DOCUMENTS IN THIS PACKET INCLUDE:

LETTERS FROM CITIZENS TO THE MAYOR OR CITY COUNCIL

RESPONSES FROM STAFF TO LETTERS FROM CITIZENS

ITEMS FROM MAYOR AND COUNCIL MEMBERS

ITEMS FROM OTHER COMMITTEES AND AGENCIES

ITEMS FROM CITY, COUNTY, STATE, AND REGIONAL AGENCIES

Prepared for: 10/19/2015

Document dates: 9/30/2015 – 10/7/2015

Set 1

Note: Documents for every category may not have been received for packet reproduction in a given week.
Thank you very much for your response to my questions on Item #12. The responses were detailed and reflected important background information.

A lot of what you have gathered and shared I agree with. Debates and discussion have been varied over time. Still, there remain a few key points from our current Comp Plan that were not fully addressed.

Nine Planning Area Cap
The Response implies that a good part of the disagreement is over the building of 'monitored' non-residential space within the nine planning areas versus 'non-monitored' outside of the planning areas. But Map L-6 (1998 Comp Plan) clearly identifies a number of key 'non-monitored' areas within the boundaries of the nine planning areas (Figures 1 & 2 in the 1988 Land Use Report). In Map L-6, they are called 'public facilities' and include major building projects like the new additions on the VA Hospital, the new PAMF building and the Stanford Medical Center (in fact, these seem to cover a large share of the 'non-monitored' growth citywide). There is nothing in the 1998 Comp Plan that excludes these buildings from the limit. City Councils over the years may have exempted them from monitoring, but they should be included in any assessment of the original intent of our existing Comp Plan. Thus, a major part of the 0.9m sq ft of 'non-monitored should be included with the 1.5m of monitored building in the nine areas as a part of its original intent.

Also, my question about limits was not about a City wide cap but a cap within the limits of the nine planning area; I agree that the Policy L-8 cap does not apply specifically to a particular area but only to the nine planning areas citywide. Most of the 'non-monitored' building that was done between 1998-2014 does not need to be defined in a new planning area, they are included inside the nine planning areas clearly indicated in Figures 1 & 2 (Citywide Land Use Report, 1988). (I note that the planning areas included in the 1988 Report are somewhat more extensive than those included in Map L-6 in the 1998 Comp Plan.)

TRAFFIC MONITORING

You mention that traffic will be monitored "to insure that the intent of the limit is being achieved". In the Draft Existing Conditions Report (August 2014), Tables 12-16 and 12-15 show that the V/C traffic delays at 11 key intersections in Palo Alto grew by an average of something between 33% and 53% between 1998 and 2014. Certainly an important point for the monitoring program to note.

VESTED RIGHTS IN THE STANFORD RESEARCH PARK

In the Annual Report on the Mayfield Agreements sent by Stanford each year, they state each year in the Appendix that they have 870,000 sq ft of 'Vested' 'commercial development rights' remaining in the Stanford Research Park. What rights and controls are included in this 'vested' claim?

Greg Schmid
Question from Vice Mayor Schmid re: Item #12 on the October 5 Agenda.

He wrote, [it] calls for Council discussion of Policy L-8: 'Commercial Growth Limits'. A question about the appropriate data that would serve as background for the discussion.

Policy L-8 sets "a limit of 3.25 m sq ft of non-residential development in the nine planning areas evaluated in the 1989 Citywide Land Use and Transportation Study". It states that the City Council can make modifications for specific properties but such additional growth will count towards the limit. In the description it states that "this growth will be observed citywide for the term of this plan". (Palo Alto Comprehensive Plan, 1998-2010, Policy L-8)

The goal of this restriction was "to set appropriate limits on future commercial and industrial development to minimize deteriorating traffic conditions within the City". (City Land Use and Transportation Study Final Report, 1988, page 1).

The growth of the non-residential sector has been monitored since 1989. Here are the numbers that we have been given on building inside of the nine planning areas:

<table>
<thead>
<tr>
<th>Description</th>
<th>Total sq ft</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total non-residential growth permitted by Policy L-8</td>
<td>3,257,900 sq ft</td>
</tr>
<tr>
<td>Total 'Monitored' sq ft built as of 2014</td>
<td>1,539,891 sq ft</td>
</tr>
<tr>
<td>Total 'non-monitored' sq ft built as of 2014</td>
<td>998,205 sq ft</td>
</tr>
<tr>
<td>Total Stanford Medical Center (being built)</td>
<td>1,300,000 sq ft</td>
</tr>
<tr>
<td>Total available in the Stanford Research Park &quot;by vested right&quot; (not yet used)</td>
<td>800,000 sq ft (not yet used)</td>
</tr>
</tbody>
</table>

I don't see any statement in the 1998 Comp Plan that says non-monitored areas shall not be counted towards the non-residential limit. (I do note that the Map L-6 shows that certain properties are 'non-monitored' but the Comp Plan does not state that they should not be counted or exempt from traffic counts--in fact, Policy L-8 is pretty clear in stating that all non-residential development in the nine areas shall be counted). Further, since the goal of the Cap was to deal with the traffic issue, it seems that any employment centers whether private commercial or public services will contribute to increasing traffic. And the Stanford Medical Center expansion is well under way with known increases in traffic. And the Stanford Research Park 'vested rights' give us a notion of possible future workers that can be added to the Nine Planning Areas identified in the 1989 study.

Would it be appropriate for Council to address the words and spirit of Policy L-8 by saying that "The current Comp Plan permits 3.2 million sq ft of non-residential growth. Since it was approved, we have built 2.5m sq ft of new non-residential sq ft and have another 1.3m that will come on line in the next few years and have already committed to another 0.8m. That is, we have committed to 4.6m additional non-residential sq ft since 1989 (of which 3.4m is in use or in the process of being built) and that is why we are likely to have increasing traffic problems."?

See Response from staff:

History of the Nine Planning Areas –
The nine planning areas, as cited in Policy L-8, was a creation to determine what would have been, at the
time (1988-89) as the maximum allowable development in particular areas of the city that were then
experiencing development pressures. These nine areas are:

1. Downtown
2. Urban lane
3. Midtown
4. East Bayshore
5. Southeast Palo Alto
6. South El Camino Real
7. Central Palo Alto
8. Stanford Research Park/ECR
9. Sand Hill Road Corridor

The total amount of THEN maximum allowable new development in those areas was 3,257,900 square feet,
which is the number cited in L-8 as the limit to new non-residential development. No limits or numbers were
released at the time of the 1989 Citywide Land Use and Transportation Study related to the nine planning
areas – the only number that was to be contemplated was the city-wide amount of 3,257,900 square feet.

There were then, and are now, other areas of the City that were not included as an additional planning area
that allowed non-residential development.

Use of the Nine Planning Areas –

In 1996, the City Council was provided with a staff report regarding incorporation of the 1989 Citywide Study
into the then-draft Comprehensive Plan. That report stated that “the 1989 Citywide Study did not establish a
development cap and did not evaluate all non-residential development”. Additionally, the report said that “the
next Comprehensive Plan would not well serve the community if the details of the Study were continued in
the new Plan as a narrow limit on future flexibility.” In fact, the staff report goes on further to explicitly state
that “the Citywide Study was not, in either the study or implementation phases, regarded as an effort to
establish a growth cap.” The Council did ultimately decide make the 3.2 million square feet a limit, as
outlined in Policy L-8.

Program L-7 is specific in its language as to how the nine planning areas were to be treated – there were to
be monitored for the “rate of non-residential development and traffic conditions related to both residential
and non-residential development at key intersections identified in the 1989 Citywide Study and the additional
intersections identified in the Comprehensive Plan EIR” (underline for emphasis).

Program L-8 limits new non-residential development Downtown. No other program limits development in any
other planning area (or other part of the city).
Prior to your question you remark – “I don’t see any statement in the 1998 Comp Plan that says non-monitored areas shall not be counted towards the non-residential limit”. This is not the interpretation of the Department, and Councils, since 1998. It is the Department’s interpretation, since 1998, that if non-monitored areas were to be counted toward the non-residential limit, they either would have been counted as an additional planning area or a program would have explicitly directed staff to count such data. In fact, based on the recommendations from the Council meeting cited above, no such specific and detailed zoning limits and recommendations were included in the Comprehensive Plan. Minutes from discussions at the City Council from their April 8, 1996 meeting confirm that no cap be specific to each of the nine planning areas, only a Citywide limit based on the nine planning areas. Only Downtown was subject to a cap; no other planning area was.

You also state – “…the Comp Plan does not state that {non-monitored areas} should not be counted or exempt from traffic counts—in fact, Policy L-8 is pretty clear in stating that all non-residential development in the nine areas shall be counted.” This is also not the interpretation of the Department, and Councils, since 1998. If it had been the intention to count traffic in the manner you describe in the non-monitored areas, then a program would have been included to direct staff to do so. Staff does concur that Policy L-8 requires annual traffic counts in the non-monitored planning areas.

Other than its citing in Policy L-8, the term “nine planning areas” is not used again in the existing 1998 Comprehensive Plan – this includes potential mention within the Transportation Element. It is implicitly referenced in Transportation Element Policy T-28 - Make effective use of the traffic-carrying ability of Palo Alto’s major street network without compromising the needs of pedestrians and bicyclists also using this network.

It has been since 1998 the Department’s interpretation that monitoring was the only direction provided by the existing Comprehensive Plan regarding the nine planning areas. Staff is aware of no Council action since 1989 to use the nine planning areas for any purpose.

Your Question

You start off your question with this statement: “The current Comp Plan permits 3.2 million sq ft of non-residential growth”. This is inaccurate. The existing Comprehensive Plan limits new non-residential growth in the nine planning areas to approximately 3.2 million square feet. As there were others areas of the city that allowed new non-residential growth (and still do), the 3.2 million square feet was not interpreted to mean a hard limit for the entire City.

As of the end of 2014, a total of 1,539,891 square feet of non-residential development has occurred in the nine monitored areas that make up the Citywide limit. There has been 1,017,357 square feet of non-residential development in “non-monitored” areas of the City, and another 1,311,441 square feet currently under construction as part of the Stanford Medical Center project (as approved unanimously by the Council as a Comprehensive Plan amendment in 2011). There is approximately 732,000 square feet of available development in the Stanford Research Park assuming that the area’s maximum development potential is 1.8 million square feet. No “vested” development opportunities exist within the Stanford Research Park as any project would be subject to City Council review and approval, unless they are included in the Mayfield Development Agreement.

As cited in the narrative to Policy L-8 – “Traffic will be monitored to ensure that the intent of the limit is being achieved, though it is recognized that traffic counts are affected by both residential and non-residential growth and also by auto use behavior”- increases in traffic have many factors and many potential solutions.

Ultimately the Council has the authority to change this policy. If any policy changes are to be considered, it
should be noted that the Citywide limit is a creation of the 1989 traffic study under zoning that is similar to today's current code. If the Council would like to apply the 3.2 million square foot limit to the whole of the City, staff analysis should be requested to provide downzoning options that would presumably result in significant opposition from current landowners.

As per the staff report, staff is requesting the City Council’s input on the suggestion that Policy L-8 be maintained in the Comprehensive Plan Update for the year 2030 (as shown in Map L-6). Staff also would appreciate guidance on whether the Council would like to examine further growth management strategies, or a true Citywide cap on office development.

James Keene | City Manager
250 Hamilton Avenue | Palo Alto, CA 94301
E: james.keene@cityofpaloalto.org

Sent from my Macbook

Please think of the environment before printing this email – Thank you
Dear Council Members,

First, let me thank you for your service to our community by spending hours and hours working on making it better. I know that on Monday night you will be discussing the Land Use Vision + Goals. Because of this, I wanted to share a bit not about my politics but about why I love our town. My husband and I came to Stanford as graduate students from Mexico. We have made our lives here and now our high school kids call it the only home they have ever known. When we arrived, we immediately fell in love with the spirit of this town. We fell in love with this town’s energy and its creative spirit. We fell in love with conversations we overheard at coffee shops, at restaurants and on the street about changing the world, about inventing, sharing and growing. We fell in love with the ideas and opportunities of personal growth; we fell in love with potential. We did not fall in love with static wealth.

This brings me back to the task at hand. Know that if we create an exclusive community where the landowners have a privilege over renters, where old has a privilege over new, where my kids cannot afford nor will they ever be able to afford living close to us, we will lose what we love most about our town and the reason why this town has changed the world. Please know that we will not survive without affordable housing period. We need to be a welcoming place for all – those working to change the world and those who have already done so.

Kindly,

Gina D. Dalma.

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Gina D. Dalma
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l: www.linkedin.com/pub/gina-dalma/0/53/b47/en
Thirty years ago I met Greg Schmid when I played a small role in his school board campaign. Greg has since devoted himself to a long and distinguished record of public service in Palo Alto.

Back then we were two economists in mid career with wives, children and a single family home in Palo Alto. We made a decent living but far less than many in the current generation of Silicon Valley tech workers.

Yet we could afford not only to live in Palo Alto but to own a home. Today we could not do that and many of my younger friends, who make a lot more than we did, cannot afford to live here.

As you consider the Land Use element and the instructions to the CAC, please ask yourselves and us to brainstorm ways for young families with decent incomes, but not wealthy, to live in our city.

Make housing for them a priority!!

Otherwise I fear we will continue on a trajectory where the people who live here are either long-time home owners (I am one of these now) or younger but quite affluent families.

Zillow says that a $2 million dollar house with a $400,000 down payment and an interest rate of 4% costs $116,000 a year. If you can only put down $200,000 the annual cost is $132,000.

Can we be bold and creative enough to plan and zone for cheaper alternatives or are we destined to be home to the old and the wealthy.

Ten years ago Nancy and I moved downtown. Our kids had moved out, I do not drive and we wanted to stay in Palo Alto where my job and our friends are. The move has been wonderful. We are in a walkable neighborhood and appreciated all of the downtown vibrancy and convenience.

Other seniors will want options to stay in their homes as they age further. Some will want more options like Channing House. Some will choose to move away. I am sure that people who work with seniors have a whole list of choices that they hear from their friends and clients.

Please make Palo Alto a place where seniors have more choices to stay here. Listen to what they want and need and make that part of our land use planning.

Make housing choices for seniors a priority!!

Stephen Levy
365 Forest Avenue
Palo Alto
Dear City Council,

As you consider revising the Comprehensive Plan, esp. section 2, this year, I hope you will help us as a community re-steer our shared ship in a more equitable direction.

Our challenge: How can we build a more equitable, creative and positive community while still retaining what makes Palo Alto so special?


1) The Comprehensive Plan needs to value RENTERS and RENT LEVELS as much as LANDOWNERS (and property values). We have to think REGIONALLY and not just LOCALLY.

- We are facing a huge divide between renters and owners in Palo Alto, and we urgently need public policy changes to reduce those inequities. Income inequality reduces democratic participation.
- Renters are incredibly vulnerable in Palo Alto, especially long term renters who often have social good jobs like social work, educators and teachers.
- Renters are 45% of the population.
- Renters can be extremely vulnerable, as there are no protections against exorbitant rent increases. My guess is that rents have gone up at 50% (we are talking $1000/month or more) for many people here in the last 3 years. Can you imagine that kind of increase?
- Very high rents only benefit the landlords -- that leaves a lot less money to be spent on food or the community.
- If rents are too high and we don't increase density here, long term we may also reduce the growth the tech sector can even make or how many new startups we will have in the future (see economist article).
- High rents are likely reducing jobs -- tech jobs are creating a lot fewer ancillary jobs than they once did because so much of their tech income is going to a nonproductive resource - rent.
- We can't just say "live elsewhere" because this is affecting the entire region.

Please look at the conditions renters face: rent increases in Palo Alto over the last 5, 10 years; how much of their income goes towards rent.

2) The Comprehensive Plan - let's focus on the QUALITIES that make Palo Alto uniqie and not simply the zoning type (R1) that may lead us to become more like Atherton. Let's encourage young people who like to share space, don't drive cars and question the parking space, remodel restrictions on zoning and seniors who may want to build a unit.

- Because of the high costs here, we are losing some of the coolest people who lived in Palo Alto. I think this is what we need to consider when we think about the changing character here. In the 2 years I have lived in College Terrace, 3 families with young children who were friends have left Palo Alto --
  - 2 families moved to SEATTLE even though the spouse kept a job in the Bay Area.
  - 1 family moved to San Carlos. The wife was Sustainability Manager at Stanford - exactly the kind of person we want in Palo Alto.
CHALLENGE: How do we incentivize community and smaller shared spaces instead of large, single family dwellings?

3) Let's support community space -- public gathering spaces -- where can you see a poetry reading, live music, any creative pursuits in Palo Alto? Cubberly is not the best public venue though it is great - The Comprehensive Plan needs to value COMMUNITY AND PUBLIC spaces -- especially now since rents are so high. I advocated for community space at 2180 El Camino (the former JJ&F space) so you've heard my comments before.

I know there's more to write but I wanted get these thoughts to you before noon.

Hope you consider -- will this help our community be more equitable? kind? sustainable?

Warmly,
Mary Jane Marcus
Dear Fellow PAC-Owners,

by blind copy. Think about going to the Council Meeting.

http://www.cityofpaloalto.org/civicax/filebank/documents/49217

I have a few comments added on the bottom, and I have past letters from PAC attached. They concerned 2555 Park Blvd, but they are very pertinent!

Our exit from the Grant garage is already being strangled by car and bike traffic on Park, and 80 cars (eighty!) are going to be added from 2555 Park!

Look here what is going to come:

And we know from first hand experience with 2555 Park Blvd. how the Planning Establishment will cheat and lie, with equations which do not apply, invented stories, and whatever works with the City Council.

This how it goes:

**Construction in Palo Alto:**

“You told the truth up to a point, but a lie of omission is still a lie”

—**Capt. Jean-Luc Picard** (cautioning Starfleet Cadet Wesley Crusher)

For example: When shown that the Continuous Uniform Statistical Distribution used was wrong, the next iteration said Poisson was used, without a single number changing! It worked: Councilor Burt ate it up for the arrival problem in the stacked parking.

My thoughts online are about 1/3 down the page in the comment section on PA-Online. And even though it is long, I have over 160 likes last time I looked!

**Here is the message from PASZ:**
Palo Altans for Sensible Zoning
Rainer --

What kind of future do YOU want for Palo Alto?
How would growth affect your experience in the city?
How would it affect the schools and traffic?

Please voice your preferences about Land Use at the City Council meeting on

**Monday October 5, 8:00 PM, Palo Alto City Hall**

The Palo Alto City Council will be giving direction to the staff and the Comprehensive Plan Update group regarding Community Services and Facilities and Land Use and Community Design Elements.

There likely going to be people who will press these ideas:

1. **The unfounded notion that Palo Alto must grow or die, (yet Palo Alto exists because Stanford does: is anyone predicting Stanford’s demise?)**

2. **That we should expand to become the world's innovation center...(when at the present concentration, Palo Alto arguably already is...and when innovators become too big they should continue to move to less expensive locations.)**

3. **That being an environmentally and civically responsible city means building high density housing for all...no matter what the impact on present residents. (This is wrong: existing residents have created the city, we live here because we value the environment that is present. Ideology should not be allowed to override safety, infrastructure, quality of life, and physical limitations. )**

4. **That increasing supply will bring down cost of living (This has never happened here nor in any desirable location: the worldwide demand to have good schools, be near Stanford and high tech is immense).**

5. **That car use is passe, and gridlock can be solved with mass transit (even though this idea does not work for suburban environments)**

6. **That suburban design is wrong (even though studies show families move to and prefer suburban living when they can afford it.)**
Please plan to attend the meeting: your presence and your voice is important to preserve a family friendly city. Help articulate the future.

Palo Altans for Sensible Zoning
http://www.paszaction.com/

Palo Alto Central has special knowledge here:

in particular how the planning staff is making things up:

1. we all leave our garage before 8AM and return after 6PM
2. there are only 106 PM car trips, of which 88 are due to the existing 8500sqft cars. But when you look, 78 of those trips are due to an building with zero (ZERO!) sqft
3. the Park/Grant intersection is LOS B (waiting times around 15 sec)
4. ...
5. ...

The attached letters you wrote give a very good accounting. The only mistake we made was to address them (mostly) to Russell Reich, who let them disappear until after the Citi Council meeting, instead of sending them to city.council@cityofpaloalto.org

Let's focus on the traffic:

We already have mortgaged the future traffic balance sheet on Park by adding to the present 600 PM Peak-hour cars additional 200 PM Peak-hour car trips from 2555 and 2865 Park B. Plus 270 bicycle trips nowhere accounted for. And the future inhabitants of 265 Birch and 385 Sherman with their 180 trips, where do they get in and out of the 4 block street-fortress east of California Avenue?

So until the City Council gets the Planning Department to be honest, I am for a moratorium.

This is what needs to be reformed:

In applications for building permits, in particular if an EIR is required, the applicant hires a Traffic Consultant (who regards the applicant as his client) who will produce a report (the Traffic Impact Analysis – TIA) which will show that there is really no impact. There was never any impact to be worth considering, 44 times, see e.g. Ken Alsman in [http://bit.ly/1EPwdfz p31]:

In the Traffic Impact Analysis for 2555 Park Blvd, there was one number (in Table 1, if you want to look) which immediately caught the interest of many of us: 28 parked cars (in the existing 8500sqft building) in the 1-hour PM peak time produced 88 trips. Wow! That’s good! I wonder if we can use this to make green energy! How did they do that?

The good citizen residents of Palo Alto Central dutifully pointed out several times in writing and verbally to various City bodies that this was not quite possible; even so it admittedly reduced “new” trips. But actual real waiting times do not count for the experts in the Planning Department. Low “New” trips, on paper, by additional cars count! Ask VW (and virtually any other car manufacturer it turns out) how to reduce what is measured from the exhaust pipe: Software, about 20 Million lines of it in that case!

The Applicant’s traffic consultant only used one line of software. The Planning Department was pointed into the direction of this one line numerous times by residents They kept on lying!
In a genial switcheroo, dancing between cars and sq.ft, with an equation out of “Garbage- in-Garbage-out”-Land (= the Institute of Traffic Engineers) which related sq.ft. to trips, disregarding the physically existing cars, the Senior Planner, the Planning Director, and in the end the City Manager steadfastly gave the same answer:

_{In the PM Peak-hour, the project is expected to generate a total of 106 trips [24,5000sqft], with “88 of those trips being attributed to the existing building [8,500sqft]”_.  [http://bit.ly/1HM3ONn](http://bit.ly/1HM3ONn), p26

Hurrah, there are **only 18 new trips, a 20% increase.** Duck soup! Approve!

But isn’t this really a miracle? The number of cars using little 120ftx27ft Grant Ave (the stub) increase from 10 to 92, an increase of 920%, and the number of trips only increases by 20%.

Now, the software line used was [ see [http://bit.ly/1H0rig1](http://bit.ly/1H0rig1) pp16-19 ]

_{Trip=1.12 (sqft/1000) + 78.45_}

To wit, what does your High School arithmetic see?

78 of those 88 trips which are being attributed to the existing building are attributed to a building with zero square footage?

That means this equation is utter nonsense, at least for a building smaller than a few 1 Million square feet. Ethically, what do you call this?

We have to assume that the Senior Planner and the Planning Director do not lie, don’t we?

1. **But if that is true**, they do not master the simplest form of arithmetic.
2. **Or they lack planning common sense.**
3. **That means they are technically illiterate**, which is bad for their job and the City.

Does that also apply to the City Council?

Go tell the public!
This e-mail is in regard to the proposed bldg at 2555 Park Blvd.
Grant Blvd and Grant St. is a dangerous intersection for both cars and pedestrians.

Grant St is a ¼ to ½ block running from Park and dead-ending at the garage entrance for Palo Alto Central. There are 4 parking spaces on the west side and 6 on the east.

Last Friday I spent an hour from 10 to 11 a.m at the intersection of Park and Grant. All parking spaces remained full the whole hour. An out-sized white van was in one of the spots and necessitated the Garbage Recycle truck parking sideways to unload our dumpsters. Then a lge. FedEx truck double parked and remained for 15 minutes. Two cars turned on to the Grant single lane and had to wait with the second car’s rear on Park for the first car to maneuver into the alley which runs from Grant to Sherman through the parking lot for a large Tech business with the address 150 Grant St. This kind of tangle occurred for a second time during my hour of observation.

The new construction plans for a 93 car electric lift car garage with an entry on Grant and the possible queuing on Grant if more than two cars are waiting. Please consider moving the garage entry from the already over-used Grant St. to Park Blvd.

As a pedestrian crossing at Park and Grant I request a pedestrian crosswalk. California Ave. is the only signed cross walk from California Ave to below Fry’s. Several very large housing developments are nearing completion on Park below Oregon and on Grant and Birch. Number of cars will increase greatly, making Park even more difficult to cross without a signed crosswalk on the Grant/Park corner.

Please consider carefully the needs of present neighborhood residents. Thank you. Helen Walter helenwalter@msn.com
Russ,

I enjoyed meeting you but have been disappointed that you did not arrange a meeting with the traffic people as you said you would. Now time is running out. Please add these remarks to the EIR.

I am confused about the designation of Park as a bicycle path because there is going to be a lot of development: retail, research and development, and residential. How do you "calm" an area that will keep having more trips as each year goes by? We are all terrified that we might hit a bike, and therefore support bicycle lanes. Park above California is calm and residential as is Park below Lambert Street. In between, most of the parcels are spoken for and in various stages of design or approval.

How do we "calm" an area that has no stop signs or crosswalks? Park needs to be pedestrian friendly as well as bike friendly. It is not pedestrian friendly. I believe part of the definition of a bicycle path is that there be calming devices on it.

I live in the Palo Alto Central complex. For roughly twenty years I have had to play "chicken" with the traffic in busy times. When you reach the stop sign on Grant, I must turn either right or left. Grant is one way to Park. Let me describe how it works.

I reach the stop sign and cannot see anything because there is parking all the way to the corner on three sides of the intersection. I creep out, trying to get into a position where I can see to safely turn. I almost always intrude into the bike lane. This lack of sight lines is unsafe and could be mitigated by painting the curbs red, and reducing a total of two spaces on each corner. There have been a few fender benders that I know of. Does someone have to have a bad accident to make this change?

To an already unsafe street 2555 Park is going to add 91 cars, almost doubling the traffic on the street. There are 11 on street parking spaces, usually used by residents who have two cars or people working on California. In addition, we have garbage trucks, service trucks (electrical and plumbing, etc) UPS, and the mail.

Imagine that it is rush hour. Cars are turning right and left; others are coming from the courtyard and other buildings with county services. I creep up to the stop sign and want to turn left. Like many people I am headed toward a freeway. I must mention that cars pick up speed as they go down Park, partly because they are in a hurry, and partly because there are no calming devices on the street. There is supposed to be an imaginary crosswalk at every intersection, but hardly anyone stops for a pedestrian. Back to rush hour.

I’m trying to turn left. everybody has priority over me. Bicycles are whizzing by, I can’t see. I edge out slowly into the street. If there were four way stop, we would all take turns. But we don’t, and we won’t until people are forced to do so. People living in the complex are backed up, waiting for the
cars in front of them to make a turn. People get frustrated, then anger builds. I foresee bad tempers and more fender benders, maybe something worse.

I am not opposed to the development of 2555 Park; the owners have a legal right to do so. But putting so many cars on Grant Road is an affront to the area residents; the developers make money and we are left with a more unsafe situation than we have now. This is not about blocking views or talking aesthetics; this is clearly a safety issue.

In addition because there is no onsite visitor parking, people might use our little street. They could also park on Park. During the day those spaces are full. Does the developer expect visitors to use the parking lot of the Courthouse? Why would the city approve a development without visitor parking in an already crowded area?

The developer has not paid attention the needs of the local residents. I understand that what residents wants and what the developer wants are different. It is not fair that the developer gets to maximize his income at our expense.

Thank you. Judith Fields

Judith Fields
2581 Park Boulevard, Y103
Palo Alto, CA 94306
650-322-1441
Jamie, Nice job. Attached, f.y.i., is the one that I sent to the City Council yesterday. Peter Brewer

---

Subject: 2555 Park Blvd. - June 1 Council Meeting
From: Jamie M. Beckett [mailto:jamiembeckett@yahoo.com]
Sent: Tuesday, May 26, 2015 11:08 PM
To: city.council@cityofpaloalto.org
Cc: Jared Jacob; Peter Brewer; Jeff Levinsky; Doria Summa; Marsha Grossman; Margot Goldberg; Todd Burke; Terry Holzheimer; Judy Glaes; Jamie M. Beckett; Valerie Milligan; Cheryl Lilienstein; Paul Machado; Neilson Buchanan; Judith Fields; Bill Ross; Norman H. Beamer; Tommy; Sherri Furman; Lydia Kou; Jan Porter; peterjon@gmail.com; oppenpitt@earthlink.net

Dear Mayor Holman and City Council Members,

I am writing in opposition to the proposed office project at 2555 Park Boulevard, which is set to be discussed at your June 1 council meeting. I implore you to send it back to the drawing board in favor of a smaller project that would better fit the neighborhood and the space.

For the past 21 years, my husband and I have lived at Palo Alto Central, the condominium complex some 30 feet from the proposed new building. Our community contains 140 units with at least 250 residents, including many families with small children.

We live here because this is -- or perhaps, was -- a walkable and bike-able community. Yet 2555 Park and the four other projects either proposed or already in progress on Park are turning it instead into a place techies speed through on their way to 101. Crossing Park Boulevard on bike or foot is already dangerous, especially at night, and 2555 is likely to only worsen the situation. As a bike commuter, I can tell you that I take my life in my hands every time I try to turn left from Park onto Grant.

My biggest concern about 2555 is the added traffic onto Park Boulevard and onto the stub of Grant Avenue that ends on our parking garage. Our community contains 140 units with at least 250 residents, including many families with small children.

We live here because this is -- or perhaps, was -- a walkable and bike-able community. Yet 2555 Park and the four other projects either proposed or already in progress on Park are turning it instead into a place techies speed through on their way to 101. Crossing Park Boulevard on bike or foot is already dangerous, especially at night, and 2555 is likely to only worsen the situation. As a bike commuter, I can tell you that I take my life in my hands every time I try to turn left from Park onto Grant.

My biggest concern about 2555 is the added traffic onto Park Boulevard and onto the stub of Grant Avenue that ends on our parking garage. I can determine no logical reason – and none has been stated – why the entry and exit from the 90-car parking garage should be onto a residential street and not onto Park Boulevard. A 90-car garage is too large for an already cramped cul-de-sac and an office building that requires 90 cars is too large for our community.

This residential stub of Grant Avenue is the only egress for more than 90 vehicles in our complex and the only entry for emergency vehicles serving half of our complex. It is also used by Greenwaste, repair people, cleaning services, delivery trucks and moving vehicles.

In what possible instance would the city even consider having a commercial parking garage exit onto a cul-de-sac in a community of single-family houses? We are different only in that there are more of us in a smaller space. You’re still talking about my community and my home, and Grant Avenue is, in essence, my driveway.

I have tried to raise these same concerns with the Planning Commission in response to the draft EIR and the final EIR, but all of these concerns were set aside as not relevant.

I also raised a number of concerns about false assumptions and factual errors in the EIR. These, too, were disregarded.

For example:

- The EIR vastly underestimates the impact of the traffic it will add to Grant Avenue. It states that the current building with 28 spaces, which generates 27 trips in the AM peak...
hour, would somehow generate 88 trips in the PM peak. By making this assumption, the developer can say that the project will add a mere 18 trips. No reasonable person would accept such an assumption, but the Planning Commission did.

- **The EIR’s assumptions for current traffic flow to and from our complex are pure fiction.** For example, it states that local residents begin their commutes between 5 and 8 a.m. How could the developer possibly assume this? Couldn’t it be possible that we chose this housing location because it was close to our workplaces? This assumes we all work in Oakland, and not, say, at Stanford, the hospital or downtown. It’s not based on anything other than the developer’s wishful thinking.

These and other assertions in the EIR were intended not to truly measure the project’s impact, but to support the developer’s desire to build the biggest possible building on this site. That is why every study magically found that added intensity of use would have little or no impact on traffic at Grant and Park or on our neighborhood.

Council, I do not expect to stop a project from being built on this spot. I simply ask that you insist that the developer measure real traffic and real impact on real people and existing commuters. I'd also recommend that this project be measured not just as a single project but as part of the whole surge in office development on Park and the surrounding streets. Please think about the quality of life for the homeowners tucked into the residential pockets in this area who will be left to deal with the traffic, congestion, noise and safety issues after all the developers leave.

As for 2555 Park, please insist on a smaller project with an exit onto Park Boulevard, the same as every other commercial project (e.g. 2865 Park) on Park.

Thank you,

Jamie Beckett  
2577 Park Boulevard, V203  
Palo Alto, CA 94306  
650-996-4552  
jamiembeckett@yahoo.com
Dear Mayor Holman and City Council members,

I moved to Palo Alto in the mid-1980s. My husband and I (and children) lived on Stanford Ave. in Evergreen Park for many years. Our children attended Escondido/Ohline, JLS and Paly. After a detour to the Maine coast, we returned to our old neighborhood, this time purchasing a condo in Palo Alto Central on California Ave. I care about my neighborhood and want it to remain people-friendly and safe.

I am writing to urge you not to approve the proposed development at 2555 Park Blvd. A smaller development would better fit the neighborhood in many ways. I will focus on the driving/cycling situation. The current proposed development would aggravate an already ridiculously difficult and scary situation in navigating the immediate neighborhood by bike or by car.

My husband and I share one car, which we park in underground parking in Phase II of Palo Alto Central. There are 90 cars in our garage at the stub end of Grant Ave., representing 90 units of the complex. And the cars go in and out all day long - not just out in the early a.m. and back at night as the developer suggests.

Although we walk to many places, including downtown and to Town and Country, and use the train, we often drive our car several times a day - usually with one driver. I have learned to take a right turn onto Park as I leave our parking garage. Turning left is not advisable, because one's view to the left is usually obscured by parked cars, delivery trucks, etc., and one has to cross oncoming cars, cyclists who are difficult to spot, sometimes on the street, sometimes on the sidewalk, and there are the joggers and skate boarders.

During morning or evening rush hours, a left turn is not even possible as there is the queue from the Oregon Expressway on-ramp backing up along Park Blvd towards California Ave.

So, a right it is and on to California Ave., and a left turn to head for El Camino.

Returning, if I am coming up El Camino from the direction of Mountain View, you would think the thing to do is to take the end of Page Mill to Park. Wrong, because you have to again cross the east going cars and bikers on Park and join the west-going traffic.

So I have found that the safest way to get to my parking garage is to reverse my earlier route: take California Ave to Park Blvd. Of course, I often have a long wait creeping along in the queue before I reach Grant, making sure that it is
safe to turn left. I used to occasionally take Grant Ave. off El Camino and come to Park Blvd. directly across from my parking garage entrance. However, you have traffic coming from two directions which is especially dangerous at night, and again there has to be space in the stub to dash in.

I can't imagine the nightmare it would be trying to enter and exit our underground parking garage, if the proposed building is built. The developer has proposed 92 parking spaces for the building (which is 48 too few if we use the new rule of one car per 175 sq. ft.), up from the current 28. And the developer proposes stacking the cars using a mechanical lift, using favorable uniform statistics instead of actual measurements or Poisson Statistics, to claim there would be no queuing spill back on Park. And all this would be crammed between the entrance to our underground parking garage at the end of our short, dead-end stub and Park Blvd - a sure bottleneck. This is insane.

Stacked parking is a cheap way for developers to fulfill the minimum parking requirements, but everybody knows that it is very unpopular with the intended users. People would rather drive around to find parking on the street than have their car disappear into a stacked lot. How does the city, or the developer, propose to manage this likely problem? Has the city verified how much of stacked parking in Palo Alto is actually used? Didn't I just read that the city budget has no parking enforcement budgeted?

Please respect the neighborhood and ask for a less massive design more appropriate to the surroundings, requiring less parking and perhaps with ground floor retail. Or go all out - this could be an opportunity to redress some of the jobs/housing imbalance in town.

Thank you.

Cris Oppenheimer

Palo Alto Central, 157 S. California Ave., Palo Alto

--

Cris Oppenheimer and Rainer Pitthan
mailto:oppenpitt@earthlink.net
(650)327-9497

157 S. California Ave., Unit H-100
Palo Alto CA 94306-1953
Cell Cris: (650)799-1290
Cell Rainer: (650)380-4823
Dear Mayor Holman and City Council members:

I have lived at Palo Alto Central on California Avenue since 2001. I want my neighborhood to remain: pedestrian-friendly; a mixed use of small businesses, eateries, and, shops; and, easy access by cars and bicycles.

I urge you not to approve the proposed development at 2555 Park Boulevard. Please consider a smaller development. The large complex now under construction on Park will greatly impact the traffic and parking in our small neighborhood. I don't think we can take any more cars needing access to Park which goes nowhere. As you know Park is blocked at Lambert and only allows single direction access at Peers Park. To get to 101 those cars will have to curl under Alma to feed on to Oregon; or, to 280 cars will need to get to Birch or El Camino to get to Page Mill. Imagine the increase of traffic on those narrow residential streets.

At one time, I thought, there was a plan to make Park Blvd. a bike path. That doesn't sound like such a good idea if this project goes forth.

Most people don't want to deal with the inconvenience of waiting for an "elevator" to lift their car to a parking place. Most will just drive around until they find street parking. I feel sorry for the residents on Stanford, Cambridge, College, Park and other streets who must deal with cars belonging to area workers parked along their streets. This will only increase.

A further consideration should be our catastrophic drought. Should we be encouraging greater water usage? From where will this addition water come?

Please respect our neighborhood and ask for a less massive design appropriate to the surroundings and requiring less parking.

With respect,

Ingrid Kehlet-Smith
157 California Avenue H102
Palo Alto, California 94306

Ingrid Kehlet-Smith,
Retired (Yahoo!)

"Good friends are like stars...You don't always see them, but you know they are always there."
Dear City Council Members,

My family owns a condo at Palo Alto Central. I am writing you to request that the City Council NOT approve the height exceptions requested for the new office structure being planned for 2555 Park Boulevard. My understanding is that a DDE has been requested that would allow portions of the building to be 50 feet high, 13 feet--more than a full story--higher than the 37-foot height limit in this zone. These exceptions would impact views for our condo unit and those of our neighbors, impacting quality of life and property value. While I can empathize with the property owners’ desire to maximize usage of their land, it is reasonable and fair to ask them to do that within the zoning requirements, as the rest of us are required to do.

This very crowded part of Palo Alto, that already experiences challenging parking and traffic congestion will not benefit from having additional density on this property beyond what current zoning permits. Please, be willing to make the tough call and require the owners to work within the zoning height requirements. It is unfair to those of those who own homes and live in this neighborhood to do otherwise.

Thank you.

Deborah Whitman
650-520-3227
Dear Ms. Gitelman,

please find attached a letter discussing just a few of the outstanding problems with 1555 Park Blvd.

If you have questions send me email or give me a call.

Best Regards

Rainer Pitthan

--
Rainer Pitthan
(650)327-9497

157 S. California Ave
Palo Alto CA 094306

The #1 enemy of the United States is AutoComplete
Dear Ms. Gitelman,

I asked Mr. Reich and you a week ago to tell me the provenance of the equations which were used to project the daily, and AM and PM rush-hour, trips in Table 1 of the “Traffic Impact Analysis” of the 2555 Park Blvd. project. I asked because the results in Table 1 were not self-consistent, and not consistent with general practice.

I park in the 90-car garage of Palo Alto Central at the end of the Grant Ave stub (so-called). This matter of the number of daily 2555 Park Blvd. trips is of personal concern to me and all the property owners who use the 90 parking spaces. Using the San Diego Trip Generation Manual http://bit.ly/1J31gsU I arrive at 852 daily trips. I am appending page 5 of the Kimley&Horn Report containing Table 1, which I have marked up with margin notes.

The upshot is using standard traffic estimate formulas there will be about a total of 1300 trips in and out, a 3 cars every 2 minutes between 7AM and 9PM.

I another topic which concerns your Department: I gave read the Historic Resource Evaluation of 2555 Park by Page&Turnbull.

On page 2 they wrote:

- Page & Turnbull understands that the City of Palo Alto Planning Staff have recently stated to the property owner that they do not believe 2555 Park Boulevard would meet the criteria for listing in any category of the Palo Alto Historic Inventory.

Not to make a mountain out of a mole hill, but I find this scandalous! That is loading the dice. Who was this expert staff? This was before the Historic Evaluation report even was written.

But then Page&Turnbull goes on to make a very strong case that the property could, and should, be put on the inventory list. The only caveat they had was in case there were many such properties in Palo Alto so there would be a diminished cumulative effect by tearing one down. I do not know of any other example of Mid-Century Modern architecture in Palo Alto, and if this is true, the cumulative effect would be 100%.

While researching this subject I also noticed that in http://bit.ly/1HM3ONn (Final EIR) on page 75 a description of discussion of the Historical Resource Board on November 14, 2014 was cut short in midsentence.

- Board member Bunnenberg stated that even without a formal context statement for the City, the HRB has the responsibility to indicate a preference and then it stops.

The discussion just before this gap included:

Board member Bunnenberg said
that the existing building has merit as an example of the Mid-Century Modern architectural style and she would prefer that it be preserved

Board member Wimmer said
• The existing building is a good example of the Mid-Century Modern style, but the proposed building continues some of the design features
• How does the City manage cumulative impacts? Are there others Mid-Century Modern buildings in the City that may be demolished or altered?

Board member Bunnenberg [again] stated
• that she prefers the building preservation alternative

Board member Wimmer
• requested clarification on the determination that the building is potentially eligible for listing on the California Register even though it is not listed in the City’s inventory (and was not inventoried)

Board member Bower
• Suggested that he doesn’t think this building would meet City’s requirements for a historic resource but noted that this type of building was significant in Palo Alto’s history
• Stated that smaller buildings are being lost one by one, and the City should have a commitment to saving them.

So how did the possibility for historic preservation never officially come up? The City’s Planning Department Planning is supposedly be a guardian of public interest?

And while I am at it ….no I won’t, but here is another topic of great interest:

Note: For the following discussion I stripped most of the boilerplate out of the “Statement of Findings and Overriding Considerations”, and attach the remaining 10 pages as OverridingConsiderations8&22-30.pdf.

According to the project approval language the City Council should state (swear?) that:

The City Council finds that that a good-faith effort was made to evaluate a reasonable range of potentially feasible alternatives in the EIR that are reasonable alternatives to the project and could feasibly obtain most of the basic objectives of the project, even when the alternatives might impede the attainment of the project’s objectives and might be more costly. Alternatives were considered that would result in a substantial reduction or elimination of identified significant cultural resources and hazards and hazardous materials impacts. However, mitigation measures would continue to be required for each of these impacts under either of the two project alternatives. The Building Preservation Alternative studied in the EIR would also reduce, but not to a level of less than significant or entirely avoid, the proposed project’s significant and unavoidable impacts to cultural resources.
Reading pages 22-30 of the Overriding Considerations I concluded that **a good-faith effort was not made**.

The alternatives mandated under CEQA (PTOD, Historic Preservation, do nothing) were all shot down with the argument that these alternatives did reach the highest objective, which was to ensure maximum profit for the developer (page 8).

Maybe you should read in the ARB minutes about ARB’s thinking about PTOD. The highest objective should **not be to** “generate increased rental income” (page 8). Even so PTOD was proposed by ARB commissioners.

Perhaps you should ask the Council to table consideration until you have analyzed the very seasoned and rational arguments brought forward by citizens in the ARB and PTC hearings, and the musings of ARB and HRB – the PTC stated that it does not muse about the future.

You also might visit the total number of daily trips in in and out of the “stub”. Using the San Diego Trip manual I get 1302 trips.

Thank you and Good Luck

Attached:
Table 1 of Traffic Impact Analysis
The proposed project is located at the intersection of Park Boulevard and Grant Avenue. Both Park Boulevard and Grant Avenue are minor facilities whose primary function is to provide access to residential and commercial uses located north of El Camino Real and west of Oregon Expressway. East of the project site, Park Boulevard provides access to Oregon Expressway/Page Mill Road. Park Boulevard has one travel lane in each direction with parallel parking and bike lanes on both sides. Grant Avenue has one travel lane in each direction with parallel parking on both sides between Birch Street and El Camino Real, and is one-way northbound with perpendicular parking on the west side between Birch Street and the project site. North of the project site, Grant Avenue is closed to through traffic.

California Avenue is a major collector whose primary function is to link the residential and commercial uses to the north of El Camino Real to the residential and educational uses to the south. California Avenue has two lanes in each direction with angled parking on both sides north of El Camino Real. California Avenue parallels Oregon Expressway/Page Mill Road, providing access to the project site from the west.

To put this into perspective [http://bit.ly/1Ol6NyJ] (corrective factors in parenthesis) : 370 cars on a 1-lane road (×3), with free flow speed of 20 mph (×1.75), with bicycle lanes (1.2) corresponds to 2300 cars on El Camino.

**ASSESSMENT OF PROPOSED PROJECT**

**Proposed Project Trip Generation**

The number of trips anticipated to be generated by the proposed project was derived using data included in *Trip Generation Manual, 9th Edition*, published by the Institute of Transportation Engineers (ITE). As previously described, the project site, which is occupied with an existing operational 8,675 square foot (sf) office building is proposed to be replaced with a 24,466 sf office building. Table 1 presents the trip generation data for the proposed project.

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Land Use (Size)</th>
<th>Regression Equation</th>
<th>Trips In</th>
<th>Trips Out</th>
<th>Trips Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily</td>
<td>Existing General Office Building (-8.675 KSF)</td>
<td>Ln(Trips) = 0.76 x Ln(Size) + 3.68</td>
<td>-103</td>
<td>-103</td>
<td>-206</td>
</tr>
<tr>
<td></td>
<td>Proposed General Office Building (24.466 KSF)</td>
<td>Ln(Trips) = 0.76 x Ln(Size) + 3.68</td>
<td>226</td>
<td>226</td>
<td>452</td>
</tr>
<tr>
<td></td>
<td>Net New Vehicle Trips</td>
<td></td>
<td>123</td>
<td>123</td>
<td>246</td>
</tr>
<tr>
<td>AM Peak</td>
<td>Existing General Office Building (-8.675 KSF)</td>
<td>Ln(Trips) = 0.80 x Ln(Size) + 1.57</td>
<td>-24</td>
<td>-3</td>
<td>-27</td>
</tr>
<tr>
<td></td>
<td>Proposed General Office Building (24.466 KSF)</td>
<td>Ln(Trips) = 0.80 x Ln(Size) + 1.57</td>
<td>68</td>
<td>8</td>
<td>76</td>
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<tr>
<td></td>
<td>Net New Vehicle Trips</td>
<td></td>
<td>31</td>
<td>4</td>
<td>35</td>
</tr>
<tr>
<td>PM Peak</td>
<td>Existing General Office Building (-8.675 KSF)</td>
<td>Trips = 1.12 x Size + 78.45</td>
<td>-15</td>
<td>-73</td>
<td>-88</td>
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<td></td>
<td>Proposed General Office Building (24.466 KSF)</td>
<td>Trips = 1.12 x Size + 78.45</td>
<td>16</td>
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<td>82</td>
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<tr>
<td></td>
<td>Net New Vehicle Trips</td>
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<td>3</td>
<td>15</td>
<td>18</td>
</tr>
</tbody>
</table>

Table 1 – Proposed Project Trip Generation

As shown in Table 1, the proposed project is estimated to generate 246 total daily trips, with 35 new trips occurring during the AM peak-hour, and 18 new trips occurring during the PM peak-hour.

The red numbers are calculated by using a more standard equation \( \text{Ln}(T) = 0.756 \text{Ln}(x) + 3.95 \), and use the standard of assuming 13% of daily AM (\( \text{In:Out} = 9:1 \)) and 14% PM rush hour (\( \text{In:Out}=2:8 \)).

Carnahan, David

From: holzemer/hernandez <holz@sonic.net>  
Sent: Monday, June 01, 2015 12:42 AM  
To: Council, City  
Subject: Letter on 2555 Park  
Attachments: 2555 Park CC Letter.docx

Please open attached letter to Council, regarding 2555 Park.

Thank You.

Sincerely,

Terry Holzemer  
Vice President  
Palo Alto Central Residential Assn.  
(650) 853-0603  
holz@sonic.net

-------- Original Message --------
Subject: Returned mail: see transcript for details
Date: 2015-05-31 22:45
From: Mail Delivery Subsystem <MAILER-DAEMON@c.mail.sonic.net>
To: <holz@sonic.net>

The original message was received at Sun, 31 May 2015 22:45:06 -0700 from webmail.b.apps.sonic.net [64.142.122.9]

----- The following addresses had permanent fatal errors ----- <city.council@cityofpaloalot.org>  
(reason: 550 Host unknown)

----- Transcript of session follows -----  
550 5.1.2 <city.council@cityofpaloalot.org>... Host unknown (Name server: cityofpaloalot.org.: host not found)

Reporting-MTA: dns; c.mail.sonic.net  
Received-From-MTA: DNS; webmail.b.apps.sonic.net  
Arrival-Date: Sun, 31 May 2015 22:45:06 -0700

Final-Recipient: RFC822; city.council@cityofpaloalot.org  
Action: failed  
Status: 5.1.2  
Remote-MTA: DNS; cityofpaloalot.org  
Diagnostic-Code: SMTP; 550 Host unknown  
Last-Attempt-Date: Sun, 31 May 2015 22:45:06 -0700

May 31, 2015  
Palo Alto City Council  
Palo Alto City Hall  
250 Hamilton Avenue
Dear Hon. Mayor Holman and Hon. City Council Members,

As the largest residential complex in the entire California Avenue area, located directly across the street on Grant Avenue from the proposed new 2555 Park Building, we wanted to express our grave objections to this planned 24,000 square foot, office building project.

The proposed new, three-story (it’s actually four) building more than doubles the size of the current building and more than triples the number of cars on site. This gravely concerns our residents as it directly affects our quality of life and the enjoyment of our entire neighborhood.

The specific areas to which we have objections include:

1) The Owner/Developer request for a Design Enhancement Exception (DEE) -- our Association doesn’t think an exception, raising the new building’s height limits an additional 13 feet, should be granted to the Owner because it doesn’t meet the standards of an exception. One of the conditions of an exception states, “that an exception is related to a minor architectural feature or site improvement that will not be detrimental or injurious to property or improvements in the vicinity.”

Nothing is “minor” or not “detrimental” about what is proposed. The proposed roof terrace and canopy will undoubtedly raise the building’s height unnecessarily, block the views of many of our Association’s residents, and in the end, only benefiting the individual tenants of the building. There is no public or community benefit to the rooftop terrace -- it’s strictly a leasing point for the building owner. In addition, the two, giant 50-foot high concrete towers (one facing directly our complex on Grant) will look like massive prison walls facing our property and deeply shadow the whole north side of Grant Avenue. We strongly believe this exception, if allowed, would be an ugly prescient for the City and would be extremely detrimental to our own neighboring property and directly impact our home values.

2) The proposed building vehicle entrance/exit on Grant -- from the proposed design, we understand that all of the building’s employee vehicles will be entering/exiting from Grant Avenue, which is a very small, dead-end street leading directly into our complex’s main garage entrance. Why? Why shouldn’t the building’s main entrance/exit be on the Park Blvd. side? Adding 93 vehicles to this side of the street (coming and going each business day) is going to cause increased congestion on a very narrow street. Often, during the day, we have several delivery trucks, garbage pickup, and other service vehicles all along this street. Adding an additional 90+ cars to this small narrow street will overtax its capacity to function properly. When the developer claims he’s doing the Grant Avenue entrance because it will increase bicycle safety on Park, it’s a false claim. There will be just as many vehicles “crossing” the bicycle path on Park whether the building’s entrance is on Park or Grant. The same number, the same danger, if not more for bicyclists. A Park Blvd. garage entrance/exit option should be studied and seriously considered, so Grant Avenue is not the main vehicle entry point for this building.

3) Increases in traffic congestion/parking along both Grant Avenue and Park Boulevards -- there is already a major increase in business traffic and parking in this area and the cumulative effects of the all the recent new developments at 195 Page Mill, on Birch, and the possible new police headquarters less than a block away needs to be taken in to account before approving 2555 Park. Now the 2555 Park developer wants to triple the number of cars coming in the same office site (from the current 28 to a maximum of 92). Before approving 2555 Park a cumulative study of the effects of all of these new developments in our neighborhood needs to be studied and discussed.

In addition, the developer is providing almost no visitor parking for building. So, nearly everyone who comes to the building (except employees) will be forced to find street parking, which is already impacted severely by the daily needs of the Santa Clara County Courthouse and other California Avenue businesses nearby. This forces residents to regularly park outside of their own neighborhood -- several blocks away. That shouldn’t be.

4) The queuing effect caused by vehicles backing up both on Grant and Park will be real – because there are several flaws and false assumptions built into the EIR analysis, it is clear that back-ups -- caused by vehicles waiting to get into the building’s mechanical lift spaces, will happen almost on a daily basis. In the developer’s own analysis, it is important to point out the
The building’s garage entrance can only hold two cars, in a queue, without back-ups occurring onto Grant. So if three or more cars show up to park or leave the garage at the nearly the same time, a back-up will block the Grant and Park intersection, impacting traffic on both streets. For our residents, this road blockage could be a major disaster for emergency vehicles that need access to our complex to reach a heart attack victim or put out a fire.

5) EIR errors and lack of attention from ARB and PTC – On April 29th, our Association brought to the attention of the Planning & Transportation Commission (PTC) several serious errors in the Final EIR and asked for their correction. They totally ignored those requests and our comments at that meeting. In fact, the Commission members acted like they never heard a single word from us. In reply, I would like to bring to the Council’s attention, several of those errors. The first one is stated in the Final EIR that “everyone who lives at Palo Alto Central leaves for work before 8 a.m. in the morning”. What is this false statement based on? Certainly, no statistical analysis was done nor were the people of Palo Alto Central ever asked for the “work schedules”. It was a crazy statement to make and when pointed this out at the PTC meeting, the Commissioners acted like we had never said a word.

The second error in the Final EIR stated, “that were only a few windows” facing the proposed new 2555 Park building. I don't know your definition of a few, but mine would be around 3 or 4. I know there are at least 25 windows from our complex that have some view from their units in the direction of the proposed building.

Lastly, I told the Commissioners of a CEQA violation in approving the Final EIR and they totally ignored it.

I have evidence that there was a CEQA violation, regarding the time frame between when the Final EIR was released to the public and when the PTC actually met to discuss the EIR and nothing was said or done about it. I brought this to the attention of the PTC and they acted like I was speaking German. I hope the City Council will review these errors and ask they be changed.

In conclusion, our Association, which represents over 300 Palo Altans, hopes it will be listened to and you will reject the current design of the proposed 2555 Park project. We need to have a project that’s fair not only to the owner/developer of the property, but the actual neighbors who have to live with the consequences of the final product.

Sincerely,

Terry Holzemer
Vice President
Palo Alto Central East Residential Association
(650) 853-0603
holz@sonic.net
Carnahan, David

From: Valerie Milligan <valerie@grandtrunkcapital.com>
Sent: Friday, May 29, 2015 4:46 PM
To: Council, City
Subject: 2555 Park Boulevard

Dear City Council:

Many of my friends and neighbors have written to you in opposition to granting a Design Enhancement Exception to the proposed project at 2555 Park Boulevard.

Rather than repeat what my neighbors have so eloquently, intelligently, and thoughtfully stated (all if which I completely agree with), I would just like to add two additional thoughts.

a. I am a 59-year resident of Palo Alto. My parents chose to settle in Palo Alto and I chose to stay and raise a family in Palo Alto because of its unique and charming character of being both quiet and suburban as well as having thriving mixed-used neighborhoods with unique stores and vendors. This character has almost completely eroded in downtown due to over-development, and now this over-development is spilling into the California Avenue area. The quality of life in Palo Alto is damaged by too much traffic, not enough parking, mom’s and pop’s being driven out by rents as well as the middle class and poor. Therefore, I oppose any further irresponsible over-development in Palo Alto, such as the project at 2555 Park Boulevard.

b. I want it to be clear that I vote based on candidates’ position on this single issue being in alignment with mine.

Best regards,

Valerie Milligan
2573 Park Boulevard, Unit U102
Palo Alto, CA  94306
Hanna Hacham, 2581 Park Blvd. #Y209

Unfortunately, I am out of the country and will not be able to attend the June 1st meeting dealing with the proposed project. As it is now, there is never Parking around this corner of Grant/Park Blvd. during work hours. The situation will get unbearable if you will go ahead with this project.

Please be more human and less greedy.

Sent from my iPad
Hanna
5/26/15

Dear City Council Members,

I am writing to oppose the proposed development at 2555 Park Blvd.

Despite the assertions made by the applicant, the proposed development will have an unacceptable and negative impact on pedestrians, bikes and the 140 households of Palo Alto Central.

I applaud the owner for proposing the crosswalks, bulb-out and bike lane improvements for the Grant Ave/Park Blvd intersection. This goes a long way to towards mitigating the current and future hazards at what is becoming an accident waiting to happen. I would like to see follow-through to make sure this happens. I'd also like to see the proposed improvements include signals to alert drivers to pedestrians in the crosswalks.

But the FEIR still leaves many questions about the impacts created by the dramatically increased intensity of use contemplated by the project.

The assertions that the added intensity of use would have "acceptable," "slight" and "not significant" impact on traffic at Grant and Park is based on a statistical analysis with no apparent relationship to the real world conditions that actually exist or will exist with the proposed project, but instead on some idealized version of reality that supports the owner's desire to have maximum build-out and maximum intensity of use on the site.

I would suggest that the Institute of Transportation Engineers trip generation rates used by the project simply do not apply to the intensity of use generated by tech startups that the owner is clearly interested in attracting. Remember, the applicant is asking for maximum build-out on the property. Based on current trends in Palo Alto, the tenants of the proposed project can be expected to cram as many people into each bit of available space as they can.
Furthermore, I would suggest that the analysis is flawed in its representation of "new" trips generated by the project and the impact they would have -- specifically on Grant. Currently, only ten parking spaces use the exit onto Grant Ave. The rest of the traffic generated by the current building uses either street parking or the 18 spaces that exit onto Park Blvd. All 92 spaces of the proposed project exit onto Grant. The applicant grossly misrepresents the facts in suggesting that the current and proposed uses of Grant are comparable.

There are additional flaws with the analysis of the queuing of cars onto Grant Ave. The approximately 10% probability of queuing stated is not trivial when considered in a real world context.

First, it assumes an idealized traffic pattern not likely to ever occur. It assumes random arrivals when existing commute patterns already show arrivals tend to bunch up around the top of the hour. And it doesn't account for users of the below grade parking queuing up to wait for users of the street level parking machines.

Second, even if we accept the 10% figure, where is the mitigation for that 10% when it does occur? Who is going to come out and direct traffic or take care of the traffic and safety issues caused by the 10% the applicant dismisses as "less than significant?" The owner, the architect and the builder will all be long gone by the time it happens, leaving the residents of Palo Alto Central to deal with it as best they can.

If this project must be approved, I respectfully ask you to choose the Parking Exemption Option to at least somewhat mitigate the likelihood of queuing and other traffic impacts from this project on Grant Ave.

The night that the Planning and Transportation Commission approved the final EIR, members of the Commission turned to those of us who had come to oppose the project and told us from the dais that our concerns were outside their jurisdiction. They urged us to take it to the city council. And so we turn to you as a last resort. Indeed, the city planners seem to think their only job is to grease the wheels for the applicant so he gets everything he wants.

There are many office projects currently being contemplated along Park Blvd that will put a huge burden on this already overburdened corridor. 2555 Park is just the tip of the spear. This is my front door, my front yard, my garage and my driveway. Imagine hundreds of new trips a day onto your driveway, onto your front yard. Multiply that by 140 and you have significant of neighborhood of people that should not be dismissed.

Sincerely,

Peter Jon Shuler, homeowner
Russ Reich, Senior Planner  
City of Palo Alto  
250 Hamilton Avenue  
Palo Alto, CA 94303

Dear Mr. Reich,

I am a twenty year resident of Palo Alto Central at 2581 Park Blvd. I am requesting an immediate and urgent review of the proposal for a new multi-story office building at the corner of Park and Grant. (2555 Park) This is at the corner of a small spur of Grant and will replace a two story building with 2 small parking lots for office tenants and their clients.

The proposed building will be more than twice the size of the present one and will create serious parking problems on Grant St into which our complex's under ground parking structure exits. Presently the street is clogged with delivery vans and double parked vehicles and makes a safe and timely entrance from Grant onto Park not possible. Park has no artereals from California Avenue to way beyond Fry's. Cars and bicycles speed by with no slowing. It often takes ten minutes to safely enter Park from Grant going north or south.

This proposed new building with its 93 car garage will exit onto the already clogged Grant St. Please consider the safety of all of our residents. I wish to protest also the developer's request to put in a roof terrace with a tent like canopy spanning the whole building. I ask you to consider the quality of life as well as the safety of my fellow residents of Palo Alto Central. We are long-term, tax-paying residents of our Palo Alto community and our input needs to be valued and considered by the Planning Commission in their deliberations.

Sincerely,

[Signature]

Helen Waltte  
2581 Park Blvd 94305  
Palo Alto, CA 94306  
heleenwattier@msn.com
Responses to Comment Letter K

Submitted by:
Helen Watte

K-1 The comment expresses concern that the proposed project will create parking and congestion problems on Grant Avenue by adding traffic to this street, where there are often delivery trucks and double-parked vehicles.

Please refer to Master Response 1: Park Boulevard/Grant Avenue Intersection regarding traffic operations at that intersection and Master Response 4: Visitor and Guest Parking for a detailed response regarding the proposed project’s parking demand. As discussed in Master Response 1, the projected Level of Service (LOS) for this intersection is expected to remain at an acceptable LOS B, with average delays for vehicles turning from Grant onto Park of between 12.6 and 16.3 seconds under year 2015 conditions with the proposed project and between 13.3 and 18.1 seconds under the cumulative year 2035 conditions with the proposed project. As discussed in Master Response 4, there is sufficient on-street parking and public parking lots available in the project vicinity to ensure that the proposed project would not result in a significant impact to traffic congestion and air quality associated with parking demands.

Further, as discussed in Response to Comment H-7, the daily traffic flow patterns in the vicinity of the proposed project site would likely include the following characteristics: local residents would begin their daily commute early in the morning, generally between 5:00 AM and 8:00 AM; individuals commuting to the proposed project site would arrive generally between 8:00 AM and 9:00 AM, after the residential commuters leave for their commutes; and delivery trucks and moving trucks would be most likely to travel on or park on Grant Avenue during the mid-day. Similarly, in the evening, the traffic generated by the proposed project would generally leave earlier than the time when most of those commuting back to the project vicinity from work would arrive. Thus the potential for conflicts between project-generated traffic and truck traffic and parking on Grant Avenue would be minimized.

K-2 The comment protests the inclusion of a roof-top patio as part of the proposed project.

No comments on the Draft EIR are provided. The EIR does not determine or evaluate whether the proposed roof-top patio cover and stairtowers meet the City’s requirements for granting a Design Enhancement Exception. Please refer to Master Response 3: Design Enhancement Exception for additional discussion of this concern.
From: Jamie M. Beckett  
Sent: Tuesday, October 28, 2014 9:33 PM  
To: Reich, Russ  
Cc: Marsha Grossman; Peter Shuler; Judy Glaes; Cris and Rainer; Todd Burke; Terry Holzemer  
Subject: 2555 Park Blvd.

Dear Mr. Reich,

I live in the condominium complex closest to the proposed structure at 2555 Park Blvd. I would like to add my voice to those objecting to the project, but for more than the height limit.

I am unable to attend tomorrow's planning and transportation committee meeting due to a work conflict. However, it is important that I state, as strongly as possible, my concerns about this and the three other commercial projects either under construction or proposed on Park Blvd. between California Avenue and Lambert Avenue.

This small stretch of road -- just 1.3 miles long -- is already a highly trafficked road. As you may have read, we already have concerns about the number of accidents on the street. [http://www.paloaltoonline.com/print/story/2014/04/04/park-boulevard-accidents-concern-workers-residents](http://www.paloaltoonline.com/print/story/2014/04/04/park-boulevard-accidents-concern-workers-residents)

Our community contains 140 units with at least 250 residents, including many families with small children. Our street is becoming increasingly dangerous, and 2555 Park Blvd. and its 90 cars will only make it more so. There is not one stop sign on this 1.3-mile stretch. There is not even a speed limit posted. Every day cars speed down Park Blvd. toward the Oregon Expressway or Page Mill, and we're left to contend with the fallout.

As you may know, our entire community has two ways to exit by car -- at Grant Avenue and at Sherman avenue. It is already difficult to safely exit onto Park Blvd. due to the numerous SUVs and vehicles that block a driver's sight line. It is nearly impossible to make a left turn onto Park during rush hour, and many other busy times -- Sunday farmer's market, for example.

We live here because this is -- or perhaps, was -- a walkable and bike-able community. Yet crossing Park Boulevard on foot is getting harder and harder, and likely to be even worse when the city is done with us. Park Blvd. is a bike boulevard, but as a bike commuter I can tell you that it's getting more and more dangerous for me to simply get into the bike lane. At night, when I bike down Grant to re-enter the complex, I must pray no one speeds down Park Boulevard and hits me.

2555 Park and it's 90 cars is only going to exacerbate these problems. I can't even imagine what the other three commercial projects will do. My address is below. You can reach me by phone at 650-996-4552. Please let me know how I can best track this and the other projects that threaten my quality of life.

Sincerely,

Jamie Beckett  
2577 Park Blvd. #V203  
Palo Alto, CA  94306  
650-996-4552
Responses to Comment Letter B

Submitted by:
Jamie Beckett

B-1 The comment identifies the commenter as a neighbor of the project site and generally states that the commenter is opposed to the project “for more than the height limit.”

No comments on the Draft EIR are provided and no response is necessary.

B-2 This comment raises concerns regarding the existing traffic congestion on Park Boulevard and its relation to the frequency of traffic accidents. The comment links to an article describing a number of collisions along Park Boulevard.

No comments on the Draft EIR are provided. The existing and projected traffic volumes on Park Boulevard are identified in Figures 6 through 11 of the Transportation Impact Analysis provided in Appendix G to the Draft EIR. As shown in those figures, there are approximately 322 vehicles on Park Boulevard in the AM peak hour and approximately 469 vehicles on Park Boulevard in the PM peak hour.

B-3 The comment states that the lack of stop signs and speed limit signs on the 1.3-mile stretch of Park Boulevard in the project vicinity encourages vehicles to speed on Park Boulevard. The comment also states that these conditions make it difficult for pedestrians to cross Park Boulevard and that the 90 cars added to the road network by the proposed project would increase these safety hazards.

No comments on the Draft EIR are provided. Please refer to Master Response 5: Bicycle and Pedestrian Safety for discussion of the safety concerns along Park Boulevard. It is noted that the proposed project is not expected to generate 90 new vehicle trips during either the AM or PM peak hour. As shown in Table 3.3-6, the project is expected to generate a total of 62 trips during the AM peak hour. The existing office building at the project site is calculated to generate 27 of these 62 trips. In the PM peak hour, the project is expected to generate a total of 106 trips, with 88 of those trips being attributed to the existing building. Therefore the proposed project would increase traffic by 35 vehicles in the AM peak hour and by 18 vehicles in the PM peak hour. These slight increases would not be sufficient to cause a significant increase in the potential for bicycle/vehicle conflicts.

B-4 The comment states that turning onto Park Boulevard from Grant Avenue and Sherman Avenue is difficult due to the number of large vehicles that block the driver’s line of sight as well as the frequency of oncoming traffic during rush hour.
No comments on the Draft EIR are provided. As discussed in Master Responses 1 and 5, the project proposes to construct a curb extension, or “bulb-out,” within the on-street parking lane at the northwest corner of the Park Boulevard/Grant Avenue intersection, paint crosswalks across Grant Avenue and Park Boulevard, and paint the Park Boulevard bike lane through the Park Boulevard/Grant Avenue intersection. As shown in Master Response 1, text has been added to the Draft EIR on page 3.3-12 regarding these improvements which will facilitate the turning movements from Grant Avenue onto Park Boulevard by improving light of sight.

B-5

The comment expresses concern that it is difficult for bicyclists to safely navigate Park Boulevard and that bicycles are threatened by speeding vehicles.

No comments on the Draft EIR are provided. As discussed in Response to Comment B-4, intersection improvements are proposed to improve bicycle and pedestrian safety. Please refer to Master Response 5: Bicycle and Pedestrian Safety for detailed responses regarding bicycle safety.

B-6

The comment is concerned about the cumulative effects of development on Park Boulevard, including the proposed project, on traffic congestion; intersection functionality; bicycle safety; and pedestrian safety.

Table 4-2 on page 4-6 of the Draft EIR shows the levels of service expected at the study intersections in 2035 both with and without the addition of the proposed project. This cumulative analysis takes into account development that can reasonably be anticipated in the project vicinity. As Table 4-2 shows, the project would not change the level of service (LOS) at any of the study intersections, including the intersection of Grant and Park, from the LOS without the addition of the project. The only change in the LOS among all of the conditions analyzed is a degradation from LOS B, the Existing (2013) LOS, in the PM peak hour from the Existing (2013) condition to LOS C in the PM peak hour in all other conditions analyzed, including the Background (2015) and Future (2035) conditions with or without the addition of the proposed project. A decrease in LOS from B to C is not considered significant by the City of Palo Alto.

In addition, as stated above, the proposed project would increase traffic during the AM and PM peak hours by no more than 17 vehicles.

Because bicycle and pedestrian safety are linked to increased conflicts with motorists, and the vehicular traffic conditions are not expected to change significantly from the existing conditions, bicyclists and pedestrians can expect to experience similar conditions to those they currently experience.
Russ,

I enjoyed meeting you but have been disappointed that you did not arrange a meeting with the traffic people as you said you would. Now time is running out. Please add these remarks to the EIR.

I am confused about the designation of Park as a bicycle path because there is going to be a lot of development: retail, research and development, and residential. How do you "calm" an area that will keep having more trips as each year goes by? We are all terrified that we might hit a bike, and therefore support bicycle lanes. Park above California is calm and residential as is Park below Lambert Street. In between, most of the parcels are spoken for and in various stages of design or approval.

How do we "calm" an area that has no stop signs or crosswalks? Park needs to be pedestrian friendly as well as bike friendly, not pedestrian friendly. I believe part of the definition of a bicycle path is that there be calming devices on it.

I live in the Palo Alto Central complex. For roughly twenty years I have had to play "chicken" with the traffic in busy times. When you reach the stop sign on Grant, I must turn either right or left. Grant is one way to Park. Let me describe how it works.

I reach the stop sign and cannot see anything because there is parking all the way to the corner on three sides of the intersection. I creep out, trying to get into a position where I can see to safely turn. I almost always intrude into the bike lane. This lack of sight lines is unsafe and could be mitigated by painting the curbs red, and reducing a total of two spaces on each corner. There have been a few fender benders that I know of. Does someone have to have a bad accident to make this change?

To an already unsafe street 2555 Park is going to add 91 cars, almost doubling the traffic on the street. There are 11 on street parking spaces, usually used by residents who have two cars or people working on California. In addition, we have garbage trucks, service trucks (electrical and plumbing, etc) UPS, and the mail.

Imagine that it is rush hour. Cars are turning right and left; others are coming from the court house and other buildings with county services. I creep up to the stop sign and want to turn left. Like many people I am headed toward a freeway. I must mention that cars pick up speed as they go down Park, partly because they are in a hurry, and partly because there are no calming devices on the street. There is supposed to be an imaginary crosswalk at every intersection, but hardly anyone stops for a pedestrian. Back to rush hour.

I’m trying to turn left, everybody has priority over me. Bicycles are whizzing by, I can’t see. I edge out slowly into the street. If there were four way stop, we would all take turns. But we don’t, and we won’t until people are forced to do so. People living in the complex are backed up, waiting for the
cars in front of them to make a turn. People get frustrated, then anger builds. I foresee bad

temper and more fender benders, maybe something worse.

Wait time: more than 60 sec, corresponding to LOS FR

I am not opposed to the development of 2555 Park; the owners have a legal right to do so. But

putting so many cars on Grant Road is an affront to the area residents; the developers make money

and we are left with a more unsafe situation than we have now. This is not about blocking views or
talking aesthetics; this is clearly a safety issue.

In addition because there is no onsite visitor parking, people might use out little street. They could
also park on Park. During the day those spaces are full. Does the developer expect visitors to use
the parking lot of the Courthouse? Why would the city approve a development without visitor
parking in an already crowded area?

The developer has not paid attention the needs of the local residents. I understand that what
residents wants and what the developer wants are different. It is not fair that the developer gets
to maximize his income at our expense.

Thank you, Judith Fields
Responses to Comment Letter D

Submitted by:
Judith Fields

D-1 The comment questions the designation of Park Boulevard as a bicycle path due to the cumulative effects of development increasing traffic volumes on Park. The comment suggests that the portion of Park Boulevard in the project vicinity is not as calm as is needed to support a bicycle path.

No comments on the Draft EIR are provided. Bicycle safety is addressed in Master Response 5.

D-2 The comment states that Park Boulevard must be pedestrian- and bicycle-friendly and suggested that it is not under existing conditions particularly due to a lack of traffic calming devices.

No comments on the Draft EIR are provided. As noted above, bicycle safety is addressed in Master Response 5. Bulb-outs are a traffic calming device and there are several bulb-outs on Park Boulevard in the vicinity of the project. Further the project includes a proposal to construct a bulb-out on the northeast corner of the Park Boulevard/Grant Avenue intersection.

As a result of the concerns raised in the comments provided on the Draft EIR regarding pedestrian safety at the intersection of Grant Avenue and Park Boulevard, the project proposes to add crosswalks across Grant Avenue and Park Boulevard at this intersection. The project would also be required to paint the bike lane through the intersection to promote full visibility of oncoming bicycle traffic when turning onto Park Boulevard from Grant Avenue. These additions would ensure that, even with minor changes in vehicle traffic at this intersection, conflicts between pedestrians, bicycles, and vehicles would be minimized.

D-3 The comment addresses the difficulty of turning from Grant Avenue onto Park Boulevard, noting that vehicles parked on Park Boulevard near the intersection with Grant Avenue block the driver’s line of sight onto Park Boulevard. The comment asserts that the additional cars generated by the proposed project would almost double the traffic on Grant Avenue and worsen delays for vehicles turning onto Park Boulevard from Grant Avenue.

As noted in Response to Comment D-2, there is an existing bulb-out at the southeast corner of the Park Boulevard/Grant Avenue intersection and the project proposes to
construct a second one at the northeast corner of this intersection. These traffic calming devices provide better line of sight and reduce the width of the street that a pedestrian must cross.

Master Response 1: Park Boulevard/Grant Avenue Intersection discusses the anticipated operations and level of service (LOS) at this intersection. As discussed on page 3-11 and shown in Tables 3.3-7 and 3.3-8 of the Draft EIR, the proposed project would have a slight effect on traffic circulation in the vicinity of the Park Boulevard/Grant Avenue intersection. The delay at the intersection would increase by less than one second between the Existing (2013) and Existing Plus Project conditions and would increase by at most two seconds between the Background (2015) and the Background Plus Project conditions. The same is true when considering cumulative 2035 traffic conditions, as shown in Table 4-2 on page 4-5 of the Draft EIR. Under existing conditions, the average delay for movements from Grant Avenue onto Park Boulevard is 11.6 seconds in the AM peak hour and 14.6 seconds in the PM peak hour. Under 2015 Plus Project conditions, the average delay would increase to 12.6 seconds in the AM peak hour and 16.3 seconds in the PM peak hour. In the 2035 Plus Project conditions, the average delay would be 13.3 seconds in the AM peak hour and 18.1 seconds in the PM peak hour. With these delays, the LOS at this intersection would be B in the AM peak hour and C in the PM peak hour.

D-4

The comment raises concerns about the availability of visitor parking to accommodate the proposed project. The comment is concerned that visitors to the proposed project will park on Grant or Park and states that these parking spaces are already used during the day.

As discussed in Master Response 4: Visitor and Guest Parking, parking is not an environmental issue unless an inadequate parking capacity could lead to impacts on traffic circulation and air quality (refer to Threshold of Significance (F) on page 3.3-8 of the Draft EIR). Please refer to Master Response 4 for a detailed discussion of the proposed project’s impacts on parking. The proposed project is expected to generate a total of 246 new daily trips, only a portion of which would be from visitors. Public parking is available in several lots within the California Avenue Business District, approximately one block northwest of the project site, as well as along Park Boulevard and Grant Avenue. The parking options in the surrounding area are sufficient to ensure that the project would not cause adverse effects on transportation circulation or air quality.
June 4, 2014

Architectural Review Board
City of Palo Alto

Dear ARB Members,

As the largest residential complex in the California Avenue area, located directly across the street on Grant Avenue from the proposed new 2555 Park Building, we wanted to express to you our grave concerns and objections to this planned 23,000 square foot project.

Even though a new, more modern office building may be warranted on this site, the proposed new three-story building more than doubles the size of the current building and more than triples the number of cars on site. This gravely concerns our residents as it directly affects our quality of life and the enjoyment of our entire neighborhood.

At the only Community Meeting held on this project (May 13th), we expressed our objections and concerns over this project. Our Association (myself included) has yet to hear back from either the architect or developer on these matters.

The specific areas to which we have objections include:

1) Increased daily traffic flow onto Grant Avenue -- we understand that all of the building’s employee cars will be entering and exiting from Grant Avenue, which is a very small side street leading directly to one of our complex’s garages. Why? Why shouldn’t the building’s main entrance/exit be on the Park Blvd. side? Adding 93 cars to this side of the street (coming and going) is going to cause increased congestion on a very narrow street. A Park Blvd. garage entrance option to the building should be studied and seriously considered.

2) A request for a design enhancement exception -- our Association doesn’t think an exception, raising the new building’s height limits an additional 13 feet, should be granted to the Owner because it doesn’t meet the standards of an exception. One of the conditions of an exception states, “that an exception is related to a minor architectural feature or site improvement that will not be detrimental or injurious to property or improvements in the vicinity.” The proposed roof terrace and canopy will undoubtedly raise the building’s height unnecessarily, block the views of many of our Association’s residents, and in the end, only benefit the individual tenants of the building. There is no public or community benefit to the rooftop terrace -- it’s strictly a leasing point for the building owner. In addition, the two giant 50-foot high concrete towers (one facing directly our complex on Grant) will look like massive prison walls facing our property and darken the whole Grant Avenue side. We strongly believe this exception, if allowed, would be extremely detrimental to our own neighboring property and directly impact our home values.
3) Concerns over the proposed vehicle lifting devices -- we have been told that proposed new building would have mechanical car lifting platforms that will move cars up and down, allowing for a total of 93 garage spaces. But, what is the seismic safety of such devices? Have these devices ever been tested in an earthquake setting? What kind of environmental and health hazard do these cars on raised lifts represent in the event of an earthquake or fire? If a car fire started on one of these lifts, how could the fire department get access to it? What about the daily noise levels from these car lifting platforms -- if an open garage is available 24 hours a day, the daily noise from these mechanical lift devices is likely to increase neighborhood noise levels as well, especially at night when people are trying to sleep. What will be done to mitigate the noise from these mechanical lifts? Overall, we don’t feel these mechanical lifts are safe, would be too noisy (especially at night), or could become a major environmental or public health problem in the event of an earthquake or significant fire.

Lastly, we would encourage the ARB members to come visit the site and discuss with us personally our specific concerns. We are Palo Alto residents, not owners and architects who never have to live with the consequences. It is important that you understand what we are asking and requesting the Board to examine. We are open to meeting with you at your convenience.

Thank you for your service and we look forward to meeting with you.

Sincerely,

Terry Holzemer
Board Member
Palo Alto Central East Residential Association
(650) 853-0603
holz@sonic.net
Responses to Comment Letter G

Submitted by:
Terry Holzemer

G-1 The comment identifies the objection of the Palo Alto Central community to the proposed project. The comment characterizes the project as a doubling in size compared to the current building and more than tripling the number of cars on site. The comment notes that the neighboring Palo Alto Central is the largest residential complex in the California Avenue area. The comment also states that the Homeowners Association of Palo Alto Central did not receive a response to their comments from the architect or developer after the May 13\textsuperscript{th} Community Meeting on the proposed project.

The comment does not address the content of the Draft EIR, and therefore a response is not necessary. All of the comments on the Draft EIR will be reviewed and considered by the City prior to determining whether or not to approve the proposed project.

G-2 The comment raises concerns about the impacts of the proposed project on daily traffic flow on Grant Avenue. Because both Palo Alto Central and the proposed project traffic would enter and exit from Grant Avenue, the comment suggests that traffic congestion on Grant Avenue would increase. The comment suggests that a Park Boulevard garage entrance/exit option for the proposed project be considered as an alternative.

As discussed on page 3-11 and shown in Tables 3.3-7 and 3.3-8 of the Draft EIR, the proposed project would have a slight effect on traffic circulation in the vicinity of the Park Boulevard/Grant Avenue intersection. The delay at the intersection would increase by less than one second between the Existing (2013) and Existing Plus Project conditions and would increase by at most two seconds between the Background (2015) and the Background Plus Project conditions. The same is true when considering cumulative 2035 traffic conditions, as shown in Table 4-2 on page 4-5 of the Draft EIR.

As discussed in Response to Comment E-2 and page 5-1 of the Draft EIR, the EIR includes an analysis of a “reasonable range” of alternatives that could meet the project objectives while avoiding or substantially lessening the significant effects of the proposed project. As discussed in Master Responses 1 through 5, the project would not result in any significant impacts to transportation and circulation. Therefore there are no impacts that could be avoided or reduced by relocating the
parking garage and building entrances and these alternatives do not need to be evaluated in the EIR. Further, as discussed in Master Response 5: Bicycle and Pedestrian Safety, the project proposes to eliminate a curb cut on Park Boulevard (the existing driveway to the onsite parking lot on the north side of the parcel) reduces the number of locations where a bicycle-vehicle conflict may occur. Locating the garage access on Park Boulevard, as suggested in this comment, would eliminate this improvement to the function and safety of the bike lane.

The Draft EIR and Traffic Impacts Analysis find that the proposed project would increase traffic volumes on Grant Avenue. However, it is expected that the time of peak traffic associated with the proposed project using Grant Avenue would be in the 8:00 AM to 9:00 AM hour, as employees arrive for work each day, while the peak time of traffic associated with the residences using Grant would occur before 8:00 AM as individuals leave for work. Thus while the overall daily traffic volume would increase, there would not be a substantial increase in congestion along Grant Avenue.

As discussed in Master Responses 1 and 5, the project proposes to add a curb extension, or “bulb-out,” to the northwest corner of the Park Boulevard/Grant Avenue intersection, which would allow cars to move out into the intersection safely to provide a line of sight to oncoming bicycles and vehicles. Further, the project proposes to paint crosswalks across Grant Avenue and Park Boulevard and to paint the Park Boulevard bike lane through the Park Boulevard/Grant Avenue intersection. These improvements will improve bicycle and pedestrian safety at this intersection.

G-3

The comment objects to the requested Design Enhancement Exception (DEE). The comment states that the height increase does not meet the standards of a DEE because it does not satisfy the requirement that an exception may only be granted for a “minor architectural feature” nor the requirement that granting the exception must not be detrimental to other property in the vicinity. The comment states that the proposed roof-top patio will raise the building’s height unnecessarily, block views of Palo Alto Central residents, adversely affect the visual character of the Grant Avenue side of the Palo Alto Central complex, and benefit only the tenants of the proposed project. The comment also expresses concern regarding the roof-top patio’s impact on adjacent property values.

The DEE is requested for three roof-top elements – the two stairtowers and the canopy for the roof-top patio. The EIR does not determine or evaluate whether the proposed roof-top patio cover is a “minor architectural feature.” Municipal Code Section 18.40.090 Height Exceptions allows that in the CC(2) district and many other zoning district “flues, chimneys, exhaust fans or air conditioning equipment, elevator
equipment, cooling towers, antennas, and similar architectural, utility, or mechanical features may exceed the height limit established in any district by not more than fifteen feet.” This demonstrates that the City has anticipated that building features similar to the stair towers (which would also house elevator equipment) may require height exceptions. With respect to whether the proposed site improvements that require the DEE would be detrimental to the neighborhood, the EIR and Initial Study find that the project would not result in any adverse physical environmental effects, particularly with respect to aesthetics and land use and planning. This comment and the other comments provided in this comment letter do not indicate how the project would be detrimental to the commenter’s property, other than from the placement of a wall ranging from 37 to 47 feet in height at the property boundary. Placement of the proposed building’s wall at the property boundary does not constitute a significant physical environmental effect.

Finally, California Environmental Quality Act (CEQA) Guidelines Section 15131 provides that CEQA does not require analysis of financial, socio-economic, or social issues, such as the effect a project may have on property values. Refer to Master Response 3: Design Enhancement Exception for additional discussion of the requested exception to the zoning ordinance requirements for the project site.

G-4 The comment requests more information on the environmental- and public health-related safety of the mechanical parking lifts in/after an earthquake or a fire.

The parking machines have been used in a wide variety of locations, including throughout the San Francisco Bay Area, where there is a substantial risk of seismic activity. The parking machines are designed to be safe in an earthquake. They require appropriate engineering to ensure this safety, such as being braced to a wall or column. With respect to fire hazards, the parking lifts would not increase the risk of fire occurring or increase the severity of property damage that may result from a fire.

G-5 The comment raises concerns regarding the project-specific and cumulative noise impacts of the mechanical parking lifts, particularly at night.

Page 6-3 of the Draft EIR references the Charles M. Salter Associates memo included as Appendix H to the Draft EIR. That memo states that the concrete walls that make up the parking garage would provide approximately 60 dB of noise attenuation, reducing the audible noise outside of the building to 8 dB, which is a less than significant increase. While the entrance/exit to the garage would allow for some additional amount of noise to be audible from Grant Avenue, it would not cause a substantial increase in noise levels. As noted on page 36 of the Initial Study prepared
for this project, the power units for the parking lifts would be placed as far as possible from the openings to the parking structures. As indicated by a representative from Parklift, the machines generate about 65 dB of noise during operation, similar to the noise level of a garage door opening.

G-6 The comment provides concluding remarks.

No comment on the Draft EIR is provided and no response is necessary.
Dear Palo Alto City Council Members,

I would like to voice my concern that less than 7% of Palo Alto's land is currently zoned to enable multi family housing units. The land price in Palo Alto is astronomically high. There is no way we can share Palo Alto with newcomers who bring a lot to the City's life, without substantially increasing multi family housing units. We surely do not want to live in an insular place, which de facto keeps away newcomers, because of totally unaffordable housing costs. I am discouraged by stories after stories of people wanting to live in Palo Alto, including employees of the City of Palo Alto, but can not. Surely, there is a smarter way, by re-zoning land, and enabling substantial amounts of townhouses and condos to be built.

A few months ago, the ECONOMIST Magazine featured an article, which tried to estimate the cost to urban areas, arising from restrictive zoning on land use. For the US as a whole, such zoning restrictions are costing trillions of dollars in economic output. Palo Alto can be a much more vibrant place, with new ideas from new residents, thriving retail and businesses, if we re-zone land.

Higher population density also goes hand in hand with a successful public transportation system. We need more people to live in Palo Alto, so that for once and for all, our preferred transportation becomes public transportation, because the shuttle (bus, light rail, etc) comes every 5 minutes. People who complain about traffic are living in the past.

Regards,

Kumiko Yoshinari
(Palo Alto resident)
Letterhead copy is attached.

Thank you.

Ellen Forbes
President, LWV Palo Alto

--

League of Women Voters of Palo Alto
3921 E. Bayshore Road, Suite 209
Palo Alto, CA 94303
(650) 903-0600
December 5, 2014

Mayor Karen Holman
Palo Alto City Council
250 Hamilton Avenue
Palo Alto, CA 94301

RE: Colleagues’ Memo Recommending Adoption of a Resolution Combating Human Trafficking

Dear Mayor Holman and Council Members,

The League of Women Voters of Palo Alto supports a vote this evening in favor of your resolution opposing Human Trafficking.

At the 2014 LWVUS Convention the members voted to oppose all forms of domestic and international human trafficking of adults and children, including sex trafficking and labor trafficking. We consider human trafficking to be a form of modern slavery and believe every measure should be taken and every effort to should be made through legislation and changes in public policy to prevent human trafficking. Prosecution and penalization of traffickers and abusers should be established and existing laws should be strictly enforced. Extensive essential services for victims should be applied where needed. Education and awareness programs on human trafficking should be established in our communities and in our schools.

Please vote yes this evening!

Ellen Forbes
President LWV Palo Alto
As residents of Palo Alto we urge you to write to Governor Brown requesting him to veto Assembly Bill 744. The passage of this bill will severely negatively impact our city.

Sincerely,

Zita Zukowsky
Eugene Zukowsky, Ph.D.
Way to go Lydia.
To the point, justification provided, well presented, logical format, easy read, understandable without any "Speak". Congratulations.
Leon sends, 9/30/15, ~11:21pm PDT.

On Sep 30, 2015, at 4:29 PM, Lydia Kou <lydiakou@gmail.com> wrote:
Dear Friends and Neighbors,

I am writing to you about a bill that is about to be signed by the Governor.

This bill, although purported to increase affordable housing, is actually more like a lottery where there are some big winners and lots of small losers. It provides a few units of subsidized housing for a few but at the cost of allowing even more jobs to be moved into the area which increases demand of housing and increases the price for the rest of us. The other big winners are developers whose properties are now more valuable.

How do they do this? Through the Density Bonus Ordinance.

We have zoning to match developments to infrastructure to give all the property owners their fair share. What this does is it gives a few developers the right to overdevelop. In Palo Alto, that means not just taking their fair share but further overloading an infrastructure that is already stressed.

What is this “infrastructure” that the developers are exempted from paying for? Schools. Our congested streets that get more traffic. Parking, especially that in neighborhoods near commercial areas.

What are the big concessions that this bill gives to a developer in Palo Alto? For example, for a painfully few affordable housing units, the developer gets to increase the number of square feet of office space which experience shows will be packed with employees. But, can the City require that the building be fully parked? This bill says NO.

A recent example is an approved project for a 3-story building at 441 Page Mill https://goo.gl/maps/NYWPjw66YLs , between El Camino Real and the Underpass. This building is expected to have about 19,000 square feet of office space. For a building in this location expect 1 employee for every 90 – 150 square feet. This translates into 100-165 employees. Then there is the ground floor retail with its employees and customers. So how many parking spaces? 91. Then housing? 5 affordable; 11 market rate. Oh, did I mention garbage pick-up? It will be from the front with the garbage truck stopping on Page Mill Road. Read the story http://paloaltoonline.com/news/2015/06/16/page-mill-development-clears-final-hurdle

The bill I am referring to is Assembly Bill 744 (AB744) Planning and zoning: Density Bonuses. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB744 .
What can you do?

1) Write a letter to Governor Brown to veto this bill on the basis that it is an unfunded state mandated Bill which requires new duties of local agencies on a statewide concern without the ability to get reimbursements. Time is short, your letter must be submitted before October 4th, 2015. Use email, click here https://govnews.ca.gov/gov39mail/mail.php. It will ask for you to provide your name and email address, (in the menu under “Please Choose Your Subject”, scroll to topic AB00744/Planning and Zoning, choose it. What you write does not have to deathless prose, staff will be reading and just counting the major topics and forwarding to the Governor.

Sample Letter:

Re: Assembly Bill 744 – Request for Veto

Dear Governor Brown:

I am writing to respectfully request that you veto Assembly Bill 744, related to Planning and Zoning and the Density Bonus ordinance.

This bill presents a significant unfunded mandate on local agencies, including public schools. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. It is a legislative finding of the Bill that sufficient affordable housing is a statewide concern, therefore, the state should reimburse for such a mandate.

Again, I respectfully request that you veto AB744. Thank you for your consideration.

Sincerely,

Lydia Kou

Resident, Palo Alto, CA

2) Write a letter to City of Palo Alto Mayor and City Council members to encourage them to write to Governor Brown to veto this Bill. You can email to city.council@cityofpaloalto.org

3) Encourage the Mayor and City Council Members to instruct the City Attorney to prepare measures as how to mitigate potential negative impacts when this bill is passed.

4) Pass it on, it doesn't just affect Palo Alto, it is all through California and it is a bill that blankets all cities, big or small, capable or not of taking on the burden.

Lastly, on Monday, October 5th, 2015, City Council will be discussing the Land Use and Community Design Element of the Comprehensive Plan. This element provides guidance as to how our city will look, feel and grow (our City’s physical form). I also think what is built, where it is built and how it is built determines the impacts to our city, positive or negative. I ask you to bring your voice and let Council know we are in dire need of sensible and managed growth.

Here is the Council Meeting Agenda for Monday evening http://www.cityofpaloalto.org/civicax/filebank/documents/49217. The discussion on Land Use is on the agenda for 8:00PM.
Here is the staff report http://www.cityofpaloalto.org/civicax/filebank/documents/49184, page 22 starts the Land Use element.

Thank you for your help in writing the letter to the Governor.

Sincerely,

Lydia Kou

My LinkedIn Profile
(650) 996-0028 | lydiakou@gmail.com
Dear Mayor & City Council,

I am contacting you to request that you write Governor Brown to veto the following Bill: Assembly Bill 744 (AB744) Planning and zoning: Density Bonuses. [Link](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB744)

I, and many others, believe that the passing of this bill will further negatively affect Palo Alto’s overcrowding, traffic, parking and quality-of-life.

Thank you for your time.

Regards,

-Mark Eden

*Middlefield Road Resident, Palo Alto, CA*
From: Tina Peak <tmpeak@yahoo.com>
Sent: Wednesday, September 30, 2015 5:40 PM
To: Council, City
Subject: Fw: Assembly Bill 744 Density Bonus - Request for a VETO

Dear City Council members,

I would like to request that you read the e-mail below from Lydia Kou and that you send a letter to Gov. Brown regarding vetoing AB744. I have already done so. I know that you are aware that this bill will further add to the unsustainable growth in office space that is plaguing the city. Also per #3 below please have the city staff determine methods that can be used to fight such a measure if passed.

Thank you.

Regards,
Tina Peak

----- Forwarded Message -----
From: Lydia Kou <lydiakou@gmail.com>
To: price@padailypost.com; city.council@cityofpaloalto.org; Jocelyn Dong <jdong@paweekly.com>; Gennady Sheyner <gsheyner@paweekly.com>; Jason Green <jgreen@dailynewsgroup.com>
Sent: Wednesday, September 30, 2015 4:29 PM
Subject: Assembly Bill 744 Density Bonus - Request for a VETO

Dear Friends and Neighbors,

I am writing to you about a bill that is about to be signed by the Governor.

This bill, although purported to increase affordable housing, is actually more like a lottery where there are some big winners and lots of small losers. It provides a few units of subsidized housing for a few but at the cost of allowing even more jobs to be moved into the area which increases demand of housing and increases the price for the rest of us. The other big winners are developers whose properties are now more valuable.

How do they do this? Through the Density Bonus Ordinance.

We have zoning to match developments to infrastructure to give all the property owners their fair share. What this does is it gives a few developers the right to overdevelop. In Palo Alto, that means not just taking their fair share but further overloading an infrastructure that is already stressed. What is this “infrastructure” that the developers are exempted from paying for? Schools. Our congested streets that get more traffic. Parking, especially that in neighborhoods near commercial areas.

What are the big concessions that this bill gives to a developer in Palo Alto? For example, for a painfully few affordable housing units, the developer gets to increase the number of square feet of office space which experience shows will be packed with employees. But, can the City require that the building be fully parked? This bill says NO.
A recent example is an approved project for a 3-story building at 441 Page Mill
https://goo.gl/maps/NYWPjw66YLS, between El Camino Real and the Underpass. This building is expected
to have about 19,000 square feet of office space. For a building in this location expect 1 employee for every
90 – 150 square feet. This translates into 100-165 employees. Then there is the ground floor retail with its
employees and customers. So how many parking spaces? 91. Then housing? 5 affordable; 11 market rate.
Oh, did I mention garbage pick-up? It will be from the front with the garbage truck stopping on Page Mill
Road. Read the story http://paloaltoonline.com/news/2015/06/16/page-mill-development-clears-final-hurdle

The bill I am referring to is Assembly Bill 744 (AB744) Planning and zoning: Density Bonuses.

What can you do?

1) Write a letter to Governor Brown to veto this bill on the basis that it is an unfunded state mandated Bill
which requires new duties of local agencies on a statewide concern without the ability to get
reimbursements. Time is short, your letter must be submitted before October 4th, 2015. Use email, click here
https://govnews.ca.gov/gov39mail/mail.php. It will ask for you to provide your name and email address, (in
the menu under “Please Choose Your Subject”, scroll to topic AB00744/Planning and Zoning, choose it.
What you write does not have to deathless prose, staff will be reading and just counting the major topics and
forwarding to the Governor.

Sample Letter:
Re: Assembly Bill 744 – Request for Veto
Dear Governor Brown:
I am writing to respectfully request that you veto Assembly Bill 744, related to Planning and Zoning and the
Density Bonus ordinance.
This bill presents a significant unfunded mandate on local agencies, including public schools. The California
Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by
the state. It is a legislative finding of the Bill that sufficient affordable housing is a statewide concern,
therefore, the state should reimburse for such a mandate.
Again, I respectfully request that you veto AB744. Thank you for your consideration.
Sincerely,
Lydia Kou
Resident, Palo Alto, CA

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Thank you for your help in writing the letter to the Governor.

Sincerely,
Lydia Kou
My LinkedIn Profile
(650) 996-0028 | lydiakou@gmail.com
Hi Lydia,

Is there an link so people can just click to sign the letter?

Thanks

Lucy

On Wed, Sep 30, 2015 at 4:29 PM, Lydia Kou <lydiakou@gmail.com> wrote:

Dear Friends and Neighbors,

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Sincerely,

Lydia Kou

Resident, Palo Alto, CA
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Thank you for your help in writing the letter to the Governor.

Sincerely,

Lydia Kou
My LinkedIn Profile
(650) 996-0028 | lydiakou@gmail.com

Phone: 801-558-6828
Email: unimics@gmail.com
Dear Council:

I saw several homeless people today and thought again of Palo Alto’s generous stance regarding the Buena Vista Mobile Home Park. Thanks very much for supporting those of our community who need housing support.

Robin Severns
924 Laurel Avenue
Menlo Park, CA

Clerk, Worship and Ministry
Palo Alto Friends Meeting
Dear Mayor Holman and Palo Alto City Council Members,

Congratulations and kudos on the recent approval of the permanent changes to the Charleston-Arastradero corridor. This project has made travel on these two streets safer for all road users, bicyclists and pedestrians as well as motorists.

Credit for the success of this effort goes to hard-working City staff, enlightened City leadership both appointed and elected, and many public-spirited citizen advocates, Penny and Rich Ellson most of all. Kudos are also due to my good friends and brilliant colleagues with me years ago on the initial planning and design work for this project, Ashok Aggarwal and Christopher Thnay. There are no finer, more conscientious traffic engineers in the entire Bay Area.

Well done, Palo Alto!

Best regards,

Joe Kott

Joseph Kott, PhD, AICP, PTP
Lecturer, Department of Urban and Regional Planning
Lecturer, Mineta Transportation Institute
San Jose State University
Dear Honorable City Council,

Low income and disabled residents are not treated fairly in the City of Palo Alto's new RPP permit program.

Disabled residents, who have a caregiver, or In Home Support Services (IHSS), need to be able to have these people park for more than two hours without a fee.

The fee of $25 is a lot of money for low income resident and their helpers, who may take home a little over $10 an hour. These helpers may work for 4 - 6 hours and need to pay for gas, rent, etc. It is hard enough to get caregivers to come to Palo Alto from San Jose and elsewhere.

The city offers households who have 3 or 4 cars up to FOUR permits at no charge.

All residents, in the RPP zone should have a free guest permit, especially those who are very low income or disabled.
What plans does the city have for low income and disabled residents in the new RPP program? Why doesn't the city offer these residents a receive one free guest permit?

How can someone come and visit a mostly homebound individual for the afternoon now? Who will pay the $5 fee? Why does the city want to stop this?

Sincerely,

Laurence Wertrman

547 Channing Avenue

Palo Alto, CA 94301
Thanks for your email. The City has begun enforcing the agreement. The grocer departed the space under no fault of the developer—Fresh Market made a corporate decision to vacate California. But the City is able to enforce the agreement (a Grocery Story is required) through fines and will do so to help ensure a replacement as soon as possible. The developer has stated that he has received an offer from Andronico’s and they are working through their due diligence to try to seal the deal.

On Sep 30, 2015, at 2:00 PM, Fatma Akabali <fatma.akabali@yahoo.com> wrote:

Hello,

I live very close to the Edgewood Plaza. I would like to have the City enforce the agreement made with Sand Hill, and enforce a penalty right away, since Sand Hill violated the agreement by still not having a Grocery Store.

Regards,
Fatma Akabali
I believe that the developer of the Edgewood Plaza shopping center should be paying a penalty similar to what was levied on the College Terrace development. Sand Hill Properties agreed to the stipulation that there should be a supermarket at Edgewood Plaza. They have sold a number of very expensive properties, have some excellent smaller stores and a bank at the site, but have not rushed to replace The Fresh Market. They should be forced to use some of their cash as a penalty. Setting the penalty at an appropriate level, and then collecting it, would send the correct message to these folk. They need to honor their agreement with the city!

Sincerely,
Margaret Row
651 Wildwood Lane,
Palo Alto
Hello,

As a homeowner and resident in the Edgewood Plaza neighborhood, I still do not see an operating Grocery Store. I would like to remind the City Council that starting tomorrow the City needs to enforce a penalty of $7.50 per square-foot per month to be collected from Sand Hill as a result of their incompliance to the zoning agreement. This figure is consistent with the College Terrace Center case. I will appreciate it if you guys can please announce that collection of this penalty starts October 1st, 2015.

Sincerely,

Haluk Konuk
2280 Saint Francis Drive
Palo Alto, CA 94303
From: Walter & Lenore Loewenstein <wblo3891@sbcglobal.net>  
Sent: Wednesday, September 30, 2015 1:26 PM  
To: Council, City  
Subject: Edgewood Plaza

Please set a penalty fee for Edgewood Plaza Non grocery store. I believe that fee to be $7.50 a square foot. Thanks, Lenore & Walt Loewenstein
My wife and I strongly support our getting another grocery store at Edgewood Plaza. Andronico's would be great but we urge you to keep pressure on the Sand Hill real estate people to make sure that they reach a good agreement as soon as possible.

Sincerely,

Mel and Karen Kronick
Last week in the discussion of wireless, I didn't think I had anything to contribute because I'm a technological nincompoop, but then you started talking about public benefit. Is there any doubt that every communication advance is a public benefit? Two weeks ago I learned, too late, about a health fair at which I should have promoted single payer, because we can't continue shunting the money we pay for health to the financial investment system. When I telephoned, the person in charge said to e-mail my credentials, but my e-mail wasn't working so I had to apply in person at Mitchell Park Library, which was closed. In the event, I didn't table. You can presume that a private company operating a wireless system intends to make money—why shouldn't they? But your duty is to make the communication free so as to have better advised government.

The question I want to ask you is this: If a Council can upzone at will as it has done, to the advantage of some and the detriment of others, why can't it downzone the same property? I know you can't discuss this among yourselves because of the Brown Act; I know you can't answer a question that's not on the public agenda, so I'm asking you please to put it on the agenda for next week. Our situation with so many who have become homeless as a result of inflated property values is so disastrous that even responsible centrist politicians are talking rent control. But the Buena Vista residents aren't exactly renters; they're homeowners and investors. They paid the construction cost of their development, and provided the workers and consumers to make a city out of what was bare land. That Council from the 80's had no right—certainly no obligation—to upzone the development to something it wasn't. It's like rigging Libor. We have new council members now, and I'd like to hear your opinions.

Stephanie Munoz  101 Alma, apt 701 Palo Alto
Hi all,

I've received multiple responses to my posting regarding gas powered leaf blowers on the Nextdoor neighborhood bulletin board.

I'd like to recommend that, due to the significant and multiple health issues, gas powered leaf blowers by restricted to over 100 feet or more from a school when the school is in session.

An example of a message, one I received today:
"... I don't live in Palo Alto but my kids go to school there and we happen to pass several gas blowers. Since I see this guy every Monday, I decided to stop and get the Trugreen company name and the San Jose location. The Palo Alto sight he's blowing is commercial"

I replied, and would like to add my voice to hers:
"It is true gas powered leaf blowers are allowed to be used on commercial property. The contractor can chose to use a safer, greener method, but usually doesn't. What a shame! Gas blowers can also be used on school property, which puts our kids at risk of asthma, allergies, and disease from the yucky stuff (excuse the technical term!) the blowers put into the air our kids breathe.
I suggest you bring it up to the school administration, and write to PAUSD to suggest a better alternative. Also you could request blowing only be done when school is out."

Regards,
Stan Hutchings
285 Rinconada Ave 94301
Ms. Keehn,

On behalf of the Council, I want to clarify that the story you read about in the Post is about a project in the City of Mountain View, not Palo Alto.

On Oct 5, 2015, at 5:42 PM, Suzanne Keehn <dskeehn@pacbell.net> wrote:

Dear City Council,

I was aghast this afternoon when I saw the headline on the Daily Post, that we are considering a 6 story building on San Antonio, what are we thinking? There is already too much congestion, traffic, not enough parking, and water. I guess we want to Manhattanize Palo Alto.

Some will say we need to expand to insure growth or face companies leaving, we need to expand and become a world innovation center. We already are, and to have concern that companies will leave is not true, not with Sanford here, or will Stanford fold also? Many companies have offices here and when they expand move to less expensive places.
Being environmentally and civically responsible does not mean high density housing for all, for all the same reasons I listed above. Whether we like it or not everyone cannot live in the same space, Palo Alto cannot expand its borders or widen its roads. People, residents live here because of the quality of life, the schools, parks, services, etc. We, Palo Alto, as all cities, have physical limitations, beyond which we come to a point where we ask how we want to live.

To be truly environmentally responsible is concern about water, the effect that more and more cement has on, not only on pollution, but on citizens. What about, as they do in Europe, instead of tearing down buildings still viable, using what we can, and remodeling and building on to them if necessary. Tearing down the Bank of America, looks like a fine place to me, and rebuilding a new office, is not in my opinion environmentally, is not responsible or sustainable. I feel this is an issue for single family homes as well.

Increasing supply of housing will not in this area, lower the cost of living, never happened here, or other very desirable locations.

Buses, bikes, mass transit will not solve the gridlock as we continue to grow. Look at the time it takes to cross town now.

We are in danger of losing why so many have bought homes here.

Sincerely,

Suzanne Keehn
4076 Orme St.
PASZ
From: Suzanne Keehn <dskeehn@pacbell.net>
Sent: Monday, October 05, 2015 7:36 PM
To: Council, City
Subject: Land Use

Dear City Council,

Opps, I left the paper in the bank and didn’t get to read it when I got home that it is planned for the Mt. view side. However, I’ve read that we may OK two large hotels on San Antonio? If so all the comments still apply.

Thanks,

Suzanne Keehn
Soon, the Fortnightly Music Club's concerts will be moving back to the Palo Alto Art Center, where they had for decades before held their performances. Perhaps this is a good time to suggest that the Art Center to add an 's' and make it the ArtS Center, since it is the venue for musical events as well, and has been for decades -- my son two decades ago used to perform there for end-of-year piano recitals with fellow students, and it was the venue for piano competitions and auditions etc. So why is it called the Art Center?? Shouldn't it be inclusive and acknowledge the presence of musicians as well?

-- Shaila Sadrozinski
Dear members of the city council,

My wife and I are 18-year homeowners in Greenmeadow.

Due to a prior engagement, I will not be able to attend tonight’s Public Art Master Plan meeting. I intend to attend in person in the future.

I would like to see the energy put into the evaluation of the development of Cubberley Community Center as a vital arts center bear fruit. I was saddened to find out that some of the artists in residence have found it necessary to leave the campus and move to Redwood City due to escalating rent.

Historically, artists have provided a rich cultural catalyst for the growth of world-class cities. Copenhagen, Paris, Berlin, Brooklyn and Berkeley-Oakland are good examples of this phenomenon.

Cubberley can provide a cradle for an arts community that provides fresh inspiration and cross-pollination of ideas about design, technology and culture that will strengthen our community as it grows.

Thank you,

Richard Sachs

520 El Capitan Place
Palo Alto, CA 94306
650.269.6353
skype: sachsrichard
From: Henry Lum <hblum@pacbell.net>
Sent: Sunday, October 04, 2015 7:36 PM
To: Council, City
Subject: Question

The Clemo/Suzanne crosswalk signals which are located at Arastradero Road intersection are very unreliable and not very visible. There have been several near misses this past week with school children using the crosswalk to go to Juana Briones Elementary School due to drivers either not seeing the flashing lights or ignoring the signals.

Tonight only one of the 3 signal lights were working. This was reported to me tonight by an elderly couple who was using the crosswalk when they noticed that cars were not stopping. When they looked up at the crossing lights, they noticed that only one of the 3 were working. These lights are very unreliable and not suitable as a crossing signal light.

It would be appreciated if this situation is corrected as soon as possible.

Thank you for your consideration.

Henry Lum
4202 Suzanne Drive, Palo Alto 94306
Thank you so much Jonathan. I'm happy we will have a great outcome!

Best,
Doria

On Sat, Oct 3, 2015 at 7:49 AM, Lait, Jonathan <Jonathan.Lait@cityofpaloalto.org> wrote:

Thanks for your email, Doria.

A city code enforcement officer has been to the site and substantiated a number of violations related to the concerns provided in your email. Correction notices have been issued with timelines for voluntary compliance; we’ll continue to monitor and follow up as needed. By way of this email, I’ll ask Brian to follow up with you directly to provide more specifics on the violations and keep you updated on our efforts to bring this to resolution.

Take care,

Jonathan

From: doria s [mailto:doriasumma@gmail.com]
Sent: Wednesday, September 23, 2015 8:02 AM
To: Gitelman, Hillary
Cc: Council, City
Subject: Fwd:

Dear Hillary,
Hope you are doing well after Monday night's late council session!

Please find attached a document reciting concerns about potential ground floor retail violations along El Camino Real.

I do not think at all that this is an isolated example; and hope it helps staff in achieving the Council's goal of retail preservation across the city.

I look forward to hearing from you,

Very best,

Doria

Doria Summa
(650) 858 2920 Home
(650) 867 7544 Mobile

--

Doria Summa
(650) 858 2920 Home
(650) 867 7544 Mobile

--

Doria Summa
(650) 858 2920 Home
(650) 867 7544 Mobile
Thanks for your email Ms. Vrhel. Our staff is assembling information in regard to this issue for Council.

On Oct 2, 2015, at 7:56 AM, Rita Vrhel <ritavrhel@sbcglobal.net> wrote:

Hello City Council members and Mayor Holman:

The following is a list of dewatering sites that received dewatering permits between 1/1/15 and 9/30/15:

1950 Newell
2133 Webster
1820 Bret Harte
1405 Harker
713 Southampton
3832 Grove
2230 Louis
1210 Newell
385 Sherman (this site may not need to dewater, permit was issued to minimize disruption of construction)
897 Southampton
736 Garland
684 Wellsbury
2130 Byron
Please see in the email chain below which established this list as received from Nafziger,
Mike <Mike.Nafziger@CityofPaloAlto.org>

I misspoke when I indicated 2 sites on Garland had recently started dewatering; 762 Garland, as of 9/21,
had an incomplete permit status. Please accept my apologies for this error.

However 2130 Byron St, 897 Southampton Dr, 736 Garland and 684 Wellsbury Way are listed as
NEW dewatering sites on:

https://www.google.com/maps/d/viewer?mid=zY_6Y5e9pPDC.knoQimHfaqoU

Rita C. Vrhel, RN, BSN, CCM, CEES
Medical Case Management & Ergonomic Specialist
PO Box 270, Palo Alto, CA 94301
Phone:  650-325-2298
Fax:  650-326-9451

Hello Keith,

I just looked into those two sites and it appears that the staff person who issued the permits forgot to
select the “dewatering” button in the permit software so they were omitted from the report. It’s now
been corrected and those two will be shown on any future list.

October 31st is the date by which dewatering operations shall cease. There is some small flexibility (a
week or so) depending upon the weather forecast at that time and at what stage of construction the
project is at.

Thank you,

Mike Nafziger, P.E.
Senior Engineer
Public Works – Engineering Services
Hello Keith,

I just looked into those two sites and it appears that the staff person who issued the permits forgot to select the “dewatering” button in the permit software so they were omitted from the report. It’s now been corrected and those two will be shown on any future list.

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Thank you,

Mike Nafziger, P.E.
Senior Engineer
Public Works – Engineering Services
(650) 617-3103

From: Keith Bennett [mailto:kbennett@luxsci.net]
Sent: Thursday, October 01, 2015 2:36 PM
To: Nafziger, Mike
Cc: Eggleston, Brad; Bobel, Phil
Subject: Re: Basement Construction Dewatering

Mike,
Thank you for the detailed reply. I appreciate it.

1) The current water site map includes a couple of additional addresses:
   51 Jordan Place
   804 Moreno.

Are these from permits issued earlier?

2) What is the date by which dewatering must be completed once started?

On 10/1/2015 1:59 PM, Nafziger, Mike wrote:

Hello Keith,

The following is a list of dewatering sites that received permits between 1/1/15 and 9/30/15:

1950 Newell
2133 Webster
1820 Bret Harte
1405 Harker
713 Southampton
3832 Grove
Details regarding the depth of excavation can be found in the building permits plans for each address. Building permits are available for viewing at the City’s Development Center located at 285 Hamilton Ave., and open Monday through Friday from 9am to 4pm.

The City does not have information regarding depth of dewatering. Dewatering systems are designed on a site-specific basis and can vary in depth based on soils type, excavation size, groundwater, etc. Nearly every building permit which includes excavation for a below grade structure (a structure outside of regular foundation footings), dewatering or not, includes a soils report which describes the soil type, soil conditions, groundwater if any, feasibility of construction, etc. Soil reports are available for viewing at the City’s Development Center.

See the receptionist at the Development Center and let her know which project plans you wish to see; staff will retrieve the plan set for you.

Building permit plans and soil reports are licensed and stamped documents and cannot be removed from the Development Center or photocopied without permission from the licensed professional.

Thank you,

Mike Nafziger, P.E.
Senior Engineer
Public Works – Engineering Services
(650) 617-3103
For those of you who might want to call Sandra or me, please note that I gave you the wrong phone number for Sandra. The correct phone number is 650-520-6664.

- Lisa

On Oct 5, 2015, at 3:20 PM, Lisa Van Dusen wrote:

Dear Utilities Advisory Commissioners,

We are pleased that the Utilities Advisory Commission will be addressing the topic of converting the Green Natural Gas Program from “opt-in” to “opt-out” at your meeting this Wednesday October 7, and strongly urge you to support the “opt-out” approach.

Some context: As you are aware, Palo Alto’s carbon footprint must be reduced in three key areas in order to achieve our sustainability goals:

- electrical power
- transportation
- natural gas

As CPAU has worked aggressively to increase our renewable energy portfolio, and the transportation sector is not directly under the purview of this Commission, we are addressing the third “bucket” of our carbon footprint; our natural gas usage, which accounts for 30% of Palo Alto’s GHG emissions.

In my (Lisa Van Dusen’s) letter dated 7/1/15 urging you to consider making the Green Natural Gas program opt-out (see attached), I shared information about the adoption rates for opt-in vs. opt-out programs. All the research in behavioral economics shows that people are more inclined to make a change if the option is presented as an “opt-out” vs. and “opt-in” (sometimes as high as 90%). In contrast, Palo Alto Green (our opt-in electrical for renewable power program) took five years to reach a 24% adoption rate, regarded as highly successful for opt-in programs.

Why and How. We’d like to share some additional considerations with regard to why an opt-out approach makes sense and how it might work to address the concerns of various stakeholders.

- Don’t let Perfect be the Enemy of the Good. We commend the Commission for its recommendation to the Council to institute a Green Gas Program. While purchasing offsets to balance our NG carbon footprint is not ideal, it is a step in the right direction and provides a market driver for commercial entities to begin best practices around projects such as anaerobic digesters etc. Converting to an opt-out approach will likely result in a dramatic increase in participation in short order - while many other programs will take much longer to implement. This is by no means meant to replace other GHG reduction efforts but is rather a complementary initiative that can be implemented with relative ease and minimal cost in the short term.
“Nobody told me!” CPAU could provide an “amnesty” period that allows CPAU ratepayers to be eligible for a refund for any amount they unknowingly paid as part of the Green Gas Program during the first six months of the program. This is to mitigate any “mispayment” in the event a ratepayer was unaware of the notification of the program launch and/or for some other reason failed to indicate their preference to opt-out of the program. After the “amnesty” period, ratepayers would still eligible to opt-out at any time, but would not eligible to receive a retroactive refund.

Every Dollar Counts. While we understand that the average monthly cost per ratepayer for the Green Natural Gas program would be only $5-6 per month. Some want free choice which they would fully have under opt-out. For others, the financial burden is material. For those ratepayers who are eligible for the Rate Assistance Program, CPAU could continue the opt-in option rather than require lower income customers to opt-out.

Not Green Enough? For those ratepayers ready and willing to pay the true, fully loaded costs of the climate externalities of their natural gas use, CPAU might offer a higher cost supplementary offset option at a higher cost on top of the opt-out program.

Not related to Fuel Switching Decision. The decision to convert the Green Natural Gas program to “opt-out” is not - and need not be - linked to the complex decision of whether/how to pursue fuel switching or 100% electrification of CPAU’s power.

An Educational Opportunity. Any significant change requires a thoughtful communications plan. The conversion to an opt-out approach presents an excellent opportunity to educate ratepayers about CPAU efficiency programs and overall carbon reduction goals. The CPAU staff time/focus and other resources that would have been deployed to encourage opt-in participation could now be used instead to help optimize the ratepayer experience and education as well as the overall positive impact of the opt-out program.

Thank you for your consideration of this important GHG reduction initiative. We both welcome any questions, concerns or conversation that might further this or other efforts to move Palo Alto closer to becoming a carbon neutral city.

Sincerely,

Lisa Van Dusen
Greenwood Avenue
lvandusen@mac.com
c 650-799-3883

Sandra Slater
Emerson Street
sandra@sandraslater.com
c 650-400-8338
Dear UAC Members,

I am writing to you today to request that you give serious reconsideration to the merits of accelerating the Palo Alto Green Gas program and recommend an “opt-out” approach to the City Council.

The Commission and CPAU have done an outstanding job of making Palo Alto’s electricity carbon neutral and your aspiration to move the whole utility toward carbon neutrality with the Green Gas program and other initiatives is truly admirable. I know you share my enthusiasm for GHG reduction and I really appreciate how you’ve enabled Palo Alto to be a beacon and model for other communities in California and beyond. As you know, I am deeply committed to making Palo Alto a carbon neutral - or better - city as soon as possible and despite the fact that I am unfortunately not able to dedicate the necessary time and focus right now as your colleague on the UAC, my determination and commitment remain stronger than ever.

My understanding is that it took an enormous marketing effort over several years for Palo Alto’s Green Power to achieve 24% uptake. While I appreciate that this set a record in the entire U.S., I think we can achieve a minimum of a 60-70% penetration for Green Gas in just several months through an “opt-out” approach The City’s stated goal of 20% uptake in 5 years is actually a slow ramp up. Rather than having ratepayers “opt-in” for the program, we could have them "opt out". All the research in behavioral economics shows that people are more inclined to make a change if the option is presented as an “opt-out” vs. and “opt-in” (sometimes as high as 90%). Environmental Defense Fund economist Beia Spiller, when discussing utility rates in this context, said the following:

"Research finds people tend to stick with the default option by systematically avoiding box-checking, or un-checking in the case of opting out. For example, countries that allow people to opt-out of organ donation (such as France and Sweden) have over 80 percent participation in the program, while countries that require opt-in (such as Germany and the U.K.) have less than 30 percent participation. Not surprisingly, the pattern of low recruitment for opt-in holds true for time-variant pricing as well, with average adoption rates hovering around 80 percent when customers are given the choice to opt-out compared with 15 percent for opting in."

This is consistent with CPAU’s experience with the Palo Alto Green program for electric utilities.

Closer to home regarding utility rates, a recent study at Stanford and University of Cologne on utility pricing supports this, as reported in Nature:

“...results of a randomized controlled trial in Germany that tested the impact of default rules (that is, a type of ‘nudging’) on voluntary purchases of ‘green’ energy contracts that entirely stem from renewable resources. Setting the default choice to more expensive ‘green’ energy (that is, where consumers have to actively opt out if they do not want it) increased purchases of such nearly tenfold.”

Indeed, SMUD’s Time of Use SmartPricing Options Pilot Program supports this contention as well. Here’s what they concluded:
“SPO (SmartPricingOptions) employed both opt-in and opt-out recruitment approaches. Opt-in customers had to take action to be part of the program. In contrast, those selected for the opt-out treatment were defaulted by SMUD onto the SPO rates without a prior customer request; opt-out “recruits” stayed on SPO rates unless they demanded a return to standard pricing.

SMUD devoted considerable resources to its marketing for opt-in customers, utilizing various channels, including direct mail, mass media, door hangers, and outbound calling. And the results were impressive, with enrollment rates between 16 and 19 percent. But compare those recruitment outcomes with the acceptance levels for the defaulted, where such a small percentage of people opted out that enrollment rates were between 93 and 98 percent. For anyone inclined to assume that customers will balk en masse if defaulted away from traditional flat volumetric rates onto innovative pricing structures, SPO should be an eye opener.”

SMUD also ran an opt-out program for the installation of Smart Meters in homes where they were charging $127/year and $14/month for the meters. Only 0.06% of customers chose to opt-out.

While I understand the CPAU would like to gauge customer interest for some period of time (1-2 years), based on the data from other “opt-out” programs, I find myself wondering “what’s the worst thing that could happen” if we shifted gears to an “opt-out” approach? What if we instituted an “opt-out” program immediately and achieved our stated goals to become a carbon neutral utility as quickly as possible? Why wait? We could buy offsets and explore a renewable gas portfolio standard immediately and give ourselves a leg up on becoming carbon neutral more quickly while we institute our more complex, long-term fuel switching and electrification programs concurrently.

Two potential “worst case” outcomes come to mind:

- **Some percentage of ratepayers might strenuously object.** As long as the “opt-out” option is clearly stated, and the mechanics of doing so are sufficiently easy, those who are not enthusiastic can simply make their choice. Based on all data, this percentage is likely to be small. CPAU could simply issue refunds to any objecting ratepayer who “missed” the opt-out notification.

- **Some might see an “opt-in” approach as “greenwashing”** - concerned that this approach could dilute Palo Alto’s commitment to “actual” carbon neutrality and lead to complacency. If coupled with a thoughtful examination and roll-out of fuel switching education and other related programs, an “opt-out” approach to Palo Alto Green Gas could actually support the City’s fuel switching program as the costs of natural gas plus offsets could help change the fuel switching equation.

I don’t believe an analysis has been done with the “incremental customer abatement costs” (see the July 1. 2015 CPAU memo to the UAC) if you have a majority of homes paying more for the Green Gas program. While I realize there are many variables and complexities that need to be considered regarding fuel switching, a more accelerated approach for the Green Gas program could actually support Palo Alto’s electrification goals. CPAU could do this in concert with CPAU’s program to educate residents about
fuel switching, the importance of getting us off fossil fuels and achieving our Sustainability and Climate Action Plan goals.

On the “best case” scenario side:

- **The “opt-out” approach represents a more compelling stake in the ground and a further commitment to being a carbon neutral utility and city, when combined with other, longer-term fuel-switching initiatives.** This could add serious momentum to achieving our more aggressive GHG reduction goals. When residents appreciate that the City is determined to achieving this goal, I believe they will be more likely to support these efforts and potentially do more on their own.

In conclusion, if you made it all the way to the end of this email, I would ask that the UAC look more carefully at an “opt-out” program that will accelerate our GHG reduction and help us on our way to becoming a carbon neutral city and recommend an “opt-out” approach for Palo Alto Green Gas to the City Council.

I would be happy to talk with you about this and look forward to your thoughtful consideration of this approach.

Sincerely,

Lisa

Lisa Van Dusen
Greenwood Avenue, Palo Alto
650-799-3883
From: Research by Arlene Goetze, NO Toxins for Children, photowrite67@yahoo.com
First Director of Communication for Diocese of San Jose, 1981-5, health writer 40 yrs
Date: October 5, 2015

How many Vaccines do U.S Children Get?
From National Vaccine Information Center, NVIC.org
49 DOSES OF 14 VACCINES BEFORE AGE 6?
69 DOSES OF 16 VACCINES BY AGE 18?

By Age 1: 9 DTap 3 Polio 3 Hib 3 HepB 3 Pneumo 3 Rota 2 Flu

U.S. Chronic Diseases Increases (2013)
1976 1 child in 30 was learning disabled 1 in 6 is learning disabled
1980 1 in 27 had asthma 1 in 9 has asthma
1990 1 in 555 had autism 1 in 50 has autism
2001 1 in 500 had diabetes 1 in 400 has diabetes

Vaccines for Children
An epidemic of chronic disease and disability is plaguing America’s children, who are the most highly vaccinated children in the world and also among the most chronically ill and disabled.

In 2013, the Centers for Disease Control (CDC) states that 1 child in 6 in America suffers with learning disabilities while millions more suffer with asthma, diabetes and other chronic allergic and autoimmune diseases. The epidemic of chronic disease and disability among children has increased dramatically in the past 50 years.
(Mississippi is the most vaccinated state and the most sickly.)

WORLD STATISTICS FOR VACCINES INFANT MORTALITY AND DEATHS
Highest # of vaccines by age 1

Lowest in vaccines by age 1
#1-4: Denmark, Norway, Iceland, Japan -- only 12.

Highest Infant Mortality rates 2009
1. U.S. at 6.2 2. Cuba 5.82 3. San Marino 5.53 4. Italy 5.51
Lowest infant mortality is Singapore 2.31, Sweden 2.75, Japan 2.79, Iceland 3.23

Deaths from all causes:
Japan - 350 per 100,000, the U.S. - 500 per 100,000. (from World Health Org)

**U.S now has 3 times more vaccinations for children than 60 years ago**

**1953:** CDC recommended **16 doses of 4 vaccines** (smallpox, DPT) between two months and age six.

**1983:** CDC-- **23 doses of 7** vaccines (DPT, MMR, polio) between two months and age six.

**2013:** CDC -- **49 doses of 14** vaccines between by age 6 --and 69 of 16 vaccines by age 18.

**VACCINATIONS DURING PREGNANCY**

A new CDC policy directs doctors to give pregnant women one dose of influenza vaccine in any trimester and one dose of pertussis containing Tdap vaccine after 20 weeks during every pregnancy.

The FDA has determined there are **no adequate well-controlled studies conducted in pregnant women** to determine if it is safe for the developing fetus or pregnant woman to receive Tdap and Influenza vaccines during pregnancy.

**MULTIPLE VACCINATIONS GIVEN SIMULTANEOUSLY**

In 1983, the CDC directed doctors to give a child no more than 4 vaccines (DPT, polio) simultaneously.

**By 2013, the CDC directed that a child can receive 8 or more vaccines at once. (Some get 13 or more)**

The Institute of Medicine published a report in 2013 stating that key elements of the entire [child vaccine] schedule – the number, frequency, timing, order and age of administration of vaccines – **have not been systematically examined in research studies.**

**VACCINE INGREDIENTS --60 vaccines by age 6 can have:**

- 17,500 mcg 2-Phenoxyethanol (antifreeze)
- 5,700 mcg aluminum (a known neurotoxin)
- Unknown amounts of fetal bovine serum (aborted cow blood)
- 801.6 mcg formaldehyde (carcinogen, embalming agent)
- 23,250 mcg gelatin (ground up animal carcasses)
- 500 mcg human albumin (human blood)
- 760 mcg of monosodium L-glutamate (causes obesity & diabetes)
- Unknown amounts of MRC-5 cells (aborted human fetal cells and DNA)
- Over 10 mcg neomycin (antibiotic)
- Over 0.075 mcg polymyxin B (antibiotic)
- Over 560 mcg polysorbate 80 (carcinogen which causes ovarian failure)
- 116 mcg potassium chloride (used in lethal injection to shut down the heart and stop breathing)
- 188 mcg potassium phosphate (liquid fertilizer agent)
- 260 mcg sodium bicarbonate (baking soda)
- 70 mcg sodium borate (Borax, used for cockroach control)
- 188 mcg sodium phosphate (toxic to any organism)
- 32,000 mcg sorbitol (Not to be injected)
- 2,800 mcg sodium phosphate monobasic monohydrate (toxic to any organism)
- 0.6 mcg streptomycin (antibiotic)
- Over 40,000 mcg sucrose (cane sugar)
- 35,000 mcg yeast protein (fungus)
- 5,000 mcg urea (metabolic waste from human urine)
From, "What The Pharmaceutical Companies Don't Want You To Know About Vaccines" - By Dr. Todd M. Elsner

NATIONAL CHILDHOOD VACCINE INJURY ACT OF 1986
Under the federal vaccine injury compensation program (VICP), more than $2.5 billion has been paid to vaccine injured individuals, as well as to families whose children have died after vaccination in the U.S. (now $3 million is amount quoted).

REPORT VACCINE REACTIONS
Serious vaccine reactions should be documented in medical records and promptly reported to the federal Vaccine Adverse Events Reporting System (VAERS).

LEARN MORE
Go to NVIC.org to learn more about signs and symptoms of infectious diseases and vaccine reactions; how to report vaccine reactions; how to apply for federal vaccine injury compensation; and how to protect your legal right to informed consent to vaccination in America. Learn more at NVIC.org.

http://healthimpactnews.com/wp-content/uploads/sides/2/2013/02/vac...

Compiled by Arlene Goetze, MA, health writer, No Toxins for Children, photowrite67@yahoo.com

SB277 recently passed bans unvaccinated children from attending public or private school Sept, 2016.
It also takes away the 'personal exemption' from parents regarding how they want to space out vaccines. They have no say.

Both of these are unconstitutional as well as unethical.
Few parents want no vaccines...most want to space them out and get fewer at one time depending on health of the child.
Vaccines for Children

49 DOSES OF 14 VACCINES By AGE 6?
25 by 7 months; 3 Hepatitis B, 3 diphtheria, 3 tetanus, 3 pertussis, 3 polio, 2 HIB 3 Rutavirus, 3 PCV, 2 flu

69 DOSES OF 16 VACCINES BY AGE 18?
ADD 2 measles, 2 mumps, 2 rubella, 2 Hepatitis A,  3 each of D-P-T, 17 influenza, 3 HPV, 2 meningococcal

U.S. Chronic Diseases Increases
1976  1 child in 30 was learning disabled
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2013
1 in 6 is learning disabled
1 in 9 has asthma
1 in 50 has autism
1 in 400 has diabetes

An epidemic of chronic disease and disability is plaguing America’s children, who are the most highly vaccinated children in the world and also among the most chronically ill and disabled.

In 2013, the Centers for Disease Control (CDC) states that 1 child in 6 in America suffers with learning disabilities while millions more suffer with asthma, diabetes and other chronic allergic and autoimmune diseases.

The epidemic of chronic disease and disability among children has increased dramatically in the past five decades.

(Mississippi is the most vaccinated state and the most sickly.)

World Statistic for Vaccines, Infant mortality
U.S. is #1 giving  26 vaccines by age 1,
#2 Netherlands and #3 Canada, require 24.
Lowest in vaccines are Denmark, Norway, Iceland, and Japan all require only 12.
U.S. is #1 in Infant Mortality Rates at 6.2 , #2 Cuba 5.82, #3 San Marino 5.53, #4 Italy 5.51 in 2009.
Lowest infant mortality is Singapore 2.31, Sweden 2.75, Japan 2.79, Iceland 3.23
Deaths from all causes: Japan 350 per 100,000, the U.S. with 500 per 100.000. (from World Health Org)

U.S. NOW HAS 3 TIMES MORE VACCINATIONS for children in 60 years
1953: CDC recommended 16 doses of 4 vaccines (smallpox, DPT) between two months and age six.
1983: CDC recommended 23 doses of 7 vaccines (DPT, MMR, polio) between two months and age six.
2013: CDC recommended 49 doses of 14 vaccines between day of birth and age six --
and 69 doses of 16 vaccines between day of birth and age 18.

MULTIPLE VACCINATIONS AT ONE TIME
In 1983, the CDC directed doctors to give a child no more than 4 vaccines (DPT, polio) simultaneously.
By 2013, the CDC directed that a child can receive 8 or more vaccines at once.

The Institute of Medicine published a report in 2013 stating that key elements of the entire [child vaccine] schedule – the number, frequency, timing, order and age of administration of vaccines – have not been systematically examined in research studies.”

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The FDA has determined there are no adequate well-controlled studies conducted in pregnant women to determine if it is safe for the developing fetus or pregnant woman to receive Tdap and Influenza vaccines during pregnancy.

Vaccine Ingredients
Different vaccines contain different ingredients including lab-altered live or inactivated viruses and bacteria, chemicals, metals, proteins, antibiotics and human, animal and insect DNA and RNA.
(Most contain aluminum, formaldehyde and some have mercury. 23 have live viruses.
Many have DNA fetal tissue from aborted fetuses.)
If You Vaccinate Your Child,
Learn How to Recognize the Signs and Symptoms of Vaccine Reactions

VACCINE REACTIONS BY MOTHER’S DESCRIPTIONS

High Fever (over 103° F)
“His temperature was 105 degrees. I had to put cool towels on him to bring the fever down.”

Skin (hives, rashes, swelling)
“There was a big, hot swollen lump at the site of the shot that stayed for weeks.”

High Pitched Screaming
“It was a pain cry, a shrill scream and lasted for hours and nothing would help.

Collapse/Shock
“She turned white with a blue tinge around her mouth and went completely limp.”

Excessive Sleepiness
“He passed out and we couldn’t wake him to feed or do anything for over 12 hours.”

Convulsion
“Her eyes twitched, her chin trembled, her body went rigid and then would shake.”

Brain Inflammation
“He just laid in his crib with his eyes wide open, then would arch his back and scream and go unconscious. Now he has seizures.”

Behavior Changes
“She won’t sleep or eat. She throws herself down and screams for no reason. She was sweet and happy and is now out of control. She change into a totally different child.”

Mental/Physical Regression
“My 18 month old son stopped talking and walking after those shots. He developed severe allergies, constant diarrhea, ear infections and was sick all the time.

Other reported vaccine reactions include
loss of muscle control, paralysis, regressive autism, asthma, arthritis, blood disorders, diabetes, Guillain Barre syndrome, sudden death.

*Call a doctor immediately or go to an emergency room if symptoms of serious vaccine reaction complications or dramatic changes in physical, mental, or emotional behavior occur after vaccination.

NATIONAL CHILDHOOD VACCINE INJURY ACT OF 1986
Under the federal vaccine injury compensation program (VICP), more than $2.5 billion has been paid to vaccine injured individuals, as well as to families whose children have died after vaccination in the U.S. (now $3 million is amount quoted).

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LEARN MORE
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Learn more at NVIC.org.
Compiled by Arlene Goetze, MA, health writer, No Toxins for Children, photowrite67@yahoo.com
Carnahan, David

From: Jeff Hoel <jeff_hoel@yahoo.com>
Sent: Thursday, October 01, 2015 11:15 AM
To: Council, City; UAC
Cc: Hoel, Jeff
Subject: What premises can receive what services from the incumbents?

Council members and Commissioners,

At UAC's 09-02-15 meeting, Commissioner Schwartz asked, in effect, if we know exactly what telecom services each premises in Palo Alto can already get.

This article, 09-30-15: "Man builds house, then finds out cable Internet will cost $117,000" http://arstechnica.com/business/2015/09/man-builds-house-then-finds-out-cable-internet-will-cost-117000/ provides some background about why it's difficult to know that information.

Thanks.

Jeff

______________
Jeff Hoel
731 Colorado Avenue
Palo Alto, CA 94303
______________
TO: Policy & Services Committee
FROM: Khashayar Alaee, Sr. Management Analyst

AGENDA DATE: October 6, 2015  
ID#: 6170

Title: Discussion and Recommendation to Council Regarding City Council Procedural Matters, Including Updates to Procedures and Protocols Handbook

Staff had further revisions to the Procedures and Protocols Handbook therefore forwarding an updated version to the Committee. Additionally the updated version is in color.
October 5, 2015

THE HONORABLE CITY COUNCIL
Palo Alto, California

RE: October 5, 2015 Agenda—Action Agenda Item #13 - “Adoption of an Ordinance Making Permanent the Interim Measures to Eliminate Certain Parking Exemptions Within Downtown”

Dear Members of the Council:

The staff report contains an error regarding the timeline. The second reading of the two-year interim ordinance occurred on November 4, 2013. That ordinance went into effect 31 days later, on December 5, 2013, so will expire on December 5, 2015. If the Council adopts the permanent ordinance tonight, it will be calendared for a second reading on October 26, 2015, and will go into effect 31 days later, on November 26, 2015. This means that there will be no gap between the old and new ordinance, and the old parking exemptions will not come back into existence.

Respectfully submitted,

Molly S. Stump
City Attorney

MSS/
cc: James Keene, City Manager
    Beth Minor, City Clerk
September 27, 2015

Karen Holman, Mayor
Members of the City Council
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

RE: Application of William Ross: Vacancy City Planning and Transportation Commission

Dear Mayor Holman and Members of the City Council,

It is with pleasure that I write to you in support of the appointment of William Ross to fill the current vacancy on the City Planning and Transportation Commission. Not only would the Council benefit from having someone like Mr. Ross on their team because of his in-depth experience on city, local government and land use issues, but also the residents and community of Palo Alto would be well served.

I am a business woman and have lived in Palo Alto for over 15 years. Over the years I have heard Mr. Ross speak at many Council meetings and am always impressed by his knowledge of the issues being discussed, his interpretation of the law, coupled with his fairness, accuracy, and willingness to compromise and find a middle ground whereby both sides are successful. Hence, when I heard that he was applying for the vacancy on the City Planning and Transportation Commission, I felt it was my duty as a resident of Palo Alto and the community to support and point out to you why Mr. Ross is such a valuable candidate.

- Long-time resident of Palo Alto and practicing attorney for over 40 years in the areas of land use, governmental and environmental issues, water right, and conflict resolution.
- Served on several governmental agencies in counties of Los Angeles, New York, San Francisco, and Santa Clara County. In fact, Mr. Ross was responsible for saving and transforming the city of Pasadena into the vibrant city that it is today. This diverse experience across county and state lines provides him with a broad spectrum of knowledge and experience on issues that affect large populations and save cities from over development yet encourage growth of small businesses.
- Because of his many years of experience as a City Attorney, Mr. Ross has a complete understanding of the California Environment Quality Act.
- His extensive involvement on City and neighborhood issues such as the JJ&F Market site, and the College Terrace Residence Association, won him support and praise for his fairness, diplomacy, and familiarity with public-meeting protocol and legal approach.
In summary, Mr. Ross has a commitment to the community and City of Palo Alto at a level that is hard to find in someone that also possess the credentials and experience that he carries with him. I sincerely hope that the Council will appoint William Ross to fill the vacancy that is currently available on the City Planning and Transportation Commission so that the residents of Palo Alto can benefit from his legal opinions, fairness and expertise in City affairs.

Thank you for your consideration. And if you have any questions, please do not hesitate to contact me.

Yours sincerely,

Nancy M. White
Nmwhite6@yahoo.com
650-740-2680
CITY OF PALO ALTO

CITY COUNCIL PROCEDURES AND PROTOCOLS HANDBOOK

Procedures and Protocols Approved 2/4/13XX/XX/2015

If you have any questions about this handbook, please feel free to contact the City Clerk by phone at (650) 329-2571 and e-mail at city.clerk@cityofpaloalto.org or the City Attorney by phone at (650) 329-2171 and e-mail at city.attorney@cityofpaloalto.org.
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CITY OF PALO ALTO COUNCIL PROTOCOLS ETHICS ADDENDUM

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CITY COUNCIL PROCEDURES

INTRODUCTION & CONTENTS
This handbook describes the way the Palo Alto City Council does its business and is a directional guide. It is intended to accomplish two goals. First, the handbook is an informational guide for anyone doing business or appearing before the City Council. Second, the handbook is a compilation of Procedures and Protocols that have been formally adopted by Council Resolution.

The handbook City Council Procedures is organized into two sections:

1) Public Participation in Council Meetings
   This section explains the basic rules for speaking to the City Council. It covers things like when to speak, time limits, and how groups of speakers are handled.

2) Council Meeting & Agenda Guidelines
   This section explains the different kinds of meetings the City Council holds, what they are for, and how the meeting agenda is prepared.
SECTION 1 - PUBLIC PARTICIPATION IN COUNCIL MEETINGS

1.1 - Policy
It is the policy of the City Council to assure that members of the public have the opportunity to speak to any regular or special meeting agenda item before final action. These rules establish the rights and obligations of persons who wish to speak during City Council meetings.

1.2 - Purpose
These rules are intended to enhance public participation and Council debate so that the best possible decisions can be made for Palo Alto. Palo Alto has a long and proud tradition of open government and civil, intelligent public discourse. Open government meetings must allow everyone to be heard without fear of cheers or jeers. For these reasons, the City Council takes these rules seriously. Disruptive or unruly behavior in violation of the law can result in removal from the Council meeting and/or arrest and prosecution.

1.3 - Summary of Rules
Every regular City Council agenda has two different kinds of opportunities for the public to speak. The first is during Oral Communications. This part of the meeting is provided so that the public can speak to anything that is in the City’s jurisdiction, even if there is no action listed on the agenda. The Council allows up to three minutes per speaker, but limits the total time to 30 minutes per meeting. State law does not permit the Council to respond to oral communications, but City staff may be asked to follow up on any concerns that are raised.

The second opportunity to speak is during the public comment or public hearing portion of Each Agenda Item. Public comments or testimony must be related to the matter under consideration. The Council allows three minutes per speaker for most matters. During “quasi-judicial” hearings (where the City Council is legally required to take evidence and make impartial decisions based upon that evidence), the applicant or appellant may have up to ten minutes at the outset and three minutes for rebuttal at the end. These hearings are specially marked on the Council agenda.

A person who wants to speak to the Council must fill out a speaker card and hand it in to the City Clerk. The Clerk will give the cards to the Mayor or Vice Mayor so that the speakers can be identified and organized in an orderly way.

1.4 - General Requirements

A. Accessibility
Palo Alto makes every reasonable effort to accommodate the needs of the disabled. Any provision of these rules may be modified if needed to provide reasonable accommodation. Persons needing assistance should contact: Larry Perlin, ADA Director, City of Palo Alto, 650/329-2496 (voice) or 650/328-1199 (TDD).

*For all purposes, applicant also refers to applicant agent.
B. Presiding Officer's Permission Required

The presiding officer at Council meetings (usually the Mayor or Vice-Mayor) is legally required to "preserve strict order and decorum." This is important in order to assure a fair opportunity for everyone to participate in an open and civil setting.

- Any person desiring to address the Council must first get the permission of the presiding Presiding officer Officer by completing a speaker card and handing the card to the City Clerk.
- The presiding Presiding officer Officer shall recognize any person who has given a completed card to the City Clerk.
- No person, other than a Council Member and the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding Presiding officer Officer.
- No person shall enter the staff area of the Council dais without the permission of the Presiding Officer or appropriate Council Appointed Officer.

C. Recording and Identification

Persons wishing to address the Council shall comply with the following:

- Use the microphone provided for the public and speak in a recordable tone, either personally or with assistance, if necessary.
- State their name and address if presenting evidence in a hearing required by law.
- Other speakers are requested to should state their name and address, but cannot be compelled to do so register their name or other information as a condition to attendance at the meeting of addressing the Council.

D. Specific Requirements and Time Limits

1) Oral Communications

Oral communications shall be limited to up to three minutes per speaker and will be limited to a total of thirty minutes for all speakers combined.

- Oral communications may be used only to address items that are within the Council's subject matter jurisdiction, but not listed on the agenda.
- Oral communications may not be used to address matters where the receipt of new information would threaten the due process rights of any person.
- All remarks shall be addressed to the Council as a body and not to any individual member.
Council members shall not enter into debate or discussion with speakers during oral communications. The presiding Presiding officer may direct that the City Manager will respond to the person speaking and/or the Council at a later date.

2) Other Agenda Items
Public comments or testimony on agenda items other than Oral Communications shall be limited to a maximum of three minutes per speaker unless additional time is granted by the presiding Presiding officer. The presiding Presiding officer may reduce the allowed time to less than two minutes if necessary to accommodate a larger number of speakers.

3) Spokesperson for a Group
When any group of people wishes to address the Council on the same subject matter, the presiding Presiding officer will request that a spokesperson be chosen by the group to address the Council. Spokespersons who are representing a group of five or more people who are present in the Council chambers will be allowed ten minutes and will to the extent practical be called upon ahead of individual speakers.

4) Quasi-Judicial/Planned Community Hearings
In the case of a quasi-judicial/planned community hearing, single applicants and appellants shall be given ten minutes for their opening presentation and three minutes for rebuttal before the hearing is closed. In the case of a quasi-judicial/planned community hearing for which there are two or more appellants, the time allowed for presentation and rebuttal shall be divided among all appellants, and the total time allowed for all appellants shall be a total of twenty minutes for the opening presentation and six minutes for rebuttal before the hearing is closed; however, under no circumstances shall an individual appellant be given less than five minutes for presentation and three minutes for rebuttal. In the event a request is made and the need for additional time is clearly established, the presiding officer shall independently, or may upon advice of the city attorney, grant sufficient additional time to allow an adequate presentation by the applicant or appellant in a hearing required by law.

5) Addressing the Council after a Motion
Following the time for public input and once the matter is returned to the Council no person shall address the Council without first securing the permission of the Council-Presiding Officer to do so, subject to approval of the City Attorney with respect to any hearing required by law.
*For all purposes, applicant also refers to applicant agent.

6) Decorum
The Palo Alto Municipal Code makes it unlawful for any person to:

- Disrupt the conduct of a meeting
- Make threats against any person or against public order and security while in the Council chamber.
- Use the Council Chambers during meetings for any purpose other than participation in or observation of City Council Meetings.

Any Council Member may appeal the presiding officer's decision on a decorum violation to the full Council. Decorum violations are punishable as a misdemeanor and may lead to a person being removed from the Council meeting.

SECTION 2 – COUNCIL MEETING & AGENDA GUIDELINES

2.1 - Policy
It is the policy of the Council to establish and follow a regular format for meeting agendas.

2.2 – Purpose
The purpose of these guidelines is to facilitate the orderly and efficient conduct of Council business. This purpose recognizes the value of establishing a community understanding of meeting procedures so that broad public participation is encouraged. This purpose also recognizes that Council Members must have a common approach to the discussion and debate of City business so that meetings are both streamlined and thorough.

2.3 - Summary of Guidelines
The City Council generally conducts four different kinds of meetings. These are Regular Meetings, Special Meetings, Study Sessions, and Closed Sessions.

A. Regular Meetings are conducted at City Hall on the first three Monday nights of each month, except during the Council’s annual vacation. The meetings will be scheduled to begin at 7:00 p.m. Regular meeting agendas must be posted in the City Plaza by the elevators no later than 7:00 p.m. on the preceding Friday on the preceding Fridays, as required by the Brown Act. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Wednesday/Thursday, eleven days prior to the meeting. For major, complex projects and policies, the City will make every effort to distribute these reports two weeks prior to the meeting when the item will be considered.

Once the agenda is posted, it shall also be uploaded to the City Council web page for use by the public. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Wednesday/Thursday, eleven days prior to the meeting. For major, complex projects and policies, the
City will make every effort to distribute these reports two weeks prior to the meeting when the item will be considered.

B. **Special Meetings** are "special" because the mayor or Council can call them on a minimum of 24 hours notice, and they are held on a different day of the week, at a different time or different location. Special meetings need not be held at City Hall, as long as the alternate location is within the City. The Council makes every effort to provide notice well in advance of 24 hours, especially when the special meeting is for the purpose of conducting a **Study Session**.

C. **Study Sessions** are meetings during which the Council receives information about City business in an informal setting. The informal study session setting is intended to encourage in-depth discussion and detailed questioning and brainstorming by Council on issues of significant interest, including City policy matters, zoning applications, and major public works projects. The Council may discuss the material freely without following formal rules of parliamentary procedure. Staff may be directed to bring matters back for future Council consideration as no action can be taken at a study session. Public comments on study session items may be received together with oral communications immediately following the session or may be heard during discussion of the item as determined by the Mayor. The Decorum rules still apply to the behavior of the Council and public.

D. **Closed Sessions** can be part of regular or special meetings. Closed sessions are the only kind of Council meeting that the public cannot attend. State law allows closed sessions to discuss pending litigation, employment issues, real estate negotiations and certain other matters. Members of the public are permitted to make public comments on closed session matters. The Council must make a public report after the session when certain kinds of actions are taken.

These are guidelines, not rules. The Council intends that City staff and Council Members will follow these guidelines. However, these guidelines should not be used in a way that leads to inefficiency, unfairness, or the promotion of form over substance. State law establishes a variety of mandatory meeting rules the City must follow in order to assure open and public government, regardless of unusual situations and consequences.

### 2.4 - General Requirements

A. **Regular Meetings**

   Attendance Required. Council Members, the City Clerk, City Attorney, and City Manager, along with any other city officers and department heads that have been requested to be present, shall take their regular stations in the Council chamber at 7:00 p.m. on the first, second and third Mondays of each month, except during the established Council vacation. The Mayor will ensure that during each regular meeting there will be one 5 minute break. The Council expects its members to attend regularly and notify the City Clerk of any planned absences. The Council may levy fines of up to $250.00 against Council members who willfully or negligently fail to attend meetings.

B. **Telephonic Attendance Of Council Members At Council Meetings**
The City Council Procedures provisions concerning Telephonic Attendance shall apply to all Boards and Commissions as well as the City Council members. Requests by Council Members to attend a Council meeting via telephonic appearance are actively discouraged. Telephonic attendance shall only be permitted not more than 3 times a year in the event of extraordinary events circumstances such as a medical, family or similar event emergency requiring a Council Member’s absence. In addition, at least a quorum of the Council must participate from a location within the City (Government Code Section 54953(b)(3)).

If these two threshold requirements are met, the Council Member who will be appearing telephonically must ensure that:

- The meeting agenda identifies the teleconference location and is posted at that location in an area that is accessible and visible 24 hours a day for at least 72 hours 72 hours prior to the meeting.
- The teleconference location is open and fully accessible to the public, and fully accessible under the Americans with Disabilities Act, throughout the entire meeting. These requirements apply to private residences, hotel rooms, and similar facilities, all of which must remain fully open and accessible throughout the meeting, without requiring identification or registration.
- The teleconference technology used is open and fully accessible to all members of the public, including those with disabilities.
- Members of the public who attend the meeting at the teleconference location have the same opportunity to address the Council from the remote location that they would if they were present in Council Chambers.
- The teleconference location must not require an admission fee or any payment for attendance.

If the Council Member determines that any or all of these requirements cannot be met, he or she shall not participate in the meeting via teleconference.

Approved Teleconference Guidelines for Council Members:

- One-week advance 5 days written notice must be given by the Council Member to the City Clerk’s office; the notice must include the address at which the teleconferenced meeting will occur, the address the Council packet should be mailed to, who is to initiate the phone call to establish the teleconference connection, and the phone number of the teleconference location. If cellular telephones shall not be used to participate in teleconferenced meetings then Council members needs to ensure speaker phone option is functioning.
- The Council Member is responsible for posting the Council agenda in the remote location, or having the agenda posted by somebody at the location and confirming that posting has occurred. The City Clerk will
assist, if necessary, by emailing, faxing or mailing the agenda to whatever address or fax number the Council Member requests; however, it is the Council Member's responsibility to ensure that the agenda arrives and is posted. If the Council Member will need the assistance of the City Clerk in delivery of the agenda, the fax number or address must be included in the one-week/five-day advance written notice above.

- The Council Member must ensure that the location will be publicly accessible while the meeting is in progress.

- The Council Member must state at the beginning of the Council meeting that the 72-hour posting requirement was met at the location and that the location is publicly accessible, and must describe the location.

Furthermore, the City Clerk will provide Council with a quarterly report detailing the telephone charges associated with teleconferenced meetings.

C. Items Considered After 10:30 p.m.
The City Council makes every effort to end its meetings before 11:00 p.m. The Council also generally does not take up new matters after 10:30 p.m. Before 10:00 p.m. the Council will decide and announce whether it will begin consideration of any agenda items after 10:30 and, if so, which specific items will be taken up.

D. Late Submittal of Correspondence or Other Information Related to Planning Applications.
In order to allow for adequate Staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting planning applications being heard by the City Council must be submitted to staff not later than noon five working days prior to the release of the Council Agenda Packet. If any correspondence or other information is submitted after this deadline to Council Members or staff, and Staff determines additional review is needed Staff will reschedule the item for a future Council meeting. If a Council member receives planning application materials from a project applicant he or she shall notify the City Clerk and the City Manager as soon as possible. There are no restrictions on the rights of applicants or others to comment or respond to information contained within the Staff Report. At the meeting the City Council may determine whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project or significant new information become known. Nothing in this statement is intended to restrict the rights of applicants or other interested parties to respond to information contained in or attached to a Staff Report.
*For all purposes, applicant also refers to applicant agent.

E. Agenda Order

City Council agendas will be prepared by the City Clerk and presented to the City Council in the order described below. It is the Council's policy to hear the major items of business first at each meeting, to the extent possible. The City Manager, with prior approval of the Mayor, is authorized to designate upon the agenda of the Council, and the City Clerk shall publish in the agenda digest, items that shall be taken up first or at a specific time during the course of the meeting. The City Council may take matters up out of order upon approval by a majority vote of those present:

1) Roll Call
2) Study Session/Closed Session
3) Special orders of the day
4) City Manager Comments
5) Oral communications, including oral communications related to any study session that began immediately before the regular meeting
6) Approval of minutes
7) Agenda Changes, Additions and Deletions
8) Consent calendar
   Items may be placed upon the consent calendar by any council-appointed officer whenever, in such officer's judgment, such items are expected to be routinely approved without discussion or debate. The consent calendar shall be voted upon as one item.
9) Action Items
10) Inter-Governmental Legislative Affairs

F. Consent Calendar
   1. Council Questions & Comment

No discussion or debate shall be permitted upon items upon the consent calendar; however, any Council Member may request that his or her vote be recorded as a "no" or "not participating" due to a specified conflict of interest on any individual item. Council Members may also explain their "no" votes at the end of the Consent Calendar, with a 3 minute time limit for non-appeal items and 5 minutes for appeal items for each Council Member. Council Members may also submit statements in writing to the City Clerk before action is taken. The City Clerk shall preserve and make available such written statements in a manner consistent with the Brown Act and shall assure that the minutes of the meeting make reference to the existence and location of such written statements.
G. 2. Public Comment

If members of the public wishing to speak to items on the Consent Calendar, the Mayor shall be permitted to speak prior to Council requests to remove an item or the vote to adopt the Consent Calendar. will have the option of allowing the testimony prior to adoption of the Consent Calendar, or removing the item from the consent calendar and hearing the public comment at a later time, prior to the vote on the item.

H. 3. Council Requests to Remove Item

Three Council Members may request that an item be removed from the consent calendar. To facilitate efficient conduct of the meeting, the Mayor may invite requests to remove items prior to public comment on the Consent Calendar. Council Members who wish to remove an item from the Consent Calendar should advise the City Manager's office should be advised, whenever possible, in writing, of a request for removal no later than noon the day before the meeting.

I. 4. Hearing of Removed Items

Removed items will be heard either later in the meeting or agendized for a discussion at subsequent meeting, depending upon the number of speakers and the anticipated length of the items that have been officially scheduled for discussion on a particular evening, and the availability of staff required to support the discussion. The Mayor, in consultation with the City Manager, will decide when the discussion any removed items will be heard.

J. 5. Consent Calendar Categories

The consent calendar portion is the section of the agenda where administrative and non-controversial items shall be presented. The consent calendar is presented in the following order:

1) A. Ordinances and Resolutions

The following ordinances and resolutions may appear on a consent calendar:

- Second Reading (passage and adoption) of Ordinances.
- Resolutions which are ceremonial in nature.
- Ordinances or resolutions that implement a prior Council policy direction in the manner contemplated by the Council's previous actions, in the Adopted Budget (including, the Capital Improvement Program, the Council Priorities, or other similar source—especially in the department key plans); and the Council Top Priority Workplan, among other sources.
- Budget amendment ordinances that accept acceptance of funding such as grants or gifts, provided Council has previously approved the activity or program.
- Resolutions approving funding applications, such as grants or loans, provided that the program or activity has been previously approved by Council.

2) B. Administrative Matters Including Contracts, Appointments, Approval of Applications, and Any Other Matter.
The titles of administrative matters need not be read. An administrative matter may be placed on the consent calendar if it is:

- An action that is merely the administrative execution of previous Council direction. The Council direction and vote will be quoted in the staff report accompanying the item.

- Contracts for which the subject or scope of work has been previously reviewed by the City Council, except where the City Manager, in consultation with the Mayor, determines that a contract should be an Action Item, for example due to significant financial impact or substantial policy concerns.

- A contract for goods, general services, professional services, public works projects, dark fiber licensing contracts or wholesale commodities, purchases, as outlined in the Purchasing Ordinance, provided such contracts represent the customary and usual business of the department as included in the Adopted Budget. Examples include: routine maintenance contracts, annual audit agreement; software and hardware support agreements, janitorial services, copier agreements or postage machine agreements.

- Rejection of bids.

- Designation of heritage trees.

- Designation of historic building at the request of the property owner if there are no unusual policy ramifications.

- Approval of funding applications, such as grants or loans, provided that Council has previously approved the general program or activity.

- Formal initiation, for consideration at a later date, of a zoning code amendment or review process, such as preliminary review.

- Status report required by law for fee administration.

- Cancellation of meetings or scheduling of special meeting.

- Other similar matters as determined by the City Manager, in consultation with the Mayor.

3) **C. Request to Refer Items to Any Council Standing Committee, Committee, Board, Commission or Council Appointed Officer.**

   The consent calendar includes matters for which staff is merely seeking Council approval of a referral to a Council standing committee or other City official, advisory board or commission. This does not preclude staff from making referrals to the standing committees. Staff uses such referrals in order to expedite the business of the full Council, since its agenda is so full. Discussion of a complex issue by another body provides an opportunity for public input and extended discussion by the
members of the body. The full Council is then able to benefit from the minutes of that discussion when the item comes back to the Council for final approval. This practice also allows the City/School Liaison Committee to consider items of interest to both agencies without having to go through the formality of a Council agenda referral.

4) **D. Items Unanimously Recommended for Approval if the by a Council Committee Unanimously Recommends Placement on the Consent Calendar, Unless Otherwise Recommended by the Committee, Mayor, City Manager or City Attorney, or Staff.**

5) **E. Items Recommended for Approval, and for Placement on the Consent Calendar, by any Council-Appointed Boards and Commissions. Provided Unless that Other Public Hearing Requirements are Not in Effect is Required.**

6) **Agenda Changes, Additions, and Deletions**

7) **Action Items:**
   - Unfinished Business
   - Public Hearings
   - Reports of committees/commissions
   - Ordinances and Resolutions
   - Reports of officials

K. **G. Action Items:** Council Matters

L. Action items may include public hearings, ordinances, resolutions, land use approvals, appeals, policy matters, colleagues memos and any other significant item requiring Council discussion, input or action.

M. **k.N. Colleagues Memo’s**

Any two-three Council Members may bring forward a colleague memo on any topic to be considered by the entire Council. Two-three Council Members are required to place such a memo on the agenda, reflective of the Council procedure requiring a motion and a second for consideration of a motion by the Council. Up to four Council Members may sign a colleague memo. The City Attorney recommends that the colleague memo be limited to three Council Members in order to avoid the potential of a Brown Act issue. Prior to preparing a colleague memo, Council Members will consult with the City Manager to determine whether the City Manager is or is not willing and able to address the issues as part of his/her operational authority and within current budgeted resources. Colleague’s memos should have a section that identifies any potential staffing or fiscal impacts of the contemplated action. This section will be drafted by the City Manager. Council Members shall provide a
copy of the proposed memo with the City Manager or appropriate senior staff prior to finalization. Completed Council colleagues memos shall be provided to the City Clerk’s staff by noon on the Tuesday 14 days prior to the Council meeting that the memo is intended to be agendized, to provide time for the City Clerk to process for the Council packet.

The City Council will not take action on the night that a colleague memo is introduced if it has any implications for staff resources or current work priorities which are not addressed in the memo. The Council will discuss the colleague memo and refer it to a committee or then-direct the City Manager to agendize the matter for Council action within two meetings, allowing City staff time to prepare a summary of staffing and resource impacts. Action may be taken immediately by the Council on colleague memos where there are no resource or staffing implications or where these are fully outlined in the colleagues memo. The Brown Act requires that the public be fully informed of the potential action by the Council via the Agenda 72 hours before a scheduled Council meeting. In order to satisfy the Brown Act requirements, the Council should consult with the City Attorney to ensure that the proposed title to the colleague memo contains all actions that the Council Members want completed on the night of the Council review.

I.Q. Council Member Questions, Comments and Announcements
The purpose of this agenda item is to allow Council to question staff briefly on matters upon which Council has taken action or given direction, make general comments as a reference to staff on factual matters of community concern, or make brief announcements in a manner consistent with Government Code section 54952.2. New assignments will not be given nor will major policy issues be discussed or considered. To the extent possible, Council will confer with staff before raising matters of nature under this agenda item. This agenda item will generally be limited to 15 minutes in length and the public may not speak to matters discussed;

m.P. Closed Sessions
Special closed sessions will be scheduled before or after regular or special Council meetings to the extent possible and appropriate. Closed sessions may be scheduled during a regular or special Council meeting, but this is discouraged by Council;

n.Q. Adjournment

o.R. Rescheduling Agenda Items
When the Council is unable to complete its agenda the remaining business will generally be rescheduled as follows. Nothing in this section shall be deemed to supersede or conflict with state law.

1) Meeting-Adjourned-Sine-Die Items Rescheduled to a Date Uncertain
When a regular meeting is adjourned sine die (without a day), all unfinished items will be listed under unfinished business on the next regular Council meeting agenda; except, that where deemed necessary, the City Clerk, with the City Manager’s concurrence, may place those business items in a different order on the agenda. When Council reschedules an item to a date
uncertain, the City Manager, Clerk and Mayor shall confer on an appropriate date to reschedule the item.

2) **Meeting Adjourned to Date Certain**

When a regular meeting is adjourned to another regular meeting night, all unfinished items will be listed in their original order after roll call on the agenda of such designated regular meeting. **Items Rescheduled to a Date Certain.**

Council may reschedule an item to a specific future Council meeting.

3) **Continued Items**

When an item on the agenda is continued to a subsequent meeting, such item will be listed under unfinished business on such agenda unless the Council by majority vote chooses to place such item in a different location on such agenda or unless the City Clerk, with the City Manager's concurrence, deems it necessary to place such item at a different location on such agenda.

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**p:S. Adding New Items to the Agenda**

No matters other than those on the agenda shall be finally acted upon by the Council. However, emergency actions (as defined in Government Code section 54956.5) and matters upon which there is a lawful need to take immediate action (as defined in Government Code section 54954.2) may, with the consent of two-thirds, or all members present if less than two-thirds are present, be considered and acted upon by the Council.

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**q:T. Special Meetings**

Special meetings may be called by the Mayor or City Council by providing a minimum of 24-hours posted notice in the manner required by state law. To the greatest extent possible, special meetings called for other than regular meeting days should be scheduled by a majority of the Council present and voting at a regular meeting. Unlike regular meetings, there are no circumstances that permit the City Council to add new items to a special meeting agenda or notice.

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**r:U. Study Sessions**

Study sessions are meetings during which the Council receives information about City business in an informal setting.

1) **Time**

Special study sessions will be held as needed.

2) **No Formal Rules**

Study sessions are intended to be conducive to in-depth factual presentations by City staff and detailed questioning and brainstorming by Council. The Council may discuss the material freely without following formal rules of parliamentary procedure, and the Mayor shall have discretion to determine the appropriate process for conducting the study session, including when public comment and oral communications will be heard.

3) **Public Participation.**

The general rules of decorum apply.
4) **No Final Action**
Staff may be directed to bring matters back for Council consideration at future meetings, as no action can be taken.

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**Closed Sessions**
Closed sessions are the only kind of Council meeting that the public cannot observe. State law allows closed sessions to discuss pending litigation, employment issues, real estate negotiations and certain other matters. To the greatest extent possible, the City Attorney and City Clerk shall use standardized agenda descriptions that are consistent with Government Code section 54954.5. Special closed sessions will be scheduled before or after regular or special Council meetings to the extent possible and appropriate. Closed sessions may be scheduled during a regular or special Council meeting, but this is discouraged by Council. The City Council will take a vote to go into Closed Session.

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1) **Announcements Before Closed Sessions**
The Mayor/City Clerk shall announce the item or items to be considered in closed session by reference to the appropriate agenda number or letter, or in an alternate form that shall be provided by the City Attorney.

2) **Public Comments**
Members of the public are permitted to make public comments on closed session matters. The City Clerk shall be present in the open session to record Council attendance and any statements made during oral communications or by the Council.

3) **Vote to Go into Closed Session**
The Council shall vote to go into closed session.

4) **Attendance**
The City Manager and City Attorney, or their designees, shall attend closed sessions unless it is necessary to excuse them. Only such additional staff shall attend as are necessary and then only if the legal privileges of confidentiality obtained in an executive session are not waived.

5) **Public Reports**
State Law and a Palo Alto initiative require the Council to make a public report after a closed session when certain kinds of actions are taken. Reports from closed sessions shall be made by the Mayor, the Vice Mayor in the Mayor's absence, or such other City representative as designated by the Council or its committees. Such designated person is the only individual authorized to make public statements concerning the closed session.

It is the policy of the City Council to inform the public of action taken in closed session to the greatest extent possible. It is recognized, however, that the need for confidentiality is inherent in closed sessions and that certain matters if revealed may be a detriment to the results desired. The Council shall publicly report: (a) any decision to appoint, employ, or dismiss a public employee and the roll call vote thereon at its next public meeting,
(b) actions related to litigation and the roll call vote on such actions, unless the report would, in the written opinion of the City Attorney for specifically stated reasons, clearly jeopardize the city's ability to effectuate service of process on one or more unserved parties or impair the city's ability to resolve the matter through negotiation, mediation or other form of settlement. Notwithstanding the City Attorney's written opinion, the Council may under any circumstance, by majority vote, determine that it is in the City's best interests to disclose actions taken in closed session related to litigation. The public report shall be given as soon as possible, but no later than the next regular meeting, and shall include the vote or abstention of every member present. The City Attorney's written opinion shall be made public, along with any action taken and any vote thereon, as soon as any litigation is concluded. The City Attorney shall record any action and vote upon such forms as the City Attorney may deem desirable.

5(6)  No Minutes

No minutes of closed sessions shall be kept. The City Attorney shall record the information necessary to comply with state law and the Palo Alto initiative.

6(7) Confidentiality

No person in attendance at a closed session may disclose the substance or effect of any matter discussed during the session.

I. W.  Motions, Debate & Voting

1) Policy
   It is the policy of the Council to follow simplified rules of parliamentary procedure for motions, debate and voting. These rules focus on the types of motions the Council can debate and when those motions are properly used.

2) Purpose
   The purpose of these rules to facilitate orderly and thorough discussion and debate of Council business. These rules shall not be applied or used to create strategic advantage or unjust results.

3) Summary of Rules
   Palo Alto does not follow Roberts Rules of Order. See the Summary Table below.

   J. X.  Motions
   A motion is a formal proposal by a Council Member asking that the Council take a specified action. A motion must receive a second before the Council can consider a matter. Matters returning to the Council with unanimous approval from a standing committee will be introduced without a motion if directed by the committee. Motions may be provided to the City Clerk in advance of the City Council meeting so that the Clerk can efficiently prepare for the meeting.

   1) Types of Motions
   There are two kinds of motions. These are the "main" motion and any secondary motions. Only one main motion can be considered at a time.
2) Procedure:

- Get the Floor
  A Council Member must receive the permission of the Mayor (or other presiding officer) before making a motion.

- State the Motion
  A motion is made by a Council Member (the "maker") stating his or her proposal. Longer proposals can be written and may be in the form of a resolution.

- Second Required
  Any other Council Member (including the presiding officer) who supports the proposal (or who simply wishes it to be considered) may "second" the motion without first being recognized. A motion to raise a question of personal privilege does not require a second.

- Motion Restated
  The Mayor should restate the motion for the record, particularly if it is long or complex.

- Lack of a Second
  If there is no second stated immediately, the Mayor should ask whether there is a second. If no Council Member seconds the motion the matter will not be considered.

- Discussion
  The maker shall be the first Council Member recognized to speak on the motion if it receives a second. Generally Council Members will speak only once with respect to a motion. If the Mayor or Council permits any Council Member to speak more than once on a motion, all Council Members shall receive the same privilege.

- Secondary Motions
  Secondary motions may be made by a Council Member upon getting the floor.

- Action
  After discussion is complete the Council will vote on the motion under consideration.

3) Precedence of Motions
When a motion is before the Council, no new main motion shall be entertained. The Council recognizes the following secondary motions which may be considered while a main motion is pending. These motions shall have precedence in the order listed below. This means that a secondary motion that is higher on the list will be considered ahead of a pending secondary motion that is lower on the list:

- Fix the time to which to adjourn;
• Adjourn;
• Take a recess;
• Raise a question of privilege;
• Lay on the table;
• Previous question (close debate);
• Limit or extend limits of debate;
• Motion to continue to a certain time;
• Refer to committee;
• Amend or substitute;

4) Secondary Motions Defined
The purpose of the allowed secondary motions is summarized in the following text and table.

- *Fix the time to which to adjourn*
  This motion sets a time for continuation of the meeting. It requires a second, is amendable and is debatable only as to the time to which the meeting is adjourned.

- *Adjourn*
  This motion ends the meeting or adjourns it to another time. It requires a second and is not debatable except to set the time to which the meeting is adjourned, if applicable. A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken.

- *Take a recess*
  This motion interrupts the meeting temporarily. It is amendable, but is not debatable.

- *Raise a question of personal privilege*
  This motion allows a Council Member to address the Council on a question of personal privilege and shall be limited to cases in which the Council Member's integrity, character or motives are questioned, or when the welfare of the Council is concerned. The maker of the motion may interrupt another speaker if the presiding officer recognizes the "privilege." The motion does not require a second, is not amendable and is not debatable.

- *Lay on the table*
  This motion is used to interrupt business for more urgent business. A motion to lay on the table requires a second, is not amendable and is not debatable. It shall preclude all amendments or debate of the subject under consideration. If the motion prevails, and the subject is tabled, the matter must be reagendized in the future if further consideration is to be given to the matter.

- *Previous question*
  This motion "calls the question" by closing debate on the pending motion. A motion for previous question requires a second, is not
debate and is not amendable. It applies to all previous motions on the subject unless otherwise specified by the maker of the motion. If motion for previous question fails, debate is reopened; if motion for previous question passes, then vote on the pending motion. A motion for previous question requires a two-thirds vote of those Council Members present and voting.

- Limit or extend debate
  This motion limits or extends the time for the Council or any Council Member to debate a motion. It requires a second, is amendable and is not debatable. The motion requires a two-thirds vote of those Council Members present and voting.

- Continue to a certain time
  This motion continues a matter to another, specified time. It requires a second, is amendable and is debatable as to propriety of postponement and time set.

- Refer to a city agency, body, committee, board, commission or officer
  This motion sends a subject to another city agency, body, committee, board, commission or officer for further study and report back to Council, at which time subject is fully debated. It requires a second, is amendable, and is debatable only as to the propriety of referring. The substance of the subject being referred shall not be discussed at the time the motion to refer is made.

- Amend or substitute
  This motion changes or reverses the main motion. It requires a second, is amendable, and is debatable only when the motion to which it applies is debatable. A motion to amend an amendment is in order, but one to amend an amendment to an amendment is not. An amendment modifying a motion is in order but an amendment raising an independent question or one that is not germane to the main motion shall not be in order. Amendments take precedence over the main motion and the motion to postpone indefinitely.
<table>
<thead>
<tr>
<th>Motion</th>
<th>Description</th>
<th>Intervening Business</th>
<th>Only as to time to which the meeting is adjourned</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fix the time to which to adjourn</td>
<td>Sets a next date and time for continuation of the meeting</td>
<td>Only if underlying motion is debatable</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Adjourn</td>
<td>Sets time to adjourn. Not in order if (a) repeated without intervening business (b) made as an interruption of a member while speaking; (c) the previous question has been ordered; and (d) while a vote is being taken</td>
<td>Only to set the time to which the meeting is adjourned</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Take a recess</td>
<td>Purpose is to interrupt the meeting</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Raise a question of privilege</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lay on the table</td>
<td>Interrupts business for more urgent business</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Previous question (close debate or &quot;call the question&quot;)</td>
<td>Closes debate on pending motion</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Limit or extend limits of debate</td>
<td>Purpose is to limit or extend debate</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Motion to continue to a certain time</td>
<td>Continues the matter to another, specified time</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Refer to committee</td>
<td>Sends subject to another city agency, body, committee, board, commission or officer for further study and report back to council, at which time subject is fully debated</td>
<td>Only as to propriety of referring, not substance of referral</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Amend or substitute</td>
<td>Modifies (or reverses course of) proposed action. Cannot raise independent question. Can amend an amendment, but no further</td>
<td>Only if underlying motion is debatable</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
Debate and Voting

1) Presiding officer to state motion
The presiding officer shall assure that all motions are clearly stated before allowing debate to begin. The presiding officer may restate the motion or may direct the City Clerk to restate the motion before allowing debate to begin. The presiding officer shall restate the motion or direct the City Clerk to restate the motion prior to voting.

2) Presiding officer may debate and vote
The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all Council Members. The presiding officer shall not be deprived of any of the rights and privileges of a Council Member.

3) Division of question
If the question contains two or more divisible propositions, each of which is capable of standing as a complete proposition if the others are removed, the presiding officer may, and upon request of a member shall, divide the same. The presiding officer's determination shall be appealable by any Council Member.

4) Withdrawal of motion
A motion may not be withdrawn by the maker without the consent of the Council Member seconding it.

5) Change of vote
Council Members may change their votes before the next item on the agenda is called.

6) Voting
On the passage of every motion, the vote shall be taken by voice or roll call or electronic voting device and entered in full upon the record.

7) Silence constitutes affirmative vote
Council Members who are silent during a voice vote shall have their vote recorded as an affirmative vote, except when individual Council Members have stated in advance that they will not be voting.

8) Failure to vote
It is the responsibility of every Council Member to vote unless disqualified for cause accepted by the Council or by opinion of the City Attorney. No Council Member can be compelled to vote.

9) Abstaining from vote
Council Members should only abstain if they are not sufficiently informed about an item, e.g. when there was a prior hearing and they were unable to view the prior meeting before the current meeting. In the event of an abstention the abstainer in effect, "consents" that a majority of the quorum of the Council Members present may act for him or her.
10) Not participating
A Council Member who disqualifies him or herself pursuant to the Political
Reform Act of 1974 because of any financial interest shall disclose the nature
of the conflict and may not participate in the discussion or the vote. A Council
Member may otherwise disqualify him or herself due to personal bias or the
appearance of impropriety.

11) Tie votes
Tie votes may be reconsidered during the time permitted by these rules on
motion by any member of the Council voting aye or nay during the original
vote. Before a motion is made on the next item on the agenda, any member
of the Council may make a motion to continue the matter to another date.
Any continuance hereunder shall suspend the running of any time in which
action of the City Council is required by law. Nothing herein shall be
construed to prevent any Council Member from agendizing a matter that
resulted in a tie vote for a subsequent meeting.

12) Motion to reconsider
A motion to reconsider any action taken by the Council may be made only
during the meeting or adjourned meeting thereof when the action was taken.
A motion to reconsider requires a second, is debatable and is not amendable.
The motion must be made by one of the prevailing side, but may be seconded
by any Council Member. A motion to reconsider may be made at any time
and shall have precedence over all other motions, or while a Council Member
has the floor, providing that no vested rights are impaired. The purpose of
reconsideration is to bring back the matter for review. If a motion to
reconsider fails, it may not itself be reconsidered. Reconsideration may not
be moved more than once on the same motion. Nothing herein shall be
construed to prevent any Council Member from making a motion to rescind
such action at a subsequent meeting of the Council.

13) Appeal from the decision of presiding officer
When the rules are silent, the presiding officer shall decide all questions of
order, subject to appeal by a Council Member. When in doubt, the presiding
officer may submit the question to the Council, in which case a majority vote
shall prevail. Any decision or ruling of the presiding officer may be appealed
by request of any member. The presiding officer shall call for a roll call or
electronic voting device vote to determine if the presiding officer's ruling shall
be upheld. If said vote passes or results in a tie vote, the presiding officer's
ruling shall stand. If said vote fails, the decision or ruling of the presiding
officer is reversed.

14) Getting the floor: improper references to be avoided
Every Council Member desiring to speak shall address the chair and, upon
recognition by the presiding officer, every Council Member shall be confined
to the question under debate, avoiding all indecorous language and personal
attacks.
15) Interruptions

Except for being called to order, a Council Member once recognized, shall not be interrupted when speaking, except as otherwise provided for in these rules. A Council Member called to order while speaking shall cease speaking until the question or order is determined, and, if in order, said Council Member shall be permitted to proceed.

Quasi-Judicial/Planned Community Hearings

Policy
It is the policy of the Council to assure that the due process rights of all persons are protected during City hearings. A "quasi-judicial" hearing is a hearing that requires a higher level of procedural due process because of the potential impact on life, liberty or property. Usually, quasi-judicial/planned community hearings involve a single parcel of land and apply facts and evidence in the context of existing law. Findings must be stated to explain the evidentiary basis for the Council's decision.

Purpose
These rules are intended to assure that City Council decision making on quasi-judicial/planned community matters is based upon facts and evidence known to all parties and to support the role of Boards and Commissions in making independent recommendations to Council.

General Requirements
For purposes of this Section IV, a Quasi-Judicial or Planned Community Development Project subject to these rules is a formulated plan to go forward with a particular project or development.

1) Quasi-Judicial/Planned Community Proceedings Defined
Quasi-judicial/planned community proceedings subject to these procedural rules include hearings involving the following matters:

- Conditional Use Permits
- Variances
- Home Improvement Exceptions
- Design Enhancement Exceptions
- Subdivisions, other than final map approvals
- Architectural Review
- Assessment protest hearings
- Other matters as determined by the City Attorney
- Appeals related to any of the above
- Environmental Review relating to any of the above
2) **Restrictions on Council Communications Outside of Quasi-Judicial and Planned Community Zone Hearings**

It is the policy of the Council to discourage the gathering and submission of information by Council Members outside of any noticed public meeting, prior to final recommendations by the Architectural Review Board or Planning & Transportation Commission. The following procedural guidelines are intended to implement this policy, but shall not be construed to create any remedy or right of action.

3) **Identification of Quasi-Judicial/Planned Community Matters**

The City Attorney, in conjunction with the City Clerk and City Manager, will identify agenda items involving quasi-judicial/planned community decisions on both the tentative and regular Council agendas. This identification is intended to inform the Council, interested parties, and the public that this policy will apply to the item.

4) **Council to Track Contacts**

Council Members will use their best efforts to track contacts pertaining to such identified quasi-judicial/planned community decision items. Contacts include conversations, meetings, site visits, mailings, or presentations during which substantial factual information about the item is gathered by or submitted to the Council Member.

5) **Disclosure**

When the item is presented to the Council for hearing, Council Members will disclose any contacts which have significantly influenced their preliminary views or opinions about the item. The disclosure may be oral or written, and should explain the substance of the contact so that other Council Members, interested parties, and the public will have an opportunity to become apprised of the factors influencing the Council's decision and to attempt to controvert or rebut any such factor during the hearing. Disclosure alone will not be deemed sufficient basis for a request to continue the item. A contact or the disclosure of a contact shall not be deemed grounds for disqualification of a Council Member from participation in a quasi-judicial/planned community decision unless the Council Member determines that the nature of the contact is such that it is not possible for the Council Member to reach an impartial decision on the item.

6) **No Contacts after Hearings**

Following closure of the hearing, and prior to a final decision, Council Members will refrain from any contacts pertaining to the item, other than clarifying questions directed to City staff.

7) **Written Findings Required**

On any matter for which state law or City ordinance requires the preparation of written findings, the staff report and other materials submitted on the matter will contain findings proposed for adoption by the Council. Any motion directly or impliedly rejecting the proposed findings must include a statement of alternative or modified findings or a direction that the matter under
consideration be continued for a reasonable period of time in order for staff to prepare a new set of proposed findings consistent with the evidence which has been presented and the decision which is anticipated.

8) **Rules of Evidence**
Council hearings need not be conducted according to formal rules of evidence. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons rely in the conduct of serious affairs. The presiding officer may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings while ensuring basic fairness and full consideration of the issues involved. Evidentiary objections shall be deemed waived unless made in a timely fashion before the Council.

9) **Burden of Proof**
The applicant and appellant shall bear the burden of proof on all aspects of the action or relief they seek. The person with the burden of proof must offer evidence to the Council to support his or her position.

10) **Council Members Who are Absent During Part of a Hearing**
A Council Member who is absent from any portion of a hearing conducted by the Council may vote on the matter provided that he or she has watched or listened to a video or radio broadcast, or video or audio recording, of the entire portion of the hearing from which he or she was absent and if she or he has examined all of the exhibits presented during the portion of the hearing from which he or she was absent and states for the record before voting that the Council Member deems himself or herself to be as familiar with the record and with the evidence presented at the hearing as he or she would have been had he or she personally attended the entire hearing.

11) **Appeals**
Appeals to the Council shall be conducted de novo, meaning that new evidence and arguments may be presented and considered. All matters in the record before any other City board, commission or official shall be part of the record before the Council.

*For all purposes, applicant also refers to applicant agent.*
Policy
It is the policy of the Council to use standing committees in open and public meetings to study City business in greater depth than what is possible in the time allotted for Council meetings.

Purpose
These rules are intended to enhance public participation and committee meetings so that the best possible decisions can be made for Palo Alto.

General Requirements
Council standing committees shall be subject to the following procedural rules:

1) Quorum
A majority of the committee membership shall constitute a quorum.

2) Referrals
Only the Council or City Manager shall make referrals to the standing committees. Referrals will generally be directed to only one of the standing committees. Items may be withdrawn from the committee and taken up for consideration by the Council at any Council meeting with the consent of a majority of the Council, and subject to any applicable noticing or agenda posting requirements. Council members who submit matters to the Council which are referred to a standing committee may appear before the standing committee to which the referral has been made in order to speak as proponents of the matter. Standing committee meetings during which such referrals may be considered shall be noticed as Council meetings for the purpose of enabling the standing committee to discuss and consider the matter with a quorum of the Council present.

3) Function of committees
The purpose and intent of committee meetings is to provide for more thorough and detailed discussion and study of prospective or current Council agenda items with a full and complete airing of all sentiments and expressions of opinion on city problems by both the Council and the public, to the end that Council action will be expedited. Actions of the committee shall be advisory recommendations only.

4) Minutes
The City Clerk shall be responsible for the preparation and distribution to the Council of the minutes of standing committee meetings. The minutes for these meetings shall be sense-Action minutes which reflect the motions made during these meetings. The minutes shall be delivered to all Council Members before the Council meeting at which the committee's recommendations are to be discussed.
5) **Report of committee**
The minutes of each committee meeting shall serve as the report to the Council. Any member may write a separate report.

6) **Agenda**
The chairperson of each standing committee shall work with staff to prepare the agenda for committee meetings, the sequence of study being, within reasonable limits of practicality, the same as the sequence of referral.

7) **Public Participation**
Public comment on agenda items will be limited to a maximum of five minutes per speaker, or any alternate time limit specified by the presiding officer.

8) **Conduct of standing committee meetings**
The chairperson of each committee may conduct meetings with as much informality as is consistent with Council procedural rules, which shall also be in effect during committee meetings. The views of interested private citizens may be heard in committee meetings, but in no case shall a committee meeting be used as a substitute for public hearings required by law.

9) **Oral Communications**
Opportunities for oral communications shall be provided in the same manner as Council meetings.

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**Ad Hoc Committees and Committee as a Whole**

**Policy**
The Council may use Ad Hoc Committees or the Committee as a Whole on a limited basis where necessary to study City business in greater depth than what is possible in the time allotted for Council and Standing Committee meetings.

**Purpose**
These rules are intended to clarify the distinctions between Standing, Ad Hoc Committees, and the Committee as a Whole and to set up guidelines for creation of Ad Hoc Committees and the Committee as a Whole.

**General Requirements**
Council Ad Hoc Committees and the Committee as a Whole shall be subject to the following procedural rules:

1) **Definition of Ad Hoc Committee**
An Ad Hoc Committee is an advisory committee composed solely of less than a quorum of members of the Council. The work of an Ad Hoc Committee is limited to a single finite purpose. By contrast, a Standing Committee has continuing subject matter jurisdiction extending for a lengthy time period and/or a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Council.
2) Definition of Committee as a Whole
A Committee as a Whole is a committee composed of the entire City Council. The work of the Committee as a Whole is limited to a single finite purpose.

2)3) Brown Act
Ad Hoc Committees do not constitute legislative bodies and are not subject to the requirements of the Brown Act. The Committee as a Whole is subject to the Brown Act.

3)4) Appointment
The Mayor or the City Council may appoint four or less members of the Council to serve on an Ad Hoc Committee. In contrast, only the Council and not the Mayor alone can create a Standing Committee. The Mayor will publicly announce any Ad Hoc Committee created by him or her, its membership and stated purpose and posted on the City Council website. The City Manager shall prepare a report to Council about the anticipated time commitment required for staff to assist the Ad Hoc Committee.

4)5) Duration
Ad Hoc Committees are created for a finite period of time. If an Ad Hoc Committee does not complete its task by the end of the calendar year, it shall not continue unless reappointed by the new Mayor in the following year.

5)6) Members
Ad Hoc Committees shall consist of less than a quorum of Council members only, and shall not include any other persons such as members of other legislative bodies.

6)7) Reporting
Ad Hoc Committees shall report their recommendations to the Council no less than once per quarter in writing or orally. Any Council Member may during the COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS request that an updated Ad Hoc Committee report be placed on the next meeting’s agenda.

7)8) Termination of Ad Hoc Committee by Majority of Council
A majority of the Council may vote to terminate any Ad Hoc Committee following placement of the issue on an agenda.

8)9) Conclusion
A public announcement shall be made any time the Ad Hoc Committee has concluded its work and/or upon dissolution.

2.5 - Election of Mayor
Palo Alto Municipal Code Section 2.04.060 governs the election of the Mayor. Nominations for Mayor may be made by any individual Council Member and do not require a second.

CITY COUNCIL PROTOCOLS

The handbook is organized into eight sections to serve as guidelines:

1) Core Responsibilities
2) Council Conduct
3) Other Procedural Issues
4) Policy & Services Committee – Role, Purpose & Work Planning
5) Enforcement
6) City Council Emails for Agenda-Related Items
7) City Council and Board and Commissions Policy for Travel and Miscellaneous Expense Reimbursement, March 2006

City of Palo Alto Council Protocols Ethics Addendum
SECTION 1 - CORE RESPONSIBILITIES

All members of the City Council, including those serving as Mayor and Vice Mayor, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

All Council Members:

A. Demonstrate honesty and integrity in every action and statement

B. Comply with both the letter and spirit of the laws and policies affecting the operation of government.

C. Serve as a model of leadership and civility to the community

D. Inspire public confidence in Palo Alto government

E. Work for the common good, not personal interest

F. Prepare in advance of Council meetings and be familiar with issues on the agenda

G. Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others

H. Participate in scheduled activities to increase Council effectiveness

I. Review Council procedures, such as these Council Protocols, at least annually

J. Represent the City at ceremonial functions at the request of the Mayor

K. Be responsible for the highest standards of respect, civility and honesty in ensuring the effective maintenance of intergovernmental relations

L. Respect the proper roles of elected officials and City staff in ensuring open and effective government

M. Provide contact information to the City Clerk in case an emergency or urgent situation arises while the Council Member is out of town
SECTION 2 - COUNCIL CONDUCT

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to improve the quality of life in the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

2.1 - Public Meetings

A. Use Formal Titles
   The Council should refer to one another formally during Council meetings as Mayor, Vice Mayor or Council Member followed by the individual's last name.

B. Practice Civility and Decorum in Discussions and Debate.
   Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Be respectful of diverse opinions.

C. Honor the Role of the Presiding Officer in Maintaining Order and Equity.
   Respect the Chair's efforts to focus discussion on current agenda items. Objections to the Chair's actions should be voiced politely and with reason, following the parliamentary procedures outlined in the City Council Procedural Rules.

D. Demonstrate Effective Problem-Solving Approaches.
   Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. Council Members are role models for residents, business people and other stakeholders involved in public debate.

E. Be Respectful of Other People's Time.
   Stay focused and act efficiently during public meetings.

2.2 - Private Encounters

A. Treat Others as You Would Like to be Treated.
   Ask yourself how you would like to be treated in similar circumstances, and then treat the other person that way.
2.3 – Council Conduct with City Staff

The key provisions on Council-staff relations found in section 2.04.170 of the Palo Alto Municipal Code:

"Neither the council nor any of its committees or members shall direct, request or attempt to influence, either directly or indirectly, the appointment of any person to office or employment by the city manager or in any manner interfere with the city manager or prevent the city manager from exercising individual judgment in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately."

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City Staff, which analyze problems and issues, make recommendations, and implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

A. Treat All Staff as Professionals.
   Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with your Council colleagues, practice civility and decorum in all interactions with City staff.

B. Channel Communications through the Appropriate Senior City Staff.
   Questions of City staff should be directed only to the City Manager, Assistant City Manager, City Attorney, City Clerk, Assistant City Clerk, City Auditor, Senior Assistant City Attorneys, or Department Heads. The Office of the City Manager should be copied on any request to Department Heads. Council Members should not set up meetings with department staff directly, but work through Department Heads, who will attend any meetings with Council Members. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. However, nothing in these protocols is intended to hinder the access Council-appointed liaisons (e.g. to the San Francisquito JPA or NCPA) may require in order to fulfill their unique responsibilities.

C. In Order to Facilitate Open Government, All Council Members Should Make Decisions with the Same Information from Staff On Agendized or Soon-To-Be Agendized Items (i.e. Items on The Tentative Agenda or in a Council Committee).

D. Never Publicly Criticize an Individual Employee, Including Council-Appointed Officers. Criticism is Differentiated From Questioning Facts or the Opinion of Staff.
   All critical comments about staff performance should only be made to the City Manager through private correspondence or conversation. Comments about staff in the office of the City Attorney, City Auditor or City Clerk should be
made directly to these CAOs through private correspondence or conversation.

E. Do Not Get Involved in Administrative Functions.
Avoid any staff interactions that may be construed as trying to shape staff recommendations. Council Members shall refrain from coercing staff in making recommendations to the Council as a whole.

F. Be Cautious in Representing City Positions on Issues.
Before sending correspondence related to a legislative position, check with City staff to see if a position has already been determined. When corresponding with representatives of other governments or constituents remember to indicate if appropriate that the views you state are your own and may not represent those of the full Council.

G. Do Not Attend Staff Meetings Unless Requested by Staff.
Even if the Council Member does not say anything, the Council Member's presence may imply support, show partiality, intimidate staff, or hampers staff’s ability to do its job objectively.

H. Respect the “One Hour” Rule for Staff Work.
Requests for staff support should be made to the appropriate senior staff member, according to the protocol for channeling communications. Any request, which would require more than one hour of staff time to research a problem or prepare a response, will need to be approved by the full council to ensure that staff resources are allocated in accordance with overall council priorities. Once notified that a request for information or staff support would require more than one hour, the Council Member may request that the City Manager place the request on an upcoming Council agenda.

I. Depend upon the Staff to Respond to Citizen Concerns and Complaints.
It is the role of Council Members to pass on concerns and complaints on behalf of their constituents. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the appropriate senior staff member, according to the protocol on channeling communications. The senior staff member should respond according to the Policy and Procedure for Responding to Customer Complaints. Senior staff is responsible for making sure the Council Member knows how the complaint was resolved.

J. Do Not Solicit Political Support from Staff.
The City Charter states that “Neither the city manager or any other person in the employ of the city shall take part in securing or shall contribute any money toward the nomination or election of any candidate for a municipal office.” In addition, some professionals (e.g., City Manager and the Assistant City Manager) have professional codes of ethics, which preclude politically partisan activities or activities that give the appearance of political partisanship.
2.4 - Conduct with Palo Alto Boards and Commissions
The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect. Council Members serve as liaisons to Boards and Commissions, according to appointments made by the Mayor, and in this role are expected to represent the full Council in providing guidance on Council processes or actions to the Board or Commission. Refrain from speaking for the full Council on matters for which the full council has not yet taken a policy position. In other instances, Council Members may attend Board or Commission meetings as individuals, and should follow these protocols:

A. If Attending a Board or Commission Meeting, Identify Your Comments as Personal Views or Opinions.
Council Members may attend any Board or Commission meeting, which are always open to any member of the public. Any public comments by a Council Member at a Board or Commission meeting, when that Council Member is not the liaison to the Board or Commission should make a point to clearly state it is an individual opinion and not a representation of the feelings of the entire City Council.

B. Refrain from Lobbying Board and Commission Members.
It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer, or to advocate a particular policy perspective. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

C. Remember that Boards and Commissions are Advisory to the Council as a Whole, not as Individual Council Members.
The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. Council Members should not feel they have the power or right to unduly influence Board and Commission members. A Board and Commission appointment should not be used as a political reward.

D. Concerns about an Individual Board or Commission Member Should be Pursued with Tact.
If a Council Member has concerns with a particular Board or Commission member fulfilling his or her roles and responsibilities and is comfortable in talking with that individual privately, the Council Member should do so. Alternatively, or if the problem is not resolved, the Council Member should consult with the Mayor, who may address the issue to the Council as appropriate.

E. Be Respectful of Diverse Opinions.
A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer
working relationship with some individuals serving on Boards and Commissions, but must be fair to and respectful of all citizens serving on Boards and Commissions.

F. Keep Political Support Away from Public Forums.
Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Council Member.

G. Maintain an Active Liaison Relationship.
Appointed Council liaisons or alternates are encouraged to attend all regularly scheduled meetings of their assigned Board or Commission.

2.5 - Staff Conduct with City Council

A. Respond to Council Questions as Fully and as Expeditiously as is Practical.
The protocol for staff time devoted to research and response is in application here. If a Council Member forwards a complaint or service request to a department head or a Council Appointed Officer, there will be follow-through with the Council Member as to the outcome.

B. Respect the Role of Council Members as Policy Makers for the City.
Staff is expected to provide its best professional recommendations on issues. Staff should not try to determine Council support for particular positions or recommendations in order to craft recommendations. The Council must be able to depend upon the staff to make independent recommendations. Staff should provide information about alternatives to staff recommendations as appropriate, as well as pros and cons for staff recommendations and alternatives.

C. Demonstrate Professionalism and Non-Partisanship in all Interactions with the Community and in Public Meetings.

D. It is Important for the Staff to Demonstrate Respect for the Council at all Times. All Council Members Should be Treated Equally.
SECTION 3 - OTHER PROCEDURAL ISSUES

3.1 – Commit to Annual Review of Important Procedural Issues
At the beginning of each legislative year, the Council will hold a special meeting to review the Council protocols, adopted procedures for meetings, the Brown Act, conflict of interest, and other important procedural issues.

3.2 – Don't Politicize Procedural Issues (e.g. Minutes Approval or Agenda Order) for Strategic Purposes

3.3 – Submit Questions on Council Agenda Items Ahead of the Meeting
In order to focus the Council meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be discussed at the Council meeting rather than in one-on-one communications with staff prior to the meetings. Any clarifications or technical questions that can be readily answered can be handled before the meeting. Council Members are encouraged to submit their questions on agenda items to the appropriate Council Appointed Officer or City Manager by 5:00 p.m. the Wednesday prior to the meeting, as far in advance of the meeting as possible so that staff can be prepared to respond before or at the Council meeting. More detailed procedures relating to agenda questions can be found in the addendum to these protocols titled “Policy and Procedures for Council E-mails for Agenda Related Items.”

3.4 - Submittal of Materials Directly to Council
If Council receives planning application materials related to agenda item matters they will notify the City Clerk and the City Manager as soon as possible.

3.5 - Late Submittal of Correspondence or Other Information Related to Planning Applications
In order to allow for adequate Staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting planning applications being heard by the City Council must be submitted to staff not later than noon five working days prior to the release of the Council Agenda Packet. If any correspondence or other information is submitted after this deadline to Council Members or staff, and Staff determines additional review is needed Staff will reschedule the item for a future Council meeting. If a Council member receives planning application materials from a project applicant he or she shall notify the City Clerk and the City Manager as soon as possible. There are no restrictions on the rights of applicants or others to comment or respond to information contained within the Staff Report. At the meeting the City Council may determine whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project or significant new information become known. Nothing in this statement is intended to restrict the rights of applicants or other interested parties to respond to information contained in or attached to a Staff Report.
*For all purposes, applicant also refers to applicant agent.

**3.6 – Respect the Work of the Council Standing Committees**
The purpose of the Council standing committees is to provide focused, in-depth discussion of issues. Council should respect the work of the committees. If a matter is taken forward to the full Council for approval and it receives a unanimous vote at Committee, the item will be placed on the Consent Calendar unless otherwise recommended by the Committee, Mayor or staff, City Attorney or City Manager if any of these entities believe the item is of significant public interest.

**3.7 – The Mayor and Vice Mayor Should Work With Staff to Plan the Council Meetings**

There are three purposes to the pre-Council planning meeting: 1) to plan how the meeting will be conducted, including review of approximate time allocation of staff report presentations and to ensure adequate time for large complex items; 2) to identify any issues or questions that may need greater staff preparation for the meeting; and 3) to discuss future meetings. Consideration in building the agenda should be given to the potential length of the meeting and at what point items of significant public concern may be heard.

The purpose of the meeting is not to work on policy issues. Normally, only the Mayor and Vice Mayor are expected to attend the pre-Council meetings with the City Manager and other CAOs, and Department Managers. The Mayor and Vice Mayor's role is to represent the interest of the entire Council. Consideration in building the agenda should be given to the potential length of the meeting and at what point items of significant public concern may be heard.
SECTION 4 - POLICY & SERVICES COMMITTEE – ROLE, PURPOSE, & WORK PLANNING

The Municipal Code states that the role of the Council Policy & Services Committee is to:

...consider and make recommendations on matters referred to it by the council relating to parliamentary and administrative procedures and policy matters pertaining to intergovernmental relations, personnel policies, planning and zoning, traffic and parking, public work, and community and human services. (§2.04.220)

In 2009 and 2010, the Council reviewed the purpose and structure of the Committee and adopted recommendations on several items related to this. This section documents these agreements related to the Committee.

Purpose Statement: The purpose of the Policy & Services Committee is to review and identify important community issues and City policies and practices to ensure good public policy.

The Committee shall consider and make recommendations to Council on matters relating to parliamentary and administrative protocols, procedures and policy matters.

SECTION 5 - ENFORCEMENT

Council Members have the primary responsibility to assure that these protocols are understood and followed, so that the public can continue to have full confidence in the integrity of government. As an expression of the standards of conduct expected by the City for Council Members, the protocols are intended to be self-enforcing. They therefore become most effective when members are thoroughly familiar with them and embrace their provisions. For this reason, Council Members entering office shall sign a statement affirming they have read and understood the Council protocols. In addition, the protocols shall be annually reviewed by the Policy and Services Committee and updated as necessary.
SECTION 6 - CITY COUNCIL E-MAILS FOR AGENDA-RELATED ITEMS

6.1 - Policy
The Council adopted protocols provide a framework for the policy on e-mail communications between Council Members and Staff on agenda-related items, including the following:

A. In order to facilitate open government, all Council Members should make decisions with the same information from Staff on agendized or soon-to-be agendized items (i.e. items on the tentative agenda or in a Council Committee)

B. Submit questions on Council agenda items ahead of the meeting. In order to focus the Council meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be discussed at the Council meeting rather than in one-on-one communications with Staff prior to the meetings. Any clarifications or technical questions that can be readily answered can be handled before the meeting. Council Members are encouraged to submit their questions on agenda items to the appropriate Council Appointed Officer or City Manager as far in advance of the meeting as possible so that Staff can be prepared to respond at the Council meeting.

In its settlement agreement with the San Jose Mercury News of February 2003, the City Council agreed to consider a policy under which the Council would waive any deliberative or other privilege, other than attorney-client privilege, that it might assert with regards to e-mails on agendized items. This policy and procedure implements that agreement. The Council, in adopting this policy, does not waive attorney-client-privilege or any other privilege associated with a closed session authorized under the Brown Act.

6.2 - Procedure

A. Council Members should direct any questions on staff reports to the City Manager or designee. Questions on reports from the City Auditor, City Attorney, or City Clerk should be directed to the appropriate Council Appointed Officer. Council Members should not direct any questions on agenda items to other members of the City Manager's Staff or the Staff of the other Council Appointed Officers.

B. Council Members will submit questions on agenda items no later than 9 a.m.6:00 p.m. on the Monday-Wednesday prior to the Council meeting at which the item will be discussed. Staff will make best reasonable efforts to post written responses to timely-submitted questions by Any questions received after that time 6:00pm on the Wednesday before the meeting may be responded to via e-mail, or alternatively, will be responded to at the Council meeting.
C. Staff will not engage in "dialogues" with individual Council Members regarding questions, i.e. follow-up questions to initial questions will be responded to at the Council Meeting.

D. Staff will give highest priority to responding prior to the Council meeting via e-mail only on items on the Consent Calendar. Questions which address the policy aspects of the item on the Council agenda will not be responded to prior to the meeting, although Staff welcomes such questions in advance of the meeting in order to prepare for the Council and public discussion. Technical and clarifying questions on non-Consent Calendar items will be responded to as time permits.

E. If the Staff will be responding to a Council Members Consent Calendar question at the meeting rather responding to the question via e-mail, Staff will inform the Council Member as early as possible after receipt of the question(s).

F. Questions and all Staff-prepared responses will be forwarded to all Council Members as well as put up on the special web page created for public review of Council agenda questions and Staff responses. Staff will include the name of the Council Member posing the questions in the "subject" field of the e-mail response.

G. Written copies of all Council Member agenda questions and Staff responses will be at Council places at the meeting; additionally copies will be made available in the Council Chambers for members of the public.
SECTION 7 - CITY COUNCIL AND BOARDS AND COMMISSIONS
POLICY FOR TRAVEL AND MISCELLANEOUS EXPENSE
REIMBURSEMENT, March 2006

GENERAL CONSIDERATIONS
This policy is set by the City Council and applies to Council Members and to Board and Commissions members, who will be referred to as "Officials" in the policy. In reimbursing travel and miscellaneous expenses, a municipal purpose requiring the expenditure of public funds must be in evidence; also, in accord with the Charter and Municipal Code, such expenditures must be from authorized appropriations.

7.1 - Eligible Activities
The following activities ("Eligible Activities") are recognized by the Council as advancing municipal purposes and are eligible for expense reimbursement, subject to limitations on activities and specific and total expenditures described elsewhere in this policy:

A. Communicating with representatives of regional, state and national government on adopted city policy positions;

B. Attending educational seminars designed to improve officials' skill and information levels;

C. Participating in regional, state and national organizations whose activities affect the city's interest;

D. In collaboration with city staff, implementing a city-approved strategy for attracting or retaining businesses to the city.

All other expenditures require prior approval by the City Council at a regular or special meeting.

7.2 - Out-of-Town Conferences or Meetings

A. Reimbursement
All payments for travel and meetings shall be on the basis of either reimbursement of expenses advanced by the Council Member/Official or payments made directly to travel agencies/websites, hotels, airlines or the organization sponsoring the meeting. All requests for payments or reimbursements must be accompanied by supporting vouchers, invoices or paid detailed receipts and a copy of descriptive literature about the conference or meeting. The Mayor or Chair for Officials must approve, in advance, individual travel requests for out-of-town meetings and conferences, e.g., Annual League of California Cities Conference, National League of Cities Conference, etc., including Eligible Activites. Allowable expenses for local or Bay Area Eligible Activites do not require prior approval by the Mayor or Chair.

The total reimbursement shall not exceed the budget adopted by the Council for this purpose.
All reimbursements shall comply with the limits of Policy and Procedures 1-02 (Citywide Travel Policy).

Expense reports should be submitted within 30 days of end of trip. Inability to provide such documentation in a timely fashion may result in expense being borne by the Council Member or Official.

B. Meals and Incidentals
Notwithstanding the preceding general policy regarding reimbursement, a Council Member or Official may submit a payment request (supported by conference literature) for advance payment of meals and incidentals allowance according to the Internal Revenue Service authorized mileage reimbursement rate and payment for meals and incidentals consistent with City Policy and Procedures 1-02. If the amount advanced is exceeded, additional reimbursement may be requested upon return from the meeting. Requests for additional reimbursement must be supported by a detailed report and receipts for all meals and incidentals. The Mayor shall pre-approve additional reimbursements, and if the expenses are determined to be excessive, they may not be approved.

C. Lodging Expense
Reimbursements or payment of hotel bills will be limited to the highest group or governmental rate available and will cover room charges, applicable taxes and any other item listed in this policy for the Council Member or Official. Telephone calls to Palo Alto City Hall may be made collect. Other charges on the bill such as extra guests and the like are not reimbursable.

D. Transportation

- **Air Transportation**
  Reimbursement or payment will be limited to economy class commercial air carrier, or an available group travel rate if lower.

- **Private Automobiles**
  Private automobiles may be used for personal or group transportation on extended trips. Reimbursement shall be made at the rate established by the Internal Revenue Service authorized mileage reimbursement rate consistent with the City Policy and Procedures 1-02. Mileage reimbursement for private automobiles shall not exceed the cost of round trip air transportation (economy class) and rental car, if applicable, or an available group travel rate if lower.

- **Rental Car**
  Economy level only when Council Member or Official has traveled by airplane out of the Bay Area.

- **Shuttle/Taxi**
  When traveling out of the area.
7.3 - Local or Bay Area Activities
Council Members or Officials who have been requested or designated to represent the City may receive the actual cost of:

A. Meals, if they are a scheduled feature of the activity, e.g., SCCCA dinner meetings.
B. Registration fees where applicable.
C. Mileage if activity is outside the City (mileage claims should be submitted monthly, with details: date and type of meeting, number of miles traveled to be indicated), consistent with City Policy and Procedures 1-02.
D. Council Members and Officials may be reimbursed by the City for use of a private bicycle to attend local or Bay Area activities outside the City of Palo Alto consistent with City Policy and Procedures 2-9.

7.4 - Other Expenses

A. Airport parking fees, but Council Members and Officials must use long-term parking for travel exceeding 24 hours.
B. Meal expenses and associated gratuities must be within the limits set in City Policy and Procedures 1-02.
C. Telephone/Fax/Cellular expenses will be reimbursed for actual expense incurred on City business.
D. Internet Fee up to $15 per day, if a Council Member or Official is traveling on official business and needs access for City-related business.
E. Baggage Handling Fee up to $3 per bag will be reimbursed.
F. Ethics Training Expenses – AB1234 requires ethics training every two years and such fee and related expenses are eligible for reimbursement.

7.5 - Activities Not Considered Reimbursable

A. Voluntary attendance at any conference or meeting, not representing the City.
B. Meetings of social or service organizations.
C. Meetings of voter groups or with individual citizens concerned with agenda items.
D. Election campaign activities.
E. Alcohol and entertainment expenses.
F. Personal portion of the trip and other non-mileage automobile expenses.

7.6 - Reports to Council
Council Members and Officials shall provide brief verbal reports on meetings attended at the City's expense at the next regular Council/Board/Commission meeting. If multiple Officials attended, a joint report may be made. All related documents are subject to the Public Records Act and can be periodically reviewed by auditors.

7.7 - Violation of This Policy
Use of public resources or falsifying expense reports is in violation of this policy and may result in any or all of the following:

A. Loss of reimbursement privileges
B. A demand for restitution to the City
C. The City reporting the expenses as income to the elected or appointed Official to state and federal tax authorities
D. Civil penalties of up to $1000 per day and three times the value of the resources used
E. Prosecution for misuse of public resources

7.8 - Mayor and Vice Mayor Additional Compensation
The Mayor shall receive $150 monthly and the Vice Mayor $100 monthly to defray additional expenses of these offices.

7.10 - Support Services
The City Clerk's Office makes travel arrangements for Council Members. This service includes conference registration, hotel reservations, per diem advances and reimbursement of unforeseen expenses. The department liaison for each board and commission will be responsible for arrangements for Officials.
CITY OF PALO ALTO COUNCIL PROTOCOLS ETHICS ADDENDUM

The citizens, businesses and organizations of the city are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity.

To this end, the City Council has adopted Council Protocols and this Code of Ethics for members of the City Council to assure public confidence in the integrity of local government and its effective and fair operation.

A. Comply with Law
   Members shall comply with the laws of the nation, the State of California and the City in the performance of their public duties. These laws include but are not limited to: the United States and California constitutions, the city Charter, laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of governments and City ordinances and policies.

B. Conduct of Members
   The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Council, boards and commissions, the staff or the public.

C. Respect for Process
   Members shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public and implementation of policy decisions of the City Council by City staff.

D. Decisions Based on Merit
   Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

E. Conflict of Interest
   In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

F. Gifts and Favors
   It is contrary to the city of Palo Alto's ethical standards for any council member to accept gifts or gratuities from an individual, business, or organization doing business, or seeking to do business, with the City or who is seeking permits or other entitlements from the City.
The acceptance of gifts can convey an appearance of favoritism and conflict of interest. Gifts can be perceived as attempts to influence City operations or as compensation for services rendered and can erode the public confidence in the impartiality of decisions made by Council Members.

Council Members exercise good faith in carrying out this Protocol. It is impossible to list every situation and fact pattern, so it anticipates that Council Members will exercise their good judgment in determining whether the item is a gift or not.

This policy is supplemental to the gift limitations of the Fair Political Practices Commission's Limitations and Restrictions on Gifts, Honoraria, Travel and Loans.

The following are not considered gifts under this Protocol:

- Gifts which the Council member returns (unused) to the donor, or for which the Council Member reimburses the donor, within 30 days of receipt.

- Gifts from a Council Member's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, unless he or she is acting as an agent or intermediary for another person who is the true source of the gift.

- Minor gifts of hospitality involving food or drink, that the Council Member receives in an individual's home or at another location of business.

- Gifts approximately equal in value exchanged between the Council Member and another individual on holidays, birthdays, or similar occasions.

- Informational material provided to assist the Council member in the performance of their official duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free or discounted admission to informational conferences or seminars.

- A bequest or inheritance.

- Campaign contributions.

- Personalized plaques and trophies with an individual value of less than $250.

- Tickets to attend fundraisers for campaign committees or other candidates, and tickets to fundraisers for organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.
• Free admission, refreshments, and similar non-cash nominal benefits provided to the Council Member at an event at which the Council Member gives a speech, participates in a panel or seminar, or provides a similar service. Transportation within California, and any necessary lodging and subsistence provided directly in connection with the speech, panel, seminar, or similar service, are also not considered gifts.

• Passes or Tickets which provide admission or access to facilities, goods, services, or other benefits (either on onetime or repeat basis) that the Council Member does not use and does not give to another person.

• Wedding gifts

• A prize or award received in a bona fide competition not related to official status.

(These exceptions are paraphrased from FPPC publications.)

• Gifts from Sister Cities or other entities, other municipalities, if forwarded to the City.

G. Confidential Information
Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

H. Use of Public Resources
Members shall not use public resources, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

I. Representation of Private Interests
In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any other board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

J. Advocacy
Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

K. Positive Work Place Environment
Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing
with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

\[\text{Palo Alto Municipal Code, § 2.04.080(b).}\]
\[\text{Palo Alto Municipal Code, § 2.04.120(c); 2.04.150(b)}\]
\[\text{Palo Alto Municipal Code, § 2.04.010(b).}\]
\[\text{Palo Alto Municipal Code, § 2.04.070(c).}\]
\[\text{Palo Alto Municipal Code, § 2.04.020.}\]
\[\text{Palo Alto Municipal Code, § 2.04.030.}\]
\[\text{Palo Alto Municipal Code, § 2.04.040.}\]