

CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting March 3, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:07 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price, Scharff, Schmid,

Shepherd

Absent:

STUDY SESSION

1. Water Shortage Study Session.

No action required.

SPECIAL ORDERS OF THE DAY

2. <u>Resolution 9397</u> entitled "Resolution of the Council Expressing Appreciation to Denny Neverve Upon His Retirement."

MOTION: Mayor Shepherd moved, seconded by Vice Mayor Kniss to approve the Resolution expressing appreciation to Denny Neverve upon his retirement.

MOTION PASSED: 9-0

AGENDA CHANGES, ADDITIONS AND DELETIONS

Mayor Shepherd announced that Council would hear Agenda Item No. 11 before Agenda Item No. 10.

CONSENT CALENDAR

MOTION: Council Member Price moved, seconded by Council Member Berman to approve Agenda Item Numbers 3-7, adding \$20,000 to Turner Construction amendment as noted in the at places memorandum.

- 3. Recommending Authorization of Indemnity Agreement With Santa Clara Stadium Authority to Allow Provision of Requested Law Enforcement Services to Levi's Stadium.
- 4. Approval of Amendment No. 3 to Contract No. C12141152 Between the City of Palo Alto and Leidos Engineering, LLC.
- 5. Approval of the Purchase of 38 Multi-band Radios for Police and Fire for a Total Amount Not to Exceed \$116,000.
- 6. Request for Authorization to Increase Existing Legal Services Agreement with the Law Firm of Goldfarb & Lipman, LLP (S13149272), by an additional \$175,000 for a Total Not to Exceed Amount of \$230,000 and Adoption of a Budget Amendment Ordinance 5234 to Appropriate \$175,000 from the Residential Housing In-Lieu Fee Fund for Legal Services.
- 7. Authorize the City Manager to Execute a Take-Over Agreement with Fidelity & Deposit Company of Maryland and Federal Insurance Company Establishing Terms for Completion of Construction of the Mitchell Park Library and Community Center and Amendment No.2 With Turner Construction in the Amount of \$740,000 for Extended Construction Management Service.

MOTION PASSED: 9-0

ACTION ITEMS

8. From Finance Committee Review of Development Impact Fees: List of Public Facilities Capital Needs.

MOTION: Mayor Shepherd moved, seconded by Vice Mayor Kniss to approve the Development Impact Fee (DIF) Project Needs List prior to having the City's consultant prepare the quantitative analyses and narratives needed to update some categories of the City's Development Impact Fees.

SUBSTITUTE MOTION: Council Member Burt moved, seconded by Council Member Scharff to return this item back to the Finance Committee to be re-evaluated.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to bring this back to the Council on Consent Calendar, contingent on a unanimous vote

by the Finance Committee, and to return to the Council by the first meeting in June 2014 with whatever portion is ready.

SUBSTITUTE MOTION AS AMENDED FAILED: 3-6 Burt, Holman, Scharff yes

MOTION PASSED: 8-1 Holman no

MOTION: Council Member Scharff moved, seconded by Vice Mayor Kniss to move the Library item to a date in March 2014 and take up Agenda Item No. 11 next.

MOTION PASSED: 7-2 Schmid, Shepherd no

11. Infrastructure Project and Funding Plan.

MOTION: Council Member Klein moved, seconded by Council Member Scharff to approve the Infrastructure Committee recommends that Council approve the Infrastructure Project Funding Plan that allocates existing and potential future City funding to a prioritized project list with the recommendation to move forward with a three percentage point Transient Occupancy Tax (TOT) increase.

SUBSTITUTE MOTION: Council Member Berman moved, seconded by Vice Mayor Kniss to direct Staff to do another poll testing a 1/8 of a cent sales tax increase.

SUBSTITUTE MOTION FAILED: 2-7 Berman, Kniss yes

AMENDMENT: Council Member Berman moved, seconded by Council Member Burt to change the TOT increase from three percent to two percentage point.

AMENDMENT PASSED: 5-4 Price, Scharff, Schmid, Shepherd, no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to change the following language in the main Motion, "Infrastructure Project Funding Plan" to "Infrastructure Project Funding Proposal as included in the March 3, 2014 Staff Report."

MOTION RESTATED: Council Member Klein moved, seconded by Council Member Scharff to approve the Infrastructure Project Funding Proposal as included in the March 3, 2014 Staff Report that allocates existing and potential future City funding to a prioritized project list with the recommendation to move forward with a two percentage point Transient Occupancy Tax (TOT) increase.

MOTION AS AMENDED PASSED: 9-0

MOTION: Council Member Klein moved, seconded by Mayor Shepherd to refer this back to the Infrastructure Committee to consider the necessary projects reductions needed due to reducing the TOT Tax from 3 percent to 2 percent.

MOTION PASSED: 9-0

- 9. Comprehensive Plan Update- Revised Approach, Schedule, Scope of Work, and Contract Amendment in the amount of \$597,206 with The Planning Center | DCE for Consultant Support Related to the Ongoing Update of Palo Alto's Comprehensive Plan for the Future of Our City.
- 10. From Policy and Services Committee Staff Requests Direction From Council on the Naming of the Main Library.

ADJOURNMENT: The meeting was adjourned at 11:09 P.M.