

Special Meeting
December 19, 2005

1. Budget Amendment Ordinance 4890 entitled "Ordinance of the City of Palo Alto in Approval of the Amount of \$965,000 to Provide an Additional Appropriation for the Implementation of the Charleston/ Arastradero Corridor Trial and the Gunn High School Driveway/Arastradero Road Intersection and Roadway Modifications" ... 27

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FINAL ADJOURNMENT: The meeting adjourned at 6:35 p.m. 29

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:05 p.m.

Present: Beecham, Burch, Cordell, Kishimoto, Morton, Mossar, Ojakian

Absent: Freeman, Kleinberg

ORAL COMMUNICATIONS

None.

1. Budget Amendment Ordinance 4890 entitled "Ordinance of the City of Palo Alto in Approval of the Amount of \$965,000 to Provide an Additional Appropriation for the Implementation of the Charleston/Arastradero Corridor Trial and the Gunn High School Driveway/Arastradero Road Intersection and Roadway Modifications"

Council Member Cordell stated she would not participate in the item due to a conflict of interest because she owned property within 500 feet of the Charleston Corridor.

Director of Planning and Transportation Steve Emslie said the City could take advantage of a planned resurfacing project that would cover approximately 50 percent of the Arastradero/Charleston Corridor cost for restriping. The Page Mill Road/Hanover Street intersection improvement was fully funded by the Stanford Research Park Impact Fees and was proceeding. Staff highly recommended the improvements to be made to the Gunn High School driveway.

Council Member Mossar asked whether she would be conflicted because her husband worked for Stanford University.

City Attorney Gary Baum advised it was determined there was no conflict, either under Government Code 1090 or under the Fair Political Practices Commission (FPPC) Section 18705.3(b)2.

Council Member Mossar said the action before Council would not set or change fees.

Council Member Ojakian asked the City Attorney whether his Hewlett Packard employment would fall under the same rationale.

Mr. Baum said the issue would be the same.

Martha Bowden, 27833 Saddle Court, Los Altos Hills, asked staff to measure the traffic flow at Terman Middle School. She requested the implementation of the Arastradero Road/Charleston Corridor plan to begin at Gunn High School.

Karen Sundback, 4045 Ben Lomond Drive, said she supported the current plan. Safety remained an issue in the Arastradero Road/Charleston Corridor.

Penny Ellson, 513 El Capitan Place, said the use of the Stanford Research Park Impact Fee and the Budget Amendment Ordinance should be approved to move the Arastradero Road/Charleston Corridor plan forward.

Thomas A. Vician, Sr., 3718 Redwood Circle, urged unanimous approval of the Arastradero Road/Charleston Corridor Plan.

Herb Borock, P.O. Box 632, said when the Council set the Transportation Impact Fee, they indicated the fee should fund 100 percent of the intersection improvements.

MOTION: Council Member Kishimoto moved, seconded by Morton, to approve the following:

- The use of \$690,000 in funds from the Stanford Research Park Traffic Impact Fee for the traffic signal and roadway modifications at the Gunn High Driveway/Arastradero Road intersection, as a capacity improvement to provide adequate alternative mitigation of impacts addressed in the Citywide Land Use and Transportation Study Draft Environmental Impact Report and the Environmental Impact Report for the 1998-2010 Comprehensive Plan, as allowed for under Section 16.45.060 (f) of the Palo Alto Municipal Code;
- The Budget Amendment Ordinance in the amount of \$965,000 to increase funding in the Capital Improvement Program (CIP) for the Charleston/Arastradero Corridor Project (CIP PL-5002) in 2005-2006 from \$100,000 to \$1,065,000 to fund the implementation of the of the Charleston/Arastradero Corridor Trial and the Gunn High School Driveway/Arastradero Road Intersection and Roadway Modifications, during the summer of 2006. Also, to include proposed changes to Section E of Proposed Budget Amendment Ordinance;
- Direct staff to send a letter to the Palo Alto Unified School District Board of Education transmitting the City Council's action and requesting that the District relocate the 2006 summer school program tentatively scheduled for Gunn High School.

Council Member Kishimoto said the project would help Palo Alto move forward.

Council Member Morton said he was pleased the project was moving forward.

Council Member Ojakian said he would support the motion; there was a large safety issue.

Mayor Burch said he appreciated the neighbors who attended that evening's meeting to show their support.

MOTION PASSED 6-0, Cordell abstaining, Freeman, Kleinberg absent.

APPROVAL OF MINUTES

MOTION: Council Member Ojakian moved, seconded by Beecham, to approve the minutes of the City Council Meeting of November 14, 2005.

MOTION PASSED 5-0, Cordell, Freeman, Kleinberg, Mossar absent

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Council Member Ojakian noted the new Council Chambers microphone, and reported he and Co-Chair Lanie Wheeler have begun work on the Police Building Blue Ribbon Committee, which will have the first Committee meeting at 7 p.m. on January 5, 2006 at Cubberley Community Center.

The Council adjourned to a Closed Session at 6:30 p.m.

CLOSED SESSION

2. CONFERENCE WITH CITY ATTORNEY -- EXISTING LITIGATION
Subject: Hartford Property & Casualty Ins. Co., et al. v. City of Palo Alto, Kentucky Fried Chicken, et al., Santa Clara County Superior Court No. : 1-05-CV-036449
Authority: Government Code section 54956.9(a)

The City Council met in Closed Session to discuss matters regarding existing litigation as described in Agenda Item No. 2.

Mayor Burch announced there was no reportable action taken.

FINAL ADJOURNMENT: The meeting adjourned at 6:35 p.m.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.