



PLANNING & TRANSPORTATION COMMISSION MINUTES

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Wednesday, March 9, 2005
REGULAR MEETING at 7:00 PM
Council Chambers
Civic Center, 1st Floor
250 Hamilton Avenue
Palo Alto, California 94301

ROLL CALL: 7:00 PM

Commissioners:

Phyllis Cassel – Chair
Bonnie Packer – V-Chair
Lee I. Lippert
Karen Holman
Patrick Burt
Michael Griffin
Annette Bialson - absent

Staff:

Steve Emslie, Planning Director
Don Larkin, Senior Deputy City Attorney
Lisa Grote, Chief Planning Official
Gayle Likens, Transp. Project Manager
Amy French, Current Planning Manager
Clare Campbell, Planner
Zariah Betten, Executive Secretary

AGENDIZED ITEMS:

1. 3990 El Camino Real
 2. Maybell Avenue/Donald Drive Bicycle Boulevard Project
- REPORTS FROM OFFICIALS -- Budget Briefing*
APPROVAL OF MINUTES: February 9, 2005

Chair Cassel: I would like to call the meeting of the Planning and Transportation Commission to order for Wednesday, March 9, 2005. Would the Secretary please call the roll? Thank you.

The first item of business is Oral Communications.

ORAL COMMUNICATIONS. Members of the public may speak to any item not on the agenda with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a speaker request card available from the secretary of the Commission. The Planning and Transportation Commission reserves the right to limit the oral communications period to 15 minutes.

1 Chair Cassel: Do I have anyone who wishes to speak to an item not on the agenda? The item
2 has to be not on the agenda for tonight. Peter Wilkins, do you wish to speak to an item not on
3 the agenda?
4

5 Mr. Peter Wilkins, Palo Alto: No I wanted to speak about Maybell.
6

7 Chair Cassel: Okay, then that's item number two. This is only for people who want to speak to
8 an item not on the agenda. Having no one who wishes to speak to an item not on the agenda then
9 I will close that part of the meeting.
10

11 I have no changes to the agenda and I have no Consent Calendar therefore we will go straight
12 into New Business.
13

14 **CONSENT CALENDAR.** Items will be voted on in one motion unless removed from the
15 calendar by a Commission Member.
16

17 **AGENDA CHANGES, ADDITIONS AND DELETIONS.** The agenda may have additional
18 items added to it up until 72 hours prior to meeting time.
19

20 Chair Cassel: Anyone who wishes to speak tonight on this item, number one, or on number two
21 should fill out a card. Put your name on it carefully so I can read it. It doesn't have to be a
22 signature rather print it with your address and give it to Zariah over here so she can give them to
23 me and you will have a chance to speak.
24

25 **NEW BUSINESS:**
26 **Public Hearings.**
27

28 Chair Cassel: Item number one is a public hearing and it is a request by Cingular, I think
29 the Staff will correct that, on behalf of Toufic Jisser for a Conditional Use Permit to
30 allow the installation of one telecommunications facility, comprised of a 40-foot faux
31 tree-pole with three panel antennas concealed within the top region of the tree, and
32 associated equipment cabinets. Would the Staff like to give us a report?
33

34 1. **3990 El Camino Real*: [04-CUP-11]** Request by Cingular Wireless on behalf
35 of Toufic Jisser for a Conditional Use Permit to allow the installation of one
36 telecommunications facility, comprised of a 40-foot faux tree-pole with three
37 panel antennas concealed within the top region of the tree, and associated
38 equipment cabinets. Zone District: CN. Environmental Assessment: Exempt from
39 the California Environmental Quality Act per section 15301.

40 **SR Weblink:** [http://www.cityofpaloalto.org/cityagenda/publish/planning-](http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/109.pdf)
41 [transportation-meetings/109.pdf](http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/109.pdf)
42

43 Ms. Clare Campbell, Planner: Thank you. Good evening Commissioners. The Use
44 Permit before you tonight is for a telecommunications facility comprised of one 40-foot
45 tall faux tree-pole and equipment cabinets. There will be additional landscape
46 improvements to the site overall as well as a new fence in the project area. At places is a

1 photo simulation of the project for you to take a look at. The final details of the
2 landscaping, fence layout and tree form will be reviewed prior to the issuance of a
3 Building Permit.

4
5 The original application was filed by Cingular Wireless and for this site there has been a
6 recent change in ownership and it is now T-Mobile who is representing this site and they
7 are the future carriers or service provider for the site. The applicant will explain this a
8 little bit more in his presentation. The tree-pole will be located within the 20-foot street
9 side setback fronting Los Robles Avenue. A design enhancement exception application
10 requesting a setback encroachment is now under review. Staff supports the design
11 enhancement exception to enhance the appearance of the site. The proposed tree will be
12 integrated into the existing landscaping. With the proposed placement the tree-pole
13 would fit better with the context of the site and would draw less attention than being a
14 standalone tree-pole. The placement of the faux tree equipment and the new fence has
15 been reviewed by the Transportation Division who determined that there are no safety
16 issues. Staff recommends that the Planning and Transportation Commission recommend
17 to the City Council to uphold the Director's Decision to approve the Conditional Use
18 Permit based upon the findings and conditions in the Record of Land Use Action attached
19 to the Staff Report contingent upon the approve of the design enhancement exception. A
20 condition will be added to the Record of Land Use stating that this additional approval
21 requirement. This concludes Staff's report and the applicant, Mr. Stevens, is here and he
22 is ready to make a presentation. Thank you.

23
24 Chair Cassel: We are here tonight to discuss the conditions that have been placed on this
25 project and to be able to make the findings. We are not allowed to make our decision
26 based on the health considerations. Would someone please explain that?

27
28 Mr. Don Larkin, Senior Deputy City Attorney: Under the Telecommunications Act
29 essentially the Commission cannot regulate the placement, construction and modification
30 of wireless services facilities on the basis of the environmental effects of radio frequency
31 emissions to the extent the facilities comply with the FCC regulations concerning those
32 emissions. So in other words typical zoning and use permit analysis applies except with
33 the exception that the Council can't consider radio frequency emissions in making its
34 decision. If Commission is interested there was a case that came out of the Ninth Circuit
35 just two days ago, Metro PCS vs. the City and County of San Francisco. What that case
36 says is in part is that the federal government will take applicable state and local
37 regulations as they find them and evaluate the city's decision based on local regulations.
38 The only exception to that is the radio frequency issue that cannot be consider by the
39 Commission.

40
41 Chair Cassel: Thank you. Do any Commissioners have questions of clarification for
42 Staff at this time? Michael.

1 Commissioner Griffin: Perhaps Staff can address this or the applicant might deal with it
2 in due course. I am wondering about the necessity of these 40-foot tall antenna panels
3 needing to be directly aimed at the two to three story apartments directly across the street
4 from the site. On page A-2 of the plans it would look as if the orientation of the antennas
5 is such that in fact they would be aimed directly across the street and I am wondering
6 about the placement of these panels and what kind of an effect that has vis-a-vie RF
7 emissions on the people that live over there. I am concerned about this directionality
8 aspect and the fact that there appears to be a line of sight aiming of these panels directly
9 at the bedroom windows of these apartments that are about 150 feet away from the
10 installation. I guess I have to tell you that I don't want to be sitting at my breakfast table
11 ten years from now reading a newspaper article that talks about the fact that new studies
12 show that by golly these cell towers have been emitting hazardous radiation after all and
13 we have been basically micro-waving people in their beds in the meantime. So if you
14 would like to address that topic I would be interested in your comments.

15
16 Ms. Amy French, Current Planning Manager: I would like to have you ask that of the
17 applicant as far as their directional issue.

18
19 Chair Cassel: Are there any other questions at this time? Go ahead, Pat.

20
21 Commissioner Burt: Now I am confused and maybe Don could clarify again. Is the
22 scope of that question permissible as a basis for us reviewing this application?

23
24 Mr. Larkin: That is not a permissible ground for denial of the application.

25
26 Chair Cassel: Let me open the public hearing. Would the applicant wish to speak? I
27 need the cards. Bill Stevens please. If you would come over here to this mike. You have
28 15 minutes for your total presentation by you and other members of your staff.

29
30 Mr. Bill Stevens, T-Mobile, Applicant: Thank you very much. Good evening
31 Commissioners. I would like to put up just the photo simulations that you have in your
32 packages so we can have some graphic illustration. I know that Staff has presented a
33 comprehensive Staff Report and I know that you have the same graphics that we have
34 because we have presented them, as did my predecessor for this application.

35
36 I would like to address some of the questions that I have heard here tonight and take other
37 questions. Before I do that I also want to indicate to you that in attendance is Bill
38 Hammett of the consulting engineering firm of Hammett and Edison that provided a lot
39 of the calculations for the RF initial study and the calculations that you find in your
40 packet. So if there are engineering questions we can direct those to Mr. Hammett as well.
41 Just to reiterate I and my predecessor worked with Staff over the length of time that this
42 application has been in process, just about ten months, and part of the result as you will
43 see in the photo simulation is a broadleaf faux tree concealing a monopole where the six
44 antennas are to be located. This design was reached after a great deal of consideration by

1 your in-house arborist as well. So that is probably the best design that we can come up
2 with at this location. This location as you know is a commercial location on the
3 intersection of two thoroughfares and it is hidden from the main thoroughfare of El
4 Camino by the building itself.

5
6 Notwithstanding what counsel has said let me address the RF emissions. They are a
7 concern and we address them at every application that we present. In terms of direct line
8 of sight to any obstruction, a building or any other physical obstruction is detrimental to
9 the network. As soon as you posed that question I looked to see what the actual azimuth
10 or direction of that antennas are and I don't see it on A-2. I think this is really a
11 placeholder. Our network engineers would take every reasonable activity to make sure
12 that they don't shoot into any building regardless of whether it is residential or
13 commercial or uninhabited or unmanned just because it would detrimentally impact the
14 network and the coverage that we are looking for with that site. We want it have the
15 greatest coverage through the clearest path. I hope that begins to address your question.

16
17 Concerning what Ms. Campbell brought up with the name change from Cingular to T-
18 Mobile you may be aware that AT&T and Cingular have recently combined forces to
19 become one entity. Though that activity Cingular has necessarily had to divest of certain
20 network assets. There has been a license agreement in place for several years between T-
21 Mobile and Cingular. T-Mobile can operate with exactly the same equipment and in the
22 same places as Cingular and as a result is taking over many of these sites to continue
23 operation. The ones that are in process such as this application will continue as it is. I
24 want to give this to your clerk as well, this is a letter of authorization from Cingular
25 indicating the transfer of that authority to T-Mobile and we will set that in the record.

26
27 With that I will conclude and open this open this up for questions either of myself or Mr.
28 Hammett is there is something I haven't addressed.

29
30 Chair Cassel: Lee, you had a question.

31
32 Commissioner Lippert: Why was this particular site selected? Why not a different
33 location?

34
35 Mr. Stevens: Well, as you know better probably than I there are limitations on any
36 candidate that can be considered within the parameters that the City sets forth within the
37 compliance of your zoning ordinance. So we are limited at looking at commercial
38 parcels or institutional parcels but we are also driven by where there is a lack of wireless
39 coverage for the carrier. There is no coverage for this carrier at this location up and down
40 El Camino. I would be happy to show you a coverage map. I think there is a copy of that
41 in your package but I can certainly put it up on the display.

42
43 Commissioner Lippert: Why don't you put it up on the display and I have a follow up for
44 the City Attorney.

1
2 Chair Cassel: Can we ask him the questions? Do you want to ask it right now?

3
4 Commissioner Lippert: Okay.

5
6 Chair Cassel: Are there any other questions for Mr. Stevens? Did you have a question?
7 Go ahead, Karen.

8
9 Commissioner Holman: I was wondering why the location of this on the Los Robles site
10 as opposed to in the parking lot. The reason I question that is because that would get it
11 further away from residential. It is actually two questions. It is that we get it further
12 away from residential so the impact might be less as far as sight lines and that sort of
13 thing. Pretty much all the trees around that site are deciduous trees so it doesn't seem to
14 make any difference to me as far as aesthetics in that regard that it would be at any
15 advantage on Los Robles as opposed to in the parking lot in front.

16
17 Mr. Stevens: I wouldn't take issue with that. We are trying to accommodate what we are
18 hearing from the City's Arborist and Staff Planner in looking at ways to minimize any
19 visual impact. Part of the reason that the site is located on that side of the building is that
20 it diminishes its visual impact certainly on El Camino and the building itself offers visual
21 mitigation on Los Robles. I will let Mr. Hammett if you choose address the diminishing
22 aspect of the signal at 150 feet or even at 50 feet. It is negligible at 150 feet but there are
23 also concerns by the landlord and by the ongoing commercial business how it would
24 impact removal of parking spaces or other features for the other businesses as well as the
25 Blockbuster in that area.

26
27 Commissioner Holman: So if the tree itself were moved into the parking lot the
28 equipment would have to be moved with it.

29
30 Mr. Stevens: Not necessarily but there are a number of concerns there. It requires its
31 own power sources and its own source for telecommunications. There is a T-1 line that
32 gets brought to that facility. All of that has to be considered. Where is that coming from,
33 it is coming from existing power source and phone. How far can you trench? What are
34 the other easement considerations of trying to trench utilities into that area? There are a
35 number of things that take place here. So this was looked at with the landlord as well as
36 the engineers and City Staff to find what we felt was the minimal impact site and that is
37 how we ended up on that side of the building.

38
39 Chair Cassel: Michael.

40
41 Commissioner Griffin: Attachment D to the Staff Report this evening is a letter dated
42 April 14, 2004 written by Kelly Pepper and on page two in about the middle of the page
43 there are about six different items. Number one talks about coverage maps and about a
44 little more than halfway into that number one paragraph it says, "The purpose of this site

1 is to provide coverage to the San Antonio Shopping Center and the surrounding roads.”
2 So my question is really a follow on to others that my colleagues have asked which is that
3 if in fact the purpose is to provide increased coverage at the San Antonio Shopping
4 Center why doesn't Cingular or T-Mobile find a location in Mountain View that is closer
5 to the San Antonio Shopping Center instead of next door to a residential complex down
6 the road in Palo Alto?
7

8 Mr. Stevens: I certainly don't want to defer your question because it is on target.
9 Cingular's existing sites and the reason they would locate in a particular place is based on
10 the other existing sites or proposed sites that they might have and they would propose a
11 new site to enhance that network coverage. How they would have gotten to San Antonio
12 Shopping Center would be obvious to them by this proposed site. I believe you have a
13 list of existing Cingular sites in your packet. In order to cover certain areas you actually
14 have to go outside of those areas sometimes and broadcast in so that two sites are not
15 positioned so close to one another that they interfere with each other.
16

17 Perhaps a clearer way to describe this would be something we are all familiar with in the
18 Bay Area where we have topographical issues. A site that covers an area that may be sort
19 of a canyon or a draw or limited in scope by some topographical interference can't cover
20 even though it may be a quarter of a mile or a tenth of a mile from an area that needs to
21 be covered it can't get there from there either by interference from physical elements or
22 interference of its own network sites. So there are cases where you have to back off far
23 enough from existing sites and look into the area you want to cover even though
24 conceivably there is a site that is much closer. In the case of San Antonio and I don't
25 know I am speaking hypothetically here but it is often the case where we have to go
26 outside of an area to cover that area and not be right in it for a variety of reasons.
27

28 Now, T-Mobile I will point out even though T-Mobile is taking quite a number of these
29 Cingular sites the coverage requirement is not quite the same because the interference
30 issues are not the same because we are not operating against Cingular per say. Cingular
31 did not turn over all of their sites to T-Mobile only selected ones. As you know, Cingular
32 in its former and new entity is an SBC Corporation they are an entity of SBC. So they
33 have a lot of facilities all over the place but particularly in the Bay Area that they will
34 retain and that T-Mobile will never have a shot at so there is a different coverage
35 requirement by T-Mobile than there was for Cingular. We do want to take the
36 opportunity because we are not constrained by the same things because we don't have
37 that many existing sites so we can go on a site like this and cover not only the San
38 Antonio but the arterials that we need as well because we don't have any coverage there
39 at all. Sorry to be so lengthy but it was a good question.
40

41 Chair Cassel: Bonnie.

42
43 Vice Chair Packer: I have to ask a question. I have to determine whether or not I have a
44 conflict of interest because I do own SBC stock. The letter that you passed around

1 referred to Pacific Bell Wireless d/b/a T-Mobile. Even though I own the stock I don't
2 really follow all their ownership interests. I don't keep track.

3
4 Mr. Stevens: We are not an SBC entity.

5
6 Vice Chair Packer: So Pacific Bell Wireless is totally separate from Pacific Bell, which
7 is part of it.

8
9 Mr. Stevens: That's right. SBC is Southwest Bell.

10
11 Vice Chair Packer: SBC owns Pacific Bell as well. I just don't know what the corporate
12 configuration is.

13
14 Mr. Stevens: I will admit to you at that level I don't either but I can tell you with
15 absolute certainty that T-Mobile is not an SBC entity.

16
17 Vice Chair Packer: Just for the sake of the public I do own some SBC stock. I don't
18 know whether my disclosure is sufficient. It gets very confusing for me and I just want to
19 be open about this. Can the attorney help me?

20
21 Mr. Larkin: Based on that understanding I don't believe there is a conflict.

22
23 Chair Cassel: Do we have any other questions of the applicant? Pat.

24
25 Commissioner Burt: The depiction of the fake tree that we have here is that hypothetical
26 or is that pretty close to the actual design and appearance?

27
28 Mr. Stevens: I would defer to Staff except to make the general comment that we have
29 gone to a great deal of effort to produce that simulation after some refinements from
30 other types of trees and a different shape of broadleaf deciduous. I believe that there will
31 be additional considerations and comments through this process as we move forward.
32 Staff has indicated their desire to see certain fine-tuning of that so we will make every
33 attempt to accommodate that.

34
35 Chair Cassel: Lee.

36
37 Commissioner Lippert: Why not just simply mount the unit on a building as part of the
38 equipment?

39
40 Mr. Stevens: Part of that is the height of the building. We wouldn't be able to get over
41 even that center and back to the question of the apartments we would be lower there even
42 though they are not in direct line of sight their spread of the spectrum if we get lower it
43 would have a tendency to be blocked by more things because there are more things at a
44 lower height. We have tried to refine that to the best we can and keep it to a minimum.

1 Just to get out on the street past some of those buildings we have to be at a certain height
2 to get over them.
3
4 Commissioner Lippert: I have seen on other buildings though where the antennas have
5 been broken up into segments and placed around the mechanical screens of a building
6 and our code does permit for projections above the roof height of the building. It allows
7 for mechanical screening to go upwards of 15 feet beyond that.
8
9 Ms. Campbell: If I could possibly interrupt.
10
11 Commissioner Lippert: Yes, Clare.
12
13 Ms. Campbell: I was told by the original applicant because that was one of the questions
14 that was raised in the very beginning when this was submitted and I was told that the
15 property owner doesn't wish to locate antennas on this building.
16
17 Commissioner Lippert: Fair enough.
18
19 Chair Cassel: Do we have any other questions of the applicant at this time? Thank you
20 very much.
21
22 Mr. Stevens: Did you want to discuss the coverage map at all?
23
24 Chair Cassel: Yes, please.
25
26 Commissioner Lippert: If you could explain it that would be great.
27
28 Mr. Stevens: What you see here, and I believe these are in your packet, this is the
29 existing coverage for T-Mobile. The red is very poor coverage, the yellow is very
30 marginal and the green is acceptable. You can there are sort of trident shapes with
31 numbers next to them those are existing sites. We have left these existing sites that are
32 from the Cingular network for your reference so that no questions come up as to which
33 sites belong to whom. We are not going down that road right now. It doesn't really
34 matter for purposes here. We are assuming that you want to see this as it was originally
35 applied for inside of the Cingular network. So we are showing you these with the
36 existing Cingular sites and with that reference through the center of this diagram where
37 the proposed location is the center trident is the proposed location. There is virtually no
38 satisfactory coverage either walking on the street or in your car.
39
40 Using the same legend and the same centrally located trident there that is the proposed
41 site it becomes very satisfactory at height from that structure. To lower it to block it by
42 other buildings diminishes all of that.
43
44 Chair Cassel: Thank you.

1
2 Mr. Stevens: You are very welcome.
3

4 Chair Cassel: I have two cards from people who wish to speak. You may each have five
5 minutes for your presentation. The first person to speak is Ellen Gold to be followed by
6 Ed Jones. Ed Jones to be followed by Ellen Gold.
7

8 Mr. Ed Jones, Palo Alto: The reason I am here is because I received notification that a
9 broadcast tower is being placed within 600 feet of my house and that there was a very
10 short time to have any effect on that process. So I requested that a hearing be made. In
11 the meantime besides my work and family life I have tried to investigate what this means
12 to me. Some of the things that I will mention relate to the health effects and I will try to
13 minimize that but just so that they are in my presentation. I have to adjust the size a little
14 bit.
15

16 You all know what is being proposed here it is a 400-watt transmitter that is going to
17 transmit 24 hours a day. When I bought my house in 1987 there were no transmitters or
18 anything like that that I was aware of. It is not like I bought a house in the flight path of a
19 runway so this is something that is being imposed on me.
20

21 I will try to focus on what I think is a liability to Palo Alto. I have no question that Palo
22 Alto can build any kind of thing under a good controlled process and it will be safe but
23 the thing that I don't know is how the regulations are structured for cell towers for the
24 components and that is what I looked into. What I discovered was that there really, well
25 this is just a picture showing where the antenna will be and in Kelly Pepper's letter she
26 mentioned that the nearest house is 45 feet away not 150 feet away. The plans do show it
27 aiming right into someone's bedroom window. When I looked into the FCC they don't
28 really inspect or monitor anything related to cellular networks. Just before coming here I
29 did discover that there is some registration process for antennas but it doesn't say how the
30 antennas will be used. So there is a blanket ruling that the cellular operators can
31 essentially do what they want as long as they follow their spectrum license from the FCC.
32

33 A comment that I received is that if the cell towers didn't follow this regulation the whole
34 system wouldn't work. Well that is not a very good way to explain it to me or the rest of
35 the public. The cellular licensee can exceed the federal levels if they decide to and what
36 they need to do is make that decision and then they need to file a report. That is not a
37 very good regulation structure to me. They could do the same thing without requesting
38 the report. The actual antenna and equipment on the ground can be controlled remotely
39 and the angle of the beam can be tilted up and down and the power can be regulated. So
40 there is no way for you to really tell exactly are they meeting the specifications that they
41 setout today. That is kind of redundant.
42

1 There is no real federal regulation on RF exposure standards. What there is, is the license
2 to purchase the RF spectrum and there are conditions in that license that say you have to
3 have a certain signal level.

4
5 Chair Cassel: Thank you. The next person to speak is Ellen Gold. I have two more
6 people who have asked to speak. Ms. Gold will be followed by Janet Rulifson. Please
7 give us your name and your address, thank you.

8
9 Ms. Ellen Gold, Palo Alto: Hi I live in the mobile home park at 3980 El Camino, unit
10 number 105. Staff sent me two notices about this meeting but they sent the first one to
11 3990, which is the Blockbuster building, unit 27. I don't know why. When I corrected
12 them they sent it again to 27.

13
14 The point I am trying to make is the people in the mobile home park most of whom do
15 not speak English are Spanish speaking and have many children will be living right
16 underneath this tower. They are not represented here that I noticed. I think I might be
17 because they didn't receive notices about this even though I asked Staff to notify all the
18 people in the park. Whatever. So they won't have any say in this. Also the site itself is
19 highly utilized by families with children. You can go by anytime and see them eating at
20 the Baja Fresh and the Jamba Juice sitting outside they will be right underneath the tower.
21 There is a kids store right there, the Right Start, pregnant women go in there all the time
22 to buy things for their soon to be arriving babies. Not very healthy.

23
24 My big issue here, I agree with everything that Mr. Johns presented, I am not for this
25 tower. It is a terrible location. The problem with Mr. Jisser who owns the site is that he
26 does not follow through on his agreements. He agreed when he replaced the fence on the
27 Los Robles side of the mobile home park that he would provide irrigation and
28 landscaping. Drive by and take a look. There is a deeply rutted dirt path anything that
29 was planted there died. He provided no irrigation. The pictures that I gave to the Staff to
30 pass around to you, you can keep them, I took them. They are of the building. There are
31 no plantings where there are supposed to be plantings. Any plantings that were there that
32 he was required to put in the planning process for converting the building from what it
33 was, the supermarket, to what it is now, the Blockbuster and the other tenants there are
34 trellises with planter boxes underneath they are all dead and empty planter boxes. All
35 dead stuff on the trellises. Never irrigated. All the planter boxes at the poles, almost all
36 of them, are completely empty. There is graffiti on some of the support poles. There is a
37 picture of a planter box in the parking lot completely empty full of weeds and dirt. There
38 are planter boxes surrounding the seating in front of the restaurants for the patrons those
39 are completely empty. There are maybe like three pieces of green leaves left in there.
40 Mr. Jisser I talked to the person in charge Blockbuster, he has the lease with Jisser. He
41 said Jisser is in charge and he is the one who is responsible for maintaining the
42 landscaping. It is not maintained at all. When the change over was made we lost the sign
43 'Welcome to Barron Park' that was at the corner and that has never been replaced. So I
44 notice on Attachment H the second page talks about landscaping. They are going to have

1 carpet rows, ground cover and all this good stuff you can read it. Who is going to
2 maintain that? Is T-Mobile going to come out and maintain it? Because if they are
3 leaving it to Jisser to maintain it it will be brown carpet rows, dead carpet rows. So you
4 cannot trust him to live up to his agreements. There is also one picture in there that
5 shows you the mobile home park and area next to the cottages, which the City regulates
6 because they are not mobile homes they are actual buildings on the land. They are rental
7 cottages and there are dumpsters at the end of the rental cottages and you can take a look,
8 it is the last picture in there. It is 3980 not 3990. This is an example of Mr. Jisser as a
9 property owner. It is full of junk and it is always like that. So the man does not live up to
10 his agreements, he operates as a slum lord which is I don't live there, I don't have to look
11 at it, it doesn't matter to me so let it go to you-know-what. Thanks.

12
13 Commissioner Lippert: I have a question for the speaker.

14
15 Chair Cassel: Go ahead.

16
17 Commissioner Lippert: Have you ever filed a complaint regarding his conditions of
18 approval that went before the Architectural Review Board?

19
20 Ms. Gold: No.

21
22 Commissioner Lippert: Why not?

23
24 Ms. Gold: Regarding this or the fence or which?

25
26 Commissioner Lippert: Regarding what you have submitted here. Have you ever filed a
27 complaint with Code Enforcement?

28
29 Ms. Gold: Many times. Many times I have talked to Code Enforcement and they don't
30 come out.

31
32 Commissioner Lippert: Steve, are you aware of any complaints on this property?

33
34 Mr. Steve Emslie, Planning Director: Firstly I don't have direct awareness of that but we
35 certainly would take the complaint from tonight's meeting and have our Code
36 Enforcement Officers make an inspection there as soon as possible.

37
38 Commissioner Lippert: Okay, I'll turn this over to you.

39
40 Ms. Gold: Whenever I talk to Code Enforcement I have been told we don't regulate the
41 mobile home park that is the state's responsibility. So we are on another planet in the
42 mobile home park. I have called up about noise issues.

43

1 Chair Cassel: Okay, we will take that into consideration and I think the business is in a
2 different code. So Steve will follow up on that and get back to you. Did you have a
3 question for her too?
4

5 Commissioner Griffin: Yes. I wanted to ask a question of Mr. Jones because I didn't
6 have access to your report until just this evening and I am interested in maybe a page or
7 two after you left off where you talk about FCC exposure guidelines are not nationally or
8 internationally accepted and you are talking about how other nations recommend much
9 lower exposure levels. Can you elaborate on that all on this non-thermal effects?
10

11 Mr. Jones: The FDA and the EPA have been in a battle with the FCC for a while over
12 the standards. I am not an expert in that so I don't know where they are today. I know
13 that the FCC wasn't allowed to go from the 1982 IEEE standard to the 1991 IEEE
14 standard because they relaxed the signal level requirements in several areas. I did look at
15 a lot of stuff on the Internet and many countries have much lower levels of exposure
16 levels. Russia, Poland, New Zealand they all have lower levels. A lot of the countries
17 like the UK they tend to follow the American guidelines. The IEEE is bearing the brunt
18 of the responsibility here for saying what is safe and what is not safe and they revisit the
19 issue every five years. They still won't look at the non-thermal effects of RF radiation.
20 Their last review, I have seen different things in the web from 1997 and just last night I
21 saw some stuff from 2004. There is a list of studies there in my report where they have
22 much lower levels than the federal guidelines saying that there could be damage. There
23 actually are cases of people with leukemia or other things living near cell towers. Now
24 the IEEE and the European agency or collection also is doing a lot of studies right now to
25 try to show better science for each one of these issues. I am not an expert.
26

27 Chair Cassel: Thank you for your contribution. Janet Rulifson to be followed by Harold
28 Stephenson. You have five minutes to speak. Would you please give your name and
29 your address? Thank you.
30

31 Ms. Janet Rulifson, Palo Alto: I live in the Barron Park area. I came because I have been
32 addressing and allied problem and I was told about this hearing. I guess my plea is that I
33 really wish the City would take a broader look at the communication needs of our
34 community in Barron Park. Several of my neighbors starting from Chimalus over to La
35 Para Avenue and ending on El Centro have been virtually without telephone services for
36 at least the last month. It is intermittent. It is unpredictable. Since the takeover of
37 AT&T lines by Cellular we have lost our cell phone connections and our landline has
38 been out. We have email contact with the outside world through our DSL line. I think
39 this needs not to just focus on a tower but on the communication needs of the citizens of
40 Palo Alto to be able to talk on the telephone, to do business on the telephone. I guess just
41 anecdotally I have been in this community long enough to remember other issues
42 addressing the threat of microwaves from Varian and the other industries that surround
43 Barron Park and it seems to me that there needs to be an assessment of all of that
44 equipment. Perhaps there is a way to put in towers that would site them near some of

1 these other things away from where people live but this is not a new issue. This has been
2 a longstanding issue. I don't want to diminish the health threats but communication is
3 also an issue. Most of us work where there are towers nearby as well as live where there
4 are towers.

5
6 Chair Cassel: Thank you. Harold Stephenson.

7
8 Mr. Harold Stephenson, Palo Alto: I am in Barron Park and I live close to the potential
9 tower. You know I love Palo Alto and I love the way they take care of their children. I
10 think one of the things that really concerns me the most about this is the effect on
11 children long term. It is unknown even with all the information and all I have received
12 and I have looked over everything and on the computer and there are figures. There is no
13 real honest answer to long-term potential problems and mainly for children. In the
14 mobile homes, which were mentioned earlier, there are a lot of children. I live in Villa
15 Homeowners Association we alone have about ten children in our area and they are
16 young and they are all going to be affected by this. There is no doubt in my mind that
17 down the road there may be liability issues too because of the unknown. This is really an
18 unknown issue. To me it seems logical that if you are going to put something up like this
19 let's put it where they are not going to have children and be affected definitely right
20 away. I am involved with the PANDA program too. I am a PANDA. I also am
21 concerned about earthquakes and also potential earthquakes might be an issue on this. It
22 may fall in the case of an earthquake. It may have other problems if it fell. The key is
23 that everything I have read about this is just a lot of hard to tell variables in this. The key
24 is putting something like this if they have to do it put it where there are not a lot of people
25 that are going to be affected especially children. I would say as far as RF standards and
26 such as far as Mobile is concerned I know they have done a lot of work and I appreciate it
27 but again when we are talking about health issues I think it is really important that we
28 don't kill children. I guess again I overemphasize that issue so much because it means so
29 much to me. I think that there must be a better way. I hope to find a solution to this
30 problem. I am getting a little emotional because I really feel that so many children are
31 going to be hurt by this. Sometimes money and greed get into the picture too.
32 Sometimes overwhelming the fact that there are other ways for solving problems like
33 this. Sometimes I don't get very good reception on my cell phone but to get a cell phone
34 good reception I would rather not knock off too many neighbors. Anyway, I guess that is
35 all I have to really say. I hope you really seriously consider the long-term consequences
36 of this action. I know again all of you care about children and I sure many of you have
37 family and are going to indirectly affected. It will affect the prices also of the mobile
38 home park and the homes like my home, which is close to it. We didn't plan when I
39 moved in to go into a situation where we were going to have a funny looking tree that
40 was going to be there. I hope another solution can be found. Thank you.

41
42 Chair Cassel: Thank you. That is the last of our speakers. Pat, you have a question of
43 someone?
44

1 Commissioner Burt: Yes. I would like to ask Mr. Jones a follow up question if I could.
2 First thank you for your thorough research. Your pages aren't numbered but you have
3 one entitled 'The Signal Level' and it states that the FCC signal level limit is one
4 microwatt per centimeter squared. Is that correct?
5
6 Mr. Jones: Yes.
7
8 Commissioner Burt: Then the nearest exposure you stated was .58% of the FCC limit so
9 that is 1/200th of the FCC limit approximately.
10
11 Mr. Jones: It is 58 microwatts instead of milliwatts.
12
13 Commissioner Burt: Yes, so ballpark about 1/200th of the FCC limit I guess.
14
15 Mr. Jones: Right.
16
17 Commissioner Burt: Then I was trying to correlate it to the studies that you had
18 referenced. This is on 'Studies by Increasing Power Density' the one that cited the
19 lowest power density of having identified any impact was .1 microwatt per centimeter
20 square. So am I correct in that?
21
22 Mr. Jones: That is 580 times that study from .1 microwatt to 58 microwatts.
23
24 Commissioner Burt: That's right.
25
26 Chair Cassel: Could you help me with where you are, Pat?
27
28 Commissioner Burt: 'Studies by Increasing Power Density' page. The lowest power
29 density that was identified as having a prospective impact is .1 microwatt per centimeter
30 squared which is ten percent of the FCC limit and if I understand Mr. Jones's.
31
32 Mr. Jones: That is not correct.
33
34 Commissioner Burt: No? It says .1 microwatt per centimeter squared.
35
36 Mr. Jones: So that is 10,000 times lower than the federal level of one milliwatt.
37
38 Commissioner Burt: I wasn't sure whether yours is one milliwatt and not a microwatt.
39
40 Mr. Jones: The FCC is milliwatt.
41
42 Commissioner Burt: Okay, so we have the power density on your list is the 1,000th, the
43 term used, the microwatt that is one one-thousandth of the milliwatt.
44

1 Mr. Jones: Yes. So all but the last three would apply towards the house right across the
2 street.

3
4 Commissioner Burt: Okay, thank you.

5
6 Chair Cassel: Mr. Stevens you have five minutes to respond. You may have your
7 consultant respond if you wish.

8
9 Mr. Stevens: Thank you that is exactly what I will do to address some of the FCC and
10 some of the calculation issues. Mr. Bill Hammett of Hammett Edison Consulting
11 Engineers.

12
13 Mr. Bill Hammett, Hammett & Edison Consulting Engineers: Good evening
14 Commissioners. I am a registered professional engineer in the State of California. I
15 manage a firm of seven engineers and a regular part of our practice is the calculation and
16 the measurement and the mitigation where it is appropriate of RF exposure conditions.
17 We are hired for this work by radio and TV stations, by wireless carriers like T-Mobile,
18 by landlords, by cities and counties, by neighbors. As engineers our role is to establish
19 what are the actual levels and how do they compare to the standards. McGraw Hill
20 published a book that I authored on this topic, Radio Frequency Radiation Issues and
21 Standards.

22
23 We have done detailed calculations for this site. I can substantiate the information that is
24 in the packet in terms of what the maximum levels are that you were quoting Mr. Burt,
25 the maximum calculated levels are indeed 1/200th approximately of the standard. In most
26 cases is it going to be more than 1,000 times below the standard? Now when I say the
27 standard this is the FCC's standard that Congress said you will adopt a standard and so
28 the FCC did. There is no conflict between the FCC and the EPA. The FCC looked to the
29 EPA and said you are the expert agency what standard should we use? The EPA we are
30 not even funding that issue any more it is not a concern of ours. So the FCC looked to
31 IEEE and adopted that standard. It is very similar to the standards in the UK, in the
32 European Union, in Australia, in Canada, around the world everybody is looking at the
33 same body of data, decades of research in this field. They are all coming up with very
34 similar standards. Those standards apply 24 hours a day, seven days a week. They are
35 intended to provide a prudent margin of safety for exposure to all persons old, young,
36 small, large, healthy, infirm, children. These are intended to provide a margin of safety.
37 Indeed it does look at non-thermal effects. This is the actual standard. It says no reliable
38 scientific data exists indicating that non-thermal affects of exposure may be meaningfully
39 related to human health. They are continuing to update these standards all the time. The
40 FCC does recognize OSHA, recognizes this IEEE 1999 standard. They are in the process
41 of modifying that standard now based on the most recent data. We follow what that body
42 is doing. There are no substantive changes. The scientific evidence is still pointing to the
43 same facts. You can go online. You can get all kinds of studies on all sorts of things.
44 Those are individual studies until some researcher in some other institution replicates that

1 work then it doesn't really have a scientific basis. The standard setting bodies won't take
2 a single study because there are all sorts of variables in that study and they may find a
3 correlation that they think exists. You think of the cold fusion thing, one group came out
4 and said here is something. Well, it has to be duplicated, replicated is the term, in some
5 other institution with some other set of researchers finding the same relationship with a
6 different set of unknowns. Until then these are nothing more than speculative often
7 unproven or subsequently disproven studies that come out. You can find lots and lots of
8 lists of those.

9
10 Let me quickly go to one other point that was made and that is that the FCC does no
11 monitoring of this. In fact the monitoring is what you all have requested right here of the
12 applicant. That is that we certify, I certify, as professional engineer that this site will
13 comply with the FCC standards. That is the requirement that you are putting on the
14 applicant. Congress when they adopted that law, the Telecommunications Act of 1996,
15 they wanted to relieve local jurisdictions of the burden of having to make a scientific
16 decision. Is this okay? Is that okay? Should it be at this level or maybe a little lower or
17 maybe a little higher? They relieved the local bodies and preempted local jurisdictions
18 from regulating the placement so long as it meets the FCC standard and that is what I am
19 before you today to say is that this one will meet the FCC standard by factors of 200 or
20 thousands of times.

21
22 Chair Cassel: I have a question. We receive radio frequency emissions from the sun.
23 What are they in relationship to the radiation the radio frequency would be receiving
24 from this site?

25
26 Mr. Hammett: What we receive from the sun is a huge spectrum and part of that
27 spectrum does indeed include radio frequencies. It would be on the order of probably I
28 think it is about 500th of one microwatt. That is considered the ambient exposure of what
29 we get from the sun.

30
31 Chair Cassel: What is the relationship between that and what the exposure is from this
32 site? I can't do it in my head.

33
34 Mr. Hammett: What this site produces would be several orders of magnitude higher than
35 what you get from the sun. The FCC limits allow the equivalent of one milliwatt which
36 is 100,000 times or 10,000 times, something on that order more than what you get in the
37 absence of any infrastructure. What is perhaps more meaningful is the typical level that
38 you get in cities because we have taxi cabs, we have fire trucks, we have radio stations,
39 we have Y-FI sites, you go by Starbucks and there is a Y-FI site. All of these sources
40 that we have in our society for contributions from lots of different things will add up to a
41 certain floor level of exposure. This facility would add a virtually insignificant amount to
42 that existing floor.

43

1 Chair Cassel: Thank you. Any other questions? Thank you. Then I will close the public
2 hearing. Do we have questions of Staff? Bonnie.

3
4 Vice Chair Packer: I just wanted to follow up on the concern that was raised about
5 maintenance of landscaping. This Conditional Use Permit is really a permit that is
6 granted on behalf of the owner of the property. The owner of the property is in essence
7 leasing or has some kind of contractual arrangement with the cellular company. So the
8 burden of whatever landscaping which is part of the Conditional Use Permit the burden is
9 on the underlying property owner. Is that correct?

10
11 Ms. French: That is correct. Again, the maintenance of the landscaping under the
12 previous Architectural Review application is also the burden of the property owner. It
13 needs to be maintained in accordance with that previous ARB approval. In addition to
14 the CUP for this project that has a request for hearing there is an ARB component of this
15 application. That is related with the DEE, the Design Enhancement Exception, that again
16 is a responsibility of the property owner to maintain and is enforceable through our Code
17 Enforcement process.

18
19 Chair Cassel: Lee.

20
21 Commissioner Lippert: I have a question for the City Attorney with regard to our Public
22 Utilities, electrical, telephone, cable those are in the public right-of-way why isn't
23 something like this permitted in the public right-of-way?

24
25 Mr. Larkin: I don't know that it is not permitted in the public right-of-way except that we
26 are talking about a large pole essentially.

27
28 Commissioner Lippert: So there is nothing prohibiting something like this from being
29 located in the public right-of-way on public property and done in an appropriate manner
30 in conformance with what we do for utility poles.

31
32 Mr. Larkin: There is nothing that would prohibit location of utility facilities in the public
33 right-of-way.

34
35 Chair Cassel: Does anyone else have a question? Karen.

36
37 Commissioner Holman: I raised the question earlier about from an aesthetics perspective
38 about putting this tree in the parking lot. I see Dave Dockter is sitting here with us so
39 actually I would like his perspective if we could about how that would blend better or
40 worse with the existing vegetation. What goes on in my head is that perhaps if something
41 like this was in the parking lot that maybe some other tree might be in the parking lot to
42 balance this one. The other thing is it seems a little, it is not a big deal but it seems kind
43 of odd to me that we are mimicking a deciduous trees when deciduous trees shed their
44 leaves and this one obviously will not. I will just throw that out there.

1
2 Chair Cassel: Mr. Dockter.

3
4 Mr. Dave Dockter, City Arborist: Yes, we have evaluated the type of tree and it is
5 actually going to be replicating an evergreen broadleaf tree. Along Los Robles there are
6 a few Blackwood Acacias they are not really broadleaf but they are evergreen. This site
7 along the pathway there would be relatively close to those Blackwood Acacias. The
8 option to put it in the parking lot where there are London Plains I believe those are
9 deciduous trees and this thing would really stand out quite significantly if it were in the
10 parking lot area I would imagine. So its placement right now kind of at least it is in the
11 line of ordering acacia trees kind of makes sense even that it is not surrounded by
12 deciduous trees necessarily.

13
14 There is going to be one London plain in that little planter strip remaining and then we
15 are suggesting that the applicant plant another Evergreen Carrotwood or Magnolia tree.
16 They would assume this same shape as this broadleaf faux tree. We have asked for
17 samples of the leaves and the makeup of the tree. We have asked the applicant to keep
18 the door open for design of this thing because we want it to look right and be as real
19 looking as possible if that can be done.

20
21 Chair Cassel: Thank you. Bonnie, do you have a question?

22
23 Vice Chair Packer: Dave, I have a question. I don't know if you have seen the photo
24 simulations. Does that show where the new London plain tree would be and the
25 landscaping that would be around the fence? Clare is saying it doesn't so what we are
26 looking at could be even greener because of the landscaping that you will be looking for?

27
28 Mr. Dockter: That is correct. There would be more greenery behind this tree. This tree
29 would be the first thing in the foreground that you would see from the El Camino
30 intersection of Los Robles. I don't believe you can really see the fence there. It would be
31 a head higher or lower, the fence.

32
33 Chair Cassel: Pat, you had a question?

34
35 Commissioner Burt: Dave, the depiction that we have in this photo is that pretty close to
36 what you anticipate the tree will actually look like?

37
38 Mr. Dockter: It is close. We want the lower branches to be longer than the upper
39 branches and this kind of tapers too steep. I think it needs to be more custom made and
40 realistic. So we definitely would have this adjusted to be longer lower branches.

41
42 Commissioner Burt: I have seen some of the previous fake trees that are used for some
43 of these cell towers and they look pretty horrible. This doesn't look too bad. Is this a
44 second or third generation that is starting to evolve here?

1
2 Mr. Dockter: It actually is and we have a lot of conditions of approval to keep the quality
3 control in the City's possession down the road for if these things start to fade or color
4 goes bad. I agree there are a lot of really bad ugly faux trees out there that I have seen in
5 my study of this. It is getting better and better however plastic fades and the green turns
6 to bluish and so we have those conditions in place that would require them to actually
7 replace the foliage. Now, if the Commission feels like you want more assuredness of
8 that, that that can be affected years down the road, I think Staff would be open to creative
9 conditions of approval to that end.
10
11 Chair Cassel: Wait a minute, Dave. Lee, you have a question?
12
13 Commissioner Lippert: Actually I have a question for the applicant again.
14
15 Chair Cassel: Thank you, Dave.
16
17 Commissioner Lippert: I am looking at your diagram here and maybe I am naïve but
18 why not use a real tree and girdle the tree with a bracket that would hold the antenna
19 assembly and run a conduit down the tree? It would require a little more maintenance but
20 it looks as though it is feasible mechanically.
21
22 Mr. Stevens: In concept mechanically I wouldn't argue that but structurally it would
23 never hold up. It would also deflect. These antennas need to be in one place and they
24 can't be moving around in the wind. But just structurally they probably would be
25 crushed under their own weight, not the antennas they don't weigh that much, but the
26 coax that goes up inside them. But it is a great concept.
27
28 Commissioner Lippert: Thank you.
29
30 Chair Cassel: Do we have any other questions otherwise I will bring it back to us. Pat.
31
32 Commissioner Burt: I have a question for the City Attorney or perhaps Staff. We heard
33 complaints about the potential that some of the existing conditions for approval of the
34 Blockbuster site may not be getting met. Is it within our authority to condition the
35 approval of this on a compliance to the other conditions being met and conformed with?
36
37 Mr. Larkin: I believe that would be possible.
38
39 Chair Cassel: Are there any other questions? Karen.
40
41 Commissioner Holman: If Staff could just clarify something for me. Would Staff be
42 amenable to changing the word deciduous to evergreen in the conditions of approval in
43 the description of the project?
44

1 Ms. French: I am sorry.

2

3 Commissioner Holman: It is condition of approval number two, it says, a tree shall be
4 constructed to resemble a deciduous broadleaf tree.

5

6 Ms. French: Yes it should say evergreen because of the magnolia.

7

8 Commissioner Holman: Okay, thank you. Then the other is I was a little confused by
9 something being condition number eight and condition number 11. Was the application
10 complete when it went to ARB? It seems like these are maybe things that should have
11 been handled at ARB or maybe not but it seems like they could have been or should have
12 been as opposed to coming to Staff.

13

14 Ms. French: We have traditionally handled the ARB component of the cell towers as a
15 Staff level with the CUP being the higher level if you will. In past practice we had a
16 Director's Hearing now they are both being handled at Staff with the option of hearings
17 at the ARB or your level for the CUP.

18

19 Commissioner Holman: Thank you for the clarification.

20

21 Chair Cassel: Bonnie.

22

23 MOTION

24

25 Vice Chair Packer: I would like to make a motion. That doesn't mean there couldn't be
26 more questions. I would move that we recommend that the City Council uphold the
27 Director of Planning and Community Environment's decision to approve the Conditional
28 Use Permit that is before us based on the findings and conditions in the Record of Land
29 Use Action with the additional request that Staff add another condition which would
30 require the owner of the property to ensure either through a report at a date certain over
31 the next lets say three years that the landscape requirements of this project as well as any
32 other projects associated with the property are being followed.

33

34 Chair Cassel: Do I hear a second?

35

36 Vice Chair Packer: Before it goes should I clarify that? I want to see if my wording is
37 correct or if Staff wants to enhance my wording.

38

39 Ms. French: One possible alternative to the wording you were working towards would be
40 to say that no building permit can be issued for the proposed project in the CUP until the
41 prior approved landscaping is brought up to code. Now there may be some situations
42 associated with this application for the CUP they are replacing the landscaping that was
43 maybe dead with new landscaping. The goal though is to resolve the landscaping maybe
44 prior to completion or final.

1
2 Vice Chair Packer: Since you said it we will incorporate your words into my motion by
3 reference if there is a second. Then if we need to fine-tune it we can do that with friendly
4 amendments.

5
6 SECOND

7
8 Commissioner Burt: I will second it.

9
10 Chair Cassel: So that has been seconded by Pat Burt. Are there any other additions,
11 adjustments or friendly amendments being proposed at this time before we speak to it?
12 Go ahead and speak to it.

13
14 Vice Chair Packer: This project was approved at the Director level based on the
15 parameters that the City works with for approving such antennas. We do know that we
16 are preempted by the FCC from denying this project based on any perceived health
17 impacts due to the radio frequency emissions so that is not before us. I think the proposal
18 to have this as an evergreen broadleaf fake tree is the best we can do considering the
19 technical requirements of cell towers. We know we are becoming ever more dependent
20 on cell phone usage. It is becoming a way of life and these antennas are just going to
21 become more a part of the landscape and we are doing the best we can to make them as
22 attractive as possible. I am very pleased that there is going to be some additional
23 landscaping in that area. It is kind of a sad looking corner. It is important it is kind of a
24 gateway to Barron Park. So this is an opportunity to enhance that corner in a heavily
25 used section of town. That is the reason I would support upholding the Director's
26 decision on this Conditional Use Permit.

27
28 Chair Cassel: Pat.

29
30 Commissioner Burt: One small additional comment. Two speakers commented on
31 related issues one was concern over whether this thing might topple in an earthquake and
32 another resident concerned about lack of telephone communications that currently exist
33 in this neighborhood. I just think that in today's world the role of cellular phones in
34 emergency communications have become quite important. I think that the public safety
35 benefit of having that access would overwhelm the other consideration just in terms of
36 public safety issues.

37
38 Chair Cassel: Lee.

39
40 Commissioner Lippert: I am a little troubled by what I see here. I will try to enumerate
41 my concerns. First is regarding the site of Blockbuster Video. I am probably one of the
42 few people in this room that sat in on the ARB hearing for the Blockbuster site when it
43 was converted from All American to Blockbuster as well as a number of other shops, I
44 think maybe Amy French might have been involved at the time. This site has been

1 dogged with a number of design issues that have never been resolved to 100%
2 satisfaction. I think that that was quite evident in the landscaping issues. Although that
3 was addressed in your motion the ARB did numerous times condition the project and the
4 project came back to ARB and the conditions were not quite 100% met and always had to
5 be dealt with in almost a compromise type fashion. It has always troubled me and it
6 continues to trouble me today in looking at what is being proposed here. I have no doubt
7 that what the members of the public have said about this site will be an ongoing issue
8 with the property because the property owners have never been able to 100% fulfill their
9 requirements.

10
11 Number two is that the location of the tower in this case is located incredibly close to a
12 residential area. While we don't have the ability to regulate these towers from their
13 output level we can regulate and approve their placement. I don't think that the inside
14 corner there is necessarily an appropriate location for this cell site and perhaps should be
15 looked at in terms of a couple of other locations. Number one on a roof where it does not
16 need to be decorated or camouflaged or number two perhaps out in El Camino Real
17 which if you are a new urbanist and you follow Andreas Duany it is sort of the place
18 where we allow things to sort of hang out. I am not offended by seeing utility poles go
19 down my street even though we do make an effort to underground those utilities but if
20 they are presented in an appropriate fashion and they are not disguised and they are what
21 they are which is utilitarian they are quite acceptable. I don't think that locating it in a
22 residential area and disguising it is necessarily an appropriate solution.

23
24 The third concern I have is with regard to the screening of the cabinets. By doing what
25 they are doing here it makes it an object of how shall we say refuse collection. People
26 would be inclined to take bottles and wrappers and all sorts of stuff and ball it up and
27 throw it over the fence. They would collect in the screened area thereby this becoming a
28 giant waste receptacle. I think that these cabinets have to be done in an appropriate way.
29 The way we handle high voltage cabinets on properties with appropriate plant screenings
30 but not necessarily hard screenings or they need to be put into a vault underground.

31
32 Those are my concerns here and hopefully some other of my colleagues will come up
33 with other concerns that they have as well.

34
35 Chair Cassel: Well I wanted to add two things here. I think at the very beginning of the
36 meeting the Staff recommended that we make this conditional on DE Exception. I was
37 wondering if Bonnie and Pat would add that to their motion. This needs to be
38 conditioned on approval of a DE Exception because this project is in the setback and
39 Design Enhancement Exception in order to be able to be constructed is my understanding
40 and they asked that it be conditioned on that.

41
42 Vice Chair Packer: If it that needs to be added to the approval I will certainly include
43 that in my motion that we also recommend the approval of the Design Enhancement
44 Exception as a part of this project. Is that sufficient wording?

1
2 Ms. French: Yes, you don't actually need to recommend approval of the DEE but the
3 project approval for the CUP is contingent upon receiving a Design Enhancement
4 Exception. That process will follow a different course.

5
6 Vice Chair Packer: Okay.

7
8 Commissioner Burt: That would be fine. I would also like to ask Staff their thoughts on
9 Commissioner Lippert's comments both on the placement, location and the boxes that are
10 associated with it and then this broader principle of whether we should be hiding these
11 things within fake trees or put them out in the middle as an accepted utility structure that
12 would look like what it is. That third one goes even beyond this particular evening's
13 approval.

14
15 Ms. French: Yes, if I can answer this I will. I would say the third point in right-of-way is
16 definitely a policy question that is raised that I don't think we can answer right here. I
17 think it is more of a City Council level question. As far as whether just straight landscape
18 screening of the cabinets is more appropriate than a fence that is something in the criteria
19 that we can look at. Often we have something that has both a fence and landscape
20 screening of vine or shrubs. There is effectiveness even with painting the cabinets a
21 green color. We call it the Palo Alto Green color and put vegetation and leave it at that or
22 you can use a fence. In this case I guess they proposed a fence with the landscaping and
23 we can take a look at that. What was the other one?

24
25 Commissioner Burt: The third one had to do with whether the location is best along the
26 side of the building where it is more adjacent to the residential property or more out front
27 along the or next to the right-of-way.

28
29 Ms. French: It is true that we have had other applications that have approved antennas on
30 the roof and as a part of mechanical screening. Staff hasn't analyzed that as far as how
31 high that tower would have to be. I assume from the applicant's statements that they did
32 do that analysis. Whether it would have to be higher than the 15 feet above the roof I
33 don't know the comparison between that and the tree that is being proposed.

34
35 Commissioner Burt: The roof height of this building is approximately what? It is single
36 story, right?

37
38 Ms. French: We don't have that number for you.

39
40 Chair Cassel: Actually I have another condition that I wanted to put on this. It was
41 mentioned by Dave Dockter that we might consider future control of colors as a condition
42 and I wondered if that would be agreeable with you.

1 Vice Chair Packer: I think that is already in the conditions. Conditions not limited to the
2 color of the foliage.
3
4 Chair Cassel: But the point was that they have to maintain that.
5
6 Vice Chair Packer: For the life of the project, yes that is condition number 14.
7
8 Chair Cassel: Okay, thank you.
9
10 Ms. French: We are ready to hazard a guess of 20 feet for the building so in order to get
11 the 40-foot height the antenna would be 20 feet.
12
13 Commissioner Burt: Thank you. So if it ends up not being desirable to mount it on the
14 building I think that there was some reference earlier that Staff had looked at different
15 locations of this fake tree. I am assuming we have a tradeoff between I think Dave
16 Dockter maybe mentioned that aesthetically this may be a better location and we may
17 have a tradeoff between whether it is desirable to have it further away from the
18 residential area for other reasons.
19
20 Chair Cassel: Karen, do you have a question?
21
22 Commissioner Holman: Yes, a couple.
23
24 Chair Cassel: I am sorry.
25
26 Commissioner Burt: I was asking for Staff's comment on that tradeoff and if they had
27 evaluated them.
28
29 Chair Cassel: Then I would like to go on to Karen's questions.
30
31 Commissioner Holman: Okay, a couple of questions. One is I would be interested.
32
33 Chair Cassel: Wait a minute, Karen they are looking up a response. Do you want time to
34 do that?
35
36 Ms. Campbell: I am ready to respond to that. The site itself when you are looking at the
37 plans it doesn't represent a very good picture of what is out there. Along the opposite
38 side of the building is a driveway that goes into the mobile home park. So if we are
39 looking for other locations to put this pole and equipment it is really limited on the site.
40 If you were to place it within the actual planters on the parking lot or within the parking
41 lot it would really stand out and be much worse aesthetically than where we are trying to
42 place it now. On the side first of all it is off to the side and it is also somewhat integrated
43 in with existing landscaping and we have a backdrop of tall trees so it works better in that

1 location. I don't think physically there are other physical locations that would
2 accommodate the project.

3
4 Chair Cassel: Karen.

5
6 Commissioner Holman: Along that line it came up earlier about public right-of-way so it
7 is a question both for Staff at the table I guess and also for Mr. Dockter. What about the
8 public right-of-way? This isn't a real tree but there are the Trees for El Camino Project,
9 the El Camino guidelines and all of that and obviously additional trees could be required
10 as they are along the side. So I guess I would like Mr. Dockter's comment on what he
11 thought about the appropriateness of that and then also the Staff a clarification if you
12 could or maybe even a reiteration about public right-of-way in other words the planting
13 strip along El Camino.

14
15 Chair Cassel: Karen, let's start with a question about whether we have any control over
16 what goes in the right-of-way here. You are suggesting that we condition this to put trees
17 in the right-of-way as part of the project?

18
19 Commissioner Holman: Well to move it to put it in the public right-of-way, the planter
20 strip along El Camino as opposed to where it is currently sited along with other trees to
21 family it.

22
23 Mr. Emslie: Can I ask a clarifying question? The suggestion is to or your request is to
24 relocate this the fake tree along with other street trees into the public right-of-way?

25
26 Commissioner Holman: Yes, along El Camino in the planter strip, yes.

27
28 Mr. Emslie: Well certainly the City can locate street trees with Cal Trans approval, as
29 you know this is a state highway so it would require that. I don't believe and maybe we
30 can caucus with the City Attorney but I don't believe that the Commission has
31 jurisdiction over the right-of-way. That is going to fall under the Streets and Highway
32 Code of the City which utilities are allowed in the public right-of-way as stated earlier
33 but they would have to follow the Streets and Highway Code of the City and that is under
34 the authority of the Public Works Director. So I don't believe you would have the
35 authority to approve that location.

36
37 Commissioner Holman: If we couldn't approve that location could we recommend that
38 location and have something come back to us to Staff whichever is ...this is outside my
39 knowledge base here as far as what that procedure would be as far as a recommendation
40 or an approval or not from the Public Works Staff.

41
42 Mr. Emslie: Well you could handle it a couple of ways. You could suggest to this
43 application that they do pursue that and make contact with the Public Works Department
44 to see if they were able to obtain the proper permits for that. You could continue this

1 matter. You could approve it with that suggestion. You could continue it and have it
2 come back with the applicant and Staff reporting back to you the findings of the issues of
3 locating it in the public right-of-way. I don't think you would be able to deny the
4 location based on the statements earlier by the City Attorney.

5
6 Commissioner Holman: Thank you. Then I had a question for Commissioner Lippert
7 too. You had mentioned or referenced other conditions of approval that really had quite
8 never been met. Could you give just an example of that? The reason I am going there is
9 because I am wondering if those could also be a condition of our approval for wherever
10 this ends up being.

11
12 Commissioner Lippert: They are actually not appropriate for this Board to be addressing
13 because they are architectural in nature and ours really has to do with the zoning and use.
14 Staff would have to go back into the records and look at what the conditions of approval
15 were from the Architectural Review Board and actually go through and see where the
16 findings were not met or are weak.

17
18 Chair Cassel: Karen, we currently have a friendly amendment to this motion that in order
19 to build this project it must meet the current conditions.

20
21 Commissioner Holman: In regards to landscaping.

22
23 Chair Cassel: It didn't say that. I thought it was broader than that.

24
25 Commissioner Lippert: It is more than landscaping it also goes to the architecture of the
26 building and the design and lighting of the building.

27
28 Mr. Emslie: We understood the condition to mean that the existing project would have to
29 be in compliance with all applicable conditions.

30
31 Commissioner Holman: Great, thank you for the clarification. So I guess I would be
32 interested in knowing and I guess the comments will come how other Commissioners feel
33 about continuing this to get a determination about the possibility of relocating this into
34 the public right-of-way.

35
36 Commissioner Lippert: Is that a substitute motion?

37
38 **SUBSTITUTE MOTION**

39
40 Commissioner Holman: I could do that. So I would make a motion to continue this item
41 for consideration of moving the site of the tower into the public right-of-way and also
42 including the amendment that Commissioner Packer made and Commissioner Burt
43 seconded.

1 SECOND

2
3 Commissioner Lippert: I will second that.

4
5 Chair Cassel: All right we will have a discussion of the substitute motion. Is there
6 anyone who wishes to make a comment to that? Bonnie. Wait a minute you get to speak
7 first and Lee gets to speak next.

8
9 Commissioner Holman: Yes, the reason for this because I think aesthetically and we
10 didn't have Mr. Dockter address this but I think we do have El Camino Guidelines, we do
11 have desire to have more green along El Camino. This one would not be a real tree of
12 course but other trees could be planted along with if I am understanding correctly as we
13 could apply them to the side of the property. So I think aesthetically this would be a
14 more appropriate and a solution to the locating of this tower.

15
16 Chair Cassel: Lee.

17
18 Commissioner Lippert: I agree with Commissioner Holman's comments and in addition
19 to that I just want to add that I think there are other opportunities locating it in the public
20 right-of-way. By doing that it reinforces the spines of our city. I know for a fact that the
21 Southern Pacific Railway uses the railroad right-of-way for instance not only for railroad
22 but also the fiber optic cable goes right down the peninsula and that is where you have
23 the server farms located so they don't necessarily impact our neighborhoods. In this case
24 we are recommending location of a cell tower in the public right-of-way so it is not
25 necessarily impacting a residential neighborhood but it is more in a commercial district.
26 The other opportunity I see here is because it is public property perhaps the sharing of
27 these cell sites. So even though T-Mobile may erect and put up this because it is in the
28 public right-of-way just like our telephone lines many phone companies get to share in
29 those lines and perhaps there is an opportunity here to begin to combine those sites in the
30 public right-of-way.

31
32 Chair Cassel: Bonnie.

33
34 Vice Chair Packer: I think if we go this route we are getting into territory where we do
35 not have enough information and we are going into really muddy waters. We don't know
36 if there is any place available in the public right-of-way that would fit the needs of T-
37 Mobile for this area. We don't know that the Trees for El Camino folks would want to
38 have a fake tree along with what they are planting for the trees on El Camino. We don't
39 know whether there is room anywhere in the area for such a thing. Also if it is on a
40 street, a public right-of-way, that is not that much within our jurisdiction we may not
41 have the ability we have now to condition the landscaping, the height of the fence and the
42 other kinds of things we are able to do via the Conditional Use Permit conditions that we
43 can add on private property. So I think we are better off having this cellular antenna site

1 on private property where we can add as many reasonable conditions that we might not
2 be able to have if it is on Cal Trans property on El Camino.

3
4 Also when I went out to the site I was a little confused. At first I thought it was going to
5 be in the public right-of-way and I was concerned that it would block the access, I
6 thought it would be on Los Robles in the public right-of-way and I thought it would block
7 access for people existing and entering the driveway at Blockbusters and it would
8 interfere with pedestrian and bicycle access in that area. Then when I realized it was
9 back further against the fence I was more satisfied with the location. It is out of the way
10 of where people would move. So I think we have a lot more control with this on public
11 property than we would have in some median somewhere or some corner in the public
12 right-of-way. So I think it really would be an unreasonable denial of this particular
13 request to suggest that the applicant go somewhere else that may not be a somewhere else
14 that is feasible. So I would not support this substitute motion.

15
16 Chair Cassel: Pat you wanted to say something.

17
18 Commissioner Burt: Yes. I think I would be open in the future to consideration of the
19 broader policy and design issues that Commissioners Holman and Lippert have raised
20 here but I don't think that we are at the point in time to attempt to incorporate them as a
21 basis for a denial of this application. We have had an existing set of history and certain
22 standards and prerogatives on what we might do. The public right-of-way isn't one that
23 we currently have so I think it is incumbent on us to review this particular project based
24 upon the standards that we have used to date. Then I think the experience of this project
25 with frankly this second or third generation fake tree I am going to be interested in how it
26 ends up looking on the ground. I think we have all experienced the evolution of gas
27 burning fireplaces from the tinsel of yore to what we have today. I think we will learn
28 from this and what our future aesthetic standards and the other considerations that have
29 been raised tonight. I think they are valid I have no idea how I would end up feeling
30 about them once we had a full airing of them but I think they are worth considering and I
31 would be interested in Staff looking at that in maybe next year's work plan as something
32 to bring back at an appropriate time.

33
34 Chair Cassel: I am going to vote against the motion. I think we are not moving this cell
35 tower any farther away from residential by moving it forward onto the street because we
36 just move it closer to another residential space across the street. I think that we have been
37 limiting how many public utility poles we put on public streets and we have been trying
38 to get rid of them. We are having problems with the boxes, they are difficult to walk
39 around, they are quite ugly and unlike Lee's perspective that we should put it out there
40 and leave it all out there I would very much appreciate if we could have fewer boxes on
41 the street that we could move around. It is going to be difficult to landscape it in the
42 limited space. Basically I agree with much of what Pat has been saying.

1 Commissioner Griffin: I would support this substitute motion. You can tell from the
2 questions that I raised earlier this evening that I have a distinct lack of enthusiasm for the
3 suggested site that is being proposed and I think it is well worth the time and effort to
4 investigate other more appropriate spots to put this tower. By more appropriate I mean
5 located further away from the residential area particularly this three-story structure that is
6 in such immediate proximity. I think that Karen's thought of putting the tree in the
7 median is a good one and we are going to be putting trees there anyway and I am
8 comfortable with supporting this motion.

9
10 Chair Cassel: Is there any other discussion? Karen.

11
12 Commissioner Holman: Yes just a couple of things. One is a motion to continue is not a
13 motion to deny. That is one thing. Just a clarification, the public right-of-way to me does
14 not mean necessarily the medial although I am not ruling that out but it is not necessarily
15 the median. It could be along the street side as well. And, I understood from
16 Commissioner Lippert earlier that the equipment could be underground too so it doesn't
17 have to be out there. I agree with your comments Chair Cassel about not wanting to look
18 at it but I think it can be submerged too.

19
20 Chair Cassel: Go ahead, Lee.

21
22 Commissioner Lippert: I just want to follow up with that. I am not looking to deny this
23 application either. I think that we all want to find a solution that is appropriate. In this
24 case the suggestion of moving it out into the public right-of-way, out closer to El Camino
25 Real was meant to locate it in an area that was a little bit more appropriate for the
26 busyness, you know when you are going by at 30 miles an hour you are less inclined to
27 focus in on an artificial something or a real something than turning down a side street,
28 number one. Number two to also make it equitable. If it is going to be located in a
29 location in the proximity of residences it actually puts it equidistance from the trailer
30 park, some of the apartments, the hotels as well as the apartments across the street. So
31 everyone shares the radiation exposure here.

32
33 Chair Cassel: I remind you that we cannot make this denial based on the radiation
34 exposure or the continuation or the decisions that we make based on the radiation
35 exposure is my understanding. We can make it on other grounds.

36
37 Commissioner Lippert: That was meant to be a bit of levity here.

38
39 Chair Cassel: Bonnie.

40
41 Vice Chair Packer: I think there is some confusion here. We have before us a request
42 from a private property owner for a Conditional Use Permit to place an object on that
43 piece of property that requires a conditional use. We don't have a request before us
44 asking where should we put this antenna. If you are saying and if this motion is saying

1 that it shouldn't be on the private property but it should be in the public right-of-way that
2 is not a continuation that is a denial. So I would like some clarification Karen as to how
3 you can say it is not a denial of the application when you are saying that the antenna
4 should not be on the private property but should be in the public right-of-way. Please
5 clarify for me what you are trying to do.

6
7 Commissioner Holman: I took that directly, at least my intention was, my understanding
8 was I took it directly from Staff's options that they listed for us that we could continue
9 this to explore that.

10
11 MOTION FAILED (3-3-0-1, Commissioners Holman, Lippert and Griffin voted yes with
12 Commissioner Bialson absent).

13
14 Chair Cassel: Any other comments? Then I will call a vote for the motion. All those in
15 favor please say aye. (ayes) That is three in favor. All those opposed? (nays) That
16 motion fails on a three to three vote with Commissioners Holman, Griffin and Lippert
17 voting yea and Commissioners Burt, Packer and Cassel voting no.

18
19 That brings us back to the main motion. Do we have more discussion on that?

20
21 I think I wanted to add a couple of more comments to the motion. The Staff has
22 recommended that the best placement on the site is within the trees. They told us that
23 there was a faux tree over on Middlefield Road at the Keys School. I went over there to
24 find it. I didn't go on the property itself I went around the property and I could not locate
25 that tree. So if there is one there is well in hiding and I have been there frequently. I
26 can't locate it there. These cell tower sites are located all over town. I have heard people
27 complain about them being in single-family residential neighborhoods and then moved
28 into multi-family neighborhoods. They exist relatively close to residential units as close
29 as this is in many sites throughout town. Some have had objections and some have not.
30 The one in Midtown the placement was discussed with the Midtown Residents
31 Association. These sites are place frequently close to housing and we usually try to
32 attempt to make them so that you can't see them.

33
34 Commissioner Burt: I would just like to support Phyllis's comments. I think that we
35 have reviewed a lot of these over the years. There is almost never a circumstance where
36 everyone is happy with the location or the design of these. I think this had some good
37 efforts, the long overall policy issues that have been raised tonight I think are interesting
38 ones to explore. I don't know where I would end up on them but I would be interested in
39 reviewing it in the future. I think by comparison that this is a reasonable proposal. It has
40 some compromises that Staff has recommended that seem to have been well thought out
41 and as much as we may be looking for having a variety of different notions of what might
42 occur I think that is what we are left with here is a bunch of intimations that something
43 might be better and one alternative might be better one way another alternative might be
44 better another way but I don't think we have any consensus on what alternative would be

1 ideal. I think this is a reasonable proposal and a reasonable compromise and I hope that
2 the Commission go ahead and adopt this and then with the understanding that we are
3 going to review this, not only use this as feedback for us in the future on where we should
4 go but also in the future look at some of these other policy issues that were raised tonight.

5
6 Chair Cassel: Bonnie.

7
8 Vice Chair Packer: In an attempt to see if we can get more than three votes in favor of
9 my motion what I would like to say is look at some other positives that are going to come
10 out of this project. There will be some more landscaping on that neglected corner,
11 perhaps a real opportunity to enhance that particular area. Another evergreen broadleaf
12 tree is going to be planted so it is going to be nice. It is a good thing.

13
14 MOTION PASSED (4-2-0-1, Commissioners Lippert and Griffin voted no with
15 Commissioner Bialson absent)

16
17 Chair Cassel: I would like to call the vote. All those in favor please say aye. (ayes) All
18 those opposed say no. (nay) Then this motion passes Commissioners Burt, Packer,
19 Holman and Cassel voting yes and Commissioners Lippert and Griffin voting no.

20
21 Thank you very much everyone. Thank you for the hearing. I am going to call a recess at this
22 time for seven minutes. Thank you.

23
24 Let me call the meeting of the Planning and Transportation Commission for this 9th of March
25 back to order. The item on the agenda is item number two the Maybell Avenue/Donald Drive
26 Bicycle Boulevard Project. Consideration of the proposed plan for traffic calming measures
27 along Maybell Avenue and Donald Drive to create safer conditions for bicyclists and to
28 discourage through vehicular traffic consistent with the designation of this corridor as a bicycle
29 boulevard. Would Staff like to make a presentation?

- 30
31 **2. Maybell Avenue/Donald Drive Bicycle Boulevard Project:** Consideration of the
32 proposed plan for traffic calming measures along Maybell Avenue and Donald Drive to
33 create safer conditions for bicyclists and to discourage through vehicular traffic
34 consistent with the designation of this corridor as a bicycle boulevard. This project is
35 funded through Capital Improvement Project PL-04010 "Bicycle Boulevards
36 Implementation Project." The plan includes the installation of four speed tables along
37 Maybell Avenue from El Camino Real to Donald Drive and one speed table along
38 Donald Drive from Maybell to Arastradero Road. In addition, new medial islands will be
39 installed at the crosswalks on Maybell at Amaranta and Coulombe. The installation of
40 these features will occur as a trial for six months after which the plan will be reassessed
41 before a decision is made to retain the features permanently.

42
43 Environmental Assessment: An Initial Study has been prepared, and a Negative
44 Declaration is proposed in accordance with CEQA guidelines. Written comments on the
45 Initial Study will be accepted until 5:30 PM, March 9, 2005 in the Department of
46 Planning and Community Environment offices on the fifth floor of the Civic Center, 250

1 Hamilton Avenue or by fax 650-617-3108. The Initial Study may also be reviewed at the
2 Department of Planning and Community Environment.

3 **SR Weblink:** [http://www.cityofpaloalto.org/cityagenda/publish/planning-](http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/110.pdf)
4 [transportation-meetings/110.pdf](http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/110.pdf)
5

6 Ms. Gayle Likens, Transportation Project Manager: Thank you Commissioner Cassel. I would
7 like to make a presentation and I will try to go through it fairly quickly given the time in the
8 evening.
9

10 Tonight we are here to present the plan as you mentioned for the trial implementation of a
11 bicycle boulevard plan for the Maybell/Donald corridor. We are requesting that the Commission
12 approve the plan, which consists of five new speed tables and new median islands at two stop
13 controlled intersections along the corridor. The trial is planned to be a six-month trial.
14

15 This is the initial step in improving this corridor for bicycle traffic and enhancing this key school
16 commute route. However, during the coming months Transportation and Public Works Staff
17 will also be working on a more comprehensive concept plan for a longer-term vision of this
18 corridor that would include other enhancements including sidewalks and drainage and a more
19 uniform street alignment. We hope to bring that back to the community in the spring.
20

21 I would like to go to my presentation and most of this is covered in the Staff Report. The policy
22 background for this project is basically fourfold. The Comprehensive Plan when it was adopted
23 included a program to implement a network of bicycle boulevards subsequently this City Council
24 adopted two documents one is the School Commute Corridor Network and the Maybell/Donald
25 corridor is key among them because it leads to the three schools in the neighborhood, Terman,
26 Gunn and Juana Briones. The Bicycle Transportation Plan, which was adopted in the same year,
27 identifies this bike boulevard. In 2003-04 the Council appropriated funding for the initial
28 implementation of the network of bike boulevards and the Maybell/Donald corridor was given
29 top priority because of the fact that it is a bike boulevard and it is a major key commute corridor
30 for students. At the time Terman had just reopened and we were dealing with a lot of issues with
31 regard to traffic safety in the corridor.
32

33 The corridor itself is approximately from El Camino all the way down to the end of Donald at
34 Arastradero, .7 miles long but contrary to most streets in Palo Alto it has relatively few controls.
35 There are only three stop signs along the corridor. The first comes at Amaranta and Maybell and
36 that is about three-tenths of a mile in from El Camino. Then one block west is Coulombe and a
37 few blocks west of that is the T-intersection with Donald. The interesting thing about the
38 Maybell corridor is that it is very irregular in the way the development pattern had occurred and
39 the property line pattern. The paved width varies from 26 to 40 feet along the corridor. It is 40
40 feet on Donald and some sections of Maybell but there are very narrow sections where the
41 property lines come right out to the edge of the pavement. Then two properties down the
42 property lines will be ten feet back from the edge of the pavement. So even within the same
43 block you have very irregular patterns. So we have very narrow sections and relatively wide
44 sections. There is very discontinuous network of sidewalks and for much of Maybell there are
45 no sidewalks especially in the very narrow sections so people walk on the street, they bike on the
46 street and in terms of school safety this is not a good situation. Parking is also varies there.
47 There are designated parking areas on the street where there is curb and gutter and there are areas

1 where people park off the pavement in the dirt shoulder areas, which for the most part are the
2 public right-of-way shoulders, but there may be some exceptions to that.

3
4 Just examples of the corridor. You can see where there are some valley gutters, some sidewalks,
5 none at all on Maybell Avenue and on Donald it is a more complete finished street.

6
7 We did survey the speeds and the traffic volumes on Maybell and Donald also on Amaranta and
8 Coulombe. Typically the prevailing 85th percentile speeds along this school commute corridor
9 are in the range of 30 to 31 miles an hour with a posted speed of course of 25 miles an hour in a
10 residential neighborhood. Traffic volumes are relatively high for what is really a local street.

11 For Maybell just east of Amaranta, in other words between El Camino and Amaranta, the
12 volumes are about 2,500 cars a day. It drops down a lot after Coulombe to about 1,400 cars a
13 day and then it drops down further once you get to Donald to between 600 and 700 cars a day.
14 Just for your information Coulombe and Amaranta carry between 2,500 and 2,800 cars a day
15 also. So there are a lot of people turning in and out off of Maybell to get either out to
16 Arastradero or to get into the Barron Park neighborhood in that first segment.

17
18 We have done counts and in the morning and in the afternoon there are 60 to 80 student cyclists
19 using this corridor. Many of them congregated in the area along Amaranta and Coulombe on
20 Maybell. It is the heaviest school crossing in the Terman/Gunn/Juana Briones corridor. We
21 have lots of adult crossing guards out there but that particular intersection of Coulombe and
22 Maybell has the most bicycle and pedestrian traffic. Kid filtering out to Gunn and to Terman and
23 heading toward Juana Briones. The concern that we have is that people perceive this as an
24 unsafe corridor to bike on and yet in the Bike Plan we want to promote bicycling, we want to
25 encourage bicycling and walking to school. We want to decrease the number of cars using the
26 corridor and we want to see the number of people driving their kids to school reduced but we
27 need to provide a safer environment so the parents feel comfortable sending their kids on bikes
28 or walking. So that is our goal is to create a safer bicycling environment for all cyclists but also
29 focusing on the need to improve the safe route to school and to reduce conflicts with motorists to
30 the extent we can. Part of that is putting in features that may even discourage motorists from
31 even using this corridor although that is an ancillary benefit of the plan.

32
33 So the characteristics of a bike boulevard are really that we select a street with relatively low
34 traffic volumes and the bike boulevard is the street where we give precedent to bicycle traffic
35 over motor vehicle traffic. That is kind of the goal. And to provide a street where the bicycle
36 travel is direct and travel time is reduced typically by the reduction in the number of stop signs.
37 This is not the case on this corridor. And typically a bike boulevard does not have striped bike
38 lanes, does not change the parking configuration on the street. We take a street and we do other
39 features to make it more bicycle friendly and less vehicle friendly. We discourage or preclude
40 non-local motor vehicle traffic not through motor vehicle traffic by putting in some features.
41 Now typically on the existing bike boulevard, which I will talk about Bryant Street, we have
42 used diverters, barriers and traffic circles. Other measures we are proposing for this corridor
43 because of the unique characteristics of this corridor. So on Bryant Street, as you know we have
44 traffic circles, we have street closures and we have turn restrictions at the intersection of
45 Embarcadero. That is because Bryant is in a situation where there is a grid network of streets.
46 There are parallel routes that people can use to disburse and in Old Palo Alto that will work.

1 I think I have covered this particular slide in your report so I am not going to cover it. We have
2 had a public process.

3
4 The Maybell bike boulevard is different because Maybell is a street that has many cul-de-sacs
5 fronting onto it. There is not a network of parallel streets and we can't use some of the features
6 that we have used on Bryant Street in this corridor. We have to maintain access into and out of
7 the neighborhood especially for the people that have no other choice but to use Maybell. So here
8 we are proposing to use traffic calming features, speed tables rather than closures or traffic
9 circles and median islands which primarily provide pedestrian refuges they are not necessarily
10 for bicycle treatments but they will have a calming effect particularly at the intersections and
11 help control the way people make turns at these intersections. So four speed tables on Maybell.
12 I have provided at places the aerial photograph of the same drawing that you have in your packet
13 only in aerial background. Median refuge islands at the school crossing at Coulombe and
14 Maybell and also at the crosswalks at Amaranta and Maybell, which lead to the park. There is a
15 lot of pedestrian traffic to and from the park. We also plan as I mentioned to do a more
16 comprehensive look at this corridor for future improvements because we heard very clearly that
17 there are not continuous sidewalks on this corridor that we have this inconsistent street width that
18 there are bicycles and cars and pedestrians sharing the road and that there needs to be some
19 future drainage improvements. Public Works ultimately and we are not quite sure what year it
20 will be but maybe two to three years out plans to resurface this road. At that time they will be
21 putting in drainage features as they have been in Barron Park, valley gutters. That would be the
22 time that we could make these improvements for pedestrian safety as well but we need a plan.
23 We don't have a plan now and that is what we are working on with the Public Works
24 Department.

25
26 Typical speed tables. We have them in several locations in town. The speed table is a gentler
27 feature than the speed bumps. It is only three inches high and although we have had some
28 installations that are a little bit higher and a little bit rougher we will keep these to the lower
29 standard of three inches high.

30
31 The other feature that we are proposing is a median island with a stop sign in the center on the
32 median at these two locations. That is a visual queue to motorists especially coming from El
33 Camino where you have to go three-tenths of a mile into the street before you come to a stop
34 controlled intersection that this is a crossing and it is a stop controlled intersection. It will
35 provide pedestrian refuge and also help control the way turns occur. We have these at Channing
36 at Alester near Duveneck School and this is that one. The other one we have in town is on West
37 Meadow Drive at Wilkie. We think this is an improvement overall and we would probably want
38 to do this regardless of whether we had a bicycle boulevard plan or not. This is something we
39 feel we should do but we would incorporate it into this project.

40
41 The typical experience we have had with speed tables in Palo Alto as opposed to speed humps is
42 that the reduction in speed between the tables is about five to six miles an hour and the speed at
43 the tables is typically about 25 miles an hour. So we are talking about a five to six mile an hour
44 reduction in this corridor as well because the prevailing speeds are 30 to 31 miles an hour.

45
46 Volumes, some shift in volumes, three to eight percent but not a great amount. That is somewhat
47 consistent with the national averages, which are a little bit higher, but we think our Palo Alto
48 experience would be similar in this corridor.

1
2 So our next steps are to with the Commission's endorsement and approval would be to design
3 and construct the bicycle boulevard improvements and to have them in place this summer and
4 certainly before school starts in the fall so we could begin our six month trial and assess it during
5 the school commute period. Secondly to develop a concept plan for the future vision of this
6 corridor we are planning to work with our Public Works Department and get to a point where we
7 could convene a community meeting to give them a status report before the end of the school
8 year this spring in May or June and then solicit public input and refine the plan and come back to
9 the public in the fall with a recommended plan. I believe that concludes my remarks.

10
11 Chair Cassel: Do we have any questions of Staff before we go to the public hearing? Pat.

12
13 Commissioner Burt: Gayle, just one question on the six-month timeframe in which to review the
14 plan. Is that going to provide enough time to really go through the process and both get an
15 adequate adjustment to it and the feedback without really rushing it too much? My sense is that
16 you might want to give yourself a little more latitude on that timeframe because if it is formally
17 adopted as a six month and that it becomes a mandate to Staff to have accomplished it in six
18 months. If for some reason it gets delayed a bit then suddenly you are open to accusation that
19 you made a promise and didn't keep it whereas a little more latitude might still go along the
20 same intention but potentially not have the pitfalls.

21
22 Ms. Likens: I think that we felt that six months would be adequate and I think sometimes the
23 problem is that getting the evaluation completed is problematic. I think we will try to achieve it
24 in six months. That would be our goal. We think we have done some trials in less than six
25 months and this would seem to be a reasonable timeframe.

26
27 Chair Cassel: Bonnie.

28
29 Vice Chair Packer: Some of the speed tables may abut against an unimproved shoulder and
30 some may be against a sidewalk and some may be against a little drainage curb. Can you talk
31 about some possible design elements to deal with some issues that could arise especially for the
32 ones that end in this no man's land of a dirt shoulder?

33
34 Ms. Likens: Yes we have looked at that actually because that was raised by one of the property
35 owners adjacent to one of these features. We feel that we can address both the issue of...the
36 concern is that if you have a shoulder and the speed table goes to the edge of the road then
37 people might want to bypass the speed table by going off-road into the shoulder area which is
38 where people may be walking and cars may be parked or whatever. We feel we can deal with
39 that on a case-by-case basis by putting in some features that would make it impossible to go
40 around them including bollards. I have met with our traffic engineer out in the field and he feels
41 that that's a solution that could be appropriate. So we will address that issue and there will not
42 be a way to avoid the speed tables.

43
44 Vice Chair Packer: One other thing, I know bike boulevards don't have striping for the bikes
45 since the bicycles have priority anyway in theory but I was wondering if you considered as
46 maybe an alternative to bollards which could become a hazard to the cyclists or the pedestrians
47 some kind of striping just on the 22 feet of the table that indicates this side is for pedestrians and

1 bicycles and this side is for cars only. So visually discourage the cars from going onto the
2 shoulder or bots dots or something like that.

3
4 Ms. Likens: That is something we can look at. That is a design detail of how we install the
5 speed tables. We certainly will put the chevrons on them those are standard but we do have
6 latitude to do some other features whether it is a shoulder stripe or bots dots or some off-road
7 feature to keep people from driving around them. So I will take that comment and we investigate
8 it.

9
10 Chair Cassel: Lee.

11
12 Commissioner Lippert: Earlier in the year or late last year we reviewed Crescent Park's speed
13 tables. In that there was some discussion with regard to the composition and the detailing of how
14 those speed tables were to be made particularly the rise on them as well as the topping material.
15 If they are not done properly they have a tendency of being very ineffective. Has that detail been
16 resolved within the traffic?

17
18 Ms. Likens: I believe it has. Our traffic engineer who was involved with the installation of those
19 is very aware of exactly how we want to design these speed tables to the three-inch height. I will
20 have to defer to his judgment as to how we are going to do that.

21
22 Mr. Emslie: I probably know way too much about speed tables. It is really a site-by-site because
23 it really depends on the individual grade of the road, the crown of the road where the specific
24 speed table is being located. So in order to have a consistent three-inch height it has to really be
25 customized to its particular location. So each one of these will be calibrated and monitored so
26 that they maintain the correct amount of displacement.

27
28 Commissioner Lippert: Well the real question is has the quality control been worked out?

29
30 Mr. Emslie: It is not a quality control issue it is a site-specific location. The contractor and Staff
31 will be monitoring the installation so that it will achieve the desired results for each location.

32
33 Chair Cassel: I would like to go to the public hearing. Can our questions remain until we have
34 finished with the public hearing? I think it would be helpful to let people have a chance to talk.
35 Thank you. Let me open the public hearing. I am going to give you each three minutes I hope
36 that will be enough. The first person to speak is Karen Walker to be followed by Karen
37 Sundback. Please give your name and your address thank you very much.

38
39 Ms. Karen Walker, Palo Alto: Hi, I am the Terman Middle School PTA Traffic Safety Rep and
40 a member of the working group of the Maybell/Donald Bicycle Boulevard Plan. I would like to
41 first announce that at our March 3 meeting last week the PTA Executive Board members of the
42 Terman PTA unanimously voted to support the traffic calming and the proposed Maybell/Donald
43 Bicycle Boulevard project. This route is part of the school corridor and school commute
44 designations. On October 27, 2003 the Palo Alto City Council adopted the School Commute
45 Corridors Network and we at Terman are in full support and agreement as to the importance and
46 value to the proposed modifications. Our Terman PTA consists of 572 members representing
47 approximately 625 students.

1 I am also a mother of three and I have a son who rides on Maybell on his way to Terman for
2 almost two years now. As a mother who also has ridden this road I would like to mention my
3 support of this project and six month trial. The speed tables will work 24 hours a day bicycle
4 safety and traffic calming not unlike a radar speed monitor, which is on Arastradero near Gunn
5 High. Speed tables not only physically slow down the vehicles whereas the speed monitor
6 cannot physically slow down traffic but speed tables remind all drivers of the appropriate speed
7 to be traveling through this neighborhood and past school children traveling to Gunn, Terman
8 and Juana Briones.

9
10 We do want to annoy the school commuting drivers and make it less driver friendly on Maybell
11 and Amaranta. We want these parents to toss their children out of their cars and onto their feet
12 or bikes. We want fewer cars on the road to schools. We want safe roads for our children and
13 for all children. We want parents to allow the kids the freedom and independence to take
14 themselves to school just like we all did when we were kids. Thank you.

15
16 Chair Cassel: Thank you. Karen Sundback to be followed by Peter Wilkins.

17
18 Ms. Karen Sundback, Palo Alto: Hi I am the Gunn Traffic Safety Representative. I support the
19 Maybell Bike Boulevard Plan. The Gunn High School PTA encourages biking to school as a
20 way of keeping our kids healthy and it is an effective way of reducing stress. The PTA believes
21 strongly enough in biking that it budgets \$1,400 per year to promote biking to school. What we
22 need now is a safe bike route to Gunn and to our neighboring schools. Most of our students live
23 on the east side of El Camino Real and need a safe way of crossing El Camino Real. This
24 boulevard would be a good first step in that direction. Too many of our drivers see Maybell as a
25 fast route to Gunn. Since the beginning of the school year we have had several complaints of
26 cars on Maybell driving recklessly in the presence of school children. In fact during Operation
27 Safe Passage police cited several drivers who were cutting off the crossing guard as he was
28 trying to get the kids across the street on Maybell. We need to slow down the drivers on
29 Maybell. The speed tables seem to slow drivers near Addison School and we have seen that the
30 stop sign islands work nearby at West Meadow. So this seems like a workable plan and I hope
31 you approve this plan. Thank you.

32
33 Chair Cassel: Thank you. Peter Wilkins to be followed by Paul Goldstein. Apparently Peter
34 Wilkins isn't here. Paul Goldstein to be followed by Lisa Soohoo.

35
36 Mr. Paul Goldstein, Palo Alto: I am the Chair of the Palo Alto Bicycle Advisory Committee and
37 you have a letter in your packet that we considered this item at our last meeting and support the
38 Staff recommendation. I have also been on the working group and between our meetings at
39 PABAC and the meetings of the working group I have seen this plan more times than I would
40 care to admit. I think the thing to say about this is this a very modest plan. It is not the most
41 desirable of bike boulevards that I as a bicycle would like. It is a first step. I think Karen, the
42 former speaker, just mentioned that.

43
44 When we looked at the bicycle plan originally you will notice there is a whole network of
45 bicycle boulevards that was rated very highly prioritized by the City Council to start developing
46 that network of bicycle boulevards. When PABAC met and decided how we should prioritize
47 those bicycle boulevards this particular one scored very high because it also is a school commute
48 and encouraging students to ride their bikes to school and discouraging parents from driving is

1 very high on our agenda. So as Gayle mentioned in the Staff presentation there are obstacles
2 towards making this an ideal bicycle boulevard. There is not a grid so that you can have traffic
3 blockages. There is not a consistent width of the street so it does not allow for certain options
4 like circles and things we would all like to see. On the other hand this is a first step. It is
5 modest. It is relatively low cost and we at PABAC believe that it will slow drivers down and
6 make it a safer place for bicycles.

7
8 So it does not allow for certain options like circles and things we would all like to see. On the
9 other hand this is a first step. It is modest. It is relatively low cost and we at PABAC believe
10 that it will slow drivers down and make it a safer place for bicycles.

11
12 Chair Cassel: Thank you. Lisa Soohoo to be followed by Barbara Freeman.

13
14 Ms. Lisa Soohoo, Palo Alto: Okay, I feel intimidated here, just so you know that. I don't know
15 how this works. I have one of those irregular zones where a speed table is going to be located
16 and I guess it has become a major concern for me because I am a victim of vandalism in the past
17 two weeks two times by drive-by occurrences. It is a major concern because I feel violated. I
18 feel trespassed upon. I feel having a speed table located right between my neighbor's driveway
19 and mine and the apartment housing gives another availability for these drive-by shootings to
20 occur at my home site one more time. I don't feel comfortable. I really have major concerns of
21 liability, security as well as traffic calming. I don't know how to express my concerns other than
22 safety is a major issue for everyone that goes by this spot. So I guess pretty much I have gone
23 over some of these issues with Gayle and they came by with the engineer to say that we feel that
24 by putting the speed tables here it will do the traffic calming which I agree but the location was
25 very firm and not relocating to where I feel at an intersection would be much more beneficial. It
26 stops traffic in three different directions rather than just in one where she feels Maybell is the
27 main corridor, which it is, but still intersections make a difference. If you are calming traffic you
28 are not stopping traffic then it should be throughout all the intersections not just the one zone. I
29 guess because of all of these occurrences that keep coming at me I have again all these safety
30 factors. If cyclists and pedestrians are going to try to avoid the speed tables they are going to
31 come onto the dirt road and if it comes onto my personal property it becomes a major liability
32 issue. I have seen people being dropped off, picked up right in front of my driveway. It stops
33 traffic. You have people in wheelchairs that can't get by as well as the youngsters who also are
34 trying to get through. So they are all cutting across and I am standing there going I am going to
35 get run over doing my gardening. So these are again where I feel maybe these speed tables can
36 be relocated. I agree we need to get some form of traffic calming. I am glad something is
37 happening but I think in the long run like you say sidewalks have to be really made available to
38 give us some form of easement. That is where I stand.

39
40 Chair Cassel: Thank you very much for coming and expressing your opinion. I have a question
41 over here for you.

42
43 Commissioner Holman: You said this has happened twice in the last two weeks.

44
45 Ms. Soohoo: Yes, and I have had the police officers come by and it is recorded as a call for
46 service. It is not documented as vandalism because there is vandalism occurring as well as
47 personal safety issues. They say that it is childhood pranks that are creating this but the
48 childhood pranks are quite costly because they are trying to destroy a \$10,000 etched glass that I

1 had installed and that really throws me. Here I am trying to enjoy my life and have a beautiful
2 item and I can't even do that.

3
4 Commissioner Holman: So has anything happened before this last two-week period?

5
6 Ms. Soohoo: Yes. I have been in construction for four years. So in that four-year interim there
7 has always been trespassing, vandalism but being I wasn't a resident I guess the impact was so
8 dearly affecting me. But I am a resident now and I feel I have more cause to be more aware of
9 what is happening and more involved. I do have neighbors who come knocking, well I shouldn't
10 say they come knocking, they have input.

11
12 Commissioner Holman: Okay, thank you very much.

13
14 Chair Cassel: Barbara Freeman to be followed by Bob Moss.

15
16 Ms. Barbara Freeman, Palo Alto: When I first heard about this project I thought I was quite
17 surprised that they picked Maybell because of its problems of the width. All the cars and the
18 people and bicyclists are weaving all of the time to miss the parked cars on either side of the road
19 and the potholes so they can make the traffic flow. So I was surprised that his was picked rather
20 than Los Robles which was the choice when my children were small or making Arastradero safer
21 although I think that is somewhere in the plans out there.

22
23 The last meeting we had a lot of the parents who have children that go to Brionas were saying it
24 is not the speed so much that is the problem in the morning because in the morning it is a
25 gridlock going in the direction to the schools from the El Camino section or down from Los
26 Robles down around Amaranta. They are gridlocked they can't make a right towards the schools
27 and the people coming down Maybell are gridlocked going straight ahead. So that much won't
28 be solved by the speed tables. So I sort of wondered if maybe we were putting the cart before
29 the horse by doing the speed tables first without getting it uniformly widened to a certain degree
30 and having sidewalks in place for the pedestrians to definitely go and a definitely marked place
31 for the bicyclists that they could be. It seems to be just a mash of things.

32
33 The other thing I wanted to say is I think the fact that Donald really needs that speed table, that
34 one speed table, and I think the other street that really needs it that isn't being considered here
35 but was mentioned, as being one of the feeder streets is Coulombe. It goes directly into the
36 Brionas School. It is a very short street but it is also one where there are speeding cars and there
37 are so many cars that follow me into the neighborhood down Maybell and then make the left to
38 go out of the neighborhood at Coulombe. I have seen several places and it is in the packet where
39 some Coulombe residents have asked for a speed table. So I think that one should also be
40 considered in this traffic calming.

41
42 The last thing I wanted to say is, are you sure we need five all together? I did go down Channing
43 and I saw three together fairly close and two really close together on Louis. But five that would
44 take me five speed tables just to get to my neighborhood drug store. So I thought I am not sure
45 how well I will like that. I will get to find out in the six-month trial I am sure. Thank you.

46
47 Chair Cassel: Thank you very much. Robert Moss to be followed by Yvonne Burtness.

1 Mr. Robert Moss, Palo Alto: Thank you Chairman Cassel and Commissioners. First there is a
2 correction on page two at the bottom where it talks about there being 11 intersections five of
3 which are cul-de-sacs. There are actually 12 and seven are cul-de-sacs.
4

5 I would like to suggest a modification to the trial. Let's emphasize the idea is to have a trial and
6 learn things. I would like to suggest that we extend it to eight months in two segments. The first
7 segment, the four months, instead of having speed tables on Maybell between El Camino and
8 Amaranta you have a center stripe and two side stripes that delineate the street and narrow it and
9 eliminate the initial speed tables. If you really wanted to be adventurous you do what I have
10 been advocating for the last 20-some years you put chevrons along the side of the street to make
11 it look even narrower and slow the traffic even more. Then do a traffic count and a speed
12 survey. I am willing to bet that you reduce the traffic speed and the volumes just as much by
13 narrowing the appearance of the street as you would by putting in the speed tables. The
14 advantage of this outside of the fact that it is a tremendously cheaper way of doing things is it
15 eliminates the possibility of people getting to the speed tables and as Commissioner Packer
16 mentioned swinging around them. We had a lot of that on Louis where people were actually
17 going onto the sidewalk to avoid speed tables. In the case of Maybell where the street is fairly
18 narrow and where there are a lot of areas where there is no paving at all people can easily get
19 around the speed tables if they wish to. They have no incentive to do that if you just have
20 painted lines. Then after you have had the first four months with just the painted lines then you
21 can try the speed tables and see how effective that is compared to just having the painted lines. I
22 think that would be much more informative. If the idea is to have a trial and to learn things here
23 is a way we can really have a trial and really learn something interesting.
24

25 Finally in terms of dangers to children going to school I spent almost 30 years driving along
26 Meadow past JLS during the start of school. What really terrified me wasn't the speed it was the
27 idiotic drivers doing dumb things like making U-turns and trying to run down people in the
28 crosswalks because they wanted to get over and drop their kid off or in some cases stopping in
29 the middle of the street and having their kids get off and run across the street to get to the school.
30 It is not the speed that is the dangerous problem it is idiotic driving. So I think we should worry
31 about that much more than we should worry about trying to slow it down. I would like to see
32 you do something innovative and try doing the painted lines first and compare that with the
33 speed tables to see what really works best.
34

35 Chair Cassel: Thank you. Yvonne Burtness to be followed by Peter Wilkins.
36

37 Ms. Yvonne Burtness, Palo Alto: I have lived here many years. I am looking forward to this
38 bicycle boulevard. I have taught all my life in Palo Alto and I have a daughter who biked to
39 elementary school but I didn't worry about that. The worry I had was when she went to now JLS
40 but it was Wilbur. I feel that because we have three schools nearby we need good safety and
41 Palo Alto doesn't have the buses any longer. We just can't afford it. One of my concerns is the
42 difference between the road of Maybell and Donald Drive. Maybell looks like a sweet little
43 country road with potholes and then you come around to Donald Drive and you think I am on
44 Highway 101. We have double yellow lines with flashers. I went all over Palo Alto there is not
45 one street in Palo Alto that has the double yellow line and flashers. Yes, sometimes right at an
46 intersection you will see a little bit of it. I would like to see Maybell paved nicely so no
47 potholes. Then the Highway 101 yellow lines taken out and I do feel these speed bumps would

1 be helpful because it does slow people down. So I am all for this. So I hope we get along with
2 it. Thank you.

3
4 Chair Cassel: Thank you. I called Peter Wilkins name before. Is he here? No, he is not so then
5 we will then bring the questions back to us. Lee.

6
7 Commissioner Lippert: I have a question for Staff. With regard to the six month trial is the idea
8 to get this in place before school starts then being able to make a decision before the end of the
9 academic year so that if in fact the trial did not work the Commission as well as Council felt that
10 it was not appropriate that we have time the following summer to pull out those or make
11 corrections during the summertime?

12
13 Ms. Likens: I think that is a fair assessment. We certainly think that the six months is a
14 reasonable time for the trial and allow us to convene with the community during the school year
15 when everybody is around. What the determination would be whether to modify or to change it
16 would give us time to do something for the next school year.

17
18 Commissioner Lippert: Does eight months make a significant difference?

19
20 Ms. Likens: I don't know. Typically I think we do four to six to more. Each trial is a different
21 length. It could be eight months. We certainly need to do the counts during the school year and
22 do the observations during the school year. So if we start in September we are talking about the
23 springtime.

24
25 Commissioner Lippert: I think that is agreeable but let me just follow up on that real quick.
26 With regard to Downtown North Traffic Calming they did pull out the trials within a two-week
27 period of time and restore those streets would any more time be needed to make changes or
28 corrections?

29
30 Mr. Emslie: That was an unusual circumstance because we had a contractor ready and we were
31 able to do that with a change order. I couldn't guarantee that those same circumstances would be
32 present in this case. That was an alignment of procedures that happen to work in that case.

33
34 Chair Cassel: Let me put it this way. When we have a six-month trial people in the community
35 think that the features will be removed or changed at the end of that six month or eight month
36 period. If you need more time to study what you are going to do then that ends up being added
37 on to the six months and makes people nervous perhaps. So the question is is it easier to have an
38 eight-month trial with a plan to complete the study with enough time so that you can then be
39 ready to act at the eight-month point?

40
41 Ms. Likens: I think that is a good idea.

42
43 Chair Cassel: Do we have other questions of Staff? Did Staff want to comment on anything
44 from the public?

45
46 Ms. Likens: I did want to mention for Yvonne Burtness that as part of this project we will be
47 removing the yellow center line on Donald except at the curve because it is true that Donald is

1 just a residential street, a local street, and we need the center line on the curve but we will as part
2 of this project remove the rest of it.

3
4 I think we will be looking as we develop this concept plan and hopefully develop a more
5 consistent street segment, in other words a uniformity of width, it will give us more opportunities
6 to look at things like shoulder stripes, potentially bike lanes not necessarily, we have to address
7 the parking issues inside or outside of a shoulder stripe. The example I think that Bob is talking
8 about is the Los Robles example where we did put in bike lanes and/or a shoulder stripe and have
9 a consistent ten-foot traffic lane. But Los Robles is pretty straight and pretty uniform in its
10 width. So we will be looking at that as part of the concept plan.

11
12 Chair Cassel: Bonnie.

13
14 Vice Chair Packer: Well, you just answered part of my question. The other question I had is one
15 of the speakers mentioned a speed table on Coulombe. Did you look at that as part of the
16 review?

17
18 Ms. Likens: We did not because we were focusing on the Maybell to Donald corridor but we
19 have done speed and volume counts on Coulombe and Amaranta. During the trial we will assess
20 the impacts and benefits of the speed tables. We will reach out to the Coulombe and the
21 Amaranta neighbors as well during the trial and that will be part of our assessment.

22
23 Chair Cassel: Michael.

24
25 Commissioner Griffin: I thought the comments made by the last speaker were quite in line with
26 my own observations. Donald certainly is a 101 compared to Maybell which varies significantly
27 in the width all up and down its length. I am wondering if Staff has a timeframe as to when they
28 would be able to realistically undertake the improvements that we have been talking about this
29 evening both in the Staff Report as well as in our discussion here, the eventual improvements to
30 Maybell in order to make it more homogeneous.

31
32 Ms. Likens: Well, the first step is to develop the plan and then the plan will give us the
33 opportunity to work with other infrastructure improvements that will be planned by our Utilities
34 or Public Works Department in terms of street resurfacing to implement these improvements
35 over time. It will also help us seek grant funding which we will certainly need to go back and
36 put in continuous sidewalks. So it gives us the opportunity. I do not believe that there is
37 anything that will be scheduled within the next year or two that will make a great difference. So
38 this is a longer-term plan.

39
40 Chair Cassel: Karen.

41
42 Commissioner Holman: Sort of a follow on to Bob Moss's comment. Was there any
43 consideration of doing perhaps the initial, coming off El Camino, doing the initial speed table
44 and then maybe doing the shoulder striping and starting with that at least for some period of
45 time? Then I have two other pieces with that but go ahead with that.

46
47 Ms. Likens: That was not our primary concern because we wanted to provide a reduction in
48 speed that can be achieved we know by the speed tables throughout the corridor. The other

1 factor is because of this uneven nature of the width of the road we need a little bit more detail on
2 how that could be accomplished well in terms of where the shoulder stripe would go and how it
3 would affect the appearance of whether you park on or off the street or whether it would look
4 like in certain areas, for example, where the street is 26 feet wide and let's say we had a shoulder
5 stripe so that you had traffic lanes of ten feet wide and then the rest were shoulder. Let's say we
6 had a three-foot shoulder. Does that look like it is supposed to be the bike lane? Then in the
7 wider areas if you maintained the ten foot lanes you end up with a much wider shoulder that
8 could assume to be a parking lane or not. So we are not quite sure how that would really work
9 given the current configuration of the road.

10
11 Commissioner Holman: Not so simple is it? Another question is about how Maybell between
12 Amaranta and Coulombe is considered a collector street. Is there anything that could be done in
13 terms of or as a part of this did you look at anything that might be able to be done so that it is not
14 a collector street? In other words, getting traffic to not...the reason I ask that is because it is a
15 school route and also because that particular section of Maybell is where there is a park and the
16 school. So it seems really unfortunate that that part in particular is a collector street.

17
18 Ms. Likens: Well that is going back into history in terms of how the collector street system was
19 setup but in Barron Park there are many streets that are collectors. Matadero is a collector.
20 Laguna is a collector. Los Robles is a collector and Amaranta is and it basically takes traffic out
21 of the neighborhood and to the arterial. The arterial is Arastradero so that little jog in Amaranta
22 to Coulombe is what gets traffic in the street network out to the arterial. Most of Maybell is a
23 local street. It functions as a quasi-arterial in certain ways because it also takes neighborhood
24 traffic out onto El Camino. That is the historical perspective as to why it is there. You would
25 have to address whether Amaranta should be a collector as well or whether the collector should
26 be Maybell.

27
28 Chair Cassel: Lee.

29
30 Commissioner Lippert: Maybe I am dating myself but I thought that Laguna is a restricted
31 access into the school site and that that's the drop off. Traffic for the kids comes down Laguna
32 into the school site, there a drop off there for school buses as well as for cars and then cars
33 proceed out onto Georgia. Is that not correct?

34
35 Ms. Likens: That is correct but that is Orme Street. Laguna is back by [Bow] Park.

36
37 Commissioner Lippert: I am sorry, you are right. That is correct.

38
39 Chair Cassel: Anyone else with a question? Pat.

40
41 Commissioner Burt: Gayle, is Donald wide enough for bike lane striping?

42
43 Ms. Likens: Donald is 40 feet wide and it could accommodate bike lanes with some restriction
44 of daytime parking or some other configuration. Typically on a 40 foot wide street what we have
45 done in the past is to have a full bike lane with parking allowed 24 hours a day on one side of the
46 street and a daytime bike lane on the other side of the street with parking allowed in the evening.
47 That is another level of bicycle facility. That is where you do put the stripes on the pavement. A
48 bike boulevard is really a street where we don't do those types of things. We don't put stripes on

1 the pavement, we don't restrict parking, we take a street like Bryant Street and do other things to
2 it to make it more bicycle friendly. That would be an option for Donald, which we didn't
3 explore as part of this project.

4
5 Commissioner Burt: What about the issue of the option of using raised crosswalks versus mid
6 block speed tables? How much was that looked at in this circumstance and with the
7 understanding that the raised crosswalks also facilitate the pedestrian and particularly youth
8 crossing at the intersections? Was there a reason given that several of those are uncontrolled
9 intersections why raised crosswalks wouldn't have been used?

10
11 Ms. Likens: I am sorry I need a little clarification. The crosswalks are at controlled locations
12 where we are proposing to put the medians at Coulombe and Maybell and at Amaranta and
13 Maybell.

14
15 Commissioner Burt: I am talking about raised crosswalks essentially a speed table that is a
16 crosswalk.

17
18 Ms. Likens: We did not consider a raised crosswalk because at the locations we were proposing
19 to put the speed tables are mid block locations that are not needed. Now we did talk about
20 making the stop controlled crosswalks raised crosswalks but in essence you would have to raise
21 the intersection because there are two crosswalks at each location.

22
23 Commissioner Burt: Okay. So what I am referring to as an alternative to mid block speed tables
24 in certain circumstances raised crosswalks at the intersections of uncontrolled intersections could
25 be done. Just as that is what we did on Channing at Harriet and Channing. We have a raised
26 crosswalk because we put a speed table at the intersection and then it has a dual purpose of the
27 additional pedestrian crossing safety and the same purpose of being as a speed table. It functions
28 as a speed table but instead of doing it mid block you locate it at the intersection.

29
30 Ms. Likens: We didn't look into that. I worked with our traffic engineers who are the traffic
31 calming experts on this corridor both Carl Stoffel and Ashok Aggarwal and we focused on these
32 mid block speed tables because we could provide the best opportunity for speed reduction at
33 regular intervals. As I recall we were not proposing to put in new crosswalks at uncontrolled
34 locations. I am not sure about the Channing project whether these were already existing
35 crosswalks but we did not look into that. Actually as I recall we had some discussions about not
36 putting these features too close to the uncontrolled.

37
38 Chair Cassel: Does someone else have a question? Do you have a question, Bonnie? Michael?
39 Karen.

40
41 Commissioner Holman: This has come up before in other projects similar to this about the
42 medians and the way they are described, I don't have it in front of me this second, they way they
43 are described is asphalt and I think painted and filled with crushed granite or something like that.
44 It has come up on other occasions how the neighborhoods would much, much prefer and
45 personally I would too to have these landscaped. Is there opportunity to do that not necessarily
46 for the trial but is there opportunity to have these as landscaped if they become permanent
47 fixtures?
48

1 Ms. Likens: I am not sure because these will have stop signs in the center. They are going to be
2 if not circles small five by five medians with a center stop sign. Possibly they could be. They
3 would be much more costly if they had to be irrigated and for the trial at least the trial we are
4 proposing to make them asphalt because if we need to redesign them. That is something to be
5 considered when they become permanent features and we build them as permanent features.
6

7 Commissioner Holman: I would just hope that when we are, and I am sure you do consider this,
8 but I just hope that when we are accomplishing traffic calming we also try to make it a
9 beautification process too. It makes for better neighborhood.
10

11 Chair Cassel: Lee.
12

13 Commissioner Lippert: The intersection of Coulombe and Maybell would there be ladder
14 striping in the crosswalk as well as one of those signs that say yield for pedestrians in the bright
15 yellow?
16

17 Ms. Likens: No because we would not put a yield to pedestrians because it is a stop controlled
18 intersection and a stop is a higher form of traffic control than a yield. Our policy to date has
19 been that we only use the ladder striping at uncontrolled crosswalks, mid block crosswalks where
20 there are no stop signs or signals. So we have many school crossings that are signalized or stop
21 controlled and we just use the yellow markings at the present time that is our policy. We reserve
22 the ladder striping for higher visibility at uncontrolled locations.
23

24 Commissioner Lippert: I have seen crossings where they have not reflectors but flashing lights
25 in crosswalks in front of schools. Have we used those anywhere?
26

27 Ms. Likens: We have installed a limited number of those lighted crosswalks at uncontrolled
28 locations. We have one on Park at Page Mill. There is one out on Welch Road at one of the
29 crosswalks for the medical facilities out there. We are looking at other locations but I do not
30 believe at the present time we are looking at controlled locations.
31

32 Commissioner Lippert: Thank you.
33

34 Chair Cassel: Do you have another question, Pat?
35

36 Commissioner Burt: Gayle, on the Maybell where we obviously don't have room for bike lanes
37 or anything did you look at merely the bicyclist stenciling on the pavement as another visual
38 queue as opposed to signage? I find them to be pretty effective when I see them on the pavement
39 and often kind of leaps out to me more than a sign up at a higher level, a smaller sign at another
40 level.
41

42 Ms. Likens: We haven't discussed that. We have discussed the signage that we will have on the
43 corridor to be determined exactly what it will say but it will have the share the road school
44 commute corridor message. We have not installed any of those bicycle share the road pavement
45 markings but that is something we will look into. I can't commit that we would do it in this
46 corridor right now but we will consider and talk about it in-house.
47

48 Chair Cassel: Did you have another question, Karen?

1
2 MOTION

3
4 Commissioner Holman: Sure I would move the Staff recommendation of the and Chair Cassel is
5 going to help me with the language here, I think it is the eight month trial of the proposed
6 Maybell/Donald Bicycle Boulevard Plan to consist of the five mid block speed tables and four
7 median islands at existing crosswalks as illustrated in Attachment A and adopting the Negative
8 Declaration for the project findings.

9
10 SECOND

11
12 Commissioner Lippert: I will second that.

13
14 Chair Cassel: The motion has been made by Karen and seconded by Lee Lippert. Would you
15 like to speak to your motion, Karen?

16
17 Mr. Larkin: If I can interrupt quickly? To correct something in the Staff Report what is being
18 asked of the Commission is not to adopt the attached Negative Declaration but to recommend the
19 adoption of the Negative Declaration.

20
21 Chair Cassel: Thank you.

22
23 Commissioner Holman: The problems and the conditions here have been well identified and
24 spoken to by neighbors as well as Staff. It is consistent with our previous actions along the lines
25 of the Safe Routes to School and the Bicycle Boulevard. So I think this is a project that has been
26 a long time coming also based on comments from the public. I know the Staff will take into
27 consideration our further comments that we have made about this but I think it is a good plan and
28 deserves study.

29
30 Chair Cassel: Lee.

31
32 Commissioner Lippert: I agree with Commissioner Holman's comments and I heartily support
33 the trial. I think that is called for in this case. I do have a couple of very minor concerns with
34 regard to it and one of them is the competition of the drop off with the bicycle boulevard and the
35 school pedestrians there along Maybell. I think that that is going to be problematic and that
36 really needs to be further addressed and looked at. That would be something that I would want
37 to see come back to us within the trial period as some further recommendations as to how that
38 can be handled better. What I see is the problem there specifically is that parents dropping off
39 students along the eastern edge of the school site there not seeing a bicycle because of all of the
40 kids crossing the street there. I know from my own personal experience I used to commute to
41 Mountain View via bicycle and I would come tearing along Amaranta Avenue, come around the
42 corner onto Maybell, onto Coulombe and then right across Arastradero and get lost in that last
43 little piece of Palo Alto before going across the pedestrian bridge into I think Los Altos. So I
44 think that that whole intersection there is really problematic and needs to be looked at a little bit
45 better.

46
47 Chair Cassel: Are there any other comments? Michael.
48

1 Commissioner Griffin: I was just going to express my support for the motion. In particular I
2 would be looking forward to seeing the roadwork planned for and undertaken expeditiously. I
3 was shocked and amazed at the number of people that I found actually using Maybell as a de
4 facto sidewalk and the thought of cars speeding on that stretch of road is really something to
5 contemplate. So I do support the folks who have expressed concern about the need for pretty
6 substantial amounts of work to be undertaken on that road and the sooner the better.

7
8 Chair Cassel: Bonnie.

9
10 Vice Chair Packer: I have to happily put my two cents in to enthusiastically support this project
11 as a first step to a better bicycle boulevard. As a future member of the Gunn PTSA my daughter
12 is eagerly, she wants this new bike so she can start biking from east of El Camino. I don't know
13 if she will use this road or Los Robles. I was there today when Terman was letting out and the
14 truth of the matter is when the kids are there, kids on handlebars, kids walking they take over the
15 road anyway. The cars have no choice because on a spring day the kids are all over the place
16 they control. But in truth it will be good to calm the so-called idiotic drivers. I saw people
17 making crazy U-turns but they couldn't do much because the kids were controlling. I am glad to
18 see it and I hope and I also want to express my support for going forth with all due speed on the
19 big plan because that is really what is going to make this a better bicycle boulevard and to
20 understand what legal constraints there may be with the different ownership issues along the road
21 and see what we can do to work around that get some sidewalks in and better safe areas for both
22 pedestrians and the kids on the bikes and the grown ups on the bikes as well.

23
24 Chair Cassel: Pat.

25
26 Commissioner Burt: Well I am glad we are going forward with this and I think that the emphasis
27 on this being a school commute corridor is particularly important. I am glad also that we are not
28 faced with a circumstance where we are likely to have a significant diversion of traffic onto other
29 residential streets. I think the diversion that will occur will be primarily on Arastradero. The
30 one concern I do have is Coulombe. It just appears that between having two tables and a jog at
31 the intersection of Maybell and Donald that it is going to be a natural tendency to have an
32 increasing number of cars cut over to Arastradero at Coulombe. So I think my preference would
33 have been to put a table in Coulombe now but if we aren't going to do that then I think we need
34 to really pay attention to that because I think there is a good likelihood we are going to have a
35 spillover problem there. Then the other thing is that in regard to this issue I raised earlier on the
36 speed table that serves a dual purpose as a raised crosswalk it has a double benefit as both a
37 traffic calming device and a pedestrian safety device and it is in our best practices guideline
38 books. I believe it is even specifically in the Comp Plan if I am recalling correctly as one of the
39 recommended measures. The places that I have seen them they are very beneficial to pedestrians
40 as well as the traffic calming. So I guess I am surprised that it wasn't really evaluated as one of
41 the measures. What I would like to propose as a friendly amendment is that Staff evaluate those
42 alternatives prior to submittal to City Council without the Commission making a specific
43 recommendation that that alternative be adopted but that Staff give additional consideration to
44 whether it would be appropriate to relocate any of the tables to intersections and have them as
45 raised crosswalks. I don't think the Commission tonight has the basis to determine that that is
46 the right thing to do or not but I definitely think it should be part of what has been considered
47 when it goes to Council. So I would like to propose that as a friendly amendment.

1 Chair Cassel: Just a minute, it doesn't go to Council. This is a trial it doesn't go to Council it is
2 ours.
3
4 Commissioner Burt: Excuse me, then we are faced with that dilemma. Does Staff have any
5 comment on it?
6
7 Mr. Emslie: Really what you are asking is for us to evaluate that and come back and you will
8 review the results of the trial. So we can include that in that analysis when this comes back to
9 you for your analysis of the recommendation to Council as to whether or not to make this
10 permanent.
11
12 Commissioner Burt: I guess in an ideal world it would be part of the trial and not excluded from
13 the trial but I don't think it is going to be feasible to include it without holding up the trial. So I
14 guess that is the best thing that we could request then. So then I would like to make that as the
15 friendly amendment that the Staff specifically look at the alternative of raised crosswalks versus
16 certain of the mid block speed tables.
17
18 Commissioner Holman: I would accept that.
19
20 Commissioner Lippert: I am okay with that.
21
22 Chair Cassel: That has been accepted Karen and by Lee. Okay, I would like to get to vote on
23 this if we can. Go ahead, Karen.
24
25 Commissioner Holman: Following up on one other comment which I wish had included as part
26 of my motion Commissioner Burt following up on one of your comments about Coulombe. If
27 you were to make a friendly amendment regarding, I will leave it to you to state it, but regarding
28 Coulombe and placement of an additional speed table on Coulombe if after monitoring the
29 situation there is a situation created there. If you would like to phrase a friendly amendment
30 along those lines I would be happy to entertain that.
31
32 Commissioner Burt: Let me make sure I understand you. Are you expressing a willingness to
33 accept an additional table on Coulombe at this time or after the evaluation?
34
35 Commissioner Holman: Preferably if Staff could monitor the situation after the trial plan goes
36 into place and then if there is a problem that is determined rather than waiting until the end
37 implementing that so that that could be a part of the continuing trial.
38
39 Commissioner Burt: Okay, great. I would like to make a friendly amendment that within the
40 trial period timeframe Staff evaluate whether an additional table should be installed at Coulombe
41 so that the effectiveness of it could be included within the trial period.
42
43 Chair Cassel: Karen, you are accepting that?
44
45 Commissioner Holman: Gee, I guess I would.
46
47 Chair Cassel: Lee?
48

1 Commissioner Lippert: Yes, I am okay with that.

2
3 MOTION PASSED (6-0-0-1, Commissioner Bialson absent)

4
5 Chair Cassel: Staff? Okay. All right I would like to call this motion to a vote. Would all those
6 in favor please say aye? (ayes) That motion passes unanimously six to nothing. Thank you very
7 much and we will be back here in eight months because by adding the two months it wasn't to
8 add time to the trial but rather to give Staff a chance to get all the way back to us.

9
10 We have one more item on our agenda. Steve is supposed to give us a report, which we have
11 been trying to do for three weeks on the budget.

12
13 ***REPORTS FROM OFFICIALS***

- 14
15 • Budget Briefing – Steve Emslie, Director of Planning and Comm. Environment

16
17 Mr. Emslie: First of all I just would like to indicate that what you are about to see in our
18 presentation is why we are making this presentation, describing the conditions that have led to
19 our current financial situation, kind of give you a list of what the City has done over the last three
20 years to address the budget shortfall. The tasks ahead of us, what we need to do in order to
21 balance the budget, some ideas that have come out and give you the timelines for the budgeted
22 option process later this spring.

23
24 Why are we here? We are going to every Board and Commission, every stakeholder group,
25 friends associated with particular interests in the community to give them the same presentation.
26 Why are we coming to you? Because you are committed to providing services to the community
27 in some fashion or another and also because you are a key advisors to the City Council. You are
28 also key communicators connected and influential and we believe you could certainly benefit
29 from the understanding of the current budget conditions. And lastly you have an in depth
30 knowledge of services and how they are delivered and have the opportunity to provide us with
31 useful suggestions.

32
33 Why do we have a financial crisis? In a nutshell our Administrative Services Department has
34 really determined that the normalized revenue rates of the City really are at 1998 levels that the
35 bubble years represented an anomaly that contributed to adding services that could not be
36 sustained over a long period of time because of the abnormal revenues. What really describes
37 that is that there has been a ten million dollar decrease in revenue since the 2000-2001 economic
38 peak. There has also been an \$8.1 million increase in cost and benefits. These are negotiated
39 labor contracts that automatically come in place that the City has had to deal with. This results
40 in simple in an \$18.1 million imbalance. So it is that structural deficit that really needs to be
41 addressed so that the City can maintain its service levels at a more normalized revenue rate.

42
43 Our friends in Sacramento, as you well know, been solving many of their problems on the backs
44 of local government. The state budget problems have resulted in additional takeaways of
45 revenues. There was \$1.5 million in 2004-2005 and another \$1.5 million in 2005-2006. This has
46 been an ongoing issue. The state has taken since 1992 nearly \$40 million in direct property tax
47 revenue that would have gone to the citizens of Palo Alto for their services.

1 The long range financial plan which provides the projections that we are basing our service
2 reductions this budget year predicts that we will not balance the budget without additional cuts
3 this year at mid year. We will be below our revenue projections by \$1.5 million dollars and that
4 has to be balanced. As you know the City is not allowed to run a deficit budget unlike other
5 sectors of the government. The structural deficit projected for the next fiscal year, 2005-2006, is
6 \$5.2 million. That is the target number of cuts that the City must achieve in order to balance its
7 budget. The problem with this is that it is a structural deficit. It is not a one-time fix. We are
8 not able to go into reserves. We are not able to find one time cuts. These are ongoing and
9 typically in order to achieve these cuts require reduction in personnel. So that \$5.2 million
10 would most likely be achieved through reduction in the workforce either through attrition, which
11 we have been doing quite a bit of, and because that is not longer adequate to address the issue
12 actual layoffs are being contemplated.
13

14 To give you a sense of where we have been the City has been addressing its budget issue every
15 year over the last four years through various efforts starting off with the SBL or strengthening
16 the bottom line efforts. The City was able to reduce the City's budget by five percent or five
17 million dollars. This was done through department consolidations, retirements, vacancy
18 elimination, hiring freezes and no layoffs. This produced an elimination of 40 positions again
19 through various attrition and vacancies. The hiring freeze was a great assist in getting the
20 reduction in these 40 positions. We have also instituted for the second year running a mandatory
21 employee furlough that resulted in a reduction of a three-day furlough. Then also to address the
22 benefits issue we instituted a two-tier retiree medical program where new hires require a longer
23 time to vest into the City's retirement medical program, which will continue to result in a
24 reduction in our benefits cost.
25

26 Other issues. We have embarked on some entrepreneurial services. An example of this is our IT
27 Department is outsourced to other jurisdictions. We provide IT services to for example the City
28 of Emeryville for compensation. We have taken advantage of the favorable interest rate
29 environment by refinancing any outstanding debt, for example the COPs, the Certificates of
30 Participation, which is a debt instrument that was used to construct the building that you are
31 sitting in. It was refinanced and represented a substantial savings because of the reduced debt
32 service. We have outsourced many functions, paramedic billing, our radio maintenance shops
33 were outsourced, they are no longer provided in-house. You are well acquainted with we have
34 streamlined processes that have assisted in reducing some workload demands in the Planning and
35 Transportation Department. We have also computerized functions in terms of our purchasing,
36 streamlined some of the internal processes and then also extended our replacement schedule for
37 equipment such as computers, cars and the like.
38

39 In spite of these efforts we continue to maintain providing the essential services to the
40 community there are many commitments the City has made and will continue to make as we go
41 through our budget reductions. The City is committed to providing the six million dollars in
42 annual investment in our schools that the City has been contributing for many, many years. We
43 are also not decreasing the City's commitment in infrastructure. Essentially ten million dollars a
44 year is set aside for reinvesting in our infrastructure and that will be maintained. Lastly, because
45 this is a structural deficit we will be maintaining our \$17 million in reserves. It would be foolish
46 to use that to balance a budget on a structural deficit.
47

1 We are keeping pace. The economic indicators primarily sales tax, which as you know, the City
2 depends greatly is still sluggish. The precipitous drop of the early part of this decade has stopped
3 but they have stabilized at, as I mentioned, pre-2000 levels and they most likely will stay there
4 for the foreseeable future.

5
6 What do we need to do now? Certainly the hiring freeze, which has enabled us to consolidate
7 many positions, will continue but this of course will exclude public safety and certain enterprise
8 fund positions such as Utilities. We will continue to restructure around vacancies and
9 retirements whenever possible. Our Community Services Department has made considerable use
10 of the restructuring around many of the top-level managers that have retired over the last several
11 years. The City Council and Staff will continue to work together to prioritize General Fund
12 Services. We are as I mentioned in the process of implementing layoffs based on the
13 prioritizations of services. They will also be proposed in the City Manager's recommended
14 budget presented to the Finance Committee and City Council in May and June of this year. We
15 will continue to streamline and reduce non-salary expenses such as eliminating travel and other
16 more discretionary activities.

17
18 As you know the Council held its annual policy retreat at the end of January where many of the
19 issues of the budget were discussed as well as an exercise in prioritizing services was performed.
20 The 2005-2007, the two-year budget as I mentioned will be presented at Finance Committee in
21 May at a series of public hearings and then the Council will, and I do believe this date has
22 changed so please keep this as a tentative June 13 but I think that has slipped one week. There is
23 current outreach being conducted by the City Manager, the Mayor and Community Services
24 Department. We have prepared a budget primer for those who are interested in the mechanics of
25 how the budget is put together. It is some reading material that could be taken and studied. We
26 have offered what we are calling Budget 101 classes where it is an interactive session. Those
27 will be held later this month. The normal communication channels, The City Pages, Frank's
28 Memo will be used to discuss various aspects of the budget. Last week I believe the community
29 access TV call-in show was conducted. There will also be a segment on our City Beat program
30 describing the financial crisis and you may also have been hearing that the Mayor and the City
31 Manager are holding informal coffees around town to discuss with residents issues. Then also
32 there will be a website for anyone to offer suggestions in terms of ways to reduce the budget.
33 This concludes the presentation. I would be happy to answer your questions. I normally have an
34 Administrative Services Staff or budget analyst with this but because of the lateness of the hour I
35 told her to go home. So if I don't have all the answers I could certainly get them for you.

36
37 Chair Cassel: Lee.

38
39 Commissioner Lippert: I have a question for you on your second image I think it was it showed
40 down at the bottom a deficit in 1992-93 of I think it was \$36 million taken by the state but those
41 were at the beginning of boom times were they not?

42
43 Mr. Emslie: Actually 1992 was a recession year. We were coming out of the boom of the late
44 1980s and we were in a recession. The state instituted what's called the ERAF program,
45 Education, Replacement and Augmentation Fund. Basically they said we are going to take
46 money away from the schools but we want the schools to be made whole so we are going to have
47 the cities take that. That is a program that is still going on. We have to pay the state who passes
48 it on to the school and that started in 1992. It occurs every year and the sum total of all those

1 contributions is \$36.2 million that Palo Alto has paid to the state who in turn passes it on to the
2 school districts.

3
4 Commissioner Lippert: Thanks for clarifying that.

5
6 Chair Cassel: Do we have any other questions at this time? Karen.

7
8 Commissioner Holman: This Commission and first a subcommittee of the Commission is going
9 to be reviewing the CIP. As a part of that when we are reviewing the CIP can we comment or
10 recommend projects that maybe have been projected or planned for the future but really aren't
11 urgent, and I can come up with one example is currently there are street signs that are being
12 replaced and to my knowledge there is not an urgency to that, so it seems like there might be an
13 opportunity to save some funds. Just using that as one example. So when we are looking at the
14 CIP can we make suggestions or recommendations along those lines? Is there anything sacred
15 about something that is already in the plan?

16
17 Mr. Emslie: No, I mean the City needs to continue to redouble its efforts in its infrastructure. As
18 you know we have let some of our infrastructure needs languish. So there is a strong
19 commitment but if there are small items that you would like to weigh in on certainly that is your
20 opportunity to do that. So typically the Commission subcommittee reports out to what we call
21 the IMP Committee, the Infrastructure Management Program Committee. Certainly you will
22 have an opportunity to give your comments and advice on projects and their priority.

23
24 Commissioner Holman: I have a list here but I am not going to go through them of course right
25 now. One other one which really isn't a Planning Commission thing but it is an idea is has the
26 City evaluated the return on services that it provides to other communities? In other words, in
27 joint effort we provide services for other communities including Stanford. Since there has been
28 such an escalation of retirement and benefit costs have those rates that we charge, in other words
29 what we get back from those other communities or those other entities, has that been evaluate in
30 terms of is it a reasonable rate that we are charging?

31
32 Mr. Emslie: I don't know exactly that would be one for Mary Divinsky who is not here. She
33 would be able to answer that. We will certainly pass that on to Administrative Services. I would
34 be surprised if they haven't where possible raised rates or fees in any area that legally they had
35 the authority to do but we will certainly pass that on to our Administrative Services Department.

36
37 Chair Cassel: Thank you very much, Steve. Did you have another question, Pat?

38
39 Commissioner Burt: One I would like to concur with Karen's last issue on these enterprise
40 funds. I have heard numerous times where it has been stated that we have additional revenue
41 from them and not once have I ever seen an analysis that really looked at whether the expenses
42 versus the revenue were beneficial and maybe that is something that the City Auditor would do a
43 good job on, I am not sure.

44
45 Second, we have had discussions in the community about zero-based budgeting. There is
46 another perspective toward the budget that we have that may be beneficial. That is the evolution
47 of our budget and services and organization within the City that has happened over say the last
48 two decades. To my knowledge we have not taken a step backward and said let's capture a point

1 in time that is ten or 20 years ago and say what were the inflation adjusted revenues and
2 expenses, what were the services and functions that were provided at that time, where have we
3 gotten to now? And if we were to have done it in a single step would those be the changes in
4 how we are functioning that we would choose to do? A lot of things in an organization happen
5 through creep. You just have each year there is an incremental change and we don't necessarily
6 take a comprehensive look at what is really happening over the course of time and should we
7 relook at certain priorities on a more fundamental basis. We may look at that and say we agree
8 with where we have come over the last 20 years, certain things have been mandated by the state,
9 other things we have chosen to do that are community priorities and they are exactly what we
10 think we ought to do. But in the absence of doing that I think it is a tougher sell to the
11 community if we are looking at either service reductions in selected areas or revenue increases.
12 If we haven't done some of that real fundamental good analysis of evolution that has occurred
13 not only in programs but in organizational structure, how are we staffed in management to
14 employee ratios and those kinds of things. We don't get many chances to give our input on this
15 so I wanted to do that.

16
17 Finally, on the revenue side it has been at least six years or maybe longer that the discussion has
18 been occurring on bringing our transient occupancy tax, our hotel tax, up to what I believe is
19 essentially parody with most other communities. Do you recall what our rate is? Is it nine?
20

21 Mr. Emslie: It is nine or ten. It hovers around ten and I know some communities are in double
22 digits of 11 or 12%.

23
24 Commissioner Burt: I would like to ask Staff to really let's get that out in the open. My memory
25 was that it was nine but I may be mistaken. Like you say most other communities are ten to 12.
26 I don't believe we have changed it since the last time I raised this issue six years ago. The
27 answer at that time was gee, we are still worried about the recession and this was like as the
28 boom was happening the mindset at that time was still essentially fighting the last war. The
29 thing that just baffles me about the transient occupancy tax and the hesitancy to bring it at least
30 up to parody is really two things. One, nobody that I know of really decides on what city they
31 are going to stay in based upon a one percent difference in the transient occupancy tax. We are
32 not getting additional hotel occupancy because we are a lower rate and we wouldn't lose
33 occupancy by being up at parody. Second, when we look at revenue sources this is about the
34 only one that would not affect the businesses or the residents of Palo Alto. You may get an
35 argument from hotel owners that any increase is going to affect us. I think this is the sort of
36 thing that an objective third party analysis would be able to refute. Instead of us just debating
37 this for a half a dozen years and losing a half million to a million dollars a year because we
38 didn't raise this tax over that period of time you look at what our shortfall is for this coming year
39 that whole shortfall would have been made up by having raised the transient occupancy tax six
40 years ago. It is really remiss I believe that we are not doing it. I just want to throw it out there.

41
42 Chair Cassel: Okay if there are no other comments at this time I would like to go on. Karen.

43
44 Commissioner Holman: Just a real quick one. I want to parrot Commissioner Burt's comments
45 about zero-based budgeting but also I have not seen anywhere yet any information about the
46 proposed or anticipated I would say retail sales tax dollars increase from Stanford Shopping
47 Center since the shopping center is being reloaded if you will. Staff is aware of what is going on
48 there?

1
2 Mr. Emslie: Yes, it is the largest source of sales tax and it is showing some modest increases but
3 very, very gradual nothing dramatic yet.
4

5 Commissioner Holman: My understanding is that all of the tenants who are in the bottom 50%
6 of per square foot retail sales their leases are not being renewed. So that could potentially
7 generate quite a lot of new sales tax. I just haven't seen any information about that at all
8 publicly.
9

10 Mr. Emslie: The sales tax could take awhile for that to take effect and start to show up. Our last
11 quarter was our holiday quarter and that was a bit higher but it was by just a fraction of a
12 percentage point from the year before. So perhaps as these tenants are changed out and newer
13 tenants are brought in we will start to see some increases.
14

15 Chair Cassel: I am losing some Commissioners. The other thing we can do is we can certainly
16 give you information about questions or suggestions and ideas.
17

18 Mr. Emslie: Absolutely. You can email me. What I do is I report out on all the suggestions and
19 comments to the City Manager and the Budget Director as a follow up. So all these will be
20 passed on to them.
21

22 Commissioner Lippert: This is just a follow on Commissioner Holman's question with regard to
23 Stanford Shopping Center. Has any effort been made to try to engage or bring those evicted
24 tenants into the Downtown? We have seen a number of really some great tenants like Apple
25 Computer and Rejuvenation Hardware even Starbucks come into the Downtown and thrive.
26

27 Mr. Emslie: I certainly will make that point to the Economic Development Staff.
28

29 Chair Cassel: Okay, is that alright and then we can go on? We have just a couple of items.
30

31 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***
32

33 Chair Cassel: We have been asked to be sure we turn in our economic interest forms, Form 700.
34 That is due I believe April 1 and they are concerned that they haven't gotten very many yet so
35 they want to make sure they put it on our radar.
36

37 We have received an invitation by the Chair of the ARB, Judith Wasserman, to have a joint
38 meeting with the ARB. If you are interested I would be delighted to pursue that. Am I getting
39 some nods there? Okay, I will pursue that.
40

41 Commissioner Burt: Phyllis, would that be rather than on a particular topic just a joint kind of
42 overall study session? Is it ZOU oriented? What would be the format?
43

44 Chair Cassel: We have several options like that. Judith was suggesting we do it in a six to seven
45 timeframe. There is also a program out that the AIA has done called Architecture 101. We had
46 the original of that and have been through it but apparently they have updated it and done a very
47 nice job and adapted to specific situations and they are interested in if we are interested in that.
48

1 Commissioner Lippert: I would be in support of the Architecture 101. We did it for City Staff
2 and it was a very positive program.

3
4 Commissioner Burt: My thought also is that within all the ZOU work there may be some really
5 complimentary insights that could occur through a dialogue on kind of an open ended dialogue
6 on ZOU issues.

7
8 Chair Cassel: I talked to Steve about that and he is going to explore some of that with Judith. I
9 wanted to kind of inform you and get your consent to proceed forward with that.

10
11 Okay, Bonnie can you tell us what happened at the Council meeting?

12
13 Vice Chair Packer: There were two items of interest for us. One that we did review that was the
14 one up on Skyline Drive, the Harvey Lourk's project, which was approved unanimously by the
15 Council without comment except to compliment the Commission on all our good work. So that
16 was done. Also there was another project that was an appeal of an Individual Review project
17 that the Council took off in order to consider whether or not to hold a hearing. There was a
18 hearing on whether or not to hold a hearing and the Council after hearing the public decided not
19 to hold a hearing on that item. That was a house on Forest Avenue.

20
21 Chair Cassel: Are there any other announcements?

22
23 Commissioner Holman: Mine isn't an announcement it is a question. The Individual Review
24 process last meeting we were told that they were no longer going to be these posting in front and
25 that the yellow signs would no longer be used.

26
27 Mr. Emslie: There must be some misunderstanding. No, no those signs are very integral to the
28 noticing procedures and they will continue to be used. I think they were talking about maybe
29 putting the little drawings on them but the signs will still be used to post the site.

30
31 Commissioner Burt: That is my understanding that they were talking about eliminating the one.
32 I had asked about why we weren't putting more drawings out there and Staff responded that
33 because of the three or four dollars or something that they were going to eliminate the one
34 drawing that was there. This occurred because I went by that 1012 Forest site just out of
35 curiosity to understand does this provide any insights on how the IR process is working well or
36 not and the issues that were raised by the public weren't visible by the site drawings that were
37 there. It was just a front view and I thought gee, we should have more. I raised it to Staff at our
38 last meeting that you weren't here on and the response we heard was oh, we are actually going to
39 eliminate that drawing they can get them down at the permit center. I thought gee, we ought to
40 go the opposite direction.

41
42 Mr. Emslie: I support more information rather than less so we will work on getting that
43 reinstated.

44
45 Commissioner Holman: Thank you for the clarification. I had thought that they were saying that
46 the three or four dollars...and the reason I asked the question was because the information was
47 going to be similar to what they put on for CUPs you know the posting of that. I didn't notice
48 that CUP posting at the Blockbuster site today when I was there.

1
2 Then the APA conference coming up. I think we have some information that should be coming
3 on that.
4
5 Mr. Emslie: Yes, Mary will be getting in contact with you. We have several registrations so let
6 her know when you would like to attend and we will make arrangements to get you the
7 credentials to visit the conference.
8
9 Chair Cassel: Thank you very much. Any other announcements? Okay, we have minutes for
10 approval on February 9, 2005.
11
12 ***APPROVAL OF MINUTES:*** February 9, 2005.
13
14 Chair Cassel: I can't vote on this I wasn't there. Is there anyone who would wish to move
15 those?
16
17 MOTION
18
19 Vice Chair Packer: I'll so move.
20
21 Chair Cassel: Bonnie moved. A second?
22
23 SECOND
24
25 Commissioner Burt: Second.
26
27 MOTION PASSED (4-0-1-2, Griffin and Bialson absent and Cassel abstained).
28
29 Chair Cassel: Pat will second it. Any other comments? All those in favor please say aye. (aye)
30 That motion passes four yes and one abstention, Commissioner Cassel and Commissioners
31 Griffin and Bialson absent.
32
33 Thank you very much for a good meeting. We finished it all and I think we had some good
34 results.
35
36 ***NEXT MEETING:*** March 30, 2005.
37
38 Chair Cassel: Good night. Thanks everyone.
39
40 ***ADJOURNED:*** 10:45 PM