

Special Meeting
December 1, 2003

1. Interview of Candidate to the Architectural Review Board.....94
ADJOURNMENT: The meeting adjourned at 6:00 p.m.94
1. Study Session re Utilities Risk Management95
ADJOURNMENT: The meeting adjourned at 6:50 p.m.95
ORAL COMMUNICATIONS96
1. Resolution 8373 entitled "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Clark Akatiff96
2. Appointment of Candidates to the Architectural Review Board97
APPROVAL OF MINUTES97
3. Amendment to the Sand Hill Road Development Agreement.....98
4. Contract Between the City of Palo Alto and Kuehne Construction in the Amount of \$111,80098
5. Change Order No. 1 to Contract No. C3141079 with Northwest ..98
6. Public Hearing - The City Council will consider awarding a lease to Cingular Wireless98
*7. Public Hearing - The City Council will consider an appeal by Joy Ogawa100
8. Colleagues Memo from Vice Mayor Beecham and Council Members 110
COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS111
ADJOURNMENT: The meeting adjourned at 9:45 p.m.112

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 5:45 p.m.

PRESENT: Beecham, Burch, Kishimoto, Kleinberg, Mossar, Ojakian

ABSENT: Freeman, Lytle, Morton

SPECIAL MEETING

1. Interview of Candidate to the Architectural Review Board

No action required.

ADJOURNMENT: The meeting adjourned at 6:00 p.m.

Special Meeting
December 1, 2003

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

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

ABSENT: Lytle, Morton

SPECIAL MEETING

1. Study Session re Utilities Risk Management

No action required.

ADJOURNMENT: The meeting adjourned at 6:50 p.m.

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:00 p.m.

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

ABSENT: Morton

ORAL COMMUNICATIONS

Steven Fram, 614 Everett, spoke regarding traffic calming in Downtown North.

Sarah Freedman spoke regarding traffic.

Robert Freedman spoke regarding traffic calming.

Mike Liveright, 260 Byron Street, spoke regarding Downtown traffic calming.

Sally Ann-Rudd, 204 Cowper Street, spoke regarding traffic calming.

Tricia Dolkas, 412 Everett Street, spoke regarding Downtown North traffic calming.

SPECIAL ORDERS OF THE DAY

1. Resolution 8373 entitled "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Clark Akatiff Upon His Retirement"

MOTION: Council Member Kleinberg moved, seconded by Burch, to approve the Resolution of Appreciation to Clark Akatiff Upon His Retirement.

Director of Public Works Glenn Roberts acknowledged Clark Akatiff for 20 years of service as a Public Works employee with the past 11 years as Landfill Supervisor. He described him as a "True Renaissance Man" with a background ranging from university professor in geography, archeologist in Indian burial grounds, carpenter, registered minister,

musician and a poet. Clark's contribution to the development of Palo Alto's Compost Program brought \$100,000 in revenues and initiated the free give-away compost to Palo Alto residents.

Cliff Akatiff spoke of his appreciation for being a City employee. As a Palo Alto resident, he addressed three issues that faced the City Council: traffic calming, waste management, and recycling facilities, and restoration of the Juana Briones Property. He said the street calming program caused excessive traffic on arterial roadways that remained opened. Currently there were no approved plans for succession of waste disposal and recycling. With the anticipated closure of the landfill Facilities in 2010, Palo Alto would be losing a valuable resource if waste were to be disposed of in neighboring city facilities. He spoke of the Juana Briones Property, as an historical artifact, and asked Council not to allow its destruction.

MOTION PASSED: 8-0, Morton absent.

2. Appointment of Candidates to the Architectural Review Board
(continued from 11/24/03)

Lee I. Lippert, 580 Hawthorne Avenue, thanked the Council for allowing him to serve on the Architectural Review Board.

Assistant City Clerk Deanna Riding announced that Kenneth Kornberg (with 6 votes), David Solnick (with 6 votes) and Judith Wasserman (with 8 votes) were appointed on the first ballot to three, three-year terms ending September 30, 2006.

APPROVAL OF MINUTES

MOTION: Council Member Burch moved, seconded by Kleinberg, to approve the minutes of October 20, 2003, as submitted.

MOTION PASSED 8-0, Morton absent.

CONSENT CALENDAR

Council Member Mossar stated she would not participate in Item No. 3 due to a conflict of interest because her husband was employed by Stanford University.

MOTION: Council Member Burch moved, seconded by Beecham, to

approve Consent Calendar Items 3-5.

ADMINISTRATIVE

3. Amendment to the Sand Hill Road Development Agreement Regarding Stanford University Special Condition Area B to Incorporate A Legal Description of the Revised Boundary Between the Housing Site and the Golf Course

Second Amendment to Development Agreement Between the City of Palo Alto and the Board of Trustees of the Leland Stanford Junior University

4. Contract Between the City of Palo Alto and Kuehne Construction in the Amount of \$111,800 for the Baylands Interpretive Center Built-Up Roof Replacement - Capital Improvement Program Project PF00006
5. Change Order No. 1 to Contract No. C3141079 with Northwest Woodland Services, Inc. in an Amount Not to Exceed \$12,634 to Provide Additional Trail Repairs and Improvements at Arastradero Preserve

MOTION PASSED: 8-0 for Item Nos. 4 and 5, Morton absent.

MOTION PASSED: 7-0 for Item No. 3, Mossar "not participating," Morton absent.

PUBLIC HEARINGS

6. Public Hearing - The City Council will consider awarding a lease to Cingular Wireless, for a portion of the city-owned property located at 2675 Hanover Street commonly known as the Mayfield Fire Station. Terms of the lease include a five-year term with two five-year options to renew and the requirement that the property be used for the operation of a personal communications service (PCS) system facility for furnishing telephone, radio and telecommunications services to the public. Facilities to be placed on the site consist of antennas mounted on a fiberglass Tree Pole and associated ground equipment in an area of approximately 168 square feet

Real Property Manager Bill Fellman introduced the item to Council for

consideration regarding the lease of Cingular Wireless for a portion of the City-owned property located at 2675 Hanover Street.

MOTION: Council Member Burch moved, seconded by Kishimoto, to approve the lease from the City of Palo Alto to Pacific Bell Wireless, LLC, dba Cingular Wireless, LLC (Cingular Wireless) for the development and operation of telecommunications facilities at the Mayfield fire station (Fire Station #1, located at 2675 Hanover Street.)

Council Freeman questioned the sharing of the cell tower with another company to eliminate the need of additional sites in the area.

Mr. Fellman said the equipment described in staff report (CMR:523:03) would be placed in a space of approximately 174 square feet. Due to ground requirements, placement of another site was questionable.

Council Member Freeman asked if the City had any restrictions in place to prevent the over-population of cell towers in the City.

Mr. Fellman said it would be the fourth tower in the City. Two other sites were being considered. One was a co-location on an existing fire flagpole and that sites were restricted only to areas that received weak signals.

Council Member Freeman asked if it was correct that the City would not be held responsible for health issues that could occur in the future due to the placement of the equipment.

Mr. Fellman said that was correct and the lease included an indemnity clause stating that Cingular Wireless would hold the City harmless.

Council Member Lytle questioned the appearance of the wireless antenna facility consisting of three pairs of antennas mounted to a 65-foot high fiberglass tree pole and describing it as a large, artificial, holiday, pine tree.

Mr. Fellman said the appearance of the tree poles had been improved considerably in the last 20 years and blended well with the surrounding trees.

Council Member Lytle asked if there were any of those tree poles in the community.

Mr. Fellman said that would be the first on City property.

MOTION PASSED: 8-0, Morton absent.

- *7. Public Hearing - The City Council will consider an appeal by Joy Ogawa of the Director of Planning and Community Environment's approval of an Architectural Review application requested by Palo Alto High Street Partners for architectural and design changes to a previously approved multi-family residential housing project located at 800 High Street.

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

Mayor Mossar stated the item was quasi-judicial and read the disclosure policy. She asked Council to disclose any conversations, site visits or communications that could have influenced their views or opinions regarding this item.

Council Member Kishimoto spoke to Carol Jansen that afternoon and asked about pavement materials for patios.

Mayor Mossar, Vice Mayor Beecham, and Council Members Burch, Kleinberg, Lytle, and Ojakian stated they had no disclosures.

Council Member Freeman saw an email with the same letter presented to Council by Joy Ogawa, which had not influenced her.

Planner Steve Turner gave a summary of the contents outlined in staff report (CMR:530:03).

Joy Ogawa, Appellant, stated her appeal of the project approved by the Director of Planning and Community Environment after only one review by the Architectural Review Board (ARB). Staff classified the project as minor. She said neighbors and interested parties were not notified of the ARB hearing and major changes had been made to the project after Council had sent it back to the ARB, which included a change in the total number of residential units, contributions to the Below Market Rate (BMR), number and locations of the BMR units, change to the location of the Public Plaza, revisions to the Homer Avenue streetscape, and redesign of the roof. On February 3, 2003, the Planning and Transportation Commission presented Council with a 61-unit version that had been reviewed. At the same time, the applicant presented a 54-unit version that had not been seen by the public. That version

provided no significant public benefits. Council approved the 61-unit version at the first reading of the Ordinance on February 3, 2003, and on February 18, Council was presented with an Ordinance and plans that were substantially different from the Ordinance approved at the first reading. The second reading contained a 60-unit project with 10 BMR units instead of 11, and the locations of BMR units were changed and clustered on the first three floors of the building. Council Members were confused as to what was contained in the Ordinance at the second reading because plans had changed drastically from the first reading. She noted discrepancies in the plans that had been approved by the Director, outlined in staff report (CMR:530:03) Attachment C. The appeal was Council's last opportunity to assure the final design met with the ARB approval, the Comprehensive Plan (Comp Plan), and the requirements of the BMR agreement. She urged the City to improve the project and to make an effort to meet the historic preservation goals of the Comp Plan.

Mayor Mossar asked the City Attorney for her interpretation and the issues to be considered in the appeal.

Interim City Attorney Wynne Furth said the plan was presented to Council as a Public Community (PC) zone. The plan was reviewed and Council required additional changes be made as part of the review process. Based on the instructions in Section 5 of the Ordinance, the matter went before the ARB for recommendation to the Director. The changes to the design were the only issues to be considered by Council.

Mayor Mossar asked if it was only the design modification issues recommended when Council took final action.

Ms. Furth said that was correct and added Council had said the Director, in consultation with the ARB, would make the final staff level determination.

Senior Planning Official Lisa Grote clarified that BMR units would be included on all four floors, as stated in the original BMR agreement and would remain in any amended agreement.

Doug Ross, Applicant, Palo Alto High Street Partners, 909 Alma Street,, said the changes approved by the ARB were a function of the Council approving the project. All design changes recommended by the ARB were positive. The Director did not agree with the relocation of the Plaza and, therefore, stayed with the existing plan.

Bunny Good, P.O. Box 824, Menlo Park, spoke in disagreement of the 800 High Street design. She said the Civic Center building used to be surrounded with the same type of roof approved in the 800 High Street project. Two decades prior, it was removed because it was declared an earthquake hazard. She asked why approval was given to a private contractor to construct that type of roof in the City.

Angelica Volterra spoke regarding the location of the BMR units and their size being less than the Market Rate Housing units. She added the developer's campaign literature substantially differed from the approved plans submitted in February 2003. She asked Council to protect the quality of the BMR units and uphold the BMR agreement and the Comp Plan.

Mayor Mossar reminded her colleagues and the public that as per the City Attorney's advice, no action would be made on the BMRs at that evening's Hearing.

Robert Moss, 4010 Orme Street, said the barrel-vaulted roofs in the proposed project did not comply with the streetscape. He was disappointed the BMR issue was not being addressed. In 1978, the Council established a policy stating "BMR units shall be comparable in all aspects to the Market Rate Housing."

Tom Jordan, 474 Churchill Avenue, raised a procedural point and felt Council should not vote at that evening's Hearing since Council did not know all of the members in the applicant's company. The applicant was a Delaware Limited Liability Company (LLC) and the names of only two of the eight partners were divulged. He said situations could occur that could cause a conflict of interest, even if it happened unknowingly, such as a Council Member or near relative receiving a source of income of \$500 or a gift of \$340 or more in the past 12 months, or a \$2,000 investment in a company owned by one of the six unknown members. He urged Council to hold their votes until all member names were divulged and to evaluate whether voting was permissible.

Sally Probst, 735 Coastland Drive, said the City decided to approve Ordinance 4779 to build 800 High Street. The design conditions that had occurred were met, approved by the ARB, City staff, and the Director of Community Planning. She asked Council to not prolong the decision process regarding the appeal.

Edie Keating asked Council to evaluate and use every opportunity to

enhance the proposed Plaza making it beneficial and a service to the public. She asked that the BMR units be addressed making them comparable to Market Rate units.

Joy Ogawa, Appellant, asked Council to make sure the BMR units be located on all four floors, were comparable to other units as required by the Comp Plan, that final design details met with ARB approval, the Historic Resources Board (HRB) was given an opportunity to review project design, and to give the Architectural Review Board (ARB) their comments. She said it was unfortunate an appeal had to be filed for a correction to be made.

Doug Ross, Applicant, said he was willing to meet any additional reviews required by the ARB.

Mayor Mossar announced the public hearing closed and asked staff and the City Attorney to clarify what topics and issues could legitimately be accomplished during the meeting.

Ms. Furth clarified the conflict of interest issue addressed by Mr. Jordan that Council would need to determine whether the applicant was a source of income or source of gifts. Council knew the applicant was a corporation and who the managing partners were, but did not know all of the investors. Council could operate on the assumption the identified investors were the potential conflicts. Council Members also knew their sources of income to know that gifts were not received from possible investors in the organization. If there was not a sufficient level of certainty, Council Members could ask for the names of investors who owned more than 10 percent of the corporation.

Mayor Mossar asked if staff wanted to clarify the subject matter of the appeal and asked if the roofs were part of the appeal.

Director of Planning and Community Environment Steve Emslie said the roof elements were part of the design changes. He referred to staff report (CMR:530:03) Attachment F that described items subject to the appeal. For clarification he referred to the Architectural Review Board Staff Report, dated March 6, 2003, page 2, Project Revision, items F through S. Items A through E did not include program changes because they had been approved as part of the Ordinance and were not directed to go back to the ARB.

Mayor Mossar clarified the program changes were Council's actions.

Mr. Emslie said that was correct.

Council Member Lytle requested clarification on the appealed items regarding BMR units that were settled on as part of the adopted Ordinance and voted on by the public.

Ms. Furth said the ARB was in charge of the design of the building but not for the drafting of the BMR agreement or identifying the BMR units. Although the information appeared on the plan, design was not within their purview..

Mr. Emslie said the ARB and review of the PC included the BMR units when recommendations were made to the Planning and Transportation Commission (P&TC) and Council. That portion was adopted as part of the City Ordinance. In the follow-up, the ARB was directed to look at streetscape enhancements and the compatibility at High Street, Homer Avenue, and Channing Avenue, which were the edges of the project. That was the subject of the appeal and the project revision items F through S in the ARB Staff Report dated March 6, 2003.

Council Member Lytle said the BMR portion may not have been the ARB's responsibility but to some extent the design of the building could not be separated. Interior changes affected the exterior design, such as enlargement of the units and making them comparable. She asked for the names of the other corporation members in order to determine a level of certainty for herself.

Mayor Mossar said the Hearing needed to be reopened in order for the names to be revealed.

Ms. Furth said the Hearing could not formally be reopened but, if Council agreed, the applicant could be questioned at that point.

Mr. Ross revealed the names of the individual investors: John Santana, Robert Simmons, Shaun McClarin, Jack Russo, Peter Nosslier, Ron Davinoski and Doug Woods.

Council Member Lytle asked why the Ordinance was processed during the 30-day appeal period. Staff processed the conditions of the Ordinance approved and later referended but decided not to process the appeal of the action. She asked the legal reason for going ahead with the ARB approval but holding off on the appeal.

Ms. Furth said there was a 30-day waiting period before a passed Ordinance became law. For example, a building permit would never be issued reliant of the Ordinance because a building permit was an entitlement to proceed with the project. But it was not customary in this City to stop work on a project pending the 30-days because it served no useful purpose. When a referendum petition was filed, the project was suspended until voters informed the City on their intent.

Council Member Lytle clarified the ARB proceeded because the referendum occurred prior to the signatures being filed and after the ballot qualified for the process to be stopped.

Ms. Furth said that was correct.

Council Member Burch asked what it meant by making BMR units comparable. He was specifically interested in size.

Ms. Grote said size, materials, and location were factors that needed to be considered. Several BMR agreements had been approved where the units were smaller than the Market Rate Units and located on the smaller side of the project. It did not mean they had to be exactly the same size but, in looking at the overall size, the units should be comparable.

Council Member Kishimoto asked if there was a BMR agreement in place at the current time.

Mr. Emslie said there was and it would be amended to add BMR units to the fourth floor.

Council Member Kishimoto asked whether the amendment would change the design of the building or if units would be converted to BMR units.

Mr. Emslie said current units would be converted to BMR units.

Council Member Kishimoto said the previous draft of the BMR agreement, which included 54 BMR units, indicated units would be designated on the plans approved by the City Council and the adopted PC Ordinance. She asked whether it would create any confusion regarding what already had been approved.

Mr. Emslie did not think so. He said the BMR agreement consisted of

two parts. The formal agreement was referenced in the Ordinance as well as the letter from staff to the applicant making it clear that BMR units would be required on the fourth floor.

Ms. Furth said the final agreement prepared by staff would be recorded against the property making sure it complied with Council's direction, and the Ordinance included that BMR units would be on all four floors.

Council Member Kishimoto addressed the appellant's question regarding the Director signing off on a document (revisions) prior to its going back to the ARB. She said the motion in the ARB minutes indicated for revisions to return on the Consent Calendar for approval.

Mr. Emslie clarified the ARB was advisory to staff, the Planning Commission, and the City Council, and was not an approving body to make any changes. They requested certain considerations be made to implement changes and asked the applicant to engage in several studies; solar shadows, Plaza improvements, and to view the William White videotape, which they did. The considerations were submitted to staff and were not direct changes to the plan.

Council Member Kishimoto asked if Council had approved the reduction in retail space.

Ms. Grote said it was a program change that resulted from increasing the Plaza size. No specific size was discussed. That was in the overall scope reviewed by Council.

Ms. Furth said it was a redesign element before Council, which could be changed.

Council Member Kishimoto referred to the topic raised by Council Member Freeman regarding the review of design, details, and changes that did not significantly alter the look of the building and questioned if it would be considered as a minor project. She said she did not consider the changes on Homer Avenue as minor and asked if it required a Council decision.

Mr. Emslie said staff characterized it as minor because it focused discussion on definite changes directed in the Ordinance to the ARB. It was not meant to characterize the project as minor. Both minor and major ARB recommendations to the Director had the same appeal process and jurisdiction at Council level.

Council Member Freeman said the question of process was not whether the Council decided on major or minor changes but, if changes were major, was the public noticed properly.

Ms. Furth asked if the public received the necessary due process and the answer was yes. Notice for the hearing corrected errors that might have occurred in the primary hearing.

Council Member Freeman asked if a public member paid \$100 to include a process issue needing correction, would the process be corrected the next time it was brought before a board.

Ms. Furth said yes. The Council could request it be referred back to the ARB for further advice to the Director if they believed there was not an adequate opportunity to be heard.

Council Member Freeman questioned if someone submitted a legal appeal stating there was a violation due to lack of notice to neighbors, could the violation be corrected at the next public hearing and ignore the appeal paid for by a member of the public.

Ms. Furth said there was a "harmless error" concept in law, which assumes that mistakes will be made whether it involved staff, City, State, Commission or Court.

Council Member Kleinberg asked if staff had made a mistake.

Ms. Furth said no.

Council Member Freeman asked the records show that staff did not make a mistake on lack of notice to neighbors. She said her understanding was the violation of the BMR agreement was not to be discussed at that evening's meeting. She asked when the request for the appeal was made and the payment submitted, was the appellant informed that two-thirds of her appeal was ineligible for an appeal.

Mr. Emslie said it was not the practice to respond to appeals. The prepared reports were sent to all interested parties, including the appellant.

Council Member Freeman said the City Manager's Report (CMR) to the ARB had program revisions, which included the BMR units and no indication it was separated. She said the verbatim minutes of the ARB

Hearing of March 6, 2003, included a discussion between Commissioner Wasserman and Architect Jon Warden regarding BMRs. The minutes did not indicate that BMRs could not be discussed as part of the appeal or that BMRs should not be discussed by the ARB. She asked at what point the notion was arrived at that BMR's could not be discussed by Council.

Mr. Emslie said the decision was limited to specific design changes directed by Council, and the Ordinance that included building design as it related to the streets. Discussion on BMR's in consideration with that was part of the record. But the decision related back to the fundamental direction given in the Ordinance.

Council Member Freeman asked what the Plaza was supposed to look like at the proposed location at High Street and Homer Avenue. She asked for clarification as to what Council was supposed to approve regarding the Plaza.

Mr. Emslie said the Plaza measured 1140 square feet and was located on the corner with maximum visibility and public access from the street with urban design, as opposed to the Plaza being in between buildings.

Council Member Freeman referred to the motion made at the ARB Hearing where the Director made the final decision on the design unless Council made changes at that evening's meeting.

Mr. Emslie said that was correct.

Council Member Freeman said because of the design and location of the proposed Plaza, the park should be addressed as a pocket park rather than as one on the corner. That would better comply with the Comp Plan goals of having the major buildings on the corners.

Council Member Ojakian said he recalled directing staff to look at the project with the corner having the open space.

Mr. Emslie said his recollection was specifically to move the Plaza from the interior to the exterior for the purpose of having it more as a public area rather than a courtyard setting to serve the retail.

MOTION: Council Member Ojakian moved, seconded by Burch, to deny the appeal and uphold the Director's decision of March 11, 2003, to approve design changes the applicant was required to make as part of

the Council's decision to adopt an ordinance for a Planned Community (PC) zone change. Further, to approve materials submitted by the applicant to satisfy the conditions of the Director's approval of March 11, 2003, as described in the staff report (CMR: 530:03).

INCORPORATED IN THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to approve the Record of Palo Alto Land Use Action for 800 High Street in Attachment A (CMR:530:03), and to add one line of text in Section 5 to state the Director of Planning and Community Environment will consult with the Architectural Review Board (ARB) on final plans prior to his approval, as provided for in Section 7 of Ordinance No. 4779.

Council Member Ojakian said the public was in favor of going forward with the project. The Council gave directions and requested that the ARB review and approve the revisions. The Director of Planning and Community Environment also made his decisions based on Council's direction. He was in agreement with the project that was submitted by the Director and that was the reason for his making the motion. He supported his motion stating the public was in favor of going forward with the project. When the project began there were certain directions given by Council. Those directions went before the ARB for review and were approved. The Planning Director also made decisions based on Council's direction and returned with a project he felt Council should approve. He was in agreement with the Director and that was the basis for his motion.

Council Member Kleinberg expressed concern about the barrel roofs.

Commissioner Wasserman said there was a profile study of the roofline against the sky, which would be reviewed again.

Council Member Kleinberg supported the motion. She was pleased the conflict of interest issue was raised and said it was critical to have the assurance for the public's security. She asked that all terms concerning the BMR issues be clarified, as well as major or minor project changes so neighbors could be given proper notice.

Council Member Lytle supported the motion and said excellent dialogue on the project occurred during the election.

Council Member Freeman asked if the project would be returning to the ARB again.

Mr. Emslie said the ARB would be consulted regarding the materials and the roof profile.

Council Member Freeman asked whether the discussion would include the Plaza.

Mr. Emslie said the applicant showed their study to enlarge the Plaza. The results were to relocate the elevator shaft to the middle of the Plaza, which defeated the objective to make the Plaza visible and accessible from the street. The original design was superior to the study design.

Council Member Freeman asked about the stairs from the parking garage directly accessing the Plaza.

Mr. Emslie said the elevator shaft included the stairs. The results prevented the public's access and created a visible barrier. The ARB's recommended design for approval met the intent of that condition.

Council Member Freeman did not support the motion. She said it was not because the people voted for the project but because there were design issues that were not addressed to her satisfaction.

Council Member Kishimoto did not support the motion because she was not in agreement with the design changes. She was against the reduction of the retail spaces and the streetscape design.

MOTION PASSED 6-2, Freeman, Kishimoto, "no," Morton absent.

COUNCIL MATTERS

8. Colleagues Memo from Vice Mayor Beecham and Council Members Kishimoto, Kleinberg, and Ojakian regarding renaming the Arastradero Preserve

Council Member Kishimoto introduced the Colleagues memo and gave a summary of the content the memo.

MOTION: Council Member Kishimoto moved, seconded by Kleinberg, to suggest renaming the Arastradero Preserve after Enid Pearson and to recommend the nomination be forwarded to the Palo Alto Historical Association (PAHA) directly to consider whether renaming the Arastradero Preserve after Enid Pearson is appropriate, and the PAHA

recommendation would then come back to the full Council for consideration.

Karen Homan, 725 Homer Street, was in support of the motion and acknowledged Enid Pearson for all her hard work, dedication and leadership.

Bunny Good, P.O. Box 824, Menlo Park, asked that the Hispanic-heritage name, Arastradero, not be abolished but to erect a memorial in honor of Ms. Pearson..

Betsy Allyn, 4186 Willmar Drive, spoke of Ms. Pearson's leadership, dedication and hard work in preserving the City's parks and open space.

Emily Renzel, 1056 Forest Avenue, commented Ms. Pearson worked hard in establishing and preserving the parks throughout the City.

Council Member Kleinberg spoke of Ms. Pearson's outstanding role in preserving the natural environment of Palo Alto.

Council Member Lytle said if the process became a controversial matter, to perhaps change the name to Pearson-Arastradero Preserve or purchase a new park to name after Ms. Pearson.

Counsel Member Ojakian said for the record he would be adding the Council Minutes of March 22, 1965, regarding the Parks Dedication Ordinance.

Council Member Burch supported the motion.

MOTION PASSED 8-0, Morton absent.

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Council Member Kleinberg said an issue had come up regarding the renaming of the Arastradero Preserve and whether it should be referred to the Parks and Recreation Commission (PARC), including a policy of how parks were named. There was a policy for the initial naming of parks but not renaming parks. She suggested the Policy and Services (P&S) Committee review the policy and update it with regards to the renaming of a park also to look at how the PARC should be included to ensure the public would have a voice.

MOTION: Council Member Kleinberg moved, seconded by Mossar, to refer the park naming policy to the Policy and Services (P&S) Committee for review and update.

MOTION PASSED 8-0, Morton absent.

Council Member Freeman said she was in Southern California recently and saw the fire devastation and expressed support for the firefighters. She wanted to ensure the Council thanked the Palo Alto firefighters who contributed to fighting the fires in Southern California. Also, she congratulated the Palo Alto High School Varsity football team for getting to the Central California Sectional (CCS) finals.

ADJOURNMENT: The meeting adjourned at 9:45 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.