



# PLANNING & TRANSPORTATION COMMISSION MINUTES

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*Wednesday, April 19, 2006*  
**SPECIAL MEETING at 7:00 PM**  
*Council Chambers*  
*Civic Center, 1st Floor*  
*250 Hamilton Avenue*  
*Palo Alto, California 94301*

**ROLL CALL: 7:10 PM**

**Commissioners:**

*Patrick Burt - Chair*  
*Karen Holman – V-Chair*  
*Lee I. Lippert*  
*Paula Sandas*  
*Phyllis Cassel*  
*Daniel Garber*  
*Annette Bialson*

**Staff:**

*Steve Emslie, Planning Director*  
*Donald Larkin, Senior Deputy City Attorney*  
*Heather Shupe, Department Administrator*  
*Julie Caporgno, Advance Planning Manager*  
*Roland Rivera, Planner*  
*Zariah Betten, Executive Secretary*

**AGENDIZED ITEMS:**

1. Restructuring Plan for the Department of Planning and Community Environment
2. Comprehensive Plan Work Plan – Continued to the Special Meeting on May 24, 2006
3. Comprehensive Plan Implementation Status Report

**APPROVAL OF MINUTES:** Regular Meeting – March 8 and Special Meeting – March 15, 2006.

Chair Burt: At this time we would like to convene the meeting of the Planning and Transportation Commission for Wednesday, April 19, 2006. Would the Secretary call the roll? Thank you.

At this time we provide an opportunity for members of the public to speak on items that are not on the agenda.

**ORAL COMMUNICATIONS.** Members of the public may speak to any item not on the agenda with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a speaker request card available from the secretary of the Commission. The Planning and Transportation Commission reserves the right to limit the oral communications period to 15 minutes.

1 Chair Burt: We do not have any speaker cards at this time so I will presume that there are none  
2 coming forward.

3  
4 **AGENDA CHANGES, ADDITIONS AND DELETIONS.** The agenda may have additional  
5 items added to it up until 72 hours prior to meeting time.

6  
7 Chair Burt: We have no Agenda changes or deletions or additions.

8  
9 Our first item tonight is a restructuring plan for the Department of Planning and Community  
10 Environment. The Planning and Transportation Commission will review and comments on  
11 proposed outcomes to be generated by the Restructuring Plan of the Department of Planning and  
12 Community Environment for transmittal to City Council. Would Staff like to make a  
13 presentation?

14  
15 **NEW BUSINESS:**

16 ***Public Hearings***

- 17  
18 **1. Restructuring Plan for the Department of Planning and Community Environment -**  
19 Planning and Transportation Commission review and comments on proposed outcomes to  
20 be generated by the Restructuring Plan of the Department of Planning and Community  
21 Environment for transmittal to City Council.

22  
23 Mr. Steve Emslie, Planning Director: Thank you, Chair Burt and members of the Planning  
24 Commission. I have a few brief comments and will be available to take questions based on the  
25 comments of the report. I would like to also introduce Heather Shoop who is the department  
26 Administrator sitting to my right who I would like to acknowledge her terrific work in preparing  
27 much of the background material that is in front of you tonight. Then also of course our City  
28 Attorney, Don Larkin, who is in the building.

29  
30 First of all I would like to say why we are here. I think the reports points out that the genesis of  
31 the restructuring and reorganization plan fell out of a City Council assignment that was given to  
32 the City Manager to look at the Planning Department and address a variety of issues regarding  
33 efficiency and service demands placed on us primarily through the development review process.  
34 We have provided by way of background the proposed organizational changes that are scheduled  
35 to go to the City Council on May 8, 2006. Council, under the City Charter has the review and  
36 approval authority over the budget which contains the City's Table of Organization because the  
37 reorganization does propose changes to that Table of Organization those changes are required to  
38 have Council review and approval under the City Charter.

39  
40 We have also listed in the Staff Report to the Planning Commission desired outcomes as a result  
41 of the reorganization and really ask the Planning Commission to provide us with their review and  
42 feedback on those outcomes. Those will be reported to the City Council on May 8 when they  
43 consider the reorganization plan.

44  
45 So now a little bit on the why, why are we here? First of all, there are major vacancies in the  
46 department, which started out with three major vacancies and has grown to five. The Chief

1 Planning Officer was vacated last June when Lisa Grote took a promotion to become the  
2 Community Development Director of San Mateo County. Joe Kott left to take a job in the  
3 private sector in November. We also had a retirement of our City Traffic Engineer, Ashook  
4 Agarwal, after many, many years of very dedicated City service. We had the Planning Manager  
5 of our Special Projects Team, John Lusardi, move out of state to take a position in the city of  
6 Scottsdale, Arizona. Then Fred Herman announced his retirement again after nearly 30 years of  
7 service to the City and that is to take effect in July of this year.

8  
9 As I mentioned a lot of the focus is on improving our service to our various customers and there  
10 is an acknowledgement that we do sometimes have a variety of customers and we are dedicated  
11 to providing the service to all our customers both the applicants and those who are interested in  
12 what the applicants might be proposing. They all deserve and should receive the best quality  
13 service we possibly can deliver. There are always areas and ways of improving how we do that  
14 and this is a primary focus of the reorganization is to provide that orientation for our variety of  
15 stakeholders.

16  
17 This is also an acknowledgement of the need to provide more general management support to  
18 support the technical work of our staff. The department in my opinion as someone who has  
19 direct involvement on a day-to-day basis could certainly benefit from the general management  
20 support that a deputy position would provide and allowing our technical staff to apply their  
21 technical skills more exclusively. In the past we have demanded and required our technical staff  
22 to also use a fair amount of their time and energy in dealing with the more general management  
23 issues of the department.

24  
25 Lastly and not leastly, we see that this is an opportunity to take a significant step in better  
26 aligning and integrating our land use planning efforts and our transportation planning by  
27 integrating those two teams into a single division we feel we can be more proactive in returning  
28 to this Commission and to City Council and to the public more integrated transportation policies  
29 that are closer connected to our efforts and our transportation and our land use efforts. We hear  
30 fairly frequently in these Chambers questions and concerns regarding the better prediction of  
31 transportation issues as it relates to incremental development change that happens. Better  
32 equipped to deal with our Comprehensive Plan especially as we embark on the next item as well  
33 as integrating aggressive transportation issues and development projects at a very early stage and  
34 being able to communicate also at the very earliest possible stage to our applicants concerns  
35 related to traffic, transportation and alternate modes and integrating those as the Commission  
36 knows as early in the process is a primary indicator of the likelihood of success of returning with  
37 better recommendations. So we feel very strongly that the leverage that we would obtain by  
38 merging our two teams and sharing that discipline across department lines would give us  
39 leverage and the ability to prepare more proactive and more comprehensive recommendations  
40 and less last minute and more reactive recommendations regarding our variety of develop issues  
41 that do face us.

42  
43 So with that I am going to conclude my comments and ask if there are any clarifications. I do  
44 want to point out that we did put at places an email that we received from the City Auditor,  
45 Sharon Winslow, discussing the aspects of the reorganization as it aligned with the 2003 audit of  
46 the development process and an indication of how this does align in a positive way with her

1 observations made back in 2003. That is at your places for you to read and there are also copies  
2 available at the back of the Chambers.

3  
4 Chair Burt: Thank you, Steve. Don, would you like to help give us some guidance on the scope  
5 or the purview of the Commission this evening on this topic?

6  
7 Mr. Don Larkin, Senior Deputy City Attorney: I would be happy to. The Commission has a  
8 somewhat limited role in the discussion partly because the Council has absolute discretion over  
9 job descriptions, Table of Organization, and the City Manager has sole authority over the  
10 Administrative Service and over personnel decisions. The legal term is “Council-manic  
11 Interference,” but the description is in the code which states that neither the Council nor any of  
12 its committees or members shall direct, request or attempt to influence either directly or  
13 indirectly the appointment of any person to office or employment by the City Manager or in any  
14 manner interfere with the City Manager or prevent the City Manager from exercising individual  
15 judgment in the appointment of officers and employees in the Administrative Service. However,  
16 there is something of a conflict in the code which also provides that the Planning and  
17 Transportation Commission shall as requested by the City Council, the City Manager or the  
18 Director of Planning and Community Environment provide advice on any matter pertaining to  
19 land use planning and transportation systems affecting the City and so it doesn’t foreclose the  
20 opportunity for the Planning Commission to get involved in addressing many of the issues raised  
21 by the restructuring.

22  
23 I have come up with a few subjects that are clearly within the Commission’s purview and this is  
24 not intended to be an exhaustive list but some of the subjects that would be subject to the  
25 Commission’s review include requesting clarifications on items that are in the Staff Report. The  
26 Commission should make recommendations regarding the integration of the Planning and  
27 Transportation functions in the department. The Commission may make recommendations on  
28 required capabilities of the department for example identifying areas of expertise that are  
29 necessary to have in-house in the department without identifying the individuals that would be  
30 potentially filling those areas of expertise.

31  
32 Then finally one of the other areas that would clearly be within the Commission’s purview  
33 would be to make recommendations regarding the streamlining provided in the Staff Report as  
34 well additional suggestions with the one caveat that we are planning on having more extensive  
35 discussions those items either at the Retreat or future study sessions or both on some of the  
36 streamlining items that are mentioned in the Staff Report. But in terms of actually looking at the  
37 ones that have been identified and making comments on those and identifying new items that  
38 could be addressed at a future Retreat or study session would be clearly appropriate.

39  
40 Chair Burt: Thank you, Don. Do Commissioners have questions of the Staff before proceeding  
41 to hearing from the public? Paula.

42  
43 Commissioner Sandas: Actually I don’t think I have to ask the questions before we hear from  
44 the public.

45  
46 Chair Burt: Dan.

1  
2 Commissioner Garber: I have several questions that pertain to clarification of Attachment, A  
3 which is the organization chart at the end of the Staff Report. My questions really pertain to the  
4 top of that attachment which is the current organizational chart. My first question is when did  
5 that chart become effective? Do we have a date or an approximate date?  
6  
7 Mr. Emslie: The most recent change to that was made in the budget of last year.  
8  
9 Commissioner Garber: Relative to creating a transportation department with an entity unto itself,  
10 when did that occur?  
11  
12 Mr. Emslie: I don't have that.  
13  
14 Commissioner Garber: Ten years ago?  
15  
16 Mr. Emslie: I think longer than that. I think it was when the Planning Commission added  
17 Transportation.  
18  
19 Commissioner Garber: No, when the ....  
20  
21 Mr. Emslie: We could look it up but I believe it is at least ten or 15 years plus. It has been with  
22 us for a long time.  
23  
24 Commissioner Garber: But then prior to that it did not exist?  
25  
26 Mr. Emslie: Yes, it didn't exist until it came into existence.  
27  
28 Commissioner Garber: Was there something that caused it to come to be created?  
29  
30 Mr. Emslie: I don't know. This is going back into the dark recesses of time.  
31  
32 Commissioner Garber: Pre-SE.  
33  
34 Mr. Emslie: Probably pre a lot of people who are alive today.  
35  
36 Commissioner Garber: I am confused a little bit by, even though they are in common use now,  
37 some of the titles that are in these boxes. For instance 'Planning' the green box, planning is an  
38 activity. Transportation however is not an activity it is a classification or a type of activity.  
39 Presumably transportation is about planning of transportation. Yes?  
40  
41 Mr. Emslie: Yes, that is its primary focus. There are actual implementation functions of the  
42 Transportation Department, the Division has assigned to it in terms of signal operation so there is  
43 a technical operational side to that as well that would not typically fall within the definition you  
44 gave of planning. It has been largely associated with planning for many years.  
45

1 Commissioner Garber: Then specifically, planning, which is a very general term really is  
2 specific to land planning or land use planning?  
3

4 Mr. Emslie: Yes, there are other aspects of planning that are housed in there housing being one  
5 of those that is on a par with land use planning but it does have very specific skills that are  
6 outside of what we ask of a land use planner. We also do administrative work and planning the  
7 running of the community development block program and the government grants also fall  
8 within that.  
9

10 Commissioner Garber: Let me ask the question this way. Let me just add for the Chair I am  
11 going to take a little bit of time here but if you need to interrupt me for time or other questions  
12 please do so and I will try and be as succinct as I can. If you could just articulate in a couple of  
13 words some of the products that these two boxes produce for the land planning box and the  
14 transportation planning box.  
15

16 Mr. Emslie: Well, they each produce a variety of products. If we want to just go very quickly if  
17 we are going through the planning box we can talk about each of the areas. There is Advance  
18 Planning delivers recommendations regarding updates to our Comprehensive Plan. They are  
19 responsible for updating the studies in demographics that analyze trends. They report out on  
20 monitoring that is required under the code. For example they do an annual vacancy in  
21 Downtown that is required under our ordinance. That also is the area that has our housing and  
22 CDBG programs so they will make recommendations regarding disposition of the housing funds,  
23 expenditure of those funds on creation of public housing and affordable housing. That just gives  
24 you an example of those areas.  
25

26 Special Projects that is primarily engaged with the zoning code update. Then they will also  
27 provide the planning and environmental analysis for City initiated construction projects. The  
28 Children's Library is an example of where Special Projects Planning has been involved in  
29 providing the land use analysis and compliance with City land use policy for a City initiated  
30 project.  
31

32 Then Current Planning is probably the one you are most familiar with because this is the area  
33 that will come to you most frequently and these are the recommendations on precise  
34 development proposals and entitlements. Then it also does contain the sustainability  
35 coordination which implements the City's construction and demolition ordinance.  
36

37 Transportation is divided into areas of producing reports and recommendations on transportation  
38 items not just vehicular transportation which is contained in our Comprehensive Plan but also  
39 non-vehicular transportation items through pedestrian and bicycle. An example of a work  
40 product would be the City's Bicycle Master Plan, which was recently adopted by the City  
41 Council and prepared by this division. For ease I will say that they also do provide the traffic  
42 analysis for development projects. So the Current Planning Staff is required to consult with the  
43 Transportation Staff on development projects for their recommendations and questions regarding  
44 the traffic impacts of development projects. So that would be a work product. They are also  
45 responsible for upgrading and maintaining the City's traffic signal system. So they will work  
46 with the Public Works Staff who actually does the field work but they will get the inputs from

1 our Staff in analyzing and changing traffic signal hardware and traffic operations. They are  
2 providing basically the intelligence that goes into the implementation through our more bricks  
3 and mortar department that is in Public Works. We also respond to citizen complaints. When  
4 traffic concerns come in, the need for additional traffic control devices, red curbs, stop signs,  
5 safety hazards and so forth. That division also contains the City's commute program that runs  
6 our internal City employee commute check program to track people who commute and the  
7 number of days a month are sufficient to participate in this. They also work with the exterior  
8 community, our business community and our school community in encouraging the use of  
9 alternative modes of transportation. I am sure I left a lot out but that gives you a flavor of what's  
10 happening in those two boxes.

11  
12 Commissioner Garber: It absolutely does, thank you. It sounds going through this each one of  
13 these products are reports or study in nature. I believe importantly also in the planning box there  
14 is also a permitting activity that they participate in relative to projects. I heard your yes. In  
15 general both of these boxes operate functionally in similar realms. They both have to create  
16 forward-looking planning documents for the community. They have to maintain the existing  
17 functions and they have to find ways of changing them and operating them. Are there  
18 differences between the people that are actually, the qualities, the attributes of the people that  
19 work in these two that are significantly different from each other or are there similarities?

20  
21 Mr. Emslie: There are both. There are similarities in that we look for the same analytical skills  
22 as we would in planning and in applying our transportation, being able to assess anticipated  
23 change conditions and be able to then synthesize those into recommendations. They both deal  
24 primarily with either the immediate future in terms of what is going to happen with a specific  
25 project that can change a certain environment as well as the long range. They both have that  
26 area. There are some differences in that there are technical skills that are asked of both in terms  
27 of some of their knowledge base. For example in planning there is a need for expertise and  
28 implementation of for example the California Environmental Quality Act that you wouldn't  
29 necessarily need to ask a transportation person to understand and vice-versa a traffic engineer  
30 may have a certain credential that is through the states issued a license to be able to practice and  
31 have some level of expertise in a more technical area. So there are some very specific technical  
32 skills that are not shared.

33  
34 Commissioner Garber: If I consider myself a Planner could I apply for a job in either one of  
35 these boxes?

36  
37 Mr. Emslie: You could in the ones that are more technical we would look for having the basic  
38 education and credentials in that but I think there are very similar attributes and analytical  
39 abilities are a primary concern of ours.

40  
41 Commissioner Garber: There is one other thing I want to ask before I sum the last topic here.  
42 When you look at an org chart it has a box and sometimes that is also assumed to have some sort  
43 of physical characteristic. Do these people actually work all together or are they actually  
44 intermixed or you had mentioned that there is collaboration between these two boxes, is there  
45 actual physical separation, are they all together? How do they on a day-to-day basis how do they  
46 actually operate with each other?

1  
2 Mr. Emslie: The current arrangement, both the Planning and Transportation boxes are located on  
3 the fifth floor but they are in distinct locations and the two groups are organized separately. In  
4 fact Planning and Transportation are on different sides of the building. To the extent we are  
5 working all together yes, but they tend to be organized more in their division location.  
6

7 Commissioner Garber: But you had mentioned that they do work, even though they have a  
8 physical separation and they clearly are shown separate on this page, you mentioned that they do  
9 collaborate and are required to collaborate.  
10

11 Mr. Emslie: They are required to collaborate and a lot of their work is shared.  
12

13 Commissioner Garber: Thank you.  
14

15 Chair Burt: Annette.  
16

17 Commissioner Bialson: I have two questions. The first is with regard to the Code Enforcement  
18 Officers. They are presently under Special Projects but from you describe Special Projects being  
19 that seemed a little odd place. So I am wondering if I understand correctly what a Code  
20 Enforcement Officer does.  
21

22 Mr. Emslie: We have two Code Enforcement Officers. The City has many different Code  
23 Enforcement Officers so it sometimes can be a little confusing we understand that. Our Code  
24 Enforcement Officers are responsible for primarily enforcement of codes as it applies to private  
25 property. Compliance with the zoning and building codes and also they are responsible for  
26 monitoring and enforcing conditions that this Commission and the ARB and the City Council  
27 will put on projects. They will ensure compliance with those conditions when the project is  
28 complete and any ongoing conditions they will monitor on a regular basis to ensure that they  
29 continue to be applied.  
30

31 Commissioner Bialson: Thank you. That makes it a little more understandable to me why we  
32 took them out of Special Projects. An overall question, as the proposed chart would exist does  
33 that reduce the number of people who would be considered to manage one person or two people?  
34 In other words, have you created fewer management positions or have we stayed the same?  
35

36 Mr. Emslie: We have again tried to consolidate more people under fewer managers obviously by  
37 reducing the number of divisions from three to two. But because we are adding more general  
38 management support at the higher level it is not a significant change in the number of managers.  
39

40 Commissioner Bialson: But are there fewer managers who only oversee maybe one other  
41 employee or zero employees?  
42

43 Mr. Emslie: I am sorry I misunderstood the question. There is a net reduction of two but we are  
44 adding back the higher-level general management support across the department lines to help  
45 supplement the technical skills of the subject matter expertise.  
46

1 Chair Burt: Karen.

2  
3 Vice-Chair Holman: Steve, under the current organization under Planning there is the Advance  
4 Planning Department and the Special Projects Department and the Current Planning Department.  
5 Physically those are located separately certainly especially the Advance Planning and Current  
6 Planning are located in different areas of the fifth floor. The same thing applies to  
7 Transportation. They generally speaking are in another part of the fifth floor. So I guess what I  
8 am looking for is does it work well now? For instance is Advance Planning working well with  
9 Current Planning? Is there good interface there? I am not asking personalities. Is there good  
10 interface and good coordination between those two divisions of the Planning Department? The  
11 reason I am asking is because I am trying to get to if there is a perception that there would be an  
12 improvement by bringing the Transportation Department under one person, just their physical  
13 separation. I am trying to find out what the correlation is here and why a physical separation and  
14 management would implement or not implement better coordination.

15  
16 Mr. Emslie: Because Advance Planning and Current Planning report to the same manager I  
17 would say that that facilitates collaboration and encourages that because there is one person that  
18 can monitor the activities of those two particular areas. That is not the case with Transportation  
19 because that is in a separate division. So even though they may be physically separated that the  
20 fact that they are reporting to one manager helps facilitate collaboration.

21  
22 Vice-Chair Holman: And so under the current structure both Planning and Transportation report  
23 to the Director. So the same model exists, as I read it. In other words, both those departments  
24 report to the same person.

25  
26 Mr. Emslie: Well, what I was referring to is that currently in the top box you have Current  
27 Planning and Advance Planning reporting to the Chief Planning Official. That is a person that  
28 would have better coordination that would facilitate the collaboration between those two  
29 divisions. We are trying to achieve that same facilitation of collaboration by incorporating  
30 Transportation into that same structure.

31  
32 Vice-Chair Holman: I am not trying to beat a dead dog here but there is a person, a position, that  
33 both of those departments report to. So would the coordination not happen at that level? In  
34 other words, wouldn't the coordination just happen at a different level?

35  
36 Mr. Emslie: I think the higher up you go the less coordination because the broader the range. So  
37 we are trying to push down at levels closer to the work, more familiarity with the work, and a  
38 closer contact than roll it up. I think it is easier to do that at a lower level than roll that up to a  
39 higher level and have basically the one person. There is more activity in that area that – I see  
40 that the Chief Planning and Transportation Official under the changed model provides more  
41 leverage because that person is monitoring a broader range of activities to be able to report to the  
42 Director rather than the Director having to be involved in more day-to-day operations and not  
43 necessarily being able to be available and present to provide the kind of guidance and oversight  
44 of those functions. I think it is better done at a closer level.

45  
46 Chair Burt: Paula.

1  
2 Commissioner Sandas: Thanks, Pat. Steve, I just have a question about the span of control of  
3 managers throughout the organization. You talk about that in the background in your report.  
4 Can you just demonstrate for me what exactly that would look like to increase the span of control  
5 of the managers considering that we are really not decreasing the management pool by more than  
6 one person?  
7

8 Mr. Emslie: Well, we are decreasing the management pool by two and by reducing that we are  
9 focusing most of our managers, and I can't say exclusively all, in direct supervision roles. The  
10 problem with the span of control as has been identified by the Auditor is that we have classified  
11 managers that don't have supervision. The City uses this as a way to kind of acknowledge a  
12 higher level of expertise and more complicated, more policy recommendation basis. This does  
13 remove managers that don't have or maybe have very few direct reports to them. Is it a dramatic  
14 change? No. It is more at the edges since we are only losing two managers.  
15

16 Chair Burt: Phyllis.

17  
18 Commissioner Cassel: Do you want me to wait until later for my questions?  
19

20 Chair Burt: That is up to you.  
21

22 Commissioner Cassel: I'll wait then.  
23

24 Chair Burt: Okay. So at this time we have four members of the public who have submitted  
25 cards to speak and each member will have up to five minutes to speak. If anyone else wishes to  
26 speak if they could bring their card forward that would be appreciated. Our first speaker is Sheri  
27 Furman to be followed by Joy Ogawa.  
28

29 Ms. Sheri Furman, Palo Alto: Hi five minutes means I don't have to rush through this. The  
30 intention of this restructuring plan is good and I want to make clear that I have the utmost respect  
31 for Steve's abilities and dedication to the community, to this job and everything. The things I am  
32 going to say are not about personalities they are about the process and consequences. So I just  
33 want to be very clear on that from the outset.  
34

35 Of the many items in this plan I would like to comment on two tonight for your consideration.  
36 The first is the role of the Deputy Direct, that is no surprise, and the second is the enhanced role  
37 of the Planning and Transportation Commission. On the Deputy Director role reading through  
38 this plan I find that Deputy Director is to act as ombudsman for the Development Center  
39 customers with responsibility to further streamline permit processing, conduct focus groups and  
40 promote customer feedback, view how the whole process affects the Development Center  
41 customers, find ways within the regulatory framework to improve service from the customer's  
42 point of view, develop a comprehensive training program for all divisions of the Planning  
43 Department, act as the liaison to other departments represented at the Development Center,  
44 clarify priorities and performance standards, perform community outreach and cross-  
45 departmental initiatives, provide the general management support in areas such as budget  
46 management, training programs and inter-divisional coordination. Now it seems to me this is an

1 awful lot for one person to take on. I am a little concerned about how one can successfully  
2 perform all these duties. All of these were mentioned in the report.

3  
4 Another concern is I see that the experience in both land use and transportation planning will be  
5 part of the selection criteria for the Chief Planning and Transportation Official however they are  
6 not criteria for the Deputy Director. I suggest that you ask for a specific job and experience  
7 description for the Deputy Director position and once you have that then you can look at  
8 qualified candidate. We have kind of put the cart before the horse here in how we are going  
9 about filling this position. Again, it is not a matter of personality it is that if somebody is to do  
10 all these things I do believe they should have experience in these areas especially with people  
11 like me coming before you in Palo Alto.

12  
13 Then on your enhanced role this item is about much more than expanding your role it is also  
14 about the public's right to be heard. This report states that, "The proposed reorganization plan  
15 would enable staff to pursue further streamlining efforts both internally and in its public review  
16 processes." My concern is that many of these efforts seem aimed at reducing or removing the  
17 public voice. Some of the items I would like you to consider include having the Director take  
18 action on PTC and ARB recommendations with those recommendations only on the City  
19 Council Consent Calendar for final action. Council does not usually like to pull items from the  
20 Calendar thus making it harder for us to voice our concerns to Council.

21  
22 What are the implications of combining Planning and Transportation Commission study sessions  
23 with community meetings for projects with citywide policy implications? We will be limited to  
24 speaking for just the two to five minutes that we are here on a topic or will there be a true  
25 discussion? It is not clear to me in this report.

26  
27 A third item is permitting property owners to amend the uses for Planned Community Districts  
28 with a conditional use permit. While it says the full PC Amendment process would still be used  
29 for major redevelopments on the site I am unclear what constitutes major redevelopment. For  
30 example, could Alma Plaza retain its PC under this and thus not have to have a review? It is  
31 coming before you in a week. Again, that is another one I am not clear on. I agree with  
32 increasing complexities of land use and transportation planning especially in a built out city like  
33 Palo Alto. Necessitate collaboration across disciplines and stakeholders and I understand the  
34 need to reduce costs. However, many of the items in this plan seem aimed at reducing the  
35 public's role in the process. When we talk about customers we are not just talking about those  
36 who use the Development Center. We, as residents of Palo Alto are also the customers. It is we  
37 who live with the results of planning issues and I believe we therefore have a legitimate role in  
38 voicing our concerns on these issues. Thank you.

39  
40 Chair Burt: Thank you. Joy Ogawa to be followed by Adam Atito.

41  
42 Ms. Joy Ogawa, Palo Alto: Good evening. I live in College Terrace. Since Frank Benest  
43 became City Manager the City Manager's Office hired some highly paid public relations staff.  
44 To me these were highly paid spin-meisters that as far as I could see did not contribute much to  
45 the necessary functions of City Hall. The one addition to the City Manager's Office that did  
46 provide a real and tangible service to the public was Victoria who pleasantly provided the public

1 with information about who to contact and how to contact people at City Hall. But when it came  
2 time for across the board budget cuts who got cut from the City Manager's Office? Not the  
3 highly paid PR people. It was Victoria. Similarly in the Planning and Transportation  
4 Department when it came time for across the board budget cuts who got cut in the Planning and  
5 Transportation Department? Why, it was the person who provided the public with the best, most  
6 direct, most tangible, most appreciated and most pleasant service, even though he was the lowest  
7 person on the totem pole and I assume the person with the lowest salary. I am talking about Alan  
8 Krever. Now I don't have anything against the Interim Deputy Director personally but I don't  
9 see how his background, education or experience provides him with the skills necessary to  
10 replace the positions formerly held by Joe Kott and Lisa Grote. On the other hand the Director  
11 of Planning and Community Environment does come from a planning background. I suppose it  
12 could be argued that the Planning Division could operate without a Chief Planning Official  
13 because the Director has the skills to fill in for that role. However, I do not think anyone can  
14 reasonably argue that the Director can fill in for the role of Chief Transportation Official nor can  
15 the Interim Deputy Director fill that role.

16  
17 If the Planning and Community Environment department wants to trim its operating budget I  
18 would suggest leaving the position of Chief Planning Official open for now and concentrate on  
19 filling the Chief Transportation Official position formerly Joe Kott's position. For heaven's sake  
20 try to get Alan Krever to come back. There should be enough money left over to do that.

21  
22 As far as community relations and enhancing customer service, which supposedly the Deputy  
23 Director is supposed to do, Alan Crevor is the best person that Planning and Community  
24 Environment ever had, at least in the last eight years that I have been interacting with City Hall.  
25 Alan came at such a bargain price. I hope you do not recommend approve the restructuring plan.  
26 I also second Sheri Furman's concerns about the proposed changes to the Planning  
27 Commission's role. Thanks.

28  
29 Chair Burt: Thank you. Adam Atito to be followed by Emily Renzel.

30  
31 Mr. Adam Atito, Palo Alto: Good evening Commissioners. I am a member of the Human  
32 Relations Commission and also I am the husband of recently resigned Traffic Engineer, Heba El-  
33 Guendy. Tonight I am speaking on my behalf as an individual and not representing the HRC. I  
34 am here also to echo the statement about Steve Emslie. I value his community involvement and  
35 his leadership within the City. My speaking tonight is not against Steve personally but against  
36 what I see in front of me.

37  
38 Based on what I heard from the city lawyer that the needs of the Planning Commission or the  
39 City Council have the right to endorse any personnel changes within the City but what we can  
40 focus on as a community, as a Planning Commission and City Council is having the technical  
41 expertise we need to run our City. I think we have the right to do that because at the end of the  
42 day we are going to pay the salaries, pay the benefits, pay for the cost of their mistakes. So I will  
43 argue to insist on having the technical background or the expertise we need for each of those  
44 positions.

1 Deputy Director, Planning and Transportation Chief, Transportation Manager, we need to know  
2 what kind of expertise those positions will be filled with. We don't care about the personality we  
3 need to know who is going to fill it and what kind of expertise they have, what kind of  
4 background they have because at the end of the day we are paying the cost. So I will argue to  
5 take a look at this.  
6

7 Also, the argument was presented to the City Council that we went out and could not find the  
8 right candidate to fill this job. We went out locally. The City of Menlo Park just recently hired a  
9 qualified applicant for the Chief Transportation. City of Fremont, City of Alameda, tons of cities  
10 went out and got a qualified applicant. The City of Palo Alto pays as much or probably a little  
11 bit higher than those other cities to get the right applicant.  
12

13 We did something strange here within our city. We usually in the private sector companies will  
14 find what we need, what kind of qualifications we need for each job and we go out and seek  
15 applicants for the job. What we did in Palo Alto is we found the personnel, the three people to  
16 fill the three positions, we have the already lined up then we created the positions for them. Is  
17 that the way we are going to run our city? Just customize the position to fit certain individuals?  
18 I hope not.  
19

20 With that said I hope when the consideration is done to interview the right candidate for this  
21 position there will be some emphasis and be inclusive, no snobs in our cities, no discrimination  
22 should be allowed to women or against anybody. So I would like to offer the recommendation  
23 beside the technical expertise to have the person who has the personality to fit within our city,  
24 within our culture. For God's sake we have a Governor who cannot pronounce the name of the  
25 state. So to have a manager to discriminate against women is not right and I hope that is not  
26 going to be acceptable to you or by the City. Thank you.  
27

28 Chair Burt: Thank you. Emily Renzel to be followed by Herb Borock.  
29

30 Ms. Emily Renzel, Palo Alto: Just by way of background I served six years on the Planning  
31 Commission and 12.5 years on the Council so I have a little bit of planning history and planning  
32 expertise in my background. I would first like to say I concur with everything Sheri Furman had  
33 to say and most of what Bob Moss had to say in his letter to you.  
34

35 I was rather concerned I didn't get the Staff Report for you until tonight but on page six they  
36 enhanced the Planning and Transportation Commission role. I absolutely agree with Sheri  
37 Furman it does much more than that and has many places where currently there is opportunity  
38 for the public to participate in the planning process that is being short circuited in the interest of  
39 efficiency. I think in the long run that will not be efficient and will be causing problems for you.  
40 Some of these things sound a little innocuous like allowing the Staff to use a conditional use  
41 permit to change a use on a PC. Well, PCs typically aren't just the physical building. They are  
42 how that building operates and what happens in it. So the use can be just as important as the  
43 building. So something like that is a major change not just a little change in efficiencies. I could  
44 down these one by one but I think Sheri did a pretty good job of hitting the highlights of those  
45 concerns. I think you should look at those very carefully. I would note that that whole section if  
46 it is in the CMR to the Council I didn't see it. It might be in a general statement of enhance the

1 role of the Planning and Transportation Commission but it is not fleshed out as it is in the report  
2 that you have tonight and I think it is quite alarming with respect to public participation, which  
3 has been a fundamental part of our planning process. I think that in recent times some  
4 developers in particular have tried to promote things that will take the public out of the process  
5 in the name of efficiency. I guess I would remind you that we have laws to govern our zoning  
6 and our planning because physical development of this city is around for a long time and it is  
7 really important how that happens. The people who live in the community often understand that  
8 much better than an outside developer who might be coming in for the first time or live in  
9 Woodside and not care what happens to us as far as the fallout of a given project. So I think it is  
10 really important for you to consider that public role as an important part of the planning process.

11  
12 As I looked at this organizational chart and I may say something really outrageous here but I  
13 looked at it and I said, well, what does Steve Emslie do? He has an Administrative Assistant, an  
14 Executive Secretary, four Staff Secretaries and five staff and an Administrator and a Deputy  
15 Director. It is sort of like pulls him out of the process. I think that is not appropriate. I am kind  
16 of alarmed at that. I think the Director of Planning should be the Director of Planning and a  
17 Deputy Director who has some PR functions and has the line function with the rest of the staff  
18 seems to me is removing the Director from the substance of the planning issues. So I would  
19 raise real concerns about that. I think I share some of the same concerns with respect to  
20 designing the job around a particular individual rather than designing the job and then looking  
21 for someone who has the right characteristics for it. I also know from long experience that the  
22 transportation issue is a big, big area of all of our physical planning. The automobile has just  
23 turned everything on its head. It relates in every way like how fast our intersections flow, how  
24 much cut-through traffic there is in neighborhoods and on and on. I think it is absolutely  
25 essential to have someone in that role that understands those issues and has dealt with them and  
26 knows how that interfaces with the public in general.

27  
28 I guess I am done so thank you very much.

29  
30 Chair Burt: Emily, just one quick clarifying question if I might ask. When you were referring to  
31 the structure of the proposed org chart where you looking at the one that was attached to the  
32 March 13 Staff Report to Council or the one that is in the Staff Report to the Commission this  
33 evening?

34  
35 Ms. Renzel: It was the March 13 and I do know that the dotted line got made solid but  
36 nonetheless why should it all be filtered through a Deputy Director? That makes me real  
37 nervous.

38  
39 Chair Burt: Okay. I just wanted to make sure you had the latest one.

40  
41 Ms. Renzel: I was here at the Council meeting and saw that change. Thank you.

42  
43 Chair Burt: Thanks. Our final speaker is Herb Borock.

44  
45 Mr. Herb Borock, Palo Alto: Good evening Chair Burt and Commissioners. This item has been  
46 presented to you as a change in an organization chart but I believe that is really a smokescreen

1 for the other issue, which is changing the rules to take the public out of the process of changing  
2 the rules. That is currently to change the rules you need an ordinance passed by the Council that  
3 is subject to referendum. Here are suggestions being made to have Staff have the right to change  
4 the rules.

5  
6 I believe that form follows function so you first have to figure out what kind of planning  
7 department you want to have. In general there is a tension between those who earn a living by  
8 turning in applications and developing properties and who own land for that purpose versus the  
9 public generally who are not making money off a particular development but who are effected,  
10 sometimes adversely, by those development. They are not all customers. There are no  
11 customers at the library although they have been called that we don't pay to go to the library.  
12 When you go to the Development Center and pay you may be called a customer but most people  
13 in Palo Alto don't do that although they are affected by developments. So you really have to  
14 consider both and both should be named in any kind of Staff Report so you can create that  
15 balance. The problem over the past few years is that only one side seems to be of interest to the  
16 Council and Staff and the public are more treated as an audience or labeled customers or become  
17 spectators.

18  
19 I have been following the Planning Department for 35 years so I can answer Commissioner  
20 Garber's questions about organization and I am surprised that you don't have any of that history  
21 before you including the history of the Zucker Study that led to the third frontline planning  
22 manager in the Planning Division and that led to the change in the philosophy that we got from  
23 Ed Gawf and Steve Emslie in the departments they have been running under City Manager Frank  
24 Benest compared to the way the department was run before. Prior to that time we created a  
25 professional planning department that subscribed to the principles of the American Planning  
26 Association and its professional subset the American Institute of Certified Planners whose  
27 principles to which we aspire for the AIC our overall responsibility is to the public. Our primary  
28 obligation is to serve the public interest and we therefore owe our allegiance to a conscientiously  
29 attained concept of the public interest that is formulated through continuous and open debate.  
30 We shall achieve high standards of professional integrity, proficiency and knowledge. The  
31 Zucker Study followed the departure of four people from the Planning Division including Chief  
32 Planning Official, Nancy Lytle. Many more people, there has been a wholesale departure in the  
33 last few years. Mr. Emslie only mentioned people at the top but virtually everyone I thought  
34 would report to John Lusardi or Current Planning and Special Projects had left. The other  
35 divisions used to be in the Public Works Department and they were moved over to Planning.  
36 That is Transportation in fact an artifact of that was Transportation for the longest time remained  
37 in the southwest corner of the sixth floor where the Public Works Department was also on the  
38 sixth floor.

39  
40 Personalities are important because they divert your attention from what is really happening. I  
41 suggest that when I heard a year ago that Lisa Grote was leaving that the City Manager should do  
42 what he did elsewhere and eliminate the position. Instead he increased it to a Deputy Director. I  
43 predicted at the budget hearings before the Council that after a decent interval that the current  
44 Director would leave, his five-year vesting I think is next February, and that the Deputy Director  
45 would get promoted because the Deputy Director was already chosen and then the position  
46 would be eliminated. If Andy Coe's successor at Stanford in Community Relations, Jean

1 McCown, were switched with him I would still have the same objections. She has more  
2 planning experience, a land use planner, a planning commissioner, a city council member and  
3 also she has what is being asked for here and that is an advocate for developers. Right now you  
4 have to pay people on the outside like Jean McCown or Jim Baer to come and be an ombudsman  
5 for an applicant. Maybe in San Francisco you have to bribe someone to do it but here we are  
6 suggesting to institutionalize it and somehow say that the public generally is a customer just the  
7 same as an applicant. You are being asked to change the rules. You need to implement the  
8 current rules, the ones that were just advocated recently and adopted for streamlining. I don't  
9 think in terms of public noticing they have ever been implemented. Thank you.

10  
11 Chair Burt: Thank you. Before we get started with Commissioner questions I just wanted to  
12 offer a couple of clarifications. A couple of the speakers expressed concern about the section  
13 regarding the prospective changes to the Planning Commission role. What are here are Staff  
14 suggestions for possible topics at a Planning Commission Retreat. There is nothing here tonight  
15 that in any way would be adopted as a change and in fact the process would go to first whether  
16 the Commission even wants to discuss these items at a Retreat, discussion at a Retreat and if any  
17 of these are then ones that the Commission wishes to agendaize for future meetings there would  
18 be full public participation in the process. Then ultimately those are City Council decisions on  
19 any changes and not Planning Commission decisions. Don.

20  
21 Mr. Larkin: To more specifically answer one of the concerns from the public that these changes  
22 would ultimately have to be made by ordinance so that it would be referendable.

23  
24 Chair Burt: Right, so it would have complete and full public process for any of those changes.  
25 One other thing that did occur to me as a result of seeing the letter from our City Auditor, Sharon  
26 Erickson, we have new Commissioners who have not necessarily received some really important  
27 materials whether for tonight's discussion as background reference materials or for some future  
28 discussions. I am not sure whether they received the 2003 City Auditor's Report on the  
29 department and then even fewer Commissioners have the Zucker Report from 1998. One of  
30 them has it. Then we have the 1998 Zucker Report which probably most of the Commission  
31 doesn't have and it is eight years old and maybe less material but still it is even used as part of  
32 the Auditor's reference. So those would be things that would be good for us to have in our  
33 follow up discussions.

34  
35 Commissioners, who would like to first ask questions before we go into discussion? Phyllis.

36  
37 Commissioner Cassel: I notice that in one of these reports I think it was the Council report when  
38 they listed the problems that existed they didn't list communication between Transportation and  
39 Advance Planning Staff. They listed as a problem an issue between coordination with the  
40 Transportation, Public Works and Infrastructure Development. I don't see how this deals with  
41 that particular problem in any way.

42  
43 Mr. Emslie: The proposed restructuring enhancing the communication to external departments,  
44 is that the question?

45  
46 Commissioner Cassel: Yes.

1  
2 Mr. Emslie: The idea is by being able to better incorporate transportation initiatives which often  
3 involve building of some things, Homer Tunnel, traffic calming, there is an element of  
4 transportation that involves physical construction. Being able to have that be dealt with at an  
5 earlier stage when the planning of that starts rather than as that project gets fully formed and gets  
6 committed is a desired outcome. Perhaps it is not fully explained in the Staff Report but I do  
7 believe that we would get better early integration of Public Works concerns who although they  
8 are not responsible for building or pay for the transportation issues they will be responsible for  
9 maintaining it. So the idea is to be able to get those at an earlier stage to Public Works. That is  
10 the goal in merging the Transportation and Planning together is earlier notification and  
11 integration of the maintenance concerns.

12  
13 Chair Burt: Dan.

14  
15 Commissioner Garber: I took a look at some other communities that I was familiar with and  
16 where Planning and Transportation were located. Are there precedents other than Palo Alto for  
17 where Planning resides within the larger Planning organization?  
18

19 Mr. Emslie: You mean Transportation?  
20

21 Commissioner Garber: Yes, I'm sorry.  
22

23 Mr. Emslie: Yes, there are a variety of models. A lot of it is driven by staff and community size.  
24 The cities closer to Palo Alto's population, we did a quick survey but basically my experience is  
25 that in majority of those cases the Transportation resided within another discipline. Many times  
26 it is in Public Works with an engineering function, engineering in terms of traffic engineering  
27 and civil engineering related to the review of developments. It does occur also within Planning  
28 and there are some cities, and I believe that Redwood City has their transportation component in  
29 their Community Development Department. But largely it does reside in a separate or under a  
30 different department and that is primarily one that is more bricks and mortar oriented. As one of  
31 the speakers mentioned that was changed in Palo Alto and I would agree with that change that I  
32 think the planning orientation with transportation is a much desirable outcome and comports  
33 more closely with our community values.  
34

35 Commissioner Garber: Thank you.  
36

37 Chair Burt: Lee.  
38

39 Commissioner Lippert: In the report here several times it mentions customer. Why use the word  
40 customer? Implied in that is fee for service or fee in return for getting something back for that.  
41 Whereas something like public or citizens has the implication of everyone is entitled whether  
42 you pay a fee or not.  
43

44 Mr. Emslie: I agree. I think that the term customer maybe more of a vestigial terminology that  
45 is no longer applicable or no longer in vogue. I think in the 1980s and 1990s there was a lot of  
46 attention placed on government acting more like a private business and we had a lot of

1 reinventing government and a lot of things. I think that is where that term was used as we tried  
2 to create some similarity with what's happening in the private sector. I don't think it is an  
3 appropriate term. I think it is better to refer to it as service in general because that doesn't imply  
4 someone is paying for it and it allows us to apply our service to a variety of stakeholders. So it is  
5 a good suggestion and I think phasing that out of our lexicon is probably a good idea.  
6

7 Commissioner Lippert: Then I have a question for the City Attorney. With regard to the  
8 expanded role of the Commission are there any items in there or any triggers that would require a  
9 Charter Amendment?  
10

11 Mr. Larkin: No, we were cognizant of the fact that previous attempts at Charter Amendments  
12 have failed. So we tried to craft solutions that would not take away Council's ultimate authority  
13 but could streamline the process. We tried to craft those so that they would be consistent with  
14 our current Charter.  
15

16 Chair Burt: Paula.  
17

18 Commissioner Sandas: Back to the combining of the land use and transportation positions in the  
19 outcome section of your report the last paragraph of item one states that this restructuring will  
20 not change the focus or responsibility. The Transportation section has four traffic engineering  
21 and traffic operations, etc., etc., etc. How can that be ensured? You state that it won't happen  
22 but what are the assurances that will keep it from?  
23

24 Mr. Emslie: A primary function of that is being done at a traffic engineering level and that  
25 function will happen whether it is in a separate division or if it is part of another division. So we  
26 do have the dedicated expertise, in fact that is not a vacancy that we have to fill. The person who  
27 does our traffic operations you have known is David Stillman and is very much employed with  
28 us and that is going to continue to happen whether he is in Transportation or Planning. I just  
29 think that it would be helpful for David to also be able to do that work in a broader context of  
30 land use planning because that I think would help inform his work too of trends and the work  
31 that Current and Advance Planning is doing. I think there is information that would be very  
32 helpful in him applying his operational work over the course of a year.  
33

34 Commissioner Sandas: Another question I had has to do with some really good news here. It  
35 says that the most recent status report from September 8, 2005 indicates that the department, I  
36 guess that would be the Building Department, has completed or resolved 31 of the 34  
37 recommendations made by the Auditor. Congratulations, I think that is fantastic. It says the  
38 remaining recommendations are in process. So in light of that information what is it that the  
39 Deputy Director would need to do to ensure better customer service as it were?  
40

41 Mr. Emslie: The audit focused on what was called the planning process and that is the  
42 entitlement process, it largely involved exploration of how the Architectural Review Board was  
43 interacting with its stakeholders. There are other areas and I can give you some examples of  
44 those. I think there are ways of improving our building counter. Once the entitlement process is  
45 finished, when you are done with it, it goes into a whole other process. In fact we issue really  
46 thousands of those permits from big projects that you will be involved with to home additions

1 and single-family homes. So there are a lot of areas that I think that we can improve in getting  
2 information to someone who may do an addition once in their life and may not be versed in that.  
3 I think we can make a lot more progress in assisting the nonprofessional applicant which we  
4 have a lot of we just see the professional ones here but there are thousands more of the  
5 homeowners. So I think there is a great deal of area that we can make some headway in and that  
6 is one example of where we can continue to make some improvements.

7  
8 Commissioner Sandas: Then finally in seeking a Chief Planning and Transportation Official we  
9 are calling for somebody who experience in both land use and transportation planning as part of  
10 the criteria for selecting that individual. Just quickly what is the likelihood that we will find  
11 somebody who can fit that bill?

12  
13 Mr. Emslie: I am going to refer back to my answer earlier to Commissioner Garber. There are a  
14 lot of the same analytical skills and applications that are applied both to planning and  
15 transportation planning they have many of the same attributes. So I think the likelihood is fairly  
16 good that we could find someone that does have those joint abilities.

17  
18 Just to say that it is in smaller cities where it is less compartmentalized and I have worked in  
19 smaller cities where you have to be the traffic manager, you don't have dedicated traffic  
20 engineers. You have to work with maybe outside expertise so a planner will learn very quickly  
21 how a traffic impact analysis is put together, what levels of service means and how that affects a  
22 project. So we as planners do get a significant amount of exposure to traffic engineering.

23  
24 Chair Burt: Lee.

25  
26 Commissioner Lippert: During the Director's Review Process there is a process where the  
27 Director does have a hearing. Generally the Director himself does not always appear. It is often  
28 times the Current Planning Manager or the Advance Planning Manager or one of the Director's  
29 deputies. Would the Deputy Director in this case have any "authority" equal to that of a  
30 professional like the Current Planning Manager or the Advance Planning Manager in terms of  
31 conducting these hearing, number one and number two, in the Director signing off on for  
32 instance ARB recommendations, being able to sign off on those recommendations or would that  
33 authority solely lie with the Director?

34  
35 Mr. Emslie: The authority solely does lie within the authority of the Director. I do review all  
36 Director's Decisions and ARB decisions and I review the letters that go out on those. But one of  
37 the efficiencies that we are hoping to achieve with this and clearly if we do get our personnel  
38 changes in place I would like to seriously consider the Deputy Director acting on my behalf. He  
39 would not supplant the authority it still would rest with the Director that is part of the code and  
40 that is part of the Charter and nothing in this would change that. But there are some legal issues  
41 that have presented complications to how we conduct our Director's Hearings. These are  
42 relatively recent changes to the law that affect who can be involved with Director's Decisions.  
43 We have had to use a rotating schedule because you may not have a direct supervisor reviewing  
44 and conducting a hearing of someone who reports to them directly because the Deputy Director  
45 would be separate from that and would meet that legal test and provide that separation. It is  
46 something that I am considering, yes.

1  
2 Commissioner Lippert: As a follow up to that how does this become further complicated say if  
3 the Director had a conflict of interest and had to recuse himself from actually acting on a Board  
4 recommendation?

5  
6 Mr. Emslie: They would recuse themselves as required and a suitable delegate would be found  
7 that would meet the legal test. It would depend on the individual circumstances who that  
8 substitute would be.

9  
10 Commissioner Lippert: So would that fall on the Deputy Director in this case or would it fall  
11 back onto the Chief Planning and Transportation Official?

12  
13 Mr. Emslie: It would depend on the nature of the conflict and the nature of the circumstances  
14 but it is possible that it would fall back on the Chief Planning and Transportation Officer, yes. It  
15 is possible depending on where that case happened to originate from.

16  
17 Commissioner Lippert: One other question when you finish.

18  
19 Chair Burt: I have a follow up. I just want to make sure I understood the previous answer.  
20 Were you saying that you are envisioning the prospect of the Deputy Director filling in and  
21 conducting the Director's Hearings on occasion?

22  
23 Mr. Emslie: That is something I am considering. I can't say that that's actually going...I would  
24 like to get the personnel changes in place and evaluate the strengths of the individual candidates  
25 as they get inculcated in their position. Think of the Director's Hearing as data collection. It is  
26 knowing procedure. It is knowing how to conduct hearings, take testimony, use the Robert's  
27 Rules to be able to make sure that all sides are heard and to collect that data for a  
28 recommendation. Still the authority does rest with the Director even though the function of  
29 delegating that to someone else to collect the data the code does allow us to do that.

30  
31 Chair Burt: It has been my experience that as outcomes of the Director's Hearings have come to  
32 the Planning Commission and those hearings have been directed by senior staff members who  
33 are not the Director there was a role of professional expertise and technical expertise that had to  
34 do with interpretations of important guidelines such as I recall the Home Improvement Exception  
35 and we had extensive follow up discussions based upon historic knowledge and technical  
36 interpretation of those guidelines. You seem to be describing the hearing as more of one in  
37 which it would be a procedural leadership that would be provided by the substitute to the  
38 Director. I am asking isn't there also a technical role?

39  
40 Mr. Emslie: The streamlining in response to the 2003 Audit diminished the number of Director's  
41 Hearings. So primarily the Director's Hearings are now oriented towards Individual Review.  
42 HIEs and variances and use permits have gone to an appeal base so actually we don't use a  
43 Director's Hearing for resolution of those. Those come to the Planning Commission without a  
44 Director's Hearing. If you remember the idea with that was to make sure that we did broader  
45 notification to neighbors to get a better understanding of issues at an early stage. Rather than  
46 make a Director's Hearing an interim step we bring it right to the deliberative body, the Planning

1 Commission that would forward their recommendation to City Council. So many of the hearings  
2 you are referring to are now coming to you on appeal. I think for the most part the Individual  
3 Review is the one area of major Director Hearing involvement.  
4

5 Chair Burt: Thank you. Karen.  
6

7 Vice-Chair Holman: I have a question about a term that is used a couple of times in the Staff  
8 Report to the Commission. That is the term ‘problem solving’ and it is used, “Make the  
9 Development Center experience more customer friendly” and I have the same concerns about  
10 that as the Director knows and as Commissioner Lippert has already expressed. “...and create a  
11 problem solving orientation within the rules.” Could Staff explain what really is intended by  
12 that? Can you vet what is intended?  
13

14 Mr. Emslie: Again, this relates more to the implementation more of the application of the  
15 building code. As I mentioned a vast majority of our customers are not ones that will come  
16 through these chambers but are people who may once or twice in their life do something as a  
17 homeowner to add-on or improve their property who may not be as sophisticated or as  
18 knowledgeable. We like to be able to help them identify issues and code issues rather than just  
19 point them out to them. We like to be able to go an extra step to be able to help them understand  
20 the reason for a particular code variance and perhaps offer ways that they might consider being  
21 able to comply with that. Rather than just pointing out the errors we like to be able to also help  
22 the ones who may not be as proficient or knowledgeable about the code and be more of a  
23 resource for them. That would enable homeowners to be able to fix up and maintain properties  
24 more readily without having to hire outside expertise and things like that to be more of a  
25 resource in implementing the code.  
26

27 Vice-Chair Holman: So let me expand on that just a little bit. I agree there are folks who have  
28 never been through a planning process before and need some assistance in understanding code  
29 and such. If there is a focus on this how does the reorganization or how does any process going  
30 forward differentiate between that kind of an applicant and an applicant who is very familiar  
31 with city processes? Staff might have a tendency under this kind of focus it would seem to spend  
32 a large amount of time trying to resolve issues with a very seasoned developer. So how would  
33 Staff suggest that there is a discernment between the two kinds of applicants?  
34

35 Mr. Emslie: Well, they don’t have a certain look or uniform. I think that we ask our Staff to  
36 employ judgment and time allocation. There is always a balance of making sure that you don’t  
37 spend inordinate amounts of time dealing with one customer over another. So we would ask our  
38 Staff to use judgment in applying that. I think Staff who work the counter are proficient enough  
39 to understand those who may have greater understanding and be able to meter their time  
40 accordingly. I have worked the counter and I think you get a sense pretty quickly of who is  
41 struggling and a lot of times they will tell you right up front that they don’t know what they are  
42 doing but are trying to add a bathroom. So it is often pretty clear as to where you are going to be  
43 able to help out the most. I think it is an important attribute to be able to focus on providing the  
44 kind of service and resource that is necessary to help understand and appreciate something that  
45 paid professionals do almost intrinsically.  
46

1 Vice-Chair Holman: Another question is looking at the job description of the Deputy Director  
2 there isn't a requirement for land use or transportation experience. For my personal land use I  
3 spent many years in management in design and advertising. It is very, very process oriented and  
4 you look for all efficiencies that you can because as in any business time is money. However, in  
5 watching people come in and in my own trial and error sometimes the expertise was essential to  
6 having an efficient process. So perhaps Staff would like to explain how someone who doesn't  
7 have as a requirement of background planning and transportation how they are going to come up  
8 with process efficiencies that are grounded in code, Comp Plan, environmental requirements. I  
9 am seeing a disconnect there and maybe Staff could address that.

10  
11 Mr. Emslie: As I mentioned at the outset the idea is to vest our expertise closer to the Staff level  
12 at the Division. So in those areas where we have high expectations for technical expertise what  
13 we were finding is that by having less management support for our technical expertise in the  
14 current structure they were being called upon to spend significant amounts of their time on non-  
15 technical issues. Our Chief Planning Official spent a great deal of time dealing with general  
16 management issues, budget preparation, department coordination, attending standing meetings,  
17 supervision of non-technical staff, support staff and the like. So we are trying to provide the  
18 kind of management support that would enable us to apply the technical and this individual  
19 would also need to work with our Building Division. So it is not just planning there are other  
20 areas that they would be involved with that would enable the technical expert to be able to focus  
21 more of their time and attention and applying those skills without having to divide their  
22 attentions if you will on non-technical, management related issues, which are significant  
23 amounts. There is communication, getting our packets out, responding to correspondence,  
24 dealing with daily constituent concerns and questions, there is a great deal of area that are not  
25 related to our application of our technical skills that could be taken up by having a broader more  
26 generalist management position. That is the point of this.

27  
28 Vice-Chair Holman: Along the same line of conversation. One of the purposes of this is to free  
29 up the Director's time to be able to deal with more policy problems, discussion and proposals.  
30 So one of the proposals is that the Deputy Director would conduct and be the representative if  
31 you will to public meetings. Again, with the absence of the requirement of planning and  
32 transportation experience I am wondering how that person is going to represent the Planning and  
33 Transportation or Building Department at those meetings because the public in this community is  
34 as familiar sometimes I think with the code as any of us and maybe even some of the younger  
35 planners perhaps. So how is the office, the Deputy Director in this case, going to be able to  
36 respond and represent and answer questions in that kind of environment?

37  
38 Mr. Emslie: Well, I think that we would expect anyone to come in to become very familiar with  
39 our own processes. We do have some unique process we have developed and honed I think  
40 review over the years very specific to our needs to provide the adequate checks and balances and  
41 opportunities for discussion and disagreement and resolution and consensus. So we have fairly  
42 well defined and articulated processes that aren't comparable to another city per se. Someone  
43 coming from the outside no matter how many years of experience is going to have to become  
44 familiar with our own unique process. I don't think each city has a PC process for example that  
45 comes close to our PC process at all. I am familiar with other cities and I know for sure that it is  
46 vastly different than what some other cities will do. So someone is going to have to get familiar

1 no matter what background they have with our own individual processes. I had trouble learning  
2 our own processes and I have 27 years of experience and am still learning the intricacies and the  
3 vagaries of our process. So it is something I would acknowledge would have to be an acquired  
4 skill. I think there is going to have to be an application of judgment. You pay me to provide  
5 some judgment and if I feel that based on the skill level that I have assessed they are not capable  
6 of being responsive to the particular issue at any given time they won't be assigned to do that.  
7 As you know I great deal of community outreach and working with communities in a variety of  
8 settings and I fully intend to continue to do that. In fact by freeing up some of the ...it is not just  
9 so I can concentrate on policy development but that is true I would like to be able to do more of  
10 that but allow me to be able to interact more in the community on a more informal basis, more  
11 discussion, more field trips, more community meetings, more questions and answers, working  
12 with community leaders making sure they understand the basis for...these are all things that I  
13 continue to want to be able to apply and apply more. Some of the more immediate day-to-day  
14 issues that have to be dealt with kind of the crisis du jour, the little fires that have to be put out  
15 that do not relate to a technical issue but more about communication and information I am not  
16 having to do so I would be able to hopefully have as great if not more exposure to the  
17 community. So it is an element of judgment in this like in all things.

18  
19 Vice-Chair Holman: I am happy to pass the mike on but I will have more questions.

20  
21 Chair Burt: Okay. Lee and then Dan.

22  
23 Commissioner Lippert: Embodied in both org charts that you have here we have two types of  
24 review. We have ministerial review which is basically you follow rules. A good example of that  
25 is the Building Code, you follow the Building Code you get your approval. In the Planning side  
26 of things we have some ministerial kind of things and we do have some discretionary review that  
27 is reviews that are done by generally our Boards or Commissions. In the report here it had  
28 mentioned very briefly, and I will just use this as an example, allowing Staff judgment in terms  
29 of changing conditional use on PCs. Where does that fall? Would that fall in ministerial or  
30 would that fall into the basis of discretionary review and how would that be handled?

31  
32 Mr. Emslie: Again, the list is not intended to have thought out all the issues.

33  
34 Commissioner Lippert: I understand I am just using that as an example.

35  
36 Mr. Emslie: It would not be ministerial. A use permit would always reside in the discretionary  
37 category and the Charter will require that if Staff exercises discretion at that point that it would  
38 always be appealable through the Planning Commission and ultimately the City Council.

39  
40 Chair Burt: Dan.

41  
42 Commissioner Garber: Chair Burt, will the questioning end and go to comments, in which I will  
43 withhold?

44  
45 Chair Burt: I would like to take a big step backwards. We have talked a lot about the  
46 importance of problem solving in some of these roles. There are best problem solving

1 methodologies and what I saw in the original Staff Report from the City Manager to the Council  
2 went through and initially identified goals and then subsequently identified problems which to  
3 me is out of sequence. What you want to do is first identify the problems and then translate  
4 those into a series of objectives. Having said that there were a lot of problems stated in that  
5 report which I personally disagreed with and found to be very problematic toward where we are  
6 now. The Staff Report that the Planning Commission received seems to have refined some of  
7 the goals and in a way that I think is a constructive direction but there is no problem definition.  
8 So we are left with somewhat of a disconnect between a prior set of problem statements and a set  
9 of goals for instance one of the goals is to integrate land use and transportation planning. I think  
10 that is a good goal and I think that is one of the most constructive ones. But I think that it is  
11 important that we, if that is one of the goals, that it be explained why that is a problem. So one  
12 of my recommendations will be that in whatever goes forward to the Council that there be a  
13 refinement in the problem definitions before making the recommendations on what goals we are  
14 trying to solve. I have heard it characterized as we often fall into the ready, fire, aim approach to  
15 problem solving. So I want to make sure we aim before we fire.

16  
17 The other question I have is that one of the goals that is stated is to free the Director for policy  
18 follow up, staff focus on technical work and continue the process improvements. But then on the  
19 organizational chart it is listed that direct reports to the Director are the Administrative Assistant  
20 and the entire administrative staff and the Code Enforcement Officers. Can you comment on  
21 why it would be organized in that way? It seems like the Administrative Assistant and staff  
22 would be naturals to go to a Deputy Director especially if the Deputy Director is not one who is  
23 necessarily going to provide technical expertise. I am unsure what would be the best  
24 organizational structure for the Code Enforcement reporting but it seems directly to the Director  
25 would not be the best.

26  
27 Mr. Emslie: Thank you for the opportunity to explain that. The Code Enforcement Officers as  
28 you can see in the current condition reporting to the Special Projects Manager well that position  
29 is vacant so we couldn't have a group that didn't have some management oversight. So we had  
30 to make an interim assignment to the Administration function. There is a manager in the  
31 Administrative Department that is able to supervise that. Because of the current shortfall and the  
32 vacancies in staff could not assign that to one of the two remaining planning managers either  
33 current or advanced their plates are over-full. I think as I mentioned those two individuals would  
34 probably run me over in the garage if I gave them any more work to do. So that is a temporary  
35 assignment and I think once we get the positions in place it would be our goal to move that back  
36 into a planning function once they have the support of a Chief Planning and Transportation  
37 Official in place.

38  
39 As far as the Administrator goes they are really part of the administrative team that the Deputy  
40 and myself would rely on for the administrative support that that team gives. So I think that it  
41 could work equally well if the administrative team were assigned to report to the Deputy  
42 Director since his or her management would be broader and thus the support of the  
43 administrative staff would provide that capacity and support that.

44  
45 Chair Burt: Well, just a couple of follow up comments. Who the administrative staff supports is  
46 different from who they report to and who has that management responsibility. Based on the

1 goals that are stated in the Staff Report I find a contradiction between the management  
2 responsibility of the administrative staff going directly to the Director versus that staff  
3 supporting the Director and the rest of the department. I will just leave that alone for the  
4 moment.

5  
6 The other thing that I think I realize from your description of why the org chart is written the  
7 way it is I think we have some mislabeling here. We have a top half that is written as current but  
8 it is not really the current. It is what was designed a year ago. Then we have the bottom one that  
9 is a hybrid between what is current and what is proposed. What you described was what is  
10 current but the bottom half is intended and described as proposed. So proposed to me would  
11 mean after you fill these positions that the rest of this chart indicates what would then be the  
12 organizational structure. So based on what you described I think I am hearing that you have  
13 these reporting to you right now on an interim basis until you fill the Deputy Director and the  
14 prospective Chief Planning and Transportation Official's roles. At that time those would be  
15 reassigned in the organizational structure. So before this goes to Council depending on the  
16 outcome our recommendation either I just have renamed current as something that reflects that  
17 this was the intended structure a year ago and proposed be truly what's proposed or if you have  
18 to add a third one which is what your current really is then go ahead and do that.

19  
20 Mr. Emslie: I think we could do that with some expanded labeling with some interim  
21 assignments. I think that is a very good point we appreciate that feedback.

22  
23 Chair Burt: Paula.

24  
25 Commissioner Sandas: I just have another couple of questions about how you go to this place.  
26 Were the staff involved, staff below you and the management level, in creating the new  
27 organizational chart? If not, what is the general consensus? What does the staff say about this?

28  
29 Mr. Emslie: Well, the management team in the department participated at all phases at this from  
30 the inception once the City Manager initiated this project. So my management team, each one of  
31 the division heads and our administrative managers were involved in this. Then each area was  
32 consulted specifically on their particular expertise. Then I have personally met with each and  
33 every workgroup to go over this, answer questions and there were some clarifications that came  
34 out of those. So I have had personal outreach to each and every one of the workgroups in the  
35 department on a one-on-one basis.

36  
37 Commissioner Sandas: What have they said? What has sort of been the general feeling?

38  
39 Mr. Emslie: Well, there is a broad range of opinions depending on particular areas of expertise.  
40 If I can summarize eliminating managers was identified as a concern because that eliminated or  
41 reduced climbing ability. So that is an area that we can focus on with staff development and  
42 other ways. One thing I wanted to point out is by putting different expertise together that that  
43 gave people exposure to different elements of planning and transportation planning so that can  
44 broaden their skill set which helps in their development. So putting disciplines working together  
45 that is a benefit.

1 The Transportation Division was concerned because I wanted to be able to make sure that they  
2 continue to have the technical resources to be able to...and we were able to address that by the  
3 City Manager committing Transportation Engineering can be got on an ad-hoc basis. There are  
4 plenty of very well qualified firms, firms that work with us that will be able to go out so we don't  
5 have to develop the infrastructure and have the person in place and have all the overhead costs  
6 without being able to go get the expertise on an as needed basis. So it was important to hear that  
7 and be able to point that out to them.

8  
9 The Building Division was concerned about the transition of their leaders eminent retirement and  
10 how that was going to be handled and maintaining an ability for them to develop into specialty  
11 areas. All of our inspectors are "combination inspectors" which means they can inspect all  
12 aspects of a building. It is very important that we do that so that we don't...many cities have  
13 specialty inspectors and that's all they do and that can often cause problems because you have  
14 conflicts between the person who might do the electrical inspection and then the plumbing may  
15 not agree and it is not a good thing to have. Then we do want to give them the ability to be able  
16 to develop as particular expertise that is feedback I've heard and that is something that we will  
17 continue to work on to be able to provide that opportunity for advancement and development of  
18 skills.

19  
20 So that gives you kind of a general flavor of what I was hearing from the different divisions.

21  
22 Chair Burt: Can we just have a couple more questions then I think we will take a break before  
23 returning for comments. Karen.

24  
25 Vice-Chair Holman: I have a couple of sort of lower-level questions and then I have a broad-  
26 based question. On page 4 of 9 of the current Staff Report it talks about Code Enforcement in  
27 the second complete paragraph. That 55 percent of those surveyed rated Code Enforcement  
28 services as good or excellent. I presume that there had to be a calculation then of how many  
29 code enforcement complaints there had been and how that might rate compared to other  
30 communities. The reason I am asking that question is because code enforcement complaints  
31 would tend to lead me to think that there might be implementation problems at the staff level or  
32 inconsistencies or lack of technical expertise. Can Staff comment on that? I should have asked  
33 that question beforehand and I apologize for not doing so but I imagine that information is  
34 available.

35  
36 Mr. Emslie: Well, this isn't based on a direct correlation to the number of complaints and we  
37 don't know that the sample was involved in a code complaint or not. This isn't a sample of  
38 people who have had direct involvement with Code Enforcement. That is what I understand  
39 your question to be. This is every year the City Auditor does a general survey. They have their  
40 own sample of citizens. They are not based on our particular users it is a broader cross-section.  
41 So I would imagine some of that has had experience in being involved with a complaint and  
42 some have not. But I can't tell you the number of those in that because it is a sample that the  
43 City Auditor devises independent of us.

44  
45 Vice-Chair Holman: I find that an interesting basis for taking that survey. The org chart for the  
46 proposed Planning and Transportation Official, there is one thing I want to not forget. Again,

1 without the Deputy Director having planning and transportation experience I am needing some  
2 guidance or instruction on how there wouldn't be a logjam created at that Planning and  
3 Transportation position. As I look at the proposed org chart the two people who are responsive  
4 to Planning Commission questions as they come up would be the Chief Planning and  
5 Transportation Official and the Director, the Deputy Director does not have that expertise. That  
6 would apply to the public too to somewhat of a lesser degree. So I am wondering how there is  
7 not going to be a logjam and how it could accomplish also the goal of freeing the Director's  
8 time. Let me clarify, a logjam of questions and issues going to that individual.  
9

10 Mr. Emslie: Not all your questions are technically based. In fact several of them that came up  
11 tonight would be the ability of the Director to be able to provide. Getting the reports to you that  
12 you asked for that doesn't require technical expertise and requires a familiarity with our  
13 organization and how that works and making sure that you get that. So we would be able to  
14 make the assignments based on...and we do this all the time with you. If you ask a question you  
15 don't know which staff person it is going to go to and who is going to be responsible for that  
16 follow up. It is our job to be able to assign that to the appropriate area. So I think we would be  
17 able to make the assignments whether it is the Deputy or the Chief Planning and Transportation  
18 Official or someone maybe even below that. It is our familiarity with the management of the  
19 organization that enables us to be able to put the right person on the right request. So that would  
20 still happen. So I don't think that that would reduce or increase the amount of time or create a  
21 logjam.  
22

23 Regardless I am still going to be very actively involved. The freeing up of the time doesn't  
24 remove my involvement from the issues. It enables me to be able to be ...there are lots of issues  
25 in Palo Alto, a lot more than I can feel comfortable being involved with to the extent that I need  
26 to be. So I have to make decisions as to what issues I am going to be involved with and which  
27 ones I just can't because there is not that amount of time. The freeing up of my time enables me  
28 to take on and be more actively involved with a broader set of issues. So I can be more actively  
29 involved in directing and providing feedback and support to Staff and answering their questions  
30 in that area. So I can report to you that it enables myself to be more of a team member by getting  
31 involved in a broader set of issues because I am not dealing with a lot of the day-to-day minutia,  
32 I don't want to use that word but in every organization there are issues that are immediate and  
33 need attention on a fairly responsive basis that don't always require a technical skill. It is more a  
34 matter of communication and putting people together. A lot of what I do is making sure the right  
35 people get matched up. It is an organization that is a little bit nameless and faceless to people  
36 and they are confused that they are interacting with us. First of all, I am very empathetic to that.  
37 I don't want people to be confused. I want them to be able to get to the right person so we spend  
38 a lot of time doing that. That doesn't require expertise. It requires understanding of the  
39 organization and how our organization works and where the particular resources are and  
40 matching them up to the needs. I would not agree that this going to create a logjam. I think it is  
41 a way of leveraging my ability to be as actively involved and I think, as you know, there is no  
42 job too small that I won't get involved with and work with all levels of staff. We are really very  
43 collaborative. I try to foster a very collaborative culture where I have an open door policy so  
44 people can come in and ask me questions. I reserve an hour at the end of my day every day so  
45 that anyone in the staff no matter what from all levels can come in and sit down and talk over

1 whatever problem that they have. This is still going to continue. So I really believe this a way to  
2 leverage our service to the community and not take away.

3  
4 Vice-Chair Holman: My last question and the broad-based question that I alluded to is it would  
5 seem to me that any reorganization in a planning and transportation department and building  
6 department to an extent too of course should be focused around the purpose of a planning and  
7 transportation department. The purpose as is stated in our Staff Report tonight is on page 3 of 9  
8 under the second full paragraph under Department Overview and What Works Well says the  
9 mission of the department is to provide the Council and community with creative guidance on  
10 and effective implementation of land use development, planning, transportation, housing and  
11 environmental policies, plans and programs which will maintain and enhance the city as a safe,  
12 vital and attractive community. These activities occur within an environment of competing  
13 needs and engaged involvement. Having read that and also having read on page 3 of 10 of the  
14 CMR that went to Council number two on that page it says as listing some of the problems or  
15 issues that are trying to be fixed it says, at both the Planning and Transportation Commission and  
16 City Council levels the Commission and Council often expect that staff analytic work answers  
17 any and all questions instead of acting on less than perfect information and thus moving projects  
18 along. My question is I find that the mission of the department as described in the Staff Report  
19 to the Commission and the statement that is made as an issue to be fixed in the CMR to the City  
20 Council from my perspective both miss the basic purpose of a planning department and that is  
21 that it would be grounded in implementation of city code, environmental review and the city's  
22 comprehensive plan. The reason that I am taking somewhat issue with these is because it seems  
23 quite subjective and open to judgment when we do have a set of guidelines that are spelled out.  
24 So can Staff respond to why the focus and the basic premise is not stated as clearly as what at  
25 least I perceive to be the role of a planning department based on AICP code and such?

26  
27 Mr. Emslie: You are sharing a personal different belief. I wouldn't try to dissuade you from that  
28 but we feel that what we put here reflects in a broader sense and does encompass the specific  
29 implementation of the Comp Plan and codes does fall within that broader definition. So we think  
30 that we often have the need to look outside sometimes of that particular area especially as we are  
31 required to look down the road and anticipate and make recommendations that may go beyond  
32 that. When we embark on the next item that we are going to talk about this evening we are going  
33 to about embarking on the Comp Plan. That requires use of a broader perspective because we  
34 are looking at updating and changing those policies. So I think that our language, and I am  
35 referring to the language in the Planning Commission Staff Report, provides a broader range that  
36 does encompass the issues that you mentioned.

37  
38 Chair Burt: If I might, just out of fairness state that I think that the Comp Plan implementation  
39 and the codes and probably they are inclusive of the environmental requirements is encompassed  
40 in the mission statement where it talks about implementation of the policy, plans and programs.  
41 I think that is the language that to me would capture your concern, Karen, but that is just a  
42 personal comment.

43  
44 I think we have two quick questions? No? Dan, you can ask it as a question or a comment after  
45 we come back, how's that for a deal? We are going to take a break for about eight or ten  
46 minutes.

1  
2 I think Dan had questions and/or a comment. If you would like to go forward.

3  
4 Commissioner Garber: Questions and I will reserve comments for when the questions close. In  
5 the 2004-2005 Service, Efforts and Accomplishments Report there is a report on the Advance  
6 Planning and Development Review. The benchmarking measures here are planning applications  
7 completed. Those planning applications completed do they represent work by both the  
8 Transportation and the land planning functions?

9  
10 Mr. Emslie: Yes.

11  
12 Commissioner Garber: In the Draft Capital Improvement Program for 2006-2011 there are  
13 several non-infrastructure management plan projects in there some of which have to do with  
14 transportation others have to do with planning. My question here is on volume. Does the traffic  
15 planning function have more or less work product that it needs to produce than the planning  
16 function?

17  
18 Mr. Emslie: In terms of Capital Improvements?

19  
20 Commissioner Garber: In terms of their products, the reports that they create regardless of what  
21 they may be. I am thinking real simple, real gross here.

22  
23 Mr. Emslie: No, I don't think there is a discernable difference.

24  
25 Commissioner Garber: Are there less people assigned to the traffic planning function than there  
26 are to the land planning function?

27  
28 Mr. Emslie: Yes.

29  
30 Commissioner Garber: That would suggest that there is more work on the planning side than on  
31 the traffic side not that it is less important but I am just asking.

32  
33 Mr. Emslie: I am trying to understand the question. On a per planner basis I think their outputs  
34 are fairly similar in terms of what product they are being asked to prepare. Because we have  
35 larger numbers of planning applications but transportation may also be involved with those.

36  
37 Commissioner Garber: Got it. Contributes as needed.

38  
39 Mr. Emslie: Correct.

40  
41 Commissioner Garber: But they are unequal.

42  
43 Mr. Emslie: Yes.

44  
45 Commissioner Garber: Finally in Attachment A, the organization chart, the organization chart  
46 represents essentially reporting relationships as opposed to functional ones in that the person

1 who ultimately fulfills the planning directorship or Chief Planning Official role and the person  
2 that fulfills the Chief Building Official role and the Chief Transportation Official role or however  
3 they are referred to report then to the Director if that is where the solid line goes. The people  
4 underneath report to there, etc. It is reporting relationships as opposed to describing the  
5 functional activity. The importance here is that any particular person in there depending on what  
6 they are involved with will end up taking on different functional roles within the organization  
7 regardless of what box they are in. That is a yes?

8  
9 Mr. Emslie: Maybe a qualified yes because....

10  
11 Commissioner Garber: Let me give you an example. If I am a traffic engineer but a planning  
12 application comes in which is really under the purview of the land planning group there is an  
13 expertise that is needed so they are brought in, i.e., outside the walls of their box to perform  
14 services for the planning group, yes?

15  
16 Mr. Emslie: Yes but there is also a grouping of area of specialty in this.

17  
18 Commissioner Garber: Certainly, that is unique to that discipline.

19  
20 Mr. Emslie: Correct.

21  
22 Commissioner Garber: Yes, understood.

23  
24 Mr. Emslie: That is based on perhaps the requirement for the amount of interaction that is  
25 necessary.

26  
27 Commissioner Garber: Which is precisely the point that I think I am trying to understand which  
28 is that collaboration occurs not driven by the reporting structure but driven by the project  
29 structure, etc.

30  
31 Mr. Emslie: I think a great deal of it is influenced by the reporting structure. I have seen that  
32 and seen negative examples of that in the way this organization is currently described.

33  
34 Commissioner Garber: Thank you very much. No more questions.

35  
36 Chair Burt: Phyllis would you like to start on comments?

37  
38 Commissioner Cassel: it doesn't have to be me to start now but it is just as we get towards the  
39 end I just can't keep going forever.

40  
41 Chair Burt: Now we do have an issue here and maybe I should turn to Steve for a moment. You  
42 are asking for comments so we may or may not be making a motion as a Commission. No  
43 motion.

44  
45 Mr. Larkin: I don't believe a motion would be required. So if you wanted to make a motion to  
46 pass on the comments to City Council that is okay but not necessary.

1  
2 Chair Burt: Okay. So only if the Commission had some consensus that they wanted to put into a  
3 motion would we use a motion otherwise it will be comments from the Commission. Phyllis you  
4 are welcome to start if you like. You are on the far left side.

5  
6 Commissioner Cassel: Well, I have I guess some concerns as we have been hearing down the  
7 line with this Deputy Director position and what that person will be doing. I recognize that  
8 someone is often needed and often helpful who is not in direct line technical work to get things  
9 done. I know we have experienced stuff that should have been done or could have been done for  
10 us ahead of time that hasn't been done simply because people got very busy and so they didn't  
11 check that everything was out properly or noticed properly and we have had meetings that have  
12 been delayed because of proper notification wasn't done and we couldn't hold the public hearing  
13 and things of this sort. I presume this person will be doing that kind of thing.

14  
15 On the other hand, I am concerned about the qualifications. I don't go out and act as a nurse  
16 without having an RN. On the other hand I have been able to get some positions without my  
17 Bachelor of Arts Degree in nursing but with a Bachelor of Science Degree actually it is an  
18 undergraduate degree in urban planning. But that related field has allowed me to take some  
19 Head Nurse positions and lower level supervisory positions. I could not work way up into a  
20 Deputy Director's position without going back and getting that Bachelor of Arts Degree. So I  
21 know that you can do related fields and do well and at the same time I am concerned about the  
22 job description not including things that need a great deal of detailed expertise. So I don't know  
23 right where the balance is I am not the person who writes up that job description. But that is a  
24 concern that I have.

25  
26 As a Commissioner I never experienced the disconnect between Transportation and Planning that  
27 apparently Steve or other people seem to have felt. I experienced good coordination, good  
28 cooperation and have had a very positive experience with that. I have experienced what was  
29 expressed as a concern in the report and that is a lack of coordination between Transportation,  
30 Public Works and I am not sure about the Infrastructure Development that Public Works has to  
31 schedule things. Things like stuff that we have talked about and recommended. The  
32 Transportation Commission or someone has to implement things as simple as yes, we are going  
33 to have sidewalks and only repair them that have relatively similar colors or textures from the  
34 new stuff to the old stuff and it just doesn't happen. So I know there is some disconnect there  
35 but I know that is also a difficult relationship but I don't see anything in here that tries to deal  
36 with that. I am not quite sure how the Deputy Director will actually do that. That may take  
37 some direction from an even higher level than this department to make that kind of thing work.

38  
39 We haven't talked about the Building Department because that is not really what we are doing  
40 but I think what appears to the public to be difficult in that department is very much a fact that so  
41 many different departments actually work in that Development Center. It is very, very hard for  
42 individuals to understand that. I needed a gas meter and you would think I would have it all  
43 figured out and I can't tell you how backwards we did it. The people at the planning center were  
44 very nice, they were very helpful, I have no way of knowing if I am going in and they don't  
45 know me or they are being nice because they know me. The Public Works Department and the  
46 Utilities are very different departments and if I hadn't worked here I don't think I would have

1 ever figured that out. So some of what is going on there is just plain confusion as to why you  
2 have to talk to all these different people. We set in place a process it was set in place for better  
3 coordination and I have no idea how effective that is but I am sure that for the public this still  
4 seems confusing after you have seen three people and you wonder why. Everyone is trying very  
5 hard to help I have not had any experiences when everyone is not trying very hard to help. It is  
6 just why did I end up talking to three different people?  
7

8 So I guess those are my basic areas. My experience is I don't care what you make the boxes  
9 look like, where the lines go or how they are either the team wants to work together and they are  
10 qualified and they are skilled and they trust each other and they work together or they don't. I  
11 have worked in a number of different organizations at a number of different places and I have  
12 seen lots of different boxes and I have sat down with people and tried to devise proper boxes and  
13 then re-devise them five years later and then re-devise them five years later. If people don't want  
14 to work together they aren't going to work together. If they are going to work together they are  
15 going to pitch in and work together. You just can't have too many people under one person and  
16 not too few.  
17

18 Chair Burt: Okay. Who would like to go next? Dan, go ahead.  
19

20 Commissioner Garber: How much time do we have? Item number one, Integrate land use and  
21 transportation planning. I support the integration of those two functions into one department and  
22 I do that for the following reasons. The emphasis on the org chart is in many ways I think the  
23 last thing that should be considered. The design of organizations needs to be considered in many  
24 different ways before you ever get to an org chart. I suspect I am speaking to the choir here and  
25 that you spent a lot of time going through those things looking at your volume, looking at your  
26 resources, looking at the need, looking at the processes, etc. So we are discussing, spending a lot  
27 of time on the effects of that as opposed to the causes. So in terms of volume it makes sense to  
28 me that they are one because in fact their volumes are unequal and that there is an efficiency to  
29 be realized as a result of that. There is an increased management functionality by having those  
30 two organizations together which will create a higher use of a matrixed organization. You have  
31 different people performing different roles. You have people that have to end up relating with  
32 different groups of people and organizationally if that is all happening in box that is a better  
33 thing. Stepping back the conceptual move that was made in I believe it was 1999 to pull, I think  
34 the most important thing there was that it pulled the process of transportation planning out of the  
35 bricks and mortar was as both the Director and others have mentioned this evening a very good  
36 thing and speaks to the value that this community places on that activity. I do not believe that  
37 combining those two functions will lessen its visibility or its impact that that planning function  
38 has on the community.  
39

40 Two, Make the Development Center experience more customer friendly and create a problem-  
41 solving orientation within the rules. If there is a Mark Twain expert in the room please raise  
42 your hand but I believe it was Mark Twain that talked about the difficulty of capturing bullfrogs.  
43 If you look at the bullfrog you will never be able to catch it. The way to do it is to focus on  
44 something else while approaching the bullfrog. That allows you to get close enough to get it.  
45 Customer satisfaction is that bullfrog. What is important is to focus on the process, the  
46 procedure, the purpose, and customer satisfaction will follow.

1  
2 Three, Provide general management support for the department, which will allow the Director to  
3 ensure policy follow up, help staff focus on technical work, and continue process improvements.  
4 The Director this evening has spoken about a variety of topics one of the most important has  
5 been the interest and responsibility the Director has to the public and that the Director has yet to  
6 have the opportunity to perform in a way he believes would be satisfactory to the public. One of  
7 the things that I was looking for when I first asked the questions about what the products were  
8 that the functions of the Planning Department produces I didn't hear in the initial list but heard  
9 again and again and again in the proceeding discussion is one of the most important products that  
10 it produces. I am using manufacturing jargon here, which is inappropriate, but hopefully you  
11 will take the analogy. That is meetings and interactions with the community. The Planning and  
12 Community Environment Department operates at a variety of different scales. It operates on the  
13 scale of the individual both the citizen, and I appreciate Commissioner Lippert's discernment of  
14 that as a critical understanding of who it is we are dealing with there, it operates at the level of  
15 the project which is the individual be it a citizen or a representative, a developer, a commercial  
16 entity, etc. but that operates entirely at the project level. The responses that need to be  
17 strengthened there obviously have to do with process, procedure, methodology, etc. because that  
18 organization is essentially responsive to the needs of its citizens, etc. that address it and come to  
19 it for permissions. At the level not of the project but of the program and the community is the  
20 auspice of the Planning Commission. There the organization that has been in place and the  
21 organization that has been proposed are missing a key function in these boxes I believe. That  
22 function is often answered in the corporate world by any number of different titles, any number  
23 of different groups that often go by the name of Government Liaison or Director of Public  
24 Information. That person operates as the assigned go between that organization and its  
25 community. The reason that that is usually made as a separate chair or office or title or role is to  
26 in fact give it visibility such that energy, time, etc. will be focused on it. The Staff Report talks  
27 about how the Deputy Director would take on some of those roles however in my mind the role  
28 that is being described there is way too limited. The role really needs to be more about some of  
29 the things that the Director this evening has spoken about which is the entity that is to be  
30 responsible for reaching out into the community on a proactive basis as opposed to on the project  
31 scale is a reactive process. The unit of measure at the program, at the City level is not the  
32 individual but it is the neighborhood. Recognizing what those neighborhoods are, interacting  
33 with them, keeping them up to speed, getting them involved with decisions before they reach the  
34 Commission is key and represents a very important part, strategy, potential efficiency to the way  
35 the Commission operates and does its business. That is a box that I see as missing in terms of  
36 what the organization as a whole does to represent the values of the community.

37  
38 Item number four, Enhance the Planning and Transportation Commission's role as a deliberative  
39 body for land use and transportation planning. On the whole I support that I don't have any  
40 specific comments to it.

41  
42 More things may enter my mind as we go but that is my basic comments at the moment.

43  
44 Chair Burt: Thank you. Annette.

45

1 Commissioner Bialson: Thank you. I also sort of am not sure I will get everything out at one  
2 time but please try to go through this with me. It seems to me that we start this evening and this  
3 deliberation with what the City Council directed Staff to do and that is stated on the first page of  
4 the Staff Report. That is to evaluate and where appropriate increase the span of control of  
5 managers throughout the organization with some awareness of the need to reduce costs I see that  
6 as what we should assist Staff in accomplishing. I recognize that countering that is sort of a  
7 tension of dislike of change. We know what the structure is at the present time. We sitting here  
8 and many developers and knowledgeable public members know how to work through the system  
9 as it presently exists so any time we talk about changing it we are uncomfortable. What we have  
10 got to start with is an acknowledgement and it sounds like Council has done that that what we  
11 have now is not working. It needs to be changed. It needs to be altered. I appreciate the  
12 Auditor's bringing that up to our attention. So we have to embark on a course of making some  
13 changes. I think Staff has started with a very good approach.

14  
15 I will short of shotgun some of my comments. I am very concerned about the lack of  
16 qualifications that the Deputy Director will seemingly need to have. I understand the need to  
17 reduce the pressure on Steve and others who are technically knowledgeable and their time their  
18 resources. But having a Deputy Director without the qualifications of having worked in a  
19 planning department for a number of years is a concern for me. I like the idea that that  
20 individual would be somewhat of an ombudsman but I still have a concern about that. So that is  
21 my first point.

22  
23 The second with regard to folding in Transportation into Planning I am in favor of that. Just as  
24 we became the Planning and Transportation Commission when we used to be the Planning  
25 Commission was a recognition of how appropriate it is to combine those functions. Doing so has  
26 been a long time coming.

27  
28 I am sympathetic to Commissioners and public concern about the public having less input into a  
29 lot of the processes. I think part of that was because it was not understood that we will fully vet  
30 that suggestion at future meetings but we have got to recognize that we do have a problem right  
31 now. The Palo Alto process as it is called is costing this City and its citizenry a great deal. I  
32 think that whatever we can do to make the public's input into the process of governance as  
33 effective as we can without allowing it to put the brakes on totally the function and efficient  
34 functioning of government is something we should work towards.

35  
36 Let me just flip through my notes just for a second so I don't have to but in somewhere else.  
37 One of the Commissioners mentioned a logjam possibly being created by the organizational  
38 chart with the Deputy Director being placed as they are. I for one think we have a logjam now. I  
39 think it is keeping our technically knowledgeable and sophisticated staff from operating and I  
40 would like to see us work towards getting it resolved. Again, having the Deputy Director  
41 knowledgeable and able to act as an interface with the public is what I am concerned about.  
42 Hopefully that way the crisis du jour will take less of Steve's and other Planning Department  
43 people's time.

44  
45 I also recognize that we on the Planning and Transportation Commission and perhaps the City  
46 Council as well need to recognize that sometimes we can't ask for perfect and complete

1 information before we make decisions. Human decisions usually don't come from complete  
2 information and even if they have it they tend not to consider it all. We just don't have the  
3 ability to do that at all times and meet the requirements that are imposed by the law or by  
4 economic necessity.

5  
6 I understand the need to respond to customers and the use of that term when it comes to issues  
7 regarding the Development Center. I think that that is something that we do need to work on.  
8 While the "developer" boogieman was sort of raised I know of a great number of people who  
9 have gone to the Development Center who are homeowners like myself or small retail business  
10 owners who find that their little venture in Palo Alto starts with a great deal of expense that they  
11 did not anticipate because of the regulations that we have that they are just at a loss as to how to  
12 respond to. So we do need to have the Development Center work with those people and do  
13 whatever we can to make them as knowledgeable as some of our more knowledgeable  
14 developers.

15  
16 At this time I can't think of anything else but if I do I will let you know.

17  
18 Mr. Larkin: If I can interrupt real quickly, and I apologize, I have been remiss. We should have  
19 addressed because it does not look like we will complete this item before ten o'clock we should  
20 have addressed whether we anticipate being able to complete the other two items. We do have a  
21 continuation date for item number two if the Commission would like to entertain continuing that  
22 so that the Staff who is here on that item can be excused.

23  
24 Chair Burt: What would be that date?

25  
26 Mr. Emslie: May 24 for the approval of the recommendation of the Comp Plan Work Plan.

27  
28 **2. Comprehensive Plan Work Plan** – Review of Work Plan and Timeline for a  
29 Comprehensive Plan amendment that would extend the horizon year of the  
30 Comprehensive Plan to no later than 2020; update the land use map, review, if  
31 appropriate, the Comprehensive Plan policies and program and update the environmental  
32 analysis.

33  
34 Chair Burt: So this was going to be prelim comments and that was scheduled for final and so  
35 what we would have to do is be prepared to go through it thoroughly but it is the only agenda  
36 item on May 24.

37  
38 Mr. Emslie: Correct.

39  
40 MOTION

41  
42 Commissioner Lippert: I move we continue that item to May 24.

43  
44 SECOND

45  
46 Commissioner Bialson: Second.

1  
2 MOTION PASSED (7-0-0-0)

3  
4 Chair Burt: Okay, then we will take a vote on that. All in favor? (ayes)

5  
6 Mr. Larkin: Then there is one other item and I don't believe that was anticipated to take a lot  
7 time but the Commission may want to consider it.

8  
9 Chair Burt: So that Comp Plan Implementation Status Report does that have a time line that is  
10 required?

11  
12 Mr. Larkin: That is actually required to be done so if we were to continue it would have to be  
13 continued probably to a special meeting. It wasn't anticipated that that would take a lot of time.

14  
15 Chair Burt: We will see how that goes. Okay, let's continue. Paula.

16  
17 Commissioner Sandas: Well, since our job tonight was to comment on the outcomes to be  
18 achieved I will go systematically down. Number one, Integrating the land use and transportation  
19 planning. Wait a minute. Let me just back up a minute. Before commenting on any of these  
20 items I would like say let's go for it. Why not try this? If it doesn't work we can come back and  
21 do this again. I think that the Director of Planning and what is your job title?

22  
23 Mr. Emslie: Director of Planning and Community Environment.

24  
25 Commissioner Sandas: Thank you. You have given a compelling presentation, compelling  
26 answers to the questions that we have had. In item number the most pressing question I had is  
27 what do other cities our size do? How is the transportation department separate or not separate  
28 from land use planning? Your response was most separate but some don't and it seems that it  
29 can work. So integrating those two departments doesn't seem to raise too many red flags  
30 anymore. I have to say my initial knee-jerk reaction when I saw the elimination of the  
31 Transportation Division was one of a high level of concern. Also, you state the restructuring will  
32 not change the focus or responsibility the transportation section has for all of the items that it is  
33 responsible for and that you will ensure that that doesn't happen. I appreciate that.

34  
35 Also on the question of what the Deputy Director will do I think I personally am willing to stick  
36 my neck out there and say let's try it. If the responsibilities of that job don't seem to be quite  
37 what is required we have the opportunity to make those changes if necessary. So let's try it and  
38 see how it works.

39  
40 Finally, in item three, provide general management support for the department that will allow the  
41 Director to ensure policy follow up etc., etc. The questions that my colleagues raised and I also  
42 raised in that area I thought were answered well and gave some closure to some issues that we  
43 might have had.

44  
45 Finally to comment on item four, Enhancing the PTC role as a deliberative body I am looking  
46 forward to discussing that at our May 17 Retreat. I would like to say that my one comment is I

1 am concerned about limiting the public's ability to provide input. I think that we can look for  
2 creative ways for that to happen so that our community doesn't feel shortchanged or sidestepped  
3 in any of the process.

4  
5 Also, one final thing is that I think my colleagues up here had lot and lots of really good  
6 suggestions and I am thinking particularly of some of the things that Chair Burt recommended in  
7 terms of outlining the problems that this reorganization of the department is solving. I think that  
8 when it goes to Council they will want to take a look at that and it will help them make their  
9 decision. That's it.

10  
11 Chair Burt: Thank you. Lee.

12  
13 Commissioner Lippert: I would like to state upfront that I think that generally the reorganization  
14 of the department that is being proposed here is a good thing too. That I support in general what  
15 is being proposed.

16  
17 I have a slightly different take on this and I think I am going to state the obvious which is that  
18 when you think about it planning and transportation are just simply opposite sides of the same  
19 coin. If you are not dealing with land use problems in the planning end of things then you have  
20 to deal with them on the transportation end of things. These two elements really need to work  
21 together in a seamless plan for our city. One thing that I don't think anybody has mentioned here  
22 is that aside from open space or possibly residential, streets are probably the highest land use we  
23 have in this city. So when you look at a piece of property and you see cars parked there and we  
24 talk about how many parking spaces what we are also talking about is how many cars are going  
25 to be on the road. So all in all I believe that the integration of transportation and planning  
26 together is paramount in terms of how we make this community better.

27  
28 One of the problems that I do have or one of the concerns that I do have is embodied in a  
29 question that I had asked earlier with regard to the use of 'customer.' I think that when we use  
30 that word 'customer' what it does is it marginalizes and discounts the citizens of Palo Alto. Just  
31 think for a moment the terms customer service, customer satisfaction, consumer demand it puts  
32 us as well as applicants in a boat where we have to sort of pay for the City, our government, to  
33 be able to respond. So I think that it is real important that we bring it back to the realm of that  
34 these are public servants that are working for us and with that comes the things that citizens  
35 would expect from their government and not have to pay for those services whether you are an  
36 applicant, well you have to pay for an application, but what I am saying is it should be  
37 approachable by everyone.

38  
39 Then the last thing I have a concern with is the position of the Deputy Director. I like the  
40 concept of having a Deputy Director I think it is a really great idea to have somebody in  
41 management able to help assure that the workflow proceeds. I do have a concern with this  
42 person not having a technical background. Now, I think that that's probably a good thing but  
43 that person should not be a person that is making necessarily judgments. I would really hate to  
44 see the Deputy Director being in the position of being a surrogate to the Director's authority  
45 ultimately. So I really think that that could help speed things along in terms of having a Deputy  
46 Director. I think on the management end of things it is very important. I don't see a reason why

1 if the management is being handled by the Deputy Director that the Director himself can't be  
2 much more accessible in terms of public meetings and to the public in generally. Really that is  
3 where the final authority and the accountability of the department rests.

4  
5 Chair Burt: Thank you. Karen.

6  
7 Vice-Chair Holman: Thank you. On the issue of integrating land use and transportation  
8 planning I continue to have some concerns and trepidation about that and it isn't just about being  
9 afraid of change. It is a matter of this is also a part of other changes that are being proposed. If  
10 the Council decides to merge the two positions I would respectfully suggest that it be on an  
11 interim basis to be reviewed in say six months. The reason I use the word 'interim' there is  
12 because once staffing is in place it is very, very difficult to change those roles. So I would  
13 suggest that as an approach if the Council decides to go there. I do have the concern I have with  
14 the logjam that I mentioned previously.

15  
16 Going to item number two about making the Development Center experience more customer  
17 friendly. Let me go back to item number one for just a moment. I think it is highly, highly  
18 unlikely that there is such a person that has equal knowledge in both land use planning and  
19 transportation. When there is a manager over people who have expertise in either one of those  
20 disciplines I think it is very, very important for the manager to have understanding of those  
21 disciplines in order to be able to manage the staff. So I do have concern about that because I just  
22 don't know that such an individual exists.

23  
24 Number two, about making the Development Center experience more customer friendly and  
25 create a problem-solving orientation within the rules. I for quite some time had difficulty with  
26 the term 'customer service' as Commissioner Lippert has also suggested and I believe  
27 Commissioner Garber too. From my perspective it creates a tension and I am not just speaking  
28 of my personal experience, as I would look at it but personal experience in watching some  
29 projects that have come through the Commission. I believe it creates a tension that is not really  
30 appropriate for public sector review. So I would very strongly recommend the elimination of the  
31 term customer service. I would also refer to page 3 of 10 of the CMR that went to Council. On  
32 that page letter F says, "There is poor definition of who is customer, applicant, neighbors,  
33 Council and/or community at large." So without ever defining who the customer is we are still  
34 trying to satisfy the customer and serve that customer. I just don't know how that is possible. So  
35 I would strongly suggest and recommend getting rid of the terminology customer service for  
36 public sector work.

37  
38 The Deputy Director job description I think that the job description does not include land use and  
39 transportation experience is a critical flaw. I want to say here too I do applaud the efforts that are  
40 being put forth here. I think that there are problems that do need to be resolved and I appreciate  
41 the efforts. Where I differ is the approach in trying to solve them. I applaud absolutely the  
42 efforts. The reasons as I sort of pretty much laid out in my questioning is a Deputy Director  
43 must have in my opinion experience in land use and transportation to be able to conduct effective  
44 public meetings and to represent the Planning Department and then bring that information in a  
45 clear fashion back to not only the Planning Department but then as it filters down to us. I believe  
46 that person also needs to have that experience because you have to understand the disciplines in

1 order to be able to come up with truly efficient and effective process efficiencies. If there is,  
2 Commissioner Lippert I believe brought up the issue of the Deputy Director representing Staff at  
3 Planning Commission meetings. It fairly frequent and I don't want to put a percentage on this by  
4 any means that there will be Staff here and Staff managers here at Commission meetings and the  
5 Director. If the Director can't be here and the Deputy Director is here but doesn't have the  
6 ability to answer the questions I am not sure that that's an efficiency or a good use of that  
7 salaried position. I also find that the Deputy Director is a very high level position to be used as  
8 an ombudsman. That is a little baffling to me. As a Commissioner and there is the argument for  
9 why there isn't need for this expertise in the Deputy Director but as a Commissioner for five and  
10 a half years and working on SOFA I Working Group, working on SOFA II Working Group I  
11 guess understanding planning and transportation isn't easily come by. So I am not sure that is  
12 something that can be absorbed by this individual who is coming to implement process  
13 efficiencies. As a Commissioner I believe we have some very good Staff and some very  
14 dedicated Staff. I think we have hardworking Staff. I believe those very strongly to be true. At  
15 the same time as a Commissioner I have had over time ongoing issues and concerns about the  
16 Staff Reports that sometimes come to us. This is not a 100 percent rule here but at times there  
17 have been very critical projects that have come to us that have really been lacking in what I  
18 would suppose, and this is a supposition, in needing more supervision by people who are more  
19 senior and having that expertise available to these folks because there is while the CMR that  
20 went to Council talks about needing to work with less than perfect information I have at times  
21 found very, very critical information in order to make an informed decisions lacking in those  
22 Staff Reports. So I would find a way or I would see as a way to lead to process efficiencies that  
23 that expertise be provided to those staffers and to see that those Staff Reports come to us  
24 adequately informing us. That would eliminate some of the projects that get bounced back to  
25 Staff and then cause delays. I think that would be a great improvement. I think for that to  
26 happen there needs to be more not less expertise in the Planning Department to provide that  
27 supervision.

28  
29 As I mentioned earlier I think the general framework for any reorganization that takes place that  
30 there really must be a basis more clearly defined than as I see it here that the purpose of the  
31 Planning and Transportation Department is to work within our existing Comprehensive Plan,  
32 zoning code and environmental rules. Yes indeed we do change those over time but then we  
33 change the rules we aren't interpreting and judging what is best for the community outside of  
34 those rules. So I would like to see a consistency of that.

35  
36 There are other ways that we can go that aren't mentioned here specifically in terms of  
37 efficiencies and I will just mention a couple. Being proactive rather than reactive to changes in  
38 the environment. I do agree better coordination between departments including Public Works,  
39 Utilities and Planning. Having preliminary review, which we have only just recently started  
40 implementing that in a more proactive way.

41  
42 In the organization chart just a couple of comments. I don't see how this really frees the  
43 Director's time and responsibility the way it is currently drawn out. Just a couple of other quick  
44 comments are I concur with the comments previously stated by other Commissioners about Code  
45 Enforcement and it is an odd location for them to be under Administrative. I think it might help  
46 inform not only Commission and Council but also the public if there was a bit more description

1 and I know it will take a little bit of room but for the various planners. For instance, the Arborist  
2 is a Planner. We have a Housing Planner. We have a Preservation Planner. I think if those were  
3 defined it might help us to understand the goals. Then I guess just about lastly the P&TC roles.  
4 I do have concerns about a number of these I am hoping that they won't go to Council in the  
5 form that they might take these as a premise for an approval of a reorganization. I don't think  
6 that will happen but I want to be sure that it doesn't happen in that fashion. I think that is the end  
7 of my comments. Thank you for your forbearance.

8  
9 Chair Burt: After hearing from some of the Commissioners I realize one of the things that  
10 maybe we should have discussed in a little more detail early on is the context for why this came  
11 before the Planning and Transportation Commission. While Commissioner Bialson correctly  
12 stated that the Council had previously given Staff a directive to increase the span of control of  
13 managers throughout the organization that was something that was a directive to the entire scope  
14 of City Staff structure and it wasn't specific to this reorganization and this reorganization was in  
15 that broader context. The Staff took to the Council the proposal that we saw in the March 13  
16 Staff Report to Council and the Staff proposed that the Council adopt it. The Council declined to  
17 adopt it at that time and specifically directed it to us out of concerns for a whole bunch of the  
18 things that we have been talking about tonight. They wanted it vetted by us and basically as I  
19 would try to summarize what our responsibility here tonight is to look at the reorganization as it  
20 pertains to all the aspects that might impact the role and the responsibilities of the Planning  
21 Commission, the City Council and the public and all ways the reorganization affects those  
22 things. That is what we are supposed to be looking at tonight. So I just wanted to make sure that  
23 context was understood because if Commissioners didn't watch the Council meeting they didn't  
24 necessarily get the sense of that from the Staff Report I realize.

25  
26 Another issue is this aspect of the new job of the dedicated Deputy Director. One of the  
27 problems I have with the Staff Report and maybe it would be appropriate to include this when it  
28 goes to Council is that there really isn't a job description in there. It is kind of buried in different  
29 areas under the outcomes. But the outcomes are for all of the department reorganization and we  
30 have this new job that is kind of at the center of a lot of our discussion and there is really not  
31 either a job description or a set of qualifications. As a lot of the comments from the public and  
32 Commission have talked about the struggle we are having is the set of qualifications is part of  
33 this issue. Can someone who doesn't have a professional background in the field, and there are  
34 no qualification requirements stating that they need to, perform the roles that are needed? What  
35 is often the case in filling job positions is you have a set ideal qualifications and you have  
36 candidates and there is no perfect candidate. So then you are left with what is the best  
37 capabilities and the best balance of those qualifications that would be in your ideal candidate and  
38 who might meet that best and that is going to be up to the Staff to determine that. I would say  
39 that if the Staff were to select a candidate who had what they perceived to be strong  
40 qualifications in certain areas but a lack of professional background in the field then it should be  
41 a part of a professional development program that that candidate be required to strengthen those  
42 weak areas to a degree. Someone who doesn't come from this field is not going to become a  
43 professional planner through supplemental professional development and on the job training but  
44 they can increase their capabilities in that area. I would hope that that would be laid out as part  
45 of a job description. I have gone through this professionally that you state that the person must  
46 either have these qualifications or must obtain a certain level of qualification in a specified time

1 period to have a permanent position. That might be an appropriate approach given these  
2 circumstances if the Staff and the Council were to go forward with the reorganization as  
3 envisioned.

4  
5 I would also agree with Commissioner Lippert's statement that I would be additionally  
6 apprehensive if the Deputy Director were really given surrogate authority for the Director. I  
7 think having someone if it were someone without professional background in the field I would  
8 say that would compound the problematic nature of filling that position that way.

9  
10 As far as the four bullet points that Staff outlined which I don't necessarily agree are all the  
11 aspects of what we are supposed to review but they are certainly important. I think  
12 Commissioner Garber's point that transportation staffing and transportation responsibilities are  
13 less in volume than the planning and land use. Based on the staffing level it is about 80 percent  
14 of the staff members in that combined department would be planning and land use and 20  
15 percent would be transportation. So from an organizational standpoint I think it is a reasonable  
16 argument that filling that position with someone who is predominantly in the planning side  
17 provided that they have enough background to competently manage technical experts in the  
18 transportation side I think that is reasonable. It is as Commissioner Sandas said this is something  
19 that we are going to be trying. It is a change from what we have had and we will find out if this  
20 goes forward whether it was successful.

21  
22 I think I am less apprehensive about it because we are going to have a transportation manager  
23 and I think we have a candidate who has some very strong qualifications in that area. Then it  
24 will be important that as many of you may know that we have people who are transportation  
25 professionals and then we have traffic engineers in that department. So we will have to make  
26 sure and I am counting on the Director to assure that that staff will be properly balanced so that  
27 we have the professional expertise that is providing the support to the rest of the staff. I think  
28 this has the potential to move us forward in the direction that we have wanted of integrating land  
29 use and transportation just as when the Planning Commission added that responsibility. I have a  
30 number of times since then said it doesn't feel like we are really looking at these issues in an  
31 integrated fashion. Rather than being the Planning and Transportation Commission on alternate  
32 meetings we are the Planning Commission and the Transportation Commission. Same people  
33 but not an integrated function. So I am hoping that that will actually result in a positive outcome  
34 and we will see what happens.

35  
36 The other item on the Development Center we have all talked about really something along the  
37 lines of better service is what we are looking for and I think it is important though that this as the  
38 Staff Report talked about the Deputy Director having this responsibility for improvements in that  
39 center and I think that the Chief Planning and Transportation Official may also have valuable  
40 insights along with the Director himself on this. It is my understanding that it is the intention  
41 that the improvements that would be attempted in that area would be a collaborative effort of that  
42 senior management. If that is the case then once again I hope that that gets reflected in the final  
43 report to Council if that does reflect the intention of the Director.

44  
45 The last two bullets I actually see as being intertwined. They basically have to do with freeing  
46 the time of the Director to do what he is best at. I had a little bit of trepidation about the fourth

1 bullet as to whether it was somewhat of a red herring because that may be one of the outcomes of  
2 liberating the time of the Director especially if he doesn't get bogged down in managing admin  
3 and code enforcers but it is just one of the major outcomes. I am okay with including it as a  
4 separate bullet but I want to make sure that that's not being used a way to justify the overall  
5 reorganization. I think that the Director having the senior management support that will allow  
6 him to concentrate on those areas that really require the Director's expertise and focus if that is  
7 executed well then that can have a positive outcome. Separately we will look at these issues on  
8 the Planning and Transportation Commission role. The only correlation that I see between this  
9 reorganization and that is that the Director may have more time to pay attention to that but that is  
10 a separate issue from the reorg. So I think that summarizes my comments.

11  
12 Dan.

13  
14 Commissioner Garber: I wanted to talk a little bit about the organization itself that is being  
15 proposed. Actually before I do I want to suggest another name change. It has nothing to do with  
16 Mark Twain. It is that what we think of as 'planning' being called land or land use or something  
17 so that there is an equivalency between the titles. Only a suggestion.

18  
19 Having designed several organizations I think what I am hearing pretty clearly is the classic  
20 tension between operations and direction of organizations here and the struggle that this  
21 proposals illuminates between how to resolve that tension. Talent always trumps organization.  
22 Organizations will either change to accommodate it or organization structure will be ignored to  
23 allow it. The only other outcome is for that talent to leave the organization. I think that that  
24 cardinal rule probably has a lot do with the existing structure that is in place now.

25  
26 The other thing that is important and buried in that axiom is that one needs to trust and support  
27 the person that is running that organization because they need to have the ability to shape it as  
28 they want to run it for it to be efficient. Which isn't to say that the organization doesn't have to  
29 answer other issues such as the professional obligations that it has to deliver such as the  
30 processes that are germane to its expertise.

31  
32 Right at the moment what I am hearing as I read the report as well as I have listened to the  
33 discussion is I find somewhat confusing in that there is a desire for the Deputy Director role to  
34 take on the operational tasks of the organization. However, that role is also described to take on  
35 some of the public relationship responsibilities of that organization. So that role is being split  
36 between those two. There are basically many models out there for organizations and how  
37 organizations resolve these issues between operations and direction. You can boil it down to  
38 perhaps two, which illustrate each end of the scale. There is the classic Director, which is paired  
39 with an operations officer, and the functions of direction are clearly separated from that of  
40 operations. The direction has a lot to do with outside relationships, has a lot to do with setting  
41 policy, has a lot to do with forward-looking outlook, etc. Operations has nothing to do with that  
42 and have everything to do with following the policies that are in place making sure that adequate  
43 resources and responsibilities are in place for staff to do the work that they have been asked to  
44 do.

1 The other model is one where the top most person takes on both of those responsibilities and  
2 allocates one or the other of those responsibilities, direction or the operations, either back down  
3 to each of the departments or as a separate department underneath them. In the case of many  
4 corporations, which say I am going to have a department which has to do with governmental  
5 liaisons versus the model that you will see in most collegiate environments where a Dean not  
6 only provides direction but also teaches classes.  
7

8 So my analysis here in just looking at the little bit of information I have and people are paid very  
9 good money to spend a lot longer than the couple of days that we have had to deal with these  
10 things is that there is still confusion around these issues. And that clarity more towards one end  
11 of the spectrum or the other may be helpful.  
12

13 Chair Burt: I would just like to say that I find Commissioner Garber's comments to be insightful  
14 and as we have struggled with is this organized and defined in a way that will be successful my  
15 overall feeling is that I don't know that that's the case. I think that Staff has made a strong  
16 enough argument along with what I think has been valuable input from the Commission tonight  
17 that I am personally will to say as long as the issues that we have raised about the necessity of  
18 supporting the Council, the community and the Commission, as long as those issues are  
19 addressed in the ways that we have raised then it then becomes in my mind in the end a Staff  
20 decision and they are going to need to live or die by their decisions on how well that works out.  
21 Any other Commissioners have final comments? Karen.  
22

23 Vice-Chair Holman: I will just make one final comment which I guess is a pitch for what I  
24 stated as what I thought the basis for any reorganization and change should be and that is  
25 implementation of our code. I think we have heard said and we have all probably stated  
26 ourselves is that what everyone wants is predictability. If it is an applicant, a Commissioner, a  
27 Council Member we all want predictability. I think any first step in efficiency needs to be based  
28 in consistent interpretation and implementation of our existing rules or if we need to change the  
29 rules that those new rules be well founded as I am sure they would be and also interpreted  
30 consistently. So I think again while I applaud the initiative I think those are basic pieces that are  
31 missing as a part of the first steps to lead to efficiency and process improvement and satisfaction  
32 of the community. That being said I will stop.  
33

34 Chair Burt: Dan.  
35

36 Commissioner Garber: I am sorry. I think Commissioner Holman's comments are interesting. I  
37 just want to talk about them for a moment and then I promise I will have nothing more to say on  
38 the topic. That is predictability I think has been a goal. Predictability can be achieved in a  
39 variety of ways. It can be legislated through policy, through procedure. It requires certain  
40 compromises to be made to accomplish that many of which I think are demonstrably in this  
41 community not what this community wants. As much as the community may request efficiency  
42 the process is messy and even though there are outcries for it there is limited tolerance for  
43 restrictions. Not that there shouldn't be. The other way to deal with this issue is to create the  
44 opportunities, the forums for the outcomes to be managed so that the outcomes may not  
45 necessarily be known until those forums are attended. That gets back to my suggestion earlier  
46 that the one thing that we are not seeing represented in the Planning Department at the moment

1 that exists in the community is this entity within the organization that represents the community.  
2 If you can create that staff and give it visibility you will begin to create that forum that will allow  
3 more predictability to occur.

4  
5 Chair Burt: Okay. Thank you Commissioners for your comments. We will be forwarding them  
6 all to City Council for their perusal.

7  
8 We have moved item number two, the Comprehensive Plan Work Plan to May 24 and we have  
9 one item remaining, which is the Comprehensive Plan Implementation Status Report. The  
10 Commission is being asked to accept the Status Report and forward it to Council. Julie, is this  
11 what you and Roland have been waiting here all night for?

12  
13 Ms. Julie Caporgno, Advance Planning Manager: Actually it was for both items but this one  
14 Roland is going to give a very, very brief Staff Report.

15  
16 Chair Burt: Well go right ahead.

17  
18 ***Other Items:***

- 19  
20 **3. Comprehensive Plan Implementation Status Report:** Accept the Comprehensive  
21 Plan Implementation Status Report and forward to Council.

22  
23 Mr. Roland Rivera, Planner: Good evening Commissioners. Thank you. We distributed the  
24 Planning Commission Status Report on the Comprehensive Plan's Implementation for 2006.  
25 The Status Report is distributed prior to the completion of the budget process to enable the report  
26 to be utilized in evaluating budget allocations. This report has to be submitted to the Finance  
27 Committee in early May and this is the only opportunity for the Commission to discuss it.

28  
29 We recommend that the Planning Commission accept the Comprehensive Plan Implementation  
30 Status Report and forward it to the City Council. Thank you.

31  
32 Chair Burt: Thank you. If any members of the public are going to wish to speak on this topic  
33 they need to submit a card. Commissioners, do you have comments on the Staff Report?

34  
35 For those who are new we historically have had moderate discussion on it but there hasn't been  
36 cause for extensive. One of the things that has occurred to me because of the late hour is if  
37 Commissioners needed more time to discuss it we have a problem in that it needs to be  
38 forwarded to Council. We could bifurcate this and move to forward it to Council and still  
39 conceivably have an internal discussion on it that would maybe be supplemental. They have a  
40 timeline that has to go forward and I am just trying to present alternatives depending on whether  
41 there is any significant discussion that Commissioners want to have. Who wants to go first?  
42 Annette.

43  
44 Commissioner Bialson: Thank you. I have reviewed the report and as in previous years have  
45 found it to be quite sufficient. I am happy to endorse it.

1 Chair Burt: Phyllis.

2  
3 Commissioner Cassel: I don't mind endorsing it but I had three or four pages worth of questions  
4 on this, which we won't ask tonight. What I did was take the report and compare it item by item  
5 with what happened last year in order to see in general what I felt had happened. If I ask all  
6 these questions we will be here all night and we don't want to do that. What I did do was try to  
7 look at some overall views. There are a couple of items here that – one of the things we have to  
8 do is look and see if in fact we are still compliant with this Comprehensive Plan. There are two  
9 things that I found that we need to watch for and I don't know whether we need to look for  
10 amendments or not because other items fall into this category. We have for some reason decided  
11 not to do this item and of course then it means it is not compliant. There are a couple of things  
12 that have happened, we turned down a Historic Ordinance, we turned down the changes to what  
13 the Planning Commission could do and that just became null and void. It was just decided.

14  
15 There was in the change to N-55, Maintain and expand the use of the recycling center at City's  
16 refuse disposal area. We are talking now about going to zero waste and not using that. That is in  
17 conflict with the Baylands and we may need to think in terms of a Comp Plan Amendment if  
18 they change and decide not to use that refuse area because that will be in conflict with this.

19  
20 There was another one we did this past year, we worked on the GM District and the LM Districts  
21 and one of the goals that we had here, and I can give it to Staff later, was that we would allow a  
22 conditional use permit for shelters in the GM District. The City Council banned the use of  
23 housing in the GM District so we won't be able to do that and I think that is a conflict.

24  
25 Basically, when I looked through it there are a lot of items that are exactly the same as last year.  
26 Either it will say it is ongoing and then it is ongoing in the status or it will say it is ongoing and  
27 there is some kind of description and when I read the description there is absolutely no change  
28 from last year which would indicate that nothing had happened in those areas for the year. Now  
29 I don't believe that's true in most of these. It is in some because in some of them that is  
30 applicable and that is appropriate. I think that probably in the rush of things because we are  
31 always doing everything else whoever was responsible for looking at that little section didn't  
32 bother to add anything in when something in fact had happened. A lot has happened over the  
33 past year despite all of these things.

34  
35 The most glaring thing that didn't happen was adequately moving forward the Zoning Ordinance  
36 Update. There is no reason for sitting here doing nose counting we didn't do this and you didn't  
37 do that and this didn't do that. The fact of the matter is we haven't moved it forward. We  
38 moved a couple of pieces forward but there is something like 55 items there that are behind  
39 datelines. The only thing that happened was it was changed from this will happen in 2006-07  
40 instead of saying it would happen in 2005. A couple of them are transportation items, a couple  
41 are Public Works items but most of those items are Zoning Ordinance Update items. So that  
42 means that for all of us who have worked really hard, and I know the Staff has worked hard, we  
43 worked hard, Council, we have had input and everyone has had the very best intention to get this  
44 thing moving forward but the reality is it hasn't and that's I think what this shows.

1 Chair Burt: Thank you, Phyllis. Your comments prompted me to want to ask Staff whether we  
2 might have another alternative which is can the Commission supplement our approval of the plan  
3 tonight with written comments from Commissioners that Staff can then review and determine  
4 whether they would be appropriate to incorporate prior to sending this to Council?  
5

6 Ms. Caporgno: I think what I am hearing Commissioner Cassel say is that some of the items that  
7 you think are in the Implementation Plan may need to be amended. One of the things when we  
8 bring the work plan to the Commission for the Comp Plan Amendment you may want to use this  
9 document to provide some input as to some of the things you feel need to be addressed during  
10 that process. That is what I am kind of hearing from you because I think these are pretty much  
11 information. We have gotten it from the departments and we are probably not going to get  
12 anything different from the departments to send to Council.  
13

14 Commissioner Cassel: I am not suggesting that you don't send this to Council. I am not  
15 suggesting that it is inaccurate. What I am suggesting is it should be a document that we use to  
16 look at ourselves as to where we are at. It is an analysis tool for us and I am more commenting  
17 on it from that perspective rather than the fact that you haven't done an adequate job in what you  
18 are doing. I know this is very hard. It allows you to do an analysis and sit back. We are all  
19 busy. We are all doing this. We hate to go back over something like this but it is really  
20 important.  
21

22 Chair Burt: I think that we have a responsibility to review this and Phyllis has done a thorough  
23 job and has raised a couple of items that aren't all of the ones that I am sure she has identified  
24 but they resonate for me. If there are Council policies for instance that are contradictory to the  
25 Comp Plan Implementation Plan, policies that they have adopted such as prohibiting housing in  
26 the GM zone and I watched that Council meeting when that was discussed there I don't believe  
27 was any discussion by Staff or by the Council that indicated a recognition that it was going to  
28 mean that a Comp Plan policy on prospectively sighting shelters in the GM zone would be  
29 contradicted. So if there are certain things like that that can't be achieved as a result of policy or  
30 the other example is if the plan is indicating that nothing has been done when in fact something  
31 has been done I would hope that those updates would be made to the plan subsequent to the  
32 Commission hearing and just have it be more accurate and complete.  
33

34 Mr. Larkin: There are two items that you raised and one is part of the agenda tonight and one  
35 isn't. The one that isn't is some of the questions about are these things consistent with our  
36 Comprehensive Plan because that is a subject of what was continued to May 24, 2006. This is  
37 strictly meant to be a factual document. This is what we have done and to that end the other  
38 thing you said was are there things that we have done that aren't reflected in this document?  
39 That is an appropriate subject of the review tonight.  
40

41 Chair Burt: Let me just try to clarify, Don. When we are talking about an implementation status  
42 that would include things we have done and things we haven't done. If we can't do things  
43 because they are now contradicted and not allowed by Council policy then the status should  
44 reflect that nothing can be done here because Council policy now says this is prohibited.  
45

1 Mr. Larkin: That is true. That is a nuance to what you said and so I accept that nuance. But the  
2 way it was originally phrased it was a little bit beyond the scope.

3  
4 Commissioner Cassel: Pat, may I make another comment?

5  
6 Chair Burt: Sure.

7  
8 Commissioner Cassel: I only found two of those in all of this document. So it is not very much.

9  
10 Chair Burt: Whatever ones there are I think it is appropriate to include and there may be others  
11 that other Commissioners have identified as well as you point on if it is indicating that nothing  
12 has been done in an area and we are pretty sure something has been done certainly I would think  
13 Staff would want to include that. Get credit for what you have done.

14  
15 Ms. Caporgno: If there is anything that is incorrect I am perfectly willing to incorporate that  
16 information. What I had heard you say was there were certain things that you felt for instance  
17 with the Zoning Ordinance Update in looking at this or in certain policies that we now know we  
18 are not going to go forward with and we want to modify them. What I was saying is we will  
19 have that opportunity for discussion when we talk about the Work Plan and we can use this  
20 document. I was hoping that this document could be used in conjunction with that. If there is  
21 information in here that you know that should be corrected you can give that to us and we still  
22 can make modifications before. If you email it to me we can make those changes before we send  
23 this to Council. We don't have to send it out for another week or so. We just don't have an  
24 opportunity to talk to the full Commission regarding the document before it goes to Council.

25  
26 Chair Burt: I just want to be clear. I did not state and did not intend that this document would be  
27 a tool for advocating change to the Comprehensive Plan. What I think is correct is that under  
28 'status' it be a tool for identifying where the status is basically 'no progress can be achieved' for  
29 instance because the Comp Plan now is in contradiction to Council policy. So that is a complete  
30 and accurate description of the status. That is the point I wanted to make.

31  
32 Annette.

33  
34 Commissioner Bialson: Two points. I see this document as being Staff's interpretation of where  
35 we stand and having that move forward, corrected in factual sense by whatever we happen to  
36 know should perhaps be included in here. With regard to your comment Pat, I am a little  
37 concerned that we have Staff interpreting. If they have made the decision not to move forward  
38 on something because they interpret the Council's direction to be otherwise then I agree that  
39 should be stated but if there is an interpretation you have that has not affected how you have  
40 operated towards a program I am a little concerned about having that in there.

41  
42 Chair Burt: I don't think I asked for a subjective interpretation. The example that Phyllis gave is  
43 completely objective. It is not an interpretation. Lee.

44  
45 Commissioner Lippert: My understanding though is that where the City Council voted to change  
46 the GM zones specifically to prohibit housing in there doesn't negate somebody from proposing

1 housing in it right now. Our Comp Plan says that as long as we don't meet our housing goals  
2 there are no development regulations. They could push that through. Am I correct on that?

3  
4 Mr. Larkin: Not with regard to the GM. That would apply to the two sites in the GM that are  
5 listed on our Housing Sites Inventory.

6  
7 Commissioner Lippert: Correct.

8  
9 Mr. Larkin: The rest of the GM is off-limits to housing.

10  
11 Commissioner Lippert: Thank you.

12  
13 Mr. Larkin: With regard to some of the areas with the conditional use permits you are correct.

14  
15 Chair Burt: Phyllis's reference and mine were to GM not LM or what we have renamed LM. I  
16 think you are confusing that. Anybody else have comments?

17  
18 I would just like to commend one direction that is occurring and that is public/private  
19 partnerships. I think we discussed this extensively in our CIP meeting and for achieving some of  
20 the major capital improvements this is potentially one of the few ways that we are ever going to  
21 fulfill some of the Comp Plan aspirations.

22  
23 I think that some of what we discussed tonight and the progress the streamlining process we have  
24 made a lot of headway and the things that Staff has placed as goals can really go quite a bit  
25 further in that direction in the next year or two and I hope we fulfill that.

26  
27 One other thing on the recycling center, just as an aside and this is not to include in the report,  
28 Phyllis is correct that that's another circumstance where objectively we do have a contradiction  
29 between the Comp Plan and Council policy. It should be stated under that recycling center  
30 section that current Council policy doesn't allow us to do what is stated in the Comp Plan. I  
31 would suggest that we might want to begin to look at the lease on the PASCO yard and whether  
32 that is an alternative site to achieve the recycling center since I think the issue of the recycling  
33 center got bottled up with the waste transfer station that dwarfed the recycling center and we had  
34 a very convoluted issue that never made it to the Planning Commission. So I just wanted to use  
35 this opportunity to raise consciousness about that alternative site and I would be interested in  
36 whether that is a long-term option.

37  
38 Any other comments from anybody? All right. We need a motion to approve the Comp Plan  
39 Implementation Status Report. Annette.

40  
41 MOTION

42  
43 Commissioner Bialson: So moved.

44  
45 SECOND

1 Vice-Chair Holman: Second.

2

3 MOTION PASSED (7-0-0-0)

4

5 Chair Burt: A motion by Commissioner Bialson and seconded by Commissioner Holman. All in  
6 favor? (ayes) That is unanimous. And that ends those items.

7

8 We have two sets of minutes to approve.

9

10 ***APPROVAL OF MINUTES:*** Regular Meeting of March 8 and Special Meeting of March 15,  
11 2006.

12

13 MOTION

14

15 Commissioner Garber: I move that they be accepted.

16

17 Chair Burt: Great, first we will take a motion to approve and a second by?

18

19 SECOND

20

21 Commissioner Sandas: Second.

22

23 MOTION PASSED (7-0-0-0, Commissioner Bialson abstaining from voting on the March 15<sup>th</sup>  
24 minutes)

25

26 Chair Burt: Commissioner Sandas. I take it on the March 15 Commissioner Bialson will be  
27 abstaining. All those in favor? (ayes) Opposed? Those are unanimous.

28

29 ***REPORTS FROM OFFICIALS/COMMITTEES.***

30

31 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***

32

33 Chair Burt: Then we have a couple of wrap up things. Just a quick comment. We brought up  
34 the Zucker Report and some of the other things but there are a lot of different reports that are  
35 really important that don't necessarily get disseminated to new Commissioners. We maybe need  
36 to look at a list of those.

37

38 Mr. Emslie: We will take a look at our library and prepare a list and if you think there are things  
39 that are not on there we will track it down.

40

41 Chair Burt: Great, thank you. Should we attempt to get a June representative to the Council?  
42 We have April – Commissioner Bialson, May – Commissioner Lippert and sold, June –  
43 Commissioner Garber.

44

45 ***NEXT MEETING:*** Special Meeting at 6:00 and Regular Meeting at 7:00 PM on April 26, 2006.

46

1 Chair Burt: All right. I think that concludes our business this evening. Thank you all very  
2 much. We will see you on next Wednesday for Alma Plaza among others.

3

4 ***ADJOURNED: 10:50 PM***

5