review Approval for the Construction of a new Three Story Mixed-use, Office and Residential Building (two units) and a 1,417 SF Addition to an Existing Historic Category 2 Residence on two Lots to be Merged. A two Level Underground Parking Garage is Proposed to be Constructed Under the new Mixed-use Building Adjacent to the Existing Residential Building. Environmental Assessment: A Mitigated Negative Declaration has Been Prepared. Zoning District: Community Commercial Downtown District and Pedestrian Shopping Combining District CD C(P).~~
11. Approval of Acceptance of State Funding in the Amount of \$424,000 for the Replacement of the City's 9-1-1 System.
12. ~~Denial of a Request for Waiver of the City's Moratorium on Conversion of Ground Floor Retail for the Property at 100 Addison Avenue.~~
13. Resolution 9605 Entitled, "Resolution of the Council of the City of Palo Alto Calling a General Municipal Election for Tuesday, November 8, 2016."

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14. Approval of a Contract for On-Call Traffic Signal Equipment Installation Services for Three Years in the Amount of \$375,000 With Bear Electric Solutions, Inc.
15. Approval of a Cooperation and Support Agreement With Friends of the Magical Bridge Playground and Authorization to Remit \$38,302 in Remaining Funds to the Friends for Playground Services and Activities.
16. Renewal of "Smart Cities" Partnership With Yangpu District, Shanghai, China.

**MOTION PASSED:** 8-0 Berman absent

## Action Items

17. PUBLIC HEARING: Resolution 9606 Entitled, "Resolution of the Council of the City of Palo Alto Confirming the Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein."

Public Hearing opened and closed without public comment at 6:55 P.M.

**MOTION:** Council Member Kniss moved, seconded by Council Member Schmid to adopt a Resolution confirming the Weed Abatement Report and order abatement costs to be a special assessment on the properties specified in the report.

**MOTION PASSED:** 7-0 DuBois not participating, Berman absent

18. Midtown Connector Feasibility Study and Direction Regarding Potential Bicycle and/or Pedestrian Paths Along Matadero Creek or Parallel Routes.

**MOTION:** Council Member DuBois moved, seconded by Council Member Filseth to direct Staff to:

- A. Investigate minor improvements to Loma Verde Avenue and a separated path on East Meadow Drive and see if the Santa Clara County grant money can be applied to the East Meadow Drive improvements; and

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- B. Focus on a crossing at East Meadow Drive and Alma Street with consideration for the Caltrain trench discussion.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to remove from the Motion Part A, "minor."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion Part B "or Loma Verde Avenue" after "East Meadow Drive."

**AMENDMENT:** Mayor Burt moved, seconded by Council Member Kniss remove from Motion Part B, "at East Meadow Drive or."

## **AMENDMENT WITHDRAWN BY THE MAKER**

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member XX to add to Motion Part A, "if not proceed, use the grant money on Segments D, E, and F."

## **AMENDMENT WITHDRAWN BY THE MAKER**

**SUBSTITUTE MOTION:** Vice Mayor Scharff moved, seconded by Council Member Schmid to:

- A. Direct Staff to work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, return to Council of where to use the grant money on Segments D, E, and F; and
- B. Focus on a crossing at Loma Verde Avenue and return to Council prior to spending the funds.

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Substitute Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

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**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Substitute Motion Part A, "or the Loma Verde Avenue path is determined to be infeasible" after "and if not."

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part B of the Substitute Motion with, "return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds."

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace Part A of the Substitute Motion with,

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F.

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member DuBois to remove from the Substitute Motion Part B, "if not or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F."

**AMENDMENT RESTATED:** Council Member Wolbach moved, seconded by Council Member DuBois to replace in the Substitute Motion Part B, "if not or the Loma Verde Avenue path is determined to be infeasible, return to Council of where to use the grant money" with "if not return to Council with alternatives for use of the grant money if possible."

**AMENDMENT FAILED:** 3-5 DuBois, Filseth, Wolbach yes, Berman absent

**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Substitute Motion Part A, "with clear indication of what signage and on street markings would be recommended by Staff."

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**INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to remove from the Motion Part B, "of where."

**SUBSTITUTE MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member Schmid to:

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements with clear indication of what signage and on street markings would be recommended by Staff; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue path is determined to be infeasible, return to Council to use the grant money on Segments D, E, and F; and
- C. Return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds; and
- D. Adopt the Midtown Connector Feasibility Study.

**SUBSTITUTE MOTION AS AMENDED PASSED:** 7-1 DuBois no, Berman absent

Council took a break from 9:29 P.M. to 9:39 P.M.

- 19. PUBLIC HEARING: 567 Maybell Avenue [15PLN-00270]: Approval of Mitigated Negative Declaration and Tentative Tract Map With Lot Size Exceptions to Subdivide Four Parcels Totaling 2.47 Acres Into 16 Single-Family Lots, Ranging from 5,000 SF to 6,186 SF, and one Parcel for a Private Street. Environmental Assessment: Mitigated Negative Declaration. Zoning Districts: R-2 and RM-15.

Public Hearing opened at 10:09 P.M.

Public Hearing closed at 10:50 P.M.

This Agenda Item was continued to the June 28, 2016 Council meeting.

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20. Approval of one Contract and two Contract Amendments: (1) Construction Contract With Wadsworth Golf Construction Company in the Amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, CIP PG-13003; (2) Deductive Change Order Number 1 With Wadsworth Golf Construction Company in the Amount of \$1,191,800, Reflecting Cost Savings; and (3) Amendment Number 2 to Contract C13148028 With Golf Group, Ltd. in the Amount of \$125,720 for Construction Support and Environmental Mitigation Monitoring Services; Discussion and Direction to Staff Regarding Updated Pro-Forma and Financing Options; Adoption of Resolution 9607 Entitled, "Resolution of the Council of the City of Palo Alto Declaring Intention to Reimburse Expenditures From the Proceeds of Tax-Exempt Obligations (e.g. Certificates of Participation) for a Not-To-Exceed Par Amount of \$10.5 Million to Fund a Portion of the Cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and Approval of a Budget Amendment in the General Capital Improvement Fund."

**MOTION:** Council Member Kniss moved, seconded by Council Member Holman to:

- A. Approve, and authorize the City Manager or his designee to execute, a contract with Wadsworth Golf Construction Company in the amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, Capital Improvement Program Project PG-13003; and
- B. Approve, and authorize the City Manager or his designee to execute, deductive Change Order No. One to the contract with Wadsworth Golf Construction Company in the amount of \$1,191,800 to reflect negotiated cost savings measures to be incorporated into the project; and
- C. Authorize the City Manager or his designee to negotiate and execute one or more additional change orders to the contract with Wadsworth Golf Construction Company for related, additional but unforeseen, work which may develop during the project, the total value of which shall not exceed \$1,077,282; and
- D. Approve, and authorize the City Manager or his designee to execute, Amendment No. Two to Contract No. C13148028 with Golf Group, Ltd. in the amount of \$125,720 for construction support and environmental mitigation monitoring services for the Palo Alto Municipal Golf Course



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Reconfiguration Project (PG-13003). The amendment includes \$52,395 for basic services and \$73,325 for additional services. The revised total contract amount is not to exceed \$1,127,751, including \$831,995 for basic services and \$295,756 for additional services; and

- E. Adopt a Resolution declaring intention to reimburse expenditures from the proceeds of tax-exempt obligations (e.g. Certificates of Participation) for not-to-exceed par amount of \$10,500,000 to fund a portion of the cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and
- F. Amend the Fiscal Year 2017 Budget Appropriation for the General Capital Improvement Fund by:
  - i. Increasing the estimate for Other Revenue from financing proceeds in the amount of \$2,017,616; and
  - ii. Increasing the Capital Improvement Program appropriation for the Golf Reconfiguration & Baylands Athletic Center Improvements Project PG-13003 by \$2,252,248; and
  - iii. Decreasing the Capital Infrastructure Reserve by \$234,632.

**MOTION PASSED:** 8-0 Berman absent

## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Vice Mayor Scharff reported his attendance at the Bay Area Conservation and Development Commission (BCDC) meeting where the Commission approved a design school on the Oracle campus for high school students.

Council Member Kniss reported that the Bay Area Air Quality Management District (BAAQMD) recently moved into a new building which is shared by the Metropolitan Transit Commission (MTC) and the Association of Bay Area Governments (ABAG).

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Council Member Wolbach reported his participation on a ride-along with a Palo Alto Police Officer this past Tuesday. During the ride-along, he joined the Officer representing the Palo Alto Police Department in response to the death of San Jose Police Officer Michael Katherman. He requested Council Members and the community remember Office Katherman, thank Palo Alto Police Officers for their continued service, and remember to drive and ride carefully.

Mayor Burt reported his and his wife's attendance this past Friday at the opening of *Fired Up: Monumental Clay* at the Palo Alto Art Center. He encouraged members of the community to visit the show. He reported his attendance Saturday night at the Achieve Kids annual Reach for the Stars BBQ. He reported his attendance at and the success of World Music Day on Sunday.

Adjournment: The meeting was adjourned in honor of Joe Shakes at 11:52 P.M.