

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  
August 3, 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 Clerk Donna Grider

Authority: Government Code section 54957

### 2. CONFERENCE WITH LABOR NEGOTIATOR

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

Employee Organization: Local 521 Service Employees International Union

Authority: Government Code Section 54957.6(a)

### CONFERENCE WITH LABOR NEGOTIATOR

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, 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 NEGOTIATOR

Agency Negotiator: City Manager and his designees pursuant to

Merit Rules and Regulations (James Keene, Kelly Morariu, Russ Carlsen, Sandra Blanch, Darrell Murray, Marcie Scott, Joe Saccio)

Employee Organization: Palo Alto Peace Officers' Association

Authority: Government Code Section 54957.6(a)

#### CONFERENCE WITH LABOR NEGOTIATOR

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, Joe Saccio, Marcie Scott)

Employee Organization: Local 1319, International Association of Fire Fighters and Professional Personnel and Council Appointees

Authority: Government Code section 54957.6(a)

#### CONFERENCE WITH LABOR NEGOTIATOR

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

Employee Organization: Palo Alto Fire Chiefs' Association

Authority: Government Code Section 54957.6(a)

**8:00 PM or as soon as possible thereafter**

SPECIAL ORDERS OF THE DAY

3. Proclamation for National Night Out 2009

ATTACHMENT

4. Presentation of the Circle of Excellence Award by the Association of Government Accountants (AGA) to the City of Palo Alto for the City Auditor's 7<sup>th</sup> Annual Service Efforts and Accomplishments (SEA) Report.

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.*

CONSENT CALENDAR

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

5. Designation of Voting Delegate and Alternate for 2009 League Conference

ATTACHMENT

6. Direction to City Clerk to Use the Secretary of States' Randomized Alphabet Drawing for the Order of Candidates' Names on the Ballot

ATTACHMENT

7. Approval of a Utilities Electric Fund Contract with West Valley Construction in the Amount of \$3,193,143 for Trenching and Installation of Utility Substructure for Underground Utility District No. 45, and for Rebuilding of Underground Districts 17, 19, & 24 (Capital Improvement Program Projects – EL-06002, EL-09003, EL-11008, and

EL-10006), and Approval of Addendum No. 1 to the Agreement for Joint Participation in the Installation of the Underground Facilities System Between the City of Palo Alto, AT&T and Comcast Corporation of California IX, Inc.

CMR 346:09 and ATTACHMENTS

8. Approval of a Utilities Enterprise Fund Contract with Casey Construction, Inc. in the Total Amount of \$652,066 for the 2009-2010 Utility Trench and Substructure Installation Throughout the City

CMR 337:09 and ATTACHMENTS

9. Finance Committee Recommendation to Adopt a Resolution Approving the Ameresco Johnson Canyon Landfill Gas Renewable Energy Power Purchase Agreement for the Acquisition of Up to Two Average Megawatts of Energy Over Twenty Years at an Estimated Cost Not to Exceed \$30 Million

343:09 and ATTACHMENTS

10. Appointment of Lalo Perez as City Manager Pro Tem for the September 14, 2009 City Council Meeting

CMR 341:09 and ATTACHMENTS

11. Adoption of a Park Improvement **Ordinance for the Renovation of Lytton Plaza – Capital Improvement Program Project PE-08004; Approve an Agreement with the Friends Of Lytton Plaza, L.L.C., for the Design, Construction and Installation of Park Facilities and Other Improvements at Lytton Plaza;**and Adoption of an **Ordinance Amending the Budget for Fiscal Year 2010 to Accept Donations and to Provide an Additional Appropriation in the Amount of \$348,800 and Accept a Donation in the Same Amount From the Friends of Lytton Plaza, L.L.C., and to Allocate an**

**Additional \$50,000 From the Infrastructure Reserve for the City's Contribution (Not to Exceed \$400,000) to Capital Improvement Program Project PE-08004**

CMR 306:09 and ATTACHMENTS

12. Finance Committee Recommendation to Direct Staff to Re-examine the Electric Power Acquisition and Energy Efficiency Policies and Plans

CMR 342:09 and ATTACHMENTS

13. Approval of transfer of \$70,000 from Council Contingency to Fund High Speed Rail Informational Symposium, Design Workshop, and Technical Consulting Services related to City review of the San Francisco to San Jose High Speed Train (HST) Project EIR

CMR 344:09 and ATTACHMENTS

14. Approval of Recommendation to Direct Staff to Design a Third-Party City of Palo Alto Utilities Department Zero-Interest Energy Efficiency Loan Program for Small Commercial Customers

CMR 336:09 and ATTACHMENTS

15. Approval of a New Contract with the Independent Police Auditor, OIR (Office of Independent Review) for Up to Three Years in an Amount Not to Exceed \$27,500 Per Year and Approval of \$1,500 from the Council Contingency

ATTACHMENTS

16. Adoption of a Resolution Amending Resolution No. 8904 to Change the City Council Vacation Schedule for Calendar Year 2009 to End on September 7, 2009

CMR 348:09 and ATTACHMENTS

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.*

PUBLIC HEARINGS

17. Public Hearing to Confirm Weed Abatement Report and Adoption of a Resolution Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein

CMR 310:09 and ATTACHMENTS

REPORTS OF OFFICIALS

18. Adoption of a **Budget Amendment Amending the Budget for Fiscal Year 2010 to Provide Additional Appropriations of \$688,038 for Retiree Medical Expenditures as Updated with the Retiree Medical Actuarial Study Completed 2009**

CMR 331:09 and ATTACHMENTS

19. Adoption of a Resolution Amending Green Building Standards for Compliance, Tables A & B for Non-Residential and Residential Projects, and Review of Report on Implementation of the City's Green Building Ordinance

CMR 332:09 and ATTACHMENTS

20. Adoption of a Resolution Amending the Structure of the Palo Alto/Stanford Citizen Corps Council and Establishing the Citizen Corps Council as a Member of the Palo Alto Emergency Services Council

CMR 327:09 and ATTACHMENTS

21. Acceptance of City Manager's Responses to Independent Police Auditor's Systemic Recommendations Regarding the Children's Theatre Criminal Investigation

CMR 349:09 and ATTACHMENTS

22. Adoption of a Resolution Approving Amendment One to the Northern California Power Agency Third Phase Agreement for Western GeoPower Incorporated Renewable Energy Power Purchase Agreement for the Acquisition of up to Seven Average Megawatts of Energy over Twenty Years at an Estimated Cost Not to Exceed \$128 Million

CMR 347:09 and ATTACHMENTS

23. Approval of Changes to the Compliance Procedures for Private Intrusion Alarms

CMR 340:09 and ATTACHMENTS

COUNCIL MATTERS

24. Approval of City Manager Performance Evaluation Criteria

ATTACHMENTS

## COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

*Members of the public may not speak to the item(s).*

## 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.*