



CITY OF PALO ALTO CITY COUNCIL TRANSCRIPT

Special Meeting
June 20, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:03 P.M.

Present: Burt, DuBois, Filseth, Holman, Kniss, Scharff arrived at 6:27 P.M., Schmid, Wolbach arrived at 5:15 P.M.

Absent: Berman

Closed Session

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Govt. Code Section 54956.8

Property: 4230-4270 Terman Drive, Palo Alto, CA 94306

Assessor's Parcel Numbers 167-05-029 and 167-04-008

Agency Negotiators: James Keene, Lalo Perez, Hamid Ghaemmaghani

Negotiating Parties: Terman Associates, LP and City of Palo Alto

Under Negotiation: Potential Sale of City Purchase Option – Including Price and Terms of Payment.

Mayor Burt: Our first item is a Closed Session which is a conference with real property negotiators. The property is at 4230 to 4270 Terman Drive. These are parcels 167-05-029 and 167-04-088. We will entertain a Motion to go into Closed Session.

Council Member Schmid: So moved.

Council Member Holman: Second.

Council Member Kniss: Second, third.

MOTION: Council Member Schmid moved, seconded by Council Member Kniss to go into Closed Session.

Mayor Burt: Motion by Council Member Schmid, second by Council Member Kniss. Please vote on the board. That passes unanimously with Council

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Members Berman, Wolbach and Scharff absent. The Council will now go into Closed Session.

MOTION PASSED: 6-0 Berman, Scharff, Wolbach absent

Council went into Closed Session at 5:05 P.M.

Council returned from Closed Session at 6:18 P.M.

Mayor Burt: At this time, the Council has returned from a Closed Session Item. We have no reportable action.

Agenda Changes, Additions and Deletions

Mayor Burt: Our next matter is Agenda Changes, Additions and Deletions. I believe we have none.

City Manager Comments

Mayor Burt: Our next matter is City Manager Comments.

James Keene, City Manager: Thank you, Mr. Mayor and members of Council. A couple of items to report on the topic of single story overlays. I did want to share that Amy French, the City's Chief Planning Official will join the Fairmeadow Neighborhood Association at their meeting tomorrow night, June 21st, to discuss the latest developments on the single story overlay and design guidelines review that we are doing in Palo Alto. The meeting will start at 6:30 P.M. in the Midtown Room of the Mitchell Park Library. Ms. French will summarize the current process for single story overlays as well as the outcome and status of recent and pending applications. She'll also be able to answer some questions regarding the Individual Review process for two-story homes and describe the City Council's direction regarding the need for some kind of Eichler-specific guidelines or zoning provisions. Folks interested in that subject, tomorrow night, 6:30 P.M. in the Midtown Room in Mitchell Park Library. Secondly in the realm of Residential Permit Parking programs and challenges. Based on the Council's direction to proceed with the next Residential Preferential Parking Program (RPP) districts in Evergreen Park and Southgate, our Staff has been putting together a game plan for community outreach and program development. With the budget approval last week for the next Fiscal Year '17 budget, we do have the resources we need to be able to support those two applications

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and that process. We'll be distributing a schedule and reaching out to stakeholders this week. We'll provide Council Members with a summary of the information we'll share with neighborhood representatives. We believe that our experiences with the Downtown RPP program should allow for a reasonably accelerated schedule. Initial community meetings for the new programs are expected to begin this July. The Downtown program has been going well, and City Staff will bring an update to the Council in August along with a resolution to expand the boundaries of the eligibility area so we can capture the streets in Crescent Park that submitted an RPP petition earlier this year. Finally, I did want to share and I will present to the Mayor that the League of American Bicyclists has re-designated the City of Palo Alto as a bicycle-friendly community at the gold level. This decision involved careful review of our application in consultation with the local cycling community. It is presented only to communities with strong commitments to bicycling. There are only 24 other gold-designated communities in the United States. The designation is valid for four years and will be due for renewal in the summer of 2020. At that time, I have challenged our Staff, though, to be sure that we move beyond the gold level to the platinum level. We would be joining the Cities of Boulder, Davis, California, Fort Collins, Madison and Portland, Oregon, in this elite category. According to the League's report card, which they put out—I'll send the Council a copy of that—our strengths when compared to other bicycle-friendly communities include the share of our transportation budget we spend on cycling, active bicycle advocacy groups, our bicycle advisory committee, the implementation of a bicycle plan and the number of bicycle Staff to population. The things that are holding us back from moving to the platinum level—I think these are worth sharing with the Council, because both your adopted Bicycle and Pedestrian Master Plan and the funding you've put aside will really help us accelerate our progress in these areas. They include the low miles of bicycle lanes on arterials and major collector streets as a factor. Some lack of more bicycle-friendly laws and ordinances is something we'll be looking at. The need for more bicycle parking, something the Mayor repeatedly reminds me at every opportunity. That's something that we can begin to accelerate. Right now we actually provide that—we don't so much have a Master Plan as much as have it being responding based upon requests. I asked our Chief Transportation Official and our Planning Director today, let's put a marketing and outreach program together that lets people know how they could easily make the requests for more bicycle parking installation. We actually have a higher number of crashes per 10,000 bicycle commuters, and we need to look at how we get that down. The League specifically recommends that the City—I apologize for actually being unfamiliar with this term. It sounds like an Italian word. We create an open streets ciclovía-type event, repeal our Bicycle Registration Ordinance, and better educate and inform adult population on bicycling as a transportation alternative. With that, I will just

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come up here and present this to the Mayor, the Bicycle Friendly Community Gold Medal.

Mayor Burt: This is a recognition to the community and to our Staff and all of the volunteers in the community who actually make this happen. That's a great recognition of all their work.

Mr. Keene: If I could just add that the Chief Transportation Official, Josh Mello, and the team that Hillary Gitelman, Planning Director, is now assembling. I can tell you from working with them regularly they're fully committed to taking us to the platinum level and beyond. Thank you.

Mayor Burt: Just as a follow-up to the City Manager Comments, I want to share with the Council and the community that we'll be sending out an announcement this week. I want to let the Council know and the public know that our City Manager, Jim Keene, has been selected as the recipient of the International City/County Management Association, the ICMA, as this year's winner of the Award of Career Excellence. That's in recognition of his 35-year leadership in city and local government. ICMA is the premier international organization of professional and local government leaders establish this award in memory of Mark E. Keane, no relation and different spelling. It recognizes an outstanding chief local administrator who has fostered representative democracy by enhancing the effectiveness of local elected officials and by consistently initiating creative and successful programs. The ICMA highlighted Jim's lifelong commitment to public service, his passion for sustainability, community building, civic engagement and innovation to transform local government. Jim will be officially recognized and honored in conjunction with the ICMA's annual conference this fall. Let's all congratulate a really outstanding achievement. This is a big award.

Mr. Keene: Mr. Mayor, since you surprised me with that, but to inject a little bit of humor. Afterwards, when I saw the comments from peers, I think the one I enjoyed the most was from Chris McKenzie, the Executive Director of the League of California Cities. He said, "The best way I could look at it is if I had to be stranded on a desert island with a peer, I couldn't think of anyone I'd rather hang out with than Jim." I thought that was a nice way to describe our relationship. Thank you.

Mayor Burt: What would you build on the desert island?

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Oral Communications

Mayor Burt: Our next item is Oral Communications. We currently have two speakers. If anyone else wishes to speak, they need to come forward now. Our first speaker is Catherine Martineau. Welcome.

Catherine Martineau: Thank you, Mayor Burt. Good evening, Council Members. Congratulations, Jim. Well done. I'm here to talk very briefly about an item that you discussed with great thoughtfulness, I thought, at the last meeting last Monday. This is the tree pruning cycle contract. First of all, I want to say that we are very pleased, Canopy is very pleased—I'm Catherine Martineau; I'm the Executive Director of Canopy. I should always say that, not assume that everyone knows me. Canopy is very happy that the park trees and open space trees are now part of the pruning and maintenance contract. The park trees have been neglected for many, many years. It's very good news that the contract has been enhanced that way. I understand that the Council and the Staff recommend a 10-year cycle for pruning of public trees. Certainly, it's much better than 15, so we're pleased with that. We strongly advocate that the pruning cycle be taken back to the seven years at the earliest opportunity. The consequences of an elongated pruning cycle are not going to appear next year or the year after. It's most likely and thankfully we will not have dramatic evidence of what this kind of elongation is going to do. We know our arboriculture science as well as urban forestry practice tell us that a longer cycle for the pruning cycle will result in the deterioration of the canopy and the loss of some tree value as well as an increase in liability exposure for the City and also the loss of revenue generated by trees such as increased property tax, sales tax, some fees. The extension of the pruning cycle is not the only question, though. I want to note that the type of contract the City has right now is very classic, very standard. It does not allow for different pruning cycles for different species of trees or ages of trees. For example, a tree that was planted this year, in this planting season, may have to wait 10 years before it is pruned. Really the ideal pruning time for a young tree is two or three years after planting, and then another two or three years after that. That will allow for the best possible structure of the tree and minimize future maintenance costs. At a minimum, if I may—may I finish my thought?

Mayor Burt: Just wrap up if you can.

Ms. Martineau: At a minimum, I would encourage you to reexamine this contract as soon as possible and look at whether we can have a better structure of a contract with different pruning cycles for different types of trees. Also, I just received before I left the office a letter from the State

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Urban Forester, John Melvin. He addresses some other questions that you had raised last week. Thank you.

Mayor Burt: Thank you. Our next speaker is Bob Moss. We have three more speakers, and that will close off the Oral Communications.

Robert Moss: Thank you, Mayor Burt and Council Members. We tend to forget that in the late 19th century until about 1950, this area was known as the Valley of Heart's Delight. It's the most fertile land in the entire world. All kinds of crops were grown here. If you look at an aerial photograph of Santa Clara County and even into San Mateo County from the 1920s, '30s and '40s, almost all you see is trees. The whole area was just orchards. In the '50s and '60s, when we had the development explosion, almost all of those trees were destroyed. You can see a few little remnants of the orchards; the Maybell site is probably one of the ones that has the most trees right now. A few of us kept some of those orchard trees. We have a couple of them in our yard. One of them is a very nice, tall, ancient plum tree. It's harvest season in the Valley of Heart's Delight, so I brought some plums for all of you. I'll give these to the—the City Clerk will take them and share them. Let me take a few out for the City Attorney; she didn't get hers. Have a few and share them around.

Mayor Burt: Thank you. Our next speaker is Rita Vrhel, to be followed by Fred Balin.

Rita Vrhel: Good evening. I'm going to continue the thought on trees. We're a city of trees. Our motto is The Big Tree. The trees provide majesty and shade and heritage to our community. People who come to this community comment on our beautiful trees. Again, I would like to echo what the Canopy representative said and ask that, while I was delighted that you did not dip into the reserve fund to balance the budget, perhaps some of the hotel tax or perhaps some of the one percent for art or perhaps there can be a campaign for citizen contributions or citizen sponsorship of trees. Perhaps even there can be a citizen arbor group that would take on the job of being trained to prune young trees which would not require a ladder and potential liability. I walk in the Crescent Park area; and even coming down Homer on the way to the meeting tonight, there are so many trees that are compromised in our fifth year of drought. I had Maguire Tree Company prune the City tree in front of my house. This magnolia, they cut it back, and they gave it some sort of miracle fertilizer, which has really brought it back to life. I think also that public education as to the use of a soaker hose on the lawn for 12 hours every two weeks—Canopy can probably provide additional information on this—will really help the tree while not wasting a

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lot of water keeping a lawn green. Trees have their roots in the lawn area, not in the parkway. Having a green parkway does not provide as much for the tree as having a soaker hose in the lawn. I'm hoping that you can go to either a 5 or 7-year cycle for trimming trees, particularly in this time of stress to the trees and look at alternative ways to keep our City of trees so special. Thank you.

Mayor Burt: Thank you. Our next speaker is Fred Balin, to be followed by Bill Ross.

Fred Balin: Thank you. Fred Balin, College Terrace adjacent to Mayfield Faculty Housing project. June 2014, 17-acre integrated 3-parcel application here, required Phase 2 environmental site assessment for 8.5 acres, 1601 Cal. Ave. parcel missing, sampling of TCE in groundwater on adjacent parcel not mentioned in environmental memo, project approved, permits issued, construction begins. Nine months later, Spring 2015, hazardous materials uncovered on the 1601 parcel. Six more months until the public is first notified. Resident scramble for information begins. Applicant's risk assessment and preliminary Department of Toxic Substances Control (DTSC) approval suddenly appears. Application submitted for minor technical corrections under both limited public review and environmental assessment, includes a no-build zone, 29 houses moved, interior road adjustments due to an unremediated contamination. January 2016, residents and their consultant file response reports to DTSC. Our data analysis shows actual spread of TCE is 300 feet, not 50. Why? Because the risk assessment is based on a model filled with assumptions and black box factors. March 2016, applicant stands by its risk assessment, reaffirms that there is no risk to College Terrace or need for additional testing. Residents engage an expert to measure vapor samples on College Terrace properties near the development site. May 2016, protocol established, measurements taken. Results in double-blind study submitted to DTSC on June 3rd. Follow-up based on the studies suspended to deal with this premature rush to judgment on the calendar. There are other required steps DTSC must still undertake, review of preliminary endangerment assessment, public notice and response to land use controls. The application is incomplete and should be continued until such time as DTSC has completely and properly concluded its work, and the application is filed under the proper section of the Municipal Code. Thank you.

Mayor Burt: Thank you. Our next speaker is Bill Ross, to be followed by one additional speaker, a late card, Stephanie Munoz. Stephanie Munoz.

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Stephanie Munoz: Good evening, Mayor Burt and Council. Thank you for letting me speak. I want to express my gratitude and my admiration that Palo Alto is considering retaining Buena Vista. I always thought it was unworthy of Palo Alto to invite these poor, hardworking people to join Palo Alto in holy municipality with the mental reservation that they could be divorced once they had fulfilled their function of developing that little area. I'm so pleased and so proud that you're planning to make it right. Thank you. Bye.

Mayor Burt: Thank you. That includes our Oral Communications.

Minutes Approval

2. Approval of Action Minutes for the June 6, 2016 Council Meeting.

Mayor Burt: Our next item is Approval of Minutes. We have Minutes for the June 6th, 2016 meeting. Do we have a Motion to approve.

Council Member Kniss: Once again with reluctance.

Vice Mayor Scharff: Second.

MOTION: Council Member Kniss moved, seconded by Vice Mayor Scharff to approve the Action Minutes for the June 6, 2016 Council Meeting.

Mayor Burt: Motion by Council Member Kniss, second by Vice Mayor Scharff. Please vote on the board. That passes 7-0 with Council Members—8-0 with Council Member Berman absent.

MOTION PASSED: 8-0 Berman absent

Consent Calendar

Mayor Burt: Our next item is the Consent Calendar. We have three speakers. If anyone else wishes to speak, they need to bring the card forward now. Our first speaker is Julia Keady, to be followed by Soroush Kaboli.

Julia Keady, speaking regarding Agenda Item Number 12: Good evening, Mayor Burt, Council Members. I'm Julia Keady. I'm one of the owners at 100 Addison. We are here to respectfully request a waiver from Ordinance

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5325, 5330 with the restriction of only retail use on the ground floor. In May of last year, our tenants gave us notice, stating that Anthropologie was leaving across the street, and they would no longer be viable in the antique store, and they were leaving of their own accord. At that time, they were paying \$1.50 a square foot and still could not make ends meet. This was never a really true retail store. This store was a consortium of antique dealers who were dealing all over the place with their antiques and storing them there. They kept the door open because of the foot traffic that was facilitated through Anthropologie. Upon getting their notice to vacate, this property was placed immediately on the open market. We had an initial client call us, tenant, who wanted to use the property as an office space. Of course, we had to turn them down because we learned that we couldn't put an office space in this building. The property has been heavily listed and marketed openly to the restricted market that's available to take this property. We have had interest. We have negotiated in good faith with these interested parties. We haven't looked at the going rate Downtown. We've looked only at the tenant and would it work and could we get the building filled. Each time the tenants came, some of them with plans in hand, went to City Hall, they were met with roadblocks. Roadblocks that made it impossible for them to do their tenant improvements. Roadblocks that made them realize that they couldn't go forward, that they'd never be able to make it there with the investment they had to make. At the end of the day, we're left one year later with four requests to the City Hall for a waiver, so that we can open this property up to the full market and possibly get an office user in the property, which is the highest and best use of this property, which is contiguous to residential, single-family residences in Professorville. We want to provide them with a nice neighbor, someone who's not going to make noise until 10:00 P.M. or 11:00 P.M. at night as a restaurant would or a store that gets early deliveries with a truck in the alleyway. We've made four requests. When we went and met with the City Staff, my husband and myself, the owners of the property—we're not big developers; we just needed to know how to do this, how to get a waiver. We were told that—can I finish? Thank you. We were told that—we'd owned the property for a long time, and \$1 a square foot would be fine. We'd be okay, and we'd be able to find a tenant. We asked for their idea of what they'd like to see in there. They said a gym. We found a gym. They made it too difficult for that gym to come in the property.

Mayor Burt: Thank you.

Ms. Keady: Thank you.

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Mayor Burt: Our next speaker is Soroush Kaboli, to be followed by Michael Morris.

Soroush Kaboli, speaking regarding Agenda Item Number 12: Good evening. My name is Soroush Kaboli. I live at Barbara Drive. I've been a resident of Palo Alto for over 25 years, and I've been working as a commercial real estate broker for over 30 years in Midpeninsula. The subject property is considered well within the public transit corridor. While benefiting from said corridor, it unfortunately does not benefit from any of the foot traffic that exists in Downtown. It currently has nine, off-street parking stalls, and soon that number will increase to be 19. The world's largest commercial real estate firm, CBRE, and I have been marketing this property since June 1, 2015. I would like to correct the Staff's comment in the discussion section of its report, in that this property has been marketed without interruption and on a 24/7 basis since June 1, 2015 by utilizing the customary methods in our industry such as electronic mailers to most brokerage firms, email blasts to agents, and utilizing services such as LoopNet and CoStar. Since then, we've had approximately 45 inquiries about the subject property, most of which have been for office use. This number has gone down with time as it has become clear to the brokerage industry that the property can only be used for retail. While I am of the opinion that other than no foot traffic, there are other major issues associated with traffic safety, noise and other pollution issues associated with a retail use at subject property. We've been open to all reasonable offers and have worked diligently to procure a retail user for it. Our list includes an offer from Sparkfactor Design, a product design development consulting firm, within the first 10 days of our effort and another from JumpstartMD, a weight loss and wellness company, before the end of last year. Unfortunately, the first one went away once they were told that they cannot use the property as a creative office environment, and Jumpstart gave up once the City told them that they could not utilize the back portion of the property. It is also worth mentioning that other large, national destination retailers, such as Anthropologie and North Face, have chosen to relocate to Stanford Shopping Mall from Alma. Also worth noting that in one of the hottest real estate markets in recent history, properties such as 101 Lytton, the SurveyMonkey building, has had difficulty renting their ground-floor retail space. After almost three years of marketing, still has 1,586 square feet available. In conclusion, I would like to recommend to you to consider an exemption to the current moratorium for the subject property. Thank you.

Mayor Burt: Thank you. Our final speaker is Michael Morris. Welcome.

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Michael Morris, speaking regarding Agenda Item Number 12: Good evening, Mayor Burt and Council Members. I want to thank you for taking the time to listen to us today. My name is Michael Morris. I'm the other owner of 100 Addison Avenue. You heard from my wife earlier, and you've heard from our broker. Quickly, being a second-generation Palo Alto and growing up in this town and working in this town my entire career, the property that we're talking about, since the '50s, has only had approximately six tenants. A car dealership, Southgate Motors, Dale's Auto Body, Hall's Auto Repair, Union Auto Repair, all of them closed down. In 1999 University Distributors Inc., a wholesale auto parts warehouse distributor opened up operations there. They closed and liquidated their assets in 2001. In 2005, Addison Antiques became a tenant in that building. The only reason, according to the owners of Addison Antique, that they even considered leasing the building and opening operations was that Anthropologie was across the street, a natural draw for them. They told me point blank, "Your building is not what we would want, not what we would envision. It's no street-front, nothing. With Anthropologie across the street, we can probably make a go of it." When they heard that Anthropologie was leaving this year or maybe next year and their lease was up, they said, "Mike, we can't keep the business going if Anthropologie leaves." They left. In reality, the only alleged retail store at this location since the early '50s has been Addison Antiques. When University Distributors opened up their auto parts warehouse in 1999, three neighbors from High Street, who lived across the alley from the subject building, came over and told me, because the Morris family owned the auto parts warehouse, that they were very thankful that there wasn't going to be air ratchets, air guns, chemical odor, loud noise. They were happy for that. As was said earlier, this is not a retail location. We're hoping that the Council will accept our request for exemption. Thank you very much.

Mayor Burt: Thank you. We'll return to the Council. Council Member Holman first.

Council Member Holman: I would like to pull Item Number 10 please.

Council Member Kniss: Second.

Mayor Burt: A third? I will.

MOTION: Council Member Holman moved, seconded by Council Member Kniss, third by Council Member Filseth to pull Agenda Item Number 10 - 411-437 Lytton Avenue [14PLN-00489]: Appeal ... to be moved to a date uncertain.

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Mayor Burt: Item Number 10 is being pulled. Do we have a date tentatively that that would be reconsidered or a timeframe if not a date?

James Keene, City Manager: I don't have the—we're talking about August meeting. When you come back from your break, your first meeting is the 15th. The next one's the 22nd, and the third one is the 29th. I'll see if I can get an exact meeting in just a second.

Mayor Burt: That helps with an approximate timeframe as well. Council Member Kniss.

Council Member Kniss: I would like to pull Item Number 12.

Mayor Burt: I'll support that. Do we have a third Council Member?

Council Member Wolbach: I'll (inaudible).

MOTION: Council Member Kniss moved, seconded by Mayor Burt, third by Council Member Wolbach to pull Agenda Item Number 12 - Denial of a Request for Waiver of the City's ... to be moved to a date uncertain.

Mayor Burt: That is pulled at the request of Council Members Kniss, Burt and Wolbach. Do we have any approximate timeframe in which that would be reconsidered?

Mr. Keene: I think our recommendation would be that we schedule this for a date uncertain at this point in time, Mr. Mayor. There's obviously no way to get this back to you before your break. Your agenda next week on the 27th is completely full. I think it would be best at a date uncertain at this point in time.

Mayor Burt: At the Committee as a Whole retreat, we had a discussion around whether the Council would want to look at hardship cases related to our retail moratorium as potential that these things can be considered in context with each other.

Mr. Keene: I think the Council had recognized in a general sense an issue as it related to our retail preservation policies. I do think that you would need to—you'd be best served by having a discussion about this project in the context of some of those potential policy considerations.

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Mayor Burt: We will consider the Consent Calendar with Items 10 and 12 removed.

Council Member Kniss: So moved.

Vice Mayor Scharff: Second.

MOTION: Council Member Kniss moved, seconded by Vice Mayor Scharff to approve Agenda Item Numbers 3-9, 11, and 13-16.

3. Approval of the Renewal of a Public-Private Partnership Agreement Between the City of Palo Alto and TheatreWorks, Palo Alto Players and West Bay Opera for the use of the Lucie Stern Community Theatre.
4. Approval of a Contract With Con-Quest Contractors, Inc., in the Amount of \$3,293,734 for Channing Avenue/Lincoln Avenue Storm Drain Improvements - Phase III, Capital Improvement Program Project SD-11101, and Approval of a Budget Amendment in the Storm Drainage Fund.
5. Resolution 9604 Entitled, "Resolution of the Council of the City of Palo Alto Approving a Professional Services Agreement Between the Northern California Power Agency and the Cities of Palo Alto and Santa Clara for Electric Transmission, Generation and Regulatory Consulting Services for a One-Year Term."
6. Approval of a Program Agreement With Motivate, LLC for the Continuation of Bike Share Operations and Maintenance of Existing Bay Area Bike Share (BABS) Equipment From June 30, 2016 to November 30, 2016 While a Replacement Bike Share System is Planned and Deployed.
7. Review and Approval of Concept Plans for Quarry Road and Transit Center Bicycle and Pedestrian Improvements Consistent With the Stanford University Medical Center Development Agreement.
8. Approval of a Professional Services Contract With CAD Masters, Inc. for the Ongoing Support, Maintenance, Development, and Enhancement of the Geospatial Design and Asset Management System for the Utilities Department in an Amount of \$500,000 per Year for a Total Amount Not-To-Exceed \$2,500,000 for up to Five Years.

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9. Approval of a Contract With Graham Contractors, Inc., in the Amount of \$1,340,469 for the FY 2017 Street Maintenance Program Preventive Street Maintenance Project, Capital Improvements Program Project PE- 86070.
10. ~~411-437 Lytton Avenue [14PLN-00489]: Appeal of the Planning and Community Environment Director's Architectural Review Approval for the Construction of a new Three Story Mixed-use, Office and Residential Building (two units) and a 1,417-SF Addition to an Existing Historic Category 2 Residence on two Lots to be Merged. A two Level Underground Parking Garage is Proposed to be Constructed Under the new Mixed-use Building Adjacent to the Existing Residential Building. Environmental Assessment: A Mitigated Negative Declaration has Been Prepared. Zoning District: Community Commercial Downtown District and Pedestrian Shopping Combining District CD-C(P).~~
11. Approval of Acceptance of State Funding in the Amount of \$424,000 for the Replacement of the City's 9-1-1 System.
12. ~~Denial of a Request for Waiver of the City's Moratorium on Conversion of Ground Floor Retail for the Property at 100 Addison Avenue.~~
13. Resolution 9605 Entitled, "Resolution of the Council of the City of Palo Alto Calling a General Municipal Election for Tuesday, November 8, 2016."
14. Approval of a Contract for On-Call Traffic Signal Equipment Installation Services for Three Years in the Amount of \$375,000 With Bear Electric Solutions, Inc.
15. Approval of a Cooperation and Support Agreement With Friends of the Magical Bridge Playground and Authorization to Remit \$38,302 in Remaining Funds to the Friends for Playground Services and Activities.
16. Renewal of "Smart Cities" Partnership With Yangpu District, Shanghai, China.

Mayor Burt: Motion by Council Member Kniss, second by Vice Mayor Scharff. Please vote. That passes 8-0 with Council Member Berman absent.

MOTION PASSED: 8-0 Berman absent

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Action Items

17. PUBLIC HEARING: Resolution 9606 Entitled, "Resolution of the Council of the City of Palo Alto Confirming the Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein."

Mayor Burt: Now we get to move on to our Action Items, the first being adoption of a resolution confirming the weed abatement report and ordering cost of abatement to be a special assessment on the respective properties described therein. This is an annual process that we go through to renew our Weed Abatement Ordinance. Who leads this from the Staff level?

Molly Stump, City Attorney: Thank you, Mayor Burt. There's no specific Staff Report on this item. The Staff Report is complete. We invite Council's Motion.

Public Hearing opened and closed without public comment at 6:55 P.M.

Mayor Burt: We have no cards from members of the public, so we need to entertain a Motion. Is there Staff language on the Motion? This is a Public Hearing. We have no cards, but I'm going to open the Public Hearing. With no cards, I'll be closing the Public Hearing. We need to have a Motion to approve the resolution, is our action. Correct?

Ms. Stump: Correct. Adopt the attached resolution, confirming the report and ordering abatement costs to be a special assessment on the properties listed in the report.

Mayor Burt: Do we have such a Motion?

Council Member Kniss: Such a Motion exists. Yes, I move it.

Mayor Burt: Motion by Council Member Kniss, second by Council Member Schmid. Do you wish to speak to your Motion?

MOTION: Council Member Kniss moved, seconded by Council Member Schmid to adopt a Resolution confirming the Weed Abatement Report and order abatement costs to be a special assessment on the properties specified in the report.

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Council Member Kniss: No, I don't, but I think this is a very important topic. I'm delighted we've brought it up tonight.

Mayor Burt: Council Member Schmid, no. Please vote on the board. That passes on a 7-0 vote with Council Member Berman absent and Council Member DuBois not in the room.

MOTION PASSED: 7-0 DuBois not participating, Berman absent

18. Midtown Connector Feasibility Study and Direction Regarding Potential Bicycle and/or Pedestrian Paths Along Matadero Creek or Parallel Routes.

Mayor Burt: Now, we get to move on to Item Number 18, which is the Midtown Connector Feasibility Study and direction regarding potential bicycle and/or pedestrian paths along Matadero Creek or parallel routes. Welcome to our Staff, Mr. Mello and anyone else.

Joshuah Mello, Chief Transportation Official: Greeting, Mayor, Members of Council. I'm Josh Mello, the City's Chief Transportation Official. This evening I'm joined by our new Senior Transportation Planner, Chris Corrao. Chris has been with us about five weeks now; he joins us most recently from the City of West Hollywood. He's jumped right into both the Midtown Connector as well as bike share and implementation of our bike boulevard program. I want to welcome Chris. He's joined by Jeff Knowles, who is our consultant with Alta Planning and Design. Jeff is going to walk us through a very brief presentation, and then we're going to present our Staff recommendation on how to move forward, given all that we've learned through this feasibility analysis process.

Jeff Knowles, Alta Planning and Design: Mayor, Members of Council, thank you very much for allowing us to present these findings. Also, happy first day of summer, as I might mention as well. Again, my name is Jeff Knowles; I'm with Alta Planning and Design, a consultant hired by the City to examine the feasibility of a trail between Alma Street and West Bayshore. This process has been going on since 2014. Staff brought to this body recommendations back in November of 2015. Direction was given back to Staff and to consultants to do a couple of things. One was to look at a hybrid alternative that would utilize portions of the Matadero Creek Corridor that are usable, and identify the most practical alternative on a collector street between Alma and West Bayshore. Between that time, we looked at options for creating a shared-use path, which would be a path that allows

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pedestrians and bicycles together. We looked at options for a pedestrian-only path. We also looked at those on-road collector streets that could accommodate a Class IV or separated bikeway, something that would simulate a trail on the street. Our evaluation criteria were looking at minimum available widths. We looked at property ownership. We were looking at safety standards along with utilities, both by the City's own utilities and the Water District's since this is a Water District facility on Matadero Creek. We looked at Palo Alto's Bicycle and Pedestrian Plan standards along with Santa Clara Valley Transportation Authority (VTA) standards, the project funder for the grant. Then we looked at breaking up the corridor—it's a 1 1/2 mile corridor from Alma to West Bayshore—into six segments, A-F. This slide presents what culminates in months and many Staff hours of research and analysis into our feasibility overview. I'm going to walk through this very briefly, and then hopefully I'll have time for questions. Segment A is from Alma to Waverley. This segment is a highly constrained segment. Our analysis is that it would not work as an on-creek corridor for bicycles or pedestrians due to maintenance ramps, houses that are located right adjacent to the water. El Carmelo is a feasible on-street alternative, and I'll get to that in just a moment. Segment B, Waverley to Middlefield Road, has a constrained element for bicyclists; however, it is perfectly feasible for pedestrians. There is an easement that limits access for the shared-use path around the First Christian Church. The Keys School is a K-8 school also located on that property that would have some issues with allowing bicyclists through that property. Segment C is Middlefield through Ross. Again, a perfectly feasible alignment for pedestrians; however, constraint exists for bicyclists. The shared-use path through the Winter Lodge would result in a parking loss and a reconfiguration of that parking lot. We're marking that as a constrained segment that would need to be overcome through negotiation. Segment D, I can report happily that this is perfectly feasible for both pedestrians and bicyclists. Segment E is Louis to Greer. This section also has a physical constraint that would limit bicyclists using the on-creek corridor. However, pedestrians can move through this. It's a maintenance ramp issue. We're proposing an alignment that I'll share with you in just a second through Seale Park. Finally, Segment F is Greer to West Bayshore and onto the Baylands. This section is a little unique from the other sections. This has a floodgate that would limit access for a number of months a year, so seasonal access only, available when the floodgates are not installed. What does this look like? For the shared-use path option, we are proposing that the City evaluate El Carmelo as that hybrid, on-street alternative for a shared-use path, examining the sidewalk and creating a shared-use path along El Carmelo as an alternative. Between Waverley and Cowper, you could create the shared-use path condition; however, you still reach that constraint through Hoover Park and the First Christian Church. The constraint would require a negotiation with

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the easement that the First Christian Church currently has with the Water District along with configuring the Americans with Disabilities (ADA) access for parking. The First Christian Church parking lot would have to be configured, and a fairly substantial parking loss would be required. That's a heavily constrained area. Again, the same with Winter Lodge. A shared-use path could fit through if the parking lot could be reconfigured. In conversations with Winter Lodge, early conversations, that was something that they were, at that time, not willing to entertain. From Ross to Louis, as I mentioned, is completely perfect. You could build that tomorrow. From Louis to Greer, we believe that it is feasible to go from Louis to Maddux through Seale Park using the existing path that exists, and then on Maddux as an on-street facility. Segment F could be a shared-use path from Greer to West Bayshore. For the pedestrian-only path option, I can report that very few constraints exist. If you wanted to make a pedestrian-only path from Alma to West Bayshore, the only really constraint that exists is that seasonal access from Greer to West Bayshore. In this examination, we also looked at all of the crossings that you'd have to make between Alma and West Bayshore. We looked at evaluating a couple of different options. One was a low-volume crossing, essentially everything except for Middlefield Road. We presented some prototypes for consideration by the public and by Staff. A low-volume crossing could include a raised crosswalk, curb extensions, rectangular rapid-flashing beacons which is a user-activated button that essentially simulates a traffic control feature. These along with advanced markings and advanced signage could help create a safe, midblock crossing condition at those low-volume crossings. For Middlefield Road, a slightly different condition. We'd also recommend a raised crosswalk. In this one, instead of a rapid-flashing beacon, you could create a pedestrian hybrid beacon. This is similar to something called a HAWK where users would initiate a red light sequence. You could also create a pedestrian refuge island, shown there in the bottom figure. We heard from the public quite a bit of concerns about privacy, about safety along the proposed trail. Through our research, looking at safety, we looked at national statistics, we looked at also other trails in the Bay Area that had creek-side trails behind residential homes. From that analysis and from national literature, the report that we came back with in the Feasibility Study and in the Staff Report is that creek trails like this, we cannot say for certain that it's going to increase crime. We can say for certain that it's probably not going to have any effect other than the crime that already exists in the surrounding neighborhood. That's from literature that we've been able to pull together. For privacy concerns, I'm going to get to some cost estimates in just a minute. The privacy concerns should be eliminated in that cost estimate where we're allowing for additional privacy fencing at a height to be negotiated, if this project were to move forward, with each landowner along the way. The privacy fencing exists today from as low 4 1/2 feet, 5 feet up

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to 8 feet tall. In the cost estimate I prepared, that could be afforded to allow more privacy. This is an image also along the creek showing how natural vegetation has been used to provide additional privacy for homeowners. The cost estimates that we prepared for the shared-use path includes all segments that were feasible, including those midblock crossings, would be a total of \$4.9 million. The pedestrian path only option would be a total of \$3.4 million. In addition to looking at the on-creek and hybrid alternative options, Council asked for on-street alternatives on collector streets. We evaluated Colorado Avenue along with Loma Verde. East Meadow Drive is something that City Staff are looking at as a separate project. Colorado Avenue is 36 feet from curb to curb. It has a parking lane, a shared sharrow and travel lane, and a bicycle lane. We did not take this any further for consideration due to the fact of its limited width. There wouldn't be room to do a separated, Class IV facility. Instead, we looked at taking Loma Verde, which is 40 feet from curb to curb, as a viable alternative. From Bryant to Louis on Loma Verde, you have a parking and bicycle shared lane on the north side of the street. You have two travel lanes, and you have a bike lane 6 feet on the south side that essentially allows for parking at night, but during the day it functions as a bike lane. On either ends of the corridor from Loma Verde, you have two 20-foot shared travel and parking lanes. The configuration that we came up with, Cross Section Number 1, is to retain that parking lane on the north side of the street. You would still have a 19-foot travel way, and we'd create a separated, raised median, Class IV cycle track, so a two-way cycle track with that protection from moving traffic. Essentially, you're taking the bike lane on the north side and consolidating it with the bike lane on the south side. This is a visual simulation of what that could look like. It's early in the stages, so that separation could take many different forms. We're showing here planters; however, that could take lots of different looks and feels, planted or not. An issue with this configuration are the number of driveway crossings; there are roughly 65 instances where a Class IV facility would cross driveways. As it stands today, the bicycle lanes plus sidewalks, people using those driveways already have to look in both directions and look for bicycles in one direction. This would be adding a bicyclist moving in a different direction. This is a treatment from national standards that show how these driveways could be marked to alert different users of that potential crossing conflict. The cost estimate for the Loma Verde Avenue Class IV, protected bikeway would be roughly \$2 million. At this point, I want to turn things back to Josh.

Mr. Mello: Thank you, Jeff. That brings us to our recommendation. We did go to Planning and Transportation Commission last month, and we presented basically this exact same presentation and a draft of the Feasibility Study.

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The Planning and Transportation Commission after some discussion recommended that we proceed with a hybrid, shared-use path and pedestrian path. What they recommended was to construct a shared-use path where feasible, and then in the segments where a shared-use path was not feasible to install a pedestrian-only path, which is narrower and can be fit in some of the segments where a shared-use path cannot be accommodated. They also recommended that we not pursue the Loma Verde Avenue Class IV, separated bikeway. They along with the City/School Traffic Safety Committee and Palo Alto Bicycle Advisory Committee (PABAC) expressed concerns about the number of driveways and how the two-way bikeway on one side of the street would interact with motor vehicles and pedestrians and other roadway users at intersections along Loma Verde. They were worried about the wrong-way riding in the two-way facility. We've done a lot of thinking since our presentations to PABAC, the City/School Traffic Safety Committee as well as the Planning and Transportation Commission. What we're recommending tonight is a four-part recommendation. The first is to adopt the Midtown Connector Feasibility Study, which is attached to the Staff Report. The second is to direct Staff to complete plans, specifications and estimates for a shared-use path along the Matadero Creek Channel and through Seale Park between the planned Ross Road bicycle boulevard and the U.S. 101 creek undercrossing. This is only Segments D, E and F, only from Ross Road east to the Baylands. Part 3 of the Staff recommendation is direct Staff to work with the Santa Clara Valley Water District to provide seasonal access for bicyclists and pedestrians through the U.S. 101 creek undercrossing. This would function similar to our existing Adobe Creek undercrossing. It would only be open outside of the winter rainy season. It would be able to provide access for both pedestrians and bicyclists under 101 to the Baylands recreation area. The fourth part of our recommendation is to direct Staff to complete an alternatives analysis, a project study report also known as a PSR, and an environmental analysis for an Alma Street/Caltrain overcrossing/undercrossing at a location somewhere between Colorado Avenue and Loma Verde Avenue. This would be an Across Barrier Connection to connect the Midtown neighborhood to the Park Boulevard Bike Boulevard, the Margarita/Matadero Avenue and Bol Park Path, creating a really great east-west connection. It's worth noting that both the undercrossing at 101 and the potential overcrossing/undercrossing at Alma and Caltrain are in the draft list for VTA sales tax funding under the bike/ped category that was just approved by the Board back on June 2nd. I think if we were to advance these projects, there's a potential that we could leverage some of the sales tax funding. They are identified as significant barriers in the VTA bike plan, both the Caltrain/Alma crossing and the U.S. 101 crossing. Here's a map that shows the three projects that we're recommending moving forward. From left to right, you have the

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Alma/Caltrain overcrossing/undercrossing, the three segments of shared-use path connecting the Ross Road and Greer Road bicycle boulevards to the Baylands Trail network, and then the seasonal undercrossing under 101 on the far right there. Cost estimates for these three separate projects, we estimate completing the shared-use path along Segments D, E and F would be roughly \$1.7 million. It would be our recommendation to request from Santa Clara County that we use the \$1.5 million that was allocated for the Matadero Creek Trail for this segment. We could call it a starter segment. This may not be the last—there could be a day where there's a major construction project along the creek corridor, and a shared-use path may be easily accommodated on Sections A, B and C. I think this is a good first step. It could be a last step as well; it does serve an independent utility connecting the Ross Road Bike Boulevard to the Baylands. Project 2, the Caltrain/Alma Street undercrossing, our estimate is about \$18 million. This is roughly what VTA also includes as their cost estimate for this particular Across Barrier Connection. The U.S. 101 seasonal undercrossing, we're estimating about \$2 million to bring that up to standards. There's some walls that would need to be added, additional safety features and just a general upgrade. It's still a fairly cost-effective project to add access to the Baylands at that location. With that, we'll take questions. I thank you for giving us the opportunity to present this, this evening.

Mayor Burt: Thank you. Colleagues, questions before we hear from the public. These would be technical questions that are concise. Council Member Kniss.

Council Member Kniss: I'm still troubled by the Matadero Creek, and I might ask you to say a little more about that. In addition, the seasonal undercrossing, which has been discussed for a long period of time now, normally goes by a man's name that I've just blanked on. Somebody help me. Winsky?

Council Member Holman: Lefkowitz.

Council Member Kniss: Thank you. That's such an unattractive area. Is your idea that the design or whatever you might do to it, before we finally get around to a bridge that goes over it, would add what to it? I don't know. Could you also tell us how much it was used this year when it actually did rain?

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Mr. Mello: This undercrossing is not open at all to bicyclists and pedestrians. We're recommending opening it outside of the winter rainy season. I think you may be referring to the Adobe Creek undercrossing.

Council Member Kniss: You're right. The Mayor just reminded me of that. Thank you.

Mr. Mello: This would provide brand new seasonal access that doesn't currently exist.

Council Member Kniss: And will be considerably better than the other one. Go back to Matadero Creek. I like most of this a lot, but I was troubled when I walked along there. I would confess I voted for this when I was at the County. I have mixed feelings on it. Going along behind people's houses at all hours of the day and night makes me uneasy. Say something about that. Say something that makes us just all feel incredibly comfortable with jumping on your bike or walking along. It's going to have to have lighting if you're going to have it used at night.

Mr. Mello: We have talked about the ability to restrict access with the Water District. They are open to the City defining the operating hours under the Joint Use Agreement that we would need to execute with the Water District. I could foresee a scenario where there were gates that were closed at a certain time in the evening to prohibit access in the off hours. This will likely—aside from the seasonal undercrossing, Segments D, E and F, there's parallel corridors that commuter cyclists could use. One of the troubles with closing trails in the evening is in the winter when it gets dark really early. Commuter cyclists have trouble finding alternatives. In this case, there's plenty of alternative parallel streets. I could see a scenario where the City restricts the hours of the trail segments.

Council Member Kniss: I'm sorry about the Loma Verde Trail which looked very appealing to me. You're indicating you had a lot of feedback from schools and from that committee working on it that really was enough to persuade you to bypass it. Correct?

Mr. Mello: Yes. We think there may be some minor striping and signing changes that we could do on Loma Verde that would improve the existing conditions without adding a two-way, separated bikeway as shown in the graphic.

Council Member Kniss: Thanks.

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Mayor Burt: Vice Mayor Scharff.

Vice Mayor Scharff: Just following up on that. What I also heard you say on Loma Verde was that the two-way bike path with the open driveways—maybe I misheard—is nationally accepted as a safe thing to do. Did I hear that or did I misunderstand that?

Mr. Mello: Two-way, separated bikeways are typically not installed on two-way streets. There's very isolated circumstances where they work really well, which is if you have a street without a lot of driveways. Let's say, for example, along a railroad corridor where one side of the street has no driveways. Alma Street for instance. In those locations, a two-way, separated bikeway may work fairly well on a two-way street. Loma Verde has 65 driveway crossings, so there would be 65 instances where somebody pulling out of a driveway who fails to look to their right may have a conflict with a cyclist who's traveling in the other direction.

Vice Mayor Scharff: In this instance with the driveways, the science basically indicates we shouldn't do it.

Mr. Mello: Yeah. There's an argument that, because it's a residential street, the people using the driveways may be familiar with the fact that there's a two-way bikeway. You don't have a lot of commercial driveways which would have a lot of all-day traffic. I think the most prudent thing would be to look at ways to improve the existing bike lanes that are one-way on each side of the street.

Vice Mayor Scharff: On Matadero Creek, on Segments D, E and F, that's the only segments you're suggesting we do. Is that correct?

Mr. Mello: D, E and F, yes.

Vice Mayor Scharff: That'll be paid for, you believe, almost all by the grant. A million five is the grant; we think it's going to cost between a million five and a million seven.

Mr. Mello: Our strategy, assuming Council agrees with the Staff Report, would be to request that the \$1.5 million be used for those three trail segments.

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Vice Mayor Scharff: If we didn't use it for that, we'd probably lose the grant or what happens? Do you have any idea?

Mr. Mello: We've had very preliminary discussions about what other types of projects we could use it for. We haven't really received a response. I think we'd have to have a firm request in hand as to what we want to use the funding for. One of the conditions was that we complete a Feasibility Study.

Vice Mayor Scharff: The Caltrain/Alma Street crossing, that's a lot of money, \$18.2 million. You're thinking that would be funded through the VTA tax, if that passes?

Mr. Mello: I think, in all likelihood, it would have to be a mix of funding similar to what we've assembled for the Adobe Creek/101 overcrossing. The VTA sales tax funding would probably play a big role in that package.

Vice Mayor Scharff: You're asking us—what are you asking us tonight to approve? Was it the environmental, the design and construction? How much are you asking us to approve spending on this? Where was that going to come? That was sort of my question.

Mr. Mello: We would, of course, have to come back to Council with any contracts associated with this, but the estimate for the preliminary project work for the Caltrain/Alma Street undercrossing is about \$4 million. We would phase that; we would start with the first preliminary work, which would be the project study report and an alternatives analysis. We could do a Feasibility Study to kind of lock down the exact location of the overcrossing/undercrossing, whether it's going to be an overcrossing or an undercrossing, look at the different constraints.

Vice Mayor Scharff: The alternatives analysis is what you're asking us to fund tonight or ...

Mr. Mello: Yes.

Vice Mayor Scharff: ... at least approve.

Mr. Mello: At least come back to you with a contract.

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Vice Mayor Scharff: That'll go on Consent; we'll have said we did it. What's the amount of that, the feasibility alternatives? How much money are we tentatively committing to spend if we did that?

Mr. Mello: I would say probably roughly \$1 million. The estimate that's shown on the cost estimate slide includes an environmental and alternatives analysis. If we were to break that apart, each phase would probably be roughly \$1 million.

Vice Mayor Scharff: When do you think we would actually institute that? Would it be 2018 or 2019 or next year, 2017?

Mr. Mello: A typical study with that scope would be a year and a half. Probably a year, year and a half, I think we could come back with an alternatives analysis.

Vice Mayor Scharff: You think it would take a year or a year and a half to do the study.

Mr. Mello: Yes.

Vice Mayor Scharff: How long would it—when will we start it? When would we have the money to start it? Have we looked at a budget? How are we going to fund this?

Mr. Mello: We can look at funding it through the Bike Ped Plan implementation, if Council wants to move forward with these three projects that we're recommending. Again, we'd probably have to come back to you with more firm details on what the contract costs would be for each of these three.

Vice Mayor Scharff: Thank you.

Mayor Burt: Council Member Wolbach.

Council Member Wolbach: I just want to get a sense of some distances here. Loma Verde at Bayshore is only about half a mile, about 0.5 mile, from our future bike and pedestrian bridge at Adobe Creek. Is that correct?

Mr. Mello: The Adobe Creek overcrossing?

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Council Member Wolbach: Yeah. It's about a half mile, I think.

Mr. Mello: Yeah.

Council Member Wolbach: At the other end of Loma Verde, at Loma Verde and Alma, Loma Verde's approximately equidistant between the undercrossing at California Avenue (Cal. Ave.) for bike and ped and at the other end, the crossing at Meadow. It's about 0.7 to Cal. Ave. and 0.6 to Meadow. Right?

Mr. Mello: Yeah, that looks about right.

Council Member Wolbach: Colorado at Alma—actually Colorado's—we've pretty much ruled that out because it's too narrow anyway. I'm trying to figure out what the differences are and how striking the differences between East Meadow and Loma Verde. We're already planning to do a Class IV bikeway on Meadow. Correct?

Mr. Mello: Yes. We're working on that concept plan right now.

Council Member Wolbach: I guess I would just like a little bit more clarity from Staff on why a Class IV bike lane would work well for Meadow but not for Loma Verde.

Mr. Mello: For Meadow, we're looking at two one-way, separated bikeways so cyclists would be traveling in the proper direction of travel with motor vehicles. Loma Verde, without removing all of the parking on both sides, the only thing you can accommodate is a two-way, separated bikeway, which is shown in the ...

Council Member Wolbach: Are we removing parking on both sides on Meadow?

Mr. Mello: Meadow is much wider, and there's an opportunity to have a parking-protected, separated bikeway along the majority of Meadow.

Council Member Wolbach: Basically we get to preserve more parking on Meadow because it's wider.

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Mr. Mello: Yes. If you see the graphic that's up on the screen, in order to have two one-way bikeways instead of the two-way configuration, we would have to remove the parking that's on the opposite side.

Council Member Wolbach: Parking is one of the things that you'd lose on Loma Verde, that you wouldn't lose on—just trying to consider what the feasibility of this and how the costs and benefits of this compare to East Meadow, where we've already decided to press forward. As far as number of driveways and driveway intersections, especially on the northwest side of Meadow—I know on the southeast side you've got a lot of public facilities, so there are fewer driveways. The number of driveways on the northwest side of Meadow, I know that's not what you're really prepared to talk about tonight, but do you have a sense of approximately how many driveways and cutouts there are there?

Mr. Mello: I don't, but I can tell you a lot of the houses along the northwest side of Meadow actually front on the side streets; they don't front directly on Meadow. Every parcel along Meadow doesn't have a driveway that exits onto Meadow. The driveway issue is only a concern when you have the wrong-way riding that comes with the two-way facility. If you were to do two one-way, separated bikeways, you don't have the same concern around driveways because cyclists are on the right side of the roadway.

Council Member Wolbach: It's really just a question of whether drivers will be cognizant enough to look both ways when they're pulling out of their driveway.

Mr. Mello: Correct. Most people don't; most people just look to their left.

Council Member Wolbach: That's horrifying to think about, but I think we've all—I would hope that Palo Altans were a little bit smarter than to look only one way when pulling out of the driveway in a multi-ton vehicle. I know that sometimes that can be correct. In talking about bike and pedestrian crossings at Middlefield and increasing those, we can do that regardless of what we do with this project. Correct?

Mr. Mello: Yes, that's correct.

Council Member Wolbach: As far as additional crossings, like I was talking about where Loma Verde, for instance, or Matadero Creek meets Alma, where you see about halfway between the existing train and Alma crossings at Meadow and Oregon. If we're talking about adding additional crossings

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there, how does that interplay with our thinking about and hoping and planning for changing the configuration of the train to be in a trench or otherwise separated? If we spend \$15 million to build a tunnel under the train, and then we put the train down where the tunnel is, have we just blown \$15 million for a couple of years of use?

Mr. Mello: No. I think we would do whatever possible to make sure that neither the railroad grade separation nor the overcrossing/undercrossing precluded the other. They'll be moving somewhat in parallel. I think we're at a good place where we could make sure that maybe they're incorporated into one larger project. At a minimum, they wouldn't preclude each other. If we were going to advance a trench, of course, we wouldn't look at an undercrossing that would need to be removed.

Council Member Wolbach: Those are my questions. Thanks.

Mayor Burt: Council Member Schmid.

Council Member Schmid: If you could put up the Staff recommendation map. You're recommending going ahead with D, E and F, setting aside B and C. I thought in the Staff background material you talked about negotiations with Winter Lodge, with the church, with the school. I thought in the Planning Commission there was a lot of discussion of this is the first step while we work on these other things. What happened to the negotiations with key players on B and C?

Mr. Mello: We've had preliminary discussions with the church and the Winter Lodge. Both of them were not very receptive of removing parking and modifying parking lot circulation. It was only preliminary discussions; it was not negotiations by any means.

Council Member Schmid: You're putting those in abeyance, is your suggestion here, rather than continuing to find out what options there might be that we could offer.

Mr. Mello: There's also some physical constraints on those segments. As we met with the community and had discussions and got a lot of valuable input from the Citizen Advisory Committee and talked it through, tackling those two segments at this point in time I don't think are the wisest use of funding. They could become fairly expensive. I think our recommendation kind of evolved from how can we best connect our bike network to something logical like the Baylands. If we were to go the other direction,

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we'd have to spend a lot of money to get under Alma and Caltrain. I think our logic was let's build something that's functional and usable as a first phase. What we came up with was D, E and F. That's not to say that B and C could not be advanced in the future when some of those constraints go away.

Mayor Burt: Council Member DuBois.

Council Member DuBois: First of all, Chris, welcome. Glad to see you joining. Council Member Wolbach touched on it. Meadow was only mentioned briefly in the report, even though I think it was one of the options that we recommended back in November. I guess kind of a broad question. Why wasn't Meadow actually considered as the connector and been kind of split off at this point?

Mr. Mello: The direction that we got from Council in November was that Meadow was kind of a separate—we were directed to look at the Matadero Creek Channel and then a parallel collector street, either Colorado or Loma Verde, and then an add-on to that direction was that we also advance East Meadow Drive. We've been doing that separately, and we will be coming to you with a concept plan for East Meadow, but it's not ready today.

Council Member DuBois: If we wanted to, could the grant money be applied to the Meadow improvements? Especially if it's connected to the bike bridge.

Mr. Mello: We could request that the funding be used. Given the fact that it's not quite adjacent to the Matadero Creek Channel, it may be a bit of a stretch. We haven't been able to get any clear direction from the County as to what would be eligible and what wouldn't. I think they're really waiting for the results of our Feasibility Study.

Council Member DuBois: I thought the grant—remind me if this is wrong—was the Bay to Foothills. Was it also tied to the creek?

Mr. Mello: The grant application specifically highlights that this will be the Bay to Foothills connector. Like I said, I think we could certainly request anything we'd like. We could send a request in for any use of the funding. I'm not 100 percent confident that East Meadow would satisfy those requirements.

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Council Member DuBois: I had the same question about Loma Verde, but the answer would be the same. Could we use the grant money on Loma Verde?

Mr. Mello: I think the reason we advanced the two-way, separated bikeway is we were trying to emulate an off-road trail environment on-street. As we got far along on it, we started to realize that it just wasn't fitting the way we thought it would. That's the reason why we looked at a two-way, separated bikeway on Loma Verde, because we wanted to fit in those constraints, the recreational focus and the Bay to Foothills connection.

Council Member DuBois: Looking at the treatments for the midblock crossings, where would the Middlefield lights be and would that be right at Keys School?

Mr. Mello: It would depend on where we could construct ADA ramps and install signal mast arms. It would be somewhere near the bridge over the creek, but we'd need to find power, we'd need to install the signal cabinet, the mast arms, push buttons. We'd need room for the proper landing area at the top of the ADA ramps, and the bridge area is pretty constrained. It'd probably need to be on one side of the bridge or the other.

Council Member DuBois: Do you know how much money has been spent so far doing all the planning?

Mr. Mello: I'm going to have to look. I can get back to you later in the meeting.

Council Member DuBois: On the train crossings, the same kind of question. Was East Meadow considered as the location for the train underpass?

Mr. Mello: We haven't done any real alternatives analysis on the overcrossing/undercrossing. That's actually what we'd like to move forward with to start. If you'd like us to look at East Meadow as one of the alternatives, we can certainly do that.

Council Member DuBois: It seemed like you suggested some configurations in the report, but like half of them you said weren't really feasible or had issues. Is there a preferred scenario? If I'm reading it, does that require eminent domain to acquire property?

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Mr. Mello: There's a City-owned power substation that's along Park Boulevard, on the other side of the tracks. I think in order to avoid acquisition, I think using that would probably be—if we were going to stay in the Loma Verde/Matadero Creek vicinity, I think the only way to avoid any kind of right-of-way acquisition would be to somehow use that City substation property.

Council Member DuBois: That was more Colorado. The Loma Verde straight shot was the acquire property option.

Mr. Mello: Yeah. There's homes along the entire stretch of Park Boulevard between the tracks. There would need to be property acquisition if you were to come straight off Loma Verde.

Council Member DuBois: Thank you.

Mayor Burt: Council Member Filseth. Is that whose light it is?

Council Member Filseth: I think my question actually already got answered. Thanks very much. It's too bad, because the Class IV bikeway on Loma Verde looks really cool.

Mayor Burt: I had a few questions. One is the potential—the separated crossing at Loma Verde over the tracks. Is that also envisioned in this estimate to include crossing over Alma or would it be signalized at Alma?

Mr. Knowles: We looked at a couple of different configurations. One would be to go actually—boring underneath Alma and the Caltrain tracks or doing an at-grade crossing that would require some sort of signal. There are (crosstalk).

Mayor Burt: An at-grade crossing on the tracks or you mean on Alma?

Mr. Knowles: On Alma Street.

Mayor Burt: The dollar amount that was used for the estimate, is that for fully separated under Alma and Caltrain?

Mr. Knowles: We wanted to give you the most conservative (crosstalk).

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Mayor Burt: It'd probably be helpful if we had an approximate range if we signalized Alma and then had a tunnel or overpass on the tracks. That's one thought. On the lower portion from Greer to 101, it's referred to as constrained. On the north side there—I'll call it the north side—we have another one of our substations and, I think, an open space there. What are the constraints on that segment?

Mr. Mello: On the 101 end?

Mayor Burt: From Greer to 101.

Mr. Knowles: Really the only constraint, Mayor, is just the seasonal access of it. Just not having full access year round. There's also a vertical height constraint underneath 101; it's about 7 1/2 ...

Mayor Burt: I didn't mean the getting under 101. I meant from Greer to 101. That's listed as constrained.

Mr. Knowles: Only the seasonal access, that's the constraint.

Mayor Burt: I get it. You're not saying there's a physical limitation.

Mr. Knowles: Not a physical, more of an operational constraint.

Mayor Burt: As far as the value of the grade separation at approximately Loma Verde, is this something that is being looked at as principally a south Palo Alto to west Palo Alto connection? I know we have our Margarita to Matadero up to the Bol Park Path that you mentioned. Is there any consideration of the value to Stanford Research Park because the Bol Park Path essentially also connects right there?

Mr. Mello: I think you include the Bol Park Path, and you have a Baylands to Arastradero/Foothill Corridor. I think there's a value for the entire south side of the City as well as the southwest quadrant. I think VTA also recognizes that this is a regional barrier and that it'll help people get from the San Francisco Bay Trail across the Caltrain and Alma Corridor and serve as more of a regional connection as well.

Mayor Burt: I had always thought of this—this goes back to when Council Member Holman and I were on the Planning Commission, and we strongly supported a south Palo Alto grade separation for bike and ped. I had always

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thought of it as for kid and residents between south Palo Alto and west Palo Alto. Have we had any discussions with the Research Park? They now have their Transportation Management Agency, and there's 26,000 employees in the Research Park. They had heat maps on where their employees reside, and then they're doing a survey right now like we did for the Downtown Transportation Management Agency on what willingness there is of workers to take other modes if alternatives were attractive. Are you in any discussions with them about the value of that grade separation and, frankly, this whole corridor to the Research Park in addition to the value between south and west Palo Alto?

Mr. Mello: Getting direction from you this evening would enable us to begin the preliminary project work associated with this overcrossing/undercrossing. We can certainly start having that discussion and look at how it fits into the greater network as well as the regional bicycle network.

Mayor Burt: We had also this—I forget what you call it—kind of a pop-up event that was actually on the creek. It only had a couple of blocks that were on the creek, and then the people tried out different routes. What were the responses from the community on the value and preferences and all that?

Mr. Knowles: We had about 250 people attend that event. It was a Saturday afternoon, where we opened up a section between Waverley and Cowper for the community to explore, about four hours. The comments received back through comment cards were attached, all of them scanned and copied and provided to Council. About 60-70 percent were supportive. Some people expressed support but had reservations about some of the constraints that we shared. The maps that I presented in this PowerPoint and the Feasibility Study were also shared with the public. Some people were a little bit let down that the path didn't go all the way through, that it didn't look like the section that we showed from Waverley/Cowper all the way through. Some of them also shared lots of concerns that we'd heard throughout the process about privacy, about safety, about safety to the creek as well, the need for additional gates that would have to be installed potentially, the fact that it couldn't be lit at night. There were lots of concerns that we also heard from the public at that event. I think everybody expressed gratitude for being able to experience the trail at least firsthand. We heard also from one of the property owners who was surprised to see the event happening and came to us and also talked about the privacy concerns. This is a property owner that did have a low fence, and people were walking past their home. She was able to tell us firsthand

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about people looking into her back windows and share that important feedback and what a design would have to look like to prevent that kind of intrusion into privacy.

Mayor Burt: Thank you. That, I think, covers our questions. We'll now go to the public. We have ...

Mr. Mello: If I could just answer Council Member DuBois' earlier question. The total budget for the Feasibility Study was \$383,000.

Council Member DuBois: Is that out of the \$1.5 million grant?

Mr. Mello: No. That was funded through the City Bicycle and Pedestrian Plan implementation.

Mayor Burt: We have nine speakers. If anyone else wishes to put a card in, they need to do so at this time. Our first speaker is Julie Nolan, to be followed by Mike Nolan. Each speaker has up to three minutes to speak. Welcome.

Julie Nolan: In the beginning, someone looked at a map and imagined a public trail on the maintenance road along the Matadero flood control channel. The imagined route was included in the 2012 Bike and Pedestrian Plan as a Class I bike trail proposed to be continuous from west of Caltrain to east of 101. This, despite a private property, all the way to the creek wall at Waverley Street, multiple cleanout ramps along the route, and the crossing of many streets in Midtown, important streets. Apparently these facts were not known by the Santa Clara County Board of Supervisors when they voted to grant the \$1.5 million to Palo Alto for a Matadero Creek Trail. Anyway, money was allocated by the City. Consultants were hired. A Citizens Advisory Committee was created. I'm a member of that Committee and a long-time Matadero Creek neighbor. On November 9th, as you know, City Council heard the recommendation of City Staff in concurrence with the conclusions of the Citizens Advisory Committee (CAC) that a Matadero Creek Trail was not feasible. Despite this, more money was allocated. Consultants were hired, resulting in a list of options before you this evening. This new set of consultants arranged to open the maintenance road between Waverley and Cowper on April 23rd, sent a postcard to residents, inviting them to walk and bike on the greenway. It turns out that the consultants made actually a significant mistake. In their draft report, they show that width as 14 feet, but it turns out the actual width is 11 feet. By the City's own standard for a shared-use path, that's not adequate. The standard is 12

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feet. The only possible segment of the hybrid route that bikes could use is the two block segment from Ross to Louis. That's along the creek maintenance road. The odd and costly bits and pieces of proposed path options cannot be landscaped, cannot be lit. It just is a very costly way to think about this. It has no benefit to Midtown. It's a fully built-out neighborhood, sidewalks everywhere, safe for bikes. Creating a public path immediately adjacent to all the private homes is a serious invasion of privacy. It's not just about looking into your backyard; it's about the noise and hundreds of people going by. I want to point out at that same November 9th meeting, the City Council voted unanimously to approve a second-story overlay to protect a neighborhood from the invasion of privacy for second stories being built on houses adjacent to their property. It's time for the City Council to return the \$1.5 million to the County and request that the money be allocated to a deserving project.

Mayor Burt: If we can—as members of the public, what we want to do is create an environment where people on all sides of issues feel safe and comfortable. We try to discourage applause or booing. Our next speaker is Mike Nolan. Thank you.

Mike Nolan: Hi. Thanks for the time. I'm a little confused about exactly what just happened here. I think I'm here to throw my support behind what the City Staff has recommended. I've been really involved with this. I've paid a lot of attention to it over the last two years. Every chance I've got, I've asked City Staff, I've asked the consultants what the purpose of this project is. Frankly, I've never gotten a very good answer. Is it a connector project? No, it can't really be a connector project because we haven't, until maybe now, really known what it's going to connect to. Is it something that's going to get bicycles and pedestrians faster from east to west? No, it's not. It's not really safe. As you can see up there, it's this hybrid of zigzag segments of paths, some of which are multiuse, some of which aren't. It really makes no sense getting anybody from east to west. If I understand what the Staff just recommended, the focus on the endpoints and that section which, I think, is Sections D, E and F, maybe that does make sense because it will connect bikes and people faster through that section of the trail. I'm not sure. Council Member Kniss' comments, I do live next to the creek. I've lived there since 1978. We've gone through lots of construction in there. During the last major construction phase, where they raised the level of the channel, they redid the bridges and they redid the fences. Ever since they've done that, we don't have any homeless people living underneath the bridge. The graffiti has kind of gone away. Teenagers don't hang out there at night. I can assure that if it's open even nominally, those are all going to return, at least the graffiti and the teenagers hanging out

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there at all times of the day and night. To the consultants, to Jeff, I want to thank him for fixing the problem in the report where they said the channel was 14 feet wide. With that pop-up event, it wasn't. There are constraints for that section to be a shared-use path. It doesn't meet existing guidelines. Anyway, I ask you to think about what the goals are. If the money that you're going to allocate makes some sense and satisfies some goal, it's probably okay. If it doesn't, maybe it is time to give that money back to the County. I'm not sure. It's taxpayer money; it really needs to be used to do something that's really worthwhile and has some vision. Thank you.

Mayor Burt: Thank you. Our next speaker is Stephanie Beach, to be followed by David Beach. Welcome.

Stephanie Beach: Mayor Burt, Council Members, thank you for letting us speak this evening. As a disclaimer, I will let you know that I have lived next to the creek on the Ross/Louis section of Clara for the last 45 years. I have a vested interest. I've also reared three children in Palo Alto, who have bicycled. I have a husband who's a bicycle commuter. Bicycles have been front and center in our lives for a long time. I would welcome a bicycle trail from the Bay to the Foothills, but I'd like to start—that's the goal. How do we achieve it? We don't achieve it by doing a piecemeal, block-by-block, zigzag configuration that ends up really being a trail to nowhere. It's not a bike trail. The bike trail can use that one portion between—although, I just understand not now. The only portion that's really available to bicycles is Ross to Louis. How are we going to keep the bicycles off the other areas? I would urge you to vote against this as it's arranged now. I think that Loma Verde is a wonderful option, but not the way the consultants have configured it. I'd like to cede the rest of my time to my husband, if possible.

Mayor Burt: Sorry, we don't allow ceding time except under a rule where five members can combine their time. Our next speaker is David Beach.

David Beach: Do you allow VGA connections to your projector?

Mayor Burt: To be followed by Sherrie Furman.

Mr. Beach: What is the best value proposition for bicyclists in Palo Alto? I'm only looking at Section D of the proposed plan, because I looked rather carefully at that, the Matadero right-of-way or Loma Verde Avenue. Here's a decision matrix that might be helpful. The first thing I want to look at is, is it a natural environment which will be spiritually and physically refreshing for people going there. On the left is the Matadero Creek, and on the right is

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Loma Verde. Matadero Creek is a wonderful industrial solution to flood control, and it's an eyesore. It has nothing to do with recreation in a wild and scenic nature. Loma Verde is actually quite beautiful. Here we look at some details. Algal blooms, weeds in the channel versus property owners making beautiful scenery for people that might be riding through there. The next thing I want to look at is the degree of dangers, particularly to school children riding but also to everybody else bicycling. What I see is we have inter-block, that is in between block, crossings necessary to implement the Matadero Creek plan. In one case, the one which I measured, it was only 206 feet from one stop sign to the next vehicle control area, and that is going to cause anxiety, anger, frustration, confusion. That is not a safe condition. In fact, in my opinion, it's much more dangerous than a few driveways, even if a few is 56. The next thing I want to look at is, is it a decent connector. I think both. Here's a map that shows both routes, both connecting routes. I think both of them are excellent connectors. They both go to the edge of the Baylands, to the edge of U.S. 101. They're only about a block apart, in fact, a little less than a block apart. They're parallel. One is beautiful; one is ugly. One could be safe, and the other is not going to be. I want to look at construction cost, and this will bring me to value proposition. One is upwards of \$5 million, and the other is probably a million and a half max. There's operating costs, and the operating cost to manage the complexity of the Matadero Creek project is going to be much higher. Finally, Matadero Creek is not a natural creek. It's not a riparian environment. It's an industrial solution. I think we'd be much better off to celebrate the flood control it provides. I happen to be a homeowner on that creek, so I'm very, very glad that it's there. To create a beautiful and safe connector along Loma Verde Avenue. Thank you very much.

Mayor Burt: Thank you. Our next speakers is Sherrie Furman, to be followed by Davina Brown.

Sherrie Furman: Good evening, Council Members. I apologize in advance. My recent foray into the Arctic Circle has left me with bronchitis. If I cough, excuse me. Anyway, I wanted to say I'm a member of the Midtown Connector Citizens Advisory Committee as well as the Chair of the Midtown Residents Association and, thus, have facilitated and been involved in many meetings on this project over the past several years. Twice now, the Citizens Advisory Committee, at least the majority of us, have found the connector options to be infeasible as have the majority of Midtown residents who have attended meetings and spoken to me. Yet, here we are trying to push this project through. As far as costs, the Stanford and Palo Alto Trail Program grant application quoted a cost for this project at \$2 million; however, we're up at least 2, 3, 4, 5 times that now. I always look at the

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return of investment on a project. The costs alone for both the shared-use path and pedestrian-only path are just plain old prohibitive. That doesn't even include the maintenance costs. Do we truly need three under/over 101 crossings in the 1 1/2 miles between Embarcadero and San Antonio? As far as safety, it's been a major concern for residents. Remember that this creek is primarily a flood control project, not a creek in the true sense of a recreational path. Look carefully at the zigzag nature of the paths. What are we really gaining with this configuration? Between having to switch sides of the creek and midblock crossings, we are creating more, not fewer, hazards than exist with current sidewalks and bike paths. The suggestions to mitigate falling hazards into the creek are, frankly, just not acceptable, nor is the liability risk to the City. Herbicide spraying and rapid creek rise during heavy rains are not adequately addressed. Let me say, I've lived next to this creek for close to 40 years, and so I know what the patterns there are. The idea of using flashing beacons and midblock crossings in residential neighborhoods is simply unacceptable. I personally don't want to see flashing lights every few minutes in my house. In conclusion, since we're not talking about Loma Verde, both the shared-use path—the costs are just too high for what you're trying to accomplish here with bike availability already existing on Colorado and Loma Verde. Frankly, East Meadow, which is what a lot of the Committee was in favor of, already has the infrastructure there. It's a wide street; it's got parking separated from bike paths; it crosses Alma; it will connect with the new bike bridge. That is the logical east-west connector. All the other east-west streets in Midtown are very narrow. I ask you please reject all of these options and just do some—go with East Meadow and do some prettying up on the other east-west paths. Thank you.

Mayor Burt: Thank you. Our next speaker is Davina Brown, to be followed by Robert Neff.

Davina Brown: I think the alternatives presented are a bad idea. I urge you to vote no, find some other way of doing it. As far as going under the tracks, we've already—the City has put ourselves out there and said we want the train to go in a trench. How deep can you dig? It's ridiculous. If alternatives are available for commuters to ride their bikes in the dark, certainly those paths and bikeways are available for people to use in the day. Those aren't heavily traveled streets; they're safe. My kids rode them; I ride them. I suggest you use the money elsewhere. Thank you very much.

Mayor Burt: Thank you. Robert Neff to be followed by Evelyn Guernsey.

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Robert Neff: Good evening. I'm Robert Neff. I too am a member of the Citizens Advisory Committee. Maybe you can imagine what our meetings were like. First, thank you for requesting this Feasibility Study. When this came to you last fall, the Feasibility Study provided the first practical roadmap for developing a pathway along the creek. Please pass the Staff recommendations for the proposals to continue the Matadero Creek Trail as a mixed-use or pedestrian path, including eventual development of the undercrossing at Highway 101 and at the Alma/Caltrain crossing. A mixed-use trail from Ross to Greer along the creek enables recreational, off-street walking and jogging there, dog walking, plus creates options for bicyclists, especially timid cyclists who may prefer to stay off streets shared with auto traffic. Paraphrasing of our Planning Commissioners, it makes the best use of the available land next to the creek which would otherwise lie fallow. Also, as my son says, it's really nice to have access to the creek channel, even a concrete channel where (inaudible) ducks and water changing with the seasons. I hope more funds can be found to extend this, including the pedestrian crossing at Middlefield. Developing the seasonal underpass at 101 creates the connection for pedestrians, joggers, dog walkers and bicyclists to Baylands destinations and mixed-use paths for recreation and travel. As one senior noted at the demonstration day, she would like to have access to this facility, which is already used by those able to jump a fence at Greer or a guardrail at West Bayshore. Finally, well over half of the 250 residents who came to the creek path demonstration did express their positive preference for developing a path. Many safety, security and practicality objections have been made to pathway proposals. The Staff Report identifies practical alternatives along the corridor and has addressed all security and safety concerns related to street crossings and public access behind residents' back fences. These kinds of configurations already exist in Palo Alto and in nearby cities. There's no evidence that a pathway like this creates problems. In Palo Alto, we already have many residents whose backyard fences separate them from public parks, schools or pathways. For example, the Bol Park Path has backyards up against it. The Jane Lathrop Stanford Middle School (JLS) pathway between Charleston and Meadow also has backyards separated by simple fences. We never hear problems with either of these areas. Please support the Staff proposal. Thank you for your efforts to make Palo Alto a better place.

Mayor Burt: Thank you. I accidentally had two cards stick together. Juliana Irulequi, excuse me.

Juliana Irulequi: Hello. I am Juliana Irulequi, and I am 11 years old. Regardless of what you decide on, I think it would be a good idea to put a crosswalk at Middlefield and Sutter, because there is the Hoover Park Path,

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there is the Keys School, there's the Winter Lodge and then there's apartments. Children at Keys School live around Sutter and Clara and all around there. If they need to get home, the alternative to crossing Middlefield, which is a risky road to cross, is to walk across Colorado, which has many busy, commercial driveways such as Safeway, the Chase Bank and apartments. Just walking on the sidewalk can be very dangerous. It would be a good idea to put a crosswalk there so kids, adults, anyone won't get hurt walking across, trying to just get home or something. Thank you.

Mayor Burt: Thank you. Our next speaker is Evelyn Guernsey, to be followed by our final speaker, Rita Vrhel. Welcome.

Evelyn Guernsey: I'd like to thank Juliana for making that suggestion, because I do live in that area, and that is a horrible crossing. Since the City has brought up the Matadero Creek Trail, you seem to be hung up on this \$1.5 million and how to spend it. It is not a good idea. It is not feasible. We tell our kids just say no. I'm asking you, just say no. I live on Clara. I back up against the creek. I'm concerned about all the things that have been brought up, the security, the safety, the privacy. If a kid, heaven forbid, falls in the creek, there is no way out of that creek. There are no ladders; there are no steps; it is a cement wall that goes straight up and down. Does the money that you guys are budgeting in the Planning Committee account for fencing so they can't go in the creek? The walls are not that tall; someone can fall in. I'm concerned about the privacy of our property, the tagging, the graffiti, the partying that goes on, the homeless people that are going to live back there. We've been told by the Planning Committee that that's not an issue in other places. It does come up; it is issues periodically. This is a locked area currently. You're now suggesting it's unlocked and open to the public. The midblock crossings, it's a zigzag. No commuter is going to want to bike this and have to stop every block to cross when there's alternatives that have lights and stop signs with traffic, especially the Louis. There's a stop sign at Seale Park. I think someone brought up it's probably 250 yards before you hit the creek. They're going to have to stop again. Motorists blow through that Seale Park stop sign every day a lot. Do you think they're going to stop at the creek after blowing that stop sign? Probably not. Again, safety issues. I just ask you to say no, because this has been a bad idea from day one. From my viewpoint, the only people that want this are people that don't live on the creek. The people that live on the creek are very opposed. Thank you.

Mayor Burt: Final speaker is Rita Vrhel.

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Rita Vrhel: Hello. I don't live on the creek, and I'm not a bicyclist. I've been here for a couple of meetings when this project has been discussed. I'd have to agree with the last speaker, that it seems like somebody is really trying to get \$1.5 million free dollars which, from the proposal listed tonight, is going to cost you \$22 million to get the \$1.5 free million. These aren't free dollars, because we all pay for them as taxpayers. Also, I live near a church, and I know that the activities at the church are supposed to end at 10:00 P.M.. Sometimes they don't. The parking lot is quite wide, so noise can occur any place on the four acres of the church. The police, when I call, tell me that they have to be present when the noise is occurring. If they get there five minutes after the noise has occurred, nothing can happen. This means that if I want the noise to stop, somehow I have to be magical and call in immediately. It's almost like the gasoline lawn blowers. The police have to be there when it's occurring. I can see that this would be a problem to residents. The church was kind enough to build a fence for me and my neighbors who protested the building of the school. This fence cost over \$10,000. It was an 8-foot redwood fence; it's beautiful. I don't know that the cost of these fences were included in the proposal. Also, ivy and vegetation die, and they're not a very good screen. The other thing is, that a citizen brought up, that fences on parks butt up against residential property. A park is a very large expanse. I looked at this creek the other day when I was driving somewhere else. It's a very narrow piece of concrete. All the noise is going to be condensed into those 11 or 12 feet. It's not going to be like a park. I urge you also to give up the \$1.5 million, look at the streets that are nearby this Matadero Creek, and use them effectively. Thank you.

Mayor Burt: Thank you. That concludes our public comments, so we'll now return to the Council for discussion. Council Member Wolbach.

Council Member Wolbach: I'll keep an open mind and listen to my colleagues. Where I am right now, I'm tempted to say let's scratch the creek as an alternative. I understand the arguments in favor, but I think that the—my current thinking is that the benefits of a creek trail on this creek are just outweighed by the downsides. I appreciate lots of Staff work to explore this, and I appreciate the work by the Planning and Transportation Commission (PTC) and those in the community who have supported it. The last time this came to us, we almost killed it, but we weren't ready to kill it yet. I was one of those who said let's really make sure before we rule this out that we've really tried to make it work. I think we've tried as hard as we can, and it just doesn't seem to make sense. That's kind of where I'm starting from. Again, I'll hear my colleagues out if they have arguments that can convince me otherwise.

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Mayor Burt: We'll all hear each other. That's okay. Go ahead.

Council Member Wolbach: I was just going to keep going with my comments. I am much more interested in exploring Loma Verde. I think that—as I was just confirming with Staff earlier, just the distances. Loma Verde, as I mentioned before, is halfway between Oregon Ave. and Meadow approximately. That's a good location for a midway point. It's only half of a mile from the Adobe Creek bridge that we're going to be putting in to connect to the Baylands and also to businesses in North Bayshore in both Palo Alto at that end and in Mountain View. I think there's an important nexus there. I'll mention that Loma Verde is pretty wide. It's much better than Colorado. Colorado is obviously too narrow to do something like this on. As we discussed before, Loma Verde is not as wide as Meadow, so we wouldn't do it exactly like we're doing it on Meadow. There is a downside if we end up taking out parking on one side of the street. I've mixed feelings about that. I think we can do something with Loma Verde. Loma Verde already has bike lanes, so we already encourage people to ride their bicycles on Loma Verde. Loma Verde, because of its width and especially between Middlefield and Bayshore, there are only three stop signs. Because of that infrequency of stop signs and the width on Loma Verde, it's very tempting for drivers to drive fast. I know this because I drive that road almost every day, whether by car or by motorcycle. It takes a lot of mental work to remind myself to slow down, because it's so tempting to go fast. We know that the engineering, the design of streets encourages people to drive a certain speed. If it's wide open and you don't have very many stops, it really encourages people to go fast. Whether it's through some changes in the striping or something else that Josh was referring to earlier—I'd love to hear more thoughts about that tonight—or if it's through a Class IV, separated bike lane, if it creates a slightly narrower street and a sense of a narrower street, I think that would actually help reduce the frequency of speeding traffic on Loma Verde and would increase the safety. I'd like to hear the Staff's thoughts on that. I am worried about the safety on Loma Verde right now, where we already have bike lanes because of the design of the street. What I'm tempted to think we ought to do is just focus on Loma Verde. Any future exploration should really be around the question of how do we improve bike safety and improve biking and encourage biking on Loma Verde, whether that's through a Class IV or some other alternatives that Staff recommends. That's where I am at this point on this project. I'd be curious to hear—I'm sorry I didn't ask for this specifically earlier. You did mention earlier that maybe we could do something else besides a Class IV on Loma Verde. Could we get a little bit more, if you have any thoughts about that at this point?

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Mr. Mello: We've talked a lot about some of the things that we could do on Loma Verde. If we wanted to install one-way, separated bikeways similar to what we're looking at on East Meadow, you would either need to remove all of the parking on Loma Verde or you would need to convert it to a one-way street for motor vehicles. By converting it to a one-way street, you could use one of the travel lanes to get the width that you need to have one-way, separated bikeways, the necessary buffer between the bikeways, and the remaining travel lane. Without doing that, if we were to keep the existing standard bike lanes that are there today, we could look at some conflict markings, some enhanced green pavement markings. Perhaps there is an opportunity to switch the parking and create a chicane-type of effect. Move the parking back and forth on each block so that you reduce motor vehicle speeds. I think we would need to look at some type of intersection treatments, whether it be roundabouts or center choker islands, something to create that kind of horizontal deflection. I think there's opportunities to get the motor vehicle speeds down. You're still not going to have that separated condition that a trail would have. Folks are going to need to share the lane in some locations and ride adjacent to motor vehicle traffic. In a lot of places, they'll be between a travel lane and on-street parking, which is not a comfortable place for a lot of inexperienced cyclists and folks that want that off-street condition. We can get almost there, but I don't think we're going to create that condition that people are looking for when they go trail riding and want to be completely separated from traffic.

Council Member Wolbach: Just to sort of wrap up. I just don't think that this creek provides that trail vibe that people are looking for when they're looking for trail riding. That's what our bike bridge at Adobe is designed to provide, so people can go to the Baylands and bike or walk over there. For commuting, a straight shot is much easier than this back and forth thing that we've got with this proposal. I don't think it really provides a great—I don't think that the creek will provide a great recreational opportunity, something of a recreational opportunity but not top notch. It doesn't provide a top notch commute option because of the back and forth and because of the location. Again, whether it's through improvements such as were just mentioned or if we do decide to look more at a Class IV bike lane on Loma Verde, I'm not ready to rule that out. I think that's where our focus should be after tonight.

Mayor Burt: Vice Mayor Scharff.

Vice Mayor Scharff: Thanks. You said it, but I didn't really follow it. If we just do the segments, the D, E and F, where does that hook into a bike

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path? You said it wasn't a waste because there was a bike path that hooked into it. Where did that come from? How did that work?

Mr. Mello: Ross Road is a bike boulevard, and you actually just approved the final design contract for that in April. We're actually moving forward with designing and constructing the Ross Road Bike Boulevard. Later this year, we're going to be bringing forward the Greer Road Bicycle Boulevard. You would connect to two north-south corridors that would distribute people throughout the Midtown community and connect them to the trail segment at Ross Road.

Vice Mayor Scharff: What this really would do is take you between the Ross Road Bicycle Boulevard and the Greer Boulevard.

Mr. Mello: And on to the Baylands.

Vice Mayor Scharff: Assuming we do the under-connect.

Mr. Mello: Yes.

Vice Mayor Scharff: If we did the under-connect, it's only operational six months a year. Is that correct? Maybe longer.

Mr. Mello: I think we open in April and close in October.

Vice Mayor Scharff: If we move forward with this, what would we spend to do the engineering in that for the seasonal undercrossing or would we not start that right away?

Mr. Mello: Environmental work for the seasonal undercrossing would be—these are very conservative estimates. We wouldn't know until we went out to bid and came back with a contract. Fifteen percent of the construction cost is \$225,000.

Vice Mayor Scharff: We'd spend the \$225,000 and the \$150,000 upfront. That's the ...

Mr. Mello: We'd spend \$225,000 on environmental, and then an additional \$225,000 on final design, and then construction is \$1.5 million for the seasonal undercrossing.

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Vice Mayor Scharff: I think this is really a tough call. I'm sort of with Cory on the Loma Verde. It's cheaper and it goes better. I was very concerned with what you said about the safety, frankly. I was trying to judge whether or not it was "the perfect being the enemy of the good" or if there really was a dangerous situation that we shouldn't build. The fact that you even brought it to us let's me think, to some extent, that it can't be that dangerous. Otherwise, why is it even brought to us as a possibility? I guess I would pose that back to you.

Mr. Mello: Two-way, separated bikeways are fairly new in the United States. Two-way, separated bikeways on two-way streets are not very common. While best practices generally dictate that you don't install a two-way facility on a two-way street with a lot of driveways, we've kind of gone back and forth because it's a residential street, the driveways are extremely low volume, most of the people using the driveways are going to know that there's a two-way bikeway in front of their house, and that they need to look both ways with the exception of visitors and people. There's also intersections that you're going to be traversing on a two-way bikeway, and those may be frequented by people that are visitors and not quite familiar with the operation of the two-way bikeway. We've struggled with this a little bit. If it was a commercial street with a lot of shopping center driveways, we wouldn't have even brought it to you, because it's just not something we would recommend. Because of the quietness of Loma Verde and the low volume of the driveways, it's something we considered for a little bit.

Vice Mayor Scharff: I know it wasn't the Staff recommendation, but would you think it was in the realm of reasonableness given the safety, the way you've described it, for Council to say move forward with the Loma Verde or would you say that you would have serious concerns about that?

Mr. Mello: I'll let Jeff weigh in too. They look at a lot of these types of facilities across the country. I would say I think there's ways to mitigate if there were driveways that we were really concerned about. There's treatments that you can do at the driveways. You can actually raise the path and create kind of a speed hump for the path users. There's enhanced signage and striping. There's geometric things we can do to address if there was one particular driveway or a handful of driveways that we were really concerned about sight lines. I think a lot of the concerns can be mitigated. I'll let Jeff talk a little bit more about it. We've talked about this extensively.

Mr. Knowles: The other thing I would mention is that the travel way would be reduced to 19 feet, so it's a pretty narrow space for cars. That's also going to be a traffic calming feature that, I think, was brought up. That's

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also going to have an effect of helping motorists be aware of bicyclists using this. What Josh mentioned, kind of a rather innovative and, at this point, fairly new configuration. We don't see a lot of it around the country at this point, so it'd be a learning curve, especially for folks that live on this. Our engineering staff, Alta is confident that this could be done safely. We wouldn't have brought it otherwise to the City if we didn't think it could be done safely because particularly those driveways, although the number is high, are residential. The same drivers are going to be going in and out of their driveways every day and become quickly attuned to what they need to look for. As I mentioned, they're already looking for pedestrians moving in both directions and bicyclists in one direction. It's a new direction of bicyclists coming across their path. Hopefully that answers your question.

Vice Mayor Scharff: With that explanation, I actually would support the Loma Verde Bike Path. Given the price—part of it would be a conditional support, frankly, in that I'm assuming we can use the grant money and get them to go with that. If we can't use the grant money, I may still support it frankly, but I'd like to know that before we went off and spent a lot of money on it frankly. I have real concerns about—if we don't do the Matadero Creek one, I think spending the \$450,000 or \$500,000 to do a seasonal undercrossing makes zero sense at that point, I think. It's a big number. I'm a little sensitive, frankly, that we spent \$383,000 on this and, at the end of the day, we won't really have anything to show for that money other than we now know this doesn't work as a full Matadero Creek. I don't really want to do that with the seasonal undercrossing. I don't really understand, since the Finance Committee spent so much time looking at where we are with our infrastructure and there really didn't seem to be enough Staff time and enough Staff resources to move forward on infrastructure projects, and this holds two new Staff infrastructure projects, which is a seasonal undercrossing and the Caltrain/Alma Street undercrossing. I guess on that to spend \$1 million or to direct Staff to go start doing that without understanding how that fits into the overall plan of how we're going to do our infrastructure and what money we're going to spend, I don't think I would support that tonight. I might support it in terms of a separate Staff Report that talked about framing it in terms of what this affects the rest of the Infrastructure Plan and what the Staff resources are to do this and what Staff that'll pull away and what's the likelihood after we spend that \$1 million that we'll actually get it funded. I might actually want to see the VTA tax pass first. If the argument was that if you started it now, you'll get first in line for that money. I'd just rather see a separate Staff Report rather than do this, frankly, almost as an addendum to the Matadero Bike Creek. I won't be supporting that tonight. I think that's really sort of my thoughts at this point.

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Mayor Burt: Council Member Schmid.

Council Member Schmid: Let me go the other way around first, talk about Loma Verde. Loma Verde is one of the critical east-west streets in south Palo Alto. You can go from Amarillo to Charleston, two miles. There's only thru-streets that go east-west. One is Colorado, one is Loma Verde, one is East Meadow. Colorado, as you point out, is a smaller street. It actually bends in the middle. It means the east-west car traffic is oriented there. It's important because West Bayshore has a lot of commercial operations. It has some dense housing. It has three schools on it. There is a lot of traffic during rush hour and other times. The bike lane is a solution of let's get bicyclists comfortable on this road. The 63 driveways means probably people backing out in the early morning hours which, during winter time, are dark and kids are going to school. It's a challenge. We ought to keep that in mind. Taking out a parking lane on Loma Verde. It works, but you use a funny method of measuring parking. It's the average over different periods of the day. We have dense housing built on Loma Verde and West Bayshore. If you ever go by there in the evening, there's a good 40-45 cars parked there, because people have to get from this dense housing to employment or shopping neighborhoods, which aren't there. When you average out, you say taking away a parking lane only leads to an 11 percent decline in parking. Of course, if you go by there in the evening, it's a 37 percent decline in parking availability. Maddux being the only alternative street can absorb four but not 14. You're asking people to go into the neighborhood, because we tend to underpark our dense housing. What's the alternative? Matadero. Matadero Creek got a funding grant from the Santa Clara Valley Water District of \$1.5 million. It was given because the Water District owns the right-of-way, and they were encouraging cities who have those creeks in the right-of-way to turn it into bike and pedestrian paths. If you look down the Peninsula, Mountain View, Sunnyvale, Cupertino, San Jose, they all have wonderful pedestrian and bike paths. They do not complain, you'll note, about privacy and security. Actually the value of the properties tend to go up. You probably also noticed the Mountain View Baylands have many more residents out there than the Palo Alto Baylands do. Part of it is because of the Permanente Bike and Pedestrian Path from the middle of the city to the Baylands. I like very much that you took the issue of privacy and security very seriously and did your homework, looking around, and found that there was not security issues. That's something, I think, we have to keep a very sharp eye on. I think our neighboring cities would assure you that they have not noticed that, and they are encouraging the Water District to give more grants in their communities. I was struck in the Planning Commission, how the Planning Commissioners were skeptical at first. Once they began talking about the benefits of having an off-road path

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through the middle of a residential community, there's really a benefit for the City. We do not have that. There are not other alternatives around. All of a sudden, to have a vision of being able to go to the Baylands, to Midtown, to California Avenue, to the Stanford Research Park, to the Foothills, off-road is a safer alternative for kids, for joggers, for older people. It's a wonderful addition to the City and an opportunity. I guess I like the way you're doing it, very carefully, starting out with several segments, especially the ones that might connect to the Baylands, seeing if it works, how it works with the Water District paying most of the bill. I would be supportive of moving ahead with your first hybrid recommendation.

Mayor Burt: Council Member Kniss.

Council Member Kniss: ... me go way back for a minute. I'm going to guess the only one here who might remember the Bryant Bike Path at the beginning is Bob Moss. Anybody else you can think of, Bob? When that bike path first started way back when, the streets on either side of it were the streets that were left open and Bryant was closed. There was a great outcry about that. That's been a long time. Bryant works very well and, I think, probably everybody in this community has ridden Bryant at one time or another. Just to mention, it was extremely controversial at the time. There weren't bike paths. I don't remember what year it was but sometime in the '80s. If you now fast forward to what we're talking about now, I find myself with Cory on this, having trouble with the creek. As I said, full disclosure, I was on the County Board when this was voted in. We made some visits to it. I think in that length of time—thank you to the gentleman who brought very illustrative pictures tonight about how one looks versus the other. I'm continuing to have trouble with the creek aspect of it. I don't think I could articulate it more than you did tonight, Cory. It troubles me, and I would truly be more comfortable going back to the Loma Verde. Let me also ask—one of the things that another audience member asked tonight, Sherrie Furman said, "What happened to East Meadow?" Did you look at East Meadow? Did you consider that more thoroughly than, again, probably a slightly wider street.

Mayor Burt: (inaudible)

Council Member Kniss: They just didn't give much attention to it. Pat's reminding me it's still part of the plan, but it's not what we've really discussed extensively. I'm looking at this right now. I see Colorado. I see Loma Verde.

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Mr. Mello: East Meadow is being worked on under a separate contract. We plan to bring you some different concepts for that relatively shortly, but it's not part of this project. We are looking at it based on the direction we got back in November, but it's not part of this Feasibility Study that we're presenting tonight.

Council Member Kniss: Might we be working on them both at the same time?

Mr. Mello: Yes. In November, you gave us clear direction to just move forward with East Meadow regardless of what the outcome was for the Midtown Connector.

Council Member Kniss: We could have those both under way simultaneously. At this point—again full disclosure. I'm not a big biker. When I look at something like—just a reminder. It's great when they have numbers on the slides. When I look at something like this, that looks safe to ride on, it looks as though I'd feel pretty protected, I would tend to ride on that. I'm just not quite brave enough to do what the Vice Mayor and the Mayor do which is—and Cory with his motorcycle—put on that helmet and just ride down the street. It just isn't my comfort level. I believe in it, but I do know that something like this would be very tempting. I wouldn't hesitate to put my kids on a street that looked like this. I hear your hesitancy, but this is quite appealing. Thanks.

Mayor Burt: Council Member Filseth.

Council Member Filseth: I don't think I have too much to add, maybe one thing. The creek project conceptually is a great idea. We've got this creek, we put a path down it, it'll go straight, we don't have to (inaudible) and so forth. You can clearly see the attraction to this. Yet, it seems like, as we've sort of gone through actually figuring out what it would do, one compromise after another has sort of come up. At this point, there is a lot of compromise that would have to be made to try to get it to work. To Staff's credit, I think Staff has tried really hard and done as good a job as can possibly be done on this. Yet, faced with this, it only works for bikes on some parts of it and not on other parts. You've got to do all this sort of stuff to make it work. As I look at this, I'd probably just ride down Loma Verde as is. To the Vice Mayor's question earlier, the right question on the—I don't know what the right answer is, whether a two-way bike path is the right way or not. I think the right question to ask is if Matadero Creek were not an option, if it was just leave Loma Verde with one-way on each side versus do

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the two-way thing, then would we do it. I think that's probably the right way to ask it. I think this is a lot of compromises that would detract from people actually using what we've got here. I think Staff's done a yeoman's job of trying to make it work. Thanks.

Mayor Burt: Council Member DuBois.

Council Member DuBois: I went back and looked at our report from last November. It's a somewhat different take this time. I think last time Staff and the Advisory Committee both suggested against this path. It still feels really disjointed. I think Council Members have spoken to that. I too have a lot of concerns about the zigzag trail versus the straight shot on Loma Verde, also the financing, the feasibility. The price on Loma Verde is right in the budget if we can use that grant. I would say I empathize with the privacy concerns. I don't think it's just about fencing. I think some people may like their view of the creek or across the creek to their neighbor's house. It's about noise, and it's about people being right there in your backyard and maybe not wanting to put up a high fence. I also think the comment about what's going to happen on the pedestrian-only sections if we have bike sections and ped sections. I'm sure the bikes are just going to go through on the ped sections. A lot of the public comments echoed my thinking. I don't think the plan makes sense. If it's viewed as a starter for eventually doing the whole thing, it was \$4.3 million for the whole thing, and we've got to go through a church and a school and Winter Lodge. We have that crossing on Middlefield in the middle of the block, which could be an issue as well. This has got the most expensive option, the most issues. Again, we seem to be, at least for me, a little bit unclear on the goals. Is this a connector from the Bay to the Foothills? Is it a short, fun little path? It still feels a little mixed. We compare that to Loma Verde. It's a straight shot. I think at one point—were you saying that we could put speed bumps at the end of driveways? I'm a little concerned about that.

Mr. Mello: No, no. I was suggesting that the path could be elevated to the driveway, so it would actually slow down cyclists as they approach some of the higher-volume or higher-conflict driveways.

Council Member DuBois: I think you also said we could potentially just restripe Loma Verde, keep bikes on both sides on the proper sides of the street, maybe use sharrows there. I think that makes total sense; we should improve Loma Verde.

Mayor Burt: (inaudible)

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Council Member DuBois: Whatever the striping would be. I think you have parking on one side, so I don't know where you'd put the bikes. Would it be sharrows or something else?

Mr. Mello: No. We would add conflict markings, some green markings where there is a lot of conflict at intersections, some bread crumbs to get cyclists through intersections. I think we'd have to look at some traffic calming devices as well.

Council Member DuBois: Ultimately, I want to go back to East Meadow. I think it handles a ton of school traffic already. It makes the most sense to me as a separated bike path. I know you said we're doing it, but I actually suggest that we consider that to be the Midtown Connector. We do improvements to Loma Verde, but really focus on East Meadow as the trail that connects to our new bridge to the Baylands, have it go Los Robles to Foothill and your connection up to Arastradero. Again, to me it seems like it'll be the highest use. All the students going to Gunn will benefit from this. When we get to the tracks, if we're going to do some kind of crossing, eliminating an at-grade crossing, which we have today at East Meadow, and replacing that with either, depending on what we do with the Caltrain, but separating bikes, peds and potentially even cars from the train seems like a much better investment and in line with some of our other plans versus creating a totally new crossing somewhere else. If you did end up going to that power station, you're going to come out near Fry's. You're not all that far from the Cal. Ave. undercrossing. Ultimately, you're a few blocks away, which seems like a lot of expense to get a new crossing there. I guess the big question is, if we really focused on East Meadow—I asked it before, but I'll ask it again. We have two separated bike paths, and it connects to the Baylands. Could we pitch that for the grant money? I think if we focused on that, how likely do you think it is that we could convince them to give us the money for that path?

Mr. Mello: I think we could submit a request to use the funding for any of these corridors that we're discussing this evening. I would hazard to guess what County staff and the County Board of Supervisors would agree to. I do think East Meadow and West Meadow is a little bit of a stretch when the grant was originally allocated towards the Matadero Creek Trail. That being said, it does also connect the Bay, and it would tie into the Adobe/U.S. 101 overcrossing, that we're working on, more directly than Loma Verde would. I think, again, we could submit a request for any of these corridors in regard to the \$1.5 million, but I can't presume to know what they would approve and what they wouldn't approve.

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Council Member DuBois: I think last November, Council Member Kniss said it was Stanford money and it had to be used in Palo Alto.

Council Member Kniss: Yes, there is. If you don't mind me mentioning. The County is quite flexible when it comes to a grant like that, that deals with connectivity and so forth. I don't believe it will be an issue long term. Yes, there is money that can be used for recreation purposes within a six mile radius of Stanford. That also goes through the Board of Supervisors.

Council Member DuBois: I think I made the point on the train undercrossing. Spending \$20 million for a new crossing where either it's going to be close to the Cal. Ave. tunnel or we're going to have to acquire a home in the middle there somewhere, I'm kind of with Council Member Scharff here about not wanting to start spending money on that quite yet. I have a tentative motion I'd like to go ahead and make, if that's all right. I'd like to direct Staff to evaluate minor improvements to Loma Verde and separated paths on East Meadow, and see if the grant can be applied to the East Meadow improvements. Secondly, evaluate an undercrossing at Meadow with consideration for the Caltrain trench discussions to reach conclusion before we spend money on a different alignment.

Vice Mayor Scharff: What do you mean (inaudible) spend money?

Council Member DuBois: (crosstalk)

Mayor Burt: I'm sorry. Is that your Motion?

Council Member DuBois: Yes.

Mayor Burt: Is there a second?

Council Member DuBois: I had a question.

Council Member Filseth: I'll second it.

Mayor Burt: Seconded by Council Member Filseth. Makers have to make their Motion and then get a second, and then they can go back. Do you want to speak to your Motion?

MOTION: Council Member DuBois moved, seconded by Council Member Filseth to direct Staff to:

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- A. Investigate minor improvements to Loma Verde Avenue and a separated path on East Meadow Drive and see if the Santa Clara County grant money can be applied to the East Meadow Drive improvements; and
- B. Focus on a crossing at East Meadow Drive and Alma Street with consideration for the Caltrain trench discussion.

Council Member DuBois: Yeah. To evaluate minor improvements to Loma Verde and separated paths on East Meadow and see if the grant can be applied to the East Meadow improvements. That would be "A," I guess. "B" would be—instead of "evaluate," say "focus on a crossing at East Meadow with consideration for the Caltrain trench discussion." At East Meadow and Alma, I guess, if that's not clear. I think I spoke to a lot of this. I think Loma Verde makes a lot of sense. I agree with Council Members there. I am a little bit concerned about the separated, both lanes on one side of the street. I would look to Staff to suggest improvements and maybe some slowing of traffic, and then really make East Meadow the Midtown Connector.

Mayor Burt: Council Member Filseth.

Council Member Filseth: A couple of questions on the Motion. I want to make sure Staff has enough latitude on this to—you say minor improvements on Loma Verde. I hope that gives Staff enough latitude to consider a lot of different alternatives on Loma Verde. Maybe get rid of the word "minor" or something like that if Staff feels like they've got enough latitude to do what they want there. The second one is do you want to give Staff the latitude to consider a crossing of the train tracks maybe not necessarily at East Meadow, but potentially at Loma Verde if appropriate. Do you want to limit them to East Meadow?

Council Member DuBois: The point was we already have a bunch of kids crossing at-grade, and it was to fix that, spend the money to make a more safe situation. I meant East Meadow.

Mr. Mello: If I could. We'd also like you to adopt the Feasibility Study, so we can close out this phase of the project. By adopting, you're not accepting the recommendations. You're just adopting the document as presented.

Council Member DuBois: That's fine if you want to add that.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

Mayor Burt: I want to wade in because I didn't get a chance to speak before we had a Motion. A few things that I just want to clarify. First, on the issue of whether we should continue to evaluate a grade separation at Loma Verde, whether it be the full Alma and tracks, which we don't have on any pure—I shouldn't say we don't have any. We have at Cal. Ave. one that we can't ride through, but basically we have one. We have actually, if you look at—first the need. We have a distance between East Meadow and Cal. Ave. of about—pardon me?

Male: (inaudible)

Mayor Burt: Between East Meadow and Cal. Ave.?

Male: (inaudible)

Mayor Burt: One point what?

Male: 1.3 (inaudible).

Mayor Burt: 1.3 miles with no track crossing. There is a need. Those who aren't kids who ride or adults who ride don't necessarily have that understanding of, if you want to have a bike system, you can't have that kind of distances where people have to ride a half mile up one way and three-quarters a mile back another way to just get across the tracks. That doesn't work. People who don't understand biking can say real easily it's not needed, but it's not accurate. The other issue is long term the need for a grade separation. The initial studies we're looking at for the entire Caltrain crossings at East Meadow and Charleston, which are going to be amongst the biggest construction and Public Works projects we've ever had in our community if and when they occur, I think eventually they're going to need to occur. The notion that we'll have a whole other generation of kids who won't have a safe grade separation crossing across Caltrain because this motion would say it's really not needed to have one at Loma Verde since eventually we're hoping to have something at East Meadow, I think that's misguided. Those are a couple of points. I actually think that the Loma Verde alternative is interesting especially for Ross westward to Alma. I'm not sure if everybody appreciated that in order to get the desired two-way,

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separated bike path, that requires losing parking on one side of Loma Verde. Correct?

Mr. Mello: It's parking at night. It's a bike lane during the day. We'd be removing a part-time parking lane, yes.

Mayor Burt: We have some places in the City where we have that model. Right?

Mr. Mello: Yeah. We also have it on North California Avenue. We did a parking occupancy study of North California Avenue, and we found that people are not even using—the part-time lane is underutilized at night, even though parking is permitted. We didn't encounter a lot of resistance with our plans to actually remove the part-time lane on North California.

Mayor Burt: Wait a minute. Are you referring that it would be parking at night under the fully separated?

Mr. Mello: No, no. The current condition today is there's a part-time bike lane, part-time parking lane on some segments of Loma Verde where the separated bikeway would be.

Mayor Burt: The change in order to put in a two-way, Class IV bikeway would—the change to the parking on Loma Verde would be what?

Mr. Mello: Removing the part-time, overnight parking lane, converting it to a full-time, separated bikeway.

Mayor Burt: Currently during the day, they can't park. They can park at night. Under this condition, there wouldn't be parking at night. I think that's something that would be a significant benefit to the community, but I don't think we should kid ourselves that this would be something that would be just accepted readily. We've seen the concerns that we have of residents along Matadero Creek and the opposition we've had to trying to have even a portion of Matadero Creek where it works pretty well have that bike path. I don't think we should kid ourselves that this on Loma Verde would be some kind of slam dunk. On the other hand, as Council Member Kniss stated and as our Staff has done, having a really fully separated, two-way bikeway is a very significant safety improvement, probably even with the challenges of the driveway curb cuts. I got persuaded. At first I was pretty skeptical, but as Josh explained, one, we're not talking about crossings other than people who reside there and know they're crossing a bike path. Second, there

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could be some physical measures to reduce those hazards. It's not as if we have something without those curb cuts; we do. I also wanted to just—same situation as when we're talking about track crossings. If we're really going to have a bike system in our community, having basically one bike route between—not having an east-west route between East Meadow and Oregon basically or even nowhere we'd say the next one is, that's a long distance to not have an east-west route. Those who say we ought to just have East Meadow, the biking community including the school biking community really know that you need to have routes. If you're a bicyclist and you have to go out of your way by a half mile to get onto a bike path or boulevard, a good safe bike route, and then when you take that given distance and you have to go back a half mile to get back to essentially the east-west route that you were intending to go on, that's not an efficient bike system. We're not really going to see a lot of expansion in bike use if we do that. I think both need to be considered whether we do improvements to Loma Verde without the full separation or the separation or the hybrid. There is a need, in my mind, for the Midtown Bike Corridor, and East Meadow is not the Midtown Bike Corridor. That's an additional corridor that we have. One of the good things about East Meadow is that between Alma and Waverley, there basically aren't any curb cuts. The homes there are all facing the circles; there aren't curb cuts. On the north side between Waverley on Middlefield, there are curb cuts. On the south side, it is the schools and the parks and those areas. There are no house curb cuts; there are a few other curb cuts. That works a lot better, but that's a different issue. I think I'm really going to—I would need to see changes in order to support this Motion. Also, I'm sorry I neglected to bring up the Staff proposal is—from the discussion, it sounded as if the Staff proposal was to continue with the Matadero Bike Corridor between 101 and Alma, but it's not. It's only to have it between 101 and Ross. I think that's a reasonable alternative. I don't see any real significant problems with that segment. I would be open to focusing on Loma Verde if we had a sense that we could actually get this separated bike path on Loma Verde. If we can't, then I would want to have the hybrid system of the Matadero Path to Ross and then Loma Verde from there to Alma. This motion has several problems in my mind. First, it only talks about minor improvements to Loma Verde. Second, it confuses the need in the Midtown area with the East Meadow improvements. I think both are needed. It basically eliminates what's a plan and long-adopted intention to have a grade separation that is for pedestrians in between East Meadow and Cal. Ave. There was a member of the public that was concerned about our intended rail program. The design that we've evaluated only begins to be a trench south of this creek. South, yes. There isn't that conflict, if we go with that design, and that design is not settled on. I could not support this motion on several grounds.

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Male: (inaudible)

Mayor Burt: There was already—you already proposed an amendment to just eliminate the word "minor" improvements to Loma Verde, and that wasn't accepted. I think it would have to be a Substitute Motion. Why don't we go ahead and—we have a bunch of speakers. One, we need to look at the clock. We need to try to truncate our discussion on this.

Council Member DuBois: Eric, did you propose "minor"?

Council Member Filseth: (inaudible) I'm happy to if you'd accept it.

Council Member DuBois: (inaudible)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part A, "minor."

Council Member Filseth: I'm also happy to propose that Staff have the latitude to consider a crossing at Loma Verde as well as East Meadow.

Council Member DuBois: I guess I'll allow that.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part B "or Loma Verde Avenue" after "East Meadow Drive."

Council Member Filseth: I'm less convinced on the issue of the dual thing where you go down Loma Verde and then cut across on Ross to Matadero. If it was me, I'd just keep riding down Loma Verde. It's straight.

Mayor Burt: When we do the full grade separations at East Meadow and Charleston, they will have pedestrian separations. There's no need to have this Midtown Corridor address that. That's just basically saying don't do Loma Verde or put a emphasis on East Meadow instead of Loma Verde. It's not in support of Loma Verde. I wouldn't support it as long as it asked to have the focus on East Meadow. I will ...

Council Member Filseth: To the maker of the Motion, East Meadow seems problematic to me too, because we're just going to do it again.

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Council Member DuBois: Again, that's where a lot of the bike traffic is today. I don't see school kids going from Loma Verde to the middle of Ventura.

Mayor Burt: That's because you can't get across the tracks, Tom.

Council Member DuBois: Right. Where they end up going is over to East Meadow to get to Gunn or to Terman.

Mayor Burt: I'll just say that's pretty self-evident that they aren't going anyplace but East Meadow, because they can't get across the tracks any other way.

Council Member DuBois: I'm very concerned about this eminent domain that we'd essentially be (crosstalk).

Mayor Burt: I'm sorry. Staff already answered that we have a power substation on the west side, and that's what their recommendation is. Correct? On Loma Verde, we would ...

Mr. Mello: That would potentially allow us to avoid right-of-way acquisition, if we were to use the substation. Yes.

Mayor Burt: I will offer a substitution to "B" which is to delete the portion that says "at East Meadow Drive or." Which means that it will still have to include potential trenching but would focus on Loma Verde.

Council Member Kniss: Are you going to suggest (inaudible) included?

Mayor Burt: If the maker of the Motion will accept it, sure.

Council Member Filseth: He's asking if the maker of the Motion will accept it.

Council Member Kniss: I'll second it.

Mayor Burt: Seconded by Council Member Kniss. We need to then focus on the Amendment. Does anyone feel a need to speak specifically to the Amendment? Council Member Kniss.

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AMENDMENT: Mayor Burt moved, seconded by Council Member Kniss to remove from Motion Part B, "at East Meadow Drive or."

Council Member Kniss: Nope, I'm fine.

Mayor Burt: Vice Mayor Scharff.

Vice Mayor Scharff: I agree with the intent of the Amendment, but I'm going to vote against it. I think the whole Motion needs to change. I think the motion needs to change to allow focusing on the Class IV bike path along Loma Verde. I think investigate improvements to Loma Verde is too weak and doesn't give Staff enough direction. I think that we need a Midtown Connector, and I think that would be Loma Verde, not East Meadow as Mayor Burt said. I think trying to fix this Motion is the wrong way to go. I'm going to vote against the Amendment because I want to vote against the Motion.

Mayor Burt: I guess I don't disagree with what Vice Mayor Scharff just said. It's a question of piecemeal. I'm going to withdraw the Amendment. I will also vote against this Motion. I was trying to look for a more expeditious way to get through this. I agree with him. Council Member Schmid, speaking just to the Motion.

AMENDMENT WITHDRAWN BY THE MAKER

Council Member Schmid: Let me make one suggested amendment to "A." The last part of the sentence says see if the grant money can be applied to East Meadow Drive improvements. Add the clause "if not, use the grant money on the Segments D, E and F of Matadero Creek."

Council Member DuBois: No. I'm sorry.

Council Member Schmid: I'm suggesting this as an Amendment, because I believe the Water District has identified creek paths as the user of the funds.

Mayor Burt: Council Member Schmid, I think that Vice Mayor Scharff's intended alternative Motion, if this fails, would be addressing that. I don't know if you want to wait and try to capture it into his. If that's okay, Vice Mayor Scharff.

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AMENDMENT: Council Member Schmid moved, seconded by Council Member XX to add to Motion Part A, "if not proceed, use the grant money on Segments D, E, and F."

AMENDMENT WITHDRAWN BY THE MAKER

Vice Mayor Scharff: I'll make a substitute Motion. Staff work with the County to see if we can use the County funds to create a Class IV, protected bike lane on Loma Verde and, if we can't, then we can put in Council Member Schmid's language about going back and looking at just that three segment, C, D and E.

Mayor Burt: We can't hear you too well.

Vice Mayor Scharff: Sorry. The concept here would be that, if we can't use the County funds on Loma Verde, we come back and look at this one more time, whether or not we decide to let the County funds go basically, which is what you wanted to put in there, Council Member Schmid, if I understood that.

Council Member Schmid: Yes, it's right above that.

Vice Mayor Scharff: That's what we do on "A." I think the answer would be that we—when we say focus, I would say focus on a—what are we saying? "Focus at a crossing at Loma Verde Avenue or near Loma Verde Avenue. Before spending any money, come back to Council."

Mr. Mello: Could we come back with a plan on how to advance the crossing, and then let you decide whether to proceed (crosstalk).

Vice Mayor Scharff: Yes, that's what I mean.

Mr. Mello: We'll come back with more concrete numbers on how much it'll cost and what the recommended steps are to advance that project.

Council Member Schmid: You need a second.

Vice Mayor Scharff: I just want to get it right. On "A," Staff work with the County to see if we can use the County funds to create a Class IV, protected bikeway on Loma Verde. Then Council Member Schmid's language which

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should be "if not, come back to Council to consider whether or not to use the grant money on Segments D, E and F." I didn't say do it, said to consider it.

Mayor Burt: Seconded by Council Member Schmid. Vice Mayor Scharff, do you want to speak to your Motion?

SUBSTITUTE MOTION: Vice Mayor Scharff moved, seconded by Council Member Schmid to:

- A. Direct Staff to work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, return to Council of where to use the grant money on Segments D, E, and F; and
- B. Focus on a crossing at Loma Verde Avenue and return to Council prior to spending the funds.

Vice Mayor Scharff: I do. I think one of the things we have to be a little careful as a Council is what came before us tonight was really the Loma Verde Class IV bikeway concept and the Matadero Creek. We weren't really talking about East Meadow. East Meadow is coming to us as a separate one. What I don't want to do is basically decide to look at East Meadow and throw out the whole concept of a Midtown Connector. That's what I thought the prior Motion was doing. I think it's really important to have that Midtown Connector, to actually have our (inaudible). That's why I support this.

Mayor Burt: (inaudible) Feasibility Study also.

Vice Mayor Scharff: Also, I would accept the Feasibility Study, "C."

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Substitute Motion, "adopt the Midtown Connector Feasibility Study." (New Part C)

Mayor Burt: Council Member Schmid.

Council Member Schmid: I think the topic tonight is really the Midtown Connector. This deals with that much more directly.

Mayor Burt: Can I ask—there's one issue on "A." It says we'd only redirect the funds toward Segments D, E and F if the County will not allow us to do

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the Class IV on Loma Verde. Would we want to give that direction to Staff also if the Class IV was determined to be infeasible?

Vice Mayor Scharff: Yes.

Mayor Burt: If that additional language can be added. Council Member Wolbach.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to Substitute Motion Part A, "or the Loma Verde Avenue Path is determined to be infeasible" after "and if not."

Council Member Wolbach: I definitely prefer the substitute Motion to the prior Motion. I think there are a couple of tweaks that we should probably make. I think we should actually break apart Part A into two different sections, but I want to make sure that Vice Mayor Scharff hears my question on this. I'll wait just a second. Should I wait or should I just (crosstalk).

Mayor Burt: Go ahead.

Council Member Wolbach: I think we should just have a separate section. One is we should direct Staff to move forward with study of Loma Verde, and separately see if we can use the funds from the County for that. I think we should move forward Loma Verde whether we have the County funds or not. The County funds shouldn't be determining whether we move forward. I was just going to suggest breaking apart "A" into two separate pieces. I also think that we should give a little bit more leeway to Staff. They have expressed an interest or the possibility of other improvements that might be less ideal for bikers but might be more feasible or less expensive to improve Loma Verde, whether through painting or other less expensive or less dramatic improvements. Currently, I'm inclined to support a Class IV bike lane, but I want to at least compare it to the other options before we lock in on a Class IV bike lane for the future of Loma Verde. On the crossing, it should probably say, "focus on an Alma and Caltrain crossing," just to be clear. I don't know if the maker of the Motion heard my suggestions there.

Vice Mayor Scharff: We (inaudible).

Council Member Wolbach: I'll repeat them. Let's start with the easy one. In "B," where it says "focus on a crossing," we should probably say "a

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Caltrain and Alma crossing," just to make it clear what crossing we're talking about.

Vice Mayor Scharff: Instead of "focus," why don't we say "investigate a crossing"?

Council Member Wolbach: Yeah, "investigate."

Mayor Burt: It's really an (inaudible). They're supposed to come back with a plan for an alternative analysis. Is that the best description?

Vice Mayor Scharff: That might be the best description.

Mr. Mello: We're going to return with a project plan essentially on how do we advance this crossing.

Vice Mayor Scharff: We can do that. Instead of "investigate," we should say "return with a plan."

Council Member Wolbach: My main recommendation was that we split apart Part A, and just start with "direct Staff to explore or to come back with alternatives for bike pathway improvements along Loma Verde Avenue including but not limited to a Class IV." If there are alternatives, we can make that final decision at a later point after we've gotten a little bit more neighborhood input and we've really studied it. There might be other alternatives.

Mayor Burt: (inaudible)

Council Member Wolbach: I'm personally leaning towards a Class IV, but I want to at least make sure we've looked at all of our options for Loma Verde.

Vice Mayor Scharff: Say that again, because I actually think you're probably right. I just want to make sure that we get it in there, that Staff favors doing a Class IV.

Council Member Wolbach: Right. Direct Staff to—the other thing I'm doing here is separating the discussions with County. I would make that a separate item on here.

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Vice Mayor Scharff: Just say what you were going to say.

Council Member Wolbach: Direct Staff to return with plans for a Class IV bike pathway along Loma Verde as well as alternative bike pathway improvements to Loma Verde.

Vice Mayor Scharff: Okay.

Mayor Burt: Is there a preference for the Class IV intended?

Vice Mayor Scharff: I want preference in there.

Mayor Burt: You do?

Vice Mayor Scharff: I do.

Mayor Burt: Then you (inaudible).

Council Member Wolbach: We could just say "return with alternatives for Loma Verde with a preference for Class IV." That would be a little bit more concise.

Vice Mayor Scharff: Sure.

Council Member Wolbach: I'd suggest just ...

Vice Mayor Scharff: Wait. Let them get that right. I can only think of one thing at a time.

Council Member Wolbach: That looks good to me. Maker and seconder?

Vice Mayor Scharff: Yeah, bikeway improvements.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part B of the Substitute Motion with, "return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds."

Council Member Wolbach: I would just move the rest of that paragraph into a separate paragraph just because it's a separate question.

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Vice Mayor Scharff: I'm fine with that.

Council Member Wolbach: First is what we want to explore on Loma Verde. The second is looking at money.

Vice Mayor Scharff: That's fine.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part A of the Substitute Motion with:

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue Path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F.

Council Member Wolbach: I'll be honest; this one you might be less than enthusiastic about. I'm ready to pull the plug on the creek. I'd suggest removing return to Council of where to use the grant money on Segments D, E and F.

Vice Mayor Scharff: I'm not going to accept it. If you or other people feel that way, you may want to make an Amendment and see how that votes.

Council Member Wolbach: I'll make that as a separate Amendment.

Council Member DuBois: I'll second.

AMENDMENT: Council Member Wolbach moved, seconded by Council Member DuBois to remove from the Substitute Motion Part B, "if not or the Loma Verde Avenue Path is determined to be infeasible, return to Council of where to use the grant money on Segments D, E, and F."

Council Member Wolbach: Just to speak to it. I mentioned earlier I was one of the votes—the last time we studied this, the last time this came to Council, I was one of the votes to say let's really look at this as closely as we can. Let's give it the best chance we can. I think we've done that. I think

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we've studied it to death. Staff, PTC, members of the community poured a lot into trying to make this work. I don't think it works. Even if we have the money to do it, I don't think it's a good idea for our community. I'd suggest letting go of a bike path along Matadero.

Council Member DuBois: To speak to my second. Rather than—actually I'd offer maybe a friendly amendment. Rather than just deleting D, E and F, as a fallback, a second option would be to ask the County if we could spend that money on Meadow as a connection to our bike bridge to the Baylands. The first thing would be to ask for Loma Verde. If they say no, have a secondary use.

Council Member Wolbach: I would just say "ask if we can use it for any of our other bikeway improvements in the area." Rather than specifying East Meadow, just ask if we can use it somewhere else, but drop reference to Matadero Creek.

Council Member DuBois: Can we add that?

Council Member Wolbach: Let's change "remove" to "replace." If it says "if not," "return to Council with alternatives of where the money can be spent."

AMENDMENT RESTATED: Council Member Wolbach moved, seconded by Council Member DuBois to replace in the Substitute Motion Part B, "if not or the Loma Verde Avenue Path is determined to be infeasible, return to Council of where to use the grant money" with "if not return to Council with alternatives for use of the grant money if possible."

Council Member DuBois: Again, I won't support the Motion with D, E and F in there. I really think it's a waste of Staff time and money. We'd be back to a 6-month-a-year underpass and a short path that doesn't really go anywhere. Those streets are pretty quiet. There'll be (inaudible) to connect Ross and Greer.

Mayor Burt: I'm not quite clear what this Amendment is saying regarding the Matadero D, E and F segment. I want Council Member Wolbach to hear this if possible. I want to speak to this real quickly. I want to quickly just really say Council Member Wolbach said that the PTC, the Staff and the community had basically all opposed this D, E and F. Actually ...

Council Member Wolbach: I don't think I said that.

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Mayor Burt: I thought I heard you say that.

Council Member Wolbach: No. I said they tried to make it work, and I don't think it works. They tried really hard to make it work, but I think (crosstalk).

Mayor Burt: Actually the Staff, the PTC, both supported it. Out of the community, we certainly have members of the community here tonight who mostly—I don't know. I'd be interested in hand-raising. My understanding is the vast majority of those who have been concerned about this are on the west side of Middlefield rather than in this stretch between Ross and 101. When we had the broader section of the public, we had about two-thirds supporting this in concept, but Staff and others, PTC have come back and—I think it's a valid case that it just doesn't work effectively to try and pursue the path in between Ross and Alma. I just wanted to make sure that folks understood that those were the recommendations of Staff and the PTC, to have D, E and F as part of the recommendation. I'll be voting against the amendment. We've got to try and speed ourselves on. Vice Mayor Scharff.

Vice Mayor Scharff: I also am going to vote against the Amendment. I think it's a little—I know it's not meant that way. I think to say how we would spend the money—if we can't use it on Loma Verde, they're not going to let us use it on Meadow. I just can't see that. I think basically it's decide not to do it. It becomes, at that point, a decision whether or not you want to do that without any cost to the City or whether you don't. I think before throwing the money away, we should have a Council discussion and say, "Do we want to do this just on this segment, because frankly it's free or roughly free or do we want to just say no?" I don't want to make that decision tonight. I don't want to say—I understand, but I think the notion that we could use the money somewhere else at that point is just not really true.

Mayor Burt: Let's go ahead and vote on the Amendment. That fails on a 5-3 vote with Council Members Wolbach, DuBois and Filseth voting yes. Now we'll return to the Substitute Motion.

AMENDMENT FAILED: 3-5 DuBois, Filseth, Wolbach yes, Berman absent

Council Member Kniss: Is that to vote?

Mayor Burt: We have—Council Member Holman wants to speak.

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Council Member Holman: Has my light not been working? I've had it on three or four or five times, and I've yet to speak to this matter. Is my light just not working?

Mayor Burt: No. The matter changed, and I cleared the lights two different times. When we get a Substitute Motion—you know those rules.

Council Member Holman: Before there was a Motion, I even had my light on. Anyway, just checking in. Clarification on "A." Is the intention there—direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class IV, is that separated? Is the intention to be separated?

Vice Mayor Scharff: Yes. Let Class IV be separate.

Council Member Holman: The Staff presentation clearly indicates (inaudible) separated bikeway. I just want to make sure we're all clear on that. If we could amend Section A with—because I think this is really important to ...

Council Member Kniss: (inaudible)

Council Member Holman: Yes. To a lot of people in the community. I know Staff referenced some of the things that might be indicated here. If "A" could be amended to say "with clear indication of what on-street markings and signage might be recommended." Vice Mayor Scharff, looking for that to be ...

Vice Mayor Scharff: (inaudible)

Council Member Holman: Signage and on-street marking would be recommended by Staff.

Vice Mayor Scharff: I think that would be—I would hope that would be included in the plan, but I see no negative to putting that in. Does Staff?

Mr. Mello: No. I think you're alluding to aesthetic impacts of signing and striping.

Council Member Holman: Yes.

Mr. Mello: We would certainly address that in the plans.

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Vice Mayor Scharff: That's fine.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Substitute Motion Part A, "with clear indication of what signage and on street markings would be recommended by Staff."

Council Member Holman: Thank you. I know the community's talked a lot about that. You made allusion to some of the things that might be possible or required or necessary from your perspective, but I think it's just clear to make that discrete here. I think that's it. Thank you.

Mayor Burt: Council Member DuBois.

Council Member DuBois: I just want to say I have a serious concern about this Class IV bikeway. I think we're going from 11-foot car lanes to like 9 1/2 feet. What's the legal minimum width for a car lane?

Mr. Mello: There's no legal minimum width. Highway lanes are typically 12 feet on freeways. We have nine and 10-foot travel lanes throughout Palo Alto. I wouldn't go below nine feet just because there's vehicles that are wider than nine feet that may be using residential streets.

Council Member DuBois: Again, I like Loma Verde as a bike street. I'm concerned about this and the issues we all heard tonight, two-way bike traffic on one side, shrink the lanes. I know you said a preference for a Class IV. I would be more supportive if maybe we saw some options of kind of Class IV versus not—with bike traffic on both sides of the road. Would you be open to that at all?

Vice Mayor Scharff: I think we're already getting options by the clear preference for Class IV.

Council Member DuBois: If it comes back with clear options (inaudible).

Mayor Burt: Council Member Schmid, and then I think we're done.

Council Member Schmid: Just a clarification on "B." The next to last line has an "of where" in there. Does that belong?

Vice Mayor Scharff: It shouldn't be there.

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INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Part B, "of where."

SUBSTITUTE MOTION RESTATED: Vice Mayor Scharff moved, seconded by Council Member Schmid to:

- A. Direct Staff to return with bikeway improvements along Loma Verde Avenue with a preference for Class 4 Bikeway improvements with clear indication of what signage and on street markings would be recommended by Staff; and
- B. Work with Santa Clara County to determine if the Santa Clara County grant funds can be used to create a Class 4 bike pathway along Loma Verde Avenue and if not, or the Loma Verde Avenue Path is determined to be infeasible, return to Council to use the grant money on Segments D, E, and F; and
- C. Return with a plan for a Caltrain crossing at Loma Verde Avenue and Alma Street prior to spending funds; and
- D. Adopt the Midtown Connector Feasibility Study.

Mayor Burt: I think that covers it. Please vote on the board. That passes 7-1 with Council Member DuBois voting no. Thank you all, to the Staff and the public, for everybody's thoughtful participation.

SUBSTITUTE MOTION AS AMENDED PASSED: 7-1 DuBois no, Berman absent

Mayor Burt: We'll take a brief five minute break, and then convene our next item.

Council took a break at 9:29 P.M. and returned at 9:39 P.M.

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19. PUBLIC HEARING: 567 Maybell Avenue [15PLN-00270]: Approval of Mitigated Negative Declaration and Tentative Tract Map With Lot Size Exceptions to Subdivide Four Parcels Totaling 2.47 Acres Into 16 Single-Family Lots, Ranging from 5,000 SF to 6,186 SF, and one Parcel for a Private Street. Environmental Assessment: Mitigated Negative Declaration. Zoning Districts: R-2 and RM-15.

Mayor Burt: Our next item is a Public Hearing on 567 Maybell Avenue, an approval of a Mitigated Negative Declaration and tentative tract map with lot size exceptions to subdivide four parcels totaling 2.47 acres into 16 single-family lots ranging 5,000 square feet to 6,186 square feet and one parcel for a private street. The environmental assessment is a Mitigated Negative Declaration. The zoning districts are R-2 and RM-15. Welcome, Mr. Lait.

Jonathan Lait, Planning and Community Environment Assistant Director: Thank you, Mayor Burt. We're going to have Sheldon Ah Singh give the Staff presentation this evening.

Sheldon Ah Singh, Contract Planner: Thank you and good evening. This is a 2.47-acre site, and it does have existing four single-family homes that front Maybell. The balance of the site is a former vacant orchard that fronts Clemo. The proposal is for a 16-lot subdivision. It's for single-family development; it also includes one private street. The subject property includes two zoning districts. It includes R-2, low density residential, as well as RM-15, multifamily residential. It does have flat topography. It's surrounded by a mix of uses, single-family, multifamily and a park that's across the street. There are also three schools within the vicinity. There are also suggested routes to school that include Maybell, Arastradero and Clemo. Some just real recent history on the project site, as there is a much more deeper history. There's a 23-unit project that was submitted last year, and it included a subdivision and an Architectural Review application. In December of last year, that project was whittled down to 16 units, and that just included a subdivision. The applicant suspended their Architectural Review application at that time. Last month, the Planning Commission recommended approval of the project. This diagram shows the subdivision plan. It's 16 lots and a private street. The private street is 26 feet in width and does include a setback of 20 feet for the buildings. That's why you get down to that 26 feet for private streets. Five units will be proposed along Maybell, with four of the units sharing driveways. The idea behind that is to reduce curb cuts along that corridor. There will be 11 units on the interior with access to the private street at Clemo and Maybell. There is no vehicular access at that point; that's just for bicycles and pedestrians as well emergency access. The 11 homes would be going on Clemo and then

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exiting onto Arastradero. The project does include some conditional exceptions to the R-1 standards. Those include lot dimension deviations from either width or depth; the required width is 60 feet and the depth is 100 feet. That gets you the 6,000-square-foot minimum size lots. Two of those lots actually have both a lot size deviation and lot dimension deviation. Those two lots with the crosshatching are less than 6,000 square feet. There was a traffic study that was conducted of this project. It concluded that there would be 114 new daily trips from this site. That gets broken down into the A.M. peak and the P.M. peak. During the A.M., you have nine peak trips, six of those trips would be using the Arastradero-Clemo intersection. In the afternoon, you would have 12 P.M. trips. There was some extensive public outreach by both the City and the applicant. The City did hold two stakeholder meetings, one October 22nd, the other on November 4th of last year. Those were with the neighborhood leaders; it was a much more focused group discussing the project. There was a community meeting that followed that up in April, that was conducted by the applicant and included a much wider audience. At that meeting, there was a consensus that there is a lot of traffic in the area, but that's an existing issue. In addition, there was some broad support for the subdivision as currently proposed by the applicant. A couple of key issues here in the subdivision and the conditional exception findings would be the compatibility and connectivity of the subdivision as well as addressing the Mitigated Negative Declaration. With compatibility, it's not likely that when developed it'll be obvious that there are two lots that are less than 6,000 square feet as they are in the interior or be obvious that some of these lots are less in lot dimensions. The overall character of the project would be consistent with the neighboring single-family development as well as the project does include a low amount of new traffic. Specifically with the connectivity—just tell you about the context. There are three schools within the vicinity. It's a quarter mile from the El Camino Real Corridor. There is no existing sidewalk along the project at Maybell. Maybell in general has inconsistent street improvements. At the Planning Commission meeting, there was a discussion about a new pedestrian path access from the interior of the project to Maybell; however, the Commission thought that the access was adequate as the project had proposed it. That didn't move forward. The project will construct a sidewalk along its Maybell frontage. With respect to the Mitigated Negative Declaration, the Initial Study was circulated between May 6th and May 26th, and there wasn't any comments that was presented to the City. The potential significant impacts would be to biological resources. One mitigation measure for nesting birds because there are mature trees on the site. The recommended Motion is that City Council adopt the Mitigated Negative Declaration and approval of the tentative subdivision to allow the division of land with the findings and conditions of

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approval. That concludes my presentation. Be happy to answer any questions you may have. Thank you.

Mayor Burt: Thank you. Before proceeding if colleagues have any disclosures on ex parte. I see none.

Council Member Kniss: Do you us to disclose emails and so forth?

Mayor Burt: Just ex parte meetings. We'll now go into technical questions. Vice Mayor Scharff.

Vice Mayor Scharff: Maybe I missed it. There was a discussion about a pathway. Do we have a slide on where that pathway would have gone or what it would have done? I would like to know about the pathway.

Mr. Ah Sing: (inaudible) slide, but we do have an exhibit. If we could pass that.

Vice Mayor Scharff: Can you basically explain on this roughly where it goes or what it was going to do?

Mr. Ah Singh: Sure. It would have been between Lots 2 and 3. That's along Maybell. Basically, the end of that hammerhead towards Maybell, then there would be this walkway just for pedestrians. It wouldn't be really for cyclists; there wasn't really sufficient room for that. It'd be about 10 feet, which is about the width of the utility easement that's proposed now behind Lots 2 and 1. Just kind of relocating that easement so that it'd be a straight shot from that hammerhead out to Maybell. Above that would be the improvements for the circulation.

Vice Mayor Scharff: Thanks. You guys didn't address the affordable housing component of this. Could you basically run through why they aren't building two units since that's what our Code says?

Mr. Lait: Thank you, Vice Mayor Scharff. There's the memo that was transmitted to the Council, I think, on Thursday. There was a condition on the packet that was sent to you requiring compliance with the City's below market rate housing program. The Thursday memo transmitted the applicant's justification to why they believe the in-lieu fees are appropriate and should be used on this site. We've transmitted that memo, and that is before the Council for consideration.

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Vice Mayor Scharff: If I understood the memo, it was financially not feasible for them to build the units on site. Is that a fair statement?

Mr. Lait: I think the applicant put forth a couple of arguments. One having to do with the economic feasibility of the project and providing the units on site. There were some other considerations, I think, listed in the memo about their outreach and neighborhood support and other reasons that were included.

Vice Mayor Scharff: We have a Code section on this, which says feasible in effect. I don't have it in front of me, but I can probably pull it up. Do you have it there (crosstalk)?

Mr. Lait: I don't, but I can pull it up. It does talk about—I'll paraphrase while Sheldon pulls it up—something to the effect that unless it's determined infeasible to provide the units onsite. There is no standard in the Code as far as what that metric is. It doesn't necessarily say financial feasibility. It just says if it's infeasible.

Vice Mayor Scharff: Just not to beat a dead horse or anything, but I'm confused as to when you say infeasible. I understood that the argument was that it was financially infeasible. You say there are other ones in the memo. I (inaudible) that up from the memo. What were the other ones that made it infeasible?

Mr. Lait: I'm looking for that memo here.

Cara Silver, Senior Assistant City Attorney: Through the Mayor, Cara Silver, Senior Assistant City Attorney. The ordinance uses the term feasibility. Staff has not had an occasion to interpret that. We don't really have an historical practice for interpreting it. However, I think based on the plain language of the ordinance, feasible could mean physical feasibility. The site is just configured in a way that would not permit onsite units. Second, economic feasibility. In this case, the applicant has put forward a financial infeasibility argument.

Vice Mayor Scharff: I guess on a technical question basis, I won't argue the point. What I want to know is what did they provide Staff? Did they provide pro formas? How do you know it's financially infeasible other than they stated it's financially infeasible in a letter?

Mr. Lait: What was transmitted was what was reviewed.

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Vice Mayor Scharff: My understanding then is Staff just accepts someone's claim that it's financially infeasible. On that basis, we should say it's financially infeasible.

Mr. Lait: What we're doing is we've transmitted the applicant's justification, and we're presenting it here to the Council for your consideration.

Vice Mayor Scharff: There's no pro forma, there's no numbers to back it up. We weren't provided any of that?

Mr. Lait: That's correct. What you have is what was transmitted last Thursday.

Vice Mayor Scharff: Thank you.

Mayor Burt: Council Member Wolbach.

Council Member Wolbach: Actually I was going to ask about the same two concerns. One regarding the path and the other regarding Below Market Rate (BMR) units. Looking at the memo we got; I think it was at places or a late memo. Where it says other considerations on the second page of the letter, third page of the memo, it says requiring onsite market rate units is financially infeasible and in conflict with other community interests. Given how important affordable housing is for our community, I'm curious what other community interests would onsite below market rate units be in conflict with.

Mr. Lait: Again, I think it's—what we have is on their memo, the justification Page 2. I think it speaks to sort of the history of the site and the applicant's original proposal of 30 units and listening to community members and making reductions to the density. Now that density's proposed at 16 units, what I'm understanding from the memo—again, the Council can certainly ask the applicant more questions about that—that has an impact on the profitability of the development. I think it's a question of how much return is appropriate or expected for a construction project such as that.

Council Member Wolbach: I will direct my question to the applicant. It's not just financial infeasibility that's listed here. It says financially infeasible "and." Separate from finances, separate from costs, separate from how much money you make, it says "and in conflict with other community

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interests." What are those "other community interests" aside from finances that affordable housing onsite is in conflict with?

Mayor Burt: Are you referring to the applicant's letter or a Staff Report?

Council Member Wolbach: The applicant's letter.

Mayor Burt: You're asking the Staff to explain the applicant's position.

Council Member Wolbach: I'm sorry. Do we have nobody from the applicant here?

Mayor Burt: At this time, right now, we're asking questions of Staff only.

Council Member Wolbach: Did Staff have any understanding of what those "other community interests" were, separately from financial feasibility?

Mr. Lait: I certainly welcome the applicant to expand on it further. I think what it is in part at least has to do with the history of the site. Council Members and members of the community certainly know more about it than I do. There is a long history with development at this site. I think there has been an effort by the applicant team to reach common ground with residents in the area. I think that the subdivision that's being presented reflects a standard at which the applicant feels, at this point, to also provide housing as BMR housing probably gets too close to making it infeasible, at least in their perspective. Again, we don't have the pro forma. We have this analysis here.

Council Member Wolbach: Again, since this is in addition to finances, this is completely separate from finances. It's an "and," not a "because." Is that a suggestion that the community is opposed to any BMR units in the neighborhood? I don't think that's what I've heard from people in the community.

Mr. Lait: No. I don't think that's what the suggestion is. I do think that there is—it may be. Again, this is a question you need to ask the applicant. If the applicant feels like, at 16 units, providing two in-lieu housing units means that maybe they need to reconsider that subdivision and provide a greater density project in order to achieve the kind of results that they're expecting to achieve, that could have an impact in terms of community support for the project, which has expressed previously a desire for fewer

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dwelling units. Again, I think you'll probably hear from members of the community too, but I think there's that balance that's trying to be achieved. When you—I think the reference here is an effort to strike that balance and achieve what the area residents are hoping to see be accomplished with this development.

Council Member Wolbach: It just seems a bit strange, but I'll reserve my further comments until comments later.

Mayor Burt: Council Member Schmid.

Council Member Schmid: I remember traffic was a big issue in the previous Maybell discussion. This, of course, has many fewer housing, dwelling units. The big change is the exit now for 11 of the units on Clemo, and Clemo is blocked off from Maybell. It means the Clemo-Arastradero intersection has more traffic than before. Is there a traffic light or stop signs at Clemo and Arastradero?

Mr. Ah Sing: There's just a stop sign, and there's some improvements for pedestrian crossings there.

Council Member Schmid: There's a stop sign for the traffic moving on Arastradero or is it a stop sign on Clemo?

Mr. Ah Sing: It's just Clemo.

Council Member Schmid: During rush hour, you have 11 units and the average number of workers coming out is 16. Of course, you have other traffic for school and things like that. I assume that that's difficult to make a left turn onto Arastradero from there. Is there a potential traffic issue? I know you say there's only going to be six cars during the morning rush.

Joshuah Mello, Chief Transportation Official: Good evening. Josh Mello, Chief Transportation Official. We did conduct a traffic impact analysis for this project, and we analyzed what the impacts to Clemo and Arastradero would be. Given the volumes generated from the development, a traffic signal is not warranted at Clemo and Arastradero. The level of service exiting Clemo will likely be relatively poor. We do anticipate a lot of people will actually end up making a right turn out of Clemo in lieu of waiting for a gap in traffic during the peak hour to turn left. There are existing "keep clear" markings on Arastradero for westbound traffic, to try to keep that intersection clear for folks turning into and out of Clemo. Beyond that,

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there's not many improvements that would mitigate the difficulty turning left. Again, a traffic signal would not be warranted.

Council Member Schmid: I guess it is a fire station there, and it's an important intersection. I guess we need to be sensitive that traffic is moving. Thank you.

Mayor Burt: Council Member Kniss.

Council Member Kniss: Let me wind back a bit to the BMR requirement. Perhaps one of you can tell me what will be the result of this. As I understand, the BMR units will not be onsite. There will be—in lieu of that, what will there be?

Mr. Lait: The applicant would pay into the City's affordable housing fund. Based on the projected sales of the proposed homes, we would anticipate collecting \$4.2 million in in-lieu fees for the housing development fund. That's for the 2.4 units that would be required onsite. Based on that, we have estimates from the Palo Alto Housing Corporation that it costs about \$500,000 to produce a unit including land cost. There is money that can go toward producing potentially more units elsewhere in the City.

Council Member Kniss: We don't know exactly what number, because we don't know exactly what amount. I resume it is a percentage when the houses are actually sold, that comes back to the City in the form of the in-lieu fee. At this point we can't predict exactly what that will be, but it will be some number that is times 500. Correct?

Mr. Lait: \$500,000. Actually no. The way the fee is calculated is 7 1/2 percent of the actual sales price or the fair market value. When the home is sold, 7 1/2 percent is the fee amount. There's an analysis that—the justification that was put forth indicates the sales value for the home. I thought it was somewhere around—3.75 was projected for eight of the homes and 3.25 was projected for the balance, for a gross sales revenue of \$56 million times 7 1/2 percent.

Council Member Kniss: What you're saying is that we don't know what they're actually going to sell for, because they're not built yet.

Mr. Lait: That's right.

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Council Member Kniss: Saying after this actually comes to fruition, then that percentage will be calculated. Correct?

Mr. Lait: Yes.

Council Member Kniss: That's what I needed to know. Those will go into affordable housing, but someplace else in the City.

Mr. Lait: It would go into an affordable housing fund.

Council Member Kniss: Thank you.

Mayor Burt: Council Member DuBois:

Council Member DuBois: I'm sorry if I missed it. I didn't see the votes by the Architectural Review Board (ARB) and the PTC. Did they—how did they approve the project? What was the results of those meetings?

Mr. Ah Sing: Because it's just a subdivision, it only needed to go to the Planning Commission.

Council Member DuBois: Was it unanimously approved?

Mr. Ah Sing: Yes, it was. Of the members that were present, yes.

Council Member DuBois: Do subdivision maps always come to Council?

Mr. Ah Sing: Yes.

Council Member DuBois: That's why we're seeing it, because it's a subdivision? Thank you.

Mayor Burt: I just have a few questions. One is on Clemo. The house on the corner of Clemo and Maybell—I can't tell—it doesn't appear that there's—I should have looked at the other drawing. No curb cut on Clemo there, is that correct?

Mr. Ah Sing: That's correct. There's a shared driveway on Maybell with the adjacent lot for that.

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Mayor Burt: Second, on the in-lieu fees for the affordable housing. If we were to consider allowing in-lieu instead of housing onsite—I have two questions. One, the rates that—we have our current rates and we have in process a review of the in-lieu rates. Can you share with us whether the new rates would apply?

Mr. Lait: It would be based on when the applicant paid the fees. Right now, it's based on when the property is sold. We'd have to have that information. The Council may be adopting fees sooner than that, so the new fees could be the standard by which the ...

Mayor Burt: I want to get a sense of the timing.

Mr. Lait: We're going to the Finance Committee tomorrow, and we hope to come back to the Council, I think, after your break. We're going to go to the Planning Commission during the Council break.

Mayor Burt: The fee determination is based on what action on the project? Which fees, whether it's the old fees or the new fees.

Mr. Lait: Cara's saying it's at the time of permit issuance or building permit issuance. We're probably a year or so out from that.

Mayor Burt: That, I think, is the answer to my question. If the new fee structure is coming to the Finance Committee tomorrow, after Council vacation I assume we'd be seeing it shortly thereafter. That should be well ahead of the timeframe in which permits are pulled. This goes back to something I had raised a couple of years ago on this. It does go to my initial question. Clemo dead-ends; there's a barricade. It allows bikes to go through, but we have a sidewalk there as well. Has there been any consideration on and discussion with the neighborhood about whether they would be interested in closing off that last segment of Clemo and turning it into public space? The tradeoff would be X number of parking spaces lost. Basically we have a dead-end street that isn't really serving the community well. Barron Park has talked for a long time about eventual—there's no community center in Barron Park, etc., ever since the Terman Library closed. Was there any discussion in this process about that issue?

Mr. Ah Sing: No, that did not come up.

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Mayor Burt: Finally, our existing zoning is R-2 and RM-15, but we're getting—was it 14 lots at 6,000 square feet or thereabouts and two at 5,000? How does this differ from R-1 zoning? Is this ...

Mr. Ah Sing: The R-1 standard is 6,000 square feet minimum. The minimum dimensions would be 60 feet wide by 100 feet deep. You've got two of the lots that are less than 6,000 square feet, and then some of the other lots have dimensions of less than 60 feet or less than 100 feet.

Mayor Burt: The configuration, a number of the lots are different, but the number of units is basically R-1.

Mr. Ah Sing: Yes.

Mayor Burt: We've had a real active participation by neighbors in Barron Park, the single-family homes, which borders one side of this development. We have two other sides that are multifamily. Was there any participation from those neighbors as well?

Mr. Ah Sing: We did invite the stakeholders as well as we had the wider community meeting where people showed up. There was ample opportunity for people to speak.

Mayor Burt: My question was the participation as opposed to what you're saying is the opportunity.

Mr. Ah Sing: There were a number of people that showed up. There was a more focused participation during the neighborhood leaders meeting. For the community meeting, we had probably 50 or 60 people that showed up.

Mayor Burt: My question was whether we had the participation from multifamily neighbors.

Mr. Ah Sing: I'm trying to recall. I don't really know if people identified themselves. They kind of said their addresses maybe, but it was kind of hard to tell if the multifamily was necessarily represented that way.

Public Hearing opened at 10:09 P.M.

Mayor Burt: Thank you. Now we have a public comment period. First, we'll open the Public Hearing. We have both five speakers who want to share and

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have, I think, a single speaker talk. We have an additional 16, 17 cards, something like that.

Ms. Silver: Mayor Burt, since this is a quasi-judicial, we suggest that the applicant go first with 10 minutes, and they have some time for rebuttal as well.

Mayor Burt: I wanted us to be looking at time. I'll allow the applicant to speak at this time, and then we'll determine how much time we have left.

Ted O'Hanlon, Golden Gate Homes: Thank you, City Council. My name's Ted O'Hanlon. I'm consulting Project Manager for Golden Gate Homes. I've been involved in this project since the start in 2014. It's been a long two years. We're very happy to be at this point, in front of you. I will be short in the interest of time. I think we have a lot of community here to speak as well on our behalf. When we started, we approached the project knowing that it was going to take a lot of hard work, a lot of perseverance, a lot of compromise. We knew it was going to require a very clear understanding of the Municipal Code and it was also going to require engaging quite closely the neighbors in Barron Park and also Arastradero as well. We had the chance to get to know all of them along the way. As time went on, we did two site plan concepts that were of greater density than the application that you have now with 16 homes. Both were a very careful depiction of the Municipal Code and what would be allowed under the existing zoning. Both were met with quite a bit of negative feedback from the neighborhood, who really desired a less dense development. We went back to the drawing board a couple of times. In December, we brought for the City a 16-unit plan, which was very much embraced by the neighboring community. We did that with a great consideration of risk, because the lower the density would go, the lower the potential outcome of the development for Golden Gate Homes, who is a for-profit developer. Time being of the essence, just like dollars spent, it was deemed a reasonable foot forward and something that we could do in concert with the neighborhood. A couple of things came out of that process that we think are really positive about the project. I'd like to highlight them. It is an R-1 in nature and spirit site plan, which very much depicts the greater area of Barron Park. Adjacency is considered within the site. Using the R-1 guidelines helps to further get it into the nature of the existing area both with the setbacks that the homes will have, the height limitations that they'll have and also the driveways. What the driveways do within all these homes is allow for extra parking. I think all over Palo Alto we're all worried about parking. We also got to know that this neighborhood was concerned about that. Another aspect of this site that, I think, is really important to note and adds much to the community is the 10-

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foot dedication of a new sidewalk along Maybell that will connect Clemo with the Arastradero Park Apartments sidewalk. The 10 feet will likely be divided between a five foot planter strip and a five foot sidewalk. Right now, there's no existing sidewalk in that stretch. This is about 330 feet of Maybell Avenue. There's a lot more work to be done to make a better pedestrian access to Maybell Avenue. There's a lot more work that's going to happen with the bike boulevard really coming into shape. We know that's going to be a very important aspect, to separate the pedestrians from the cyclists, so many kids on that street. Another feature that we like to highlight is a reduction in curb cuts. Right now there are four curb cuts for the four existing homes on Maybell. We've created a three-curb-cut idea where four of the homes use two wishbone driveways, and then one of them does separately. Less curb cuts, less confusion, less points of access where cars might be backing out of a driveway. Another thing that we feel makes this site plan really unique is the engagement with the community. Again, we've worked very closely with them. It seemed that the further we got to know them, the more that we could make this feasible and have it work out. We're very excited about the fact that they're all here tonight to support what we've put forth in our plan. It's not cookie cutter. It takes some sacrifices and some compromise as well. The lot dimensions are in R-1. A couple of lot sizes are smaller. If you look at the stretch between Maybell and Arastradero, there are a number of homes, single-family, that are less than 6,000 square feet. Two of our 16 would have that kind of format. The Mitigated Negative Declaration (MND) did find that acceptable. There was a discussion about a ped path at PTC. There's a safety aspect to why that wasn't really seen as beneficial. I do know that it does curtail some distance for pedestrians to get to El Camino, but I don't think it was that great of a difference. It would really only have benefit to eight of the homes. On top of that, there's some privacy aspects that we preferred that the ped path not be there. The other special request here is to pay an in-lieu fee to the City of Palo Alto's housing fund. At this density, two units is a significant contribution for a for-profit developer to commit to a BMR program. The feeling is that a lot more good can be done and utility from the in-lieu fees, which are estimated at approximately \$4.7 million. If we're creating BMR units at about \$500,000 a door, that's a couple times greater than two units. If those funds were combined into a greater project, that could be many multiples more. It's really hard to understand or predict what the outcome of those in-lieu fees might be. In closing, I do want to give a moment of my time to Leigh Prince, who's our land use attorney, to address something that came up in the Staff dialog. We really thank you, and again we thank the community for coming out and supporting us. They were here for PTC, and looks like they're here for City Council. I'd like to thank Staff, because we've gotten to know each other very well over the last two years. We feel like

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we're putting something in front of City Council that takes a great amount of consideration. We thank you.

Leigh F. Prince, Golden Gate Homes Legal Counsel: Good evening, Council Members. My name is Leigh Prince. I am a land use attorney with Jorgenson, Siegel, McClure and Flegel. I'm the one who wrote the letter that you have in front of you this evening. I just wanted to clarify and answer a couple of questions and then feel free to ask more if you have those. There are two pieces. There is the financial piece. This site has a long history. Years ago it was a project proposed of 75 units. That had a lot of difficulty in the community. We went down to 30 units when Golden Gate Homes first proposed, then down to 23. Those initial projects included providing onsite BMR units, utilizing State Density Bonus. You guys have experience when you're utilizing State Density Bonus, you're not going on menu. That's when you take look at the pro formas. I will tell you that what's in there is based on pro formas that Golden Gate Homes has done. It's just very simplified for your convenience, for your understanding. That is there. Those are the financial considerations, both just the dollars and cents associated with purchasing the property and developing these 16 units, but also the opportunity costs that's being lost in doing something that the community is really looking for, just this 16-unit, R-1 concept. The community interests that I was referencing is both what the community is looking for here, which we have heard loud and clear is this R-1 concept at a much lower density, where we're not exploring utilizing State Density Bonus Law, adding additional units. It is also, as Ted touched on and Staff touched on, the ability to take that in-lieu fee and put it towards more units somewhere else in the community, thereby serving community interests to a greater degree.

Mayor Burt: Thank you. Now we will turn to members of the public. We have a final item tonight that is a time-sensitive item. We have an issue of whether we're going to be able to complete this item or whether we need to take testimony from the public and then continue the item. I think what we'll do is go ahead and take testimony from the public tonight, and then continue the item. It looks from our scheduling that we will have time on either the 27th or 2nd of this month. We have an extra City Council meeting that we jammed in, to try and make sure we could complete everything before the summer break. We'll go ahead and hear from members of the public. Other than the first speaker who will be representing five, we'll need to limit it to two minutes each per speaker. We have received a lot of emails. I assume that a lot of the speakers have similar comments to make as there were in the emails. It's not necessary to repeat in full what a previous speaker said, if you want to attribute your comments to a prior speaker or speakers plural. Our first speaker is Maurice Green speaking on

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behalf of Cindy Zieblaman, Gene Zawkowsky, Zita Zawkowsky and Anna Gardner. Welcome.

Maurice Green speaking for Cindy Zieblaman, Gene Zawkowsky, Zita Zawkowsky, and Anna Gardner: Thank you, Mayor Burt and Council. What I've got to tell you about tonight is a tale of unintended consequences that goes back to 2009. It goes back that far because I just happened to come across an item this afternoon, as I was putting my points together to present to the Council. This was written by a resident of Fairmeadow back in 2009. Do any of the people who have supported the changes onto Arastradero-Charleston actually drive it every day? I do, and I do not understand their support of it. I agree that far too many people speed here, but the road is essential for many, many people to get through this area of town. All the changes done has made the commute even harder. She goes on to list all of the problems, and she goes on to say, in fact, there was never a problem when there were two lanes. My uncle has changed his work route to avoid that section. Now he goes along East Meadow. Some traffic has been forced over to another school-lined, residential street. That's exactly what has happened to Maybell. In 2011, there was a traffic study. In 2013, I did a traffic study. In 2016, we had some additional video study done. I'd like to show you a very quick video of what the conditions on that street are and why we are so concerned about the safety for the children and the traffic on that street. This is Maybell at Amaranta. The intersection down below, if you can see far enough down to where the school crossing guard is holding up the sign, is Juana Briones School. This is between 7:30 A.M. and 8:30 A.M. in the morning. I'm sure you're not surprised at the amount of children you're going to see in a moment, but the cars are something else again. Here we go. They come in waves, not one at a time but in a single line. For your information, where I am standing taking that video, there is a stop sign. Virtually none of the children stop. Directly across the street, you can see the end of Juana Briones Park. The property that you're talking about is just off to your left. We calculated that from 2011, when the City did a traffic study, to 2013, when I did that video, there was something of the order of a 50 percent increase in traffic on Maybell Avenue. We counted every car going by. This is what it looked like this year. Now if you look, this is something we didn't see so much in 2013. That traffic line goes all the way back to El Camino Real. That's the Arastradero Apartments across the street. I don't remember if this is Abel or Baker at this point, but it would be the cross point if that pedestrian path were put into the Golden Gate property. It will be directly across the street from that. Anybody who thinks if you put in a pedestrian path, it's not going to be utilized by kids on bicycles, you're fooling yourself. There is a blockade at the end of Clemo. It is there we—I don't think anybody wants

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to close that off, because that's an emergency vehicle crossover. That's how the Fire Department gets into Maybell from Fire Station 5. I have seen frustrated drivers in SUVs who have a high enough road clearance go right over that blockade and go out Clemo. Traffic is like water; it finds the fastest path to get out. We do not—I say I am the people that I am speaking for—do not want to see that pedestrian path or bicycle path or egress into Maybell for the reasons of safety for the children and for the reasons which you heard with the bike path discussion this evening, for the privacy of the people how live in those homes. I don't think any of you would want to have strangers walking along your side yards, looking through your windows. That's what you're asking for when you put that pedestrian path in there. As far as Clemo's concerned, let me just speak very quickly to that. The question was raised as to the traffic on Clemo. The fire station is right there at the corner of Clemo and Arastradero. The westbound side of Clemo intersection is marked "keep clear." So is the area in front of the fire station. The area in front of the fire station on the eastbound lane is marked "keep clear." That means that when the traffic light at Coulombe turns red, the traffic will stop and the drivers are legally supposed to leave that area open. That makes it possible for the few cars that will be coming out of this subdivision to make a left turn or right turn and proceed onto Arastradero. In fact, there are cars coming out from Tan Towers now who do that every day. That does not really represent a problem. I'd like to make a statement for myself and for many of my neighbors. We would like to express our support for the current plan by Golden Gate Homes for the development of the site at 567 Maybell Avenue. It represents the culmination of a long, almost unique collaborative effort between the developer and the community to maintain the character of the neighborhood, to minimize the impact on traffic and the local schools, and to protect the safety of the children on what is a designated Safe Route to School on Maybell Avenue. Thank you.

Mayor Burt: Thank you. Our next speaker is Jerry Underdahl. I should have mentioned in my questions—really for speakers, I would be interested in and, I think, perhaps some of my colleagues would be interested on this issue of the in-lieu fees as to whether the neighbors are proposing that, if there were in-lieu fees, these affordable housing units would be built in other areas of Palo Alto or whether they would embrace those fees being used for the greater Barron Park area. If people want to wade in on that, I know I would welcome hearing about that. Jerry Underdahl to be followed by Bob Moss.

Jerry Underdahl: Good evening. I almost wish I could have four minutes to talk, because I have a feeling I may be the only one presenting my point of view in two minutes here. I have some deep concerns about how things

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have proceeded. I strongly support the plan to have the 16-unit development. I give my congratulations to Golden Gate Homes for an inordinate amount of flexibility and willing to bend their profit interest for the interest of getting along with neighbors who insisted on something that, I feel—I can't imagine another developer going to the lengths that they have to accommodate that. I want to move, though, to where I have difficulty. I feel that the bicycle path was casually dismissed at the PTC meeting. There were four people there. Only one of them really had questions. Greg Tanaka was trying to draw out questions about is there precedent for demanding access for cul de sacs, where can you show it to us. Josh Mello was having trouble, because there haven't been many recently. In the past, when all these cul de sac developments were put in, nobody really thought about bike and pedestrian access. Now, we're paying the penalty for it in a lot of reduced connectivity. About the pedestrian part, finally I hear and I didn't hear it at all at the community—the two meetings that were stakeholders were closed meetings to leaders of the community only, if I understand correctly. That gave the public one chance to come and hear the plan and be encouraged to come out and support it. I supported it because it sounded really good. You've got 16 units; you resolved the traffic movement issues satisfactorily; you had competing interests on Arastradero, competing interests on Maybell. They made it work. Then, I find out that there was an additional component to the circulation plan which was the pedestrian path within that, that was advanced by Josh Mello as standing up for values that Palo Alto has to promote sustainable connectivity, to promote bicycle and pedestrian culture. I'm uneasy about that being dismissed without a full discussion of it. I hope that will happen on the Council. Thank you.

Mayor Burt: Thank you. Bob Moss to be followed by Suzanne Keehn.

Robert Moss: Thank you, Mayor Burt and Council Members. Let me give a little history on this site, which the Staff Report omits. The property was originally bought by the Housing Corporation about six or seven years ago for \$15.4 million. They came in with a proposal for a 72-unit development, a huge five-story building with 60 units for seniors and 12 single-family homes. We referenda'ed that successfully and got it killed, even though we were outspent almost 10:1. Subsequently, the Housing Corporation sold the property to Golden Gate Homes for \$22 million, making a nice profit thanks to the people who voted against their development. What we have is a project which is significantly better than what was proposed before. As you know, traffic on Arastradero and Maybell is absolutely awful. I happened to drive past Arastradero about 9:30 A.M. this morning, and traffic was backed up almost all the way to El Camino. That was 9:30 A.M. in the morning, and

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this is not a heavy school time of year. We have a real problem. The original proposal, the one that was defeated, had an internal road that went from Clemo to Maybell and would have diverted traffic from Arastradero down Clemo to Maybell through the neighborhood on a street which is only—at Clemo, Maybell is only 28 feet wide. We have a very narrow, very heavily congested street. We want to do everything we can to keep traffic low. The 16-unit development with only five units on Maybell is a significant improvement and is a major reduction in traffic problems, which would have been created by the original proposals, both the 72-unit development and the 23-unit development. I think what we have before us usable and, I think, it's far better than we we've had before. I suggest you approve it.

Mayor Burt: Thank you. Our next speaker is Suzanne Keehn, to be followed by Kathleen Eisenhardt.

Suzanne Keehn: Good evening. This letter—I'm reading these comments on behalf of Cheryl Lilienstein and Joe Hirsch and myself. They could not be here tonight; they're out of town. During the past 18 months, many of us have shared with Golden Gate Homes our vision of what our neighborhood should be like. Our discussion with Golden Gate Homes focused on three objectives that we had. One, neighborhood compatibility, that is, no high density. Two, adequate onsite parking so that overflow parking is minimized and does not adversely impact the nearby residents. Three, traffic circulation that minimizes adverse impacts on Maybell Avenue, a designated Safe Route to School and bicycle boulevard, which is distinctly a different road than Arastradero. The 16-lot plan submitted by Golden Gate Homes in December 2015, with five lots on Maybell, 11 lots off Clemo, with no direct automobile access from those 11 lots to Maybell, meets these three objectives. Golden Gate Homes' December 2015 plan was recently reviewed by the Planning and Transportation Commission on May 25 and was unanimously approved. What has been done here is reminiscent of the Terman working group from the early 1908s, where members of this neighborhood worked collaboratively with the City, the JCC and the Palo Alto Housing Corporation to develop a mixed-use plan for the then-closed Terman Middle School site. Now, 35 years later, we're deeply appreciative of the willingness of Golden Gate Homes to work with our neighborhood. This collaboration sets a good example for other developers. The 16-lot plan—I think that's enough.

Mayor Burt: Thank you. Kathleen Eisenhardt to be followed by Sorror Ebnesajjad. Excuse me.

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Kathleen Eisenhardt: Thank you for letting me speak tonight. My name's Kathleen Eisenhardt. I live in the neighborhood in the 94306 ZIP. I am speaking in support of the Golden Gate Homes proposal with no changes. Just as a further comment, the Gold Gate Homes group has been very accommodating to the neighborhood and to the rest of Palo Alto in terms of being great partners and compromising, giving us a housing development but also a housing development that makes sense in terms of traffic and safety. For example, Mr. Green spoke earlier. In addition, I think the sidewalk addition on Maybell is perhaps a small but nonetheless useful addition. In addition, just a comment on the cut-through. The cut-through would be nice, but we're talking about relatively small lots, and the cut-through I don't think really makes much sense. It's really not a hardship in a biking and walking culture to walk four houses longer than you might otherwise. In terms of BMR, Mr. Burt asked about our opinions. I think our area has a fair amount of BMR housing already. I know most of us have a very strong support for the Buena Vista group in particular. The extent to which this money could go to Buena Vista, I think a lot of the neighbors would be very pleased to have our Buena Vista neighbors be accommodated. In summary, I wanted to say that I'm very supportive, as many of my neighbors are, of the Golden Gate Homes project with no changes. Just as a final note, as long as I seem to have another minute or two, Arastradero really is terrible. Whoever thought of changing it from two lanes to one was crazy. It really doesn't work; back to two lanes. Support Golden Gate Homes.

Mayor Burt: Thank you. Sorrow Ebnesajjad to be followed by Elaine Heal.

Sorrow Ebnesajjad: Hello. I'm here to speak in support of this project. I speak as somebody who lives a couple of streets away from this Maybell property. I bike a lot, and I walk to Walgreens. Ever since the idea of 70-plus homes was brought into our lives, it was a nightmare. Imagining this traffic to get worse is just impossible. I believe that Golden Gates Homes has worked really hard. I've been involved in the whole process. They've tried really hard to reduce the number of the units. They've brought it to the basically minimum number. It might not be 100 percent perfect from your point of view or our point of view, but this is the best that has been brought to you. Tonight, I'm here to ask you to approve this, to help all of us who bike a lot and walk a lot. Thank you.

Mayor Burt: Thank you. Elaine Heal to be followed by Richard Evans.

Elaine Heal: Hi. My name's Elaine Heal, and I wanted to start by thanking both Golden Gate Homes and City Council for working with us in the past

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and hearing us tonight. I'll try to be brief. I live on the south side of Arastradero, actually in a single-family home on Arastradero nearly across from the Clemo-Arastradero intersection. I'm here in support of the 16 home plan. Yes, the traffic is bad on Arastradero, and it's bad on Maybell. I agree with the previous speakers that this is a good compromise. It's not perfect for anybody, but it is a very good compromise between the neighborhood interests, Golden Gate Homes' interests, the City interests. To speak to Mayor Burt's question about the BMR, I would be in support of using the in-lieu funds for BMR in the greater Barron Park neighborhood. It does seem not to make sense for it to have the units on this particular site. Thank you.

Mayor Burt: Thank you. Our next speaker is Richard Evans, to be followed by Jen Fryhling.

Richard Evans: Since I did email you, I will keep my remarks short and focused on whether or not a pedestrian path is useful. First of all, it would only serve this subsection of houses within the development, and it would be a question of desirability for those who wish to purchase those homes. I believe that Golden Gate Homes would try to make these as attractive as possible for potential purchasers, and they made the decision that the privacy issue trumped an incremental shorter distance to Walgreens. I support the project as it is and hope that you will approve it. Thank you.

Mayor Burt: Thank you. Jen Fryhling to be followed by Ryan Kim.

Jen Fryhling: Good evening, Council Members. I'm Jen Fryhling. I've lived in Palo Alto for 15 years. My family lives right off Maybell, and my children attend Juana Briones and Fairmeadow Elementary School. We chose to live in Barron Park because we wanted our kids to be able to bike and walk to the schools in the area from K through 12. The reason why I'm here today is to support the Maybell project and ask that City Council also support it. I believe that the developer has genuinely made efforts to minimize the traffic and safety concerns on Maybell Avenue and on Arastradero Road. I've been following the project and would like to highlight some of the aspects that I think are deserving of particular attention by the City Council. The 16 homes are compatible with the neighborhood, with appropriate setbacks, height limits and lot sizes. The project does not cause street parking problems, which we have that problem right now, because there's adequate onsite parking. The traffic report shows low levels of outbound traffic trips, only 12 during the morning peak, and it's split between Arastradero and Maybell. Of course, there was mention of the three curb cuts, reducing that from what it is now with the four. The developer will build a sidewalk, which

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again adds to the safety of pedestrians, bicyclists on Maybell. For student safety, I'm glad that the PTC reviewed, vetted and unanimously rejected the pedestrian path. It was presented at the City/School Traffic Safety Committee, which I'm a member. The principal at Juana Briones School had serious concerns with having a path out there that could potentially be used for bicyclists, and there's no crosswalk right there. Three houses away on Clemo, there is a safe crosswalk. I was just going to mention to Mayor Pat Burt's point that I too would welcome that the in-lieu fees be reinvested in our neighborhood. Thank you.

Mayor Burt: Thank you. Ryan Kim to be followed by Alice Sklar.

Ryan Kim: Hi. I'm Ryan. I go to Juana Briones. I bike to school, and there are a lot of cars, so it forces us to bike on the sidewalk. One time when we were going to soccer, my friend got hit by a car on his bike. Also, when I bike, when there are stop signs, cars hardly ever stop. They just slow down, and I find it really dangerous. I think the people who design bike roads should make bike roads bigger so they can allow cars—so they don't allow cars to come in. This is my opinion about bikes and bike safety.

Mayor Burt: Thank you. Alice Sklar to be followed by Tim Gray.

Alice Sklar: That's a very hard act to follow. My name is Alice Sklar. I'm the President of Green Acres Improvement Association. We're the association directly across from Clemo, that extends from approximately Clemo down to Pomona Avenue. My Board has been reluctant to be involved in these talks officially, taking the view that if it doesn't directly affect us we should not speak to the issue. However, at this point, it was finally moved that I should represent the Board as being unanimously in favor of the current project. We feel that the traffic on Arastradero, the traffic that our school children endure on Clemo and Maybell will be greatly enhanced by this project rather than the one that was proposed prior to it. I just want to cut to the chase. We're unanimously in favor of the project. Thank you.

Mayor Burt: Thank you. Tim Gray to be followed by our final speaker, Bill Ross.

Tim Gray: Hi. I'm Tim Gray. I wanted to just express my support for the project. It follows three key principles. First is the respect for zoning. Even though there are a couple of little exceptions, it really does respect our Comprehensive Plan and our zoning. It really moves away from the projects we've seen recently, where we've been willing to discard our historical

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preservation like the last plan that wanted to put three-story homes where two-story homes had previously been allowed. The other thing is that it has a respect for the neighborhood. Finally, there's a respect for nature. I worked with Ted, and I know that he's expressed support for, if there's some specimen fruit trees in that area, they could be transplanted. I took an 80-year-old wisteria from the old Stanford Children's Hospital and have that in my front yard. It does cost a lot of money, but I'm hoping that can be a part of the preservation, that we can have—even though we're going to lose the orchard land, we will have some of the orchard life continue. I think that's a very admirable goal that Ted has indicated his cooperation. The spirit of cooperation in this discussion is tremendous. Finally, I'm just recalling that Greg Scharff had said, "I assure you," this was when you and I were debating a few years back, "that any proposal," when we were talking about the 72-units, "any proposal that comes through the private sector is going to be much, much worse." I'm so happy. I'm hoping that you can express your enthusiasm by remembering that point.

Mayor Burt: Our final speaker is Bill Ross.

William Ross: Good evening. I'm the attorney that filed the underlying California Environmental Quality Act (CEQA) action for the referendum and also dismissed it. I would address Council Member Scharff's concern about the pedestrian path and relay the kind of analysis that occurred before the PTC. Feasibility is described in both CEQA and the General Plan guidelines as capable of being carried out, taking into consideration economic, social, political, planning and environmental constraints. Mr. O'Hanlon is modest; he presented a very detailed economic analysis before the PTC about the cost of the square footage of the pedestrian path coming in. In fact, almost 10 months ago, the pedestrian path was analyzed in conjunction with the bicycle path and an EVA at the same location and rejected by the same cooperative type of analysis that's taken place between the developer, Staff and the neighborhood. Finally, the Transportation Element incorporates the Bike and Pedestrian Plan. This is located in the southwest quadrant. There's no planning or map or textual provision that supports it. The three critical provisions of the Mitigated Negative Declaration, transportation, land use and greenhouse gases, doesn't allude to it. The question is where does the authority come from for the connectivity. I would respectfully suggest that the Planning and Transportation Commission analyzed that issue and found that none of that was present and, in fact, it wasn't feasible. Thank you.

Mayor Burt: Thank you for the reminder that the applicant has an opportunity to have any follow-up rebuttal items to speak to.

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Mr. O'Hanlon: I have no further comments, other than to request if we might be able to get to a vote tonight rather than put things off with all the support and community we have here tonight. Thanks.

Public Hearing closed at 10:50 P.M.

Mayor Burt: Thank you. At this time, we'll close the Public Hearing. We're going to continue the item to ...

Council Member Holman: Mr. Mayor?

Mayor Burt: ... June 28th. Council Member Holman.

Council Member Holman: Could I suggest that—I was thinking the same things as the applicant. I listened to the comments in the back. If I could make a Motion and if a lot of lights go on, I'll immediately withdraw it, but just to see if we come to a quick resolve to this matter. If you'd be open to that.

Mayor Burt: Let me instead turn to colleagues and see which colleagues think there are certain substantive issues that we want to still discuss. I think at least three of us. I think we'll go ahead and continue the item to June 28th.

Council Member Kniss: Is that Monday or Tuesday?

Mayor Burt: That's Tuesday. That's our Special Meeting. Thank you all very much for attending tonight.

This Agenda Item was continued to the June 28, 2016 Council meeting.

20. Approval of one Contract and two Contract Amendments: (1) Construction Contract With Wadsworth Golf Construction Company in the Amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, CIP PG-13003; (2) Deductive Change Order Number 1 With Wadsworth Golf Construction Company in the Amount of \$1,191,800, Reflecting Cost Savings; and (3) Amendment Number 2 to Contract C13148028 With Golf Group, Ltd. in the Amount of \$125,720 for Construction Support and Environmental Mitigation Monitoring Services; Discussion and Direction to Staff Regarding Updated Pro-Forma and Financing Options; Adoption of

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Resolution 9607 Entitled, "Resolution of the Council of the City of Palo Alto Declaring Intention to Reimburse Expenditures From the Proceeds of Tax-Exempt Obligations (e.g. Certificates of Participation) for a Not-To-Exceed Par Amount of \$10.5 Million to Fund a Portion of the Cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and Approval of a Budget Amendment in the General Capital Improvement Fund."

Mayor Burt: Our next item is approval of a contract and budget amendment for the golf course reconfiguration project. Mr. Keene, did you want to kick things off?

James Keene, City Manager: I will, in the interest of time, turn it over to our Community Services Director, Rob de Geus, Mr. Mayor.

Rob de Geus, Community Services Director: Good evening, Mayor Burt, Council Members. Happy to be here. To quote the Beatles, we've been on a long and winding road with this golf course project, but we've finally reached a critical milestone here this evening.

Mayor Burt: Can we hold it one second?

Mr. de Geus: Yeah.

Mayor Burt: Can the members of the public go ahead and go out to the lobby to continue conversations? Thank you very much.

Mr. de Geus: I'm joined here by Joe Teresi; he's the Senior Engineer and Project Manager for this project. We also have Forrest Richardson, the golf course architect, in the audience. We have a presentation; we'll try and be succinct with it. I'll pass it on to Joe Teresi to get us started.

Joe Teresi, Senior Engineer: Good evening. I'm Joe Teresi, Senior Engineer in Public Works. I'd like to start by just walking through quickly the six recommendations that are included in the Staff Report this evening. The first item is the approval of a contract with Wadsworth Golf Construction Company in the amount of \$11.9 million. The second item is we worked with this contractor to identify some cost-saving items that we'd like to have you adopt in a deductive change order that would be approved simultaneously with the contract in the amount of \$1.2 million. The sum of those two items would then reduce the cost of the project down to \$10.7 million. The third item is our standard request for a change order

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contingency of 10 percent of that net contract amount after the deduct change order. Item Number 4 is the approval of an amendment with Golf Group Limited, our golf course architecture firm, in the amount of \$125,000 for construction support and environmental mitigation monitoring services. The fifth recommendation is to adopt a resolution that declares the City's intent to reimburse expenditures through the sale of Certificates of Participation for an amount not to exceed \$10.5 million. The sixth and final recommendation has to do with the financing and an amendment to the adopted Fiscal Year '17 budget. There are two options presented, the first of which is based on the premise that we would only borrow the money needed to cover costs moving forward, and that would result in a decrease in the Capital Infrastructure Reserve. The second option is based on the premise that we recover costs all the way back to the beginning of the project, and we would capture in the financing the costs of Staff salaries and design and environmental work. That would result in a return to the Capital Reserve of about \$966,000. The reason why this second option is presented is that historically it's been the practice to make the golf course a fully self-funding, independent enterprise. Option 2 reimburses all the expenses from the beginning of the project. The reason why it's taken us so long to get to this point has been the regulatory permits. I'm happy to report that we have in hand draft permits from the two agencies, one State, one Federal, that we need to construct the project. We're hopeful to have the final permit documents by the end of the week. The adjacent flood control project, I'm sure many of you know, has all of its permits. That was part of the reason why the golf course was held up for a while, but that's now fully permitted. There's a contractor under contract for that project as well. This next slides try to show kind of the big picture of the project costs. This first number, the \$13.5 million, is the total project cost including costs already incurred for project design, environmental review and Staff salaries. In paying for that, we have two main sources or two existing sources. One is the revenue that we generated from having a contractor bring soil onto the site. We were able to accumulate about \$1.2 million of revenue from that. The other item is \$3 million that is payable to the City from the San Francisquito Creek Joint Powers Authority as the cost of mitigation of their project on the golf course. If we start with the figure on top, the \$13.5 million, we subtract the \$1.2 million for soil import revenue and the \$3 million for the Joint Powers Authority (JPA); we reach the \$9.367 million figure. That's Option 2; that would be what we would borrow. Option 1 is that same number less the \$1.2 million in design, environmental and Staff salary costs that have already been incurred. With that, I'm going to turn it back over to Rob.

Mr. de Geus: Thank you, Joe. We also worked with the National Golf Foundation. You may recall in 2012 when we considered—I think there were

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seven different options for design at that time. We had the National Golf Foundation do an analysis of how the different designs would perform in the golf market. It was really important information to help us make that decision for what was then called Option G. We have since had the National Golf Foundation update their analysis and their report, given the new time that we're in. They've provided that report, and it's attached to the Staff Report. What you see up on the screen is a high-level pro forma of how the golf course is likely to perform in the current market from the National Golf Foundation. This table assumes the lower debt that Joe was just talking about previously. What you see at the top is the base estimate. That is what we think will likely occur once the golf course is rebuilt. We'll lose money for 2017, 2018 largely because we're closed and under construction. We also have two sets of debt service through 2018 from the 1998 bonds. They retire in 2018, and we anticipate the golf course to start generating a net positive after 2018. As with any pro forma, it has a number of assumptions. We asked the National Golf Foundation to do some sensitivity analysis. What if their assumptions are wrong? Rounds don't come back up to 71,000 rounds a year or higher, what if they only get to 61,000? What would that look like for the General Fund? That's what you see under the base row, the reduced rounds. We would see that there would be a subsidy required by the General Fund to continue to operate the golf course. We also did the same thing for reduced fees. We're assuming a 15 percent increase in fees from 2013. If the market didn't allow for that, didn't attract play, we could only increase fees 7 1/2 percent. This is what we would see in terms of the bottom line of the golf course operating budget. The last one is sort of worst case scenario, rounds don't come back and we can't increase fees. There is increased subsidies. It's important to note that the base is really what we think will happen. That's what the National Golf Foundation has told us. The second page is essentially the same pro forma but with the debt service. The difference between this one and the previous one is an additional \$70,000 in debt service for the golf course annually. The project timeline is to hopefully award the contract this evening and get Wadsworth out and start construction in July. We would issue Certificates of Participation in September-October time period and aim to be open again in the fall, October of 2017. The City Manager asked me to talk a little bit about why starting in July is so critical. The reason for that is we need to time the growing of the new turf in the spring of next year or summer. If we delay much further than now, we run the risk of not planting in time, and we could lose a full season or year before we can reopen. Last slide here. Just some concerns that we have and I'm sure you all have. There are others as well. The interest rates may fluctuate. Our analysis was on today's rates; that could change. We do have a golf course manager out on the course, Brad Lozares. His contract expires in 2018 as does our maintenance contract with Valley Crest and our restaurateur. They all

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expire at the same time; we did that intentionally so we could consider options of how we might operate the golf course into the future. I think this represents both a concern and an opportunity. It may be an opportunity to get into a longer-term management agreement with one firm or a lease agreement where we can share some of the risk of performance of the golf course. We'll be working on that in the next couple of years. We talked about the assumptions of the pro forma, what if they're not accurate. It was credible analysis, but they're based on assumptions. The last concern that I want to mention is this is working with a 30-year loan. That's a long time. Our loans in the past for capital work on the golf course have been 20 years. This is longer than that. That's part of the interest in having a lower debt service annually for the golf course; it's my preference. We're more likely to fully recover costs. With that, that was a quick fly-through.

Mr. Keene: Can I ask you to do one other thing, Rob?

Mr. de Geus: Sure.

Mr. Keene: Just for background for the Council. First of all, we have existing debt on the golf course right now that we will reach the end of that cycle in 2018, the end of the payments of that debt service. How much has that debt service been on an annual basis?

Mr. de Geus: It's approximately \$450,000.

Mr. Keene: What's the new annual debt service payments under the two scenarios?

Mr. de Geus: The first scenario being the lower debt is \$495,000. The second set, where we reimburse the Individual Review (IR) for all of the design and environmental work is about \$566,000.

Mr. Keene: I think that's an important point to point out. If we're just thinking about this without that factor in there, and you're suddenly saying, "We're going to issue all this debt, and we have these risks," the existing baseline debt service and costs are very close to what Option 1 is right now. Clearly, even though there are concerns about where would the golf rounds be, all of this was also predicated on the fact that we were going to reconstruct a much more attractive and appealing and distinctive golf course. That was one of the factors that got me more comfortable with where we were, given the fact that with the delays we'd had these cost increases and that sort of thing. Thanks.

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Mr. de Geus: If I could just take one second. We are sort of rushing through this, but it is, I think, important to remind ourselves of the work we did on the design. We did a lot of work with that, with the Council, with the Parks and Rec Commission and with the community. It's an exceptional design. It does a lot of things. It gets out of the way so the flood control project can go forward, which is a big deal. It's a much more environmentally friendly golf course than what we have now. The design of the course is unique, something you don't see on the Peninsula. We think that's going to attract a lot of golfers. We think it'll be financially viable.

Mr. Keene: Could you guys put Slide 6 back up there? The fundamental issue, assuming you want to proceed with this, is what are the two options as far as the financing you want to be focused on. Again, as Rob pointed out, Option 1 of financing \$8.166 million is based on covering the contract costs and everything on a going-forward basis. Option 2 goes back and tries to recapture costs and then ultimately give that back to the Infrastructure Reserve Fund. He said that we have had a practice of the golf course being fully self-supporting. We do not have an absolute requirement. This isn't any kind of requirement related to the debt service or the way we have to operate the golf course. On the one hand, you're saying this is money that can go back to the IR. You could stay pure with the practice. On the other hand, we are borrowing money and paying interest rates on it to be able to put it back in the IR. Some of the things you want to think about.

Mayor Burt: Thank you. We can entertain technical questions. Does anyone have any at this time? Council Member DuBois.

Council Member DuBois: Just to understand the difference between Scenario 1 and 2. When we get three or four years out, once the golf course is operating and we show making money again, is there a scenario where we could do Scenario 1 with less public debt, and then once the golf course is making money pay the City back to recover those other fees?

Mr. Keene: Yeah. If you want to put that pro forma back up. You start to see—at least the baseline scenario, certainly by 2020 we're predicting making \$406,000 in that year.

Council Member DuBois: Would this be a new scenario where the City's giving itself a zero percent loan that starts paying back in 2020 or something?

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Mr. de Geus: I thought about that too, Council Member DuBois. I think that would be a sensible thing to do.

Council Member DuBois: Super quick, looking at the expenses. What was contract maintenance, merchant fee reimbursement, fixed management fees? Are those committed costs we have to pay even when the course is closed?

Mr. de Geus: The pro shop is still open. The practice facility is still open. We still have some services happening there. It's reduced significantly from when we were open. There is some maintenance costs as well for the whole front end of the golf course. Our maintenance contractor will also help with the grow-in of the new turf.

Council Member DuBois: Is there anything we can do to accelerate the opening or is that really based on how long it takes for the new landscaping to take root?

Mr. de Geus: It's accelerated. It's pretty ambitious as it is.

Council Member DuBois: I just wondered if you ...

Mayor Burt: You want the grass to grow faster, is that what you're saying?

Council Member DuBois: One of the biggest costs is actually being closed. The sooner we get open the better.

Mr. de Geus: The way to open sooner would be to use more sod and lay it down, but that's a lot more expensive as well. We are using some sod, but mostly using what are called sprigs. You take the plant and you plant plugs every so many inches, and then it grows out over time. It's significantly less expensive. It grows in well, but it does take time.

Council Member DuBois: I was wondering, though, do we need any incentives for the contractor to make sure they hit their schedule. Is that something we've considered?

Mr. de Geus: We do normally consider that.

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Mr. Teresi: We don't have incentives, but we do have target dates in the contract. If they don't meet those target dates, there are penalties up to \$3,500 per day if they don't meet the various schedule milestones.

Council Member DuBois: Thank you.

Mayor Burt: Vice Mayor Scharff.

Vice Mayor Scharff: I wanted to ask that question as well. When you looked at using sod, did it make more sense in terms of the cost of doing that versus the cost of being closed longer? Did you actually look at that?

Mr. de Geus: We did. We ran the numbers, and it was in the end less expensive to use the sprigs.

Vice Mayor Scharff: I wanted to ask about the bathroom, which we're not doing. I agree with that decision now. Would we also have a plan of funding that out of profits, assuming we actually get on target? It needs to be done.

Mr. de Geus: We certainly do. I appreciate you mentioning that, Vice Mayor Scharff. What is also in the pro forma that I didn't mention is 10 percent of total green fees to be put aside for a capital reserve for the golf course. The hope is that we don't have to continue to go out to debt when we need to rebuild. That is in the pro forma, which can fund things like the restaurant and other things that we couldn't get to.

Vice Mayor Scharff: Just to clarify then. When I see that we make \$94,000 in 2019, we're actually making 10 percent more that's being put aside.

Mr. de Geus: That's correct.

Vice Mayor Scharff: That makes some sense. You said the restaurant is coming up. It's been a long time. We looked at this in 2012. I do remember that we talked about this being a great positive, because we actually thought we could increase the rounds if we had a much nicer restaurant and a nicer facility, frankly, for the restaurant, if I recall correctly. Maybe you can help me out with my memory.

Mr. de Geus: As part of the long-range plan for the golf course, we do have hopes of rebuilding or renovating the restaurant to expand the banquet

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facility and the kitchen in particular. It's not part of this project, and it's not funded. We need to figure out how we're going to do that. This is where there could be an opportunity working with an outside golf course company that wants to come in and work with Palo Alto. If the terms are good for them and us, they may be willing to put in some capital for that.

Vice Mayor Scharff: Am I right to remember that that also was on that pro forma about what drives rounds or was I wrong?

Mr. de Geus: It's actually the course and the condition of the golf course that really drives rounds and in particular the greens.

Vice Mayor Scharff: Are we going to have the condition then that should drive the rounds? Are we doing it to the standard that we expect would drive the rounds?

Mr. de Geus: We are.

Vice Mayor Scharff: Thank you.

Mayor Burt: Council Member Schmid.

Council Member Schmid: I guess the vote tonight has us assuming some risk. Let me just ask a few questions about being comfortable with the risk. Let me start with the rounds. On Page 4 of the updated analysis—it does not have a packet page number—you have the data from 2012 to 2015, and you have on the last line a dramatic decline in rounds. I'm interested in the decline that took place between 2012 and 2013. I believe that's before any decision was made on the course and we did anything to slow down. Yet, the rounds went down by almost 10 percent. What happened in that year? Is that a good sign or a bad sign?

Mr. de Geus: We've been experiencing declining rounds at the golf course for the last decade. That's one thing to keep in mind. The course is not as competitive (crosstalk).

Council Member Schmid: Even excluding the last three years?

Mr. de Geus: Yeah. In 2012-2013, we were already thinking about the golf course closing down at that point. In fact, the JPA was, I remember, almost ready, they said, to start their project. I think the word did get out to the

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community that things were changing. There are options for golfers, and the market can be a little fickle that way. I think that impacted rounds.

Council Member Schmid: The goals we have, you have on Table Number 1, getting back to 71,000. You have an option there of 61,000. If you turn to Page 11, there's comparisons with our neighbors. You point out, I guess realistically, that some of the courses are in trouble. Santa Clara dropped from 81 to 60. Sunnyvale maintained theirs at 73. Shoreline buffed up their course and went from 50 to 80. Talk a little bit about the neighboring courses that we will all of a sudden be competing with.

Mr. de Geus: We're competing with them now and have been for a long time. Shoreline, in particular, has taken of advantage of our decline. As we started stockpiling out on the course, we lowered the par to a 67. We definitely lost a lot of golfers, and they moved to Shoreline. That's part of what's happening there. It's interesting to look at the market. It's mixed. I read it as mixed. There's some positive indicators, but certainly not all. The National Golf Foundation, I think, are a little optimistic. We sort of talked about it internally. The positive that we're seeing is San Jose and Sunnyvale and Shoreline are quite well above 71,000 rounds of golf. The course that we're building and designed is, in my view and I think in a lot of people's view, significantly better than what they're providing in terms of the golf product. On the other hand, we see other courses that are really struggling. Poplar Creek, even though they have 63,000 rounds, because they have a debt service of \$670,000 annually, they lose money every year. San Mateo is considering possible alternative uses for the land. The same thing is happening with Los Lagos in San Jose. They have three courses in San Jose.

Council Member Schmid: If you take all those courses, some like Mountain View have done very well. Others like Santa Clara have not. You say that Mountain View has taken some of ours, but they also seem to have taken some from other places. If you add all the courses together, have the rounds declined over the last five years?

Mr. de Geus: They have. That's a trend we've seen nationally.

Council Member Schmid: Would it be more realistic—if you turn to Page 23, where you have your projected 2020 reasonable year scenario. I guess it's assuming 71,000 ...

Vice Mayor Scharff: (inaudible)

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Council Member Schmid: The updated analysis at the back.

Mr. de Geus: The National Golf Foundation.

Council Member Schmid: (crosstalk) does not have Packet Page numbers. Twenty-three has a summary budget for 2020. It seems the first column assumes that 71,000, the second column assumes the 61. I don't know. From just what you say, I would assume a conservative analysis would be the 61 or maybe 65.

Mr. de Geus: We had this conversation with the National Golf Foundation. They think 71,000 is conservative, given the design of the course that we're building compared to these other courses. I think opinions vary about that. I can tell you that Palo Alto had 71,000, 75,000 rounds not that long ago. 2008, 2009, we had that level of rounds. The course is very flat, very straight, not very interesting.

Council Member Schmid: That's when unemployment rates were high.

Mr. de Geus: I think it's a fair estimate. I don't think it's overly optimistic.

Council Member Schmid: If we assume 65,000, we would be breaking even. If we go below that, there would be an annual subsidy called for from the General Fund.

Mr. de Geus: Correct, but we would then consider the 10 percent capital reserve as maybe not doing in a year like that so we wouldn't impact the General Fund. That would be something that ...

Council Member Schmid: There's some flexibility on an annual basis. Our goal really is we need to get that number up to 65 and above.

Mr. de Geus: Yes.

Council Member Schmid: Anything we can do to raise the number of rounds come 2019? Are there strategies we could have, lower the price?

Mr. de Geus: There are, and we'll be working on that over the next couple of years. Primarily, it's to build a great golf facility and course that people want to play. That's the first thing we need to do, and then make sure we have a management team out there that really knows the golf business and

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can create the kind of atmosphere and maintenance and restaurant that people will come back to. There are choices.

Council Member Schmid: You have agreed on a contract, is that right? You have gone out and selected, and you're asking us now to pay?

Mr. de Geus: That's correct.

Council Member Schmid: You are confident, not just that it's the low bid, but it's a contractor who can deliver what ...

Mr. de Geus: That's a good question.

Mr. Teresi: What we did in order to make sure we had a good contractor was prior to going out for bids, we held a prequalification process where we only got sort of the elite members of the contractor community that could actually build golf courses. There's an association of golf course builders that has a certification process. We only allowed parties that were certified under that to place bids for the project. With that, we're confident that all the bids we got were actually from high-quality firms.

Council Member Schmid: You're confident that it won't be a Mitchell Park situation?

Mr. de Geus: We feel pretty confident about that, yes.

Council Member Schmid: Thank you.

Mayor Burt: Council Member Holman.

Council Member Holman: Thank you. Just so it might make at least one Council Member a little bit more comfortable, my experience of the golf course in 2012 and 2013—it's really a question for Rob. I'm remembering the course as being in pretty bad shape, like a lot of trees had been lost. It seemed pretty barren. Am I thinking the right timeframe? I think you and I maybe even took a tour out there around that timeframe.

Mr. de Geus: The course conditions do go up and down for different reasons. I honestly don't recall that being the issue, Council Member Holman. I may not remember that correctly.

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Council Member Holman: I remember from when I used to play out there a lot, it was much different than what it was, I thought, in about this timeframe. Talking about the golf experience, what's the nearest golf course that might offer a similar experience to this? From your knowledge.

Mr. de Geus: Half Moon Bay is probably a good example, Lalo. I think there's also a course on the East Bay that has more of a Baylands kind of feel with the sweeping grasses and that type thing. I'm blanking on the name of that. Nothing very close. I mean, it's ...

Council Member Holman: Nothing very nearby, though. I would agree with you; it's the golfing experience that's going to get people. The fees that are—Council Member Schmid referred to Page 23 in the analysis. The fees seem really pretty low to me, \$33, \$74 and \$33 and \$31 and \$31. These seem actually pretty darn low.

Mr. de Geus: That's the average fee across 20 different fees that include twilight, super twilight, youth fees, senior fees, some of which are very low. The regular sort of rack rate for prime time would be in the \$54-\$56 range for a weekend for a nonresident. This takes all of the fees and averages them.

Council Member Holman: It still seems pretty reasonable. One last question for me. Comments later. Can you just remind us the reputation of Richardson, the designer of this golf course?

Mr. de Geus: He's here today, and he didn't need to be here. He's been extremely committed. He's renowned nationally for his architecture. He's been really terrific throughout this very difficult and long process. We feel very confident in his design. All of the four builders that bid on the project knew Forrest Richardson and all wanted to work with him.

Council Member Holman: Thank you.

Mayor Burt: Council Member Kniss.

Council Member Kniss: Given that it's almost 11:30 P.M., I'm actually going to try moving the Staff recommendation.

Mayor Burt: We're in questions and we need to hear from the members of the public. Other than that, do what you like.

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Council Member Kniss: In that case, I've tipped my hand. When the time comes, I will be ready.

Mayor Burt: One quick question I have. Did we run sensitivity numbers on the upside?

Mr. de Geus: We did not.

Mayor Burt: We will now hear from members of the public. We have two speakers. Each will have up to three minutes to speak. Our first is Sheila Robinson, to be followed by Craig Allen. Welcome.

Sheila Robinson: Thank you for allowing me this opportunity and for your ongoing support for the 2017-2021 Capital Improvement Program. I'm here to voice appreciation for your interest in the golf course reconfiguration project and to say thank you to the Finance Committee, the Community Services Staff and to Brad Lozares. I'm glad to have this opportunity to offer my support for the golf course construction contract, including the two contract amendments. My presence here this evening is due in part to many Palo Alto parents, parents who helped raise my two boys. My sons attended Addison, Jordan and Palo Alto High School (Paly). Their classmates' parents included Vic Ojakian, who coached YMCA basketball, and Don Way [phonetic], who refereed their soccer games. I have a story to share about my younger son, John, and the game of golf. The morning after Columbine High School incident, my younger son said, "Mom, I don't want to go to school today." I said, "I can understand that. I'll call you in." I called Becky Shafer [phonetic] at Jordan Middle School and explained John's absence. I told my son, "It's my birthday, so we can go to the garage, and you can pick either fishing poles or the golf clubs. We'll take the day off." He chose his grandfather's old set of golf clubs. We went up to Emerald Hills Golf Course. While up on a tee box with a view of the Bay Area, he started to cry. He said, "Mom, how could anybody do such a thing?" I said, "I don't know. Let's just play golf." That was a life changing moment for both of us. We both took up the game. Golf became very therapeutic for him. With every good shot, he began to feel better. John went on to Paly High and became most improved golfer on the team for three years and became top seed golfer his senior year. Now John takes clients golfing. Golf was a turning point for my son. Embracing golf empowered him emotionally, physically and socially. I believe there are many students in the Palo Alto school system that just don't know it yet, but they're going to love the game of golf. There are many students currently embracing the game through the first tee junior golf and high school athletics. In golf, you call penalties on yourself. The competition is between you and the course. You have to take

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responsibility for your own shots. Developing confidence takes time and requires the discipline of perseverance. In 1925, Bobby Jones lost the U.S. Open because he called a penalty on himself, insisting that he caused the ball to move. I'm amazed to learn that Seth Curry loves golf and plays golf in between NBA games. Basically, I'm saying that golf is more than a game. I understand that in 2015, the National Golf Foundation conducted a comprehensive review of golf participation among the millennial generation. As you move the reconfiguration project forward by approving the contract, I believe you also offer our Palo Alto youth 18 years and younger the opportunity to experience lifelong rewards and core values that will transcend well beyond their high school and college years. I thank you for that.

Mayor Burt: Thank you. Our final speaker is Craig Allen. Welcome.

Craig Allen: Mr. Mayor, Council. Mr. Mayor particularly, it's nice to see who's still here since 2012 when we thought we had done this. It's been a long road. Certainly I want to first express my appreciation for Rob and the Staff who have gone through hell. Seriously they have. My appreciation for Forrest Richardson who worked long and hard with the community on this design. I know Mayor Burt was the major proponent of doing the whole thing. I hope we do the whole thing. I hope we get this going now. I will say that I've been playing golf since I was 12. I was a rules official for 16 years. Golf is important to me, even though the ball doesn't seem to go very far. Anyway, I wish you would approve this now and get the grass growing on our new, wonderful course. By the way, I think this course will so outshine the other neighboring courses that we'll be beating people back. Thank you very much.

Mayor Burt: Thank you. Council Member Kniss.

Council Member Kniss: Back in sequence again. Thank you to Staff especially for the report, but especially to the two people who spoke. You've waited a long time. Your story was very moving about your son. Is it Mr. Craig, the other person who spoke? I may have your name wrong.

Mayor Burt: No, Mr. Allen.

Council Member Kniss: Mr. Allen, it's been a while. It's been quite a while. I'm particularly glad to move this. I don't play golf; I have lots of friends who play golf. This has been the topic of conversation for several years now, and not always an attractive conversation. Being able to pass this

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tonight, I think, is very important. The golf course to this community is a very important asset. It isn't just a place to play golf; it's a place where you get exercise. More than anything, it really is a place to come together, to make good friends, to have some time afterward to go into the clubhouse, do whatever you may do then. Overall, I think what this does is a great community asset for bringing good people together who like this exercise and have a wonderful chance to interact with each other. Thank you.

Council Member DuBois: I'll second that Motion.

Council Member Kniss: Now that I've chattered on about it. I'm very pleased that it looks like this will happen after tonight. Congratulations to all of you.

Mr. Keene: Mr. Mayor, may I just clarify real quickly. It might not have been entirely clear. The Staff recommendation presumes Option 1. We did want to clarify that.

Council Member Kniss: Delighted to read the whole, but the Staff recommendation consists of the five parts which are listed in front of you.

Mayor Burt: Council Member Holman.

Council Member Holman: I'm more than happy to second the Motion. Thank you for making it, Council Member Kniss.

MOTION: Council Member Kniss moved, seconded by Council Member Holman to:

- A. Approve, and authorize the City Manager or his designee to execute, a contract with Wadsworth Golf Construction Company in the amount of \$11,964,620 for the Palo Alto Municipal Golf Course Reconfiguration Project, Capital Improvement Program Project PG-13003; and
- B. Approve, and authorize the City Manager or his designee to execute, deductive Change Order No. One to the contract with Wadsworth Golf Construction Company in the amount of \$1,191,800 to reflect negotiated cost savings measures to be incorporated into the project; and

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- C. Authorize the City Manager or his designee to negotiate and execute one or more additional change orders to the contract with Wadsworth Golf Construction Company for related, additional but unforeseen, work which may develop during the project, the total value of which shall not exceed \$1,077,282; and
- D. Approve, and authorize the City Manager or his designee to execute, Amendment No. Two to Contract No. C13148028 with Golf Group, Ltd. in the amount of \$125,720 for construction support and environmental mitigation monitoring services for the Palo Alto Municipal Golf Course Reconfiguration Project (PG-13003). The amendment includes \$52,395 for basic services and \$73,325 for additional services. The revised total contract amount is not to exceed \$1,127,751, including \$831,995 for basic services and \$295,756 for additional services; and
- E. Adopt a Resolution declaring intention to reimburse expenditures from the proceeds of tax-exempt obligations (e.g. Certificates of Participation) for not-to-exceed par amount of \$10,500,000 to fund a portion of the cost of the Palo Alto Municipal Golf Course Reconfiguration Project; and
- F. Amend the Fiscal Year 2017 Budget Appropriation for the General Capital Improvement Fund by:
 - i. Increasing the estimate for Other Revenue from financing proceeds in the amount of \$2,017,616; and
 - ii. Increasing the Capital Improvement Program appropriation for the Golf Reconfiguration & Baylands Athletic Center Improvements Project PG-13003 by \$2,252,248; and
 - iii. Decreasing the Capital Infrastructure Reserve by \$234,632.

Council Member Holman: I've been enthusiastic about this ever since I was liaison to the Parks and Rec Commission in—I think it was 2012, I believe it was, when I heard the presentation and got very excited about the plan, not just for the course but also for what I hope to be seeing forthcoming before too long at least, the originally designed Eichler clubhouse and pro shop. They're really beautiful and perfect for this kind of setting. Council Member Kniss and I have been enthusiastic supporters of the Healthy City Priority that the Council has. I think a golf course is something almost like no other sport. It's ageless; people can participate from the very young, even

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younger than tennis almost, to the very old. You can exert to whatever extent you want. You can throw your clubs on your back and carry them or take it easy and ride in a cart. It's just really wonderful. I think it also is a good mental if not spiritual experience too. Golf courses—ours will be one of those—you're out in nature, and you're strolling along some of the most beautiful scenery and fairways and natural environments that you really don't find in other sports almost, except maybe in snow skiing. The other thing, just a side benefit is, I have found, that you meet the nicest people playing golf. You really do. I'm an enthusiastic supporter of this. Thank you. I almost want to throw my hands up and say, "At last." Thank you for your patience, your endurance. I really look forward to this coming forward. Thank you.

Council Member Kniss: I may have to try golf.

Mayor Burt: Council Member Wolbach.

Council Member Wolbach: Like Council Member Kniss, I'm not a golfer. I've never played golf. We had to do golf for a couple of weeks in Physical Education (PE) at Gunn. I hated it. I sucked at it. I have no interest in playing golf. You know what? Not everybody in Palo Alto likes to run Los Trancos Trail and try to get their time under an hour fifteen. I understand that we all have our recreational and our outdoor opportunities that we enjoy in this City. That's just—I've got to say it's one of the things that makes Palo Alto a great place. We really have a variety of choices of what we do to get outside, enjoy nature and enjoy recreation and staying healthy. Thank you to Rob de Geus and everyone who's put a lot of work into this. With the happy stuff out of the way, now that I've buttered everybody up, I am a little bit worried. I will be supporting this, but I am a little bit worried about some of the bigger investments that we're talking about making over the next few months. We talk about the importance of systems thinking. We talk about financial responsibility. We talk about making hard choices. This has been a theme throughout the budget hearings that we've had. I think about things like the golf course, the bike bridge, something that's mentioned on Page 12 of the Staff which is the possibility of spending more than a pretty penny on the Hamilton Avenue Post Office. I think that'll be coming to us probably in August. I think we need to be really thoughtful about where we're going to make hard choices. For me, that's not going to be saying no to the golf course. For me, that's not going to be saying no to the bike bridge. When we have a whole series of very expensive things coming to us after some tough budget discussions with constant warnings for Finance Staff and the City Manager throughout budget discussions about how tough the next couple of years might be, even if we don't hit a financial

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downturn, but especially if there's another recession, I hope that we remember to think systemically, to think about financial responsibility and to choose wisely and to choose well. Because we've had a golf course in Palo Alto, I am not going to be the one to say let's get rid of it because we want to save some money. I'll be honest. I am not banking on this being a money maker. We might end up losing money on this, but it's important. We don't make money on Foothills Park, but it's an important amenity for the community. If we can make money on this, great. Don't get me wrong. Again, when it comes time for some of these other hard choices, I hope that we remember to think carefully and be willing to say no to some things that might be potential boondoggles and ask the hard question about whether something is an ego project or necessary for the community's well-being. I do have one question I should have asked earlier. I'm sorry if I missed it in the Staff Report. Are we envisioning having for members of the community, especially Palo Alto residents who are say lower income—I know we haven't passed—fee reductions or free club rental or anything like that? Especially after the testimony we heard from the public today, it's driven home what a great opportunity the game golf can be. I want to make sure it's available for those who might not have the financial resources.

Mr. de Geus: Thank you for the question, Council Member Wolbach. We are certainly looking at that. We want to provide as much access as possible. I can tell you we're very youth friendly at the course. We work closely with the two high schools, in particular, so they can play at no cost. We also have middle school programs out there. We don't have a dedicated fee reduction program yet, but it's something we're going to take a good look at.

Council Member Wolbach: I hope you'll keep us up to date as those discussions continue. I appreciate that consideration by Staff.

Mayor Burt: Council Member Schmid.

Council Member Schmid: Look forward to having a round of golf in December 2017 on a great new course. Just a clarification. We're voting for Option Number 1, that is the option where we're only looking at the cost moving forward. We have \$2 million of expenditures to date. Do we need to put something in here to state that if they do have excess funding, we could make a claim for that?

Mr. Keene: If I might add. I think we're closer to \$1 million than \$2 million, somewhere in between there is the difference. My recommendation would

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be—I don't think you need to do that right now. We're not in a position of identifying what that dollar amount would be. The Council certainly every year at budget or at any other time would have the opportunity to either, in a particular year, pay back as Council Member DuBois suggested or even, once we see a trend, set a payback schedule that you'd want.

Council Member Schmid: I guess my technical question is we will be closing Fiscal Year 2016. With this vote, we will be closing that debt or is it carried forward?

Mr. de Geus: I'm not sure I understand the question.

Council Member Schmid: We've had an expenditure. You say about \$1 million, and we did not get revenues for it. When we vote a closure of the budget, is the debt closed?

Lalo Perez, Chief Financial Officer: It's closed for that year. As City Manager Keene said, you can also revisit it in the future from future revenues, positive cash flows anticipated. We have a record that we've lost over \$2 million as a result of the project. We spent about \$1 million on design. That's what we were talking about this \$1 million. There's \$3 million. We know what the amount is. It's probably going to be very difficult and challenging to repay the three. We may be able to look at the one. Because we extended the debt service from a typical 25 to 30, I think it's wise for us to think about reinvesting in the course so we don't have the same problem in 20, 25 years. That's why I think it's important—as City Manager Keene said, let's take a look in a few years and see how we're doing and see how we can come through. In talking to other agencies, they see the ramp-up because everybody's excited and they want to come and play, but is it going to continue.

Council Member Schmid: Thank you.

Mayor Burt: Council Member DuBois.

Council Member DuBois: Thank you for that. I support the Motion, particularly the Scenario 1. I think it's really important to get the debt load as low as possible so that we have the best chance for success. Financially, I think the most responsible thing we can do is get it open as fast as possible and not miss our timing. I'd really like to see us run this as a business and as profitably as we can. I had the same question about should we recapture that money and put it in the Infrastructure Reserve. You guys

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answered that; we can deal with that later. I haven't been exposed to the golf course much, so I wasn't really sure where profits go if we have them. I support the project, and I'm glad we're going with Scenario 1.

Mayor Burt: Vice Mayor Scharff.

Vice Mayor Scharff: I also wanted to thank you, Rob. I know it's been a long haul. I think you've persevered and done a great job on keeping this moving forward in a reasonable way given the challenges we've faced with the permitting, which I don't think was anyone's fault here. I think it was really a stroke of lightning out of the sky kind of thing. I think that also argues why we should go with Option 1, frankly. It's really an unusual situation that we've faced here. I concur with all the comments that you don't really want to start this in a deep hole. I'm really glad we're going with Option 1. I think I've played golf like five times in my life. I think I've always enjoyed it. Maybe I'll go play here. Maybe I'll ask Karen to go play golf.

Mr. Keene: I think the whole Council and former Council Members, we ought to have a little tournament when it opens up.

Vice Mayor Scharff: Why don't we do opening day?

Mayor Burt: I'm going to support the Motion. I actually was open-minded to Option Number 2. I think when we look at the projections, this is essentially our mean projection. It shows significantly positive cash flow after the second year. The difference of supporting an extra \$100,000 a year in debt service does not look like it's a stretch. It would repay us so that we would have more funds for other infrastructure projects that we're committed to. Those are reasons that I would have been open to Option 2. Let's go ahead and vote on the board. That passes unanimously with Council Member Berman absent. Thank you all very much. Glad we were able to squeeze it in tonight.

MOTION PASSED: 8-0 Berman absent

Mr. de Geus: Mayor Burt, we will try and organize—the golf course will be closed July 1st. We'll see if we can get folks out there for a little groundbreaking ceremony, if you're around in July.

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Mayor Burt: We also have a flood control project groundbreaking. I'm not sure of the date, but I think it's right around the same timeframe. Both our momentous events.

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

Mayor Burt: We now have Council Member Comments, Questions. Vice Mayor Scharff.

Vice Mayor Scharff: I attended a bunch of meetings this week. I was just going to mention at Bay Conservation and Development Commission (BCDC) we approved the design school funded by Oracle on their campus for a high school, which is modeled on the Stanford design school. It's going to be this \$30 million new building. One of the really interesting things is that anybody who lives in California can apply to go to this charter school. You don't have to live in San Mateo County. In fact, a couple of the people who spoke were from Palo Alto and spoke in support of it. They just started last year, I think it was. They're operating in a warehouse and waiting for the new school to be built. There's actually some Palo Alto residents who send their kids there. It seemed like a really interesting option for kids.

Mayor Burt: Council Member Holman.

Council Member Holman: When it's time to adjourn, is there anybody else?

Mayor Burt: Council Member Kniss.

Council Member Kniss: I will mention that last week was the first week we were in our new home for the Air Board, which has now joined forces with Metropolitan Transportation Commission (MTC). I presume ABAG is in there.

Vice Mayor Scharff: Yes. I was there at our new meeting in ABAG.

Council Member Kniss: The building is terrific by the way. It's on Beale. If any of you are up there, you might want to drop in and take a look at it. It's your taxpayer money at work. I'm feeling a bit righteous because the rest

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of my—many of my Air Board colleagues leave for New Orleans in the morning, but I felt it was important to stay in town.

Mayor Burt: There you go. Council Member Wolbach.

Council Member Wolbach: I just wanted to mention that last Tuesday I did a ride along with a member of our Police Department. It was not your typical ride-along. During what was a very quiet shift Tuesday afternoon, news came in about a San Jose police officer, a motorcycle officer, who was killed while on his bike. Like countless other law enforcement agencies from the region, Palo Alto sent somebody to represent the Police Department. They actually asked the officer who I was doing my ride-along with to go down and to represent Palo Alto. I joined him for that. The way it works is we went to the hospital and accompanied the fallen officer to the coroner's office, from east San Jose to west San Jose. There were law enforcement representatives in vehicles, on bike or in cars, lined up, all lights flashing, driving slowly. From where we were at approximately the middle of the line, even on 280, 680 where you're making big sweeping turns, you can see pretty far. I could not see the front of the line. I could not see the end of the lights in front, and I could not see the end of the lights in the back. I'm obviously not a cop, but I'm a motorcyclist. Of course, the member of our police force who I was with, he's not a motorcyclist, but he's a police officer. It really drove home the dangers that are out there in the world. I can't imagine anything driving home for me the importance and the significance of what our police force does every single day and the risks that they take. I would just ask that we all remember Officer Michael Katherman from San Jose Police Department, and that we all thank our police officers. Please drive and ride carefully and watch out for bikes, whether motorized or not.

Mayor Burt: I just wanted to share that last Friday evening my wife and I went to the opening of the art exhibit, the ceramics at the art museum. It's really a great exhibit. I encourage everybody to go. On Saturday evening, I got to attend the annual Achieve Kids event. That's a real under-appreciated asset for our community. The Executive Director was retiring after 15 years. We have a new Executive Director who handles both our facility and the San Jose facility. It's important to remember what a really important role they play in the community. Finally for those who didn't make it, we had World Music Day yesterday. It was another great event. Claude Ezran and all the volunteers who put that on along with our Staff deserve a lot of credit. It was really very well attended. It's become a great annual event. Council Member Holman, you wanted to close the meeting.

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Council Member Holman: I don't want to become the one that just always does this. I did want to adjourn tonight's meeting in honor of Joe Shakes, who passed away recently. Joe, as many of you know and many people in the community know, was very involved in the community and very involved in a lot of local campaigns until his declining health in the last few years. He and his wife, Harriette, are well known to this community and members of this community, their involvement. They will now both be greatly missed. I'd like to adjourn the meeting in their honor.

Adjournment: The meeting was adjourned in memory of Joe Shakes at 11:52 P.M.

Mayor Burt: So moved. Good night.