

# ACTION

Special Meeting  
March 07, 2011

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:04 p.m.

Present: Burt, Espinosa, Holman, Klein, Price, Scharff, Schmid, Shepherd, Yeh

Absent:

## CLOSED SESSIONS

1. CONFERENCE WITH LABOR NEGOTIATORS  
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Sandra Blanch, Marcie Scott, Darrell Murray)  
Employee Organization: Palo Alto Police Officers Association  
Authority: Government Code Section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS  
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Lalo Perez, Joe Saccio, Sandra Blanch, Marci Scott, Darrell Murray)  
Unrepresented Employee Group: Management, Professional and Confidential Employees  
Authority: Government Code Section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS  
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Sandra Blanch,

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Marcie Scott, Roger Bloom, Darrell Murray)  
Employee Organization: Palo Alto Fire Chiefs' Association  
Authority: Government Code Section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Lalo Perez, Joe Saccio, Sandra Blanch, Marci Scott, Darrell Murray)  
Employee Organization: Service Employees International Union, Local 521  
Authority: Government Code Section 54957.6(a)

The City Council reconvened from the Closed Session at 7:44 p.m. and Mayor Espinosa advised no reportable action.

SPECIAL ORDERS OF THE DAY

2. Community Partners Non-Profit Presentation- Canopy.
3. Proclamation of the Council of the City of Palo Alto for National Arbor Day and California Arbor Week.

Council Member Holman read the Proclamation into the record.

4. Resolution 9147 entitled "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Wayne Fluss Upon His Retirement."

**MOTION:** Council Member Price moved, seconded by Vice Mayor Yeh to approve the Resolution expressing appreciation to Wayne Fluss upon his retirement.

**MOTION PASSED:** 9-0

5. Appointments to the Human Relations Commission for Two Terms Ending on March 31, 2014.

**MOTION:** Vice Mayor Yeh moved seconded by Council Member Holman to appoint Claude Ezran and Daryl Savage to the Human Relations Commission for two terms ending on March 31, 2014.

**MOTION PASSED:** 9-0

6. Proclamation of the Council of the City of Palo Alto Proclaiming March 2011 Peace Corps Month.

Vice Mayor Yeh read the Proclamation into the record.

7. APPROVAL OF MINUTES

**MOTION:** Council Member Shepherd moved, seconded by Vice Mayor Yeh to approve the minutes of January 18 and 31, 2011, and February 7, 2011.

**MOTION PASSED:** 9-0

CONSENT CALENDAR

**MOTION:** Council Member Kein moved, seconded by Council Member Shepherd to approve Agenda Item Nos. 8-13.

8. Resolution 9148 entitled "Resolution of the Council of the City of Palo Alto Amending Utility Rule and Regulation 29 (Net Energy Metering Service and Interconnection)."
9. Deferral of Adoption of the Energy Risk Management Policy.  
*(Continued from 1/18/11).*
10. Resolution 9149 entitled "Resolution of the Council of the City of Palo Alto Amending the Administrative Penalty Schedule to Update Parking Violation Penalties to Implement a State Mandated Surcharge Identified in Senate Bill 857."
11. Approval of High Speed Rail Committee Name Change to Rail Committee.
12. Resolution 9150 entitled "Resolution of the Council of the City of Palo Alto Authorizing the City Manager to Submit Application(s) and Sign Related Agreement(s) for the California Department of Resources Recycling and Recovery (CalRecycle) Rubberized Asphalt Concrete (RAC) Grant Program."
13. Approval and Authorization for City Manager to enter into Amendment No. 1 to contract with Systems Planning Corporation/Tri Data Division to add \$40,000 for preparation of an EMS study for a total contract amount not to exceed \$87,000. Authorize the City Manager to sign an amendment to the agreement with Systems Planning corporation/Tri Data Division in the amount of \$34,000 to complete the City of Palo Alto Emergency Medical Services Resources, Services and Utilization Study.

**MOTION PASSED:** 9-0

## ACTION ITEMS

14. Public Hearing: Approval of a Mitigated Negative Declaration and Adoption of an Ordinance to Amend the Existing Palo Alto Commons Planned Community ("PC") to Add a 0.83 Acre Site and Rezone it to PC from CN and RM-15 for a new 3-story Building Providing 44 Senior Assisted Living Rental Units at 4041 El Camino Way.

Council Member Holman advised that she would not be participating in this item as she has a conflict due to collecting rent from one of the tenants. She left the meeting at 8:20 p.m.

Public hearing opened at 8:40 p.m.

Public hearing closed at 9:34 p.m.

**MOTION:** Council Member Price moved, seconded by Council Member Scharff to: 1) approve the initial Study and Mitigated Negative Declaration, in accordance with the California Environmental Quality Act (CEQA); and 2) adopt the proposed Ordinance, and amendment to the existing Palo Alto Commons Planned Community (PC-3775) zone district to add the 0.83 acre site to the existing 1.7 acre site, and construct senior assisted rental housing facility to replace the existing buildings at 4041 El Camino Way.

**MOTION PASSED:** 8-0 Holman not participating

Council Member Holman returned at 9:44 p.m.

15. Finance Committee Recommendation to Adopt Resolution 9151 entitled "Resolution of the Council of the City of Palo Alto Approving the Proposed Gas Utility Long-Term Plan (GULP) Objectives, Strategies, and Implementation Plan." *(Continued from Council meeting of 1/10/11).*

**MOTION:** Council Member Scharff moved, seconded by Council Member Schmid to approve the Finance Committee, Staff, and the Utilities Advisory Commission recommendation to adopt a Resolution approving the proposed Gas Utility Long-Term Plan (GULP) Objectives, Strategies, and Implementation Plan.

**MOTION PASSED:** 9-0

16. Finance Committee Recommendation to Adopt Resolution 9152 entitled "Resolution of the Council of the City of Palo Alto Approving the Proposed Long-term Electric Acquisition Plan (LEAP) Objectives, Strategies and Implementation Plan."

**MOTION:** Vice Mayor Yeh moved, seconded by Council Member Scharff to accept the Finance Committee, Staff, and the Utilities Advisory Commission to adopt the Resolution approving the proposed Long-Term Electric Acquisition Plan (LEAP) Objectives, Strategies, and Implementation Plan.

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member XXXX to include conversion technologies as a part of the 38 Initiatives on the Implementation Plan.

#### **AMENDMENT FAILED DUE TO LACK OF A SECOND**

**MOTION PASSED:** 9-0

17. Colleague's Memo from Vice Mayor Yeh and Council Member Shepherd to Request that the City Council Review and Comment on Suggested Items for the City/Schools Committee Agenda for Calendar year 2022.

**MOTION:** Council Member Klein moved, seconded by Council Member XXXX to continue this item to the March 14, 2011 Council meeting.

#### **MOTION FAILED DUE TO LACK OF A SECOND**

**MOTION:** Council Member Burt moved, seconded by Council Member Holman to authorize the City/School Council liaisons to set their agenda for the next 1-2 years based upon the Colleagues memo and feedback from the Council meeting and integrate it into the normal agendas of the City/School Liaison Committee.

**SUBSTITUTE MOTION:** Council Member Scharff moved, seconded by Council Member XXXX to: 1) confirm the authority of the Council City/School Liaisons; 2) give them authority to take the comments made this evening back to the City/School Committee; and 3) set the agenda for the 2011 City/School Committee incorporating the comments and feedback from tonight's meeting.

#### **SUBSTITUTE MOTION FAILED DUE TO LACK OF A SECOND**

#### **ORIGINAL MOTION WITHDRAWN MY MAKER**

#### COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Burt reported on attending the San Francisquito JPA meeting where they reviewed moving forward with a State grant application for the Phase I Below Grade Highway 101 plan, and other Highway 101 and Newell Street Bridge changes. He stated he will also be sitting on an Emergency Preparedness Committee through the San Francisquito JPA where they will integrate and fulfill objectives using an early warning

system website. He also attended the Peninsula Cities Consortium where they discussed what San Mateo County is doing in regards to High Speed Rail.

Council Member Klein advised that he will be going to meet with 10 Congress members or their staffs in Washington, D.C.regarding High Speed Rail.

ADJOURNMENT: The meeting was adjourned at 12:16 a.m.