1.	CONFERENCE WITH LABOR NEGOTIATOR
ADJO	URNMENT: The meeting adjourned at 6:55 p.m
ORAL	COMMUNICATIONS4
1.	Approval of Agreement and Declaration of Covenant to Provide Parking at 130 Lytton Avenue with Kenson Group5
2.	Transmittal of Park and Recreation Commission and Staff Recommendations for Improvement of the Undeveloped Site at Greer Park
3.	Resolution 8593 entitled "Resolution of the City of Palo Alto Implementing Section 414(h) of the Internal Revenue Code to Designate the California Public Employee Retirement System 9% Retirement Contributions as Employee Contributions and Deduct from the Salaries of Palo Alto Peace Officer Association (PAPOA) Members"5
4.	Contract with Bellecci & Associates Inc. in an Amount Not to Exceed \$172,590 for Civil Engineering and Landscape Architecture Design Services for the San Antonio Medians and Street Improvements Capital Improvement Program (CIP) Project PE-00104
5.	Approval of Amendment No. Two for an Additional \$40,000 for a Total Contract Amount of \$125,000 for Consulting Services with Water Solutions, Inc. to Assist Utilities Water Transmission and Distribution Staff with the Operational and Regulatory Requirements
6.	Golf Course Preliminary Feasibility Study – Report to Council in Response to Colleagues Memo on Golf Course Redesign Options to Include Sports Fields and Recommendations for Future Action
7.	Public Hearing: Consideration of the Application by the City of Palo Alto Real Estate Division for the City-Initiated Zoning Change of a Portion of the "High Street City Surplus Property" at 2460 High Street [05PLN-

	00000-00363] from PF (Public Facilities) to RMD (Two Unit Multi-Family Residential). Zone District: PF
8.	Public Hearing: Consideration of a Request by Channing House for a Planned Community Zone Amendment to modify the permitted uses to include "utility facilities," specifically wireless communications facilities, for an existing state licensed retirement facility. Zone District: Planned Community PC-4048 at 850 Webster Street [04PLN-00131]. Environmental Assessment: Exempt from the California Environmental Quality Act per section 15301
COUN	CIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES19
FINAL	_ ADJOURNMENT: The meeting adjourned at 9:35 p.m. in honor of the Palo Alto High School Boy's Basketball Team19

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 6:00 p.m.

Present: Barton, Beecham, Cordell, Drekmeier, Kishimoto, Klein, Kleinberg (arrived at 6:10 p.m.), Morton (arrived at 6:10 p.m.), Mossar

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR

City Manager and his designees pursuant to Merit Rules and Regulations (Frank Benest, Emily Harrison, Russ Carlsen, Carl Yeats, Keith Fleming)

Employee Organization: Local 715, Service Employees International Union (SEIU) - Classified Unit

Authority: Government Code Section 54957.6(a)

The Council met in Closed Session to discuss matters regarding existing and anticipated litigation as described in Agenda Item No. 1.

Mayor Kleinberg announced there was no reportable action taken.

ADJOURNMENT: The meeting adjourned at 6:55 pm.

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

PRESENT: Barton, Beecham, Cordell, Drekmeier, Kishimoto, Klein, Kleinberg, Morton, Mossar

ORAL COMMUNICATIONS

Susie Thom, 753 Maplewood Place, spoke regarding the Palo Altans for Government Effectiveness (PAGE) report on library meetings.

Ray Bacchetti, 850 Webster Street, spoke regarding PAGE's concern and building the common good for raising issues and exchanging points of views.

Bill Chapman, 3583 Louis Road, spoke regarding student/school imbalance.

Elaine Elbizri, 2515 Greer Road, spoke regarding the Palo Alto Mediation Program.

John K. Abraham, 736 Ellsworth Place, spoke regarding the Auditor and Police reporting procedures.

Bob Moss, 4010 Orme Street, spoke regarding the Architectural Review Board (ARB) procedures.

CONSENT CALENDAR

MOTION: Council Member Morton moved, seconded by Vice Mayor Kishimoto, to approve Consent Calendar Items Nos. 1 through 5.

Joy Swift, 3933 Nelson Drive, spoke regarding Item No. 2 stating she preferred the Council not spend City money on a project that would only benefit a few members of the community. She would rather the money be spent on additional restrooms at the various City parks.

Kendra Hornbostel, 3929 Nelson Drive, spoke regarding Item No. 2. She agreed the park development fees could be better spent on new restrooms or artificial turf and was opposed to installing lights at the tennis courts, as it would have a negative impact on the quality of life in the neighborhood and was a large expense for the few it served.

- 1. Approval of Agreement and Declaration of Covenant to Provide Parking at 130 Lytton Avenue with Kenson Group
- 2. Transmittal of Park and Recreation Commission and Staff Recommendations for Improvement of the Undeveloped Site at Greer Park
- 3. Resolution 8593 entitled "Resolution of the City of Palo Alto Implementing Section 414(h) of the Internal Revenue Code to Designate the California Public Employee Retirement System 9% Retirement Contributions as Employee Contributions and Deduct from the Salaries of Palo Alto Peace Officer Association (PAPOA) Members"
- 4. Contract with Bellecci & Associates Inc. in an Amount Not to Exceed \$172,590 for Civil Engineering and Landscape Architecture Design Services for the San Antonio Medians and Street Improvements Capital Improvement Program (CIP) Project PE-00104
- 5. Approval of Amendment No. Two for an Additional \$40,000 for a Total Contract Amount of \$125,000 for Consulting Services with Water Solutions, Inc. to Assist Utilities Water Transmission and Distribution Staff with the Operational and Regulatory Requirements

MOTION PASSED 9-0.

REPORTS OF OFFICIALS

6. Golf Course Preliminary Feasibility Study – Report to Council in Response to Colleagues Memo on Golf Course Redesign Options to Include Sports Fields and Recommendations for Future Action

Director of Planning and Community Environment Steve Emslie gave a presentation as outlined in the staff report (CMR:168:06), and the associated Attachments A-G. The purpose of the discussion was to investigate whether the golf course could be redesigned to provide additional playing fields, the retention of an 18-hole golf course with or without championship length, and whether the redesign would enhance the natural environment while addressing the City's flood control needs adjacent to the San Francisquito Creek.

Budget Manager David Ramberg referred to page 6 of the staff report (CMR:168:06), as he highlighted the preliminary cost estimates through construction for the various layouts of the golf course redesign. He stated the overall financial impact for all scenarios remained significant.

Mr. Emslie highlighted the feedback from talking to various developers. There was some interest in a financially feasible private development; however, the criteria required a substantial amount of offsite residential development, which conflicted with the City's Baylands policy. There was also interest in developing a smaller executive course that focused on practice facilities. There were a number of the latter golf courses in the surrounding area deemed financially viable. Staff believed that the greatest option for maximizing the use of the golf course and recreation facilities would occur in conjunction with the San Francisquito Creek flood control study currently under way.

Walter Altholz, Villa Sport, San Rafael, expressed interest in a public/private partnership with the City to address the need to fund the development of the golf course redesign, and provide playing fields to meet the City's demand.

Jeanette Marquess, Chair Parks and Recreation Commission, 806 Los Robles Avenue, expressed concern with the recommendations in the staff report (CMR:168:06). She believed the best venue for discussion was with the Parks and Recreation Commission (PARC), and urged Council to defer any decision until all opinions were heard.

Council Member Beecham asked whether there was consideration of Villa Sport's proposal for a profit-making enterprise, which would utilize the entire facility.

Mr. Emslie said staff had initial concerns with Villa Sport because they proposed developing on dedicated parkland. However, it could be considered compatible with the City's Park Improvement Ordinance based on how it was structured and the services offered to the residents.

Council Member Beecham asked how the financials compared to staff's assessment.

Mr. Emslie said the financials were not developed to the point where staff could make a recommendation.

Council Member Beecham asked about the proposed concept.

Mr. Emslie likened it to a family oriented health club that offered workout facilities, court games, and indoor activities for youth and adults.

Council Member Beecham presumed it would be open to the public.

Mr. Emslie said that was correct.

Council Member Morton asked about the two hurdles: 1) the existing debt of \$10 million; and 2) the buyout of the contract for the current golf pro.

Director of Administrative Services Carl Yeats said the outstanding debt was approximately \$5 million. Depending upon the timing, staff would need to meet with the current tenants to negotiate an exit of their leases. The amount of \$10 million was a high estimate.

Council Member Morton said \$10 million plus the payoff of the debt could equate to approximately \$50 million.

Mr. Yeats said the covenant on the debt stated as long as there was still revenue coming from the golf course the City would be able to meet the debt service requirements.

Council Member Morton asked if that was not the case would the City have to make up the difference.

Mr. Yeats said yes.

Council Member Morton asked whether staff anticipated an alternate plan to cover the costs of developing the sports fields.

City Manager Frank Benest said potentially there were big money donors who had provided funding for major facilities in the community.

Council Member Morton asked whether the City envisioned a group similar to the library foundation.

Mr. Benest said yes.

Council Member Mossar said she read recently how the cities of San Jose and San Francisco were having significant financial problems with their golf courses. She asked whether staff had any knowledge of their situations and the relevancy to Palo Alto.

Mr. Emslie said one of staff's first steps would be to conduct a financial analysis of Palo Alto's market and fee structure.

Director of Community Services Richard James said Palo Alto's golf course was a viable financial institution that produced revenues each year. In contrast, the Los Lagos Golf Course in San Jose was struggling to pay its debt while continuing to get an average of 80,000 to 90,000 rounds per year.

Mayor Kleinberg believed the golf course had broken even every year.

Mr. James said the golf course had broken even the last several years while coming off a cycle of upgrading the course and a reduction in golf rounds. In 2005 there were approximately 73,000 rounds of play, with 82,000 rounds projected in 2006 and, therefore, would do more than break even.

Mayor Kleinberg said so far the golf course had just broken even.

Mr. James said yes.

Council Member Mossar said one of the issues San Francisquito Creek currently suffered from was the artificial course. She asked whether staff had looked at the possibility the Creek would be realigned.

Director of Public Works Glenn Roberts said staff had not looked at golf course redesign. However, staff did look at prior work done on the Creek alternatives, such as channel widening, diversion and retention.

Council Member Mossar asked whether it was something staff would look at.

Mr. Roberts said yes.

Council Member Cordell asked whether it was appropriate for the PARC to consider the proposal tentatively put forward that evening as well as any other options.

Mr. Benest said staff did not have a problem with that.

Council Member Mossar recalled a decision the Council recently made not to consider a proposal by a private developer on the police building, but rather open it up to a bidding process.

Mr. Benest clarified he was not endorsing any specific vendor/provider, but suggested looking at certain types of public/private ventures to augment the facility given its goals and constraints.

Mayor Kleinberg said the intent of the original memorandum was that everything be examined with no preference for any one in particular.

Council Member Klein said in the proposed plan, staff had criteria for additional parking spaces beyond what was already located next to the baseball stadium. He asked what established the criteria.

Mr. Emslie said staff used traffic engineering data and the City Municipal Code to determine the appropriate number of adequate spaces. Street parking was used where possible as a way to reduce the need to create additional parking.

Council Member Klein asked whether it was assumed the baseball fields and proposed soccer fields would be used simultaneously.

Mr. Emslie said staff did plan for some overlap of field usage. In addition, they used research similar to that in the Mayfield Agreement in order to keep the same proportion.

Council Member Klein asked if the fields were not being used at the same time would there be a need for additional parking spaces.

Mr. Emslie said no. It would depend on how many fields were added.

Mayor Kleinberg asked how many parking spaces were placed on the Mayfield site.

Mr. Emslie said approximately 103 spaces.

Mayor Kleinberg said Layout "C", which was similar to the Mayfield site, provided 157 new parking spaces. She asked how that was configured.

Mr. Emslie said the Mayfield site included Traffic Demand Management (TDM) measures in place as well as extensive bicycle paths. The details for the proposed site had not been refined enough to look at reduced parking.

Council Member Klein asked whether staff considered any use of the property southwest of the baseball field, which ran along the Creek.

Mr. Emslie said staff explored the possible reconfiguration of the Baylands Athletic Complex (BAC) boundary and parking lot. They also considered the Palo Alto Sanitation Company (PASCO) site, but found it could not be used for baseball because of the overhead power lines. It could be used for soccer however.

Council Member Klein asked whether the property beyond the right field fence of the baseball diamond was owned by the City.

Mr. Emslie said the City did own the property, but it was constrained by a water district easement, which provided access for flood control maintenance of the facilities and levies in the area.

Council Member Klein said he believed it extended inland for some distance from the Creek.

Mr. Emslie indicated there may be some compatibility between the easement and open space use.

Vice Mayor Kishimoto referred to Attachment "C" in the staff report (CMR: 168:06) and referred to "historic waters."

Mr. Emslie said "historic waters" was the former course of the Creek, which had been covered over and filled in.

Vice Mayor Kishimoto asked whether that would affect any future development.

Mr. Emslie said "historic waters" were not jurisdictional wetlands, while the designated wetlands of 2.5 acres fell under the U.S. Army Corps of Engineers (Corps) regulations.

Vice Mayor Kishimoto asked where the designated wetlands were located.

Mr. Emslie stated the yellow areas indicated on the map were the designated wetlands.

Vice Mayor Kishimoto asked whether mitigations were required if changes were made.

Mr. Emslie said only on the yellow areas.

Vice Mayor Kishimoto clarified the construction cost table consisted of onetime construction costs versus one year worth of deficits.

Mr. Ramberg said the construction costs table was a one-time snapshot, which did not assume a construction timeframe. Further refinement was needed to differentiate when construction ended. Operating and revenue costs were a one-time cost for an annual period of time.

Mayor Kleinberg asked whether the contract would be valued at \$10 million if the tenant contract payout broke even.

Mr. Yeats said the contracts were multi-year agreements, and some extended 11 years. They were valued based upon the annual contract amount. Staff anticipated negotiations.

Mayor Kleinberg asked how the range of \$5 million to \$10 million varied.

Mr. Yeats said it depended on when the Council moved forward. There were contracts due to expire that were also due for extension. The duration of extended lease agreement would be paralleled with the management for the golf course thereby incurring a greater expense.

Council Member Morton asked whether the redesign of the golf course or the areas surrounding would solve the long term problems with the Creek.

Mr. Benest said it was conceivable. One of the options used the golf course as part of the solution.

Council Member Morton asked whether staff had anticipated the reclamation of Byxbee Park and the landfill in the next five to ten years.

Mr. Roberts said the landfill would close in the next four to five years. The actual timeframe for conversion into a park was indeterminate because there was no identifiable source of funding.

Council Member Beecham said he understood Santa Clara County (County) no longer desired to operate the Palo Alto Airport. He asked whether staff knew when the City or other airports' supporters would return with plans.

Mr. Benest said there was a group of stakeholders willing to begin developing a business plan. The City had a contract with the County that extended through 2017.

Council Member Beecham asked whether the County could terminate the contract.

Mr. Yeats said the County could not terminate the agreement unless the City failed to comply with the terms of the lease.

Council Member Mossar recalled staff had previously looked at portions of land at the BAC when developing the pathway for the International School. It was determined there was not sufficient land to create regulation sized soccer fields. There was only enough space for practice fields. She inquired whether the golf course was filled wetlands.

Mr. Emslie said yes.

Council Member Mossar asked whether the City would be put in jeopardy if the Council deferred planning for the Airport.

Mr. Benest said given the direction of Council, it was likely he would need to return with certain guarantees for the 20-year functioning of the Airport.

Council Member Mossar said it appeared the Council could not postpone dealing with the issue.

Mr. Benest said staff was working with the County and the Airport Master Plan.

Mayor Kleinberg said a letter from the Robert Trent Jones Architecture Firm (attachment "E" of CMR: 168:06) indicated a number of assumptions. The first assumption stated the golf course would continue to serve the same user groups. She asked where that information came from.

Mr. Emslie said there was not enough information to indicate a different clientele.

Mayor Kleinberg said the second assumption was the golf course should maintain its championship status. She asked where that information came from.

Mr. Emslie said it had always been the goal to build a soccer field while maintaining the golf course's championship status.

Mayor Kleinberg asked how much more yardage was there that was not included in the study.

Mr. Emslie said it was a significant number.

Mayor Kleinberg said there was no discussion of building up berms and the type of design that included built-in safety nets.

Mr. Emslie said no specific design features were outlined. The topography, vegetation and other safety devices would be used in the shorter course to promote safety.

Mayor Kleinberg asked about the developers' level of municipal golf course experience.

Mr. Emslie said staff spoke with several developers including Eric Brandenburg, who developed a private golf course/residential community in the Evergreen Valley of San Jose, and stated there could be financial feasibility provided there were a significant number of residential units.

Mayor Kleinberg said staff indicated a financially feasible development of the golf course and playing fields required a large amount of residential development offsite. She asked whether the information was based solely on Mr. Brandenburg's assessment.

Mr. Emslie said yes, but staff spoke with approximately five developers to obtain a range of different experiences. The real focus from their perspectives was the residential opportunities.

Mayor Kleinberg clarified discussions with the golf course developers was preliminary in nature.

Mr. Emslie said yes.

MOTION: Council Member Cordell moved, seconded by Klein, to refer this matter to the Parks and Recreation Commission (PARC) to fully vet all the options discussed, and not discussed, tonight for the golf course preliminary feasibility study and return with a recommendation to Council.

Council Member Mossar asked for cost estimates of the work product.

Mr. Emslie said staff contracted with one consultant at \$20,000-\$25,000. Other work had been pro bono or donated by volunteers.

Council Member Mossar asked for an estimate of staff time.

Mr. Emslie said the staff time equated to approximately 400 hours.

Council Member Mossar said the Council had pursued provisions of new soccer fields for the past five years. With respect to the proposed project, the Council had deferred completion of the update to the Baylands Master Plan (BMP), had indicated their interest in streamlining the processes in the Planning Department, and stated an interest in raising more money and providing additional services. She would rather see the monies put towards finishing the feasibility study for the Creek, which would put the City in a position to make decisions about what would happen to the Baylands, the Airport, and the landfill site. She was opposed to moving forward with the project at the present time.

Council Member Beecham expressed opposition to moving forward with the proposed project.

Council Member Morton was opposed to staff's recommendation to submit the item to the PARC and have them return with a redesign of the golf course without it being a feasible option. He supported a move to table the matter.

Council Member Drekmeier was prepared to support the motion.

Vice Mayor Kishimoto agreed it was advantageous for staff to complete the BMP update because it would combine the issues of the Creek's feasibility study, the landfill site, and the Airport. In the coming years, the Council would be asked to make a commitment for the 20-year functioning of the Airport. She inquired whether the maker and seconder had any expectations of the staff time and time needed to complete the study.

Council Member Klein said the need for playing fields in Palo Alto had already been identified, and there was very constrained land in the area. He believed it was important to find out whether the proposed plan was feasible. He expressed support for moving forward.

Mayor Kleinberg said it was Council's responsibility to be concerned with flood control, and to respond to the community request to try and build more recreation facilities with what was available. A beginning point may be to explore current demographics in the community. It was important to bring in other interests and stakeholders not a part of the initial study. She favored a focus on family-centered recreation and expressed support for the motion.

Council Member Barton asked the maker and seconder what they anticipated in terms of the time needed to conduct the feasibility study, the amount of staff time, and what information was expected to return to the Council.

Council Member Cordell said the PARC would be thoughtful and thorough in exploring options. She did not envision great demands being put on staff.

Council Member Klein said he expected the PARC would provide the Council with a careful, line-by-line vetting based on their expertise.

Council Member Beecham concurred he would not expect an unfeasible recommendation from the PARC. He believed it should be a low staff effort as there were other priorities.

Council Member Mossar asked whether there was some way to quantify the amount of staff time involved.

Vice Mayor Kishimoto said perhaps the maker and seconder would agree to some parameters, such as limiting additional staff time to five or ten hours.

Council Member Cordell said she was not willing to limit the amount of staff time because it would be arbitrary. The effort was timely and she was of the belief the community would support moving forward.

Council Member Morton asked whether staff would need to hire outside consultants, and if the limit of \$100,000 of staff time was appropriate.

Mr. Benest said he was comfortable with staff meeting with the PARC to explore various options given the base of knowledge already obtained.

Council Member Klein said the motion did not mention outside consultants.

Council Member Mossar asked whether the maker and seconder were in agreement with the comments of the City Manager.

Council Member Cordell said she was comfortable with the suggestion although she did not believe it was limiting.

MOTION PASSED 6-3, Barton, Beecham, Mossar voting no.

PUBLIC HEARINGS

7. <u>Public Hearing</u>: Consideration of the Application by the City of Palo Alto Real Estate Division for the City-Initiated Zoning Change of a Portion of the "High Street City Surplus Property" at 2460 High Street [05PLN-00000-00363] from PF (Public Facilities) to RMD (Two Unit Multi-Family Residential). Zone District: PF.

Ordinance 1st Reading entitled "Council of the City of Palo Alto Hereby Amends the Zoning Map of the City of Palo Alto to Change the Designation of a Portion of 2460 High Street (Designated Surplus Property) from PF (Public Facilities) to RMD (Two Unit Multi-Family Residential Residence District)"

Director of Planning and Community Environment Steve Emslie said the Planning and Transportation Commission (P&TC) recommended a change to a portion of City-owned surplus property. The purpose was to change the designation from PF (Public Facilities) to RMD (Two Unit Multi-Family Residential Residence District), which would allow for a duplex on the site. Council had previously determined proceeds from the sale should be directed to affordable housing.

Council Member Cordell asked whether there was a philosophy or approach on what the City did with its surplus property. Also, had the City considered not selling the property but rather to build housing.

Real Property Manager Bill Fellman said the City's policy on City-owned surplus property was to make the best use of the property. In the last 20 years only three parcels had come up for sale. Two of the parcels were well

sites in single-family residential areas. The proposed property was a remnant staff believed could be developed and then sold. As a stand alone project, it was too small to develop in order to get the potential needed.

City Manager Frank Benest said staff believed the property was best suited for housing. Once developed, it could be leveraged to a greater degree.

Council Member Cordell referred to page 1 of the staff report (CMR:172:06) which noted responses to the survey indicated none had any need for the property. She expressed concern about taking property the City owned and selling it.

MOTION: Council Member Barton moved, seconded by Mossar, to approve the staff and Planning and Transportation Commission recommendations to approve the ordinance for the zoning classification change of a portion of 2460 High Street (parcel number 132-17-081) from the Public Facilities (PF) zoning district to the Two-Unit Multiple-Family Residence District (RMD) zone pursuant to the Palo Alto Municipal Code Section 18.98.040. The parcel is surplus City property. The Palo Alto Comprehensive Plan designation of the subject site is Multifamily Residential; therefore, the proposed zone change is consistent with the land use designation and a Comprehensive Plan amendment is not required.

Council Member Barton said the best use for the City was to sell the property and use the proceeds for affordable housing. While he understood the concerns of Council Member Cordell, the present value of affordable housing, versus an unknown in the future for a small parcel in a constricted area, was a reasonable approach.

Mayor Kleinberg opening the Public Hearing and hearing no speakers closed the Public Hearing.

Council Member Drekmeier noted the location map (attachment "B" of CMR: 172:06) indicated some of the parcels in the area were approximately the same size and had three or four units. He asked whether the property at 2460 High Street could be zoned for three units to add to the City's inventory.

Mr. Emslie said the next level of density was RM-15, which could possibly be zoned for three units.

Council Member Drekmeier asked whether the maker and seconder would consider rezoning the property to RM-15.

Council Member Barton asked the City Attorney whether the Council could make that decision or did it require noticing.

City Attorney Gary Baum said the addition of two to three units was an impact and change, which would require re-noticing.

Council Member Mossar believed the site was constrained because of its proximity to the Oregon Expressway onramp and the noise impacts.

Mr. Fellman said staff originally proposed a single family house, but switched to a duplex because of the size of the lot as well as the constraints.

Council Member Morton said a proposal came before the Finance Committee from the Opportunity Center to buy the adjacent unit along Alma Street, which when combined with the proposed parcel would produce a number of multi-family units. The feasibility was whether the adjacent lot would sell to a non-profit organization at an affordable level. Realistically, it would cost too much under the current market rate with the expectation of only producing two units.

Vice Mayor Kishimoto suggested an approach that funds from City-owned land be used to purchase additional land in the future. She agreed with the comments of Council Member Mossar.

Council Member Beecham said the parcel was surrounded by RM-15 and RM-30, which made it an appropriate zoning. However, in an effort to obtain housing for City employees or other low-income employees, the City's best course was to sell the property and invest it in land better suited for the economy.

Mayor Kleinberg clarified the decision for the two units on the parcel was discussed at the Finance Committee and she asked for clarification of the Committee action.

Mr. Emslie said it was a recommendation from the Finance Committee, and was now before Council as an implementation of their recommendation.

Mayor Kleinberg asked whether the motion was for Council to approve the rezoning but not sell the land.

Council Member Barton said that was correct.

Mayor Kleinberg understood the Council had not yet decided to sell the property or how many units would be included.

Council Member Klein understood the item had come before the full Council in September 2005.

Mr. Fellman said the parcel was declared surplus property and went before the Council in September 2005 for approval.

Council Member Klein questioned whether the Council had decided the proceeds from the sale of the property would be dedicated to housing.

Assistant City Manager Emily Harrison said that was correct.

Mayor Kleinberg clarified the Council previously approved using the proceeds for affordable housing, but never voted to put the property on the market.

Mr. Fellman said the steps included first declaring the property surplus, then having it rezoned, and finally returning with a Request for Proposal (RFP) package to place it on the market.

Mayor Kleinberg asked whether approving the property for sale was part of what the Council voted on when they declared it surplus.

Mr. Fellman said yes.

Council Member Cordell asked when property was declared a surplus it was then to be sold.

Mr. Baum said if City-owned property was not declared a surplus it could not be sold or given to any other governmental entity. Merely declaring it a surplus did not automatically list it for sale.

Council Member Cordell asked whether the item would need to return to Council for a vote to sell it.

Mr. Baum said that was the City's process although it was not the only way to do it.

MOTION PASSED 9-0.

8. <u>Public Hearing</u>: Consideration of a Request by Channing House for a Planned Community Zone Amendment to modify the permitted uses to include "utility facilities," specifically wireless communications facilities, for an existing state licensed retirement facility. Zone District: Planned Community PC-4048 at 850 Webster Street [04PLN-00131]. Environmental Assessment: Exempt from the California Environmental Quality Act per section 15301.

Ordinance 1st Reading entitled "Council of the City of Palo Alto Hereby Amends Section 18.08.040 of the Palo Alto Municipal Code (The Zoning Map) by Amending the Existing Planned Community Zoning Designation of the Property Known as 850 Webster Street to Provide for Utility Facilities"

Mayor Kleinberg opening the Public Hearing and hearing no speakers closed the Public Hearing.

MOTION: Council Member Barton moved, seconded by Beecham, to approve the staff and Planning and Transportation Commission recommendation to approve the amendment to the existing Planned Community Zone (PC-4048) for 850 Webster Street as described in the ordinance.

MOTION PASSED 9-0.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

Council Member Mossar reported on two meetings she attended during her recent trip to Washington, DC, as Chair of the National League of Cities, Energy, Environment and Natural Resources Committee.

MOTION: Council Member Mossar moved, seconded by Beecham, to refer to the Finance Committee a discussion regarding the possibility of including the cost of staff time used in developing recommendations for Council action.

MOTION PASSED 6-3, Cordell, Kishimoto, Kleinberg voting no.

Council Member Drekmeier acknowledged the Palo Alto High School Boy's Basketball Team won the State Division II Basketball League Championship on Friday.

Council Member Cordell requested clarification regarding Item No. 6 that the Report on the Golf Course Feasibility Study was "received and filed." Also, regarding the police/auditor roles and the reporting responsibility, she recalled including in the action that "a police auditor would report to Council and make recommendations to the police chief."

Mayor Kleinberg announced the Palo Alto High School Boy's Basketball Team will be present at next Monday's Council meeting, as well as other entertainment.

<u>FINAL ADJOURNMENT</u>: The meeting adjourned at 9:35 p.m. in honor of the Palo Alto High School Boy's Basketball Team.

ATTEST:	APPROVED:	
City Clerk	 Mayor	

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.