

Regular Meeting  
Council Chambers  
January 10, 2005, 7:00 p.m.

1. Election of Mayor and Vice Mayor .....3

2. Resolution 8493 entitled "Resolution of the Council of the City of Palo Alto Commending the Outstanding Public Service of Bern Beecham as Mayor" .....4

3. Selection of Candidates to be Interviewed for the Library Advisory Commission .....5

ORAL COMMUNICATIONS .....5

APPROVAL OF MINUTES .....5

4. Ordinance 4858 entitled "Ordinance of the Council of the City of Palo Alto Amending Section 12.16.020 of Chapter 12.16 of Title 12 of the Palo Alto Municipal Code by Establishing Underground Utility District No. 44." (1<sup>st</sup> Reading 12/06/04, Passed 9-0) .....6

5. 323 University Avenue: Recommendation from the Historic Resources Board at the Request of Hayes Group Architecture & Interiors on behalf of Melanie Barry Properties, Owner, to Reclassify a Category 3 Building on the City of Palo Alto's Historic Inventory to Category 2 Pursuant to Municipal Code Chapter 16.49 (Historic Preservation Ordinance).....6

6. 445 Colorado Avenue: Recommendation from the Historic Resources Board at the Request of Guy Pluchon, Owner, to Remove a Category 3 Building on the City of Palo Alto's Historic Inventory Pursuant to Municipal Code Chapter 16.49 (Historic Preservation Ordinance).....6

7. Contract Between the City of Palo Alto and Autodesk, Incorporated in the Amount of \$292,500 for Electric Operations Estimating Software .....6

8. Memorandum of Understanding with Santa Clara Valley Water District (SCVWD) to Implement a Water Conservation Program Partnership in the Amount of \$96,40 .....6

- 9. Contract Between the City of Palo Alto and Casey Construction in the Amount of \$405,500 for Fiscal Year 2004-05, \$535,000 for Fiscal Year 2005-06, and \$537,000 for Fiscal Year 2006-07 for Water and Wastewater Operations Services – Part 2 Contract C05106016A .....6
- 10. Operational and Institutional Agreement between the City of Palo Alto and the City of Mountain View for the Mountain View/Moffett Area Water Recycling Facility Project as Required by the State Grant Program.....6
- \*11. Public Hearing: The Palo Alto City Council will consider a request by Trumark Companies on behalf of 928 E. Meadow Partners, et. al. for a Vesting Tentative Map for a proposed residential infill development located at 928, 940, and 1180 East Meadow Drive. ....6
- COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS.....7
- ADJOURNMENT .....7

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:05 p.m.

PRESENT: Beecham, Burch, Cordell, Freeman, Kishimoto, Kleinberg, Morton, Mossar, Ojakian

SPECIAL ORDERS OF THE DAY

1. Election of Mayor and Vice Mayor

**MOTION:** Council Member Ojakian moved, seconded by Mossar, to appoint Jim Burch for Mayor.

Council Member Ojakian said Council Member Burch had a deep investment in the community, had the skills of talking and bringing people together, was well respected, dedicated to environmental issues and sustainability, and was committed to service.

Council Member Kishimoto stated she respected the sustainability agenda he had set forth for Council and supported the motion.

Council Member Kleinberg said she would support the motion.

Council Member Morton said he would support the motion.

Council Member Freeman said she would support the motion.

**MOTION PASSED 9-0.**

**MOTION:** Council Member Cordell moved, seconded by Morton, to appoint Council Member Kleinberg for Vice Mayor.

Council Member Morton said he would support the motion.

Council Member Ojakian said he would support the motion.

Council Member Kishimoto said she would support the motion.

**MOTION PASSED 9-0.**

Mayor Burch expressed gratitude and appreciation to his colleagues for allowing him to serve as Mayor during his final year on the Council. He commended Council Member Beecham for his great job as Mayor in 2004. He said 2005 had big challenges with strong issues to face. There was a \$1.5 million budget deficit for Fiscal Year 2004-2005, a \$5.2 million shortfall between projected income and expenses for Fiscal Year 2005-2006, and a

financial outlook that would not improve significantly in the near future. Everything would be reviewed; staffing, programs, expenses, and opportunities for new revenue sources. Major needs would also be reviewed, such as a new Public Safety Building, storm drain repairs, upgrades on libraries, and how an Environmental Service Center (ESC) could help with recycle and disposal problems when the City's landfill closed. Emphasis would be to continue strengthening the retail climate and to focus on "Shop Palo Alto" to retain current retailers. A new Mayor's Committee was formed, chaired by Council Member Beecham, to explore attracting new and appropriate retailers to the City. He said he would continue pushing sustainability to assure the design for the long-term well being of both the people and the environment of the City. He would continue the emphasis on "Building Green" and to work closely with the neighboring cities; Menlo Park, East Palo Alto, Mountain View, and Stanford. He felt confident in the ability to respond effectively to challenges based on the Council, the staff, and the citizens who worked and lived in Palo Alto. The Council was a well-diverse group that encompassed race, age, and professionals resulting in different perspectives and opinions. The Council was committed to setting policies and making decisions in the best long-term interest of the City and to hold each other to that commitment. He thought highly of City staff and recognized their professionalism and dedication. He spoke of the people who lived and worked in Palo Alto and said he could not ask for a more educated and interested group. The Council's Annual Retreat would be held on January 29, 2005, and the City's Top Five Priorities would be discussed; Long-range Financial Planning, Affordable Housing, Land use Planning, Transportation and Traffic Calming, and Infrastructure. The criteria and method to be used by the City Manager and staff in developing a two-year budget to access programs and services would be discussed and agreed upon. The budget would be presented first to the Finance Committee and then to the full Council in mid-year. His personal commitment was to continue to devote his full-time as Council Member and Mayor and he promised to be available, to listen, and to be responsive and responsible.

Vice Mayor Kleinberg said her role, as Vice Mayor, was to support Mayor Burch and continue to work with her colleagues.

2. Resolution 8493 entitled "Resolution of the Council of the City of Palo Alto Commending the Outstanding Public Service of Bern Beecham as Mayor"

**MOTION:** Council Member Morton moved, seconded by Mossar, to adopt the resolution.

**MOTION PASSED** 9-0.

Supervisor Liz Kniss presented former Mayor Beecham with a Proclamation from the County of Santa Clara and congratulated him for his leadership during

the past year. She commended him for placing emphasis on business in the City and throughout the County. She said the Council was a group who reflected non-partisanship, and the City was fortunate to have Mayor Burch and Vice Mayor Kleinberg in their new leadership roles.

Former Mayor Gary Fazzino congratulated Mayor Burch and Vice Mayor Kleinberg in their new leadership roles. He stated Mayor Burch was the oldest Mayor ever elected and the oldest Council Member in the City's history. He commended former Mayor Beecham's extraordinary work during 2004 and wished the Council the best in 2005.

3. Selection of Candidates to be Interviewed for the Library Advisory Commission

**MOTION:** Council Member Morton moved, seconded by Mossar, to interview all of the candidates.

**MOTION PASSED** 9-0.

ORAL COMMUNICATIONS

Rich Shapiro, Redwood City, spoke regarding police accountability.

Winter Dellenbach spoke regarding the Death Penalty Moratorium.

Aram James spoke regarding the Police Canine Report.

Jeannette Andrews spoke regarding Police dogs.

APPROVAL OF MINUTES

**MOTION:** Council Member Morton moved, seconded by Ojakian, to approve the minutes of November 22 and December 6, 2004, as submitted.

**MOTION PASSED** 9-0.

CONSENT CALENDAR

**MOTION:** Council Member Morton moved, seconded by Kleinberg, to approve Consent Calendar Items 4-10.

LEGISLATIVE

4. Ordinance 4858 entitled "Ordinance of the Council of the City of Palo Alto Amending Section 12.16.020 of Chapter 12.16 of Title 12 of the Palo Alto

Municipal Code by Establishing Underground Utility District No. 44." (1<sup>st</sup> Reading 12/06/04, Passed 9-0)

### ADMINISTRATIVE

5. 323 University Avenue: Recommendation from the Historic Resources Board at the Request of Hayes Group Architecture & Interiors on behalf of Melanie Barry Properties, Owner, to Reclassify a Category 3 Building on the City of Palo Alto's Historic Inventory to Category 2 Pursuant to Municipal Code Chapter 16.49 (Historic Preservation Ordinance)
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10. Operational and Institutional Agreement between the City of Palo Alto and the City of Mountain View for the Mountain View/Moffett Area Water Recycling Facility Project as Required by the State Grant Program

**MOTION PASSED 9-0.**

### PUBLIC HEARINGS

- \*11. Public Hearing: The Palo Alto City Council will consider a request by Trumark Companies on behalf of 928 E. Meadow Partners, et. al. for a Vesting Tentative Map for a proposed residential infill development located at 928, 940, and 1180 East Meadow Drive. This map is required in order to merge three parcels (approx. 4.4 acres) and create 76 condominium units. Environmental Assessment: Categorically exempt from the California Environmental Quality Act per section 15332--In-fill development projects. Zone District: LM. [04-PM-01]. *(Staff requests item to be continued by Council Motion to 01/24/05)*

**\*This item is quasi-judicial and subject to Council's Disclosure Policy**

**MOTION:** Council Member Morton moved, seconded by Beecham, to continue the item to January 24, 2005 at the request of staff.

**MOTION PASSED** 9-0.

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Mayor Burch requested the meeting be adjourned in memory of the thousands of people who lost their lives to the Tsunami in the Indian Ocean and, also, in memory of one young man, Adam Ojakian, a senior at University of California, Davis, and beloved son of Mary and Vic Ojakian. We extend our prayers and deepest love to Mary and Vic and to their other children, Ryan, Shaun and Serena.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m. in memory of the thousands of people who lost their lives to the Tsunami in the Indian Ocean and, also, in memory of one young man, Adam Ojakian, a senior at University of California, Davis, and beloved son of Mary and Vic Ojakian.

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.