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The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:04 p.m.

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

ORAL COMMUNICATIONS

Sophia Drhymes spoke regarding roadblocks and Dan Lorimer.

SPECIAL ORDERS OF THE DAY

1. Selection of Candidates for the Human Relations Commission

MOTION: Council Member Burch moved, seconded by Morton, to interview all the candidates.

MOTION PASSED 9-0.

APPROVAL OF MINUTES

MOTION: Council Member Morton moved, seconded by Ojakian, to approve the minutes of July 14 and 21, 2003, as corrected.

Council Member Burch said he believed the contents of the minutes were getting verbose. They were meant to be sense minutes not verbatim minutes.

Council Member Morton said the minutes were not verbatim, but elaborations of what individuals wanted to be added. He suggested the Policy and Services (P&S) Committee re-examine the policy for minutes.

Mayor Mossar said the minutes should not allow comments by Council Members.

Council Member Lytle gave an example of a change requested to the sense minutes of the July 14, 2003, paragraph 2 of page 39.

Council Member Burch said he did not believe that extraneous material should be added.

Council Member Kishimoto said if her colleagues felt this issue should go back to the P&S Committee, she would support it. She felt Council

Member Lytle's comments were merely asking to clarify her primary point. She asked for a more respectful debate at a P&S Committee meeting.

Council Member Morton said Council Member Lytle only needed to ask the Clerk to change the word Palo Alto to VTA (Valley Transportation Authority). He believed extraneous material was being added, which was not part of the original minutes.

Mayor Mossar said Council Member Lytle said the minutes could be sent back to the City Clerk for a simpler version or the motion on the floor was to approve the minutes, as amended.

Council Member Burch said he wanted to go with the minutes as they were.

MOTION PASSED 9-0.

CONSENT CALENDAR

MOTION: Council Member Ojakian moved, seconded by Morton, to approve Consent Calendar Item Nos. 2-7, with Item No. 8 being removed for discussion at the end of the Consent Calendar.

LEGISLATIVE

2. Ordinance 4803 entitled "Ordinance of the Council of the City Of Palo Alto Amending Section 18.94.070 [Nonconforming Use - Required Termination] to Change the Required Termination Date for the Monotype Print Art Studio Use at 440 Pepper Street" (*1st Reading 9/8/03, Passed 9-0*)

ADMINISTRATIVE

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MOTION PASSED 9-0 for Item Nos. 2-7.

AGENDA CHANGES, ADDITIONS AND DELETIONS

8. Recommendation to Adopt a Resolution to Appoint the Ad Hoc Advisory Committee Members as the Formal Advisory Board That Will Prepare the Report and Recommendations to City Council on a Downtown Business Improvement District (Bid); Direct the Downtown Bid Advisory Board to Prepare the Report to the City Council That is Required by Bid Law; and Set the Place and Time for a Public Meeting (October 27, 2003) and Public Hearing (November 17, 2003) on the Establishment of a Downtown Bid

Resolution 8339 entitled "Resolution of the Council of the City Of Palo Alto Appointing an Advisory Board, Directing the Preparation of a Report for Fiscal Year 2003-2004, and Directing that Notice be Given of a Public Meeting and Public Hearing in Connection with the Proposed Establishment of the Downtown Business Improvement District and the Proposed Levy of an Assessment Against Businesses Within Such District"

Susan Kaplan, Psychologist, 550 Hamilton Avenue, #201, said there was a lack of professional representation on the Ad Hoc Advisory Committee for the Business Improvement District (BID.) The retailers would be imposing fees on the professionals for services that were of questionable benefit. None of the tenants at 550 Hamilton Avenue received notification of the meetings held to create the BID.

Information was read in the newspaper and by hearsay. She asked that the Ad Hoc Advisory Committee not be the formal advisory board for the BID.

Mayor Mossar said the "at place packet" and an e-mail provided the Council with a list of the representatives on the current Ad Hoc Committee.

Peter Rosenthal, 585 E. Crescent Drive, said the Committee should either constitute a representative number of professionals, or the Advisory Committee should withdraw the recommendation that professionals be taxed at 25 percent of what retailers would pay.

Georgie Gleim, 140 Island Drive, said the current Ad Hoc Committee emerged from the Downtown Marketing Committee. Effort had been made to contact every business in Downtown Palo Alto about the informal notification. By law, the formal notification happened 45 days before the Public Hearing, which was currently scheduled for November 17, 2003.

Faith Bell, 536 Emerson Street, said she served on the Ad Hoc Advisory Committee and they worked hard to contact all businesses in Palo Alto. The BID would benefit all businesses.

Israel Zehavi, 261 Hamilton Avenue, said the Downtown was a good place to have a business. The businesses should pull together. The professionals were welcome to join the Committee.

Stephanie Wansek, 823 Cowper Street, said the community benefited from the BID; it was inclusive. The intention was not to force the businesses into anything. She welcomed the professional community to join the Committee.

Sunny Dykwel, 480 Gary Court, said the BID fee structure was based on a cost benefit analysis that took size, type, and location of the business into consideration. There was a direct relationship between the benefit the business received and the assessment of the businesses.

Council Member Freeman said the group of individuals on the committee was hard working, dedicated and passionate about their work, and open to including more professionals into the Committee.

MOTION: Council Member Freeman moved, seconded by Burch, to adopt staff recommendations 1, 2, 3, as noted in the staff report, with the addition that the BID Ad Hoc Advisory Committee return with recommendations for Council decision on additional professional representation on the Committee, the size of the committee, and review and bring back a scale of fees for different businesses.

City Attorney Furth said when the Ad Hoc Advisory Committee became official, the members would be appointed by the City Council. There would be several procedural changes. The current group could be appointed and would return to the Council at the next meeting with suggestions for additional members.

Council Member Freeman said it would be good for the group to return to the Council. All professionals interested in participating should be considered equally.

Council Member Burch commented the Committee would be an advice committee and anything brought back to the Council would be considered as such. The Council would make the decision.

Council Member Lytle said she was pleased with the effort going forward and appreciated the inclusive comments from the Committee.

Council Member Kishimoto acknowledged the hard work of the Downtown Marketing Group over the last few years.

Council Member Kleinberg said downtown businesses would come up with the program to improve their own environment. The current Committee consisted of two licensed professionals and the Ad Hoc Committee would return with six additional professional members.

Council Member Freeman said she would like to leave the number of professionals to be added open so Council would receive the names of whoever wanted to join the Committee. She would accept a minimum of six recommendations. She did not want the process to be stalled if six recommendations could not be found.

Council Member Kleinberg asked that the best effort be made to find six recommendations.

Council Member Morton recommended appointments, but emails suggested the professional group did not want to become members of the Committee. They wanted to defeat the Committee and did not

want the BID to apply to them. The Committee should be limited to 15 members.

Mayor Mossar suggested approval of staff recommendations 2 and 3.

Council Member Freeman said a list would come to the Council. The Council would determine how many would be on the Committee.

Council Member Ojakian agreed with Council Member Morton. He was not concerned about a disproportionate Committee. His concern would be managing the process, the number of individuals, and meeting the timeline. The Committee should be limited to 15.

Vice Mayor Beecham said the BID was a good idea. The current composition of the Ad Hoc Committee was three professionals of 12 members. A total of 15 members would be a good number for the Committee.

Mayor Mossar suggested the Advisory Committee be appointed. The Committee should return with suggestions of additional professional representatives, including the ideal size and composition.

Council Member Lytle said a professional office was defined in the Zoning Code. The categories and composition of the Committee should be made as reflective as possible.

Council Member Kishimoto said the intent of the Committee would be to come up with a proposal and a composition, which would be successful.

MOTION PASSED 9-0.

UNFINISHED BUSINESS

- *9. 876 San Antonio Avenue - Approval of a Request for Exemption From the Charleston Corridor Moratorium for a Nine-Unit Housing Project (*Continued from July 28, 2003*)

****This item is quasi-judicial and subject to Council's Disclosure Policy***

Council Members Burch, Freeman, Kishimoto, Kleinberg, Morton, and Ojakian, Vice Mayor Beecham and Mayor Mossar declared they had no disclosures.

Council Member Lytle disclosed she had gone out to the field and looked at the site and plans.

MOTION: Council Member Morton moved, seconded by Ojakian, to accept the Director of Planning and Community Environment's recommendation (CMR:447:03) to approve the request for relief from Ordinance Number 4784 to allow review of a nine-unit townhouse project at 872-876 San Antonio Road by the Architectural Review Board (ARB) and action on the project by the Director, based on the staff report before council.

Planning Manager Lisa Grote, requested an exemption from the Charleston Corridor development moratorium for a nine-unit condominium project.

Council Member Lytle said the transportation area was a potential candidate for one of the new land-use designations. This area was to be maintained as a diverse business and light industrial district.

Ms. Furth said the discussion was about taking that parcel out of moratorium. Only the transportation issues would be addressed.

Council Member Lytle asked what would prevent the entire area from being converted to a use inconsistent with the Comprehensive Plan (Comp Plan).

Ms. Grote said staff did not believe the Comprehensive Plan policy had been violated.

Council Member Lytle asked how the area would be considered in its isolation. It would initiate a different land use pattern in that area.

Director of Planning and Environment Steve Emslie, said the zoning permitted residential. There was not a discretionary review of a residential project in that area.

Council Member Lytle said if the area was protected under the Comp Plan, the moratorium should be expanded.

Mayor Mossar said the Comp Plan could and would include housing.

Council Member Lytle said it was an outdated Zoning Ordinance that said it could and would include housing. It was one of the ten areas identified for change in the Zoning Ordinance.

Ms. Furth said staff reviewed the decision before the Council about the traffic generating consequences of the proposed change and decided they should be confined under the terms of the Ordinance. Secondly, staff believed the project, as proposed, appeared to be consistent with the Comprehensive Plan. Staff wanted permission to start the review process.

Vice Mayor Beecham said it was not a zoning issue. The area would come forward in the process for appropriate reviews.

Council Member Kishimoto wanted clarification that Council was not being asked to approve the project. She queried if the project would come before the Council or if it could be approved administratively.

Ms. Grote said the Architectural Review Board (ARB) would review it as a major architectural review application.

Council Member Kishimoto said it could then be appealed through the Council.

Ms. Grote confirmed.

Council Member Kishimoto said the traffic impact was being discussed and not the zoning.

Council Member Burch said the property would not contribute to traffic in that area.

Council Member Morton said the issue was traffic. He questioned the City Attorney if it was appropriate to comment on the transition of the area to housing.

Ms. Furth said the Brown Act was to advise the public what would be talked about. The public would be able to draw the conclusion if the project should be exempt from the transportation-based moratorium and be allowed to proceed as an application before the City.

Council Member Morton said he wanted to call for the question, based on the issue of whether it should be removed from the moratorium.

Mayor Mossar called for a vote.

MOTION PASSED 9-0.

PUBLIC HEARINGS

10. The City Council will consider Adopting Recommendations from the Planning and Transportation Commission Regarding Performance Measures for the Charleston/Arastradero Corridor Plan

Director of Planning and Community Environment Steve Emslie, said the safety of all modes of transportation was important. The Corridor served 18 community facilities. The findings showed the Corridor functioned inefficiently because of outdated traffic improvements. Improved safety and traffic efficiency could be achieved in a variety of ways. A performance measure showed the travel speeds should be consistent through the Corridor. Speed spikes should be leveled through congested intersections for the safety of pedestrians and cyclists. A small reduction in speed could produce substantial benefits. It was too soon to reach conclusions whether performance measures would be attained and what the tradeoffs would be.

Planning and Transportation Commissioner Phyllis Cassel,, said the P&TC supported the staff going forward with the study of the Charleston/Arastradero Corridor using the performance measures, as presented.

Chief Transportation Official Joe Kott, said using performance measures or measures of effectiveness were standard practice in urban or inter-urban corridor transportation planning. A degree of flexibility would be needed when evaluating the results of the measurements.

Ms. Furth said the Council was looking at a set of goals for the performance of the road. She emphasized these were preliminary guides for the staff to use as alternatives for consideration. An environmental document had not yet been given.

Ms. Furth said the ten items were specific to the street and were targets for design goals. That particular set of design goals were being requested for approval.

Council Member Morton asked why maintaining the existing travel time was combined with minimizing diversion to other residential areas.

Mr. Kott said maintaining existing travel time would not frustrate motorists being tempted into cut-through routes.

Council Member Ojakian asked for clarification of a paragraph in the report. It neither encouraged nor discouraged any form of future land development or redevelopment along the Corridor.

Mr. Kott said the Performance Measures were related to that particular Transportation Plan. Land use would be undertaken in the Development Review, which had its own governing standards.

Council Member Ojakian asked if other projects would remain neutral in relationship to that project.

Mr. Emslie said the land use assumptions looked at a range of development.

Ms. Furth said the design for the road was derived from the analysis of the existing and future traffic on the characteristics of the road.

Council Member Kishimoto asked when the Council would review it again.

Mr. Emslie said nothing formal had been scheduled, but looked at mid-November for a joint meeting between the Planning Commission and the Council.

Council Member Kleinberg said the results from the performance standards should not inhibit or conflict with the objectives of the Comp Plan or any of the housing elements.

Mr. Emslie said the performance measures might not conflict with the objectives of the Comprehensive Plan.

Harold Justman, 828 Ramona, said the demand for commuter rail service would grow. If a Statewide bond measure passed, there would be the Bullet Train from Los Angeles to San Francisco. With increased usage of the rail service, grade separations would become more dangerous in the future and would impact crossing traffic.

Lee Wieder asked Council to direct staff to return with answers to unanswered questions and to identify policy issues that would surface as a result of adopting any of the recommended performance measures. He asked staff to return to the Council with a detailed schedule through the end of January 2004, which included the time necessary for the Environmental Impact Review (EIR) of anticipated traffic mitigations, potential costs, and funding sources.

Jeff Rensch, 741 Chimalus Drive, said Performance Measures 1 and 2 gave pretense to affordable housing and to sales tax revenue. Those public benefits were being restrained to control road volume.

Heather Trossman Kushlan, 769 Garland Drive, said the report addressed traffic standards and not land use standards. The concern was appropriate development, and commercial and affordable housing.

Joe Rolfe, 1360 Emerson Street, said the first two of the ten points were controversial and not practical. He suggested moving forward and ending the moratorium.

Diane H. Rolfe, 1360 Emerson Street, said a housing crisis was suppressing the cultural, economic and future of the Palo Alto community. Affordable and diversified housing was needed, as well as a vibrant business community.

Tony Carrasco, 4216 Darlington Court, said he supported traffic calming in the Charleston Corridor. The tradeoffs needed to be studied. What had been proposed by the Planning and Transportation Commission (P&TC) needed to be reviewed. Businesses generated approximately 70 percent of the City's revenue. The vitality of housing, businesses and revenues would be affected by the criteria being set for the Corridor. The design would affect the Corridor for 25 or 30 years.

Deborah Ju, 371 Whitclem Drive, said the Charleston Corridor Study was undertaken because of concerns about the unprecedented level of future growth along the busiest school corridor in the City. A unique situation would be created with the school corridor and the potential of 970 new housing units. An increase in travel time along the Corridor or at intersections would lead to increased cut-through traffic into local neighborhood streets. Traffic diversion was strongly discouraged in the Comprehensive Plan.

John Ciccarelli, 2065 Yale Street, asked the Council to direct staff to reconsider the formulation on Performance Measure 2. The street needed to be looked at as a system.

Audrey Sullivan Jacob, Palo Alto Chamber of Commerce, read a letter for the record, submitted by the Chamber of Commerce, which urged the Council to send the Performance Measures back to staff for review and refinement.

Mark Sabin, Palo Alto Chamber of Commerce, suggested a study that enlightened the decision-making.

Bob Moss, 4010 Orme Street, said Performance Measures 1 and 2 were essential to keep from over taxing the carrying capacity of the community and destroying the value of living along the Corridor. Even with added cars, traffic flow could be improved.

Sunny Dykwel, 480 Gary Court, said Council should ask staff to allow for flexible and realistic standards on Measures 1 and 2. The study's performance standards should not be so restrictive that future business vitality and affordable residential development would be restrained.

Carlin Otto urged the Council to approve the study.

Sally Probst, 735 Coastland Drive, said she had reservations about proposed Performance Measures 1 and 2. She suggested the wording of "no increase" be changed to "minimized increase" in peak or off peak travel time and from "no increase" to "minimize average" or "critical movement" of the intersections.

Jean McCown, 527 Seale Avenue, said performance measures were assessment tools to evaluate the plan. Neutral wording was needed for Performance Measures 1 and 2.

Penny Ellson, 513 El Capitan Place, read a statement on behalf of the Greenmeadow Community Association. The association was pleased the City had chosen to study traffic impacts on Charleston/Arastradero Road.

Holly Baral, 475 El Capitan Place, finished reading the Greenmeadow Community Association statement, which asked the Council to direct staff to provide a summary with assumptions that would be used in the study.

Hal Mickelson, P.O. Box 20062, Stanford, said Measures 1 and 2 should not call for zero increase in traffic and trip times. Traffic was concomitant with economic vitality.

Lane Liroff, South Palo Alto, said the intersections on Charleston/Arastradero were failing the level of service established by the community. The Planning Department worked diligently to fix the

problem. The performance measures were not regulatory, but rather a goal.

Betsy Allyn, 4186 Willmar Drive, said the Greenacres Community supported the objectives and performance measures recommended by the staff for the Charleston/Arastradero study.

RECESS: 9:42 p.m. to 9:40 p.m.

MOTION: Vice Mayor Beecham moved, seconded by Morton, to accept the Planning and Transportation Commission and staff recommendation to approve the proposed Charleston/Arastradero Road Corridor Plan Performance Measures contained in Attachment A of CMR:430:03.

Vice Mayor Beecham said he was comfortable with staff going forward with those objectives and performance measures.

Council Member Morton asked the maker of the motion to accept a modification. Measure 1 and 2 needed an adjective such as, "no significant increase" in both sentences.

Mayor Mossar asked if the maker of the motion would accept the change.

Vice Mayor Beecham said he would not accept the amendment.

Council Member Morton asked the staff what the imposition of a word would do.

Mr. Emslie said the word "significant" adds more clarity.

Mr. Kott suggested the word "minimize" instead of "significant" when referring to traffic.

Ms. Cassel said that measures were being worked on with the California Environmental Quality Act (CEQA) standards.

Council Member Morton asked if the maker would accept the word "minimize."

Vice Mayor Beecham said no.

Council Member Morton said once a performance measure became an official document, they were literally interpreted. He was concerned a set of performance standards would get adopted and would not be achievable.

Council Member Ojakian said his concerns were when guidelines and ideas were talked about they would end up coming back as law. Items 3 through 9 provided relief. He wanted the record to show that the Council had indicated they were not precluding or presupposing certain factors based on future developments in the Corridor.

Council Member Burch said the word "any" concerned him.

Vice Mayor Beecham said the measures told how well the objectives were met.

Council Member Kishimoto said the City could reverse the long-term negative trend the City had been in.

Council Member Freeman said the problem was traffic. The goal was to hold, and possibly reduce, the traffic the study had precipitated.

Council Member Kleinberg said what was happening that evening was measuring, not restricting and prohibiting. Safety in the community was the number one responsibility.

Mayor Mossar asked staff if it changed their work if Measures 1 and 2 said "no increase" or "minimize increase."

Mr. Emslie said it would not change the nature of the work.

Mayor Mossar confirmed with Mr. Emslie that one word or the other would result in the same work product and decision-making process.

AMENDMENT: Council Member Morton moved, seconded by Ojakian, to amend Performance Measures 1 and 2 of Attachment A to state "minimize increase" rather than "no increase."

AMENDMENT FAILED 7-2, Morton, Ojakian "yes."

Council Member Burch said he wanted an amendment to remove the word "any" out of the final motion.

Mayor Mossar asked staff to confirm Council Member Burch's concern regarding the word.

Mr. Kott said people thought in terms of travel time more than spot delays and, therefore, Measure 2 would be a more difficult measure to attain than travel time.

Mr. Emslie said every intersection should be measured.

Council Member Burch said the word "any" was still a concern.

Mayor Mossar asked if Council Member Burch wanted to make an amendment.

Council Member Burch asked the City Attorney for a suggestion.

Ms. Furth said the matrix stated the particular criterion needed to be looked at in the context of the overall system.

AMENDMENT: Council Member Burch moved, seconded by Kleinberg, to change Performance Measure 2 to state, "No increase in average motor vehicle delay time during peak hours at any Charleston Road or Arastradero Road Corridor Plan interchange unless appropriate for overall system."

Council Member Kleinberg said she had seconded the amendment for discussion.

Council Member Freeman said there were locations where traffic lights could force motorists into taking short cuts.

Council Member Lytle said the amendment was not necessary given the context of the performance measures.

Council Member Kleinberg asked about the wording "no increase in average delay."

Mr. Kott said he should have said "peak hour average delay" and the critical delay would be measured at the peak hour also. It was an average of all of the vehicle movements for each intersection.

AMENDMENT WITHDRAWN BY MAKER

Mr. Kott answered it should be clarified.

Mayor Mossar asked the maker of the motion if he would accept the clarification.

Vice Mayor Beecham accepted it to be incorporated into the motion.

Council Member Ojakian asked if the concern was over cut-through traffic on the matrix on items 1 and 2.

Mr. Emslie replied yes, but it was tempered with a need to maintain the travel time.

Council Member Ojakian said some delay was not a bad thing.

Mr. Kott said the intention was mobility, not to intentionally impose delay and congestion on motorists.

Council Member Ojakian asked if quality of life was affected if traffic delayed an individual.

Mr. Kott said transportation would not design for delay.

Council Member Ojakian said the substitute motion spoke about quality of life being affected or issues about safety. Items 3 and 4 dealt with safety and other items helped improve quality of life. Cut-through traffic concerns could be addressed with performance measures.

Council Member Lytle said she disagreed with comments about deciding land use and transportation decisions separately. The land use decisions would be made before any of the performance measures were tested. She was concerned about the amount of cars being added and the time of the day the cars would be going through the Corridor.

Vice Mayor Beecham said staff had come forward with a recommendation, which was challenging and aggressive.

Council Member Kleinberg referred to the Attachment B matrix and asked why some intersections would operate less efficiently if others operated more efficiently.

Mr. Kott said there was a tradeoff of added delay to a high level of service intersection with a limited delay for the improved efficiency of a downstream intersection.

Council Member Kleinberg said transportation would be looking for pockets for adjustment.

Mr. Kott said there were differences in traffic density along the whole Corridor.

Council Member Kleinberg asked if the study would impede the flow of traffic from the east end of the Corridor.

Mr. Kott said averaging the delay was being studied.

Council Member Kleinberg said she was concerned about the vagueness of the language and wanted to be sure that development would not be prohibited.

Council Member Kishimoto said she was interested in noise and air quality impacts as performance measures. The Comp Plan goals of a walkable and bikeable community were going forward.

Council Member Freeman said all the potential housing opportunities added up to 1,498 housing units proposed. A high level of students, approximately 40+ percent used bicycles along the Corridor to get to Terman School.

Council Member Burch said everything was on the table for staff to look at for Charleston/Arastradero to make it the best it could be and could handle future development. It was not a land use decision, as much as it was a transportation corridor decision.

Mayor Mossar asked staff why the performance measures in 11 were not congruent with performance measures in the agenda item.

Mr. Kott said it was a different geographic focus.

Mayor Mossar said the concerns raised that evening underscored the importance of listening to everyone. The business community expressed their concerns clearly and fairly. The business and residential communities needed to work together to create a Charleston Corridor that would be an integral part of the community.

INCORPORATED INTO THE MOTION BY THE MAKER AND SECONDER to change Performance Measure 2 to state, "No increase in average motor vehicle delay time during peak hours at any

Charleston Road or Arastradero Road Corridor Plan interchange unless appropriate for overall system.”

MOTION PASSED 9-0.

11. Public Hearing: The City Council will consider the Adoption of a Transportation Strategic Plan Designed to Implement the Transportation Policies and Programs in the 1998-2010 Comprehensive Plan

Chief Transportation Official Joe Kott said the staff had been working in conjunction with the Planning Department to achieve the objectives. A proposed Transportation Strategic Plan was comprised of recommendations by the Planning and Transportation Commission (P&TC) and staff, in broad priority order, information on magnitude, timeline, and cost for implementation and a set of Citywide performance measures, which tied to the Comprehensive Plan (Comp Plan) goals and policies. The performance measures would be used to guide day-to-day work and to report back to the Council on a yearly basis to show how the transportation system was doing overall. This information would also be posted on the Internet.

Adam Millard-Ball, Nelson-Nygaard Consultants, said the aim was to implement the Comp Plan in practice. First, a framework of project prioritization would be provided. Secondly, there would be performance indicators to assess which of the projects were in line with the City’s goals. The third element would be a funding plan. Three broad groups had been developed, which were high priority, priority and low priority

Planning & Transportation Commissioner Phyllis Cassel, said the Commission participated in the prioritization of the projects.

Mr. Kott said a couple of the performance indicators were previews of what could be proposed for new traffic standards for both pedestrians and bicyclists on a project-by-project basis for land development evaluation.

Nancy Adler, 109 Emerson, said permanent installation of roadblocks should not be voted for, and read into the record Policy T33 of the Comprehensive Plan.

Joy Ogawa said she had asked that the cut-through traffic be a performance indicator or sub-indicator and said policies T-28 and T-30

of the Comprehensive Plan spoke to reducing or preventing cut-through traffic on local neighborhood streets.

Mayor Mossar declared the public hearing open.

Vice Mayor Beecham said he understood there were some Federal funds for the University Avenue Intermodal Transit Center.

Mr. Kott said there were one Federal grant and a second grant that had been approved by the House and Senate Committees, but not by Congress.

Vice Mayor Beecham asked the magnitude of the grants.

Mr. Kott said the first grant was \$250,000 for an environmental analysis and the second was \$750,000 for preliminary engineering for the University Avenue Intermodal Transit Center.

Vice Mayor Beecham said the Center was far more than what was needed for the transit objectives. The cost benefit ratio was poor.

Mayor Mossar said she and Council Member Kleinberg were there to discuss a larger transportation plan and, if the focus was on a particular project, they needed to get advice from the City Attorney.

Interim City Attorney Wynne Furth said when a process was bifurcated, the smaller group, which did not include Stanford University financial interests would leave, and the rest of the group would arrive at their decision. The smaller group could return to discuss the rest of the project and the entire item would be voted on.

Mayor Mossar said she and Council Member Kleinberg would leave but asked Council not to proceed or take action without their participation.

Vice Mayor Beecham said everything else could be done first.

Ms. Furth said it would work if the University Avenue Intermodal Transit Center funding could be set aside and function separately. It should not be dependent on the decision made on the other issues.

MOTION: Council Member Beecham moved, seconded by Morton to approve all components of the Transportation Strategic Plan except the University Avenue Intermodal Transit Center or anything representing Stanford Research Park.

Council Member Morton said it was a plan and queried if the element needed to be moved from the plan. The authorization of funding was not being made.

Ms. Furth said it talked about assigning priorities and ranking projects. Everything but the Stanford Plan could be acted on because it was a document and no one was being regulated.

Vice Mayor Beecham said he wanted to modify his motion to include the Transit Center under medium priorities, which referred to the Stanford Research Park. He moved for approval for everything except anything referencing Stanford assets.

Mayor Mossar said the motion would be to approve the staff recommendation with no implicit ruling on any project having to do with Stanford University; specifically, items having to do with the Research Park and the Intermodal Center.

Council Member Morton said Attachment A of CMR:378:03 lacked detail.

Mr. Kott said the baseline data collection had not been finished.

Council Member Morton said the at-grade crossings were a much bigger priority.

Mayor Mossar requested to include in the motion to direct staff to prepare a letter to be signed by the Mayor to the Valley Transportation Authority (VTA) Board and Santa Clara County (SCC) Cities Association stating strong interest in VTA furthering projects that were promised by previously passed sales tax measures and the concern that current planning processes were favoring other projects to the disadvantage of the community.

Council Member Morton said he would be willing to incorporate that.

Council Member Freeman said the plan would take time to go through and questioned if it was just a general idea.

Mr. Kott said the Transportation Manager would return to Council when the City engaged in a project. Council had decision points, which were specific to each project and gave guidance to staff.

Council Member Freeman requested an addition to the motion to have staff reevaluate detail on bike and pedestrian facilities that prioritized critical links and return to the Council with more information.

Mr. Kott said the detail was taken from the adopted Bicycle Master Plan, which included a list of critical links.

AMENDMENT: Council Member Freeman moved, seconded by Kishimoto, to move the priority status of the Downtown alleyways for pedestrians and bicycle access to at least a medium priority.

Vice Mayor Beecham said he would not accept the changes into his original motion.

Council Member Freeman said more mid-block walkways in the Downtown would reduce jaywalking, increase safety and create a different transit area for pedestrian and bicycles. Interest in Downtown Palo Alto could result for a very low cost.

Council Member Kishimoto said the Nelson Nygaard Report said the Downtown alleyway was number one for cost benefit ranking. Mayor Mossar asked if staff wanted to share the history of mid-block walkways.

Mr. Kott said even though the benefit cost ratio was low, the raters felt the overall benefit to the City did not merit the rating to a higher category.

Mayor Mossar said the document had been looked over by Planning, Boards and Commissions, and a consultant. The Council was a policy setting body and must rely on staff and boards and commissions to do the detail analysis.

Mayor Mossar called for the question on the amendment, which required a two-thirds vote.

Ms. Furth said the call for the question on Council rules took a two-thirds vote to end debate and proceed to the motion.

MOTION TO CALL THE QUESTION: Council Member Freeman moved, seconded by Lytle, to call the question.

MOTION TO CALL THE QUESTION PASSED 6-3, Kleinberg, Morton, Mossar "no."

AMENDMENT FAILED 2-7, Freeman, Kishimoto "yes."

MOTION TO CALL THE QUESTION: Council Member Burch moved, seconded by Morton, to call the question for the main motion.

MOTION TO CALL THE QUESTION FAILED 2-7, Burch, Morton "yes."

SUBSTITUTE MOTION: Council Member Kishimoto moved, seconded by Freeman, to continue the Transportation Strategic Plan to a date uncertain.

Director of Administrative Services Carl Yeats, asked that it be referred to the Finance Committee to review and talk about financial implications of documents and bring back recommendations.

Mayor Mossar asked Council Member Kishimoto if she wanted to modify the motion.

Council Member Kishimoto said she would modify the motion to refer to the Finance Committee for consideration and recommendation back to full Council.

Council Member Lytle said she would prefer if it was discussed and dealt with the finance issues at a Special Meeting.

Mayor Mossar said the plan should be accepted and financial issues referred to the Finance Committee.

SUBSTITUTE MOTION WITHDRAWN BY MAKER AND SECONDER

SUBSTITUTE MOTION: Council Member Kishimoto moved, seconded by Freeman, to refer the Transportation Strategic Plan Designed to Implement the Transportation Policies and Programs in the 1998-2010 Comprehensive Plan to the Finance Committee for consideration and recommendation to the Council.

SUBSTITUTE MOTION PASSED 6-3, Kleinberg, Morton, Mossar voting "no."

Council Member Kleinberg asked Mr. Kott why a study of truck traffic was not done at the same time as the Transportation Strategic Plan.

Mr. Kott said the Transportation Strategic Plan was a detailed implementation plan for the Comprehensive Plan. A truck study could possibly be scheduled in next fiscal year.

Council Member Kleinberg requested a follow-up on this issue.

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Council Member Ojakian announced that Vice Mayor Beecham was selected Chair of the Northern California Power Association (NCPA), which is an honor as all members are elected officials. Vice Mayor Beecham will take over as Chair at the next meeting.

Council Member Ojakian noted the City of Palo Alto was the recipient of the Helen Putnam Award for Excellence, which was the grand prize in the area of financial management and government efficiency. Only one other city in Santa Clara County had received that grand prize award in the last seven years. It was important to emphasize the achievement.

MOTION: Council Member Ojakian moved, seconded by Kleinberg, to direct staff to agendize a letter for the Mayor's signature supporting Megan's Law, which was set to expire at beginning of 2004.

MOTION PASSED 9-0.

Council Member Ojakian advised the Federal Government had passed a law on the tax free Internet, which also could impact the City's Utility Users Tax (UUT) on phone call charges. There was a comparable bill in the Senate and a letter from the Mayor to local representatives would be beneficial.

Director of Administrative Services Carl Yeats confirmed it could have a potential effect.

Council Member Kleinberg reported nominations are due by Friday, October 10, 2003, for the Third Annual Asian-American Heroes Award for Santa Clara Counties - Northern Region. The nomination form and information could be obtained from Supervisor Liz Kniss' website.

Council Member Kishimoto supported directing staff to prepare a letter from Mayor Mossar to Valley Transportation Authority (VTA) regarding the direction being taken with sales tax measure funding.

Mayor Mossar noted she intended to direct staff to prepare such a letter.

ADJOURNMENT: The meeting adjourned at 11:45 p.m.

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.