



CITY OF  
**PALO  
ALTO**

# City Council

**Monday, December 10, 2018**

Special Meeting  
Council Chambers  
**5:00 PM**

*Agenda posted according to PAMC Section 2.04.070. Supporting materials are available in the Council Chambers on the Thursday 11 days preceding the meeting.*

## **PUBLIC COMMENT**

Members of the public may speak to agenda items; up to three minutes per speaker, to be determined by the presiding officer. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located on the table at the entrance to the Council Chambers, and deliver it to the City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. Public comment may be addressed to the full City Council via email at [City.Council@cityofpaloalto.org](mailto:City.Council@cityofpaloalto.org).

## **TIME ESTIMATES**

Time estimates are provided as part of the Council's effort to manage its time at Council meetings. Listed times are estimates only and are subject to change at any time, including while the meeting is in progress. The Council reserves the right to use more or less time on any item, to change the order of items and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public. To ensure participation in a particular item, we suggest arriving at the beginning of the meeting and remaining until the item is called.

## **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.

## **Call to Order**

### **Special Orders of the Day**

5:00-5:10 PM

1. Santa Clara County Health Department Presentation of Healthy Cities Award

### **Closed Session**

5:10-5:45 PM

*Public Comments: Members of the public may speak to the Closed Session item(s); three minutes per speaker.*

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Authority: Government Code Section 54956.8  
Properties: (1) 321 California Avenue (APN 124-33-001);  
(2) 361 California Avenue (APN 124-33-029); (3) 341 California Avenue (APN 124-33-030); and (4) 2453 Ash Street (APN 124-33-027)  
Agency Negotiators: James Keene, Ed Shikada, Brad Eggleston  
Negotiating Parties: City of Palo Alto and (1) D.H. and M.A. Edwards Company for 321 California Ave; (2) 361 California Ave, LP for

361 California Ave; (3) 341 Cal Partners LLC for 341 California Ave;  
and (4) Ash Street Partners LP for 2453 Ash Street  
Under Negotiation: Price and Terms of Payment for Subsurface  
Easements Related to Construction of the California Avenue Garage

Agenda Changes, Additions and Deletions

City Manager Comments 5:45-5:55 PM

Oral Communications 5:55-6:10 PM

*Members of the public may speak to any item NOT on the agenda. Council reserves the right to limit the duration of Oral Communications period to 30 minutes.*

Minutes Approval 6:10-6:15 PM

3. Approval of Action Minutes for the November 19 and 26, 2018 Council Meetings

Consent Calendar 6:15-6:20 PM

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

- MEMO
4. Authorize the City Manager to Enter Into the Following Agreements for the City's Fair Value Commuting Project (Partially Funded Through a Federal Transit Administration Grant): 1) an Agreement With RideAmigos in an Amount Not-to-Exceed \$150,620 for a Term of 15 Months, and 2) an Agreement With the San Francisco Bay Area Planning and Urban Research Association (SPUR) in an Amount Not-to-Exceed \$100,000 for a Term of 15 Months
  5. Approval of Amendment Number 1 to Contract Number C19173096 With Prospect Silicon Valley to Update the Rate Schedule to Include the Chief Executive Officer's Billing Rate
  6. Adoption of Reimbursement Resolutions to Designate the Amount of Project Expenditures to be Reimbursed by Clean Water State Revolving Fund Proceeds for the Funding of the Discharge Infrastructure Improvement (Outfall Pipeline) and the Primary Sedimentation Tanks and Electrical Upgrade Projects at the Palo Alto Regional Water Quality Control Plant
- Q & A
7. Adoption of a Memorandum of Agreement Between the City of Palo Alto and Utilities Management and Professional Association of Palo Alto
  8. Approval of City of Palo Alto's Employee Paid Parental Leave Policy and Amendment to City Merit System Rules and Regulations Chapter 7-705(c)

9. PUBLIC HEARING / QUASI-JUDICIAL: 3877 El Camino Real [17PLN-00321]: Recommendation on Applicant's Request for Approval of a one lot Vesting Tentative Map to Divide an Existing 0.75 Acre Parcel Into 17 Residential Condominiums and one Commercial Condominium. Environmental Assessment: Mitigated Negative Declaration Adopted by Council on September 18, 2017. Zoning Districts: CS and RM-30
10. Approval of a Donation of \$25,000 From the City Council Contingency Fund to Support Butte County Fire Relief, Resilience, and Recovery After the Camp Fire
11. Adoption of a Resolution Authorizing the City Manager to Enter Into a Project Specific Maintenance Agreement With the State of California Department of Transportation for the Highway 101 Pedestrian/Bicycle Overpass Project; and Approve the Easement Agreement for Public Access, Utilities, and the Bicycle/Pedestrian Overcrossing Between Google and the City, and Delegate Authority to the City Manager, or his designee, to Sign the Easement Agreement for the Project (PE-11011)
12. SECOND READING: Adoption of an Ordinance Amending Chapter 4.42 (Taxicabs and Other For-Hire Vehicles) of Title 4 (Business Licenses and Regulations) of the Palo Alto Municipal Code as Mandated by State Law (AB 939) (FIRST READING: November 26, 2018 PASSED: 9-0)
13. SECOND READING: Adoption of an Ordinance Amending Section 2.04.190 (Standing Committees – Special Committees) of Chapter 2.04 (Council Organization and Procedure) of Title 2 (Administrative Code); and Amending Section 12.10.060 (Coordination with City) of Chapter 12.10 (Street Cut Fees) of Title 12 (Public Works and Utilities) of the Palo Alto Municipal Code to Conform to a Seven-member City Council (FIRST READING: October 29, 2018 PASSED 9-0)

### Action Items

*Include: Reports of Committees/Commissions, Ordinances and Resolutions, Public Hearings, Reports of Officials, Unfinished Business and Council Matters.*

6:20-8:00 PM

- Q & A 14. Approval of a Five-year Operating and Revenue Sharing Agreement With Team Sheeper for Operations of the Rinconada Pool (Continued From November 26, 2019)

8:00-9:00 PM

15. Approval of: 1) Construction Contract C19173521 With Swinerton Builders in the Amount of \$39,395,153; 2) Amendment Number 3 to Contract Number C16163034 With Nova Partners, Inc. in the Amount

of \$1,249,193 for Construction Management Services; 3) Amendment Number 1 to Contract Number S18171787 With Romig Engineers, Inc. in the Amount of \$99,000; 4) Authorization to Negotiate and Execute Four Easements for Underground Shoring Tie-backs; 5) Authorization to Negotiate and Execute a Short-term Lease for a Parking Lot From the County of Santa Clara; 6) Authorization to Negotiate and Execute a Month-to-Month Lease of Parking Stalls From Caltrain; and 7) a Budget Amendment for Capital Improvement Fund Project PE-18000 for the new California Avenue Area Parking Garage

9:00-10:00 PM

16. PUBLIC HEARING: Adoption of an Ordinance Amending Section 18.18.120 (Grandfathered Uses and Facilities) of Chapter 18.18 (Downtown Commercial District) of Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC) to Adjust Regulations Relating to Noncomplying Facilities. California Environmental Equality Act (CEQA); This Ordinance is Within the Scope of the Comprehensive Plan Environmental Impact Report (EIR) Certified and Adopted on November 13, 2017 by Council Resolution No. 9720; Alternatively, the Ordinance is Exempt From Environmental Review Under CEQA Guidelines Section 15061(b)(3) **(Continued From December 3, 2018)**

#### State/Federal Legislation Update/Action

#### Council Member Questions, Comments and Announcements

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

#### Adjournment

##### AMERICANS WITH DISABILITY ACT (ADA)

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) 24 hours in advance.

# Additional Information

## Standing Committee Meetings

Policy and Services Committee -Cancellation December 11, 2018

City/School Committee Meeting December 13, 2018  
(Will be produced on December 6, 2018)

## Schedule of Meetings

Schedule of Meetings

## Tentative Agenda

Tentative Agenda

## Informational Report

Annual Report: Development Impact Fees Schedule

## Public Letters to Council

Set 1