



**CITY OF PALO ALTO**  
**CITY COUNCIL**

Special Meeting  
February 3, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:05 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price, Scharff, Schmid, Shepherd

Absent:

SPECIAL ORDERS OF THE DAY

1. Introduction of Nuria Fernandez, General Manager, Santa Clara Valley Transportation Authority (VTA).

Council Member Price introduced Ms. Fernandez of the Santa Clara Valley Transportation Authority (VTA). Ms. Fernandez became General Manager of VTA in December 2013. With more than 30 years of experience in transportation, Ms. Fernandez's career included planning, design and construction of mass transit systems.

Nuria Fernandez had a long career in public transportation; however, one highlight of her career was working with the U.S. Department of Transportation in the 1990s where she worked with many communities. She believed in the bike program and appreciated Palo Alto's participation in bike sharing. VTA supported Caltrain in its operations and capital programs. Caltrain was integral and critical to the VTA transportation network. With the VTA Board, she identified priorities of public transportation for Levi's Stadium and continuation of Bus Rapid Transit. VTA was known for providing ample forums for community feedback. She reorganized VTA's community outreach group to have individuals assigned to city clusters. VTA would continue to focus on the extension of Bay Area Rapid Transit (BART) into Silicon Valley. She welcomed the opportunity to discuss VTA in Palo Alto and to share ideas.

Council Member Burt requested the VTA Board seriously reconsider Santa Clara County's representation on the VTA Board and determine if there should be a North County representative.

Ms. Fernandez reported the appointments were made by the Chairman of the Board. She would be happy to discuss the Council's concerns with him.

Council Member Burt explained that San Jose contained roughly half the population of Santa Clara County. Consequently, the political control of the VTA could be found south of Santa Clara. The majority of Caltrain ridership could be found north of Santa Clara. There was a disconnect between political representation and use of the system.

2. Proclamation of the Council Proclaiming the City of Palo Alto as Open [Data] by Default.

Vice Mayor Kniss read the Proclamation into the record.

Jonathan Reichenthal, Chief Information Officer, thanked the Council for its support, vision, and commitment to open government. The journey to make data easily available and accessible transcended other technology-related initiatives. The initiative best aligned with all City efforts and with the President's digital government agenda.

#### CITY MANAGER COMMENTS

James Keene, City Manager, announced that the City would hold ethics training on February 18, 2014. The San Francisco Public Utilities Commission issued a call for a 10 percent voluntary reduction in water use. An additional update would be issued around March 1, 2014. He enumerated City efforts to reduce water consumption and residential methods for reducing water consumption.

#### COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Scharff attended the California Municipal Utilities Association and the NCPA Capital Day where discussions addressed issues pertinent to Palo Alto utilities. He provided a brochure regarding water reservoirs around the State.

Council Member Schmid received many comments from Palo Altans for Dish Access and requested Staff report whether the Council had any authority relative to Dish access.

James Keene, City Manager, stated any discussion would need to return to the Council.

Mayor Shepherd attended the Caltrain Local Policymaker Group meeting where members clarified that the City's letter pertained specifically to the modernization of Caltrain. The Local Policymaker Group would provide an opinion regarding the Environmental Impact Report (EIR) for Caltrain. Caltrain seemed interested in pursuing Palo Alto's concerns.

## ORAL COMMUNICATIONS

Council Member Klein reported he could not participate in Dish discussions either currently or in the future as his wife was employed by Stanford University.

Jacques Adler learned that running and walking at the Dish saved his life. The Council could save lives by continuing access to the Dish.

Stuart Klein stated there was a traffic problem near the Dish. The community and neighbors shared a goal of community access to the Dish with minimal disruption to neighbors. He urged the Council to reengage with Stanford University for community outreach.

Jo Siegman spoke to the broader and long-term view regarding the Bay to Ridge Trails and referenced the concept of tragedy of the commons.

Katie Talbot indicated Stanford Avenue was dysfunctional because it was used as a parking lot. Stanford Avenue was not safe for bicyclists and children walking to Nixon Elementary. She did understand why users objected to walking from the proposed parking lot to the Dish.

Lianne Kurina did not believe parking along Stanford Avenue was safe or worth the death of someone.

Tim Assimes reported access to the Dish was too close to two schools. He could not support users of the Dish at the expense of the safety of his children. The Perimeter Trail Project was a good compromise. Stanford campus members would close access to the Dish if there was an accident.

Jean Meyer requested the Council approve the Perimeter Trail Project. Limiting access to the Dish would be good. The mission of the Committee for Dish Access was to halt any improvements to the Perimeter Trails.

Emma Shlaes, Advocacy Coordinator for Silicon Valley Bicycle Coalition, supported the current proposal. Currently Stanford Avenue was intimidating for pedestrians and bicyclists because of parking. Class 1 and 2 bike facilities would connect to existing and proposed bike routes within Palo Alto.

Peter Fox felt Stanford University built the trail along Coyote Hill to satisfy the letter but not the spirit of its agreement. That trail did not satisfy any of the uses provided by the Dish.

Robert Moss read an editorial regarding land use.

Jeanne Fleming remarked that generally users of the Dish were women. The proposed plan did not allow vigorous exercise within an hour.

Nancy Krop asked the Council to protect access to the Dish. Eliminating parking would not make Stanford Avenue safer. The gate at Coyote Hill Road should be opened. The Junipero Serra crosswalk was located at one of the most dangerous intersections in the City.

Diane McGrath indicated the walk from proposed parking to the Dish would severely limit use of the Dish. Health benefits from exercising at the Dish were obvious. She suggested parking be added to adjacent streets to ease congestion on Stanford Avenue.

Lyman Van Slyke reported the issue was not access to the Dish, but rather the reduction of parking along Stanford Avenue in return for buffered lanes. A serious accident was waiting to happen on Stanford Avenue. He urged the Council to endorse the proposal.

Suzie Brandeau supported exercising in the Dish because of the terrain and security. She encouraged open access.

Vineth Gupta was able to exercise at the Dish in one hour because of nearby parking. Many women used the Dish for exercise.

Christine Costigan supported the proposed bike trail. She expressed concern about her children utilizing Stanford Avenue on their way to school.

Penelope Zeifert agreed that Stanford Avenue was dangerous. Safety should be the first consideration.

Cheryl Goodrich indicated Stanford Avenue parking should be safer and better organized. She supported the goal to connect the Baylands to the Foothills. While she supported parking on Coyote Hill Road, she worried about pedestrians crossing safely at Page Mill Road. Parking could be developed at the end of Old Page Mill Road.

James Mark, MD felt the issue was safety because of U-turns and jay walking. He urged the Council to support parking off Stanford Avenue.

Bruce Clemens stated the S1 trail was a viable alternative to the Dish. Parking along Stanford Avenue was terrible.

Susan Sweeney urged the Council to support the proposed trail system. The current plan provided quality walking, jogging, and bicycling between the Baylands and the Foothills.

Dee Dee Schurman found Stanford Avenue to be quite chaotic and dangerous. The Council's support of the proposed plan was proper. Stanford University was not eliminating access to the Dish for anyone.

Marcia Sterling believed the proposed plan would reduce access to the Dish by reducing accessible parking.

Timothy Gray expressed concern about trees suffering from drought and disease. Perhaps the community could work collaboratively to prevent the spread of disease.

Wynn Grcich spoke regarding radiation in California from Fukushima. Fluoridation was poison.

Mike Alcheck stated reduced parking along Stanford Avenue would limit people's ability to utilize the Dish.

Shani Kleinhaus, Santa Clara Valley Audubon Society, reported a global extinction event was occurring. People should incorporate creatures into the urban landscape.

Stephanie Munoz inquired about the difference between growth and density.

Cheryl Lilienstein, Palo Altans for Sensible Zoning, believed much of the discussion concerned increasing density and the lack of adequate transit. She suggested fewer exceptions for signage and density move through the process, because exceptions diverted Staff's attention from more important issues.

#### CONSENT CALENDAR

**MOTION:** Council Member Schmid moved, seconded by Council Member Holman and Council Member Burt to pull Agenda Item Number 6 to be heard at a later date.

Mayor Shepherd inquired whether Staff was present to discuss Agenda Item Number 6.

James Keene, City Manager, believed the item should be continued to another meeting, because of the volume of items on the Agenda and the lack of time sensitivity of the item.

Molly Stump, City Attorney, clarified that the item was removed from the Agenda; therefore, Council Members would not have an opportunity to speak to the item at the current time.

Vice Mayor Kniss asked if the Council would vote on Item Numbers 3-5 and 7 and if Item Number 6 was deferred to a date uncertain.

Mr. Keene responded yes. Possibly Staff could return with Item Number 6 in the first half of March 2014.

Council Member Burt suggested the Council consider deferring Item Number 6 until later in the evening if there was sufficient time for discussion.

Mr. Keene indicated the issue was whether appropriate Staff was present and prepared for discussion.

Mayor Shepherd preferred to continue Item Number 6 to a later time as it was not time sensitive.

Council Member Burt regretfully withdrew his third to the Motion

### **MOTION FAILED DUE TO THE LACK OF A THIRD COUNCIL MEMBER**

Vice Mayor Kniss announced Item Number 6 was returned to the Consent Calendar for Council consideration at the current time.

Ms. Stump agreed that Item Number 6 was on the current Consent Calendar Agenda as only two Council Members moved to remove it. If any Council Member chose to vote no on an item, he would have three minutes to explain his no vote at the close of voting.

Mr. Keene acknowledged that in preparation for the Consent Calendar, Staff received a few complex questions from Council Members regarding Item Number 6. Therefore, any discussion of Item Number 6 could be more involved than anticipated.

**MOTION:** Council Member Price moved, seconded by Council Member Scharff to approve Agenda Item Numbers 3-7.

3. Resolution 9393, entitled "Resolution of the Council of the City of Palo Alto Increasing the Palo Alto Clean Local Accessible Now (CLEAN) Program Cap to 3 Megawatts of Generating Capacity."

4. Resolution 9394 entitled "Resolution of the Council of the City of Palo Alto to: 1) Terminate the City's Natural Gas Direct Access Program by Repealing Gas Rate Schedule G-4; 2) Eliminate Fixed and Custom Gas Commodity Rates for Large Commercial Customers by Repealing Gas Rate Schedules G-11 and G-12; and 3) Effect the Changes by Amending Gas Rate Schedules G-3 and G-8 and Utility Rules and Regulations 2, 3, 5 and 13."
5. Finance Committee Recommends Approval to Issue the Request for Proposals and Undertake a Procurement Process for Street Sweeping Contractor Services.
6. Appeal of Director's Approval of a Sign Exception for a wall sign at the Tesla Motors Dealership at 4180 El Camino Real.
7. Approval of Amendment Number One with CoalFire Systems Inc., for Contract Number S14150215 in the Amount of \$3700, and 20 Percent Contingency.

**MOTION PASSED for Agenda Item Numbers 3-5 and 7: 9-0**

**MOTION PASSED for Agenda Item 6: 7-2** Holman, Schmid no

Council Member Holman wished to comment on Agenda Item Number 5.

Mayor Shepherd reported a Council Member could not comment on a Consent Calendar item unless he voted no on that item.

Council Member Holman inquired about the procedure to include information in the public record regarding Item Number 5.

Ms. Stump indicated Council procedures allowed Council Members to ask questions regarding items in a public forum. Council Members could utilize the Council email address to communicate with the public with respect to an item prior to a Council meeting. The rules allowed Council Members three minutes to comment on a no vote on the Consent Calendar, but no other discussion on Consent Calendar items.

Council Member Holman did not receive answers to her questions prior to the meeting. She found the Architectural Review Board (ARB) findings and the exception findings to be circuitous and without merit. The Staff Report did not contain a chart comparing the proposal to Code requirements. She did not understand the ARB's consideration of only the logo portion as signage when the sign was freestanding from the building. She had no idea of the number of exceptions granted for signs; however, she saw many

illegal or non-conforming signs around Palo Alto. Either better Code enforcement or a revision of the Sign Ordinance was needed.

Council Member Schmid referenced the Code section regarding sign exceptions. The Housing Element included 13 sites within 1,000 feet of the sign location. He questioned whether a residential, densely populated neighborhood and a vibrant, auto-based commercial sector had competing claims. The Council should discuss whether an exemption from the Sign Ordinance was consistent with development of a residential neighborhood prior to passing Item Number 6.

### ACTION ITEMS

8. Our Palo Alto: A Community Conversation About Our City's Future. Staff Requests Council Input and Endorsement of a Three-Part Strategy to Engage Residents in a Community Conversation About the Future of Our City. The Strategy Would Include (a) a Series of Conversations and Events Focused on Ideas, Dialogue and Building Community; (b) Near Term Actions Aimed at Addressing Today's Critical Issues; and (c) Community Engagement Effort Aimed at the Design of Alternative Futures Through the Comprehensive Plan Update Planning Process.

James Keene, City Manager, reported the prior year saw the emergence of many impacts related to growth pressures in and beyond Palo Alto. While traffic and parking problems were apparent and constant reminders of the pace of change in the Bay Area, they also raised many other questions regarding the current and future direction of the City. Since December 2013, Staff worked to structure a framework for community conversations regarding the City's future and a revised Comprehensive Plan in order to build a strong, clear roadmap to the long-term future. Three themes of ideas, action and design would occur concurrently through 2014 and well into 2015. In the ideas section, Staff compiled ways to build broad-based engagement with the community and hoped to provide opportunities for sharing different perspectives. Staff envisioned a framework beyond City Hall for dialog with the community. At the February 10, 2014 Council meeting, Staff would present a series of issues related to parking solutions. On February 24, 2014, Staff would present traffic and Transportation Demand Management (TDM) decisions and directions. On March 3, 2014, Staff would present a proposed Comprehensive Plan process. Our Palo Alto began with an ideas and engagement foundation that ran parallel to discussion and Council action and concluded with a long-term plan and engagement process for the future.



Hilary Gitelman, Planning and Community Environment Director, felt the City had a tremendous opportunity to engage in conversation, to take action, and to lay a good foundation for the City's future. The Staff Report articulated the three components of the concept. All three components were important individually and as a whole. Staff hoped the Council would endorse the organizing principle for Staff's work.

Mila Zelkha indicated Palo Alto continued to grow and change and remained a welcoming place for diverse people. Palo Alto was a desirable place to live because it was dynamic. A dynamic community required change and flexibility. She was grateful for the opportunity to consider the next 30-50 years for Palo Alto.

Jillian McNerney was excited to see and be a part of Palo Alto's future. She hoped Palo Alto would grow in a way conducive to families and employment.

Brent Rowe appreciated comments regarding friendliness in Palo Alto and wanted to see that improve. He enjoyed the diverse population of Palo Alto; however, he noted the lack of economic diversity. Palo Alto needed many types of growth, and he looked forward to future discussions.

Eric Rosenblum felt there was a growing dichotomy between residents and developers. Residents seemed to want to stop development and increase parking. A fundamentally different approach was needed to address traffic.

Peter Giovannotto remarked that planning for smart growth was one method to alleviate the pressure of a greater population. Palo Alto did not have an urban growth plan. The idea of urban growth would be important in future discussions.

Robert Moss did not believe it would be easy to obtain public participation. The proposal should be structured such that residents would recognize real issues and their ability to determine the future. Outreach efforts should relate to specific topics and the impacts on traffic, schools, housing prices, and retail. The City would have to move into the community, rather than the community coming to the City.

Shani Kleinhaus, Santa Clara Valley Audubon Society, was happy to see natural environment included in the design component and believed it was a critical part of the conversation. The urban environment should be considered as part of the natural environment. She was perplexed by the Urban Forest Master Plan preceding the natural environment element. Nature should be brought into the community.

Mike Alcheck encouraged the Council to consider each young voice in the process as a representative of a greater number of young Palo Alto residents. He hoped the process would explore innovative approaches to address residents' concerns while encouraging property owners to reinvest in their properties. Perhaps the City should consider an ordinance limiting the number of chain retail establishments, similar to that enacted in San Francisco. Local retailers were more invested in the community.

**MOTION:** Council Member Price moved, seconded by Council Member Berman to accept Staff recommendation to endorse "Our Palo Alto: A Community Conversation about our City's Future" as a conceptual framework for ideas, actions, and design during the next year, and requesting that staff: (a) convene a series of topical conversations and events throughout the year aimed at building community by broadening civic engagement about issues and ideas that are important to our City; (b) return to the Council with specific recommendations regarding near-term actions to address critical issues such as traffic and parking; and (c) return to Council with a specific schedule and scope of work to create a blueprint for the future of land use and development in our City by re-framing the ongoing update to the Comprehensive Plan to include broad community engagement, discussion and analysis of alternative futures, cumulative impacts, and mitigation strategies.

Council Member Price supported the steps outlined. Richer conversations would occur as the process evolved. Having working conversations with residents and businesses and developing a learning community would blend various approaches and consider innovative ideas.

Council Member Berman was excited by the initiative as it had the potential to bring together the entire community to discuss challenges. The process was thorough and provided a long-term vision. Having experts facilitate community discussions was a good idea. He was heartened by the younger members of the community who spoke and wished to participate in the community. The opportunity for a broader conversation regarding issues would be incredibly valuable for the entire community. Change was inevitable; however, the process hopefully could control change.

Council Member Schmid felt earlier public comments was a great example of people speaking about long-term issues that faced the Council. Residential change and commercial change often conflicted. The Council and community needed a method to adapt and build change that was logical for the community. Perhaps opportunities would arise that would allow Staff to define groups of change or transition and then form conversations around those groups.

Council Member Klein noted similar efforts were tried previously in Palo Alto and other cities. A successful initiative would require innovation to reach the community. He expressed concern about efforts to reach Asian-Americans, residents both married and single under age 40, and senior citizens; all of whom constituted half or more of the community. Successful outreach efforts would need to move into the community, to the locations where residents lived, worked, and socialized. In order to reach younger residents, meeting times might need to be later than 6:00 P.M.

Council Member Holman hoped outreach efforts would connect with residents who did not participate in Council meetings. She asked when the Council could add topics for community discussions.

Mr. Keene indicated the Council could suggest topics at any point. Staff needed ideas and suggestions from the community and the Council. As the Council provided direction to Staff, then Council Member suggestions would need to be concrete and a collective Council action. Staff had already received several ideas from Council Members.

Council Member Holman offered topics regarding traffic baselines and traffic methodology, employee density compared to parking demand, the built environment, and retail retention.

Mr. Keene noted Staff would present information regarding parking the following week and request Council direction regarding subsequent studies and information. At that time, the Council could request specific data sets.

Ms. Gitelman would want to have conversations regarding Council Member Holman's topics as the Council began reframing the Comprehensive Plan. At the same time, the topics fit into the top tier as standalone topics for workshops, meetings, or community conversations. Staff would be remiss not to address the topics in all three areas.

Council Member Holman wanted to provide suggestions so that Staff could incorporate information into presentations to the Council.

Mr. Keene reported many topics would return to the Council with specific details based on Council input. Community conversations could inform the Council's direction to Staff.

Council Member Holman stated sidewalk widths and retail retention were old issues in terms of Colleague's Memos. She inquired whether they could return to the Council sooner rather than later for action.

Ms. Gitelman would need to review the Colleague's Memo regarding retail retention. Staff would return to the Council in April or May 2014 with a proposed Ordinance regarding sidewalk widths.

Council Member Holman asked if Staff would have sufficient information after only four to five months of community engagement and scoping to prepare a draft Environmental Impact Report (EIR).

Ms. Gitelman deferred a response until March 3, 2013, when Staff would present a detailed discussion of the Comprehensive Plan process.

Council Member Holman wished to ensure Staff included greenhouse gas evaluations as part of the baseline data reports and dissemination of environmental analysis, because the City needed that data for planning and communications with State Legislators. The section regarding the draft EIR with mitigation strategies seemed to assume mitigations as opposed to avoiding impacts.

Council Member Burt felt a great deal of work was necessary for a successful initiative. The initiative was aimed primarily at the under-40 group; yet, they would be the least involved and influential group. The City struggled to draw Asian ethnic groups into community dialog. He recalled that the Comprehensive Plan Advisory Committee and the SOFA Committee utilized subcommittees to focus on specific issues and provide outreach to the community. Staff should interview members of the two groups with respect to committee structure and successful outreach efforts. The City needed to educate the community in order for the community to make informed decisions. Regarding the title "A Conversation About the City's Future," he recommended the Council consider whether it was just a conversation or more than a conversation. The initiative concerned the physical City, primarily the built environment and transportation. He did not find anything in the Staff Report concerning less visible elements such as youth well being, senior services, utilities, environmental policies, parks and community facilities, and emergency preparedness. Staff should ensure that a discussion of the built environment also educated residents about the most visible part of the community.

Council Member Scharff believed the initiative would be a community conversation and action regarding the built environment. He liked the inclusion of timelines for action. He inquired whether housing-related actions were separate and apart from the Housing Element or about the Housing Element.

Ms. Gitelman explained that the housing-related action referred to the Housing Element update.

Council Member Scharff suggested the infrastructure funding plan should precede discussion of the bike plan.

Mr. Keene reported the bike plan would be part of the larger question of the infrastructure funding plan. A broader discussion of the bike plan could occur in the second quarter of the year when the Infrastructure Committee recommended an infrastructure funding plan.

Vice Mayor Kniss suggested Staff refer to the initiative as a campaign to hear from the community about the future. She suggested Staff utilize social media to reach the under-40 group; include food at meetings as food seemed to draw participants; hold small group meetings at many locations throughout the City; and reach out to nonprofit organizations.

Mayor Shepherd remarked that this was an opportunity for the City to regroup and listen to the community. It was important to hear from different parts of the community. Staff should capture those things the community wanted to retain as the City moved forward.

**MOTION PASSED: 9-0**

Mr. Keene noted the Council created a separate process and outreach funding related to the 27 University Avenue Project. With the implementation of Our Palo Alto, Staff would include the 27 University Avenue Project within the larger process.

9. Planned Community (PC) Zoning Time-Out & Reform. Staff Recommends Adoption of a Motion: (a) Expressing the Council's Intent to Defer Requests for Rezoning to the Planned Community (PC) Zoning District Until the Process and Requirements Regulating the PC Zone in Chapter 18.38 of the Municipal Code are Revised, and (b) Directing Staff to Return to the Council with an Analysis of Potential Revisions and Alternatives to the PC Zone for Public Input and Discussion.

Aaron Aknin, Planning and Community Environment Assistant Director, reported that Planned Community (PC) Zoning was one of the primary topics discussed at the kickoff meeting of Our Palo Alto in early December 2013. PC Zoning was site-specific zoning where developers or property owners could negotiate site zoning in exchange for public benefits. There were many successful PCs, and PC Zoning could be a successful tool. Staff heard two overarching concerns from the community, the Planning and Transportation Commission (P&TC), and the Council. The first concern was that the PC negotiation process was too ad hoc in nature and there was no framework for the process. The second concern was that the public benefits

accepted by the City were sometimes inadequate given the private gain associated with PC Zoning and the long-term implications of the project. The PC Ordinance was first adopted in 1951 with no mention of a public benefit. In 1978, the PC Ordinance was revised to include public benefit and to require a process and findings. Approximately 100 PC Zones had been approved since 1951, with one-third being approved prior to 1978 and two-thirds since 1978. The PC process included two required P&TC meetings, one required Architectural Review Board (ARB) hearing, and Council adoption of specific findings when approving a PC. Staff sought specific direction regarding a time-out for PC Zoning. If the Council chose to implement a time-out, then Staff requested direction regarding PC Zoning reform as a standalone topic or as part of Our Palo Alto. One application for a PC Zone at 2755 El Camino Real was pending. As currently proposed, Staff recommended the application be delayed as the Council discussed PC Zone reform. The development was a 30,000-square-foot proposed office building at the corner of El Camino Real and Page Mill Road. Staff performed a pro forma analysis of the project and concluded that proposed public benefits were equitable to private gain. Staff concluded the project could be developed under Service Commercial (CS) Zoning and remain profitable.

Mayor Shepherd requested Staff comment on the request for Council Members not to suggest specific PC reforms.

Hilary Gitelman, Planning and Community Environment Director, reiterated that the recommendation grew out of the Council's Study Session on December 2, 2013. Staff requested Council Members provide their opinions and suggestions regarding a time-out for PC Zoning and a schedule for Staff to return with recommendations. Staff was not requesting Council Members comment on specific reforms.

Tom DuBois reviewed a few results from the National Citizen Survey. While PC Zoning should be reformed, current zoning was not having the intended effect. He requested the Council defer requests for land use exceptions or exchanges until the Comprehensive Plan update was completed. He hoped the time-out would apply to the pending application for PC Zoning.

Jeff Pollock, speaking on behalf of group of five, stated the 2755 El Camino Real Project was not abusive, was moderately sized, fulfilled the South El Camino Real Design Guidelines and Grand Boulevard Vision, and provided desired benefits. The project would be fully parked and would raise values in the area, and would bring prestige to the City. The project should be allowed to proceed.

Ken Hayes, Hayes Group Architects, reported that the 2755 El Camino Real Project as proposed was 10,000 square feet larger than allowed under CS

Zoning. The project created no California Environmental Quality Act (CEQA) impacts for traffic; improved the level of service of the Page Mill Road-El Camino Real intersection; included a Transportation Demand Management Plan; and requested no parking reduction for the TDM Plan. The site was currently zoned Public Facility (PF) and required rezoning to construct a private building. He compared zoning requirements for CS and PC Zones. Public benefits were well vetted and developed with City guidance.

Mr. Pollock reviewed public benefits proposed for the 2755 El Camino Real Project. The project would dedicate 12 feet to widen Page Mill Road. The proposed tenant for the project was First Republic Bank. A third-party municipal financial consultant reviewed the package of the project; compared the project to a project under CS Zoning; and concluded that the proposed public benefit was equal to \$2.55 million. The proposed project would fulfill design criteria for the site.

Jim Baer endorsed the 2755 El Camino Real Project for PC Zoning.

Neilson Buchanan supported PC Zoning; however, he urged the Council to review PC Zoning. He asked which independent body would represent the City in determining whether to accept the offer proposed by the 2755 El Camino Real Project.

Robert Moss felt the City had not received any public benefits from PC Zoning. The Staff Report did not mention enforcement for PC Zones. The City needed an independently quantifiable comparison of public and private benefits. The Council should adopt a moratorium for PC Zoning.

Herb Borock noted that Staff recommended the Council vote for an expression of intent, which did not have the force of law. Staff proposed only one alternative, a moratorium. The most direct and legally supportable action was an Ordinance that would eliminate the current PC Zone District Regulations for new applications.

Stephanie Munoz wished the Council would concentrate on the fact that the public benefit of a PC Zone could not be obtained by any other means. She hoped a PC Zone for senior housing at Maybell would be allowed.

Martin Bernstein, speaking as an individual, did not believe a time-out was needed for PC Zoning, because the Council could deny any application for PC Zoning.

James Keene, City Manager, clarified that the Council would not discuss a topic that was not properly advertised. The current topic for Council discussion was related to a PC time-out and Staff suggestions regarding a

timetable for reform. Conversation within the realm of PC reform would be appropriate.

Vice Mayor Kniss inquired whether Staff could return with recommendations by summer 2014.

Mr. Aknin answered yes.

**MOTION:** Vice Mayor Kniss moved, seconded by Mayor Shepherd to accept Staff recommendation to: 1) defer requests for rezoning to the Planned Community (PC) zoning district until the process and requirements regulating the PC zone in Chapter 18.38 of the Municipal Code are revised; and 2) direct Staff to return to the Council with an analysis of potential revisions and alternatives to the PC zone for public input and discussion.

Vice Mayor Kniss remarked that the current time was appropriate for a time-out. Many existing PC Zones provided a variety of positive benefits for the community. The City needed a process to evaluate PC Zones. She suggested Staff return with something that was measureable, had tangible results, and could be tracked over time.

Mayor Shepherd looked forward to a robust conversation regarding PC reform. Concepts for PC Zones needed to demonstrate the material benefit of public benefits.

Council Member Holman inquired about the relationship between the Permit Streamlining Act and delay of the 2755 El Camino Real Project.

Molly Stump, City Attorney, reported the Permit Streamlining Act did not apply to a legislative action, which was the format for a PC Zone consideration. The Permit Streamlining Act was not an issue in this instance.

Council Member Holman asked about the interface between PC reform and work regarding parking standards and density of office development. She requested Staff's vision for public outreach regarding PC reform.

Ms. Gitelman indicated Staff could return to the Council during the summer of 2014 with an analysis of potential reforms. Staff would obtain Council input and direction before proceeding with community input.

Council Member Holman recalled Council Member and public comments addressing development beyond PC Zones at the Study Session in December 2013. She inquired about a time for Council consideration of a time-out for larger development projects beyond PC Zones.



Ms. Gitelman reported current zoning created expectations on the part of property owners and the public that there was a development potential for property. If the Council implemented restrictions on development, then it would have a larger conversation with more complicated issues. With respect to public comment regarding design exceptions, the Council reviewed exceptions it wanted to grant, such as exceptions that allowed for wider sidewalks. In some circumstances, exceptions were beneficial and encouraged quality design. Broadening the time-out to include additional tools and circumstances beyond PC Zoning would create unintended consequences and complexities.

Mr. Keene did not believe the Council could lightly consider reducing or potentially removing entitlements that were granted and might be longstanding. Such consideration would require a foundation of facts and data, an understanding of the implications, and demonstrable fairness. Staff could return with a time-out on a discretionary decision.

Council Member Holman suggested the Council could address some issues such as up-zoning. Someone could skirt the PC issue by requesting an up-zoning. The structure of parking considerations did not necessarily benefit the community at the current time. Some of those issues would not necessarily have the impact that Staff referenced.

Council Member Price would not support a time-out at the current time, because she was not comfortable with a time-out as a way of doing business. The pending application should continue through the application process with existing public input and reviews. The PC process provided a design outcome that could be attractive for the intersection of El Camino Real and Page Mill Road. She strongly supported reform of the PC process. The issues of quantification and enforcement clearly needed work. The PC process should be reformed within the next three to four months, rather than waiting for the update of the Comprehensive Plan. Over the prior two to three years, the community refined its thinking regarding the elements of the PC process that needed improvement.

Council Member Klein asked if the P&TC would review Staff's proposed PC reforms prior to the proposed reforms being presented to the Council. He asked if Staff's proposed deadline of summer meant June or August.

Ms. Gitelman indicated Staff first considered a deadline of July; however, they would need to reconsider that timeframe. If Staff sought Council direction, then they would have to circle back to the P&TC for recommendations. Staff was seeking Council direction. If the Council wanted to proceed quickly, then Staff could draft alternatives, present them

to the P&TC, and present those alternatives and the P&TC recommendation to the Council. In that case, Staff could probably return in August.

Mr. Keene concurred that Staff could return to the Council in August.

Council Member Klein did not believe PC reforms could become effective within a year. He would not support a moratorium. In general, he did not like moratoriums; however, they could be appropriate in limited circumstances. This was not one of those limited circumstances. He expressed concern regarding unintended consequences of moratoriums. If the Council did not like a PC proposal, it could vote no. The Council could not oppose a project proposed under existing zoning. He felt Staff could return in 60-90 days as PC reform did not require much research. A moratorium for a few years would be deleterious to the community, to property values, and to community vibrancy. He urged Council Members to vote no on the Motion.

Council Member Burt was not a fan of moratoriums because of unintended consequences. A time-out could assure PC changes were binding on Council decisions and could help the community feel relief from PC abuse. On the other hand, the City did not receive many applications for PC Zones. The second consideration was an appropriate action for the pending PC application.

**AMENDMENT:** Council Member Burt moved, seconded by Council Member Scharff that the PC suspension apply to any PC application not yet submitted.

Council Member Scharff supported a time-out for PC Zoning. The Council needed to build community faith in the PC process. He struggled with the fairness of imposing a delay on the pending PC application. The community would benefit from applying reforms to an actual project.

Council Member Berman supported the Motion. The Council identified that the current PC process was broken and needed to be fixed. It was not appropriate to use a broken process for any project, regardless of its position within the application process. He worried about potential unintended consequences of a time-out, particularly in relation to affordable housing. Staff should accelerate the timeline.

Ms. Stump recommended time-out rather than moratorium. Moratorium in land use law had a specific meaning and required specific findings. Findings were not necessary in the current circumstances, were not appropriate, and were not being made. The Council should avoid use of the term "moratorium" in order to maintain a clean record.

Council Member Schmid stated the Council needed a sophisticated tool of economic analysis to make decisions regarding costs and benefits of PC Zoning. The Council needed a framework of economic analysis and needed it desperately. He hoped Staff would provide a framework that allowed the Council to assess quality economic data and determine costs and benefits. He opposed the Amendment.

Mayor Shepherd opposed the Amendment, because the one PC project approved in 2013 was used to exemplify the disadvantages of PC Zoning. The Council needed to better inform the community regarding PC Zoning, and this was the appropriate time for that.

**AMENDMENT FAILED:** 4-5 Burt, Klein, Price, Scharff yes

**AMENDMENT:** Council Member Burt moved, seconded by Council Member Holman to direct Staff to return to Council with an agenda item to consider suspension of any up-zoning that would result in FAR increases during the timeframe the PC suspension would be in existence.

Council Member Scharff inquired whether the topic of the Amendment was properly agenda item.

Ms. Stump noted existing land use rights applied to given parcels. Staff framed the item such that the Council would determine how to exercise its discretionary authority to make a legislative action with respect to a discretionary zone change in the future. The Amendment moved into another area that was not fully explored or noticed. The Amendment's direction to Staff should return to the Council after more specific public notification and potentially quite a few more procedural steps. Staff would need to explore the meaning of the Amendment and its impact on various pieces of the Zoning Code.

Council Member Burt clarified that the Amendment did not impact existing zoning. It would only impact changes to existing zoning.

Ms. Stump was not sure that was the case. She requested the Planning Director comment regarding the different ways that current features of the Zoning Code could result in increased density of zoning.

Council Member Burt meant a change in actual zoning that would up-zone.

Mr. Keene inquired whether density would be determined by Floor Area Ratio (FAR).

Council Member Burt replied yes.

Ms. Stump expressed concern that the item was not specifically called out for Brown Act purposes in terms of the Council taking action on it.

Council Member Burt inquired whether the direction to Staff had to be initiated outside the current agenda item.

Ms. Stump answered no. The Council could provide general direction regarding a related topic if the appropriate number of Council Members wanted Staff to return with information.

Mr. Keene reported the Amendment could result in many permutations for Staff consideration. The simplest method for Staff consideration would be a straight increase in existing FAR. A project could propose a change in use that would not result in increased density.

Council Member Burt explained that the Amendment would only apply if an applicant wanted to change the zoning for a parcel.

Vice Mayor Kniss inquired whether the Amendment provided clear direction for Staff.

Mr. Keene understood the general intent of the Amendment. If the Council directed Staff to do so, they would give their best effort to identify the different aspects of up-zoning. If somehow Staff did not provide all the information the Council wished to have, then hopefully the Council would have sufficient information to take some action.

Council Member Burt felt some major up-zoning applications were on the horizon. If the Council reviewed the PC issue only, then more significant things could occur. The intent of the Amendment was to provide the Council with an opportunity to review rules on increases in density beyond the amount allowed by existing zoning.

Council Member Holman expressed concern regarding the Amendment's effect on affordable housing projects.

Council Member Burt explained that an affordable housing project could qualify for density bonuses. The Motion would deny affordable housing the use of a PC Zone. The Amendment would deny an alternative to a PC Zone. If the Council wished to exempt affordable housing projects from the concept, then the Motion should include that.

Council Member Holman noted affordable housing projects had different parking requirements. That was the one advantage to having an exemption for affordable housing projects.

Mr. Keene was concerned that a possible direction to Staff was taking on a great deal of form that could create problems.

Council Member Burt suggested those issues be part of the discussion when Staff returned to the Council.

Council Member Holman concurred.

Council Member Price would not support the Amendment. The discussion was premature. The discussion was not appropriate as it moved beyond the topic noticed to the public. The community should have an opportunity to provide comments.

Ms. Gitelman commented that zoning beyond the PC Zone was confusing. Staff could review issues of the current Zoning Ordinance; where it applied densities; and where those densities could be adjusted. Those topics would be associated with updating the Comprehensive Plan.

Council Member Schmid indicated that the goal of identifying potential up-zoning was clear; however, he was concerned about additional up-zoning needed in preparation of the Housing Element.

Council Member Scharff stated the Council wished to reform a process. The Amendment did not reform a process. The reasons for a time-out were unclear, because the Council could deny a request for up-zoning.

**AMENDMENT FAILED:** 3-6 Burt, Holman, Schmid yes

Council Member Scharff felt reforming the PC process was important. Instituting a time-out would prevent additional applications for PC Zoning. The Council needed to rebuild faith with the community so that everyone felt the process was fair.

**MOTION PASSED:** 7-2 Klein, Price no

Mayor Shepherd requested clarification of Council procedures regarding the latest time for the Council to take up a new item.

Ms. Stump reported the Council could decide to take up a new item.

10. Public Hearing: Approval of the Record of Land Use Action for a Site and Design Review Application and Adoption of a Park Improvement Ordinance for the Palo Alto Municipal Golf Course Reconfiguration Project, Adoption of a Resolution 9395 entitled "Resolution of the Council of the City of Palo Alto Certifying the Final Environmental Impact Report and Adopting a Statement of Overriding Considerations

for the Palo Alto Municipal Golf Course Reconfiguration and Baylands Athletic Center Expansion Project, and Review of the Status of the Palo Alto Municipal Golf Course Reconfiguration Project, Capital Improvement Program Project PG-13003.”

Rob De Geus, Community Services Assistant Director, presented 100 percent Site and Design Plans to fully transform the Palo Alto Golf Course. The new Golf Course would provide significant environmental enhancements appropriate to the Baylands; would carve out 10 1/2 acres of property for future athletic fields; made room for renovation of the San Francisquito Creek Flood Control Project; and would provide an enhanced golf experience. Staff requested the Council approve the Site and Design Application, adopt the Park Improvement Ordinance, and adopt the Resolution Certifying the Final Environmental Impact Report (EIR). The Parks and Recreation Commission (PARC) reviewed the Golf Course Project several times and reviewed the Park Improvement Ordinance. The PARC, the Planning and Transportation Commission (P&TC), and the Architectural Review Board (ARB) recommended approval.

Forest Richardson, Forest Richardson & Associates, reported that Plan G, as approved by the Council, preserved Golf Course yardage and reduced the turf footprint by 40 percent. Plan G included a short-game practice area, a small expansion of the practice range tee, new practice putting greens, a restroom on the Golf Course, and a youth golf area. Goals for the Golf Course Project were reconfiguring the course for the San Francisquito Creek Flood Control Project; reinforcing a sense of place; celebrating the Baylands environment; restoring the golf asset as a point of pride; conserving resources; and integrating the habitat into the course.

Joe Teresi, Senior Engineer, requested Council input regarding the entry sign. The proposed sign complied with Baylands Guidelines and featured new branding. The ARB preferred the entry sign more closely resemble signs utilized in other parks. After receiving Council input, Staff would return to the ARB for final approval of the entry sign. Certification of the final EIR covered the Golf Course and conversion of acreage for an athletic center expansion. The EIR analyzed use of the acreage for construction of up to five athletic fields with associated parking and lighting. Lighting associated with the athletic fields and air quality during construction were significant and unavoidable impacts and would require the Council to adopt a Statement of Overriding Considerations. In order to transform the Golf Course from a park setting to a Baylands setting, most of the trees would be removed from the course. Staff would plant 300 native trees on the Golf Course; however, that action would not replace the loss of trees. Staff recommended a mitigation package which consisted of planting 300 native

trees on the Golf Course; protection of 500 naturally occurring oak saplings in Arastradero Preserve; restoration of two acres of native Bay ecosystem habitat at Byxbee Park; and maintenance and monitoring of new plantings for 20 years contingent upon adequate funding from Golf Course revenues. The PARC recommended restoration of three acres of native Bay ecosystem habitat at Byxbee Park and funding for maintenance and monitoring not be tied to Golf Course revenues for a minimum of ten years. Staff prequalified bidders based on experience and qualifications and would advertise the Golf Course Project to four potential bidders. Once the Golf Course Project received State and Federal permits for construction, construction would begin in May 2014 and be completed in September 2015.

Mr. De Geus indicated estimated construction costs were \$9.5 million including construction management costs and a 10 percent contingency. Soil importation revenue of \$1.3 million, an estimated mitigation payment of \$3 million from the San Francisquito Creek Joint Powers Authority (JPA), and new debt service over 20 years of \$5.2 million would pay for costs of construction. Staff projected a net revenue loss between Fiscal Years (FY) 2014 and 2016 of \$2.4 million. After review and consideration, Staff believed the projection to be reasonable. If the base projection was realized, the City would recoup net losses from the periods of preconstruction and construction.

Ed Lauing, Parks and Recreation Commissioner, remarked that the community worked to reach consensus regarding the Golf Course Project. He reviewed the PARC's methodology in determining mitigation measures. The PARC recommended restoration of three acres of Baylands, a commitment to fund ten years of maintenance for new and restored parklands, and maintenance of Arastradero trees and Baylands habitat not be dependent on the current Golf Course business model. He explained the costs of mitigation measures. Stakeholders were committed to performing more than minimum mitigations.

Public Hearing opened at 10:55 P.M.

Eileen McLaughlin, Citizens Committee to Complete the Refuge, referenced the State Water Board's letter regarding the Golf Course Project related to the Flood Control Project. If the Golf Course Project did not precede the Flood Control Project, the timeline and projections for the Golf Course Project could be affected.

Shani Kleinhaus, Santa Clara Valley Audubon Society, stated Staff was open to considering alternatives for mitigation measures. Long-term maintenance should be included in mitigation measures.

Linda Ruthruff, California Native Plant Society, appreciated Staff listening to concerns regarding mitigation measures. She was concerned about the amount of suggested funding for three acres of restoration and continued maintenance of plantings.

Craig Allen felt it was important to keep public golf in Palo Alto. The Council could not afford delays in the Golf Course Project. It was time to proceed with permits, bids, and construction.

Bruce Jaffey believed the Golf Course was a hidden gem and an educational asset. He looked forward to playing the new Golf Course.

Herb Borock requested the Council not adopt the Statement of Overriding Considerations regarding lighting, but instead adopt the Limited Athletic Center Expansion alternative.

Public Hearing closed at 11:05 P.M.

Council Member Klein requested Staff report on the meeting held earlier in the day.

Mr. Teresi reported State Water Board permitting would be the final obstacle for the Golf Course Project. Staff requested the Council act on Staff's recommendation so that the Golf Course Project could move forward once the final permit was obtained. The State Water Board seemed to believe the Flood Control Project might need modification which could affect the Golf Course Project. There was no disadvantage to the Council acting at the current time.

James Keene, City Manager, indicated Staff disagreed with the State Water Board regarding the Flood Control Project. It was important for the Council to proceed because of a tight timeline and revenue losses.

Council Member Klein asked if the inclusion of a gym would require changes to the EIR.

Mr. Teresi explained that stakeholders opposed a gym. An additional significant and unavoidable impact of a gym was greenhouse gas emissions resulting from additional vehicle trips to and from the gym.

Council Member Klein inquired whether additional vehicle trips included consideration that potential participants emitted greenhouse gases to reach their current gym.

Shilpa Trisal, ICF International, reported inclusion of a gymnasium exceeded the Bay Area Air Quality Management District's threshold for greenhouse gas



emissions. The methodology did not allow for consideration of the starting points for trips to the gym.

Council Member Klein suggested the methodology should be revised. The Golf Course Project was a risky investment for the City. If projections were not obtained, the General Fund would have to pay the debt service. He suggested the Golf Course have metrics to state clearly the consequences if projections were not met.

Mr. De Geus remarked that there was risk in not taking any action. Staff recently renegotiated contracts with the onsite golf professional and included new incentive language to increase play and revenues.

Council Member Klein wanted a method for stating that the General Fund could not subsidize the Golf Course after a certain number of years.

Mr. Keene added that Golf Course revenues could not bear the expense of mitigation maintenance, and the General Fund would have to pay the expense.

Council Member Klein inquired whether Staff's recommendation included the changes proposed by the PARC.

Mr. De Geus answered no.

**MOTION:** Council Member Klein moved, seconded by Council Member Scharff to accept Staff recommendation to: 1) approve a Record of Land Use Action approving the Site and Design Review application for the Palo Alto Municipal Golf Course Reconfiguration Project (Project), Capital Improvement Program Project PG-13003, based upon the findings and conditions in the Record of Land Use Action; 2) adopt a Resolution Certifying the Final Environmental Impact Report and Adopting a Statement of Overriding Considerations for the Palo Alto Municipal Golf Course Reconfiguration and Baylands Athletic Center Expansion Project (EIR Project); 3) approve the attached Park Improvement Ordinance for modifications to the Palo Alto Municipal Golf Course; and 4) direct Staff to return to Council in 2014 with financial metrics which indicates to the various stakeholders what level of revenue is needed to be maintained in order to have the golf course continue to operate.

Council Member Scharff requested clarification regarding metrics.

Council Member Klein wanted Staff to develop financial metrics for the Golf Course. If Golf Course revenues did not reach specific levels over a period of time, then the City would consider eliminating the subsidy to the Golf Course.

Council Member Scharff inquired whether the Golf Course would be closed if it did not meet financial metrics.

Council Member Klein replied no. The Golf Course would be notified that closure was a possibility. The City was not committing to a continuing subsidy regardless of the amount of revenue.

Council Member Scharff felt the Golf Course Project was exciting and a win-win situation. Reconfiguring the Golf Course was the best chance for improved revenue. He inquired whether Staff recommended the entry sign be incorporated into the Motion.

Mr. De Geus responded yes.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER TO** use the branding sign suggested by Staff.

Council Member Price inquired whether Staff needed Council support with State Legislators regarding permitting.

Mr. De Geus suggested that was an option that might be used in the future. Events over the next few weeks would determine whether Staff needed additional support.

Mr. Keene felt the State Water Board's focus was on the Flood Control Project.

Council Member Schmid inquired whether the City was also awaiting final approval of a permit for the Flood Control Project.

Mr. De Geus answered yes.

Council Member Schmid asked if the Golf Course Project could proceed without the Flood Control Project obtaining its permit.

Mr. De Geus explained that was the State Water Board's response. The Golf Course Project could stand alone and provided environmental and water quality benefits.

Council Member Schmid inquired about the outcomes for the Golf Course Project if the Flood Control Project's permit was delayed for months.

Mr. De Geus stated that would be a problem for the City and Staff. Soil was stockpiled on the Golf Course, and the Golf Course was losing approximately \$100,000 monthly.

Council Member Schmid requested Staff update the Council regarding permit issues for the Flood Control Project.

Mr. Keene would do so. If the Golf Course Project was delayed for months, one construction season would be lost. The State Water Board's decision also involved life safety issues which hopefully would factor into the State Water Board's review.

Council Member Schmid inquired whether Staff reviewed plans for lighting with the City of East Palo Alto.

Mr. Teresi did not have a plan for lighting as plans were conceptual at the current time. Staff shared the EIR with the City of East Palo Alto; however, it did not comment. The EIR indicated the best available technology would be utilized to shield lighting as much as possible.

Council Member Schmid asked if the City of East Palo Alto was aware of the possibility of lighted fields.

Mr. De Geus was not sure if the City of East Palo Alto was aware of the possibility of lighted fields. Staff had not created a design for the 10 1/2 acres.

Council Member Schmid suggested informing the City of East Palo Alto of possible lighting would be important.

Mr. Keene explained that the EIR accommodated the possibility of lighting. Should a design include lighting, Staff would coordinate with the City of East Palo Alto.

Council Member Schmid inquired whether information similar to the sensitivity analysis would be utilized to determine the City's risk.

Mr. De Geus answered yes.

Council Member Schmid noted the PARC added another acre to the Baylands habitat and reduced the term of maintenance. That appeared to be a beneficial mitigation at approximately the same cost.

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member Holman to accept the Parks and Recreation Commission recommendation on tree mitigation in the Baylands.

Mr. Keene understood the PARC did not view the habitat addition as a mitigation.

Mr. De Geus reported the PARC did not view ongoing maintenance as part of mitigation measures.

Council Member Schmid stated the PARC recommended ten years of maintenance rather than 20 years.

Mr. De Geus added that the PARC recommended funding not be associated with Golf Course performance. Additional restoration would require additional funding.

Mr. Keene commented that the General Fund would have to pay for the additional expense. He recommended additional funding be considered as part of Baylands funding during the Budget cycle. The Council could make the decision for the General Fund to pay the expense or refer funding to the Budget process.

Council Member Schmid remarked that planting small bushes and trees in the Baylands was a reasonable mitigation for the loss of trees on the Golf Course.

Council Member Holman concurred that the PARC did not consider maintenance as a mitigation measure.

Council Member Schmid believed the PARC considered restoration of three acres rather than maintenance as a mitigation measure.

Mr. Keene reported the proposed EIR mitigated the impact. He inquired whether the Council wished to decide the cost of maintenance absolutely or refer it to the Budget process. Referring the cost to the Budget process was a more appropriate method to make the decision.

Council Member Holman wished to ensure the costs were included in the Budget cycle.

Mr. Keene would do so.

Council Member Holman withdrew her second to the Amendment

### **AMENDMENT FAILED DUE TO THE LACK OF A SECOND**

Council Member Burt noted the new Golf Course would have 40 acres of new natural vegetation and habitat; consequently, he did not understand the discussion of mitigation measures. The redesign of the Golf Course was a large environmental benefit. He understood the State Water Board was concerned that the Golf Course Project would be piecemealed with the Flood Control Project. Staff indicated the Golf Course Project could proceed prior

to the Flood Control Project. It seemed clear that the State Water Board was looking for ways to extract additional land.

Council Member Berman suggested Staff request Council assistance with respect to permitting obstacles. He did not like the proposed entry sign suggested by Staff.

**AMENDMENT:** Council Member Berman moved, seconded by Council Member Holman to change the approval of the main entry sign to the Baylands Golflinks Palo Alto sign shown on Packet Page 393.

Council Member Holman much preferred the logo contained on Packet Page 393 even though the bee logo was contrived.

**AMENDMENT PASSED:** 8-1 Scharff no

Council Member Holman requested Staff indicate which Golf Course design the Council was approving.

Mr. Teresi reported the Council was approving the Site and Design Review Application contained in Attachment D.

Council Member Holman understood Attachment D presented a few different designs.

Mr. Teresi explained that Attachment D contained details relating to Plan G approved by the Council. Attachment D was submitted to the P&TC, ARB, and PARC.

Council Member Holman noted mitigations for nesting or burrowing animals appeared to be identification of nesting locations and creating buffers around those locations. She asked if environmental stakeholders accepted the mitigations.

Matthew Jones, ICF International, indicated the mitigations were well documented and approved by wildlife agencies. Actions could be taken prior to nesting season to prevent nesting during construction.

Council Member Holman requested Staff confirm that one of the records clearly stated which plan the Council was approving.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** that the City Council is approving "Plan G" in Attachment D of the report, which includes a full renovation of the Golf Course as well as setting aside 10.5 acres to be carved from the Golf Course footprint for future recreation uses.

**MOTION AS AMENDED PASSED: 9-0**

ADJOURNMENT: The meeting was adjourned meeting in memory of Pete Seeger at 11:42 P.M.