



Architectural Review Board

Staff Report (ID # 11972)

Report Type: Approval of Minutes **Meeting Date:** 2/4/2021

Summary Title: Minutes of December 17, 2020

Title: Draft Architectural Review Board Meeting Minutes for December 17, 2020

From: Jonathan Lait

Recommendation

Staff recommends the Architectural Review Board (ARB) adopt the attached meeting minutes.

Background

Draft minutes from the December 17, 2020 Architectural Review Board (ARB) are available in Attachment A.

Draft and Approved Minutes are made available on the ARB webpage at bit.ly/paloaltoARB

Attachments:

- Attachment A: December 17, 2020 Draft Minutes (DOCX)



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: December 17, 2020
 City Hall/City Council Chambers
 250 Hamilton Avenue
 Virtual Meeting
 8:30 AM

Call to Order/Roll Call

Present: Chair Peter Baltay, Vice Chair Osma Thompson, Board Members David Hirsch, Grace Lee, and Alexander Lew

Absent: None.

[Roll Call]

Oral Communications

Chair Baltay: Thank you. Next item is oral communication. Are there any members of the public who wish to address and item not on our agenda. Do we have any speakers?

Veronica Dao, Administrative Associate: We currently do not have any raised hands.

Ms. Gerhardt: I'll raise my hand. I'm not a member of the public but Jodie Gerhardt, Manger of Current Planning. Just before we get started I wanted to congratulate Board Member Thompson and Board Member Lee for their reappointments to the Board. That was done on the 14th by City Council and they will be taking their oath of office later today as this is the start of their new term. Thank you very much. We are glad to have you continue on. Thank you.

Agenda Changes, Additions and Deletions

Chair Baltay: Congratulations Grace and Osma. Do we have, then, any agenda changes, additions or deletions, Jodie?

Ms. Gerhardt: Thankfully, no.

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, and 2) Tentative Future Agenda items and 3) Recent Project Decisions

Chair Baltay: No, okay. Then city official reports. I guess this is our last meeting of the year but what can you say for us?

Ms. Gerhardt: Yes, it is our last meeting of the year. Maybe at the end, we will say happy holidays, but as far as... last meeting of the year. Do we have the next year's schedule, Veronica? Veronica is showing this slide. Perfect. January 7th would be our first hearing of 2021. In looking at the items that

staff has, we were not able to get all of the necessary pieces to put together a January 7th hearing. That hearing will actually not happen for the main Board. I would like to talk to the subcommittee though, the objective standards subcommittee and pull together a subcommittee meeting on January 7th hopefully starting around 10:00 a.m. That would be Board member Thomason and Board Member Hirsch. Hopefully, you're available at that time and we can email to get more details. That's it.

Chair Baltay: Thank you, Jodie. Okay, anything else?

Ms. Gerhardt: Nope.

Action Items

2. PUBLIC HEARING / QUASI-JUDICIAL. Upstream Of Highway 101 Project; Pope-Chaucer Bridge [20PLN-00202]: Major Architectural Review for replacement of the Pope-Chaucer Bridge. The project also includes downstream channel modifications in four locations and a retaining wall in one location for improved flood protection. Environmental Assessment: Lead Agency SFCJPA certified an EIR on September 26, 2019. Zoning District: PF, R-1, and Public right-of-way. For More Information Contact the Project Planner Claire Raybould at Claire.Raybould@cityofpaloalto.org

Chair Baltay: Okay. With that we will move on to our action items. The first item is number two, public hearing/quasi-judicial. Upstream of Highway 101 Project; Pope-Chaucer Bridge. Major architectural review for replacement of the Pope-Chaucer Bridge. The project also includes downstream channel modifications in four locations and a retaining wall in one location for improved flood protection. The Environmental Assessment: Lead Agency SFC Joint Powers Authority certified an EIR on September 26, 2019. Do we have a staff report, please?

Claire Raybould, Project Planner: Thank you. Good morning, Board Members. I am Claire Raybould. I am the Senior Planner on this project. The item before you today is a study session, as you noted, to discuss the Upstream of Highway 101 Project. This project includes work in several different jurisdictions, specifically in particular Menlo Park, City of Palo Alto and East Palo Alto, as well as, I believe, unincorporated areas of the county. It specifically includes six locations within Palo Alto between Highway 101 and Pope-Chaucer Bridge. As I noted in my staff report, the San Francisquito Creek Joint Powers Authority Board is actually the lead agency for this project. The City of Palo Alto is a responsible agency. Therefore the City's purview only pertains to the work on the project that is within the city limits. Therefore, the plans before you today focus on the work that is occurring within the City of Palo Alto. The key design feature before the Architectural Review Board today that is part of this project is the replacement of Pope-Chaucer Bridge, which crosses San Francisquito Creek at the intersection of Chaucer and Pope Street between Woodland Avenue and Palo Alto Avenue. I plan to be very brief in my summary of the project description because I know the Joint Powers Authority is here today and they have a short presentation prepared for you that provides a little bit more detail about their design. The project includes replacement of an existing two-lane bridge with a two-lane bridge along the same alignment. The proposed bridge would have an approximate 32-foot span from curb to curb with six foot three-inch sidewalks on each side. There would be four overlooks and lighting is proposed on the bridge. The project removes the concrete abutments from the existing culvert and replaces it with a three-span bridge and a slightly raised deck to provide better flow capacity beneath the bridge. The project also includes channel widening in four locations and a retaining wall in one location, all downstream of Pope-Chaucer Bridge. This slide just shows a brief overview of the different locations where work will occur. You have the bridge right here. You have sites one and two which are located behind approximately Crescent Drive area of Palo Alto. You have sites three and four which are behind Edgewood Drive area in Palo Alto, and you have site five which is located near that Highway 101 intersection. This is just a photo to give some context of the existing versus the proposed bridge. As you can see, this is actually a culvert, so it is concretized along the entire bottom of the creek bank and it has concrete within the channel. This would remove the concrete from inside the channel to allow that flow capacity beneath that bridge. Also, it includes reestablishing the natural creek bank along the bed of the bank. This is just a brief aerial view of the project. I do want to note that the different colors shown here are just showing

the areas that are going to be a new deck. It's not actually going to be a different color when it is actually constructed. Today, we are asking you to provide some overarching comments on the project, as well as comments on specific details of the design such as the lighting, any details on the observations decks, and the landscaping in particular. With that, I will turn it back to you. Next steps are we plan to return to the ARB for a formal recommendation on the project in early 2021. We are currently looking at late January for that. Then, we would go to the Council for a decision on the project. I am going to turn it back to you and recommend that you hear from the Joint Powers Authority who has a brief presentation prepared for you.

Chair Baltay: Thank you, Claire. Before we go further, I forgot to ask for any disclosures but, Claire, I understand this is considered a study session, not a formal review?

Ms. Raybould: Correct. It was noticed as a formal hearing but it is actually a study session and we plan to come back in early 2021 for a formal hearing.

Chair Baltay: Okay, then I don't think we need to go through disclosures then. The Joint Powers Authority, do they have someone here to make a presentation? Hi Margaret. Veronica, if you could admit her to the meeting let's see what they have to say for us, please. Welcome, Margaret, good morning.

Margaret Bruce, Executive Director of San Francisquito Creek Joint Powers Authority: Good morning. Thank you so much for having us.

[Setting up presentation.]

Ms. Bruce: I am hoping most of you are familiar with the Joint Powers Authority. We were formed in 1999, after the flood of record. There was a 7,200 cubic feet per second flow through the San Francisquito Creek that caused widespread damage in Menlo Park, Palo Alto, and East Palo Alto. There have been a few other notable flows in the recent past, on in 2012, but, of course, there have been others that have been pretty high. Some of the reasons for that are the constriction points at various parts of the San Francisquito Creek channel that have been created through human development. Back in 2019, we completed this yellow section, the downstream of 101 section, Reach 1 as it is sometimes called, that opened up the downstream channel through East Palo Alto and Palo Alto between the residential area of East Palo Alto and the Palo Alto Golf Course and airport. That was essentially like taking a wine bottle and turning it into a mason jar. It opened the throat of the creek, enabling flow to pass through that lower part of the channel which had been constricted, and also restored some tidal marsh and protected East Palo Alto and Palo Alto from both rising tides due to sea level and from riverine flooding. Our next step is moving upstream. That is sometimes called Reach 2, and the objective of that is to restore the natural channel capacity by removing constrictions and restraints that have been created by sometimes development inside the channel and by the trim point at Pope-Chaucer Bridge. These constrictions and constraints create a bathtub effect by backing water up into the stream channel, it then rises and overtops its banks. Our next and future project is going to be detention basins -- at least that's our objective -- in the upper reaches of the watershed to help slow down the flow from the majority of the watershed where most of the rainfall happens so that it can trickle out more slowly in these very large storm events and keep those really high peaks from happening in the lower reaches of the watershed. This is just a quick overview of the first projects that included some pretty amazing work with gas and sewer pipelines, new levees, and some floodwalls including some sheet pile walls which will come up later in our conversation. This is an image of the floodplain as it happens. The creek is what is called a perched creek and you can tell that by seeing how the floodwaters flow away from and downhill from the creek across its natural floodplain, which we have now built up all of our towns and roads, and stores and everything on. The red areas are the places that were removed from the creek floodplain by the first project, the downstream project. The areas in blue will be removed from the 100-year floodplain after the satisfactory completion of both the Reach 2 and Reach 3, the upstream and the upstream detention projects. This is just a quick view of the places where there are constrictions, and they also correspond to some of the places where our work is going to be happening specifically here at West Bayshore, you're all already aware of the Newell Bridge. This is not as much of a concern but this one

certainly is. As you can see, that is a turning point. That is what the focus of our upstream project is about. Here are some images of that project at Bayshore. If you can peek over here to this little corner you can see there is another bore, there is another tunnel underneath 101 and West Bayshore where there is an opening here and a realignment of this side, the Palo Alto side, of the creek bank will enable us to open up this part of the channel even more. This is where it would be. There is stacked concrete in this location. There is an existing Santa Clara Valley Water District easement that will enable us to realign this creek bank area -- where you see the arrow pointing -- with that sort of hidden fourth bore underneath the bridge. Moving upstream to the Palo Alto widening sites, there are a few places where you see these stacked concrete bags, the concrete sac creek walls. These are going to be taken out and the creek bank made more vertical. I am not sure if you can see my curser by I will try to speak to the pint if you can't see it. This is an area where the creek channel is very confined in part because of this old, stacked sakrete [phonetic]. By removing the sakrete and making this part of the already modified channel wall more vertical it allows more flow capacity in the channel. At this point, we are imagining in widening sites one, three, and four -- these are the ones upstream here -- and five down here... excuse me, one, three, and four are probably going to be what are called soil nail walls. That is where there are concrete structures built along the bank of the all and deep, long -- think molivolls [phonetic] -- go into the soil underneath the structures into the bank and hold that concrete and hold the soil structure of the creek bank in place. Soil nail walls are chosen in areas where the bank may have curvature or there may be other features, rocks or other things, that want to be incorporated into that retaining protective structure and they can conform easily to the curve of the bank. In sites two and five, we are likely going to use sheet pile walls similar to those that were used in the downstream project. Sheet pile walls are driven into the ground and then are capped with either a metal or concrete top to retain the bank above them or behind them. Those, again, are vertical or close to vertical. The choice of which type of bank retention or bank stabilization technique is based on constructability. Can the equipment get moved into the channel so that those features can be constructed in that location? Also, what is the best engineering solution for that particular part of the creek? Again, does it need to conform to curvature or other natural features or can it just be a straight sheet pile? At site two, there is a very interesting concrete feature that has been built right into the creek channel. This goes back to possible as long ago as the thirties or forties. It may have been a terraced garden at some point. It has been there long enough that some rather mature trees have grown up through the concrete, but because it creates such a chokepoint in the channel its removal is going to be a very important part of this project. Where it is also enabling us to use this site to lay back the creek bank at a 3:1 slope, again expanding the channel capacity providing a restored channel and bank natural structure. Here is an example of what that might look like. In the upper right-hand corner of this picture, it looks like a natural creek bank but it's not. There are plantings here and plantings above and this creek channel bottom is actually restored and engineered material. It functions just like a natural creek's bottom and bank. That is what we will envision doing in these places at site two where we will have such an opportunity to recreate the natural creek bank and channel bottom. Here are some examples of how these techniques are also applied, either in a sheet pile wall or other structures where the toe of, which means down here at the channel bottom, is protected from erosion and scour by a series of interlocking and different cobble and boulder sizes. These kinds of materials are also important for natural fish passage. As you may have read in your packet, there are a number of different treatments for both the channel bottom and the creek banks that are specifically designed to provide shelter and refuge for migrating steelhead and other fish species when there is water in the creak, particularly important during their migration times. This is a rendering of what we envision the creek bank will look like where the concrete structure has been removed and it has been allowed to re-vegetate with natural vegetation. The last place that I want to point out where we will be doing channel work is to replace this wooden parapet at the intersection of Woodland Avenue and you're standing here on University Avenue. This would align with the existing wooden parapet but would be replaced with permanent concrete structures. This is a little bit of a rehash from some of the things that Claire showed you. Pope-Chaucer Bridge's existing configuration is this culvert with a bend in it. It doesn't go straight through, there is a little bit of a kink in it. It will be replaced, we envision and propose, by this three-span bridge which provides creek bank respiration, creek bottom restoration, the same alignment across the roads in the existing road elevations and sidewalk elevations, lighting that can be customized so that it shines only on the bridge, not on the water and not into the intersections. The treatment of the bride and the treatment of the bumpouts can be customized. Again, it removes this narrow culvert concrete restriction. This is the aerial view that you saw before. I want to take a moment

to interject that one of our project neighbors has asked for the City of Palo Alto's consideration on a no-left turn sign from this intersection across the bridge during the hours of 3:00 p.m. to 7:00 p.m. We understand this is not the Architectural Board's purview nor is it the project's purview. We are simply passing this request along as a courtesy to our project neighbor. They are concerned about cut-through traffic as rush hour travelers come this way on the bridge, turn right on Woodland Avenue and traffic stacks up along woodland Avenue. These are the technical maps and drawings that you have probably seen in your packet. They describe where the bumpouts are, they describe the bridge deck. You can see a slight change in elevation here. It has an approximately three and a half foot rise from one end to the other. The middle is three and a half feet higher than either end. There is a very gradual arch. Each of the bumpouts from this corner to this corner is 16 feet wide. Again, the sidewalk is six and a half feet. It is the same two-lane alignment. Let's see if there is any more detail here. Maybe a little more detail here where you can see some of the previous alignments of where the current culvert is and the current bridge is along here. You can see that better in this picture. It would reduce the amount of blockage or coverage of the natural creek channel by removing this larger old structure and replacing it with this same size bridge alignment. There are going to be parts of this project that will impact trees and other native vegetation, these areas in particular. We want to and have minimized our project footprint so that we can avoid impacting particularly the mature vegetation along the creek bank as much as possible. Of course, our intention is to comply fully with all of the advice and direction from both the City of Palo Alto, the City of Menlo Park's arborists and to seek their expertise, and to work with the community members adjacent to our projects to hear their preferences for vegetation and tree management. We will accommodate that as best we can within the course of the project. There will be traffic; there will be trucks; there will be noise. These are the locations of the major work and the traffic impact locations are most likely in these areas. There will probably be about 20 workers at any given site on any given day. About 60 trips per day are what we have anticipated. There are likely, especially around the Pope-Chaucer Bridge area, to be impacts to local neighbors with the demolition and construction around noise and dust, and certainly because the bridge is going to be closed for the duration of that construction period a convenience of the bridge will be lost for the time of construction. I think that is about it. Before I entertain questions, I have to acknowledge and thank the folks at NV5 who have been so helpful in the engineering and design, as well as our great colleagues at the Santa Clara Valley Water District. We have Russ Nygaard and Peter Park [phonetic] from those organizations respectively, and many thanks to my great team. Tess Byler has led all of the work with our arborist and with both Menlo Park and the Palo Alto side. Kevin Murray is the overall Senior Project Manager for the Upstream project. They are all in attendance this morning and we can all help answer your questions. Thank you.

Chair Baltay: Thank you very much, Margaret. That was a very, very nice presentation. It was very thorough and your graphics really go a long way to explaining your project. Do we have any questions of the applicant from any member of the Board?

Vice Chair Thompson: I have a question.

Chair Baltay: Go ahead, Osma, please.

Vice Chair Thompson: I wanted to ask either staff or Margaret, is the railing of the bridge something that is set in stone, or is that what we are able to comment on?

Ms. Bruce: It is not set in stone literally or figuratively. It can be customized in any number of ways. There are treatments, there are materials that can make it either look like wood, like metal, it can remain bare concrete, it's the pleasure of the Architectural Review Board to help us finish those details in our planning and design.

Vice Chair Thompson: Thank you.

Chair Baltay: Any other questions?

Board Member Lee: Margaret, I am just wondering, it sounds like the shape, and form, and dimensions of the observation decks also... I don't know if there were any guiding principles in how they are currently represented.

Ms. Bruce: The only guiding principle that I am aware of I am aware of, Ms. Lee, is that there was a desire for there to be an opportunity for pedestrians to stop and view the creek. There can be benches; it is at your pleasure to adjust how those are arranged. The designs themselves of the bumpouts I believe can be customized. They have been included because it is our understanding that there was a desire to have more of an opportunity to have the public be able to engage with the creek, enjoy the scenery of the creek, and to provide an aesthetic element to the bridge.

Board Member Lee: thank you. Then, if I may, Peter, just the other question I had was the need or any discussion regarding crosswalks or paving patterns that might direct wayfinding or public safety.

Chair Baltay: I am not sure I follow you, Grace. To the applicant, can you explain the paving patterns and finishes? Is there some special way to get wayfinding marked into that?

Board Member Lee: Or if there was an ask for crosswalks or requirements? I am just curious.

Ms. Bruce: I am not aware of any crosswalk or wayfinding requirements as part of a flood control bridge or basically a flood risk mitigation project. I would defer to my colleagues either at NV5, Valley Water, or to Kevin if there has been discussion about crosswalks or other wayfinding elements. I am punting to you guys.

Chair Baltay: I had a couple of questions that if everybody is complete here...

Board Member Hirsch: I have to...

Chair Baltay: Go ahead, David. You can go ahead first.

Board Member Hirsch: Okay. Yes, Margaret, this is an excellent (inaudible). It is very thorough and the photographs are wonderful, especially the one I am looking at right now. I wish the creek would look this way all of the time. I happen to live very close to it, almost within (inaudible) water and there was last week, this past week. My question really is in Middlefield what is going to happen at the Middlefield crossing? Is it adequate there to handle the plan or is this part of a future improvement?

Ms. Bruce: It is not part of our current plans. The bridge crossing at Middlefield is considered adequate flow passage for the peak flows that we anticipate. At this moment, it is not part of our project plans either for this Reach of the creek or the further Upstream Reach. I suppose there are possibilities for us to reconsider that if our hydrological modeling or circumstances would raise that as an issue that we would need to consider in the future.

Board Member Hirsch: Okay. How would you describe it? Can it handle the floodwaters presently the volume that we're expecting (inaudible)?

Ms. Bruce: I am sorry, Mr. Hirsch, I am not quite sure I am hearing you very well. If I understand your question, you're asking what is the current capacity at Middlefield and whether or not that's adequate.

Board Member Hirsch: Mm-hmm.

Ms. Bruce: I would need to go back to my drawings and maps that I don't think I have on... let's see. This area, I don't remember what the capacity is at this particular bridge but it is probably in excess of 5,800 or 6,200 cubic feet per second. I am hoping that Kevin can chime in. He probably has that at the tip of his tongue.

Kevin Murray: Yes, good morning. The capacity at the Middlefield Road bridge is about 7,200 CFS under normal flows and about 7,500 CFS under pressure flow, meaning when water backs up behind the structure. That is about equal to the natural channel capacity downstream. If we were to remove or modify Middlefield Road Bridge, that would create a situation where all of that downstream reach, not just where you see circles but the entirety of it, could be subject to over-banking. Our current strategy is to leave the Middlefield Road Bridge in place to act as a checkpoint for flow downstream. Now, remember, the flood of record was 7,400 CFS in this area; 7,500 CFS at the Middlefield Road Bridge is an adequate to pass that 1998 flow with maybe just a little bit of overtopping that causes some street flooding but not the type of overtopping that causes major structural damage to homes and businesses.

(Crosstalk)

Mr. Murray: Moving forward, as Margaret said, our strategy is not necessarily to modify Middlefield Road Bridge to get us to that next level of protection, it is to look upstream where we could possibly detain water at those offline detention basins, what Margaret described as our Reach 3 projects that would come in the future, to reduce the overall peak flow such that Middlefield Road Bridge is no longer even a consideration as a construction point.

Board Member Hirsch: That answers my question very well. I just want to say that I was present here when (inaudible) years ago there was a significant rainstorm and the present bridge was above the arch and trees were coming downstream and held against the archway there and then sucked under that (inaudible) presently under the bridge. It was a very dramatic time; a lot of neighbors were there and this looks very much like it would probably solve that kind of a problem. We were a little bit scared at the time (inaudible). Thank you all very much for the (inaudible) terrific job. It's quite (inaudible) solving this problem. Thank you.

Chair Baltay: Thank you, David. Claire, I wonder if you could outline for us the process that is going to take place with other agencies making similar reviews to ours, say the Menlo Park Planning Commission. How are we assuring coordination between all of these various agencies?

Ms. Raybould: Yeah, I have been coordinating very closely particularly with Menlo Park since the bridge crosses both jurisdictions. Actually, the representative working for Menlo Park is our former Public Works Director. He is very familiar with the Palo Alto regulations and requirements. Mike Sartor and I have been working really closely together on this project. The plan right now has been just trying to coordinate the timing of our hearings. They have not set the date for their Planning Commission, but they anticipate likely late January as well for their Planning Commission hearing. It sounds like trying to align with our Architectural Review Board hearing and I anticipate sending him, following this meeting, a brief summary of the key comments from our Architectural Review Board for their consideration as they move forward with their recommendations or approvals or whatever they are looking to do for this project. I know that he has expressed that the key considerations for his Planning Commission in his mind our trees and the loss of trees, in particular there are a couple of trees on the Menlo Park side that they have been closely coordinating with the JPA to see if some slight revisions to the design might be able to better protect those trees and save them, and then just the traffic as well during the temporary construction period, and the relocation of traffic towards Middlefield Road in particular. There is going to be a temporary signal, which was analyzed in the Environmental Impact Report at Middlefield and Woodland Avenue for the temporary construction period. Those are the key considerations that the Planning Commission, he thinks, will be interested in in Menlo Park.

Chair Baltay: Thank you, Claire. My second question is more mundane, but to the applicant, I want to be sure I understand correctly. I noticed on the plans the note calling for a painted date designation on the bridge. Is that correct? Is that how you intend to commemorate the date and construction of this bridge?

Ms. Bruce: I believe that is what is being proposed. I am not sure that there aren't other alternatives of painted or stamps or a plaque or I am sure there are many options...

Chair Baltay: Okay. I just wanted to know what is in the application right now.

Ms. Bruce: ...that are available to us.

Chair Baltay: thank you.

Ms. Bruce: If there is a City of Palo Alto convention that we should consider following and include in our plans and design we would be grateful to know what that would be.

Chair Baltay: I don't know convention. We don't build convention; we don't build that many bridges here. Lastly, Claire, we had talked about having the city arborist chime in on this. There is an awful lot of live Oak Trees being removed and we are hoping to have even more replanted but I am curious to hear the arborist's perspective on both the tree removal and what the feasibility is to restore some of that. Is that person available, that Walter?

Ms. Raybould: Yeah, Catherine Mondkar is actually present, I believe, on the call.

Catherine Mondkar, Arborist: Yes.

Ms. Raybould: Catherine, thanks for joining us today.

Ms. Mondkar: Yes, good morning. There are quite a few trees being removed for this project and many of them are Coast Live Oaks. Not all of them are the specified DBH that make them protected but some of them are. Given the greater public benefit of this project, Planning and Urban Forestry feel it necessary to approve of the removal of these trees. They will be replaced as per the Tree Technical Manual's guidelines of replacing canopy. If we lose one Coast Live Oak it will be replaced with multiple new 24-inch box trees to meet that canopy within ten years which is the Palo Alto Tree Technical manual's guidelines. We are working closely to make sure that the replacement values are accurate and that they are replaced with native, in some cases regional adapted, species but drought-tolerant species.

Chair Baltay: Okay, and you're confident that you'll be able to fit that many new trees? I mean, in the area of the Pope-Chaucer Bridge the whole thing is covered with Live Oak Trees and it is hard to see how you'll fit three-times as many there. Have you...

Ms. Mondkar: For projects like this we have also started thinking about the way... in Margaret's presentation she was showing how some of them are... Margaret, if you can say, what is the name of when it's a very tiny specimen of a species they have planted in?

Ms. Raybould: Willow cuttings.

Ms. Bruce: Right, right.

Ms. Mondkar: Willow cuttings. In a unique and specialized project like this, we can look at square footage of land and how many spacing of Willow Oaks will be going within a particular square footage, how many can we get in. Where there are available locations to plant 24-inch box trees on level, flat upland ground we will be planting them there. In areas where we want to be replacing what was lost with the Willow Oaks, we're going to be looking more at square footage of land rather than how many 24-inch box we can get in. There will be probably in the hundreds of these Willow clippings.

Ms. Raybould: I just want to note to add to that that the trees don't necessarily need to be planted in the exact location that they are lost. We have been working with the JPA to identify what the total canopy loss is and to determine whether there is sufficient space to plant within the worked area, the project area. If we find that we need to expand out from these project areas then the City of Palo Alto would work with the JPA to identify areas within street planter areas within close proximity to where the trees are lost to help identify new locations for that replacement planting.

Chair Baltay: Thank you, Claire. My last tree question is really very particular but there was a very large Live Oak Tree. It's towards the bay and towards Menlo Park on the Palo Alto side, tree number 38 which I believe the plans called for retaining. Are you familiar, Catherine, with that particular tree? I want to see if you've looked at whether that really will be saved.

Ms. Mondkar: Tree 38. It's a 17-inch DBH Coast Live Oak.

Chair Baltay: No, it's much bigger than that I believe.

Ms. Mondkar: Okay. In the PDF of the Pope-Chaucer plan set that was available to me, tree 38 is a 17-inch DBH. I am not sure which large Coast Live Oak... which other one you're referring to. I see that there is a 34-inch, which looks like the biggest one in this tree removal list.

Chair Baltay: Okay. I was out there looking at them and I took a photograph of the tree and the metal tag on it. Let's come back to it. I don't want to waste our time now. I am just concerned that that particular one is a real majestic tree and we'll flag it.

Ms. Mondkar: Okay.

Chair Baltay: Okay. Any other questions?

Vice Chair Thompson: Yeah, I had one more question for Margaret. On the material that will be deposited as part of the bank, you mentioned that it was an engineered... I was a little unclear. I was wondering if you could just reiterate what... it sounded like it wasn't going to be returned to an entirely natural material. That it was going to be sort of a hybrid.

Ms. Bruce: I think that's a very good description, Osma, is hybrid. It's not natural because right now there aren't very many large cobbles and boulders washing down the stream. Being able to put rocks and boulders into the stream isn't exactly natural. If there were no humans here they would happen naturally but because we have dammed and diverted and changed so much of the watershed it doesn't happen as much anymore. What you see on either side of the bank on either side of the bridge here are also engineered materials. These are what are called riprap. There are stones that are set along the banks to help guard the banks against erosion and undercutting. They will also provide a more natural creek bottom in these places along the stretch where the bridge has been replaced and the concrete bottom has been taken out. As we have mentioned, willow cuttings will be placed in between the stones so that overtime the willows will grow up and other kinds of plants will grow up in between the stones and it will start to look like a natural bank even though we have engineered its stability by placing rocks that are secured in place, again, by these willows that will grow in and around them. Yes, a hybrid is the right way of thinking of it.

Vice Chair Thompson: Okay, thank you.

Chair Baltay: Okay. Do we have any public comments? Are there any members of the public who wish to address us on this issue? Veronica, do we have anybody out there?

Ms. Dao: Yes, we have one raised hand from M. Brand.

Chair Baltay: I am sorry; can you say that person's name again, please?

Ms. Dao: It says M. Brand.

[Preparing Speaker.]

Michael Brand: Yes, my name is Michael Brand, 1401 Edgewood Drive, Palo Alto. The timing of this is the first question. The timing of the work to be done is coinciding with the Chaucer Bridge, is that what I am hearing?

Chair Baltay: Why don't you finish your statement and then we will come back to your questions if you could, please?

Mr. Brand: My statement is that I have lived along the creek for 75 years, first in Menlo Park on a farm. I was able to see first-hand the '55 flood and I rode down to the bridge on my bicycle. The creek is significantly different than it was back in that era. I lived in the creek a lot but a lot of the time we couldn't even do things in the creek because the creek bed and the walls of the creek were being cleaned out with equipment. Every year they were working down in the creek to open up the sides and so on. Everything we see now has to do with the green area. We have trees that are coming out of the bottom of the creek that are 50/60 feet tall now. What we are seeing here is that our property already dedicated about 30 feet of the property and we have lost two huge Oak Trees that were along the creek that lost the roots on that side. What you're going to do now is something that doesn't make sense in a way that on the other side of the creek where there is flooding... our area is out of the flood zone. Everything you are doing on our side of the creek you're basically going to be cutting off the roots from huge trees here that will be absolutely endangered. We had one of these Eucalyptus trees come down and go right through our house based on the fact the roots were cut off 50 years ago. The Oak Trees we lost looked healthy but their roots on the creek side were gone from the last time you did this. We are really concerned about the Live Oaks we have and these giant Eucalyptus that you're going to cut off the roots on all along this creek area. We really need to have that considered as you're doing for other places because you're going to have to remove these giant trees if you cut off the roots on the creek side. Whatever I can do to help coordinate with you our concerns about East Palo Alto, too. I don't know. My time is up I guess.

Chair Baltay: Yeah, if you could wrap it up. Is that what you have to say?

Mr. Brand: I am just saying we are right on the bend of the creek. The water levels during the last flood in the nineties was at least two feet below the top of the creek bed in our area but it was overflowing up towards the University Bridge. My concern is there is all kinds of debris that is coming down the creek when the water levels get to where it is. It's eroding on the East Palo Alto side where we are and so it seems like there should be work done on the East Palo Alto side of the creek should be considered because that is all eroding up against the road.

Chair Baltay: Okay.

(Crosstalk)

Chair Baltay: You've gone over time a little bit, Mr. Brand. If we could leave it at that, please. Thank you very much for your comments. Are there any other members of the public who wish to make a comment?

Ms. Dao: Yes, we have another raised hand from Pitch Johnson [phonetic].

[Preparing Speaker.]

Pitch Johnson: I live next door to Mr. Brand who just spoke.

Chair Baltay: Wonderful. Please go ahead.

(Crosstalk)

Mr. Johnson: ...57 years. Am I being heard?

Chair Baltay: Yes, you're being heard and we're listening clearly for you.

Mr. Johnson: Okay. The talk is to make the creek more vertical and I want to echo Mr. Brand's thoughts that it will cut off the roots further on some of these trees and the big Eucalyptus trees were a feature of

Palo Alto and were put there by a farmer about 1890. I won't make any more comments but they have to be careful that we don't kill those trees. I don't know what we'll do about it. The second point is I have two structures near the creek which if they make that vertical wall they talked about driving some horizontal structure into the creek bed to hold the structure... under the yard to keep the wall up and I am terribly concerned that one corner of my swimming pool, which is a valuable and useful thing we have, would be affected by driving horizontal structures into the side of the wall to hold it up. When the guys were out there last year I talked to them about that. They said they would have to take that into consideration. The other thing is right by the creek is the back stop of the basketball court, which again is very useful to us and about as important as the swimming pool, but my question really is what will they do... will they come to see us? Can we talk to them when they are making their final plans? What will happen to the structures and the tree roots right by the creek? We have one tree, we have four trees, one of which is huge and the other one is smaller; and our guest house next door we have another huge tree. My question is what can be done so we can be sure that the auxiliary work or the work they've done doesn't affect our yards and our structures on our property?

Chair Baltay: Thank you very much, Mr. Johnson. Do we have any other members of the public?

Ms. Dao: There are no more... yes, one more from Jim Willey [phonetic].

[Preparing Speaker.]

Jim Willey: Thank you very much. My name is James Willey, or Jim Willey. I live in Menlo Park right on the side of the creek.

Chair Baltay: Thank you very much. Go ahead, please.

Mr. Willey: I will submit more details by writing, but I would like to comment that the four semi-circular viewing extensions are rather useless given the fact that you can view the creek from all along both sides of the creek. No members of the public asked for those. I think that if you look at the environment that the bridge exists in right now, you don't even realize that you're going across a bridge. You think you're in a forest because trees are growing all along both sides. You can't even see the creek from the bridge itself now. You can see it from the banks, rather. I would prefer if we had an architectural treatment that tried to recreate the forest by planting on the bridge just as we have trees planted on the culvert now. The four semi-circular viewing extensions would be the minimum where you could plant 24-inch box Oaks or any other tree that would survive. It would be even better if it was a continuous planter along both sides so that you recreate what we have now, a forested crossing. One final thing to think about: no mention has been made in any of the documents about the Eruv, the Jewish wire that surrounds Palo Alto and that crosses the creek at the bridge. There has been no consideration that I know of on how that will be dealt with. Finally, many members of the public have expressed their desire for a single arch design rather than having this roadway like design. I would like some further consideration of that. I think I will limit my comments to that at this point and submit more... oh no, one final comment. The original plan was to maintain traffic and do this project over two years. If we are going to close this bridge for nine months, I highly recommend that we do a trail closure for at least a week after the traffic has somewhat returned to normal so that we can anticipate the disastrous effects of closing that bridge a year versus having two seasons of constructions and keeping the passage open. Thank you very much.

Chair Baltay: Thank you very much, Mr. Willey. Do we have any other members of the public wishing to address us, Veronica?

Ms. Dao: Yes, we have a raised hand from Ben Ball [phonetic].

[Preparing Speaker.]

Ben Ball: Hi, this is Ben Ball. I live on Edgewood Drive and my property backs up to the creek and to the property line. It technically goes t the center of the creek. I just want to echo the comments of my

neighbors Mike Brand and Pitch Johnson, but the specific question just in terms of what input we will be able to receive. I am looking at my backyard now, there are multiple 75 to 100-foot Redwood trees, Eucalyptus tree that is well in excess of 200 feet high, diameter of the trunk at the base is about 15 feet, maybe even 20 feet; it's a huge tree. All of these trees are right along the top of the bank of the creek on the Palo Alto side. Specifically, what indemnities are you going to provide residents as you bore holes into the top of the bank underneath these trees that might destabilize them in some way, shape, or form? In addition to the structures that Pitch Johnson talked about, what's the plan and the really the indemnification should the plan go wrong for the residents who have very mature trees on the Palo Alto side of the creek? Thank you.

Chair Baltay: Thank you very much, Mr. Ball. Any other members of the public?

Ms. Dao: No, we have no more raised hands.

Chair Baltay: No more raised hands. Very good. We will close the meeting to public testimony, then. I think before we begin with Board comments, however, I wonder if the applicant could address two things that seem to have been raised by the public testimony. One is the scheduling of construction of this bridge relative to the other bridge on Newell Road. Secondly, regarding the concerns with the tree roots and if that has been considered at all. Just to put those out there and a brief comment on each, please.

Ms. Bruce: Sure, thank you. The scheduling of construction has to happen in a specific sequence. The Pope-Chaucer Bridge can only be demolished and reconstructed after the Newell Bridge project is complete. We don't want to have two bridge crossings interrupted at the same time, nor do we want to have a circumstance where we are simply transferring the flow constriction risk to another location. We anticipate that the Newell Bridge construction will either be in 2022 or 2023. That means that the in-channel work can happen at the same time but the Pope-Chaucer Bridge has to happen at a subsequent year. Let's say speculatively if the Newell Bridge construction happens in 2023, then Pope-Chaucer could happen in 2024 or a year earlier depending on how the Newell Bridge project turns out. Again, the in-channel work, the creek widening sites, can happen at the same time as either Newell happens or at the same time as Pope-Chaucer happens. For those members of the community who are most interested in the channeling widening work, a speculative likely date, if we can say that, depending on regulatory agency permits, full funding -- we are at about halfway there on our funding -- and on the sequence of work at Newell, 2023 is looking like a probable date for in-channel work.

Chair Baltay: Thank you.

Ms. Bruce: With regards to the tree roots, I am hoping I can hand that question over to either Kevin Murray or Tess Byler. Tess has been working closely with the arborists and knows a lot more about trees and tree roots than I do.

Tess Byler: thank you. My name is Tess Byler and I work at the JPA with Margaret. I have met many of the members of the public who have commented. I wanted to address in particular that we had an arborist evaluation that is included in our EIR that specifically looked at the tree roots and all of the trees along the top. One of the reasons for selecting the soil nails is that the engineers and the arborists felt that you could replace the soil nails in a manner that would best preserve the tree roots and those large trees along the top of the bank. That's a specific design feature that we have incorporated into this project. Then, I think I just wanted to talk a little bit about why we did not choose a single-span bridge to address Mr. Willey's comment. That is because we would have expanded the project footprint greatly and encroached into the neighborhood. The bridge design that we have right now is a really good mix of what is good for the environment and what's good for the neighborhood. Then, the final thing is Mr. Willey is interested in trees planted along there. Of course, the big issue with that is maintenance. I maybe want to suggest that the City of Palo Alto has a tree maintenance team that comes in with volunteers from the neighborhood and keeps the trees going and possibly this is something that we could work on with Menlo Park as well. Thank you very much and if there is any other questions just let us know.

Chair Baltay: Thank you very much for your comments. Thank you to the applicant and thank you to the members of the public for bringing those issues forward. It is very helpful to put all of that out there at this point in the project. With that, we will bring the project back to the Board for discussion. The only one who hasn't said their two cents about anything today is Alex. So, you get to start.

Board Member Lew: Okay. Thank you to the presentation, and also special thanks for the drawing set. I think it was very clear. I think the renderings were very well done. Also, I did want to disclose that I have actually been down in the creek. I think this was for a creek cleanup two years ago. I have actually walked from the Bryant Street Bridge down to the Chaucer Bridge. If you haven't done it, it really is quite an experience. It looks very different from being in the bottom than it does from the top being down, looking from the top down. It actually feels much deeper and it actually feels much bigger and very much more remote than from being up at the top of the bank. Okay, on my list of items here is... I think Peter mentioned the large Oak Tree on Chaucer and Palo Alto Avenue; I did see that the drawings are retaining it. I didn't see a tree number on it but I was curious about that with regard to all of the grading that is going to happen at that area. I saw that there is an existing bench with interpretive signage on the top of the bench and I was wondering if something like that would be retained or replaced. I did see an existing garbage can near that bench and I was wondering who maintains that. Is that maintained by Palo Alto's Parks Department? I think on the native plantings, I looked at the plant list and it looks good to me. I think my only question was whether or not we were using plant particular to that watershed. I do know that Grassroots Ecology has a plant nursery where they raise plants from specific watersheds. I was wondering if that was being considered. I was on the ARB when we did the creek widening out near the golf course. I do remember the sheet pile wall discussion and the concrete cap decision. I was curious from the JPS if that was considered successful and if you had any issues with graffiti on the walls and how the color turned out. Also, just a small comment on the drawing set. On the retaining wall areas along Edgewood and Crescent Drive, you're labeling all of the homeowner's properties with their last names and I actually grew up in Crescent Park so I do recognize many of the names. I was wondering if you could also add the address numbers to that. It makes it easier for us to get bearings and wayfinding. I think I am generally in support of the project. I think that the landscaping looks good. I am concerned about the sheet pile walls aesthetically and how that fits in with the existing conditions around the creek. I think the lighting looks good. I do support the decks. I think that is all that I have got here. I look forward to seeing it next year.

Chair Baltay: Alex, would you like to have the applicant discuss the sheet pile walls now while it's still fresh in our memory?

Board Member Lew: Sure, if they have anything to present.

Chair Baltay: I think this is a study session. The more we get a back and forth the better it is. To the applicant, Board Member Lew brought up a concern about the sheet pile walls asking if you had issues with graffiti or color on the previous in phase one. I think the underlying question really is are there any options. Maybe you could respond to that.

Ms. Bruce: Okay. I understand that the sheet pile walls can come in a variety of colors. It is my understanding -- I am sure Kevin Murray can correct any misstatement I make about this since I was not present at the time of the project -- they were painted for aesthetic reasons according to Palo Alto's request. I have noted that in a couple of locations there have been some graffiti artists taking advantage of the sheet pile walls. There does happen to be some graffiti. The concrete cap seems like it is working fine. It is not so high that you can't look over it. It is tummy-height, chest-height and it provides an opportunity to look out over the creek. It seems to be holding up very well. It does not require additional maintenance. At this point, I would like to hand it back to Kevin if he has any comments about options or alternatives to the colors or treatments to the sheet pile walls.

Mr. Murray: The standard sheet pile wall is kind of a rusty-looking color. I am sure you have all seen in (inaudible) environments. For the downstream project, the sheet pile walls that we installed were in an area that was going to be highly visible to the public because we are also creating public trails. There were existing public trails there that we improved and we also created new public trails along those sheet

pile walls. There was a lot of interest from this body and from others to make them as aesthetically pleasing and to provide a color that matched the natural environment as much as possible. Certainly those options still exist. To paint and epoxy resin the sheet piles as we did the downstream project is very expensive; however, in this location where we are proposing sheet pile walls, it is a much shorter distance. It will be less of a cost impact to the project. It is also important to consider the sheet pile walls that we will be installing in this reach of the project won't be nearly as visible to the public. You will be able to see them from certain vantage points, at the West Bayshore Bridge for example, but it's not a lot of public right of way. It's along a closed area of easement that is held by the Santa Clara Valley Water District that is gated and locked and only accessed for maintenance. It's not nearly the public feature that the (inaudible) and the downstream project represented in an area where the channel is largely been engineered to conform with more of a trapezoidal or vertical channelized area. Not in this natural creek environment that is adjacent public rails and marsh and a slow environment.

Board Member Lew: Thank you.

Chair Baltay: Thank you. Alex, does that address the concern you raised?

Board Member Lew: Yes, I think it makes sense.

Chair Baltay: Great.

Board Member Lew: I think it makes sense.

Chair Baltay: Okay. Why don't we move on to Dave Hirsch? Would you like to talk next, David, please?

Vice Chair Thompson: Sorry, I just have a really quick question on the things we were just discussing. The sheet pile walls are the items that will sort of go up the side of the bank? Is that what we are talking about?

Ms. Bruce: They are more vertical metal corrugated panels that are driven into the soil along the creek bank and they form a rigid vertical corrugated wall.

Vice Chair Thompson: Okay.

Ms. Raybould: I can share my screen for a second. Hold on.

Vice Chair Thompson: Yeah, can you point out to where because I know this lingo sheet pile wall. I just want to make sure we are thinking about the same thing.

[Setting up presentation.]

Ms. Raybould: This is the soil nail wall which is slightly different than the sheet wall but it is kind of the same concept where you have a vertical wall right here and then you have bank toe protection. As you can see, these areas are where sacked concrete is existing. The sacked concrete would be removed to allow more capacity in the creek and then you have a vertical wall that is constructed. In this case, this is the soil nail wall and you can see how the soil nails are constructed into the creek. I don't have a figure right here of the sheet pile wall. I think it is just driven in straight so it doesn't have these soil nails.

Ms. Bruce: In many places, it is actually pressed in instead of driven in like a pile driver. There is just a hydraulic ram that slowly presses it in so you don't have as many disruptions from impacts and vibration.

Ms. Raybould: Great, thanks for clarifying. Does that help?

Vice Chair Thompson: Sorry, we were discussing the finished... in the renderings, it is showing a bunch of rocks. Is that where the bank toe protection comes in?

Ms. Bruce: Yes, yes.

Vice Chair Thompson: Okay. The finished architectural treatment here that's the rusty finish that we're talking about?

Ms. Bruce: Yes.

Vice Chair Thompson: It is like a concrete add-mix?

Ms. Bruce: On the sheet pile wall it is metal. It would look like oxidized steel. It looks like rusty metal. It's a dark reddish-brown red-ochre brown color unless you want it to have an epoxy finish and color coat, which I suppose there are a number of different colors and textures that could be chosen. The natural rust is just rust-colored.

Board Member Hirsch: Is that a corten material? Is that what you're describing?

Ms. Bruce: I am sorry, sir?

Chair Baltay: It's not corten, David, it's just steel that's allowed to rust. It's thick enough that it can withstand that. Board Member Lew, I believe I had been addressing the issue of when you paint it does that attract graffiti artists to it. I think he was asking if on phase one if there was an experience of having greater amounts of graffiti or difficulties with the painted finish. Is that right, Alex?

Board Member Lew: I don't think that's quite right, Peter. The phase one is actually in the Baylands, so a corten or rusty metal finish would actually be preferred.

Chair Baltay: Right.

Board Member Lew: I think our concern was that with the naturalized finished and once it gets graffiti, then what happens? Is it getting painted over with grey or beige paint? Then what happens? I think the thought was that if it was painted then it can be repainted the same color or something similar to that, right? It is very hard to cover over rusty metal with one paint color.

Chair Baltay: True.

Ms. Bruce: I wonder if my colleagues at Valley Water or if Kevin would know the answer to whether or not paint on a rusty surface can just be wire-brushed off. The rusty surface tends to be a little bit friable, a little bit flaky anyway. I wonder if that would be an option; instead of repainting, wire brushing it away. I don't know the answer.

Mr. Murray: I don't know that either. It certainly seems logical that removal of graffiti rather than painting over is more likely for a surface that isn't finished with a paint. However, I would like to note that sheet pile walls, even if we don't change the color, they will be coated with an epoxy to prevent corrosion. This still is a title environment and we will have salty brackish water up against the surfaces at times. We will likely coat them with an epoxy. It could be clear, though, and we can save the color or it could be over the top of a paint but the surface wouldn't just be this hard brushed-metal surface. It would have some sort of finish on it. I guess just an observation -- I have no expertise particularly on this -- is the rusty color is not a really good backdrop for graffiti. Where I know of these types of structures, where I have seen them -- you do get a little bit of tagging. People will always put something on a surface that's available for them to put something on but you don't see the big artistic large-scale type of graffiti on these just metal-colored sheet piles in other location.

Ms. Raybould: I guess I would just add to that that, again, these are in locations that are really not visible. I think the likelihood that you're going to get graffiti in areas that it isn't going to be visible to anybody to be less likely. It is also a little bit less accessible than some of the areas in the beta Highway 101.

Mr. Murray. Thanks, Claire. Again, just one more observation, in the area near West Bayshore Road someone would have to put down planks to access this area because if you just walk out there in the creek channel you're going to be knee-deep in mud.

Chair Baltay: Okay. Let's try to move on here. I think we have discussed the lagging there. David, your turn to make some comments.

Board Member Hirsch: Thank you. Can you hear me all right?

Chair Baltay: It would be great if you could speak more directly in your microphone. You're always a little bit hard to hear.

[Adjusting Audio.]

Board Member Hirsch: On the set of drawings, it would be very helpful... unfortunately we got them very, very late and the ones that are (inaudible) are not easy to reference back and forth. It would be nice if there were an index on the drawing so that we could look to (inaudible) one to the other. I think there is a pretty good section on S13 through the railing and the detail of that but it would be better if we had more detail, larger-scale architectural drawings of some of the way in which the detail of the railings worked and the lighting detail. In the lighting, we are looking only at the catalog drawing, not how it is fastened to the deck rail. On that item, it is a traditional light fixture and personally, I think that you might try something a little different on the bridge. We may agree or not agree on this but my feeling is where the bumpouts are, where the observation and the community spaces are located, which I think are a good idea, I think that the design of the bridge that allows participation in that and locations you can view the creek, especially when it is developed the way to will be, will be a vantage point that will be very useful to the community. It would attract people and create a social relationship between Menlo and Palo Alto, or a place where people that (inaudible). There is a lot of that, by the way, in Palo Alto (inaudible) it's a bit safer at the edge of the creek. There is a sidewalk as well. I am in favor of the bumpouts. I think they would be good on both sides the way they are shown. I am in favor of the span the way it is designed. Just from experiencing the way in which... I don't think those in-between structures will cause a problem (inaudible) during heavy rain. (Inaudible). What concerns me is the light fixture, again. I think it is possible to design a fixture or choose a fixture that is designed to light the roadway that could have a little more presence. For example, if it was incorporated closer to the street side of those bumpouts as a free-standing element instead of attached to the railing. I think the bridge detailing is fairly attractive in my opinion. I think (inaudible) on the detail of that. It is pretty monotonous in the way it is all the same color, the same surface finish with some detail as to the layering of it. I think it could be steadied a bit more so that perhaps the lower level of it was a darker concrete and the railing part was separate (inaudible) in color. The landscaping as it is shown doesn't really describe as a way in which it ought to be. In other words, the in-between plants that are at the water edge ought to be more like what was verbally described with a more natural of an ultimate look to the way in which the riff-raff is going to be covered and softened by the planting along the sides. I would hope that we could just change the drawing to make it look more like what you described. I am hoping that it isn't a series of individual linear elements the way that that particular drawing shows it, and it is instead a more natural scene. That looks like a very man-mad installed grid. It looks not what I would ultimately hope this would look like. The riff-raff I think is certainly a tremendous improvement over the concrete (inaudible) and bags of concrete look. It would be nice if we could see some samples of what it would ultimately look like. Maybe you could include those at City Hall or somewhere where we can take a look at it; perhaps in the creek. I guess I think it is interesting the way that the nail rail idea -- I'm going to agree with my fellow Board Members here -- the question of keeping it looking good. My comment is that you spend money on capital improvements but are you going to spend any money on maintenance? That is true throughout the whole creek there. Lots of lots and trees which are dead and could be removed, and unfortunately (inaudible) never in the budget. It is a park, you know? Our parks are beautifully maintained and I wish that Palo Alto and Menlo could get together and decide to spend a little money and clean up the tree portion of the park. This is certainly not part of your project here but it is just a comment here that the (inaudible). I think on the aesthetics that pretty much all I have to say. I look forward to this bridge. I see (inaudible) and it certainly going to (inaudible) future storm and

I like the way it was kind of a light-weight feel to the whole bridge. My comment is I hope that you don't make the no left-turn because (inaudible). We need access to the bridge at all sides. I don't find it that heavily used the way rush hour (inaudible). It just has to be properly signed so that people don't turn left without looking right, right without looking left. I think it is going to be a great improvement. I think you really need to work on the landscaping imagery to make it completely agree with the way it has been described. I think the riff-raff look to it is a very good and useful feature and a long-term maintenance look on all sides. (Inaudible). My major concern is that the light fixture (inaudible). Thank you.

Ms. Raybould: It was a little bit difficult to hear you Board Member Hirsch I think the takeaways I got from that is that for the railing you would like to see some additional clarification on how it is attached and would prefer to see a free-standing light versus something attached to the railing. You have expressed that you would like to see some maybe pictures of riprap to get a better understating of what that looks like. It looks like you had mentioned something about some changes to the drawing to show a more natural stream and I just wanted to et clarification because I am not sure what the JPA might be able to provide that would be a better rendering of what they are proposing.

Chair Baltay: Claire, can we finish going through everyone's comments before we dive into that if you don't mind.

Ms. Raybould: Of course, sorry.

Chair Baltay: Why don't we go on? David, if that's complete, Grace would you like to go ahead next, please?

Board Member Lee: Yes, thank you. I will just start and thank the applicant as well as the community members who spoke. I will just say right out that this is just a terrific project. I really appreciate Margaret, your presentation, as well as Claire, your staff report. To me, the set was very clear. I especially appreciate the sections; thank you so much for walking us through and reminding us what a soil nail wall is and sheet piles. I want to take a step back and just remind everyone this is 1940's and now we are in 2020. The power of this kind of project in terms of our public realm is quite compelling. This is a public space. I did want to just talk about how a lot of these infrastructure projects -- we don't get to see these -- don't occur that often. There is a real significance in the experts, the team here, who is looking at regional systems and I really appreciate seeing where your other projects are, the understanding of water flow. I guess my view -- I'll just come out from the outside -- is really about the sustainability and building the future for this project, and its impact for the City of Palo Alto and reaching out to the City of Menlo Park. The other piece that I wanted to mention is thank you so much, Peter; you're questions are really helpful in terms of going back to how is this going to happen in terms of coordination with Menlo Park and other groups. That is something that I just really hope we all can come together, the dates might magically align and we can be consistent in our communication in understanding the feedback that the applicant receives and how they proceed. The other piece that Chair Baltay also mentioned was this whole issue of date commemoration. I feel like this is an excellent opportunity for environmental education in terms of this project. I did want to talk a little bit about ecosystem restoration and creek stabilization and other projects that are happening in the Bay area. I feel like that's an opportunity here and we should embrace it. Not knowing what the budgets may be and the purviews may be and that it is quite complex. Then, staff had asked us to talk about lighting planting, and I believe you call it out as the four observation decks. I can start with the lighting and planting and then most of my comments will be actually on those lookouts and the design of the bridge. On lighting, I am very happy to hear that the goal -- and we will see this coming back and we will discuss further -- is that the lighting will not be affecting the habitats in terms of the water. We don't want to disturb anymore. We want to think about the future and make sure about that lighting. That was just my simple comment. I just want to make sure about that. Then, also in terms of lighting as it relates to users: public safety and night and just understanding... when I went out there -- it's a wonderful place -- I remember when I first went out there years ago I was kind of surprised because it is invisible. I mean, I definitely agree with the community member who said you almost don't see the creek. I remember feeling like, okay here I am but where's the water. Now there is an opportunity to understand that place. In terms of when I was out there, it was the late afternoon this week and there were people walking and

we were in shelter-in-place. It's definitely a community space that is used by neighbors, maybe, and maybe people who live a little bit further off. How do we design it and understand that there needs to be comfort for the users in terms of how they walk and find the place, and knowing that it's not a dense, dense... we're not seeing the numbers of pedestrian and vehicles; I mean when I am out there I haven't but I understand there is the future to think about. How do we understand the lighting and how that is going to affect the users in terms of safety and walking. In terms of the plants, I really defer to the experts. I do think it is very important to make sure about that future canopy. I love these renderings that we saw one, two, three years later where it has grown; the ten-year mark for these trees but that is very much a concern. I will leave it at that. The other piece that I wanted to mention was related to the landscape. I guess I just have to touch upon walking because I understand the landscape is going to be very layered as we make it to the sheet pile walls and down there where it is really muddy, but I do think it would be great if a team could presuppose where natural paths may occur because sometimes people walk off the path. If, as designers and engineers, we begin to think about the natural ways that people gravitate or move in public spaces I think that's important. On the bridge itself, my immediate reaction -- I know these renderings were highlighting the intervention within the site and they are a bit deceiving renderings right, in terms of how they are modeled -- was that is there a need for four observation decks? I am just putting it out there. Is there a need for four observation decks of those dimensions? The 15-foot dimension, if we think of that on an arch situation, in open space in landscape you do want a more generous dimension, right? We think of 15/16 feet in a room but this is outdoors, right? We are thinking, well let's see, 15/16 feet sidewalk on El Camino or a bulbout and crosswalks and I just want to get a sense of the pedestrian bridges you've been on in the past and this neighborhood and the scale of the place, I just wonder about that number four and just how big it is. I feel like it could be scaled down. I am also just open to just talking about it as a group and seeing it move forward. I feel like the bridge is very heavy. My reaction -- I know the views that we have seen are from above, like a bird or an elevation and you don't get those views. You actually are seeing obliquely, you are actually more aware in these public realm spaces of the ground. That is why I just wanted to make sure we talk about paving and crosswalks. It is just a lot of surface area. I find in landscape projects the ground is often not designed and it is a missed opportunity. Here we have a lot of intersections, so I just want to pull that forward. The railings and the four observation decks of a similar material... I feel it is just a missed opportunity in terms of some transparency. If there is a way to think about the materials that are going to age in a way that we feel that it is sustainable and we presuppose where or how people are going to look out and how many people... in my notes, I also wrote -- this good back to Board Member Lew -- presuppose where graffiti will occur. That is important. I think it was reacting to your rendering from the R3 parcel and all of that graffiti, which is over the years. I actually am worried about graffiti on the bridge. I know that it may not occur; however, I have been on a lot of pedestrian bridges not only in the States but abroad where there is graffiti on the bridge and it is so unfortunate. As designers, maybe we can think about that and I just wonder about the solidity of the design and it feels a little heavy and monumental right now. I just wonder if it needs to be that way. This whole issue of transparency, just to be clear, I am talking about the railing and I understand the need for definitely solidity and safety in terms of an opaque, solid bridge. I am just wondering about that railing from where an arm might sit or you might actually look out. There is a design opportunity there. I will leave it at that and pass it over.

Chair Baltay: Thank you, Grace. Thanks very much. It's wonderful to hear you remind us that the previous structure has been there for 80 years and this one maybe will be there for another 80 years. We want to keep that at the top of our minds. Osma, your turn, please.

Vice Chair Thompson: Sure. Thanks to everyone for their good comments. It seems like we're getting a nice range of input here. I will dive into it. For the lighting choices, I could be open either way either. It is on the railing or off the railing. My main concern with the lightning was what we have already discussed about shining onto the area and then also the color temperature. The drawings are showing a 4,000 Kelvin and I think 3,500, a warmer color, makes more sense for nighttime rather than a colder color which will feel more like daylight. That would be my recommendation is to lower the color temperature and make it clear in the drawings that the light fixture does shield away from the water. I think the fixture right now looked only directional but the lighting calcs show that it shield; just a note for the future. I love the idea of paving patterns on the floor. That something I hadn't considered until Board Member Lee brought it up, but that could make this place of public realm really interesting. I

actually didn't mind the observation decks. I have heard two of my Board Members sort of voice maybe that they shouldn't quite be what they are but I like the idea of having a place to dwell a little bit and have some sort of connection to the bridge. It is going to look so different. Right now it is very concealed but this new design is going to clear a lot of that landscape that is covering everything and also make that channel feel bigger. Having places to stop and sit in that area would be a good thing. My main concern aesthetically is the railing, the guard rail that has been chosen for this design. That guard rail is what, I think, we approved for the Newell Bridge because I think at the time that design didn't really speak to any moments of dwelling. It was really more of a pass-through. I think because we are talking about people wanting to have this be a semi-destination that guard rail is not appropriate. It's just very much like a CalTrans guard rail that is really meant for blocking cars, and if we're going to have people there I think the guard rail needs to have a smaller, lighter, more granular scale to it that makes it really pleasant to be around. I think otherwise something that big and hunking can feel really intimidating and it can feel really blocking off in a lot of ways by the way it is designed from the perspective of a human when you're looking down. It doesn't feel like you're supposed to sit there and look over it. It feels like you're supposed to pass through. If you have something that is thinner and lighter that makes it feel like you can lean on it and feel like you can connect more with the surroundings I think that would be a lot more appropriate. The existing barricade is twofold; there's this little wooden element and then there is a more concrete base wall and that two layers of having the appearance of something that's light versus the thing behind it that is actually providing all of that protection might be a strategy that we could suggest. In general, I think the railing itself I would not recommend; I think it is not appropriate for this location. For the trees, I really appreciate the members of the public coming out and talking about the trees. I think it is a concern; just looking at that tree removal plan is a little scary to look at. It's like, wow, you're getting rid of a lot of stuff. It sounds like we have talked about it a lot so I don't want it to go too much more in-depth, but I am also concerned about if we were removing everything that we absolutely need to and to be careful about what it is... the other habitats that we would be affecting and we are trying to restore this habitat but there are potentially existing habitats that we would be demolishing that we should be careful of. Yeah, I will leave it there for now.

Chair Baltay: Thank you very much, Osma. Thank you, everybody, for very insightful and productive comments. I will chime in on five different topics, more or less. I agree with most of what everybody has said but I agree with Osma strongly regarding the railing design. I agree with Grace's idea that a paving pattern might be really nice. I agree with David's suggestion that different materials or different colorations of the concrete would help but it is a little bit too much of a feeling like this is a CalTrans highway with the design of the railing. It is a very pedestrian-oriented place too and I think another pass on the design might be surprised at how much softer it looks. I think the lighting, as well... it's a nice light fixture but I don't see how that meets the standard of keeping the light only on the bridge and rather than say what I think you should do, I just think it needs to be thought about a little bit more to perhaps solve that. I do support one more round on the design of the details, the railing, the lighting, the paving patterns. I strongly support the idea of an observation deck of some kind. I agree with Grace's gut feeling even that four of them at 16 feet diameter is maybe too much. It is a big series of areas. I think the basic idea of having a place for people to congregate to look at the creek or to talk and be is important. To that end, I would suggest that some sort of benches or places to sit are actually really important. When I was out there recently and over the years, there are a large number of people who do just pause as they go over the bridge or next to the bridge. As Wynn Furth would have said, we really need a bench at least on some of these things. Again, I am not so fixed on having four of them at this dimension but having something that makes it more than just a walkway or a passageway for cars is important. I would then like to suggest that the bridge needs to have a date marker stamped in concrete, not just painted on it. To me, that is something we leave to our children coming behind us that when you stamp it in concrete it doesn't require maintenance. It is just there forever. It got me thinking that maybe on these observation decks we could have some sort of commemorative plaque reminding people if the Joint Powers Authority is successful with their mitigation efforts, we are not going to have a flooding problem anymore. That seems to me that has been a pretty big part of Palo Alto's history, the floods that have come from this creek and 99 percent of the time when you walk past or go over it you have no idea that this could happen. It just looks empty and dry, yet a plaque on the bridge, some sort of historical or educational marker saying back in 1998 the water was up to here or something to help us remember and remind us of our history; to remind us of the importance of these things. I think it is a

very powerful thing to do. I don't think it's expensive or hard and this is an opportunity for us to look forward and to pass on what has been done, why this has been done, and why it is important. Even to say what is this creek doing? It carries water from where to where. It is a really good thing to do for the public in general; it makes it more interesting and it is easy. It is just a matter of doing it. I am very strongly in favor of more careful commemorative markings and perhaps some sort of historical thing even tied into the bridge somehow. The single biggest impact this will have on the community aside from fixing the flooding problems is the trees. It'll be shocking when all of these trees are taken out. I fully support that it has to be done; it's necessary to get the flow right. Most of these trees were planted after the first bridge was put in. They're not there by acts of nature alone. Nonetheless, I would be very happy to see a more detailed plan of what new trees are going to be planted. How are we going to try to mitigate the impact of removing all of these trees, and if possible how can we try to save more of them. I would like to see some documentation to show how we're going to save, I have called it tree 38. It's the large, large Oak Tree on the corner of Palo Alto Avenue and Chaucer on the bay side of the bridge. It might be tree 58 if I misread that tag but I would like to see this staff look at that particular tree and just make sure either it is going to be saved or to address it honestly and say it can't be saved and here's what we think we have to do. I think the trees are really going to be an important thing though. My last comment has to do with many, many people who talk to me about this project say to me, look it's been going on for 20 years, why isn't it done? What are we doing? Why are you guys so slow? I think that is part correct, and in part, as Grace pointed out, these public works projects are here for a long time and we need to get them right. It has to be built technically very well and competently and we want it to aesthetically have some value too because it is going to be here a long time. That said, the more we can do to make the process more efficient the better. In this case, I believe the Menlo Park Planning Commission, which is sort of the similar body in Menlo Park to ours in Palo Alto, will be looking at this as well. If we can in any way try to facilitate the coordination between these two public bodies I think that will be really helpful. If there is a way, Claire, for example, just to appoint one or two ARB Members from Palo Alto to discuss or meet with our colleagues over in Menlo Park as some way to try to take everybody's input but to come to a consistent response to the applicant it makes it so much easier for them and then take Menlo Park's comments and respond to them and do it piece by piece but rather collect all of the input, respond, and then we move forward. If there is any way we can try to improve the coordination with the other public body's reviewing this I think that would be really good. I am suggesting in this case you try to really facilitate getting members of our Board and members of Menlo Park's board in the same place to discuss this thing. Those are my comments about this project. Does anybody else have anything else they want to add? This has just been a study session, so it's a matter of putting information out there. To staff and the applicant, have you heard us? Do you have any questions for us? Anybody else? No? Margaret, go ahead.

Ms. Bruce: I would just like to chime in really quickly. I think we need a couple of better renderings of the bridge drawings. Several of you commented about the railing and how it is uniform in color and how it seems opaque. If you look at the detail there are actually fairly large gaps in the railing. It's not like a bulwark, but if that is not clear to you we will come back to you with better drawings and drawings that can show some of the treatment alternatives so that the parapet part and the railing part can be distinguishable and have different architectural treatments and different colors. There are code requirements for public safety reasons that the gaps between the railing segments have to be a certain small size so that children can't accidentally crawl through the railing and fall but we can address your questions and hopefully respond to your design comments with more detailed drawings at a scale that makes those images clearer to understand.

Chair Baltay: Thank you, Margaret. Yes, I do think perhaps some larger scale details or renderings of the railing might help, but please don't underestimate our comments that we're five trained professionals and I think what we are saying is that we don't really like the railing the way it is designed. We get what it is even though it is not perfectly presented. It would be really great if you could go back to the drawing board a little bit more on the railing detailing.

Ms. Bruce: Got it.

Ms. Raybould: If I could also just add because I see that NV5 is present, but I do want to get clarity as to what our options are in terms of that because my understanding was that the bridge side railings do need to meet certain safety standards for crash barrier. Maybe, Russ, if you could clarify if that is the case or maybe it's not in this case.

Russ Nygaard, Project Manager: Happy to try to help as I can. Hello, everybody. My name is Russ Nygaard and we are the NV5, I am the project manager for the design team on the bridge and roadway. Any questions you have I am happy to help. The general/typical answer for a bridge engineer when you're talking about a rail on a bridge is, yes, it has to be crash tested and an approved bridge rail. Anything that has state or federal funding that is an absolute requirement. It has to be CalTrans approved, it has to be FHWA which is the Federal Highway Administration approved and those are crash tested at a couple of different facilities around the country. That is really what sets the size and the bulk of the railing that you're speaking to in that. I will say this is not receiving those funds. Local agencies can decide that they want to do something different and make the determination at the local levels to do that. I had a case of a bridge up in Tahoe City at the Tahoe Basin where the folks -- mainly the public -- wanted to keep what is considered... it has never been approved because it has never been able to get crash tested but it is a concrete rail very similar but there is one arch window after another going down that structure that is currently known as the Fanny Bridge up in Tahoe City. They wanted to keep that same thing, and even though it was not crash tested and approved because it was a local bridge and going to be owned, operated, and maintained by the locals they made the determination locally that they would go with that type of railing in order to keep the aesthetics that they wanted to have. In this case, Menlo Park and Palo Alto working with the JPA and Valley Water obviously because it's all agencies involved could make the determination to go with a different rail than necessarily a crash-tested rail but as a bridge engineer, I have to be very cautious in recommending that because at the same time we need to keep cars and trucks on the structure not falling in the creek if something does go awry in the middle of the night sometimes. We do need to have it strong enough to take care of cars and trucks but we can play with the aesthetics to be meet not a crash-tested and approved railing but something that everyone can still live with and appreciate.

Ms. Raybould: Margaret, maybe you can add to this but my understanding is that we are receiving state funding for this project and may be seeking federal funding.

Ms. Bruce: Yes.

Ms. Raybould: Designing something that would preclude this project from seeking additional federal funding may be very concerning in allowing this project to move forward.

Ms. Bruce: That's right, Claire. We already have a \$3 million FEMA Cal OES grant. We are obligated to hose state and federal standards. If the City of Palo Alto and the City of Menlo Park wanted to have a non-crash-tested barrier for the railing it would obligate the cities of Menlo Park and Palo Alto to fully fund this project.

Chair Baltay: I don't think we're advocating for a non-crash tested barrier. We are just asking for one more round of thought about how it looks. Let's not twist the discussion that way. I don't think any of us were saying that.

Ms. Raybould: I just want to make sure it is clear in the understanding because when we do return to you there may be certain limitations as to what could be done in terms of refining the design because this is... I am familiar with this only because it was the same issue that we came across with the Newell Road Bridge project, which was that providing a different type of design meant that the city would have to go through significant efforts to build that design, crash test that design in order to prove that it met those requirements. It sounds like there are some modifications that could be made that the JPA is open to exploring but there may be limitations as to how much the design could change to provide a thinner barrier, for example.

Vice Chair Thompson: I will echo Chair Baltay's note that we are all trained professionals and some of us are very familiar with this guard rail design. We understand that there are crash barrier rules but I think what we are asking is that... we understand that this is an option; there are other options out there that are not this option that could provide a lighter feel even if it's not actually lighter. For example, there are concrete walls that have articulation on them that make it feel light and granular but it is a concrete wall. This is just a 12-foot concrete block that is going all of the way. I am looking at the detail right now and it is not the rendering; this is the design that we are commenting on. There are ways to do that and then there was the other suggestion where there is a concrete wall that is further back and then something lighter in front of it to give that impression of lightness without the big monolith right in front of you. There are other CalTrans... I know there aren't very many standard CalTrans details out there and that is too bad because I think it really ties our hands for what we end up doing. We shouldn't have to succumb just because there is one, or two, or three CalTrans details that that is going to have to be the aesthetic of our time and that is going to be what defines the aesthetic of this bridge for the next century. I think we need to do a little bit more work if you're asking our opinion.

Chair Baltay: Thanks, Osma. Any other thoughts on the applicant not relating to the railing and detail like that? Okay, with that, I think we have spent two hours on this project now. Why don't we close the hearing for the Pope-Chaucer Bridge project and take a five-minute break? Then we will resume with the rest of our agenda? It is now 10:38. Let's say we will be back at 10:45.

Ms. Raybould: Thank you.

Chair Baltay: Thank you everybody and thank you very much for the very nice application. Seven minutes.

[The Board took a short break.]

3. Architectural Review Board Annual Report to Council: Review of Letter

Chair Baltay: I see everybody here. We are back in session again. It's 10:45. This is the Palo Alto Architectural Review Board. We are going to move on the action item number three, Architectural Review Board annual report to Council. Jodie, do you have a staff report or should I just start this?

Ms. Gerhardt: Yeah, I don't have any special staff report for this one. I believe that I did receive a few comments from Board Member Lee but I don't know that I had a chance to pass those on.

Chair Baltay: Okay. To my colleagues, this is my effort to try to get this ritualized a little bit more carefully; that we prepare this letter every year at the end of the year done by the outgoing Board Chair. I have taken the lead on this one today. It is important to me that we can unanimously support this letter. If you have issues with some of these things let's really speak up and try to make sure we can get it through today. Who wants to start with any comments they have about this? Osma, why don't you help me out here first?

Vice Chair Thompson: Sorry, I am just getting oriented.

Chair Baltay: Or anybody else. It doesn't really matter. It is very tough to do these without meeting in person even, and then with the Brown Act restrictions of not being able to go back and forth on them. I would much rather just take things out we can't agree on and get this done.

Board Member Lee: I can start because I just have a couple of comments.

Chair Baltay: Sure, go ahead, Grace.

Board Member Lee: I just want to thank you Chair Baltay for drafting and talking with us about this letter. I think it's important. I am very much in support of it. My only comment that I sent to Jodie was just in terms of the listing of the final where it is says architectural review is important in F and

alternative list of house projects. I could go either way if you want to pull out the housing as a separate list or imbed it under the F. My only comment is just in terms of a quick read, I don't think we need to repeat housing units so many times in the list. If we just label it these are housing units or go the other way and have another column that just calls out what kind of project it is. It says alternate list of housing projects for, example, I think we wrote new mixed-use... I just feel like sometimes the columns are easier to read for Council to quickly say here is the address, here's how many housing units and then what kind of a building it is. Then the other comment I had was just in your architecture review is important under F. I felt like it is important to call out if it is affordable housing or if it is housing for special needs or just some kind of descriptor.

Chair Baltay: Okay, Grace. I put that alternate list of housing projects because we had talked about just showing housing projects.

Board Member Lee: Oh, okay. That's what...

Chair Baltay: Then I realized when I called the list is that there was only two of them for 2020. It wasn't that impressive. I mean, it really wasn't...

Board Member Lee: But it does say something about what it is that we review and how many times these projects come up?

Chair Baltay: It does. What I was shocked by, which everybody is talking about, is that there are so few.

Board Member Lee: I think it is important to note that there are so few.

Chair Baltay: Fair enough. I put the list out there, we had talked about it and at the Board's advice how we want to mention it. What I heard you say is that on item F we should put where it is mixed-use building also where it is affordable housing?

Board Member Lee: Yeah, I just felt like -- I am happy to discuss further. I wonder about the way it is shown in terms of the parenthesis. I just feel like it is hard to read. I would just pull it out as another column in terms of descriptor if it's near mixed-use or if it's new residential. I just feel like it's important. I mean 3705 El Camino Real is different from 2755 in terms of residential. I might just call that out...

Chair Baltay: We could put Wilton Court where it says 59 housing units we could say 59 affordable housing units.

Board Member Lee: Yeah, we could do that.

Chair Baltay: Does that help?

Board Member Lee: Yeah. I think that helps.

Ms. Gerhardt: Board Member Lee, are you also saying to make it the bullet points into three columns of address, what it is, and then...

Board Member Lee: When I do lists I just... sometimes there is no need to put housing units if they are all housing units and on the ones are rooms or parking spaces you just call that out as different and then up high you say units, you know? Not to repeat that in every line; just ways to make it really clear.

Chair Baltay: Would you be able, Grace, to format that list in a way you think is clearer? I am having a hard time understanding exactly but...

Board Member Lee: Yeah, I guess... maybe Jodie, what I am just saying it is typically for lists there are columns and then up high you can just have a label of what that column is.

Ms. Gerhardt: We can put it not more table format instead of bullets.

Board Member Lee: I don't know. I prefer the table.

Chair Baltay: Would the Board prefer that that list included all of the stuff down below which is basically housing projects from previous years as well?

Ms. Gerhardt: I think we are talking about 2020 here. Maybe there could be a sentence about the previous years that explains there are less housing projects this year. I don't know that you would want to list out 2018 and 2019.

Chair Baltay: That's why I left it separately like that. Other Board Members, any opinions on this? Okay, so we are going to try to restructure that listing under section F, maybe Grace can help with that. What other thoughts, or changes, or recommendations from anybody? David, are you about to speak?

[Adjusting Audio.]

Chair Baltay: Anybody else, Grace or Alex?

Board Member Lew: Peter, I sent an email to staff adding two projects won AIA Santa Clara Valley Award in 2020. The first is the Newell Road Fire Station and the second is 2555 Park Boulevard. I think we should mention that. We might want to add a comment about the fire station because it went through a pretty difficult ARB review. Then, also 2555 Park Boulevard we may want to mention just because that one was appealed and the group was removed by Council, but the project turned out really well.

Chair Baltay: You are suggesting we add those two to our list of item F?

Board Member Lew: Yeah.

Chair Baltay: Okay. I can support that. I had forgotten about the firehouse, you're right.

Ms. Gerhardt: Alex, I am sorry I wasn't able to pass this on but I do have your email from the 10th. It looked like you had some comments on item B under the San Antonio corridor. Do you want me to show those?

Chair Baltay: I am sorry, Alex, I didn't see your comment.

Board Member Lew: Yeah, I guess I had some comments on the San Antonio. If you wanted to strengthen the argument about the San Antonio corridor I think we could make a stronger argument.

Chair Baltay: Okay, how so? What should we say?

Board Member Lew: Yeah. I think Jodie has it. I don't have my email right in front of me.

Ms. Gerhardt: It should be showing in a second here. It is showing.

Board Member Lew: Great. It is mostly about urban context and constraints there; that it's different than El Camino and downtown. They are unique circumstances. There is a 25-foot special setback. The streets aren't tied into the neighborhood like El Camino is. There are a lot of large projects that are internally oriented, like the JCC and the greenhouse project. It is really very different and I don't think you can just apply El Camino or downtown guidelines to San Antonio and expect it to come out okay.

Chair Baltay: Yeah, it needs a distinct process to come up with its own unique guidelines.

Board Member Lew: Yeah.

Chair Baltay: Okay. These are good points. We can incorporate these in this section, I think. That's shouldn't be a problem.

Vice Chair Thompson: Yeah, I am fine with that. I think where the section is suggesting that maybe we develop new design guidelines for this area versus applying others.

Chair Baltay: That's my intention. I don't think we can just transfer guidelines from someplace else. Does it not make that clear?

Vice Chair Thompson: It is clear to me.

Chair Baltay: Creation of new design guidelines. Should we say unique design guidelines instead of new?

Vice Chair Thompson: Yeah. I don't know if that... oh, is Alex talking? Sorry.

Ms. Gerhardt: Yeah, I think so.

[Adjusting Audio.]

Board Member Lew: Peter, I think that the approach was... the last project that was approved was to apply El Camino zoning to San Antonio.

Chair Baltay: You mean the apartment building down... okay, yeah.

Board Member Lew: Yeah. I think we should just reconsider that.

Chair Baltay: We should maybe make it more clear that that's probably not the smartest way to go.

Board Member Lew: Yeah. Let's just really make it a conscious effort.

Chair Baltay: We should just say more clearly unique design guidelines are necessary for this area.

Vice Chair Thompson: Yeah, that sounds good.

Chair Baltay: Okay.

Ms. Gerhardt: Maybe you say that as a second intro sentence. The zoning regulations are outdated; therefore, unique design standards are needed.

Chair Baltay: Okay. Right after that, I will say therefore... what's a better word for it than unique? Design guidelines specific to the area are needed?

Vice Chair Thompson: Yeah, specific to the area is a good way of saying that.

Chair Baltay: Then we include Alex's bullet points in this. Will you folks be okay if I put the wording of this together and then send it off without another review taking in these comments or should we do this right now?

Board Member Lee: I am fine with your next iteration. I agree with these comments.

Vice Chair Thompson: Yeah, I'm fine with it.

Chair Baltay: Alex, are you okay with that?

Board Member Lew: Yes, I am fine with that.

Chair Baltay: I don't want to take up our time right now typing this stuff.

Vice Chair Thompson: I did have another comment on item A; the last sentence about suggesting a hybrid model. I was wondering if we could change that sentence to say however, a hybrid model with meetings held with the option to attend both remotely and in-person could increase public participation.

Chair Baltay: I see, so you could do both at the hybrid model.

Vice Chair Thompson: Yeah.

Chair Baltay: Okay, I wasn't clear about that. Do we all support that? Is that something we think could work?

Ms. Gerhardt: Yeah, we would have to figure out how to do both but I think that is the best option as far as public participation is concerned. They have done it in the school so we should be able to figure it out.

Chair Baltay: So if we said, however, a hybrid model with meetings allowing both remote and local participation. How would that work?

Vice Chair Thompson: Remote and in-person.

Chair Baltay: Right. With meetings allowing both remote and in-person participation. Does that do it?

Vice Chair Thompson: Yeah.

Board Member Lee: I just want to ask the question are we referring to community members who want to attend or are we referring to board members?

Vice Chair Thompson: I would say both.

Board Member Lee: Yeah, I think we should make sure that's understood.

Vice Chair Thompson: Yeah, because there have been times pre-pandemic where I haven't been able to attend just because of time constraints, but if there had been a remote option where I could have called in I would have been able to attend more meetings. Having an option where that could be an option in the future post-pandemic would be cool.

Chair Baltay: The sentence now, let's see. However, a hybrid model with meetings allowing both remote and in-person participation could increase participation. Well, that's redundant but, Osma, you talk about not just increasing public but board member participation. Could facilitate involvement by all.

Vice Chair Thompson: Yeah, while still meeting the needs of... or while still meeting the quality of what an in-person meeting might achieve.

Chair Baltay: I have just changed it to however, a hybrid model with meetings allowing both remote and in-person participation could facilitate involvement by all. Is that okay, then?

Vice Chair Thompson: Yeah.

Chair Baltay: I am just trying to keep it... could facilitate involvement by all. I will go through it once more but that is the gist of what we're trying to say?

Vice Chair Thompson: Yeah.

Chair Baltay: Are we all supportive of Osma's change on this one, everybody?

Board Member Lew: Yes.

Vice Chair Thompson: I just want to state for the record it appears that we have lost Board Member Hirsch.

Chair Baltay: Yeah, I was wondering what happened to David.

Vice Chair Thompson: I don't see him on the call anymore. Maybe he will come back.

Chair Baltay: Veronica, do you have a phone number for him?

Vice Chair Thompson: Oh, he is coming back. Yay. Hey, David, are you there? Audio is still lacking.

[Adjusting Audio.]

Ms. Gerhardt: Board Member Lee sent a draft table if you want me to show that. It is handwritten but I think it gets the idea across.

Vice Chair Thompson: Sure.

Chair Baltay: Sure.

Ms. Gerhardt: Let me stop sharing and re-share.

Chair Baltay: This is for section F.

Board Member Lee: It was with quick handwriting but I just thought maybe a table is clearer. This is a small one. The only issue there is you would have to put an asterisk for hotel rooms, but normally this is how I do it so you don't have to put housing units, housing units, housing units three times.

Ms. Gerhardt: Is it showing the right screen? Are you seeing the table?

Chair Baltay: Yeah, I see the table. Yeah, it looks fine. I think that's a good idea.

Ms. Gerhardt: Okay. I can email that to you, Peter.

Chair Baltay: Yes, send that to me along with that list of things that Alex had I will be sure to get them in here. I will let you, Jodie, do the final -- if you don't mind -- editorial pass on it. I appreciate your help on it and that's a fair way to make sure it reflects what everybody has been saying.

Ms. Gerhardt: Sure.

Chair Baltay: Do we have David here? David? No, still can't hear you David at all.

Vice Chair Thompson: Yeah, we still can't hear you.

Board Member Lew: We might want to try to have David connect with the phone audio and computer video which is what I use. I find it more reliable.

Ms. Gerhardt: Veronica, can you put up the phone number?

Board Member Lew: We might have to do it next time because it takes an extra step.

Ms. Dao: Oh okay.

Ms. Gerhardt: We might have to do thumbs up, thumbs down.

Chair Baltay: I had gone out and taken some photos; I was looking at the parking garage. I concluded that the architect's final rendering is very close to what is built and it is actually a better image than any photograph I could take at the moment. I didn't want to try to mess with it. I got some photos of the hotel but we don't have a before image yet.

Vice Chair Thompson: There are also typos on page four. What should say final proposal...

Chair Baltay: I fixed that, yeah.

Vice Chair Thompson: Okay.

Chair Baltay: It says initial proposal and final design twice. Thank you for catching that, Osma.

Vice Chair Thompson: It seems like you already caught it, though.

Chair Baltay: My big thing is that I have been trying to put forth when we first saw that hotel it was more or less a straight wall along San Antonio, and the final result is anything but that. I think that is a great service we did to the city by getting that through. I wanted to pat ourselves on the back for that. It really requires us, Jodie, getting an image of what that initial design was and I just can't find that.

Ms. Gerhardt: You're talking about for 744?

Chair Baltay: Yes. Also, I sent you the photos I did get of the building. I wanted to make sure everybody saw them and basically am I correct in my assumption that that is important.

Board Member Lew: Peter, I typically save all of the drawing sets from big projects, so I might have something for the hotels.

Chair Baltay: Okay. It is true, I probably have it, too, but the pile is just so big. I went through everything available online and I just couldn't find any of the original presentations. Maybe there wasn't as much as I think there was. That's what I am concerned about.

Board Member Lew: Also, sometimes for preliminary items they are not necessarily on the website.

Chair Baltay: Yeah. Here is the photo I took just yesterday of the hotel that I found really sticking when I first noticed the way it was coming out. My feeling is to compare the photo Jodie is sharing with us now with something, even an elevation drawing earlier is a good thing to do. Do we have support for that idea, though?

Vice Chair Thompson: I support the idea. I haven't seen the photo, but the concept sounds fine.

Chair Baltay: You see the finished photo? Does that seem to convey the image, though, do you think?

Vice Chair Thompson: No, I mean the before photo.

Chair Baltay: Yeah. The finished photo, is that close enough, though, to... it is still under construction but...

Vice Chair Thompson: I mean the picture that you had that was just the rendering of it is very similar to the picture that you're taking.

Chair Baltay: Should we just leave the architectural rendering instead?

Board Member Lee: I vote for the photo. Sorry.

Vice Chair Thompson: I could go either way; I don't feel strongly one way or the other.

Board Member Lee: I just really appreciate the extra footwork that you've taken.

Chair Baltay: Oh, it's not that big of a deal, Grace. The problem is I went out in the morning the first time and the sun was behind the building and it's just really tough. This was the best one we had yesterday.

Vice Chair Thompson: So long as it is an apples to apples kind of comparison. I wouldn't want to show a rendering from the initial design that's really different than what this is zooming in on. It's not clear what the change is.

Chair Baltay: I don't think we had great renderings at first. If I remember we were pressing them for this image.

Ms. Gerhardt: I am looking at a plan set right now and I am hoping I can find it in a minute here.

Chair Baltay: Okay. Do we have the support of the Board that if we can find suitable images this is something we should put out there? Grace is nodding yes. Is David even able to nod? Alex, Osma, are you in support of this?

Board Member Lew: Yeah, this hotel was a very controversial project. I think it should be included.

Chair Baltay: Yeah.

Vice Chair Thompson: I think the hotel should be included. I think without seeing the picture or knowing what it is that I am saying yes to it is a little hard to...

Ms. Gerhardt: Let me try, on second.

Vice Chair Thompson: If the majority wants it then there's your straw poll.

Chair Baltay: It was a dramatic thing, Osma, the changes we were able to effect on that hotel and the impact on the community. I think it's pretty big.

Vice Chair Thompson: Oh, I don't disagree. I don't disagree. I feel like if you're going to show an elevation like this then it would be more striking compared to a similar elevation versus (inaudible) of something else.

Chair Baltay: If you look at this right-hand- image there, Jodie, are you able to make that bigger? But even that was quite a way into the review process, Jodie.

Ms. Gerhardt: Yeah, this is probably a second or third plan set. I was not able to find the very first. I will have to keep looking for the very first one.

Chair Baltay: I really wanted to get something showing the first thing that they put in front of us. Okay, anything else on this letter? We are going to not show this bottom list of housing projects, is that what we have decided, mostly because it's just not this year.

Vice Chair Thompson: That's what I heard, yeah.

Chair Baltay: David, can you hear us now?

Ms. Gerhardt: David, can you give us a thumbs up if you hear us, at least? Oh, okay, he can hear us. Maybe he can't talk.

Chair Baltay: I can try to call him on my phone and see if he can...

Ms. Gerhardt: The other thing Board Member Lew added a sentence to section D of the architectural awards just saying that the awards typically occur every five years per the bylaws.

Chair Baltay: Just that we have postponed the architectural program until 2021 due to the ongoing pandemic. The awards typically occur... just say that.

Ms. Gerhardt: Yeah, here is the... I can email you this sentence, too, but I think I am showing it now.

Chair Baltay: That's fine to put that in.

Ms. Gerhardt: Okay. Then I don't see anything else Board Member Lew, correct? Then, you were talking about this list here at the bottom would be eliminated or do you want to incorporate it some different way?

Chair Baltay: I think we should eliminate it. I just don't see it being germane to what we're talking about. Do we have a consensus on that? I think we do.

Vice Chair Thompson: Yeah.

Chair Baltay: Is there a phone number David can call in on to do this? Can we just tell him the phone number?

Ms. Gerhardt: Veronica, can you put that up?

Ms. Dao: Sure. I also messaged him the phone number.

[Adjusting Audio.]

Board Member Lee: I have a question and I can wait until David comes back.

Chair Baltay: No, go ahead, Grace.

Board Member Lee: Oh, okay, thanks. I just wanted to understand how we hear back from PTC and Council on their reaction or thoughts on this letter.

Chair Baltay: Well, last year we did not.

Board Member Lee: Okay.

Chair Baltay: The Council does what they want and we can't say...

Board Member Lee: I recall in previous years we did not except informally. I just want to put it out there. I assume it will be the new PTC and new Council that would be receiving this early in the New Year.

Chair Baltay: Last year I made a big of a stink that we actually present it in person and we ended up having some big session with the Council. You remember; you were there, right? This year I think we just give it to them at face value.

Ms. Gerhardt: I think if you want to put something in the letter that says how you would like them to respond. We can't require but we can ask.

Chair Baltay: I think we have in here already asking for more communication. There's a whole section set up on, look we need to get this better. The message, I believe, is getting through. I am not sure we're that high on their priority list. Their docket is very full, that's true.

Chair Baltay: It's always full. It's just the nature of the beast. Would you like to add another bullet point, Grace, on section C where we ask for formal feedback?

Board Member Lee: Yeah, I think the letter is pretty clear in terms of our desire for feedback. My thought was I just wanted to hear back on also the San Antonio discussion in terms of when we talk about it.

Chair Baltay: I think if we next year as an agenda item we can just say we asked staff to find out if Council is talking about it. We can just push that we want to know what they're thinking.

Board Member Lee: That makes sense; maybe that's the way to do it.

Chair Baltay: Yeah. Okay, any luck with Dave Hirsch?

Ms. Dao: Yeah, I think I see him in the attendees.

Ms. Gerhardt: David, if you just mute your computer and unmute the phone. How does he unmute the phone, Veronica?

[Attempting to Connect Board Member Hirsch to the Zoom meeting.]

Board Member Hirsch: Listen, I missed an awful lot of the letter comments. I am wondering why we aren't showing other facilities besides housing. Now, are we on to hotels, therefore, Peter?

Chair Baltay: We just added two, David. Alex pointed out that we approved the Newell Road Fire House, and then there was a large office building 2555 Park.

Board Member Hirsch: Great. Also, in the research park, there is the small waiting areas for buses.

Chair Baltay: The bus stops?

Board Member Hirsch: The transportation bus depot little waiting areas.

Ms. Gerhardt: Yeah, in the Stanford Research Park?

Board Member Hirsch: Yes.

Chair Baltay: I wasn't sure that was our proudest moment reviewing those but if you want to put those...

Board Member Hirsch: Oh, no, I thought they were well-done from the beginning to the final one. It was very successful.

Vice Chair Thompson: I think the point is to show projects that evolved, though, right? not projects that were already...

Chair Baltay: Yeah, that was the problem with the building on the research campus you're talking about David. It was such a good design to begin with that we didn't do a whole lot to it or for it. I didn't...

Board Member Hirsch: I think we did.

Chair Baltay: You think we did? Okay.

Board Member Hirsch: The final one was much more successful.

Chair Baltay: Okay, we can put that on the list.

Board Member Hirsch: I have comments on the existing ones that are shown in the... Hamilton Avenue, that elevation is hardly from beginning initial proposal to final design is nothing much changed.

Chair Baltay: What changed is the height of the building.

(Crosstalk)

Maybe I can clarify the detail because there is a number written in there, or we don't have to show it if it's not sufficient.

Board Member Hirsch: My opinion is it's not significantly changed as an image and they won't pick it up.

Chair Baltay: That's a legitimate point. What does everybody else think? Is that just a waste to show that image?

Board Member Hirsch: I think if you showed Hamilton Avenue side it might be more important. I don't recall exactly what it was but I think it was a little bit more of a change.

Vice Chair Thompson: I think David has a point. That project, just looking at it from sort of far away, it does look very similar to itself, the initial and final.

Chair Baltay: The difference is that we lowered the building down a couple of feet to mitigate the impact on the neighbor. We don't have to show it but it is one of the few housing projects that are in the list.

Board Member Lew: Peter, there is a way if you add a dotted line where the height originally was.

Chair Baltay: That's a good idea.

Board Member Lew: Then you can highlight the fact that it's made shorter. I just had on one of our previous Council...

Chair Baltay: I remember that. Sure, that's easy to do.

Board Member Hirsch: Also, I am not in love with 788 San Antonio. Yes, it's different and it is the same view of a lesser quality product there than the initial proposal. It's not very good but I am wondering if the straight-on elevations wouldn't be better for both images.

Chair Baltay: For 788 San Antonio?

Board Member Hirsch: Yeah, 788.

Chair Baltay: I can look into that, sure.

Board Member Hirsch: Let's just leave it open to look into it.

Chair Baltay: I want to closure today on what we're doing. Does everybody else agree that an elevation would be stronger for that one?

Vice Chair Thompson: I'm impartial.

Chair Baltay: I would have a tough time finding images at all, David. It was not...

Board Member Hirsch: I think that Alex had a good idea.

Board Member Lew: Alex, repeat again, please.

Board Member Lew: My comment was on the (inaudible). On San Antonio Road, I don't think I would use elevations because it doesn't really show the stepping of the massing.

Board Member Lee: I agree with Alex. I think it's important to leave it as shown because you see how that scale is so large and continues the same elevations but the final design shows the drop in scale and a different treatment in the elevations. I also want to find consensus, so if you want to look...

Chair Baltay: Yeah, David, I think I think on San Antonio I think this is about as good as we're going to get.

Board Member Hirsch: Can you hear me?

Chair Baltay: I can hear you, yes.

Board Member Hirsch: Okay, that's fine.

Chair Baltay: I am hearing on the Hamilton Avenue project I will add some imagery on top of the images explaining that the height difference is what we're talking about. Is that sufficient?

Board Member Hirsch: I think Alex said a dotted line is a good idea.

Chair Baltay: Yeah, I'll make a red line. That's easy to show.

Board Member Hirsch: Okay.

Chair Baltay: Then, we are going to add the Stanford Research Park you were talking about, David. We will add that to our list of projects we have reviewed.

Board Member Hirsch: Oh, that's okay. I think the fact that we deal with small projects is significant.

Chair Baltay: Okay. Then, you want to add the bus shelters as well at the research park?

Board Member Hirsch: Yes, I think so.

Ms. Gerhardt: Peter, what was the first project you were talking about in the research park?

Chair Baltay: I forget the name of it now. It was the building they were putting forward. It had a large, very low-pitched roof.

Board Member Hirsch: No, I am talking about the bus shelters.

Vice Chair Thompson: Which bus shelters?

Chair Baltay: Bus shelters or the building, David?

Ms. Gerhardt: We approved bus shelters in the research park.

Chair Baltay: Okay, is that what you're referring to, David, bus shelters?

Board Member Hirsch: Yes, bus shelters.

Chair Baltay: I see. Okay, we can put bus shelters on. That's fine.

Vice Chair Thompson: I am having a hard time remembering that one.

Ms. Gerhardt: They had the butler building type bus shelters that they were proposing that were kind of seen as an older style and we ended up with a modern, off-the-shelf style.

Chair Baltay: Yeah, we pushed them to design something custom, which they did.

Board Member Hirsch: It was much nicer.

Board Member Lew: (Inaudible).

Vice Chair Thompson: Sorry, Alex; we couldn't hear you.

[Adjusting Audio.]

Board Member Lew: Osmo, I don't think you were present for the bus shelters.

Vice Chair Thompson: Oh, that could explain why I don't know about it. Okay.

Board Member Lew: (Inaudible) for the last review.

Chair Baltay: Did we review any bus shelters in 2020, Jodie?

Ms. Gerhardt: I don't know the date off-hand, but maybe we can make that caveat that if they were reviewed in 2020 we will include them, otherwise not. If you can give me a minute I can find out the real answer.

Board Member Lee: I'll just say I do recall bus shelters but it's Stanford so I recused myself from that meeting, but I am pretty sure there was a bus shelter project.

Chair Baltay: Are you thinking, David, we should dig up imagery of that, too?

Board Member Hirsch: I missed it, Peter.

Chair Baltay: With the bus shelters, do you think we should have images of it as well? Probably.

Board Member Hirsch: I do.

Chair Baltay: Okay.

Vice Chair Thompson: If it's within 2020. Should we try and make a motion and move on with this item.

MOTION

Chair Baltay: I am all for that but let me see if I can summarize the changes we are making. I am going to move that we approve this letter with the following changes. In section A, we added a statement about the hybrid model would allow both remote and in-person participation from everybody and facilitate involvement by all. On the San Antonio standards, we are going to add the list of points Alex made reinforcing the argument, then upfront we added the statement that says therefore design guidelines specific to the area are needed. Under the awards program, we added a sentence the awards typically occur every five years per ARB bylaws. Under the architectural review is important, we are going to change the way we tabulate the list of projects to be a series of columns: one is the project and address; one being the number of housing units; third being -- I don't have it in front of me; Grace gave a sketch of how we are going to do that -- the kind of project if it was housing or mixed-use. Then, we are going to modify the 565 Hamilton images to show some additional lines to show the height of it more clearly. We are going to come up with a better before image for the hotel on 744 San Antonio, and we are going to include the bus shelters over on the Stanford campus before and after. Then, we are going to remove this alternate list of housing projects. That's the motion with those changes.

Board Member Lew: Peter, there is one other item. We were just going to list the two projects that won awards under F.

Chair Baltay: I am sorry; you're right. We are adding under F, as well, 2555 Park Boulevard and the Newell Road Fire Station, but we are not showing imagery on those, Alex. You're okay with that?

Board Member Lew: Great, yes.

Chair Baltay: Okay. Do I have a second for that motion, then?

Vice Chair Thompson: Sorry, David was saying something.

Board Member Hirsch: How about the elevations at Wilkes Bashford? We did a lot to change that.

Chair Baltay: I guess, David, we started this and the discussion as to try to focus it on housing. We have gone through this whole process with that in mind and now you're bringing up three or four non-hosing items. We kind of (inaudible) to do that. I agree (inaudible).

Board Member Hirsch: Yes, I mean I think it is a stronger illustration of our ability to comment on projects and improve them.

Chair Baltay: Okay, so should we add the Wilkes Bashford building? Jodie, was that approved this year or last year again?

Board Member Hirsch: No, that was this past year.

Ms. Gerhardt: One minute.

Chair Baltay: I thought we approved that, David, in 2019.

Board Member Hirsch: No, I don't think so. It is more recent. Certainly, the final meeting was this year.

Chair Baltay: I don't think it matters that much. If we want to put it in we can. Do we have a consensus to include that building as well?

[Adjusting Audio.]

Vice Chair Thompson: I am fine with it but the scale of changes that you just mentioned sounds like this document is going to evolve a lot and I am now more thinking in favor of seeing it one more time before we send it out. I know you don't want...

(Crosstalk)

Chair Baltay: I have worked really hard on this. We have had a lot of chances to put these opinions out there. Now, at the last minute, I am hearing this stuff, okay. It's not fair. It doesn't work that way. We have all had chances to speak, David, many times to bring it up. The consensus last time was to focus on hosing, remember? We all said we wanted to get this focused on housing. That's what the Council wants to think about.

Board Member Lee: I am happy to support the focus on housing.

Chair Baltay: I want to...

Vice Chair Thompson: You have a motion; it's seconded. Why don't we...

Chair Baltay: David, I want your support on this. Can you support it without adding the Wilkes Bashford building so Osma can support getting it done today?

Board Member Hirsch: Of course.

Chair Baltay: Of course. Okay. The motion has been and who seconded it?

Vice Chair Thompson: Alex.

Chair Baltay: Alex seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

MOTION TO APPROVE PASSES 5-0.

Chair Baltay: Thank you, everybody. Okay, good.

Ms. Gerhardt: Peter, you made the initial motion with Alex seconding?

Chair Baltay: That's right.

Ms. Gerhardt: Thank you.

Chair Baltay: I will get this final draft to you, Jodie, and then you'll have it approved so we will get this out this year.

Ms. Gerhardt: Yeah, I have taken some notes and Wilkes Bashford was approved around May of 2020.

Chair Baltay: Okay, well we took that off the list to keep the consensus happy. Thank you, David and Osma, for working with me on that.

Ms. Gerhardt: Okay.

4. Election of Chair and Vice-Chair for the Architectural Review Board, and Direction on Minor Updates to the Architectural Review Board By-Laws

NOMINATION

Chair Baltay: Let's get going because we have two more things to cover. Next item, the election of the Chair and Vice Chair for next year. With that, I would like to say that I have been delighted and honored to work with Osma Thompson over the past year having her as Vice Chair, and I think she will make a wonderful Chair for our Board for the coming year. I would like to move that Osma becomes Chair of the Architectural Review Board.

Board Member Lee: I am happy to second.

Board Member Hirsch: I am going to second that. You beat me, Grace.

Chair Baltay: Made and seconded. Can we have a vote, please?

[Adjusting Audio.]

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

NOMINATION APPROVED 5-0

Chair Baltay: Okay, Osma, congratulations.

Vice Chair Thompson: Yay, thank you.

Chair Baltay: Next item is the Vice Chair. Traditionally, one Vice Chair works towards the next. Osma, do you want to have a discussion or do you have an idea of what you'd like to do?

Vice Chair Thompson: I haven't had a chance to talk to anybody about this. I would be very happy if Board Member Hirsch or Board Member Lee... interested to work with either entity. I would like to hear from Board Member Hirsch and Board Member Lee about their interest in being Vice Chair. Maybe start with Board Member Hirsch.

Board Member Hirsch: Okay, I can make it simple for you. I prefer not to be a Vice Chair. That makes it extremely simple.

Vice Chair Thompson: Okay.

Chair Baltay: How do you feel about it, Grace? Are you able to step up?

Board Member Lee: I was thinking I was going to nominate Board Member Lew given I believe it is his last year and I wasn't sure if that is something that Board Member Lew would want to do and Chair Thompson, what do you think?

Vice Chair Thompson: I am happy either way. Let's go in order. Board Member Lee, why don't you let me know your feelings towards being Vice Chair and then we'll go to Board Member Lew.

Board Member Lee: Yeah, I am very happy to serve and step in. I have done it in the past; however, I am also just very open to whatever you think is best or if another Board Member would like to step up that's good too.

Vice Chair Thompson: Okay, great. Then, let's hear from Board Member Lew.

Board Member Lew: You know, normally we just rotate through (inaudible); however, like next year is my last term and so it makes sense for somebody who is going to be Chair to get in and learn... like, I actually think it makes sense for David to learn what it takes to do all of that. As well, it could be Grace. I am happy to help if nobody else wants to do it but it doesn't really make (inaudible).

Chair Baltay: I think given David's statement not wanting to Grace should do this. Osma, I think you should make the motion for it.

NOMINATION

Vice Chair Thompson: Okay. I move that Grace Lee be the Vice Chair of the ARB.

Chair Baltay: I will second that motion. It has been moved and seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lew, Thompson, Lee (5)

No: (0)

NOMINATION APPROVED 5-0

Chair Baltay: Thank you, Grace. Grace is now our Vice Chair and Osma is our Chair.

Ms. Gerhardt: Yes and those positions will officially start in the New Year.

Study Session/Preliminary Review

5. Study Session on Ex-parte Communications Between Architectural Review Board Members and Applicants, Developers and Other Persons (Continued from November 19th)

Chair Baltay: Yes. Congratulations. Thank you, everybody. The next item is the study of ex-parte communications. I have to say our communications have broken down so badly today I don't know that we can successfully do that. Do we let it go to the next year? How do we feel about that? Osma, are you okay with that?

Vice Chair Thompson: I am okay with that.

Chair Baltay: Unfortunately, the City Attorney has been on this the whole time.

Ms. Gerhardt: I was going to say but that's fine.

Chair Baltay: Try to push our way through it? I mean, it is awfully hard to hear.

Vice Chair Thompson: Did we want to just try and make it brief?

Ms. Gerhardt: We can ask Albert if he is able to attend the next meeting would January 21st or that is just an option.

Albert Yang, Deputy City Attorney: I can attend a meeting in January. That is fine.

Chair Baltay: I just hate to be wasteful of your time, Albert, that's all. David, how well can you hear us?

Board Member Hirsch: I can hear you fine just many times.

[Adjusting Audio.]

Chair Baltay: Let's push our way through this, then. Do we want to have Albert's summary of this or Albert were you prepared to do that or just prepared to sit in?

Mr. Yang: I was just here to sit in and answer any questions. I didn't have a specific presentation or anything.

Chair Baltay: Okay. We did, back in 2018, a detailed review of ex-parte communications and roll of the way the ARB should work. This is coming out because we have had a few instances of Board Members outside of meetings communicating with other Board Members and the public in a way that other Board Members felt was inappropriate. We want to be really clear with each other and with our attorney what is the proper amount of communication we can have outside of a board meeting. My understanding is that we are allowed to meet with members of the public but once a hearing has started we should not be doing that. Is that right, Albert?

Mr. Yang: Yeah, I am happy to give a quick overview. Yeah, it is permissible to meet with members of the public and to meet with project applicants to discuss a project. What needs to happen, though, is once the public hearing starts if there is any information that a Board Member receives -- maybe it's just a visit to the site or something you observed that isn't already in the record-- that needs to be disclosed into the record so that members of the public and the parties can respond to that information. Everyone

is working from the same set of information. As a general rule, once a hearing has started and it has been continued it is the best practice to not have additional ex-parte communications after that point. We treat it as if you were just in the hearing room the whole time continuously for a continued hearing. At the same time, from a strictly legal perspective, it is sufficient for the contacts, if they occur, for them to be disclosed into the record when the hearing restarts. That is more permissible when you accept public comment or applicant comment a second time because then those parties have the ability to respond to that new information again. If you are continuing a hearing but you're not accepting public comment again, then it is more problematic to have an ex-parte communication.

Chair Baltay: Albert, could you address the issue of communication between Board Members both before a project and during a review process between continuations.

Mr. Yang: Yeah, for communications among the Board Members it is really the Brown Act that comes into play, and what we are trying to avoid is having what would be considered a meeting of the Board outside of the official noticed meetings. That can occur whenever you have a quorum of the Board, so that would be three or more Board Members who, in one way or another, get to know what each other thinks. It doesn't have to be that they are all gathering or speaking on a teleconference; if there is an email that gets forwarded from one to another and then suddenly you have three Board Members who know the thoughts of each other on a topic that could be considered a serial meeting under the Brown Act. It is okay for one-way communications to happen. A Board Member could send their thoughts and comments to staff and staff could email out to the rest of the Board as long as there is no response where everyone would now know the thoughts of that one Board Member, but no one knows the other Board Member is thinking about that. So, you don't have a conversation that is happening. It is also permissible for multiple Board Members to email staff their thoughts and then for that email to be distributed to the whole Board at all once as long as there, again, is no conversation or response to one of the board member's thoughts that is going out.

Chair Baltay: Wouldn't, Albert, if everybody independently put their thoughts out there, emailed them to staff for distribution is that effectively a conversation even if it is one-way, technically?

Ms. Gerhardt: I am putting them together in one email and sending them out all at one time. It is still that one-way communication, correct, Albert?

Mr. Yang: Yeah. I think the key point is there is no ability to build a consensus because you are not having the exchange of thoughts. Someone could read all of those comments and get a sense of what each board member thinks but the board members are not trying to influence each other or engage in that dialogue.

Chair Baltay: Okay.

Board Member Lee: Chair Baltay, I have a couple of questions if...

Chair Baltay: Yeah, go ahead, Grace, please.

Board Member Lee: Okay, thank you. Peter, I did want to note I reviewed the minutes from November 1st, 2018, where you first started the study session on ex-parte communication. So, in terms of some clarification...

Chair Baltay: Sure.

Board Member Lee: ...because this is different from when I was on the Board previous. A couple of things: if an applicant reaches out to board members for a site visit or something where it is difficult to visit the site and they need to accompany that typically occurs before it comes to us. Then, I just wanted to say is there a situation where it might occur in a meeting that is after that first meeting and I assume we should just say no. That's my first. Also, I have in the past -- the longtime past -- been contacted by an applicant who reached out after the first meeting, and at that time we could discuss the project and

then at the board meeting that followed the second we would just disclose what they imparted. It sounds like now each Board Member should say no, I am sorry given our rule I am unable to meet with you given this is the second meeting. I also want to ask is that actually communicated to applicants in the ARB review process, and if not shouldn't we do that as part of how it is to submit an application? That seems like it would be a fair way to communicate, or is it up to just each Board Member saying it and then copying staff in an email communication? I just want to know the protocols.

Chair Baltay: Excellent questions, Grace. Jodie and Albert, what do you think?

Ms. Gerhardt: As Albert was saying, there is the legal requirement and then the requirements that the Board places on themselves. I think for the most part we have if you want to visit the site at the beginning of the project before there is a hearing that is normally where it would be encouraged in between hearings is where most Board Members have said no and that that is a Board decision. Staff certainly conveys that as much as they ask us but they don't always ask us.

Mr. Yang: I have a few thoughts in response. First is if you have a situation where the site is difficult to visit and you need to be accompanied one thing we have done in the past at some point is notice the site as a meeting of the ARB, then the whole Board can go at the same time. If there are members of the public who want to go and observe what the ARB is observing they are able to do that; they know the time and location. About communications that happen in between continued hearings, the ARB is a little bit unique in that continued hearings are very common. They are very common and when you come back to the hearing usually the applicant has new information, there's a new presentation, new round of public comments. It is not that you just continued because you ran out of time. For that reason, I think it is different from other Boards where in other Boards you might not want the Board Members to be speaking to the parties in between a continued hearing. In the case of the ARB, it probably is helpful and as long as there is a disclosure because you are allowing the public to speak again, you're allowing the applicants to speak again, the disclosure should be sufficient. That is really a Board choice I think that the Board can make in terms of how they want to deal with that. I think from a legal perspective, it is definitely defensible to have those sorts of communications as long as you disclose the contents.

Board Member Lee: Thank you Albert and thank you, Jodie. I just had a follow up in terms of do we as a Board feel like staff, or in the written ARB application materials, we should instruct applicants at the get-go that you will be coming to the ARB, ex-parte communications are not allowed after the first hearing. I just feel like that would be fair that that is part of it because it gets awkward and we have a lot of applicants who have submitted projects 10/15 years ago who are coming back and they just don't know how our process has changed. I feel like -- I would love to hear how other Board Members feel but we don't have to do it today if we don't have time -- and it just seems fair to communicate what the ARB has decided as a group and what is legal per the City, and how to operate in this process of submitting. The other question I had -- I am sorry, Peter, just one more -- is an HRB or a PTC member or a Council member speaks to one of us regarding whatever, some comment about the application or project after the first meeting or before, we need to share that?

Chair Baltay: Yeah.

Board Member Lee: I am just asking that question. It hasn't happened to me recently but I just want to know the answer.

Mr. Yang: Yeah. Let's say you speak to an HRB member and they provide you with their thoughts, I think that needs to be disclosed if that information isn't already in the staff report. The staff report will usually try to summarize the HRB's comments on this, but if you hear something that is not already reflected then that should be disclosed.

Chair Baltay: I think that is about right. Disclosure is the real thing, Grace. I think it would be good to give applicants a clear understanding of what the rules are. I do think, however, there are many situations where between continued hearings we want some form of ex-parte communications. For one, I always visit the site pretty much every time. It changes when they have a new application and it really

helps me to see the situation again. Not frequently, but occasionally applicants might want to speak between hearings and I don't know that it needs to be an absolute rule that you can't speak to people as much as the disclosure is really important. You have to tell people what you have heard. I think as long as you're being open about that that is fine, at least with me. I don't know that we need to have a hard-and-fast rule about no communication beyond the first hearing. Sometimes a hearing goes on and it can be a year between hearings even and big changes happen.

Vice Chair Thompson: Yeah.

Chair Baltay: I know on the Stanford shopping center project, for example, I remember having a meeting with the applicants between hearings because they were so upset about my wanting them to have parking garages underneath the building and they really wanted to make sure I understood what their situation was about that. I think that it was fair that they were allowed to talk to me. I don't know that we want a hard-and-fast rule so much as an explanation to people that whatever you say to us has to be considered as being said to the entire board. It is better if you say it to everybody in the same form whatever you do.

Vice Chair Thompson: I think it is also for the first time, well not for the first time... just hearing the way that Albert has framed the idea of ex-parte communication that typically in other situations when this law was sort of put into the thing there wouldn't be new information in between hearings and the ARB is a huge exception because so many things change. I feel like framing it that way really helps me understand. Up until now, I think I have been really reluctant to meet with applicants in between hearings but that new information is really key and it is really important, I think, in approving a project. Maybe if we are okay as a Board that the disclosures are very transparent then I think communication between hearings would make sense on a case by case basis.

Ms. Gerhardt: I do wonder that maybe some of our language on the staff side could be changed because we do say that these meetings are being continued when really that is not exactly the case. We are having a second and a third hearing and we are allowing presentations and public input each time, so it really is sort of a new hearing. I don't know; maybe I can talk to Albert offline if we can change that verbiage.

Chair Baltay: Could you also, Jodie, is it possible to just put a paragraph in the staff report and just have it go on every formal review staff report stating the police of ex-parte communication with applicants? It can be a very brief thing but if it is there in the staff report everybody sees it like Grace is mentioning. It is just out there.

Ms. Gerhardt: I don't know if I would want to put it in the staff reports, maybe in the agendas.

Chair Baltay: Somewhere where it is just published for the record. The same paragraph over and over again.

Ms. Gerhardt: The paragraph would say that meetings are allowed but the information must be disclosed or...

Chair Baltay: Yeah. I think what you really want to emphasize is that the information has to be given to everybody equally, so anything you say to one member should be considered as being said to everybody. That's what I have heard is important anyway. I want to come back on something else, though, that I am bothered by. Even if Albert says it is okay, I don't like the idea of individual ARB members sending an email of their thoughts to everybody on the Board between hearings. I think we have ample time during our meeting to express our opinions and to try to persuade each other. I think allowing that outside of the meeting is just opening up Pandora's box of potential back and forth or endless emails. I would rather see us do that through the public forum when everybody sees and hears what we have to say. That said, I think it is perfectly fine for any two board members on a board of five to discuss a project at any time. As long as you don't cross that line of the Brown Act where it becomes a meeting that's the nature of our political system and I don't think we should just waive that. I am frustrated sometimes

that other members on the boards won't respond to my question about a project out of fear of the Brown Act, when really it is only two of us and as long you keep it that way that is okay. It is actually good; it's healthy. That is what politics is about. That is what trying to figure out how to get to an answer and how it works. That's my two cents on this. I really strongly disagree that we should be allowed to send a message to all five of us between hearings though.

Vice Chair Thompson: I would agree with you Board Member Baltay.

Chair Baltay: David, do you hear me? Can you participate on this?

Board Member Hirsch: I agree with you.

[Adjusting Audio.]

Board Member Hirsch: I agree with you, Peter.

Chair Baltay: Okay.

Board Member Hirsch: Absolutely agree with that. I think it would be terribly confusing for us to be emailing each other back and forth on items and it easily could lead to pressure, which is (inaudible).

Ms. Gerhardt: Maybe, Albert, you can weigh in on this. Peter, you were asking about sending an email to one Board Member and wanting to have a conversation and that appears to be okay. I think that other Board Member would want to know I am only having this conversation with you. I am not going to carry this on because there could be a serial meeting, or what is it? This spoke and wheel kind of thing where you talk to this person, talk to that person, talk to that person, and that starts to become an issue.

Chair Baltay: Absolutely. Every Board Member has a deep responsibility to be very cognizant of that, and if you have a conversation with one person you can't then talk to somebody else and say this person said that. With that said, I think it's a mistake also just to refuse to talk to anybody ever. There is a real benefit to being collegial. I think other boards and city councils do that kind of thing.

(Crosstalk)

Ms. Gerhardt: I think you're talking about when you're talking about projects. If you're talking about the holiday's, everybody can talk.

Chair Baltay: Yeah.

Mr. Yang: I guess I just want to clarify that the back and forth is only permissible when it is two people. The one-way is permissible but you can't have a back and forth in that context.

Chair Baltay: Absolutely. Okay, do we have any other thoughts, ideas, questions on this topic? Osma, have we addressed...

Vice Chair Thompson: I'm good.

Chair Baltay: You're good?

Vice Chair Thompson: Yeah.

Approval of Minutes

6. Draft Architectural Review Board Meeting Minutes for November 19, 2020

Chair Baltay: Everybody else? Thank you, Albert, very much for staying with us. It's been a rocky meeting here. Why don't we move on to the last item which was draft Architectural Review Board minutes? Do we have any comments, questions, opinions, Alex?

Board Member Lew: No, I read through them and I didn't see anything.

Chair Baltay: Why don't you make a motion for us?

MOTION

Board Member Lew: Okay, I will move that we approve the minutes for November 19th, 2020.

Vice Chair Thompson: I'll second.

Chair Baltay: Moved and seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

MOTION TO APPROVE PASSES 5-0.

Board Member Questions, Comments or Announcements

Chair Baltay: Wonderful. Thank you, everybody. Last item on our agenda is the North of Ventura Coordinated Area Plan. Alex, do you have any more information about that for us?

Board Member Lew: Yes. The staff presented the project to the PTC and they continued the hearing to January. I think there was a lot of concern about the Sobrato Townhouse project and how that will impact the three alternates that the staff is proposing. They are looking for more information on that. I think that is all that they have. I think the committee is not going to meet for a while. I think the committee may meet again before the project goes to the Council. I think that is all that is happening on our end.

Chair Baltay: Okay. Thank you, Alex, for your continued effort there. Okay, with that we are adjourned. Happy Holidays, everybody. As we say, see you next year.

Ms. Gerhardt: Yes, have a wonderful holiday. No meeting on the 7th except for the subcommittee. Board Member Thompson and Board Member Hirsch I will send you details.

Chair Baltay: Thanks, everybody. Bye now.

Adjournment