

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.

Regular Meeting  
Council Chambers  
July 12, 2004, 7:00 p.m.

### ROLL CALL

### SPECIAL ORDERS OF THE DAY

1. Resolution of the Council of the City of Palo Alto Expressing Appreciation to Kathleen Ann McKenna Upon Her Retirement
2. Selection of Candidates to be interviewed for the Planning and Transportation Commission

### 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 Oral Communications period to 30 minutes*

### APPROVAL OF MINUTES

June 7, 2004  
June 14, 2004

### CONSENT CALENDAR

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

### LEGISLATIVE



3. Adoption of a Budget Amendment Ordinance (BAO) in the Amount of \$37,000 Transferring Funding From the Park Impact Fee Fund into the Palo Alto SOFA Park Capital Improvement Project Number PG-02018 and Approval of A Contract with Loral Landscaping Inc. in the Amount of \$234,052 for Construction of Heritage (SOFA) Park Improvements

**Ordinance of the Council of the City of Palo Alto Amending the Budget for the Fiscal Year 2004-05 to Provide an Additional Appropriation of \$37,000 from the Park Impact Fee Fund into Capital Improvement Program (CIP) Project Number PG-02018, Palo Alto SOFA Park**

4. **(CRM:352:04)** Park and Recreation Commission and Palo Alto Historical Association recommendation to City Council to Name the South of Forest Coordinated Area Plan Phase I Park As "Palo Alto Heritage Park".

**Ordinance of the Council of the City of Palo Alto Amending Section 22.08.390 of Chapter 22.08 of Title 2 of the Palo Alto Municipal Code to Rename the South Of Forest Coordinated Area Plan Phase I Park as Palo Alto Heritage Park**

5. Request for City Council to Adopt a Resolution Designating a Heritage Tree Owned by Ms. Barbara Carlitz, at 2291 Ramona Street

**Resolution of the Council of the City of Palo Alto Designating a Heritage Tree at 2291 Ramona Street**

ADMINISTRATIVE



6. **(CMR:346:04)** Contract Between the City of Palo Alto and Kuehne Construction in the Amount of \$769,197 for Fire Stations 1 and 2 Improvements – Capital Improvement Program Project PF-01004
7. The Finance Committee recommends to the City Council acceptance of the Auditor's Office Quarterly Report.
8. **(CMR:348:04)** Contract Between the City of Palo Alto and RRM Design Group in the Amount of \$99,000 for Fire Station 3 and 4 Replacement Feasibility Study – Capital Improvement Program Project PE-04013
9. **(CMR:345:04)** Recommendation of the Council/Council Appointed Officers (CAO) Committee Regarding Interviews For a Consultant To Facilitate CAO Evaluations
10. **(CMR:353:04)** 800 High Street [04-PM-02]: Request by Palo Alto High Street Partners for a Final Map for Property Located at 800 High Street for the Development of a 60 Unit Condominium Project
11. **(CMR:344:04)** Contract Between the City of Palo Alto and Loral Landscaping, Inc. in the Amount of \$86,972 for Embarcadero Medians Landscape and Irrigation Improvements
12. **(CMR:349:04)** Approval of Contribution to the Housing Trust of Santa Clara County in the Amount of \$150,000 from the Residential Housing In-Lieu Fund



COUNCIL COMMITTEE RECOMMENDATION

AGENDA CHANGES, ADDITIONS, AND DELETIONS

*HEARINGS REQUIRED BY LAW: Applicants and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and 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 five minutes per speaker unless additional time is granted by the presiding officer. The presiding officer may reduce the allowed time to less than five minutes if necessary to accommodate a larger number of speakers.*

## REPORTS OF COMMITTEES AND COMMISSIONS

13. **(CMR:330:04)** The Policy and Services Committee recommends to the City Council approval of a Charter Amendment re Encroachment by Palo Alto Unified School District Walter Hays School on Rinconada Park to exchange minor portions of parkland for contiguous lands of an equal or greater area or value in order to implement Article VIII of the Palo Alto City Charter, to include in next regular Municipal Election in November 2005 for voter approval.
14. **(CMR:320:04)** The Policy and Services Committee recommends to refer the matter of the Nomination and Election Process for the Mayor and Vice-Mayor for further discussion.
15. The Policy and Services Committee recommends to the City Council to adopt an ordinance to make it a standing policy that Board Members and Commission Members should not use their titles or positions for the purpose of signing ballot measures.

### **Ordinance of the Council of the City of Palo Alto Adding Section 2.40.080 to Chapter 2.40 (Municipal Elections) of the Palo Alto Municipal Code Relating to Limiting the Use of City Titles in City Ballot Measures**

## UNFINISHED BUSINESS

16. Public Hearing: The City Council will consider adopting a resolution confirming the report of delinquent administrative penalty bills and directing that a lien be recorded with the Santa Clara County Recorder's Office against properties located at 1042 Metro Circle, Palo Alto, APN: 127-04-041 and 3376 Ross Road, Palo Alto, APN: 127-48-033 *(Item continued from 5/17/04; staff requested item to be continued to 8/9/04)*
- \*17. Public Hearing: The City Council will reconsider an application by Cartmell/Tam Architects on behalf of David Ditzel for Site and Design Review to allow a 1,677 square foot addition to an existing 3,433 single-family residence located at 4010 Page Mill Road and construction of a new swimming pool, including a request for the following variances: a 29'6" side yard setback where a 30' setback is required, construction of an exterior stairway and landing having a 46' front yard setback and construction of a new garage having a 69' front yard setback where a 200' setback is required, and a total impervious area of 13.5%, where 3.5% is normally the maximum allowed. *(Item continued from 6/14/04)*  
*\*This item is quasi-judicial and subject to Council's Disclosure Policy*
18. Public Hearing: The City Council will consider awarding an option to

lease to Crimson Palate, Inc., (d.b.a. Saffron Club Restaurant) for the city-owned property located at 445 Bryant Street, Palo Alto, commonly known as the non-parking area on the Lot S/L site. Terms of the lease include a 10-year term and the requirement that the property be used for restaurant and/or office/retail use. *(Item to be continued to 07/19/04 at the request of staff)*

## PUBLIC HEARING

## ORDINANCES AND RESOLUTIONS

## REPORTS OF OFFICIALS

## COUNCIL MATTERS

## COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

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

## 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.*

19. Conference with City Attorney -- Existing Litigation  
Subject: Jaim Nulman, Avelyn Welczer v. City of Palo Alto, SCC #CV779831  
Authority: Government Code section 54956.9(a)
20. Conference with Labor Negotiator  
Agency Negotiator: City Manager and his designee pursuant to Compensation for Unrepresented Employees (Frank Benest, Leslie Loomis)  
Unrepresented Employee Groups: Management and Confidential  
Authority: Government Code section 54957.6
21. Conference with City Attorney -- Potential /Anticipated Litigation  
Subject: Written liability claim against the City of Palo Alto by DeSilva Gates Construction, LP  
Authority: Government Code Sections 54956.9(b)(1) & (b)(3)(C)

## ADJOURNMENT

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