

Special Meeting
May 19, 2003

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

PRESENT: Beecham, Burch, Freeman (arrived at 6:15 p.m.), Kishimoto, Kleinberg (arrived at 6:10 p.m.), Lytle (arrived at 6:05 p.m.), Morton, Mossar, Ojakian

STUDY SESSION

1. Discussion of the San Francisquito Creek Joint Powers Authority Request to the United States Army Corps of Engineers for an Investigation of a Continuing Program (CAP) Section 205 Project

Stanley R. Smith, 610 Wildwood Lane, said his home was within the flood plane. The CAP 205 needed more work upstream and he expressed concern about potential problems of cost benefit analysis and not wanting to do something because it might affect the ratios. He queried that there had not been any discussion about the Federal Emergency Management Agency (FEMA) Flood Insurance. He understood there were several million dollars coming out of the area, paying insurance premiums, and not knowing whether the City would mitigate one percent FEMA 100-year flood requirements. He felt anything that would be done, needed to mitigate the insurance premiums that Palo Alto was paying.

Clifford Barnett, 733 DeSoto Drive, said his residence was in the flood area and he wanted to talk to the CAP 205 possibilities in Reach 1. He mentioned the City was doing the first part, but it was not known what was on Reach 2 and 3 and whether retention and the size of the channel embankments were different from what had previously been thought. In Reach 1, a benefit was indicated in terms of flooding by closing off some of the surface openings at U.S. 101 and West Bayshore. He asked about the Chaucer Street Bridge and clearing out the sediments that had accumulated and the potential of flow increase. He questioned what the City had to do regarding the channel and the potential of a second channel to avoid flooding the Baylands. He asked about the possibilities in Reach 2 to avoid the cost benefit analysis.

Art Stauffer, 1145 Hamilton Avenue, said he was not happy with the result regarding the Chaucer Street Bridge. He understood the City had to fix the downstream before the upstream, but was concerned the cost benefit analysis had not been done. He made a point that the Chaucer Street Bridge flowed at about 5,200 CFS, and the remainder of the channel goes at about 7,200 CFS. He felt the City had not addressed the critical problem. An option to explore was of a \$4 million bypass for the Chaucer Street Bridge. He was concerned about spending the money and not getting results.

Jim Wiley, 1200 Woodland Avenue, Menlo Park, said he lived in the only Menlo Park house in Reach 2, between Woodland Avenue and the creek. Five years prior, a two-foot flow of water went through East Palo Alto where the University Circle had since been built. He believed this was most of the water that went onto Highway 101. Earlier in the year, a photo had been taken of the water level at the Highway 101 Bridge. The water was at the same height from the University Avenue Bridge. The model did not show what happened at the University Avenue Bridge. He queried whether the U. S. Army Corps of Engineers was asked for help and whether they would need to return to the City Council for approval.

Mayor Mossar stated the U. S. Army Corps of Engineers would return to the City Council for approval. They went back to the Joint Powers Authority (JPA) and the JPA's member agencies.

Mr. Wiley proposed that all attention was focused on Reach 1.

Mayor Mossar said the body of work completed to date on Reach 1 would be passed on to the Army Corps of Engineers.

No action required.

ADJOURNMENT: The meeting adjourned at 7:58 p.m.

The City Council of the City of Palo Alto met on this date in the Council Chambers at 8:05 p.m.

PRESENT: Beecham, Burch, Freeman, Kishimoto, Kleinberg, Lytle, Morton, Mossar, Ojakian

ORAL COMMUNICATIONS

Sophia Dhrymes, spoke regarding an incident that morning and her property.

Maya Specter, 3751 Bay Road, Menlo Park, spoke as a representative of SEIU Local 715.

Ed Power, 2254 Dartmouth Street, spoke regarding good government.

George Stern, 705 Ellsworth Place, spoke regarding the crosswalk on Middlefield (not related to agenda item).

APPROVAL OF MINUTES

Mayor Mossar announced that City Clerk Donna Rogers requested the March 17, 2003, Council minutes be removed from the agenda.

MOTION: Council Member Ojakian moved, seconded by Morton, to approve the minutes of March 31, 2003, as submitted.

MOTION PASSED 9-0.

CONSENT CALENDAR

Mayor Mossar noted that Item No. 3 was removed at the request of staff.

MOTION: Council Member Morton moved, seconded by Ojakian, to approve Consent Calendar Item Nos. 1 - 2A and 4 - 7.

LEGISLATIVE

1. Request for Approval of a Budget Amendment Ordinance Authorizing Receipt and Expenditure in the Amount of \$14,000 from the Friends of the Palo Alto Public Library and \$54,482 from the Public Library Fund

Ordinance 4791 entitled "Ordinance of the Council of the City of Palo Alto Amending the Budget for the Fiscal Year 2002-03 Authorizing Receipt and Expenditure in the Amount of \$14,000 from the Friends of the Palo Alto Public Library and \$54,482 from the Public Library Fund"



2. Adoption of a Resolution Authorizing the City Manager to File an Application for Fiscal Year 2003-04 Transportation Development Act Funds for Bicycle and Pedestrian Projects

Resolution 8292 entitled "Resolution Of the Council of the City of Palo Alto to Request the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2003/2004 Transportation Development Act, Article 3 Pedestrian/Bicycle Project Funding"

- 2A. Resolution Approving Prohibition of Parking between 11:00 p.m. and 5:00 a.m. every day on Encina Avenue, Wells Avenue and the 100 Block of Page Mill Road

Resolution 8293 entitled "Resolution of the Council of the City of Palo Alto Approving and Adopting a New No Parking Zone Between 11:00 p.m. and 5:00 a.m. on Encina Avenue, Wells Avenue and the 100 Block of Page Mill Road"

ADMINISTRATIVE

3. ~~Contract Between the City of Palo Alto and McCain Traffic Supply, Inc. in the Amount of \$1,384,230 for Implementation of an Advanced Transportation Management System~~ *(Item to be continued at the request of staff)*
4. Contract Between the City of Palo Alto and MetLife in the Amount of \$700,000 for the City of Palo Alto's Group Life, Accidental Death and Dismemberment (AD&D), and Long Term Insurance Disability (LTD) Plans
5. Recommendation from the Historic Resources Board at the request of the owner, 425 Tasso Investors, LLC, to designate a residential building to the City of Palo Alto's Historic Inventory in Category 2 pursuant to Municipal Code Chapter 16.49 (Historic Preservation Ordinance
6. Rejection of Proposals Received on October 22, 2002 for Professional Park Design Services for South of Forest Avenue (SOFA) Park
7. Request for Authorization to Increase Amount of Existing Contracts with the Law Firms of Liebert, Cassidy & Whitmore; Ruby & Schofield; Sidley & Austin; McCarthy & Berlin; Flynn Resources; Silicon Valley Law Group; Duncan Weinberg, Genzer & Pembroke and Davis, Wright

& Tremaine and to Enter into a Contract with the Law Firm of Moses & Singer

Vice Mayor Beecham stated he would not participate in Item No. 5 due to conflict of interest because of the location of his property.

Council Member Kleinberg stated she would not participate in Item No. 7 due to conflict of interest because of a potential financial interest of her husband's former law firm being affected by a contract with Moses and Singer, the City's New York Enron Counsel.

MOTION PASSED 9-0 for Items Nos. 1 – 2A and 4, 6.

MOTION PASSED 8-0 for Item No. 5, Beecham "not participating."

MOTION PASSED 8-0 for Item No. 7, Kleinberg "not participating."

UNFINISHED BUSINESS



8. Approval of Installation of a Traffic Signal and Left Turn Pockets at the Intersection of Middlefield Road and Bryson Avenue *(Item continued from May 12, 2003)*

Chief Transportation Official Joseph Kott, recommended installing a new traffic signal at the main Midtown driveway and Bryson Court. The presentation came with a recommendation by the Planning and Transportation Commission (P&TC). The main motivation of the recommendation would be improved safety for both drivers and passengers of motor vehicles, as well as for pedestrians in the location of the intersection. The location had the fourth highest intersection accident rate in Palo Alto.

Transportation Engineer David Stillman stated traffic signals provided positive control for all modes of transportation at the intersection and the left-turn pockets would take left-turn vehicles out of the main flow of traffic and increase visibility. Staff would report to Council within 12 months of implementation of the project.

Council Member Kishimoto said she wanted to be sure City Staff was aware that the Comprehensive Plan (Comp Plan) called for using the available right-of-way to create outside travel lanes with adequate widths for shared use by motorcycles and bicyclists when constructing or modifying roadways rather than using the right-of-way for additional automobile and travel use. She also stated the neighborhood understood it took a little more time to look at the three-lane option, which she knew many people supported.

Annette Ashton, Chairperson for Midtown Resident's Association, 2747 Bryant, said the association endorsed both the staff and the P&TC's recommendations for installation of the light in Midtown Center. Every study since 1995 had recommended installation of a light. The Midtown Resident's Association recommended leaving four through lanes on Middlefield Road with the inclusion of middle turn lane.

Sheri Furman, Traffic Chair of the Midtown Resident's Association, 3094 Greer Road, said safety was the primary concern and felt the light was needed. She noted a new restaurant and the new Walgreen's would exacerbate the traffic at Bryson Avenue. She felt the area from Oregon Expressway to Loma Verde Avenue needed a long-range study.

Ellen Fletcher, 777-108 San Antonio Road, acknowledged the need for a three-lane solution. She was pleased the staff would be back in 12 months.

Council Member Kishimoto questioned staff whether the 12-month timeframe included evaluation of the three-lane option.

Mr. Kott said staff was interested in the three-lane option and was conscious of the Bike Master Plan recommendation.

Council Member Kishimoto questioned the staff as to what area would be covered.

Mr. Kott replied the area to be covered would be between Colorado and Moreno Avenues on Middlefield Road in front of Midtown. He said part of the analysis would be to determine how much of the area should be included.

MOTION: Council Member Kishimoto moved, seconded by Vice Mayor Beecham, to approve the staff and the Planning and Transportation Commission (PT&C) recommendation to approve installation of a traffic signal with left-turn pockets at the intersection of Middlefield Road and Bryson Avenue, and to make it explicit that staff return within 12 months evaluating impacts of these changes and the three-lane option.

Vice Mayor Beecham said he looked forward to intersection improvements. The City Staff recommendations were correct. He would like to find a feasible way to improve safety for everybody, especially cyclists. He thought it would take some work and analysis to come up with a three-lane option at that particular intersection. He said he expected the modifications would improve the safety for cyclists as well as automobiles, even in the five-lane configuration.

Council Member Lytle asked about the 12-month study of the three-lane option and if the installation of the signal would be a waste of money or could it be easily switched.

Mr. Stillman said no changes to the traffic signal would be required if it was switched from what was currently there to the three-lane option.

Council Member Lytle said she would support moving forward on the motion only because of the follow-up study of a three-lane option. She agreed that expanding the number of lanes in that area would be counter to the Comp Plan and the Midtown Area Plan policies. She said she didn't find the expansion of lanes to be consistent with the Comp Plan policies.

Mayor Mossar thought it was important to note that staff indicated in the original report that they would move forward with the study.

Council Member Kleinberg asked staff if they would consider the placement of the bus stop. She said it was dangerous when cars drove around stopped busses, especially in the middle of Colorado Avenue.

Mr. Stillman agreed.

Council Member Kleinberg said she thought this report was a tremendous improvement, even in its four-lane configuration, and commented that safety would be the number one priority.

Council Member Morton said he would rather look at having a central-turn lane the whole length from Walgreen's to Colorado Avenue. There were five lanes at Colorado Avenue and four lanes at Oregon Expressway.

Mayor Mossar stated the three-lane option was having the central turn lane.

Council Member Morton disagreed. He said it was a three-lane option, not a five-lane option. He said that he wanted the turn lane to be the full length and didn't want to lose lanes. The Bicycle Plan and safer parallel streets needed to be looked at. He also had some major concerns about the timing of lights and large backups. He believed the traffic flow speed and the timing of the lights be studied and asked for the five-lane option to be considered.

Council Member Freeman asked what the Citywide Coordinated Traffic System achieved and where it was currently activated.

Mr. Stillman said certain roadways were timed to be coordinated at certain vehicle speeds and a Citywide System was in place where all of the signals were coordinated to some degree. The City was in the process of replacing that system with a newer, state-of-the-art system, which was the Signal Upgrade Project.

Mr. Kott said the Council received a report on that Citywide Traffic Signal System upgrade. The first phase allowed the change of signal timing in real

time by observing on a computer screen what happened at the signals in terms of backups. The second phase required even more work towards traffic adaptive signal timing. In real time, the signals reset themselves depending on traffic demand at the approaches.

Council Member Freeman questioned if that would happen during the 12-month study period.

Mr. Stillman replied the signal upgrade project would be completed within 12-18 months of when the contract was signed.

Council Member Freeman asked if there were a left-only signal at the new intersection into the parking lot in the proposal.

Mr. Stillman replied no. He said there would be a dedicated left-turn pocket, but not what would be called protective left-turn phasing.

Council Member Freeman asked the rationale behind not having protective left-turn phasing.

Council Member Morton said part of the study would be to determine if a protected left turn phase was needed.

Council Member Freeman said there were three bus stops in the section and suggested the historical perspective be looked at to possibly aid in assisting the three-lane pattern study. Confusion on the part of the motorist, as well as bicycle safety in that area, was a concern.

Council Member Morton felt the whole area of Middlefield Road should be looked at and the area up to Loma Verde Avenue would be impacted by those decisions.

Mr. Kott agreed there needed to be better provisions for pedestrians crossing Middlefield Road between Loma Verde Avenue and Colorado Avenue, but acknowledged the City was conservative about putting in crosswalks. He would like to see physical improvements made to provide refuge and protection for pedestrians crossing that section.

MOTION PASSED 9-0.

Mayor Mossar stated it was Council Member Lytle who removed both Item Nos. 9 and 10 and asked if it would be acceptable to combine the discussion. **BY A CONSENSUS OF THE COUNCIL** Item Nos. 9 and 10 would be heard simultaneously.



9. Contracts Between the City of Palo Alto and Urbsworks, Inc. and Van Meter Williams Pollack in the Amount of \$129,925 for Phase 2 of Urban Design Services for Zoning Ordinance Update *(Item continued from May 12, 2003)*



10. Amendment No. 1 Between the City of Palo Alto and Curtis Williams Extending the Term of the Agreement to June 2004 and Increasing Total Compensation over the Two Year Term to \$120,000 for Services Relating to the Zoning Ordinance Update *(Item continued from May 12, 2003)*

Director of Planning and Community Environment Steve Emslie updated the Council on the progress and the work plan for the Zoning Code Update. He said the contracts in front of the Council that evening were essential to maintain the schedule to move forward on the implementation and mapping of the zoning code. He said it was the second phase of the contract that would enable a conversation with the Council, the Planning and Transportation Commission, the Architectural Review Board, as well as the community, to provide clarity to zoning choices available. He would hopefully return in July to clarify the proposals.

Council Member Lytle stated the Zoning Ordinance Update had been on the Top 5 list since its initiation. There were three topics that concerned her. The questions had to do with density, the public outreach process, and private property owner involvement.

Mayor Mossar stated she wanted to verify that Council Member Lytle's comments were relevant to the items before them, which were renewable contracts.

Council Member Lytle answered the scope of services dealt with public outreach and public process.

Mayor Mossar questioned if there were a change to scope of services or an extension of existing contracts.

Council Member Lytle answered there would be further definition of how staff was proposing to do their public process and she was questioning those assumptions.

Mayor Mossar asked if staff agreed that Council Member Lytle's questions were relevant to the contracts before them.

Council Member Lytle said she understood when the tables were established, the densities were going to be in the Zoning Ordinance Update.

Mr. Emslie agreed. Staff wanted to engage active public process in the high-level policy questions regarding density through the development of

prototypes, which was in a more graphic form. The density discussions were sometimes about transitions, mass, and compatibility with the surroundings.

Council Member Lytle stated she believed staff was agreeing that density maximums had not been set. The tables for 800 High Street were far below what Council had approved.

Mr. Emslie agreed.

Council Member Lytle said the sooner the questions were answered regarding density maximums, the less anxiety the community would have. The community felt there was an absence of the limits that were normally part of City planning.

Mr. Emslie said the missing pieces were the prototypes, and he believed they were a very important part of the discussion. It was also an opportunity to have an informed discussion about density and the real impact.

Council Member Lytle said the second question was about process and the use of focus groups, as opposed to a broader and open community forum. She questioned if the focus groups were advertised for the public to attend.

Mr. Emslie replied a broad cross-section was sought for the focus group. Focus groups, by definition, were limited in size and only reviewed a particular issue. He believed for the larger issue of density and the form code, organized groups should be contacted.

Council Member Lytle felt a broader, more inclusive discussion accelerated the progress. She said her last question would be about why property owners, who wanted to build affordable housing, were not being engaged in the housing site density selection process. She was speaking to private parties that own property. She questioned whether a list could be collected and those individuals be part of the broader community process.

Mr. Emslie replied yes. He said staff was preparing land use surveys to see where zoning changes would be appropriate and would consult with the landowners.

Council Member Lytle stated there were five properties; Stanford University, which had some potential sites as part of their general use permit for high density affordable housing; Harold Hohbach, in the California area who was accumulating property for that purpose; the Wheatly, Jacobson and Smith partnership, who owned the Fry's site and would like to develop mixed-use there and own several properties around that piece; and Peter Lochleir, who owned property in that area. All had expressed interest in building affordable housing and the Town and Country ownership and said they should bring their plans publicly.

Council Member Freeman said her concern was the functions sounded like staff functions, and she questioned why a consultant should be hired when it was a function staff performed.

Mr. Emslie replied there were staff members who were part of the Zoning Code team. He said budget reductions had necessitated Current Planning project overloads that had to be completed by Zoning Code staff. It would be appropriate to have a contract planner involved with the Zoning Code team because the project was of a known duration and a means to resolve short-termed workload impacts, which enabled the Zoning Code team to float between current planning and advanced planning.

Council Member Freeman said her concern was there was not enough staff in the Planning Division to handle the basic functions of Planning such as the Zoning Code.

Mr. Emslie responded there were enough people to do the work; however, the workflow was less predictable with Current Planning because it was dependent on the number of applications received. The Zoning Code could be planned and assigned resources.

Council Member Freeman questioned if that would not be an advanced planning topic, but would be a current planning topic.

Mr. Emslie said the applications were under State mandated guidelines for review and had strict timelines.

Council Member Freeman said she was concerned when consulting requests were made for projects that staff should undertake.

MOTION: Council Member Lytle moved, seconded by Council Member Morton, to approve the staff recommendation to approve the contracts with Urbsworks, Inc. and Van Meter Williams Pollack to provide urban design services in support of the Zoning Ordinance Update (ZOU), for a total of \$129,925.

MOTION PASSED 9-0.

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MOTION: Council Member Lytle moved, seconded by Council Member Morton, to accept the staff recommendation to approve and authorize the Mayor to execute the amendment to extend the term of the consulting agreement with Curtis Williams for services related to the Zoning Ordinance Update (ZOU) project and to increase compensation from \$40,000 to \$60,000 in the current fiscal year, and an additional \$60,000 through June 2004.

MOTION PASSED 9-0.

Council Member Kleinberg noted that it was brought to her attention there was a new Fair Political Practices Commission (FPPC) rule adopted for conflicts of interests that an explanation must be given when a Council Member was not participating in an item on the agenda. The reason she did not participate in Item No. 7 was because of a possible financial interest of her husband's former law firm being affected by a contract with Moses and Singer, the New York Enron Counsel.

The meeting adjourned to a Closed Session at 9:15 p.m. and reconvened at 9:25 p.m.

CLOSED SESSION

14. Conference with City Attorney -- Existing Litigation
Subject: Eugenia Weiner v. City of Palo Alto, et al; SCC CV796572
Authority: Government Code section 54956.9(a)
15. Conference with City Attorney -- Existing Litigation
Subject: Maria Makela v. City of Palo Alto, et al.; SCC CV812890
Authority: Government Code section 54956.9(a)

The City Council met in Closed Session to discuss matters involving existing litigation as described in Agenda Item Nos. 14 and 15.

Mayor Mossar announced that no reportable action was taken on Agenda Item Nos. 14 and 15.

RECESS: 9:25 p.m. - 9:30 p.m.

REPORTS OF COMMITTEES AND COMMISSIONS



11. From Planning and Transportation Commission - Bicycle Transportation Plan

Chief Transportation Official Joseph Kott said the Bicycle Transportation Plan had the support of the Planning and Transportation Commission (P&TC). Palo Alto had a long tradition in bicycle planning and was widely regarded as one

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of the country's most "bikeable" cities. The League of American Bicyclists named Palo Alto as one of two gold level winners and the best in California. Palo Alto had the nation's first bicycle boulevard and bike/commuter valet parking facility at the Caltrain station. The City had been successful in obtaining grants and the long-term support of the past Mayors and Councils had helped in the effort to get outside funding. The City would like to fund some of those improvements through the future citywide traffic fee. There was strong support in the Comprehensive Plan (Comp Plan) for enhancing and improving the bikeway system. Any transportation network needed more than north/south routes. At minimum, it needed an east/west route to intersect with the north/south. A comprehensive network of bicycle boulevards would be desirable. Motorists needed education about the law, that bicyclists belonged and were legal on streets; the exceptions were posted on certain sections of California freeways. The bottom line would be to reduce the dependence on the single occupant automobile with an environmental and efficient mode of travel. The advice received from the Bicycle Advisory Committee, the public, and the P&TC would be maintenance of the current bike lanes, improved routes to schools, education of motorists, and more bike lanes.

Transportation Projects Manager Gayle Likens displayed the existing bikeway network. She said the plan proposed a more complex network to double the on-road facilities when fully implemented and increase the number of off-road trails by 50 percent. The foundation of the network was the number of proposed bicycle boulevards. The plan showed new major north/south routes and new east/west connectors. Improvements were proposed for the south end of the Bryant Street Boulevard. Four major under-crossings and gap closures had been proposed. The network of bike facilities needed improvement on the collector and residential arterials, as well as major arterials. The non-residential arterial street system needed improvement and bike lanes. The result of discussions with School Commute, City School Traffic Safety Committee, and PTA representatives were strengthened to recognize the deficiencies at many intersections. The Implementation Plan identified steps in maintenance, new construction, replacement of facilities, and education and promotion activities. There were grant opportunities available with an approved Bicycle Plan.

Bunny Good, P.O. Box 824, Menlo Park, said she was upset about the potential of spending \$37 million on the Bicycle Plan.

Paul Goldstein, Chair of Palo Alto Bicycle Advisory Commission, 1024 Emerson, stated the seven high priority bicycle boulevards listed had an estimated total combined cost of \$200,000.

Ellen Fletcher, 777-108 San Antonio Road, noted there were sections on El Camino Real where bike travel was unavoidable and the Homer Street undercrossing proposal would assist bicyclists.

Penny Ellson, 513 El Capitan Place, said she was glad the plan was moving forward, that it covered streets that were busy, and the gaps were being closed up.

Ann Crichton, a Traffic Safety Representative with Ohlone and part of the PTA, 1062 Cardinal Way, said she supported the plan because it was a long-term plan that proposed improvements and enhancements to the cycling network.

Joan Marx, 827 LaPara, asked the Council and knowledgeable cyclists to combine their expertise and cycling knowledge to resolve a safety issue at Terman Middle School.

Kathy Durham, 2039 Dartmouth Street, commended the process.

MOTION: Council Member Morton moved, seconded by Council Member Kleinberg, to approve in concept the staff and Planning and Transportation Commission (PTC) recommendation of the Bicycle Transportation Plan and direct staff to prepare final environmental documents and a resolution for Council approval for final action, returning on the Consent Calendar. Furthermore, to approve the PTC recommended Action Step 2.4 in the Implementation Plan, which reads "Eliminate sidewalk bike paths from the City's bikeway network and remove existing signs where they exist," to be revised to read "Phase out sidewalk bike paths where safe alternatives are provided."

AMENDMENT: Council Member Morton moved to concentrate on developing safe thoroughfares that paralleled high traffic corridors.

Council Member Kleinberg spoke to her second to the motion. She wanted safety to be a strong and repeated mandate in the Comp Plan and that there were multiple funding sources, especially grants from the State of California to accomplish this plan.

AMENDMENT FAILED FOR LACK OF A SECOND

Council Member Kishimoto wanted to see the reversal of the decrease of children bicycling to school.

AMENDMENT: Council Member Kishimoto moved, seconded by Council Member Morton, to prioritize implementation of the Bicycle Boulevard Network.

Council Member Kishimoto said it would be low cost and a highly effective way to improve bicycling throughout the City.

Council Member Kleinberg asked if there were other categorical bike routes that served schools. She felt the priority should be school routes.

Mr. Kott said there would be opportunities to do other things in a timely manner including proposed development and redevelopment as mitigations to the effects of development proposals.

Council Member Kishimoto said she had not intended that others be neglected as opportunities came along.

AMENDMENT PASSED 5-4, Freeman, Kleinberg, Mayor Mossar, Ojikian "no."

AMENDMENT: Council Member Kishimoto moved, seconded by Freeman, to add the implementation of the Bike Master Plan as a key milestone of the Council Top 5 priorities.

Assistant City Manager Emily Harrison stated she understood Council Member Kishimoto's amendment suggested to return with a proposal for what could be done toward implementing the Bike Master Plan in the next two-year budget.

Council Member Morton asked that City Staff be directed to return with what was doable in the next two-year cycle.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct staff to return to the Council with a doable milestone related to the implementation of the Bicycle Master Plan in the next two years.

Council Member Kishimoto asked how the plan got translated into the Public Works specifications.

Mr. Kott replied the Public Works Department would be advised as to the design specifications.

Council Member Kishimoto said she would like Council to direct staff to incorporate the Bicycle Master Plan Best Practices into the Public Works specifications within in the next twelve months.

City Manager Frank Benest said he was not aware of what it entailed.

Council Member Kishimoto said she understood staff would report back as to how Public Works evaluated that and how it would be implemented.

Mayor Mossar asked if that would be part of the Implementation Plan.

Mr. Benest replied it would be.

Mr. Kott said his department referred to the best practices document in the plan and would advise Public Works.

Council Member Lytle questioned how pedestrian needs were integrated into the plan.

Mr. Kott said the bike boulevards guaranteed safer streets to cross and undercrossings or overcrossings for cyclists would also be available to pedestrians.

Council Member Lytle said the P&TC recommended phasing out sidewalk pathways, which was not as safe as what staff recommended, which was the elimination of sidewalk pathways.

Council Member Burch said phasing out would be where there were safe alternatives.

Mayor Mossar disagreed.

Council Member Lytle said she wanted to continue. She felt the concept from the updated plan gave the pedestrians some treatment and all of the Compensation Plan policies should be considered as to how they relate to pedestrians and other modes of transportation.

Council Member Kleinberg clarified her seconding the motion; that sidewalk pathways be removed when it was considered to be safe.

Mayor Mossar believed staff should speak to their recommendation, which would be different from the P&TC's.

Mr. Kott reported as the sidewalk bike paths were removed, there would be education provided on alternatives and parallel alternatives.

Council Member Burch wanted comments on the number of bridges and tunnels in the north versus the number in the south of Oregon Expressway.

Mr. Kott said only one bridge and/or tunnel was proposed from Oregon Expressway to San Antonio Road. The concentration in the north had to do with attracting outside funding for the northern under-crossings because of the proximity to Caltrain and a multi-modal funding from Federal and State transportation funds.

Council Member Burch noted school children needed to cross El Camino Real and Alma Street in a responsible way.

Council Member Freeman said the Bicycle Transportation Plan would be reviewed periodically, and she wanted to make an amendment to add in the Charleston Corridor Bicycle Study solution immediately upon adoption.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that the Council add in the Charleston Corridor Bicycle Study solution immediately upon adoption of the Bicycle Master Plan.

Council Member Morton wanted to know if that were a duplication of what had already been set in motion, as part of the traffic study.

Mr. Kott said the identified solution to come out of the plan should be given priority.

Mayor Mossar said the motion had already been amended by including that the Charleston Corridor Bicycle Study solution be added immediately upon adoption of the Bicycle Master Plan.

Council Member Freeman said the proposed budget had removed the school bicycle safety training funding.

Mr. Kott responded the school bike safety training was co-funded by the City of Palo Alto (current and last fiscal year) and the Palo Alto Unified School District (PAUSD). He believed the School District would continue the arrangement, but the City's portion would shift.

Council Member Freeman asked that it would be funded, but from a different source than the General Fund.

Mr. Kott answered that funds would be eliminated from the General Fund, as a budget cut.

Council Member Freeman said that school children would play a big role. She stated that decisions made earlier could have adverse impacts to students traveling into the Midtown area. She queried why Forest Avenue was not considered as the Bike Boulevard instead of Homer Avenue.

Mr. Kott answered that the Homer Avenue under-crossing was planned as a direct access to Palo Alto Medical Foundation (PAMF). He felt the best interim solution on Homer Avenue would be to create a one block two-way section of the last block of Homer Avenue between High and Alma Streets, and also a two-way one block section of High Street between Forest and Channing Avenues.

Council Member Freeman said the interim eastbound solution for bicyclists could be Channing Avenue as an alternate.

Mr. Kott said Homer Avenue would become a two-way operation.

Council Member Freeman asked that a jog be considered to Channing Avenue.

Mr. Kott replied the jog would be considered in the interest of safety.

Council Member Morton would not support the motion.

Vice Mayor Beecham said staff explained the priorities of the items that would go forward for which money was found.

AMENDMENT: Vice Mayor Beecham moved, seconded by Council Member Ojakian, to revert to the staff recommendation to eliminate sidewalk bikeway paths from the City's bikeway network and remove existing signs where they exist.

Mayor Mossar requested a vote on the amendment.

Council Member Lytle questioned the difference between the two recommendations.

Mr. Kott responded that staff would complete the projects as quickly and safely as possible.

Council Member Morton questioned that elimination of sidewalk use for bicycles would force students onto busy roads.

Mr. Kott said the signs indicated a sidewalk bike path would be removed; however, sidewalks could still be used for cycling. Adept cyclists would use busy roads and younger school children would be educated about safer road alternatives.

Mayor Mossar stated the City of Palo Alto did not want sidewalks as part of its official bicycle network.

Council Member Freeman said the phased-in approach seemed safer for school children.

Mr. Kott replied sidewalk bike paths were not safe and the City should not represent them as safe.

Council Member Freeman said alternate routes were not as direct as the busy road route. The amendment stated the City's position was that it was unsafe for anyone to ride on sidewalks.

Mr. Kott said staff indicated it was not safe to encourage the use of sidewalks as bike paths.

Council Member Freeman said that the alternative would be to have children ride in the streets.

AMENDMENT PASSED 5-3, Burch, Freeman, Morton "no."

Mayor Mossar said Palo Alto needed to look at connectivity with neighboring cities.

MOTION AS AMENDED PASSED 9-0.

MOTION: Council Member Burch moved, seconded by Council Member Kleinberg, to hear Item No. 13 ahead of Item No. 12

MOTION PASSED 8-0, Morton "not participating."

PUBLIC HEARINGS

13. Public Hearing: The City Council would consider an application by Bellomo Architects on behalf of the City of Palo Alto (property owner), County of Santa Clara (leaseholder) and Dr. Jim Brandt (fixed-base operator) for Site and Design Review and a Conditional Use Permit to allow construction of a 1,643 square foot building, adjacent to an existing airport building located at 1903 Embarcadero Road

Chief Planning Official Lisa Grote presented a staff report regarding the Site and Design application and accompanying conditional use permit.

Mayor Mossar asked about the conflict between the water, the wildlife, and the Airport.

Ms. Grote said water features did not become issues until they became greater than an acre in size.

Mayor Mossar declared the Public Hearing open at 11:17 p.m.

Bunny Good, P.O. Box 824, Menlo Park, said a tenant had cut down the jasmine hedge at the Airport.

Mayor Mossar declared the Public Hearing closed at 11:20 p.m.

MOTION: Council Member Burch moved, seconded by Council Member Kleinberg, to approve the site and design review for the construction of a new +/-1,600-square-foot building at the Palo Alto Airport, located in the

Palo Alto Baylands; and the conditional use permit to allow a general business office use to occupy the new building.

Council Member Burch said he was pleased the Planning and Transportation Commission (P&TC) and the Architectural Review Board (ARB) gave full approval.

Council Member Kleinberg believed it to be a good plan architecturally, which would generate revenue and not impact the wetlands.

Council Member Kishimoto questioned if the tenants would be able to sublease the property for non-airport use.

Ms. Grote said the Lease Agreement would need to be looked at.

Dr. Jim Brandt said the lease was restricted to Airport-related uses and any tenant would be approved by County Airports Division.

Council Member Kishimoto discouraged any more building in the area because of the known natural hazards.

Council Member Lytle said the public facility zone protects the uses from being privately used in the future.

City Auditor Sharon Erickson commented the sales tax benefit accruing to the City from aircraft sales had been considerably less than represented to the P&TC. She noted that planes sold in Palo Alto and delivered out-of-state were non-taxable.

Council Member Kleinberg mentioned there was a Master Plan for the Airport, which includes some construction.

MOTION PASSED 9-0.

REPORTS OF COMMITTEES AND COMMISSIONS

12. Adoption of a Resolution Appointing a Council Member to the Board of the Bay Area Water Supply and Conservation Agency

MOTION: Council Member Burch moved, seconded by Council Member Morton, to approve the staff recommendation that the City Council appoint Vice Mayor Beecham as a voting member of the board of directors of the Bay Area Water Supply and Conservation Agency.

Resolution 8294 entitled "Resolution of the Council of the City of Palo Alto Appointing a Council Member as a Voting Member of the Board of Directors of the Bay Area Water Supply and Conservation Agency"

Council Member Burch said Vice Mayor Beecham was a worthy representative.

Council Member Morton said there should also be an alternate.

Mayor Mossar said an alternate would not have a role.

Council Member Morton said he would indicate to the newly-elected representative that provisions for alternates be made.

Council Member Freeman stated that she had volunteered for the post based on her expertise and interests.

Council Member Kishimoto urged the Council to consider the structure.

SUBSTITUTE MOTION: Council Member Kishimoto moved, seconded by Council Member Lytle, to appoint Council Member Freeman as a Voting Member of the Board of Directors of the Bay Area Water Supply and Conservation Agency.

Council Member Lytle noted that Vice Mayor Beecham be encouraged to mentor Council Member Freeman.

Council Member Burch believed that Council Member Freeman would have many opportunities to serve.

SUBSTITUTE MOTION FAILED 6-3, Freeman, Kishimoto, Lytle "yes."

MOTION PASSED 9-0.

COUNCIL MATTERS

13A. Colleagues Memo from Mayor Mossar and Vice Mayor Beecham to Agendize Discussion on the Trinity River Litigation

BY A CONSENSUS OF THE COUNCIL agendize a report on, and discussion of, the Trinity River matter so as to be able to vote and provide Vice Mayor Beecham, as Palo Alto's Commissioner to Northern California Power Agency (NCPA), with Council's direction regarding possible further NCPA participation in the Trinity litigation.

MOTION PASSED 9-0.

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Council Member Kleinberg noted the challenge to find appropriate ways to channel enthusiasm of new members to be appointed to various committees and commissions.

Mayor Mossar noted most assignments aspired to were not appointed by the Council but by other agencies.

Council Member Freeman noted on Item No. 5 that the Planning and Transportation Commission minutes regarding residential units conforming to R-1 were inaccurate. Transfer of Development Rights (TDR), which allowed a person developing to transfer rights to a different property, were intended to be bought and sold. She also congratulated Police Chief Lynne Johnson on her promotion.

Council Member Kleinberg requested the meeting be adjourned in honor of Community Association for Rehabilitation (C.A.R.) on its 40th Anniversary.

FINAL ADJOURNMENT: The meeting adjourned at 11:50 p.m. in honor of CAR, which was celebrating its 40th year in Palo Alto and had served many in the community with developmental disabilities.

ATTEST:

APPROVED:

City Clerk

Mayor

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