

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
December 6, 2004, 7:00 P.M.

ROLL CALL

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

SPECIAL ORDERS OF THE DAY

APPROVAL OF MINUTES

November 8, 2004

CONSENT CALENDAR

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

LEGISLATIVE

1. **(CMR:508:04)** Approval of a Resolution Proposing an Increase in the Monthly Storm Drainage Fee from \$4.25 to \$10.00 per Equivalent Residential Unit (ERU) and Approval of a Related Resolution Establishing Procedures for a Protest Hearing and Ballot Proceeding for a Storm Drainage Fee Increase

Resolution of the Council of the City of Palo Adopting the Amount of the Proposed Storm Drainage Fee Increase, Describing the Storm Drain Capital Improvements and Program Enhancements on Which the Proposed Fee will be Spent if Approved, and Adopting a Schedule for the Protest Hearing and Mail Ballot Proceeding on the Proposed Fee Increase

COUNCIL MAKES EVERY EFFORT TO COMPLETE ALL AGENDA ITEMS BY 11:30 P.M. PRIOR TO TAKING A BREAK AT 9:30 P.M., COUNCIL WILL REVIEW THE REMAINING AGENDA ITEMS AND DETERMINE IF ANY ITEMS SHOULD BE POSTPONED TO A FUTURE DATE.

Resolution of the Council of the City of Palo Alto Establishing Procedures for the Conduct of a Protest Hearing and Ballot Proceeding Relating to a Proposed Storm Drainage Fee Increase

ADMINISTRATIVE

2. **(CMR:509:04)** Confirmation of Nicholas Marinaro as Fire Chief
3. **(CMR:491:04)** Amendment No. One to the Memorandum of Agreement Providing for the Implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program

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.

UNFINISHED BUSINESS

REPORTS OF OFFICIALS



4. **(CMR:498:04)** Request for Council Direction to Proceed with Conceptual Design and Initiate a Combining Zoning District for the Civic Center Police (Public Safety) Building Project - Capital Improvement Program Project PE-98020

PUBLIC HEARINGS

5. **(CMR:489:04)** Public Hearing: The Council of the City of Palo Alto will Establish Underground Utility District Number 44. The Council Shall Hear all Protests and Receive Evidence for and Against the Action Herein Proposed, and When and Where They Shall Consider and Finally Determine Whether the Public Necessity, Health And Safety Require the Establishment of the District and the Removal of Poles, Overhead Wires, and Associated Overhead Structures, and the Underground Installation of Wires and Facilities for Supplying Electric, Communication and Similar or Associated Services in the District. All of the Area Encompassing the Areas Contiguous with Portions of 2500 Block Of Embarcadero Road and City Owned Baylands as More

Particularly Described on the Map Entitled "Underground Utility District Number 44"

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

- *6. **(CMR:500:04)** Public Hearing: The Council of the City of Palo Alto will Consider a Request by Lalita and Prasad Parimi for a Preliminary Parcel Map with Exceptions to Create a Two-Lot Subdivision Located at 792 Matadero Road. The Requested Exception Would Allow for Each Parcel to have a Width of 55.84 and 55.85 Feet Where 60 Feet is the Required Minimum Width. Environmental Assessment: an Environmental Assessment and Negative Declaration have been Prepared. Zone District: Single Family Residential District (R-1). [04PLN-00000-00012, 04PLN-00000-00085].
**This item is quasi-judicial and subject to Council's Disclosure Policy*
- *7. **(CMR:504:04)** Public Hearing: The Council of the City of Palo Alto to Consider a Request by Mark Migdal of the Two Towers Group for a Tentative Map to Create a Five-Lot Subdivision Located at 797 and 807 Matadero Avenue. Environmental Assessment: a Mitigated Negative Declaration has been Prepared. Zone District: Single Family Residential (R-1). [03-SUB-01, 03-EIA-03].
**This item is quasi-judicial and subject to Council's Disclosure Policy*

REPORTS OF COMMITTEES AND COMMISSIONS

ORDINANCES AND RESOLUTIONS

COUNCIL MATTERS

8. Colleagues Memo from Mayor Beecham and Vice Mayor Burch re: Mayor's Ad Hoc Committee on Sales Tax Enhancement

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.

9. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION
Subject: Ina Jekel and Lance Jekel v. City of Palo Alto, et al.; SCC #1-03-CV-010476
Authority: Government Code section 54956.9(a)
10. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION

Subject: Telik, Inc., et al. v. City of Palo Alto, et al., Santa Clara Superior 1-04-CV-027100
Authority: Government Code section 54956.9(a)

11. CONFERENCE WITH LABOR NEGOTIATOR
Agency Negotiator: John Shannon
Unrepresented Employees: City Manager, City Clerk, City Auditor
Authority: Government Code section 54957.6(a)

ADJOURNMENT

Persons with disabilities who require auxiliary aids or services in using City facilities, services, or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact 650-329-2550 (Voice) or 650-328-1199 (TDD) 24 hours prior to the meeting.