

Special Meeting
March 08, 2010

CLOSED SESSIONS	15
1. CONFERENCE WITH LABOR NEGOTIATORS	15
STUDY SESSION	15
2. Study Session to Provide the Status of Implementation of Council Direction on Composting and to Present Recent Information Regarding Possible Regional Composting Opportunities	16
SPECIAL ORDERS OF THE DAY	17
3. Appointment to the Planning and Transportation Commission for One Unexpired Term Ending on July 31, 2012	17
CITY MANAGER COMMENTS	18
ORAL COMMUNICATIONS	18
APPROVAL OF MINUTES	18
CONSENT CALENDAR	19
4. Approval of a Three-Year Extension to the Agreement with the United States Geological Survey in the Amount of \$186,000 for San Francisco Bay Monitoring	19
5. Approval of Utilities Water, Electric and Gas Enterprise Fund Contract with Enernex Corporation in the Total Amount of \$140,000 for Consulting Services to Develop a Smart Grid Strategic Plan	20
6. Resolution 9042 entitled "Resolution of the Council of the City of Palo Alto Committing \$2.5 Million In-Lieu Fees from SummerHill Homes to Tree House Apartments, L.P. for the Development of the 35-Unit Affordable Housing Tree House Apartments Project at 488 W. Charleston Road."	20

7.	Approval of a Water Enterprise Fund Contract with URS Corporation in the Total Amount of \$482,392 for Professional Engineering Services for the Assessment, Design and Construction Management Services for Coating and Seismic Upgrades of Six Existing City Reservoirs and Rehabilitation of Three Receiving Stations Project WS-07000, WS-08001 and WS-09000.....	20
8.	Ordinance 5073 entitled "Ordinance of the Council of the City of Palo Alto Amending Section 21.04.030(a)(30) of Title 21 (Subdivisions) of the Palo Alto Municipal Code to Revise the Definition of "Private Streets".....	20
9.	Recommendation to Direct the Utilities Advisory Commission to Consider the Fiscal Year 2011 Wastewater Collection Fund Budget and Rates	20
10.	Budget Amendment Ordinance 5074 for Fiscal Year 2010 to Provide Additional Appropriation of \$89,196 Within the General Fund for the County of Santa Clara Registrar of Voters November 2009 Election Costs	20
11.	Confirmation of Appointment of Pamela Antil as Assistant City Manager and Approval of At-Will Employment Contract	20
12.	Confirmation of Appointment of Gregory Betts as Director of Community Services and Approval of At-Will Employment Contract.....	20
13.	Resolution 9043 entitled "Resolution of the Council of the City of Palo Alto to Consent to the City of Palo Alto Being Included Within the Boundaries of the San Mateo County Tourism Business Improvement District and Direction to Terminate Destination Palo Alto Contract."	20
ACTION ITEMS.....		21
14.	Designation of City Manager as Google Fiber to Communities Project Point Person and Approval of and Delegation to the City Manager to Provide Answers to Google's Request for Information for its Fiber for Communities Plan	21
15.	Policy and Services Committee Recommendation to Direct Staff to Perform a Study Evaluating the Impact of Prevailing Wage on City Capital Construction Projects	22
16.	Colleague's Memo from Council Member Yeh, Holman, and Scharff Requesting Council to Refer to Policy & Services Committee to Return with a Recommendation for: 1) an Amendment to City Policy to Require Release of CMRs and Supporting Documents (The Packet) at	

an Earlier Date, and 2) Amend Council Policy Regarding Late Submissions for Planning Projects	27
17. Colleague's Memo from Vice Mayor Espinosa and Council Members Klein, Scharff, and Schmid Requesting the City Council to Appoint an Infrastructure Blue Ribbon Commission (IBRC).	29
18. Public Hearing: Consider the Approval of Water Supply Assessment to Stanford Medical Center Facilities Renewal and Replacement Project (APPLICANT REQUESTS ITEM TO BE CONTINUED BY COUNCIL MOTION TO 3/15/10).	31
COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS	31
ADJOURNMENT: The meeting adjourned at 11:32 P.M.	31

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:00 p.m.

Present: Burt, Espinosa arrived at 6:10 p.m., Holman, Klein, Price, Scharff, Schmid, Shepherd, Yeh arrived at 6:35 p.m.

Absent:

CLOSED SESSIONS

1. CONFERENCE WITH LABOR NEGOTIATORS

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

Employee Organization: Local 521, Service Employees International Union (SEIU) - SEIU Hourly Unit

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, Kelly Morariu, Russ Carlsen, Sandra Blanch, Darrell Murray, Marcie Scott, Lalo Perez, Joe Saccio)

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

Employee Organization: Palo Alto Police Managers' Association (Sworn)

Authority: Government Code Section 54957.6(a)

The City Council returned from the Closed Sessions at 7:25 p.m. and Mayor Burt advised no reportable action taken.

STUDY SESSION

2. Study Session to Provide the Status of Implementation of Council Direction on Composting and to Present Recent Information Regarding Possible Regional Composting Opportunities.

Staff summarized the recent history of Palo Alto's consideration of the management of yard trimmings and other organics. The anticipated closure of Palo Alto's Compost Facility in 2012 triggered the formation of a Compost Blue Ribbon Task force (Task Force) which operated from March through September, 2009. The Task Force sent its Report to Council on October 19, 2009, with a series of recommendations. The lead recommendation was to change the current windrow composting operation to aerated static piles, and move it to a site at the southeastern corner of the Airport, as an interim step. Anaerobic digestion was recommended to be added as a second step. On October 19, 2009 Council thanked the Task Force for its work and directed Staff to follow up with further analysis. The results of that follow up analysis were presented at the March 8, 2010 Study Session. Council had requested analysis for 3 Palo Alto sites and further work on partnering with other cities outside Palo Alto. With respect to the Palo Alto sites, Staff concluded that the Airport site would have negative impacts on the Airport, that the Private Lands site would be too expensive to buy, and that the Parkland/Landfill site was unavailable because it is on dedicated parkland. Therefore, Staff anticipates making the following recommendations on April 5, 2010 when the item returns to Council for action: Recommendation to direct Staff to: 1) Defer further action on an anaerobic digestion facility or aerated static pile composting facility within Palo Alto, until and unless a usable site is identified; 2) To examine the feasibility of energy conversion technologies during the upcoming Regional Water Quality Control Plant master planning process; 3) To pursue partnering opportunities with SMaRT® Station partners and organic waste processing companies that are developing energy conversion facilities within a 20-mile radius of Palo Alto; and 4) To resume acceptance of commercial garbage at the Landfill. Council members asked questions of Staff and members of the public addressed the options. Most of the public comment addressed the Parkland/Landfill site and whether it should be considered further, in light of it currently being on dedicated parkland. Staff explained that a vote of the electorate is required to reverse the longstanding decision to designate the area as parkland.

Trish Mulvey, 527 Rhodes Drive, spoke regarding the potential impacts in pursuing the composting project.

Bryan Long, 1413 Dana Avenue, spoke regarding the potential for processing waste while providing a profit return.

Mary Carlstead, 147 Walter Hays, supported moving forward with the completion of the park project.

Enid Pearson, Forest Court, supported moving forward with the completion of the park project.

Amol Deshpande, 326 College Avenue, spoke regarding the future of organic waste management.

Kent Schneeveis, 1093 Maddux Drive, spoke regarding the anaerobic digestion process.

David Coale, 766 Josina Avenue, spoke regarding the provision of park dedications and removing the incineration process.

Emily Renzel, 1056 Forest Avenue, spoke regarding the impacts to the park from the odors of the Water Treatment Plant.

Tom Jordan, 474 Churchill Avenue, stated the Baylands Master Plan were approved by Council previously and should be followed without change.

Lawrence Garwin, College Terrace, stated the future residents will be most affected by the decisions being made on how to move forward now.

Peter Holoyda, Woodside, spoke regarding the discrepancies in the Staff report and suggested a proper feasibility study be completed.

Peter Drekmeier, 311 Fulton Street, stated sending the waste to an outside city cost less than in-house anaerobic although there was a revenue source produced with the in-house process.

Cedric de La Beaujardiere, 791 Josina Avenue, spoke of the cost differences between wet and dry anaerobic digestion.

SPECIAL ORDERS OF THE DAY

3. Appointment to the Planning and Transportation Commission for One Unexpired Term Ending on July 31, 2012.

MOTION: Council Member Klein moved, seconded by Council Member XXXX to reopen the application process.

MOTION FAILED DUE TO LACK OF A SECOND

First Round of Voting for Planning and Transportation Commission for One Unexpired Term Ending on July 31, 2012:

Voting For Brent Butler:

Voting For Nakul Correa:

Voting For Leon Leong: Holman, Scharff, Schmid

Voting For Corey Levens: Price

Voting For Gordan Pavlovic:

Voting For Greg Tanaka: Burt, Espinosa, Klein, Shepherd, Yeh

City Clerk, Donna Grider announced that Greg Tanaka with 5 votes was appointed to the Planning and Transportation Commission for one unexpired term ending on July 31, 2012.

CITY MANAGER COMMENTS

City Manager, James Keene wanted to express his appreciation to City Staff for completing the first early packet; he noted the Zero Waste Program was in the process of community engagement with discussions regarding the proposed recycling and composting Ordinance; and he mentioned the Children's Theatre performance of "The Secret Life of Girls".

ORAL COMMUNICATIONS

Rick Adams, 1265 Wilson Street, spoke regarding the Bicycle and Pedestrian Transportation Plan.

Wynn Grcich, 30166 Industrial PW SW #296, Hayward, spoke regarding fluoride used as pesticides.

Mark Trout, spoke regarding the September 11, 2001 (9-11) investigation.

Art Kraemer, 1116 Forest Avenue, spoke regarding fiber optics and power delivered within the city.

APPROVAL OF MINUTES

MOTION: Council Member Klein moved, seconded by Council Member Shepherd to approve the minutes of January 25, February 1, February 8, and February 22, 2010.

MOTION PASSED: 9-0

Mayor Burt reported on the High Speed Rail progress and noted it was to be heard at the Council meeting on March 15, 2010. He invited the public to

attend this important meeting. He gave an overview of key upcoming dates and meetings on the High Speed Rail.

Council Member Holman asked whether the High Speed Rail (HSR) meeting schedule was available on the City website.

City Manager, James Keene stated he would ensure there would be an updated schedule of meetings for the HSR available on the website.

Council Member Schmid asked whether the HSR Environmental Impact Report (EIR) would be coming before Council.

Mayor Burt stated yes, on March 15, 2010 the EIR would be a part of the Action Item.

Deputy City Manager, Steve Emslie stated there were two Agenda Items regarding HSR on the upcoming Council Agenda; 1) The structure of the High Speed Rail Committee, and 2) A monthly update. He stated the comprehensive EIR would not be ready for Council review by March 15, 2010.

CONSENT CALENDAR

MOTION: Vice Mayor Espinosa moved, seconded by Council Member Shepherd to approve Agenda Item Nos. 4-13.

Herb Borock, P.O. Box 632, spoke to Agenda Item No. 5 where he believed it made sense to have a schedule that enabled Council to consider smart grid implementation together with any fiber to the premises implementation.

Jeff Hoel, 731 Colorado Avenue, spoke to Agenda Item No. 5 regarding his request the public receive the same information as the Consultant.

Herb Borock, P.O. Box 632, spoke to Agenda Item No. 6 regarding amending the existing BMR agreement with SummerHill Redwood Gate, LLC to generate enough revenue for this housing project and for another housing project.

City Attorney, Gary Baum stated that SummerHill Homes had paid the Below Market Rate (BMR) fees in-lieu of building the BMR units; and Staff was recommending the fees be used towards the TreeHouse project.

4. Approval of a Three-Year Extension to the Agreement with the United States Geological Survey in the Amount of \$186,000 for San Francisco Bay Monitoring.

5. Approval of Utilities Water, Electric and Gas Enterprise Fund Contract with Enernex Corporation in the Total Amount of \$140,000 for Consulting Services to Develop a Smart Grid Strategic Plan.
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9. Recommendation to Direct the Utilities Advisory Commission to Consider the Fiscal Year 2011 Wastewater Collection Fund Budget and Rates.
10. Budget Amendment Ordinance 5074 for Fiscal Year 2010 to Provide Additional Appropriation of \$89,196 Within the General Fund for the County of Santa Clara Registrar of Voters November 2009 Election Costs.
11. Confirmation of Appointment of Pamela Antil as Assistant City Manager and Approval of At-Will Employment Contract.
12. Confirmation of Appointment of Gregory Betts as Director of Community Services and Approval of At-Will Employment Contract.
13. Resolution 9043 entitled "Resolution of the Council of the City of Palo Alto to Consent to the City of Palo Alto Being Included Within the Boundaries of the San Mateo County Tourism Business Improvement District and Direction to Terminate Destination Palo Alto Contract."

MOTION PASSED: 9-0

Director of Community Services, Gregory Betts thanked the Council for the opportunity to serve the City and community as the Director of Community Services.

Mayor Burt introduced the new Assistant City Manager, Pamela Antil.

Assistant City Manager, Pamela Antil expressed her appreciation to the Staff and Council for their hospitality and stated she was excited to be a part of Palo Alto's future.

ACTION ITEMS

14. Designation of City Manager as Google Fiber to Communities Project Point Person and Approval of and Delegation to the City Manager to Provide Answers to Google's Request for Information for its Fiber for Communities Plan.

Council Member Shepherd stated she would not be participating in this Agenda Item due to being a Google shareholder.

Council Member Klein stated he would not be participating in this Agenda Item due to being a Google shareholder

City Manager, James Keene stated Staff was requesting approval from Council to move forward with the Request for Information (RFI) from Google in an effort to participate in a partnership on the fiber optics initiative. He stated Staff created gateways on the City website, ipaloalto.com, and on facebook the City of Palo Alto has a fan page to connect the community to the Google site.

Herb Borock, P.O. Box 632, stated Staff was recommending to have Council authorize the City Manager as the contact person in regards to Google; however, the Council was the authority for the City.

MOTION: Vice Mayor Espinosa moved, seconded by Council Member Yeh to approve and delegate the City Manager to be the contact person with the authority to provide answers to Google's Request for Information for its Fiber for Communities Plan.

Vice Mayor Espinosa asked whether there were a progress report on the momentum within the City or feedback from other cities on the Google perspective.

Mr. Keene stated there would be regular updates on the process.

Council Member Yeh stated when using facebook, City Staff had the ability to keep in contact with the community members who were in support of the project.

Council Member Scharff stated he supported the Motion.

Council Member Holman stated the request was to designate the City Manager to be the contact person and to provide answers, she asked whether there were anticipated needs for direction beyond the City Manager.

Mr. Keene stated if there was an incident he would request a special City Council meeting to review the necessary concerns.

MOTION PASSED: 7-0 Klein, Shepherd not participating

15. Policy and Services Committee Recommendation to Direct Staff to Perform a Study Evaluating the Impact of Prevailing Wage on City Capital Construction Projects.

Vice Mayor Espinosa, speaking as the 2009 Policy & Services Chair, stated there were two purposes for prevailing wages going to the Policy & Services Committee (P&S); the first was to represent fair wages and the second was a cost benefits analysis to understand the financial ramification to the City.

Assistant Director of Public Works, Mike Sartor gave a brief presentation of the history of prevailing wage, explained it was a State law, and Charter Cities were not required to pay a prevailing wage on locally funded projects or projects funded with the City's Enterprise or General Funds. Charter Cities were required to pay prevailing wages when the project was funded by State or Federal Grants or other outside Federal funds.

Council Member Shepherd noted the wages paid through a prevailing wage program continued to rise and asked whether that was caused by healthcare costs. She asked how the variables in the study could be controlled.

Mr. Sartor stated the City's study would not be determining directly what was causing the labor costs to go up or down. He stated there would be construction contracts issued for bid; half would require prevailing wage and the other half non-prevailing wage in order to receive a direct comparison. In the survey there would be questions on whether the contractor provided healthcare benefits and how that impacted their costs.

Council Member Shepherd asked the number of projects anticipated and whether they were public/private partnerships. She asked whether Palo Alto was the last City to not have prevailing wage in the bid structure on the peninsula.

Mr. Sartor stated Staff had identified three major capital areas where there would be bidding; the Street Maintenance Program, the Sidewalk Replacement Program and the Utility Department Sewer Main Replacement Program. He stated there were ten Charter cities within the State of California that did not require prevailing wage; on the peninsula Palo Alto was the only one.

Council Member Scharff asked the total cost for the study.

Mr. Sartor stated at the present stage it would be Staff time with no outside costs.

Council Member Scharff asked the amount of Staff time required.

Mr. Sartor stated he was uncertain of the time to be expended.

Council Member Scharff clarified the goal would be to review two projects, one with prevailing wage and one without.

Mr. Sartor stated no, there would be six projects reviewed; streets, sidewalks and sewer, three with prevailing wage and three without.

Council Member Scharff asked what determined this process was the most accurate approach.

Mr. Keene stated the study was limited, he noted a local survey would provide comparable data.

Council Member Scharff asked the rationale for not having included Below Market Rate (BMR) housing projects.

Mr. Sartor stated low income housing projects were exempt by law from being prevailing wage.

Council Member Scharff asked the rationale behind legally exempting those projects.

City Attorney, Gary Baum stated he would research the reasons and return with a response at a later date.

Council Member Price asked whether the survey questions would be refined prior to being sent out.

Mr. Sartor stated once the survey was completed Staff would request the building trades and the Association of Builders and Contractors for their input.

Council Member Schmid asked whether there was a plan in place in the event the same company bids on both sides of the prevailing wage. He asked whether the survey gave the contractors' thought process on the bidding process or how the funds were to be spent. He asked whether the data of prevailing wage was reviewed on each level of the project.

Mr. Keene stated the survey was a way to provide Council with more local data.

Mr. Sartor stated Staff would be comparing the bid process from one contract to the next.

Council Member Schmid asked whether the prevailing wage rule was for each level of wage being paid on the same scale.

Mr. Sartor stated yes, on a contract that required prevailing wage, prevailing wage must be paid on all levels of trade working on the contract.

Council Member Schmid asked whether Staff could estimate the total increase in wages that would be going to the top half of the wage group.

Mr. Sartor stated prevailing wage only applied to the trade workers, not management, staff, estimators or engineers.

Council Member Schmid stated the discussion was on a ten percent increase, which was spread across the total cost of the project.

Mr. Sartor stated yes, that was correct.

Nicole Goehring, 4577 Las Positas Road, Unit C, Livermore, spoke on utilizing the most qualified contractor for the most economical price.

Robert Moss, 4010 Orme Street, spoke regarding the initial reasoning behind not paying prevailing wage was to extend the budget. He noted with few exceptions the non-prevailing wage contractors had done an exemplary job.

Neil Struthers, 2108 Almaden Road, San Jose, spoke regarding the percentage of contractors who would not work in the City without a prevailing wage contract since they pay their employees a prevailing wage. He stated when the unionized contractors prepared their business plans; it was performed on a regional study.

Council Member Yeh asked Mr. Struthers to elaborate on the government studies of prevailing wages.

Mr. Struthers stated the State of California along with a number of other States conducted studies which preceded the failed attempts to overturn prevailing wage. He noted to underestimate the government studies as being biased would be a mistake.

Council Member Klein questioned the need for a study since it was made clear there had been seventeen previous studies performed. He stated there was a current prevailing wage policy in place and the City should continue the policy.

Council Member Scharff stated he did not support the Staff recommendation and felt the existing policy should remain in force.

Council Member Holman stated the Council had the responsibility to represent the best expenditure of the public funds. She did not support performing a local study.

MOTION: Council Member Schmid moved, seconded by Council Member Scharff to Table the recommendation.

Council Member Schmid stated at a time where there was a twenty percent unemployment rate in the County it was not a benefit to the City to compile a study in which to raise wages.

Council Member Scharff stated in a depressed economy the study would be completely without fact which could create a poor data base.

Council Member Price stated it was appropriate to compile local data through projects specifically related to Palo Alto. She felt the Staff had completed the majority of the work over the past several years, so to stop now that they were at the end made no sense.

SUBSTITUTE MOTION: Council Member Yeh moved, seconded by Council Member Price to: 1) Perform a pilot study of potential prevailing wage impacts on selected CIP's where prevailing wage would be required to determine whether the prevailing wage requirement impacts the number of bids, project costs, change orders and other factors, and 2) Develop a survey to be submitted to all bidders on Palo Alto construction projects that will be used to evaluate differences in benefits and work conditions at contracting companies paying or not paying prevailing wages.

Council Member Yeh stated there was a cost to investing for future practices. He stated as a green city, it was accepted there was a premium that was

associated with being green. He stated there needed to be a policy created to encourage the skills be developed within workers. He asked whether the majority of the contracts that had been awarded, had gone to prevailing wage bidders.

Mr. Sartor stated approximately fifty percent of the contractors awarded stated they paid prevailing wages to their employees.

Council Member Yeh asked whether the information was Palo Alto specific data.

Mr. Sartor stated the data was comprised of contractors who did work in Palo Alto.

Council Member Yeh stated the City had benefited from not paying prevailing wages to contractors who were paying prevailing wages to their labor staff.

Council Member Price stated it was important to pursue the study.

Council Member Shepherd asked for clarification on the term Tabled.

City Attorney, Gary Baum stated the term Tabled referred to the item not returning to Council unless it was requested by two Council Members the item return on a future agenda.

Council Member Shepherd stated she did not support the Substitute Motion.

Vice Mayor Espinosa asked whether this type of study was the appropriate way to receive adequate information and asked whether the depressed economy was the preferred time for the study. He did not support the Substitute Motion.

Mayor Burt asked the total dollar amount spent on the Street, Sidewalk and Sewer repair on an annual basis.

Mr. Sartor stated the costs for the Street Maintenance contract was \$1.5 million, the Sewer project was \$1 million and the Sidewalk contract was \$600 thousand.

Mayor Burt stated he did not support the Substitute Motion.

Council Member Holman stated she did not support the Substitute Motion.

Council Member Schmid asked when the survey was expected to be completed.

Mr. Sartor stated projects being targeted would be bid this coming spring, awarded during the summer and the survey results would be evaluated by the end of summer.

SUBSTITUTE MOTION FAILED: 4-5 Burt, Holman, Klein, Scharff, Schmid
no

Council Member Klein noted that no further action needed to be taken as Council had not approved the recommendation.

16. Colleague's Memo from Council Member Yeh, Holman, and Scharff Requesting Council to Refer to Policy & Services Committee to Return with a Recommendation for: 1) an Amendment to City Policy to Require Release of CMRs and Supporting Documents (The Packet) at an Earlier Date, and 2) Amend Council Policy Regarding Late Submissions for Planning Projects.

Council Member Holman asked when the item would be heard at the Policy & Services Committee (P&S).

Assistant to the City Manager, Kelly Morariu stated at the present time she was uncertain when the item would be agendaized while noting a preliminary conversation would be brought to P&S to ensure Staff was addressing the appropriate issues Council was interested in exploring.

Tom Jordan, Churchill Avenue, stated his support for the earlier packet date and noted the neighborhoods and community were interested in the changes to be made.

Robert Moss, 4010 Orme Street, supported the expedition of an earlier packet delivery date in order to give everyone time to review the issues going before Council.

Doria Summa, Yale Street, spoke regarding prohibiting private communications with Staff during Public Hearings.

MOTION: Council Member Yeh moved, seconded by Council Member Scharff to refer to Policy and Services to: 1) Review and recommend a policy change to establish an earlier Packet release date, 2) Direct and support Staff in determining and establishing deadlines for material submissions from applicants and others and any other issues that need to be identified and addressed to effectuate this change in the Packet Release date, 3) Establish a deadline for implementation and no later than the first Council meeting following the August Council break, and 4) Review and recommend a policy precluding last minute proposals and submission of materials that

are integral to decision making on Planning projects after staff-designated deadlines for packet preparation.

Council Member Scharff stated requesting P&S discuss this issue appeared to be a benefit to the Council and the community.

Mayor Burt noted the packet delivery date on the Colleagues Memo was incorrect; it was currently released on Wednesdays not Thursdays. He asked why Item No. One, bullet two "direct and support staff in determining and establishing deadlines for material submissions from applicants and others and any other issues that need to be identified and addressed to effectuate this change in the Packet release date" was a repetitive request of Item No. two "review and recommend a policy precluding last minute proposals and submission of materials that are integral to decision making on Planning projects after staff-designated deadlines for packet preparation".

Council Member Holman stated the intention of the second bullet in Item No. One was for Staff to establish earlier deadlines to receive their materials in order for them to achieve the Councils' earlier release date.

Mayor Burt asked whether there were separate deadlines for the Staff Reports and the last minute proposals.

Council Member Holman stated she was uncertain and deemed the decision should be made by P&S.

City Manager, James Keene stated the proposal gave clear direction to Staff for regular Agenda Items with a separate policy for last minute proposals.

Mayor Burt asked the reason why the potential electronic posting of the reports was not mentioned in the Colleagues Memo.

Council Member Holman stated the breadth of the parameters were to be discussed and vetted at P&S.

Council Member Schmid stated concern with being unable to update a document once it had been released to the public.

Mr. Keene stated Staffs' goal would be to concentrate on the Council's objective of reaching an earlier packet release date, noting there would be learning curves to overcome.

Council Member Yeh stated all concerns mentioned regarding the determination of the early release date would be brought into P&S for discussion.

Council Member Scharff stated in writing the Colleagues Memo goal was to not be prescriptive but to give Staff and the Council the opportunity to raise concerns that perhaps P&S would not envision.

MOTION PASSED: 9-0

17. Colleague's Memo from Vice Mayor Espinosa and Council Members Klein, Scharff, and Schmid Requesting the City Council to Appoint an Infrastructure Blue Ribbon Commission (IBRC).

MOTION: Council Member Klein moved, seconded by Vice Mayor Espinosa to refer this item to the Policy & Services (P&S) Committee for further consideration with direction that this return to Council by April 5, 2010.

Council Member Klein explained the reasons behind the Colleagues Memo were 1) To accomplish an accurate accounting of the Infrastructure backlog of improvements and repairs, 2) To have a citizen's group assist in analyzing the needs for the community that Staff may be unaware of, and 3) To locate the funding sources in which to accomplish the completion of the backlog.

Council Member Holman asked whether it was the intention of the authors for P&S to expand on the Colleagues Memo.

Council Member Klein stated P&S was open to discuss any options they felt relevant.

Council Member Price asked the amount of Staff time that would be required to assist the requested committee.

Council Member Klein stated the City Manager had been consulted in regards to the possibility of necessary Staff time. He acknowledged the selection of the Committee required no Staff time although the actions of the Committee would require Staff time. He explained the expenditure of Staff time was essential in proving the City was behind the program.

Vice Mayor Espinosa stated the Infrastructure backlog was incorporated into the budget and financial workplan for P&S.

Council Member Shepherd asked whether the City conducted comprehensive surveys prior to placing an item on the November ballot. She stated she supported the Motion.

City Manager, James Keene stated once there had been a decision to move forward with the election there were different options available for conducting surveys.

City Attorney, Gary Baum stated the Council may choose to waive the Council Procedure: the City Council would not take action the night a Colleagues Memo was introduced if it has any implications for Staff resources or current work priorities which were not addressed in the Memo. Council was to discuss the Colleagues Memo then discuss it with the City Manager to agendaize the matter for Council action within two meetings allowing City Staff time to prepare a summary of staffing and resource impacts. It provides an exception where there are no staffing or resource implications or where they are fully outlined in the Colleagues Memo.

Mr. Keene stated at the present stage of the Colleagues Memo there was no Staff time being requested, it was being referred to P&S for review. He noted, with the time sensitivity of the topic, it had been placed on the P&S agenda for the upcoming meeting for discussion.

Council Member Scharff asked for clarification on the procedures provided by the City Attorney and how referring the Colleagues Memo to P&S affected the procedure.

Mr. Baum stated the preparation for the P&S meeting or to prepare an adequate response required Staff time and resources.

Council Member Scharff asked how the two Colleagues Memo's represented this evening differed in regards to the procedure.

Mr. Baum stated one was a direction to determine Staff resources required while the other implied the need without specific direction or need.

Mr. Keene stated the Council Policy was in place to guard against a member or a subset of the Council requesting a project that could have significant impacts on Staff resources.

Council Member Schmid stated there needed to be a clear definition of infrastructure backlog before work began.

Council Member Yeh stated he believed the Infrastructure backlog was a higher Council Priority overall and would be discussed at P&S tomorrow night.

Mayor Burt asked which Staff departments would be needed in supporting the effort and what would be their charter. He noted the issue was of importance to the City and Council.

Vice Mayor Espinosa stated infrastructure projects presently being worked on had been prioritized in an effort to take advantage of cost savings currently available given lower bids.

Council Member Scharff stated given the ballot initiative and election timeframe he felt there was an urgency to the matter.

Council Member Yeh clarified, the purpose of referring the Colleagues Memo to P&S was for a policy discussion; the Council Procedures indicated where Staff resources were needed to be determined the determination needed to return to Council within two meetings. P&S would not have had time to review the Colleagues Memo by that time. He suggested Staff return to Council on March 22, 2010 with a Staff resource assessment.

Council Member Klein stated the time was driven by the political electoral calendar; he was uncertain whether he wanted to place the item on the 2011 ballot, but wished to have the option.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to request that the Policy & Services Committee return this item as soon as possible and to waive the Council Procedures regarding the timing of the return.

MOTION PASSED: 9-0

18. Public Hearing: Consider the Approval of Water Supply Assessment to Stanford Medical Center Facilities Renewal and Replacement Project
(APPLICANT REQUESTS ITEM TO BE CONTINUED BY COUNCIL MOTION TO 3/15/10).

MOTION: Council Member Schmid moved, seconded by Vice Mayor Espinosa to continue this item to March 15, 2010.

Council Member Klein advised he would not be participating due to his wife being on faculty at Stanford University.

MOTION PASSED: 8-0 Klein not participating

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Holman requested that Staff follow-up on the Bicycle Master Plan and provide to Council information on the seven year timeline.

ADJOURNMENT: The meeting adjourned at 11:32 P.M.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.