

Baumb, Nelly

From: Barbara Voss <barbvossis@gmail.com>
Sent: Monday, November 2, 2020 3:51 PM
To: Council, City
Subject: Foothill Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

I strongly support the opening of Foothill Park to non residents. Palo Alto residents all enjoy the parks maintained by other cities; we should not restrict Palo Alto's parks to residents only. This is a matter of fairness and justice. To continue to restrict access gives the impression of elitism and segregation.

Open Foothill Park to All!

Barb Voss
2600 Columbia St, Unit 200, Palo Alto, CA 94304

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Barb Voss - barbvossis@gmail.com

Baumb, Nelly

From: Devon Elizabeth Ryan <devonr@stanford.edu>
Sent: Monday, November 2, 2020 3:01 PM
To: Council, City
Subject: Comment supporting opening Foothills Park

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Dear Palo Alto City Council Members,

I apologize for being unable to make the meeting in person/zoom tonight but I am writing in support of opening Foothills Park to the general public. I think the lawsuit from the ACLU really illustrates that there are civil liberty issues here and I feel the park should be accessible to all people of all different income levels, not only those that can afford to live in Palo Alto. Opening the park will be one small step towards greater integration of our city and our region.

However, I oppose the name change to Foothills nature preserve because I feel like it is being proposed solely to discourage visitors. We should be more welcoming. Both by opening the park and by keeping the park's designation as a "park".

Thank you,
Devon Ryan

Sent from my iPhone

Baumb, Nelly

From: CKrenz <charleskrenz@sbcglobal.net>
Sent: Monday, November 2, 2020 2:46 PM
To: Council, City
Subject: Foothills Park Access

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My family and I have lived just outside of Foothills Park, and just outside of Palo Alto for 20 years. As such we've never been able to visit the Park unless we were the guests of Palo Altans.

We enthusiastically support the "normalization" of how your fine city manages the Park, and allows non resident access. Changing the rules would be a great start, but integrating the Park into the regional trail system that surrounds it would also be highly desirable. If a few connector trails could be established Foothills Park hikers could easily visit Coal Mine Ridge and Windy Hill, Portola Valley open space areas of great scenic value. We Portola Valley residents share our areas with non residents. Sure, we'd love to be able to hike into Foothills, but we'd also like to be able to easily share our open Space areas with Palo Altans and others that are starting their hikes in Foothills. It'd be a low cost, high value benefit to both communities.

Thanks so much for your interest in this issue

Charlie Krenz
80 Joaquin Rd
Portola Valley

Baumb, Nelly

From: Barry Hart <hartb88@yahoo.com>
Sent: Monday, November 2, 2020 2:25 PM
To: Council, City
Subject: Please do not settle Foothills lawsuit

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council -

Foothills Park allows use by Palo Alto residents only for reasons that are not related to race.

The history of the park is well documented as are the reasons for keeping the park for residents only.

By settling the lawsuit - it implies that the City is racist and has been practicing racist behavior with regards to park admission. Please defend the city against the lawsuit and explain to the court and public the indisputable facts related history of the park.

Barry Hart
920 Palo Alto Ave

Baumb, Nelly

From: Micheline Horstmeyer <mhorst1950@hotmail.com>
Sent: Monday, November 2, 2020 1:28 PM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council:

I implore you ...do not open Foothills Park to all. You are being bullied by lawsuits and not guided by the will of Palo Alto residents who have paid the bill for opening and maintaining the Park for decades.

There should be no change in current policy until you consult the voting population of Palo Alto.

I promise you, there will be a referendum if you decline to consult the voters on this issue.

Point of information: in my travels I have encountered many parks, of all sizes, that are open only to nearby residents who pay for upkeep - everything from parks/beaches in New Hampshire to private, key-only parks in the middle of Manhattan.

Sincerely,

Micheline Horstmeyer

Baumb, Nelly

From: Pat Marriott <patmarriott@sbcglobal.net>
Sent: Monday, November 2, 2020 1:25 PM
To: Council, City
Subject: Please do not cave to the Foothills Park lawsuit

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Council Members:

I urge you to read the LTE from Rich Stiebel in today's Daily Post.

The ACLU et al are using the race card to bully Palo Alto into opening the park to non-residents. Stiebel points out that people of all colors and ethnicities live in Palo Alto, so discrimination is clearly not an issue.

People who don't live in Palo Alto have other open spaces to visit. Please do the right thing for the residents who paid for and maintain Foothills Park.

Thank you,

Pat Marriott Los Altos

Baumb, Nelly

From: david sheppard <dvs6953@gmail.com>
Sent: Monday, November 2, 2020 1:07 PM
To: Council, City
Subject: Open Foothills Park/Nature Preserve to all

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Dear PA City Council:

I am a longtime Sierra Club member and past local chapter outings chair. I deeply value the preservation of our natural spaces. And I am in strongly in favor of the proposal to repeal the ban on non-residents at Foothills Park/Nature Preserve.

Foothills is a special place, which is exactly why I want to share it with neighbors around the Bay Area. I realize that some suggest that outsiders must be shut out to preserve Foothills for what it is. I could not disagree more. Palo Alto can and should share this place responsibly. Palo Alto's professional open space managers are just as capable as the professionals working for sister agencies around the state, none of which restrict access by residency.

As the Mayor and Vice Mayor said, this is the best path forward for Palo Alto, and it is the best path toward building regional appreciation for the natural resources that we all share. Please take this opportunity to place Palo Alto on the right side of history.

*Sincerely,
David Sheppard*



Sender notified by
[Mailtrack](#) —



Baumb, Nelly

From: Carl Page <carlpage@gmail.com>
Sent: Monday, November 2, 2020 12:22 PM
To: Council, City
Subject: Foothills Park

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Hi

Thanks for providing such a wonderful resource to the community and our wildlife.

I know Foothills Park will better serve us if it is available to a broader community.

We look forward to sharing this special place with our neighbors!

Carl Page
Palo Alto

**Don't
ask how many people Earth can Support.
Ask how many people support Earth!
There's room for all, who make Earth better than they found it.**

Baumb, Nelly

From: Pat Markevitch <pat@magic.com>
Sent: Monday, November 2, 2020 11:50 AM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Honorable City Council members,

I have lived in Palo Alto my whole life. Foothills Park has always had a special place in my heart and memories and it became even more special to me during my 10 years as a Parks and Recreation Commissioner.

Much has been said about opening up the Park to non-residents. I support the pilot program to see if it has any impacts to the park with regards to the infrastructure and the wildlife.

I do not, however, support the timing of the program. Why would you do this in the middle of a pandemic? Don't you want the most accurate numbers as possible?

My suggestions are to wait until we get back to a more normal pattern of park visitation so the City has a better sense of the total impacts and then put it on the next ballot so the citizens can have a voice in the process.

Thank you for your consideration.

Respectfully,

Pat Markevitch

Baumb, Nelly

From: ANNIE BEDICHEK <abedichek1@gmail.com>
Sent: Monday, November 2, 2020 11:06 AM
To: Council, City
Cc: Annie Bedichek
Subject: A few votes from me

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Thank you all for your hard work during this difficult time. We are very lucky to have you.

There are a few big issues coming up I would like to let you know my own views on.

1. Please don't bow to the legal threat and open up Foothills Park. The amount of money it will cost to add services, and man the gate will not be covered by the gate fee. People who do not live in Palo Alto will have no incentive to treat it as the nature preserve it is. Instead they will use it as a park, which it is not. The City of Palo Alto offers more parks than any other local city. We have a nature preserve there, and it does not need to be open to 1000's of people a week. It will destroy the area. Second, the 75% fee for Palo Alto residents is crazy. We already pay for that park as part of our taxes. Why should we pay at all? Lastly, the liabilities of the camping area, and fire, are surely too great to open that to the public. Again, we don't get enough profit to cover the liability if someone accidentally starts a fire and burns down that neighborhood. I am furious with the ACLU and the NAACP with this suit and have stopped contributing to them. I know dozens of other PA residents who are the same. This is not about fairness or access, it's about resenting the "supposed" rich and trying to screw them. ABAG is doing the same.

2. Please do not change the retail rules for street level buildings. This town's commercial real estate is mostly owned by a few extremely wealthy companies. They have over time, eroded our building rules such that there is way more office space than we need as a town. We will now be paying for that with ABAG required housing. There is a glut of office space in Palo Alto already - look at all the empty buildings. I myself rented an office for very cheap for my college student at Palo Alto Square. I could not have afforded that for the past 20 years. The cheapness of the rents is because we already have too much office space. Please consider instead letting office developers convert office space into apartment buildings. Developers are only going to build housing when the office space glut gets too expensive. They created this mess, please let them suffer the natural consequences. No office space in the city on the streets! It will be impossible to undo.

3. Please reconsider using parts of Cubberley for high density housing, and the Fry's site as well. We have a moment in time here when office space is not as profitable to build, seize the moment to approve something that will work for our long term goals.

4. Best is the enemy of good. I worry we are wasting a time when it would be easier to do the over/underpass/tunnel option for the train. Let's just pick something that isn't perfect, and get going!

Again, thank you all for your hard work in this very difficult time.

Annie Bedichek
3rd generation Palo Altan

Baumb, Nelly

From: Betsy Goldberg <bgold821@gmail.com>
Sent: Monday, November 2, 2020 10:47 AM
To: Council, City
Subject: Time to Open Foothills Park to All

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council:

I urge you to move to open Foothills Park to all.

I could not agree more with Enid Pearson, who wrote earlier this summer (8/3 Council meeting):

"Yes, it is time to open Foothills Park to all. We are perfectly capable of managing the numbers of folks in the park at anyone time and we should, just to protect the whole area from being used to death. And I think we can stay within the bounds of good neighborliness. Just look around us. There are many parks all open and managed, and in my opinion, really well cared for by both the public and each government entity. Foothills Park would definitely survive and thrive."

Please take this opportunity to place Palo Alto on the right side of history. We need not re-litigate the history of the 1960s to know — now as we sit here some 60 years later — that opening the preserve to all is the right thing to do. I am confident that Palo Alto can manage Foothills in a very professional way that respects and protects the environment while responsibly sharing this special place with the broader community. Palo Alto maintains the ability to professionally manage Foothills, now and in the future. Let's be optimistic that we can make this a success story for Palo Alto and the Bay Area.

**Thank you for your service,
Betty Goldberg**

Baumb, Nelly

From: Kristi Corley <kristilcorley@gmail.com>
Sent: Monday, November 2, 2020 10:46 AM
To: Council, City
Subject: Open Foothills Park to all!

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Palo Alto Town Council,

Please open Foothills Park to all! I am a resident in the neighboring town of Portola Valley. Our town is ten minutes from Foothills Park. I would appreciate hiking in the beautiful park and sitting by the lake to read a book in the future. I hiked in the park with a friend the other day and consider it a local hidden gem!

Please be a good neighbor and share nature with all! John Muir would agree, I'm sure! We could use a good COVID get away place to hike in the fresh air!

Thank you for your consideration,

Kristi Corley

Baumb, Nelly

From: Joyce Friedrichs <joycecare@gmail.com>
Sent: Monday, November 2, 2020 10:33 AM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello,

I live in Menlo Park but want to say how strongly I feel about opening Foothills Park up to the public beyond Palo Alto residents. I am a board member and docent with the Environmental Volunteers, I am a docent at Jasper Ridge Biological Preserve and am a mentor for Peninsula Bridge (supports low income students in their quest for a better education). I am also a former Foothills Park docent. I am keenly aware of how important the outdoors is for everyone's mental and physical health, especially in our Covid times. Prohibiting access to one of the area's premier outdoor preserves limits opportunities for our neighbors to experience sorely needed outdoor experiences.

All of us are so fortunate to have access to parks. All parks require city resources to support. I cannot imagine a fence around Nelon Park in Menlo Park with a guard at a gate turning away parents and small children saying the children cannot play at this recently renovated wonderful park because they are not residents of my city. There is very little difference between that inequity and limiting access to Foothills Park to Palo Alto residents.

Join the greater community and open your gates and your hearts.

Respectfully,
Joyce Friedrichs
Menlo Park

--

Fight for the things that you care about, but do it in a way that will lead others to join you. - RBG

Baumb, Nelly

From: Magic <magic@ecomagic.org>
Sent: Monday, November 2, 2020 9:54 AM
To: Council, City
Subject: Item 6: Foothills Nature Preserve

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Councilmembers,

Please reconsider the decision you've made to admit the general public to Foothills Nature Preserve, and allow the voters to decide this issue in a future referendum.

The current lawsuit is a project designed to benefit affluent close neighbors of the preserve who are appropriating the important issue of racism to a matter where I think it of little, if any, relevance. In doing so they distract attention from serious injustices and demean those who suffer them. For what possible reason other than expedience shall we capitulate in the face of such claims?

We are a better community and model a more progressive stance by denouncing the trivialization of racism in the service of advancing narrow interests of privileged people. While I lament the increasing adversarialism and litigiousness of our society, I think that bullying warrants resistance.

For many years when I've encountered circumstances like this I've called to mind Neville Chamberlain and the Munich Agreement. What was touted as a "final act of appeasement" was followed by many more until, in only a few months, the nation of Czechoslovakia ceased to exist.

On how many more issues will we be sued by opportunists decrying our moral flaws if we refuse to defend against the baseless claims of the current plaintiffs? On how many more issues will you ignore the expressed will of your constituents to decide a matter directly?

Thank you for considering these views.

David Schrom

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THANK YOU!

www.ecomagic.org ----- (650) 323-7333----- Magic, Box 15894, Stanford, CA 94309

Baumb, Nelly

From: Rudy Lauth <lauthrudy@gmail.com>
Sent: Monday, November 2, 2020 9:51 AM
To: Council, City
Subject: Repeal of Non-resident Ban at Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To Whom It May Concern:

Please pass this new ordinance to put Palo Alto on the right side of history.

I look forward to sharing this park with my neighbors.

The proposed ordinance revision would help our community move from the past policies into the 21st century. I am sure that Palo Alto can manage the Foothills park in a professional way that respect and protects the environment while sharing this space with the community.

I agree with the Mayor and Vice Mayor that this is the best path forward for us.

Best Regards,

Rudy Lauth

Baumb, Nelly

From: (null) (null) <dyao99@yahoo.com>
Sent: Monday, November 2, 2020 9:21 AM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council,

I am a resident of Midtown Palo Alto and am quite concerned about the recent developments in the Foothills Park access issue. I have been following the issue over the past few months and agree with the August recommendation to start a pilot program to increase non-resident access to the Park while assessing environmental impact on the Park as well as overall costs. Then, a vote to the residents of Palo Alto would be the most fair and democratic way to resolve this issue.

I do understand that there has been a lawsuit filed to immediately open the Park to all non-residents with limit of 1000 people per day and there is a current discussion scheduled for today.

I understand the concerns with a lawsuit but PLEASE do not allow this lawsuit to change a very reasonable decision made by the City Council in August. The impacts on Foothills Park from an environmental and economic standpoint are currently unknown and could be IRREVERSIBLE! In addition, this could prompt other parties to simply file lawsuits against Palo Alto for any issues with which they disagree.

I URGE you to fight this lawsuit and continue with the plan as passed by the City Council in August 2020.

Sincerely,

Daniel Yao

Baumb, Nelly

From: Alison Reid <alisonr5201@gmail.com>
Sent: Monday, November 2, 2020 7:43 AM
To: Council, City
Subject: Foothill Park Preserve

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Palo Alto City Council,

I strongly disagree about caving into this lawsuit about Foothill Park.

For any legal fees to protect the park as it is, I think these fees are worth paying for something the community has spent decades preserving.

Palo Alto has often been a thought leader about how to take care of the environment, and to engage in activities which promote the environment.

Sometimes we have to fight for what makes Palo Alto unique, and a great place to live. The eco-system of the park is amazing and we should not be bullied into opening the park.

I have lived in this area most of my life starting in 1981 and most people understand that you have to be a PA resident to enter the park. Even when I went to Stanford and worked there, I was not allowed in the park. I know Stanford several times protested this exclusion but was never successful. Stanford is a diverse group of individuals, and certainly not poor. From a parks' perspective, we can understand that we do not want a bunch of undergraduates partying in the park..from fire damage, etc.

So for me, this is about me as a PA resident being denied a pristine eco-friendly environment. Someone online used the analagous argument of access to the library - to take out a library book you need a library card and for that you need to be a resident. I think this thinking applies to this park as well.

I do not think PA residents who have taken really, really good care of this park for decades should now be denied this environmental experience by people who are not educated about the environment, or do not have enough self control (college students, or others, etc) to maintain the amazing park environment.

For diversity, Palo Alto is one of the most diverse cities so this exclusion of certain populations argument does not make sense that we are excluding a specific group or groups: lower income individuals, or people of diverse backgrounds, etc.

For safety, there are many outdoor preserves in the area - and the nice thing about Foothill Park is that I find it relatively safe and as a woman (older) I think that is important. A few times, when out of town individuals were at the park, I chose to leave for my safety without going for a hike. Density is an issue for both safety of the animals, and for the safety of women.

Last, the pandemic has shown that those who are not used to the outdoors or having respect for nature, and being forced outdoors - the result has been that they have trashed our parks quite literally.

These are difficult times and it is not wise to make long lasting decisions under duress.

In summary, this is Palo Alto's park and the Palo Alto voters should decide how it should be used and integrated - my voting right in Palo Alto should not be universally overruled by the city manager and a small number of people. Palo Alto

can continue to be thoughtful in how it makes decisions so we can keep the park pristine and address any apparent discrepancies.

Thank you for reading, thank you for supporting the Palo Alto Park experience,
Alison

PS. Please confirm receipt, thank you. Stay safe this week.

Baumb, Nelly

From: Paul Lazarow <plazarow@gmail.com>
Sent: Monday, November 2, 2020 12:06 AM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council,

I work in Palo Alto and I am a former Palo Alto resident (Downtown North). Although I now reside in San Francisco, I love Palo Alto.

I sincerely hope that the City Council will do the right thing and repeal the ban on non-residents at Foothills Park. Palo Alto should be a welcoming community, and the end of the exclusionary policy sends an important message of inclusivity during these difficult times without preventing residents from also enjoying the park.

Best,
Paul Lazarow

Sent from my iPhone

Baumb, Nelly

From: Nate <amchan.2@gmail.com>
Sent: Sunday, November 1, 2020 8:13 PM
To: Council, City
Subject: Parks for all - Non-resident Ban at Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

I agree with the Mayor and Vice Mayor that this is the best path forward for Palo Alto. Palo Alto has long been an inclusive community — the existing policy is outdated and out of sync with Palo Alto's character. In addition to the expense and significant risks of litigation, the idea of litigating against numerous community leaders and organizations (the ACLU and the NAACP, for goodness sakes!) is a no-win proposition for Palo Alto. This resolution is by far the best alternative for Palo Alto.

--

Nate Amchan
Telephone - (703) 786-0274
Email - amchan.2@gmail.com

Baumb, Nelly

From: Rita Vrhel <ritavrhel@sbcglobal.net>
Sent: Sunday, November 1, 2020 8:00 PM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello.. Please do not settle this lawsuit.

It is bogus and "sour grapes" after certain people did not get the outcome they wanted after a city council meeting, an open democratic process.

If you are recommending settlement why are you not sharing the terms of settlement? Why is this not being discussed openly?

Obviously, you know the terms of eh settlement but for some reason are choosing NOT to share with the public..... those who will be most effected.

You are simply encouraging frivolous lawsuits.

I am also withholding my annual contribution to the ACLU.

Thank you

Rita C. Vrhel
Phone: 650-325-2298

Baumb, Nelly

From: Elliott Wright <wright.elliott@gmail.com>
Sent: Sunday, November 1, 2020 7:42 PM
To: Council, City
Cc: ravenmalonepa@gmail.com
Subject: Vision: Foothills Nature Preserve

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City of Palo Alto Council Members and City Leaders:

I'm writing to express my personal support for opening Foothill Park, perhaps soon to be known as Foothill Nature Preserve.

We have a precious opportunity to be on the side of equality and opportunity. Tomorrow night we can be a City actively welcoming all members of our surrounding community to have safe, fun, and meaningful experiences at Foothills Nature Preserve. We can join in providing access in similar fashion to what we have with all other open space areas in California. Or we can face a lengthy, costly, painful, and damaging lawsuit against the NAACP and ACLU that you will ultimately lose.

I disagree who those say it will (1) "ruin the park," (2) "cost too much," (3) "disadvantage residents" are 100% wrong. And just to say it in response: (1) the park has a use design plan that easily allows for more people to visit (at the level of 1k / day but it will never reach that) which can easily be capped, (2) we spend more money policing the park currently and this could be brought to a position to see revenue generation (see Los Gatos' Vasona Park), and (3) actually protects the reputation of residents and the City by avoiding a national spotlight on Palo Alto for the historic inequity that we have created through a resident-only access program.

The voices in opposition will soon silence themselves. They will soon realize they are in the wrong when they visit and see the joy and happiness among visiting family. In place of their negativity you will instead hear the sounds of children and families laughing and playing at Foothill Park, applause in Council and future elections for making the right decision, and many new visitors seeing and experiencing local nature. Those are the sounds of progress that we need. Don't listen to those who think the 1960 policy is the right policy.

But then there is also the context of this decision against the backdrop of what is happening in Silicon Valley, and in the country. The stories we have seen underscore with brutal clarity that for too many people the outdoors has not been the welcoming refuge it should be for all people. When people of color cannot move freely in the communities in which we all live, then our open spaces can never deliver on their promise of equitably benefiting all. All people deserve to feel safe no matter where they are, including in the outdoors.

We are a City that believes everyone has the right to live in and feel connected to a healthy community. Communities like ours can thrive when the people have opportunities for meaningful experiences outdoors, whether at a nearby park, a garden or on the shores of an ocean. Getting outside connects us to ourselves, to each other and to the world around us, reminding us that we are part of a much bigger story. Building these connections increases people's quality of life, health and social wellbeing, which are benefits everyone deserves.

We have a shared responsibility to open Foothills Nature Preserve to all people, regardless of where they live or their backgrounds, and ensuring their experiences at our preserve is positive and rewarding. The more people who connect in this way with our

natural open spaces, the more our communities are strengthened and the more we all benefit.

We cannot be silent. We must speak up. We must engage to create an inclusive space for all. We must do this to assure that all future community members feel that Palo Alto provides a safe and meaningful place to spend time, and we must continue to replace bad policies of the past.

We know it takes commitment from all of us to do the work, to educate ourselves, to speak up, and to build inclusivity into our policies. We have that chance tomorrow night. We have a precious opportunity to do right.

Thank you for your time and hoped-for support of opening Foothill Nature Preserve. I pledge my personal and professional support for the future of our local open spaces.

Sincerely and respectfully,

Elliott Wright
409 Leland Avenue
Palo Alto, CA 94306

Baumb, Nelly

From: herb <herb_borock@hotmail.com>
Sent: Sunday, November 1, 2020 6:25 PM
To: Council, City; Clerk, City
Subject: November 2, 2020 Council Meeting, Item #6: Foothills Park Ordinance

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Herb Borock
P. O. Box 632
Palo Alto, CA 94302

November 1, 2020

Palo Alto City Council
250 Hamilton Avenue
Palo Alto, CA 94301

NOVEMBER 2, 2020 CITY COUNCIL MEETING, AGENDA ITEM #6 FOOTHILLS PARK ORDINANCE

Dear City Council:

After your Closed Session regarding the Foothills Park lawsuit on October 19, 2020, Vice Mayor DuBois announced that there was no reportable action from that session.

Now, city staff is proposing an action regarding the same subject.

You need to disclose at the start of your consideration of this agenda item whether staff's proposal is the result of your action in Closed Session on October 19, 2020 and, if so, what the vote was of each Council Member on whether or not staff should pursue a settlement agreement and prepare the proposed ordinance that is before you on this agenda item.

If this agenda item is not in response to a decision you made in Closed Session on October 19, 2020, then you should remove this item from your agenda, because it is not proper for staff to pursue an item in an official public meeting on its own when the Council has considered the item in Closed Session and has not given direction to staff to do so.

There is a Council adopted Policy & Procedure for renaming dedicated parkland and other public facilities that staff has ignored, which is another reason to remove this item from your agenda.

The California Constitution and Palo Alto Charter guarantee the public the right of initiative that you are prohibited from denying by means of a lawsuit settlement agreement.

There is no valid racial discrimination basis for the lawsuit, unless the plaintiffs are claiming to represent the former African-American population of East Palo Alto that has moved to Tracy and other less expensive places following the rapid increase of rents in their former community due the nearby presence of Facebook and similar companies.

I believe the people most aggrieved by the current resident restrictions are those that live closest to Foothills Park but have no way to sneak into the park, as residents of Los Altos Hills and Portola Valley are able to do.

Why would anyone focus on wanting to be admitted to Foothills Park when the adjoining land of the Midpeninsula Regional Open Space District includes tens of thousands of acres of identical habitat that are open to everyone.

Perhaps people who live in faculty and staff housing on the Stanford campus feel deprived that they can't enter Foothills Park on their own when they could have done so if Stanford University had agreed to provide a direct connection through the Dish area to the Pearson-Arastradero Preserve and Foothills Park.

The lawsuit appears to be a sweetheart lawsuit to enable a bare majority of the Council to claim the lawsuit forced them to change Foothills Park entrance requirements, when the same Council majority could vote for the change without a lawsuit if they had the courage of their convictions.

Thank you for your consideration of these comments.

Sincerely,

Herb Borock

Baumb, Nelly

From: RICH STIEBEL <w6apz@comcast.net>
Sent: Sunday, November 1, 2020 2:57 PM
To: Council, City
Subject: Don t Be Bullied by the Lawsuit 110120o

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Don't be bullied by the law suit! Council has laid out a reasonable plan for Foothill Park that allows non-Palo Alto residents access for a reasonable period of time (with a modest entrance fee) to gather data; then the citizens will vote to decide what to do. This trial period will help determine the impact on preservation of the park by the added usage. That is Democracy in action.

This lawsuit is an attempt to bully Council to do the Will of the FEW. This is not democratic!

Is it discrimination that homeowners in Palo Alto have a right to invite into their homes *only* whomever they want? Foothill Park is the collective property of all Palo Alto citizens. Palo Altans can invite in whomever they want. Conversely, those not invited are not in. This is not discrimination!

Anyone can claim "discrimination" but the facts don't support that. Palo Alto is home to people from China, Japan, India, Korea, Russia, European countries, people of color, Hispanics, and many more people regardless of race, religion, sexual preference, or ethnic origin. Anyone who lives in Palo Alto has access to Foothill Park. "Discrimination" is a frivolous claim. The lawsuit should be *thrown out* as lacking merit.

Rich Stiebel
840 Talisman Drive
Palo Alto, CA 94303-4435
650-494-0128

Baumb, Nelly

From: Vivian Vu Ho <vho1212@stanford.edu>
Sent: Thursday, October 29, 2020 2:14 PM
To: Council, City
Subject: Palo Alto Considering Repeal of Non-resident Ban at Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear leadership,

As a member of Palo Alto, I support the ordinance of amending the municipal code for foothills park and opening it to the public. I agree with the Mayor and Vice Mayor that this is the best path forward for Palo Alto. Palo Alto has long been an inclusive community — the existing policy is outdated and out of sync with Palo Alto’s character. In addition to the expense and significant risks of litigation, the idea of litigating against numerous community leaders and organizations (the ACLU and the NAACP, for goodness sakes!) is a no-win proposition for Palo Alto. This resolution is by far the best alternative for Palo Alto.

Thank you,

Vivian Ho
Stanford Medicine
vho1212@stanford.edu | 251.518.9811

Baumb, Nelly

From: Hannah Mieczkowski <hnmiecz@assu.stanford.edu>
Sent: Thursday, October 29, 2020 12:22 PM
To: Council, City
Subject: Support for Ordinance Renaming Foothills Park and Allowing Access to General Public

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council Members,

Although I am unable to attend the upcoming zoom meeting on November 2nd to make a public comment regarding the “Ordinance Renaming Foothills Park and Allowing Access to General Public,” I would like to share my support for this action item here. As a member of Stanford University’s student government, I am invested in advocating for students and community members at Stanford and beyond, and I believe that allowing general public access to Foothills Park aligns with this investment. Especially in the era of COVID, it has become increasingly difficult to socialize with others in person in a physically distant, safe, and healthy way. However, for me, one of the easiest and most enjoyable ways to do this has been at public parks and I believe everyone should have this opportunity at all parks. Parks are truly some of the only areas left that are truly public, as they often don’t require large fees to enter or the purchase of any products to not be seen as “loitering.” Public spaces, including parks, are also crucial for democracy (one reading here: <https://www.theguardian.com/cities/2017/jul/24/revealed-pseudo-public-space-pops-london-investigation-map>).

I agree with the Mayor and Vice Mayor that this is the best path forward for Palo Alto. Palo Alto has long been an inclusive community — the existing policy is outdated and out of sync with Palo Alto’s character. In addition to the expense and significant risks of litigation, the idea of litigating against numerous community leaders and organizations (the ACLU and the NAACP, which does not have excellent optics) is a no-win proposition for Palo Alto. I believe this resolution is by far the best alternative for Palo Alto.

I am confident that Palo Alto can manage Foothills in a very professional way that respects and protects the environment while responsibly sharing this special place with the broader community.

Thank you for your consideration,
Hannah Mieczkowski

Hannah Mieczkowski

she/her pronouns

Graduate Co-Director of Affordability | Associated Students of Stanford University

PhD Candidate | Communication

Stanford University

hnmiecz@assu.stanford.edu | hnmiecz@stanford.edu

Baumb, Nelly

From: Hamilton Hitchings <hitchingsh@yahoo.com>
Sent: Wednesday, October 28, 2020 7:44 PM
To: Council, City
Subject: Foothills Park Opening Input

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

I am disappointed that the city attorney is recommending settling the ACLU lawsuit against Foothill Park in particular with seeming disregard for the fact it serves as a nature preserve. For example, if the city has to settle this lawsuit and even if it does not, I'd like to see the following restrictions added to the Foothills Nature Preserve:

- 1) No dogs (they scare the deer, turkeys, ducks, etc...). Note, I saw a bobcat at the Foothills Park this week.
- 2) No amplified Music
- 3) Limit the daily admission to 500
- 4) If a large "freedom of assembly/protest" is planned then the organizer should get a permit to allow the occupancy to increase to 1000 for that day only

Hamilton Hitchings

Baumb, Nelly

From: atkinsonkim@pacbell.net
Sent: Monday, October 26, 2020 1:32 PM
To: Council, City
Subject: Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

It is outrageous that the Palo Alto city council will, **behind closed doors with no public input**, open up Foothills Park to ONE THOUSAND visitors a day, and will begin to charge entry to Palo Alto residents.

The incompetence and ineptitude of Molly Stump, and of all of you who support this decision, is unreal.

You will RUIN the park.

Kim Atkinson

Baumb, Nelly

From: Steve Rutledge <rutledgesteve@comcast.net>
Sent: Monday, October 26, 2020 11:37 AM
To: Council, City
Subject: The permanent opening of Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council members,

Hello. I am Julie Beer, and I have lived in an apartment in Palo Alto for almost 40 years. The main reason that we have agreed to pay the higher rents in Palo Alto is that we can use Foothills Park. We usually go there every weekend and often visit more than that. It's a quiet nature preserve, with great chances to see large groups of turkeys, deer, waterfowl on Boronda Lake, and great hiking trails. It's our escape from the hectic Silicon Valley.

We already allow non-Palo Alto residents to use all of our other parks, including the Arastradero Preserve, which has become very crowded since the pandemic began. Even before the pandemic, you had to arrive early or late in the day to get a parking place. When the pandemic first began, Foothills Park became overrun by mountain bikers, and one almost ran me off one trail that was only about 2-3 feet wide. I had never seen mountain bikes on trails in Foothills Park before. Once the gates to the park opened, it became impossible to enjoy the park on weekends with the large crowds.

The suggestion by Ed Shikada and Mollie Stump to open the park on a PERMANENT basis is a very bad idea. Why on earth would you vote for something like this on a permanent basis when the people of Palo Alto are against this idea? We had already decided to try a plan in 2021 to allow non-residents to use the park. Why not go ahead with this plan? It's very important to note that anybody can enter Foothills Park Monday through Friday since there is nobody at the entrance station. Allowing 1000 people to enter this fragile park would turn our precious park into an urban park. I worry greatly about the effect on the animals that make this park their home. Also, we would have to arrive very early or quite late to enjoy the serenity that the park has always provided us. The greater crowds would also present great difficulties if a fire occurred in this area since the only exit would be on Page Mill Road (which would also be the escape route for many people living on this road).

This is not a racist move to oppose all people entering the park on a permanent basis. This is a nature preserve, not an urban park. We donate to the NAACP Legal Defense Fund, Color of Change, the Southern Poverty Law Center, the ACLU, and other groups that support minorities. We are not racists.

Please do not bow to Ed Shikada, Molly Stump, LaDoris Cordell, the ACLU, and the NAACP just because they have decided to call our park closure to non-residents racist. It is not. Please remember that none of us voted for Ed Shikada or Molly Stump, so they should not have this power to mar our city's most precious resource.

A few years ago, we had to pay something like \$25 per year for Foothills Park entry to pay for work on the Boronda Lake dam repair. We would gladly pay a yearly fee more than that to pay for park upkeep and ranger pay. Why not do that?

I hope that you will stay strong and not be swayed by the few people who think that our Foothills Park policy is racist. I strongly support the Black Lives Matter movement, and our park should not be part of this discussion.

Thank you for your consideration.

Julie Beer
334 College Ave. Apt. E
Palo Alto, CA 94306
650-328-5097

Sent from [Mail](#) for Windows 10

Baumb, Nelly

From: Carlin Otto <talk2otto@yahoo.com>
Sent: Sunday, October 25, 2020 8:00 AM
To: Council, City
Subject: Foothills Nature Preserve Maximum Daily Visitors

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council Members:

During the last 20 years and based on our Park Department's statistics, on average, each Palo Alto resident has used Foothills 2.5 times each year. If the 490,000 residents of the 8 closest neighboring cities were to do the same, there 3,400 people who will want to visit Foothills EVERY DAY.
(490,000 residents x 2.5 visits per year divided by 365 days in the year)

Foothills is very likely to fill to its maximum capacity of 1000 humans most days of the year. Instead of a nature preserve, Foothills will become just another urban park full of people: wide manicured paths for safe jogging and walking dogs, crowded picnicking areas, lots of human noise, bicycles on trails where they are prohibited, and in general nature pushed ever farther away.
As a "nature preserve" it will be ruined.

Please change the maximum daily allowed visitors to something reasonable and sustainable, something appropriate for a NATURE RESERVE. I would like the maximum to be 420 visitors per day, because this number has historical been PROVED to preserve this precious open space in its current condition. I do NOT want this nature preserve to be degraded !!!

Gari Otto
South Palo Alto

Baumb, Nelly

From: carlin otto <carlinotto@gmail.com>
Sent: Saturday, October 24, 2020 10:14 AM
To: Council, City; PRC.PublicMeetings
Subject: Foothill Nature Preserve Maximum Daily Limit

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Council:

During the last 20 years the number of annual visitors to Foothills Nature Preserve (which used to be called Foothills Park) was consistently about 152,000.

This number is from the City's Park Department.

This usage averaged out to 416 visitors PER DAY. Only ONCE during these 20 years did Foothills have 1000 people in a single day.

If 1000 visitors (250% more) are allowed to access this open space every day IT WILL BE RUINED (aka "heavily impacted").

If you open this precious open space to the 490,000 residents of our 8 immediate neighboring cities, and

if you care about nature,

if you care about the quality of open space,

if you care about animals or plants or insects or just quiet space for humans,

CHANGE THE DAILY MAXIMUM OCCUPANCY TO something reasonable.

Consider 420 visitors as a limit since that has been successful for 20 years.

SECONDLY

you absolutely MUST allocate a resource for daily counting and enforcing of whatever daily maximum limit you ultimately decide upon. During the last 20 years, on average, each Palo Alto resident has used Foothills 2.5 times each year.

If the residents of our 8 closest neighboring cities were to do the same,

there will be 1,225,000 (over one million) visitors each year

(which means 3,400 people will want to use Foothills EVERY DAY).

Foothills is very likely to fill to its maximum capacity most days of the year.

Instead of a nature preserve, Foothills will become just another urban park full of people: wide manicured paths for safe jogging and walking dogs, crowded picnicking areas, lots of human noise, bicycles on trails where they are prohibited, and in general pushing nature ever farther away.

We (Palo Alto), as a community, have preserved this precious native habitat -- this nature preserve -- for over 60 years.

At this important turning point in our tenure and

stewardship, let's avoid management practices that allow it to be loved to death, over used, and heavily impacted. Let's create regulations that preserve it -- as a nature preserve -- for future generations from all communities.

PLEASE:

(1) Allocate resources to count and enforce the daily maximum number of people at Foothills.

(2) Set the daily maximum occupancy limit to a sustainable number that guarantees preservation of the natural habitat.

420 has proved that it works for 20 years!!

Sincerely,
Carlin Otto
231 Whitclem Court
Palo Alto, CA 94306

Baumb, Nelly

From: rogersac@aol.com
Sent: Friday, October 23, 2020 1:17 PM
To: Council, City
Subject: More about Foothills Nature Preserve again

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello.

My husband and I go for a short hike most Saturday mornings and really enjoy the tranquility. We enjoy being able to see the deer, the turkeys, the geese, the quail and occasionally if we are lucky a rabbit or two. Now the geese are probably stubborn enough that they will not be bothered by extra visitors, but the others probably will. I also enjoy listening to the birdsong. It is wonderful to be able to hear so many birds without any human made sound. I like to take photos and videos.

I wonder just how long the peace and tranquility will last when more people are allowed in? I wonder if we will drive all the way up Page Mill Road only to find that the day's quota has already been reached and we will be turned away, or will there be a queue of cars blocking the road waiting for a car to exit so that another can enter? I wonder if we will be able to find a parking spot beside the Interpretive Centre which is our favourite place to park. I wonder if there will be an empty picnic table for us (although we rarely use one to eat, it is nice to be able to sit for a while). I wonder if we will be able to hear the birds, see the deer, the rabbits, the quail, the turkeys?

Occasionally a group will have loud music, or bring a generator for a bouncy castle, or a group play a semi-organised game of soccer while tearing up the grass in the meadow, or put up shade tents to sit under, and I don't really think that any of these are allowed by the rules. I wonder who will be ensuring that the rules will be obeyed.

I wonder about the cost of the extra manning that will be needed to keep the litter bins emptied, and the trails groomed.

Additionally, I wonder about fires and other emergencies. Exiting the nature reserve in an emergency would be extremely dangerous as bikes and vehicles go down the hill while emergency vehicles are trying to go up. There is very poor cell phone coverage in the area and even alerting visitors to an emergency would be very difficult.

Lastly, I would say that I have no objection to whoever is allowed in, just that the numbers remain low and that it would sadden me immensely if my weekly peace and tranquil time were spoilt. We have lived in Palo Alto for over 30 years. Our children went to camps that used the parks and really enjoyed their "away from it all" experience. Our family loves going to Foothills and we would like to be able to continue enjoying it as serenely as we have been used to doing.

At present the City is facing budget restraints in many areas. This is not the time for expensive additional burdens on City finances. Please keep Foothills Park the way it is.

Thank you for your time.

Carol Rogers. Stockton Place.

Baumb, Nelly

From: Amy Keohane <amykeohane@hotmail.com>
Sent: Friday, October 23, 2020 11:02 AM
To: Council, City
Subject: Foothill Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi All,

The cost to upkeep the park with allowing everyone in might be more expensive than fight the lawsuit. Our parks don't have enough rangers as it is or the cleaning of parks lamps, garbage receptacles are a mess. They have dead caterpillars from many years past. Have we asked the other surrounding communities to help fund the park with some of their park rangers. In the time that we have cut so many other programs and jobs I think very short sighted. Maybe start with M- F entry with a fee.

Amy Keohane
650-346-5306

Baumb, Nelly

From: steven rosenberg <str94306@gmail.com>
Sent: Friday, October 23, 2020 10:56 AM
To: Council, City
Subject: Foothills park for Palo Alto!

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Members of the Council,

Do not cave to a blackmail attempt by outsiders to change the status of Foothills park. It is blatant extortion and PR blackmail (by claiming racism). There is no history in the park's creation to support this, and there is no legal reason a city cannot do what Palo Alto did and keep what is essentially a nature reserve for Palo Altans. The vast majority in Palo Alto want to preserve Foothill as it is. Your plan to settle is craven and seems primarily motivated to support runs for higher office by some members of the city council. We will end up with a park which is overrun, works much worse for Palo Alto residents, and will of course involve increased costs to maintain the park, man ranger stations, entry charges for residents, etc. which you will then come back to us for additional fees or bonds or taxes. Foothills is not like our regular city parks which often host groups from other cities.

Baumb, Nelly

From: Jean Wren <wrenjp@gmail.com>
Sent: Wednesday, October 28, 2020 8:55 AM
To: Council, City
Subject: Foothills Preserve opening

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Council Members,

I think it is totally wrong to open Foothill Preserve to all comers regardless of where they reside. Foothill Preserve is a fragile area of natural beauty and as such it is incumbent on all of us to maintain it in a natural quiet state. Visitors are allowed when accompanied by a Palo Alto resident.

The residents of Palo Alto paid for Foothill Preserve and now pay for its upkeep. Do those others who wish to use the Preserve wish to contribute to the cost of upkeep to offset the increased cost to Palo Alto to preserve the area?

The current law suit is nothing more than a racist attempt to blackmail Palo Alto residents. The legal residents of Palo Alto must vote on the issue before there is any consideration of opening the Preserve to all.

I think that before any consideration to opening the Preserve to others there must be a full time Ranger in place. We need someone present to explain the special ecosystem and insist that appropriate rules are observed:

1. all must follow the basic rule of "take nothing but pictures; leave nothing but footprints"
2. all dogs must be on a short leash at all times and owners ,just clean up after their pets.
3. no radios or other sound-producing electronic devices. Quiet is one of the things most visitors to the Preserve appreciate most.
4. all visitors must stay on trails and paved roads at all times
5. Public Rest Rooms are provided for use; maintain them as though they were your own—keep them clean. Trails are not toilets

Before any consideration of this nuisance lawsuit is allowed, there must be a vote by all residents of Palo Alto. The vote should take place during a general election.

Thank you for your consideration.

Respectfully,

Jean Wren
850 Webster Street, #708
Palo Alto, CA 94301

Baumb, Nelly

From: Gerry <gshebar@yahoo.com>
Sent: Tuesday, October 27, 2020 2:02 PM
To: Council, City
Subject: Foothill Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

I think that Foothill Park should be open to all.

Gerry Shebar
3345 Stockton Pl, Palo Alto

Sent from my iPhone

Baumb, Nelly

From: Patricia Schaffer <pika3345@icloud.com>
Sent: Tuesday, October 27, 2020 9:36 AM
To: Council, City
Subject: Open Foothills Park

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Council,

As a 30 year resident of Palo Alto, I urge you to vote "Yes" on the current proposal to open up Foothills Park to all.

Patti Schaffer

Baumb, Nelly

From: Stepheny McGraw <stepheny@earthlink.net>
Sent: Monday, November 2, 2020 4:10 PM
To: Lydia Kou
Cc: Council, City
Subject: Re: Foothills Preserve Lawsuit Survey Results

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Thank you for your work on this, Lydia!

On Nov 2, 2020, at 3:43 PM, Lydia Kou <lydiakou@lydiakou.emailnb.com> wrote:



Dear Palo Altans,

The Results of Our Foothills Preserve Survey are In

PURPOSE: The results of this survey will be used to inform Councilmember Lydia Kou of resident's opinions and will be made public before the November 2 Council meeting where action on the Foothills Preserve lawsuit will be decided.

SUMMARY OF RESULTS: A total of 10 questions were presented to the public. There were over 800 respondents to the questionnaire.

A MAJORITY OF RESPONDENTS:

1. **Want the Foothills Preserve to be reserved for Palo Alto residents only.**
2. **Want the City of Palo Alto to actively defend itself against the lawsuit.**
3. Do not believe the lawsuit will damage the reputation of the City
4. Believe the City should protect its democratic decision making process
5. Believe failure to defend the City will encourage more nuisance lawsuits
6. Believe the plaintiff's argument of racial discrimination is not valid
7. Believe that the area in question should be considered a 'nature preserve'
8. Do not believe the plaintiff's argument of 'free speech' influenced their preference
9. Are strongly concerned that the Council decision in 'closed session' lacked transparency

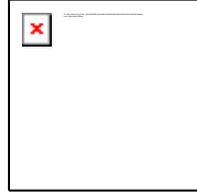
SURVEY RESULTS

To continue to represent *you* and speak out for *balanced growth and resident's rights*, I need to win re-election. And to win, I need your vote.

Please help me win re-election

The future of Palo Alto may be decided in November; will PA remain a suburban city or become a highly densified area?

The choice and vote are yours.



Thank you.

Be well; my best.

Lydia Kou

<http://www.lydiakou.com/>

Paid for by Re-elect Lydia Kou for Palo Alto City Council 2020 - FPPC ID# 1426144
Lydia Kou · 3428 Janice Way, Palo Alto, CA 94303, United States
This email was sent to stepheny@earthlink.net. To stop receiving emails, [click here](#).
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