

Regular Meeting  
May 16, 2011

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:06 P.M.

Present: Burt, Espinosa, Klein arrived @ 7:07 P.M., Scharff, Schmid, Shepherd, Yeh arrived @ 7:09 P.M.

Absent: Holman, Price

SPECIAL ORDERS OF THE DAY

1. Proclamation Community Star Awards.

Director of Community Services, Greg Betts stated it was an honor to spotlight the partnership organizations that assist the City in accomplishing things, making the community safer and fun, more educationally vibrant, and more cost sustainable. The Community Services Department recognizes the stars of the community, the first went to Teri Vershel, the Vice-Chair of the Palo Alto Art Center.

Council Member Scharff read the Proclamation for Teri Vershel into the record.

Director of the Art Center, Karen Kienzle acknowledged the work of Ms. Vershel and noted she was a dedicated, passionate, and fierce fund raiser. She thanked Ms. Vershel for her work and dedication to the Art Center.

Teri Vershel thanked the Council and the community for the honor.

Mayor Espinosa noted the Art Center was closed for renovations and had become mobile to share the artwork with schools and the different community centers around the City. The ground breaking ceremony will be held on July 16, 2011.

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Mr. Betts stated the next effort being recognized was for the volunteers of Summer's Excellent Adventure.

Council Member Schmid read the Proclamation for the Summer's Excellent Adventure Volunteers into the record.

Minka van der Zwaag thanked the Council for recognizing the youth that volunteer their time to help others.

Mr. Betts stated the next recipient was Elizabeth Hogan for her many contributions for the Friends of Palo Alto Parks.

Council Member Burt read the Proclamation for Elizabeth Hogan into the record.

Open Space and Parks Division Manager, Daren Anderson thanked Ms. Hogan for her years of effort and support for the Parks and Open Space lands.

Elizabeth Hogan thanked the Council and Staff for their recognition.

Mr. Betts stated the final recipient of the evening was Becky Beacom for her many contributions and efforts with the Project Safety Net.

Council Member Shepherd read the Proclamation for Becky Beacom into the record.

Recreation and Golf Division Manager, Rob de Geus stated it had been a pleasure working with Ms. Beacom.

Becky Beacom thanked the Council and her organization for believing in her work.

Mayor Espinosa thanked all of the recipients for their work and commitment to the City and its community.

2. Proclamation Recognizing the Housing Trust of Santa Clara County for Their Work Promoting Affordable Housing.

Vice Mayor Yeh read the Proclamation into the record.

Jessica Garcia-Kohl accepted the Proclamation on behalf of the Housing Trust of Santa Clara County and thanked the Council for bringing attention to the need for affordable housing.

3. Selection of Candidates to be Interviewed for the Utilities Advisory Commission for Two Terms Ending on June 30, 2014.

**MOTION:** Council Member Klein moved, seconded by Vice Mayor Yeh to interview all applicants for the two terms ending on June 30, 2014.

**MOTION PASSED:** 7-0 Holman, Price absent

#### CITY MANAGER COMMENTS

City Manager, James Keene spoke on; 1) the Palo Alto Youth Forum being held on May 21, 2011 at the Cubberley Community Center, 2) the Bike to Work Day on May 12, 2011 had a 2.5 percent increase over the 2010 year, 3) on May 19<sup>th</sup> the first Rail Corridor Study community workshop will be held at the Lucie Stern Community Room, 4) the month of May was National Historic Preservation Month, and 5) on May 18<sup>th</sup> the American Public Works Association Silicon Valley Chapter will be presenting the Award of Merit to the Palo Alto project team for the College Terrace Library Rehabilitation Project.

#### ORAL COMMUNICATIONS

Wynn Grcich spoke regarding bio-chemical cremations and their hazards on the groundwater.

Cleveland Kennard spoke regarding racism.

Richard Brand spoke regarding the delay of the Tour de California bike race and suggested returning the event to Palo Alto.

#### CONSENT CALENDAR

Hunter Ziesing spoke regarding Agenda Item No. 8, the Echelon Gran Fondo bike race.

Council Member Klein advised he would not be participating in Agenda Item Number 5 where it pertained to a contract with Wave One because they were his clients.

**MOTION:** Council Member Shepherd moved, seconded by Council Member Scharff to approve Agenda Item Numbers 4, 6-9.

4. Approval of Sponsorship of the 2011 United Nations Association Film Festival and Authorization for the City Manager to Enter into a Sponsorship Agreement in an Amount Not to Exceed \$10,000.
5. Approval of Energy Efficiency Contracts with Acetera, Base Energy, Inc., Bay Area Refrigeration/Castrovilla, Ecology Action, SBW Consulting, Inc., Synergy Companies, Wave One and Willdan Energy

Solutions; for Expansion of a Large Business 3<sup>rd</sup> Party Energy Efficiency Program by Amendment No. 1 of the Contract with Enovity, Inc.; for 3<sup>rd</sup> Party Oversight of Commercial Efficiency Programs with Energy & Resource Solutions; and for Evaluation, Measurement and Verification of Programs with Navigant Consulting in the Combined Amount of \$2,096,986 for the First Year from Gas and Electric Public Benefit and Supply Funds.

6. Approval of a Water Enterprise Fund Contract with Proven Management, Inc. in a Not to Exceed Amount of \$4,843,777 for the Construction of the Mayfield Pump Station Augmentation Project WS-08002-50.
7. Budget Amendment Ordinance 5120 for Fiscal Year 2011 to Transfer Funds from the FY 2012 Street Resurfacing Budget into the FY 2011 Street Resurfacing Budget and Approval of a Contract with O'Grady Paving, Inc. in the Amount of \$2,065,308 for the 2011 Street Maintenance Program Asphalt Overlay Capital Improvement Program Project PE-86070.
8. Request for Approval to Authorize the City Manager to sponsor the Palo Alto Gran Fondo/Echelon Challenge/ Taste of Palo Alto Community Event for September 17, 2011, Not to exceed \$50,000.
9. Confirmation of Appointment of Monique le Conge as Director of Libraries and Approval of At-Will Employment Agreement.

**MOTION PASSED for Agenda Item Nos. 4, 6-9:** 7-0 Holman, Price absent.

**MOTION:** Vice Mayor Yeh moved, seconded by Council Member Shepherd to approve Agenda Item Number 5 with the exception of the contract with Wave One.

**MOTION PASSED:** 7-0 Holman, Price absent

**MOTION:** Vice Mayor Yeh moved, seconded by Council Member Shepherd to approve Agenda Item Number 5 as it pertains to the Wave One contract.

**MOTION PASSED:** 6-0 Holman, Price absent, Klein not participating.

Mayor Espinosa introduced Monique le Conge as the new Library Director for the City of Palo Alto.

Library Director, Monique le Conge stated she was looking forward to being a part of the Palo Alto community.

## STUDY SESSION

### 10. Wireless Communications Facilities.

The Council conducted a Study Session on Wireless Telecommunications Facilities, receiving presentations and commentary from Staff and Staff's Consultant, representatives from the wireless industry, the Joint Venture Silicon Valley Network, local cities, and members of the public. The Council expressed appreciation for Staff's efforts to provide context for the community on the subject, and noted their concerns and desires for future conversations.

## COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Shepherd reported on attending the Santa Clara Valley Transportation Agency El Camino Corridor Rapid Transit meeting on Friday, May 13, 2011. She advised they would be hosting a meeting in Council Chambers on June 20, 2011 with all the information on the El Camino Rapid Transit Corridor.

Vice Mayor Yeh reported on attending the Northern California Power Agency annual lobbying effort in Washington, D.C. last week. Discussions centered on hydropower legislation, clean energy standards, debt limit, and cyber security.

Council Member Klein reported on attending the Santa Clara County Cities Association (SCCCA) meeting last week where the discussion focused on; 1) the process of redistricting for County Supervisors was underway based on the recent census data, 2) the City of Los Altos was considering leaving the PERS system, 3) the SCCCA was reducing annual membership dues for the upcoming Fiscal Year, and 4) Santa Clara County Supervisor Liz Kniss would be hosting a Caltrain meeting on May 17, 2011 in Council Chambers.

The City Council convened into the Closed Session at 11:16 P.M.

## CLOSED SESSION

### 11. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION

Subject: Sterling Park, et al. v. City of Palo Alto, Santa Clara County Superior Court, Case No. 109-CV-154134; California Court of Appeal, Sixth Appellate District Case No.: H036663

Subject Authority: Government Code section 54956.9(a)

The City Council reconvened from the Closed Session at 11:23 P.M. and Mayor Espinosa announced no reportable action.

ADJOURNMENT: The meeting was adjourned at 11:24 P.M.