



PLANNING & TRANSPORTATION COMMISSION MINUTES

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*Wednesday, May 6, 2009
Special Meeting at 4:00 PM
Council Chambers, Civic Center, 1st Floor
250 Hamilton Avenue
Palo Alto, California 94301*

ROLL CALL:

Commissioners:

*Daniel Garber - Chair
Samir Tuma – V-Chair
Susan Fineberg
Arthur Keller
Lee I. Lippert
Fabio Rosati
Karen Holman - absent*

Staff:

*Julie Caporgno, Chief Planning and Transp. Official
Cathy Siegel, Advance Planning Manager
Chitra Moitra, Planner
Lisa Green, Admin. Associate*

AGENDIZED ITEMS:

1. Capital Improvement Program (CIP) 2009 through 2012.

Chair Garber: Would the secretary call roll, Lisa, whenever you are ready? Thank you.

Greg Betts, Acting Director of Community Services: Chairman Garber, if I could, I would like to introduce Commissioner Deidre Crommie from the Park and Recreation Commission. As has been our practice, we invite a representative of the Park and Recreation Commission to be here to answer any questions about park-related projects.

Chair Garber: Thank you, Greg. Thank you for coming.

Commissioner Deidre Crommie: Thank you.

Chair Garber: Before we get started, this would be the time where if anyone needs to speak to the Commission on a topic not on the agenda, we would hear it. I am seeing no cards, so I'm assuming we have none.

The first item is the Capital Improvement Program (CIP) 2009 through 2012. This is the review and recommendation of the Capital Improvement Program for Comprehensive Plan consistency.

1 Julie Caporgno, Advanced Planning Manager: Can I interrupt? That's tonight's Agenda.

2
3 Chair Garber: Oh, this is just the Study Session.

4
5 Ms. Caporgno: Yeah, this is so that the Agenda, I can yes.

6
7 *STUDY SESSION:*

8
9 Capital Improvement Program Study Session with Department Representatives.

10
11 **Commission Action:** Commission provided comments to Dept. representatives.

12
13 Chair Garber: So this is the Study Session of the 2009-2014 Capital Improvement Program that
14 is taking place. And, Julie, would you like to introduce us to this session?

15
16 Ms. Caporgno: Yes, I would be glad to. Thank you, Chair Garber. This is a little bit different
17 format from previous annual reviews of the CIP. Previously, you had a committee that reviewed,
18 took or discussed the CIP with the different representatives from the departments who have
19 projects and then that committee reported back to the full Commission, and then the Commission
20 deliberated on consistency with the CIP and the Comprehensive Plan.

21
22 This last year you requested a change, and so this is the first year we are instituting that, and
23 what we are going to do this afternoon is we have asked Mike Sartor, who is Assistant Director
24 of Public Works; Tomm Marshall from Utilities; and Greg Betts, Acting Director of Community
25 Services, to be here to kind of explain their projects, the new CIPs in particular, and also to
26 respond to any questions that you may have as to how those projects relate to the Comprehensive
27 Plan, and also if there are an other projects that you would like some information regarding. And
28 then this evening you will convene to deliberate on the consistency with the Comprehensive Plan
29 and the CIP. The department representatives will not be here this evening, and so I would hope
30 that you could focus this afternoon on any issues that you think are really relevant so that you
31 understand those projects so that you can make that decision this evening.

32
33 Sharon Bozman, from Budget, is here also, and she was just going to give you a little bit of an
34 overview as to the budget process. And, before I introduce her, or have her come forward, I was
35 going to introduce Cathy Siegel and Chitra Moitra. They are the ones on the Planning Staff who
36 have been working on this process this year, so they are here to kind of facilitate of there are any
37 questions as to how Planning is involved in the budget issues that were addressed and the
38 information that you have before you. They prepare and work with Budget to prepare the
39 spreadsheet that was distributed to you yesterday. Sharon.

40
41 Chair Garber: Just before you start, I will remind everyone at the table that the microphones are
42 very sensitive and so we should be careful with the shuffling of our papers because it will mask
43 our words, and anyone that does need to speak needs to come to the table in order for it to be
44 recorded. For the record, we will note that Commissioner Susan Fineberg is joining us. Sharon.

1 Sharon Bozman, Budget Manager: Chairman Garber and Commission members, I'm Sharon
2 Bozman. I'm the Budget Manager here at the City. I thought I would just, very quickly go over
3 how new projects get introduced into the Budget book, what they are, and then there are a few at
4 places items we have for you to help you deliberate today.
5

6 The definition of what we decide are new projects are projects that have not been in the book, in
7 our proposed Budget before. They are just being introduced the first year in the Five-year Plan,
8 and they may or may not be funded in the first year. It might be a project that we are putting in
9 and maybe we were going to fund it in the second year, or maybe even the fifth year out. So you
10 have a little worksheet in front of you that lists all the new projects that are being introduced this
11 year in the 2010-2014 Proposed Budget Plan, and there on the worksheet is a corresponding page
12 number where you can find that within the Budget document.
13

14 There are two additional new projects that are listed on your worksheet that are not included in
15 the Proposed Budget Plan. They were a little bit late. The first one, you have a copy of that in
16 your attachment. That's the Venture Community Center and Park. It's PE1002. You have a
17 CIP page attached to your worksheet. The dollars have been included in the budget. It's just the
18 CIP page was missed being printed.
19

20 There was one additional project that just came up, I believe, yesterday. It's PL1100 Bicycling
21 and Walking Access and Circulation, Baylands Master Plan, and the project is detailed on your
22 worksheet. I have a draft, a very rough draft, CIP page for you, so I'm going to pass that out.
23

24 Chair Garber: That would be the fourth line from the bottom.
25

26 Ms. Bozman: Yes, this is on page four.
27

28 Chair Garber: And what line would the other project be that was new? I'm looking at the page
29 number, and it's 113. Yes, I see that. There was a page number on there that was 113.
30

31 Ms. Bozman: The page number printed does not necessarily correlate to the ..., so let me pass
32 that.... So both of these projects will be included in the Adopted Book.
33

34 There was one additional request, I believe, from Commissioner Fineberg on 2009 Adopted CIP
35 Projects that this information is not in the Proposed Book. It was going to be included in the
36 Adopted Book, but I brought that for you today as well.
37

38 Chair Garber: So this one is not on the list yet either?
39

40 Ms. Bozman: This is just a summary of last year's projects that might help you with your
41 deliberations. That's all I had for you today.
42

43 Chair Garber: Thank you.
44

45 Ms. Caporgno: I'm going to introduce Mike and Tomm and Greg. What I would like them to do
46 is just kind of briefly discuss with you, or describe to you, the new projects that are coming

1 forward from Utilities, Community Services and Public Works, but before I do, I just wanted to
2 make sure that everybody knows that we have to end, and we have to get out of here by 5:45, and
3 so I'm hoping that everybody uses their time very judiciously. We will be reconvening at 6:30,
4 but again that's just the full Commission to deliberate on the CIP itself and conformity with the
5 Comprehensive Plan and we will not have the benefit of the department representatives.
6

7 Also, if you could try to focus questions on conformity or trying to understand better the projects
8 so that you can understand if they do or don't conform to the Comprehensive Plan. Mike, do you
9 want to go first, or ...

10
11 Mike Sartor, Assistant Director of Public Works: Well, actually, I will defer to Tomm because
12 the first six projects on the first sheet are his. Let's go through it project by project and then ...
13

14 Tomm Marshall, Utilities: I'd be more than happy to.
15

16 Ms. Caporgno: And I'm just going to add one thing, Gayle Likens is here also to the CIP
17 project Sharon had mentioned about the bicycle project that we just had. Gayle is here to
18 respond to any questions you might have regarding the project. Tom.
19

20 Mr. Marshall: Okay, I'll start off here on the first project on here, the EL100008, Advanced
21 Metering and Structure and what that project is, is in the first year we are doing a study,
22 basically, but long-term we are going to be looking into advanced metering infrastructure to
23 provide additional information to consumers on energy usage. It would also be providing
24 additional information to the Utility in terms of outage control and other issues related to making
25 that meter a little smarter. It will also allow us to read meters remotely. It lists some of the
26 compound policies, auto-usage bullets and essentially our meter readers having to go out and
27 collect the data. And on the energy side, it's going to provide energy conservation or
28 information on energies that consumers can make decision on energy conservation. Anyway, if
29 you want to go one by one with any questions on them.
30

31 Commissioner Keller: So this is study. It's not actually implementing the project.
32

33 Mr. Marshall: That's correct. I mean, it will probably ... in the following year, it will probably
34 mean putting additional money in once the study is complete in order to determine what we are
35 going to do next.
36

37 Commissioner Rosati: Will it include getting bids from different potential providers, or just a
38 scoping of the need?
39

40 Mr. Marshall: Well, what we are probably going to do, is we are going to do a scoping study,
41 and then people will be able to bid on the scoping study, and then once that scoping study is done
42 we will set up a project date Request for Bids (RFB) that will go out and that's when we'll be
43 able to ... it will probably be an RFP in this case, Request for Proposals, because we will want to
44 have more control over exactly what who we award the contract to and what services it will be
45 providing.
46

1 Chair Garber: And, as a reminder for everyone, although we are all the way around the table, we
2 should have the Chair recognize you so that when they do the notes they know who is speaking.
3 So, sorry, not to interrupt, but go ahead. Commissioner Lippert.
4

5 Commissioner Lippert: And will it also, especially on the electrical side, will it also/will the
6 RFP include peak demand metering, or looking at that?
7

8 Mr. Marshall: Any pricing kind of question will provide pricing singles on an ongoing basis. Is
9 that kind of what you are asking? Or are you asking about pricing?
10

11 Commissioner Lippert: I guess, I'm ... you know, will it look at the pricing issue? In other
12 words, during daytime hours versus nighttime hours there are different ...
13

14 Mr. Marshall: Right, time-of-use pricing, I guess, that's the buzzword for that. Yeah, we are
15 going to be looking at that as implementing the time-of-use pricing. Right now, we don't do it
16 on the residential. There is some time-of-use on commercial although it's an option now for
17 commercial customers.
18

19 Chair Garber: Commissioner Keller.
20

21 Commissioner Keller: Will it enable, and I'm not saying that you have to adopt it, but will it
22 enable vehicle-to-grid technology if that becomes widespread in vehicles?
23

24 Mr. Marshall: That's going to be part of the study. We are going to be looking at vehicle-to-grid
25 technologies.
26

27 Commissioner Keller: Thank you.
28

29 Chair Garber: Commissioner Fineberg.
30

31 Commissioner Fineberg: On Page 139 of our CIP document, when it discusses this, it says that it
32 is going to cover the six meter reading routes and the currently the usage Recorded by these
33 meters is being read remotely. Is it only going to be for six routes? How many total are there?
34 Where will those six routes be?
35

36 Mr. Marshall: Yes, I think it's going to be a broader study as to what we are going to do. It's
37 not going to be limited. I think we are just going to do the study now, and then the results of that
38 study will be coming back for Council on recommendation on what to do next.
39

40 Commissioner Fineberg: I'm just wondering though, if they are already Recording these
41 remotely, are these for commercial buildings? Or is this residential?
42

43 Mr. Marshall: What page are you on.
44

45 Commissioner Fineberg: 139.
46

1 Mr. Marshall: Existing, we have an AMR (Automatic Meter Reading) project in place, and
2 that's what you are talking about here is that we've got six routes currently on the automatic
3 meter reading.

4
5 Commissioner Fineberg: So this will be rolling out from the pilot to the rest of the City then?
6

7 Mr. Marshall: Well, it's more than that. The AMR is really limited to reading-only. These
8 newer metering infrastructures have two-way communication where we are actually transmitting
9 back to customers so they can make decisions. So some of this AMR pilot, this automatic meter
10 reading pilot will be probably dismantled when we move to AMI, but we are/we have
11 implemented sections of the automatic meter reading.

12
13 Chair Garber: Tom, how many of these items are yours? How many of the new projects?
14

15 Mr. Marshall: Seven or so.
16

17 Chair Garber: Okay, just to set expectations here, we've got over 90 minutes, so if you've got
18 seven, you are going to have essentially 21 minutes. So you've used five. Commissioners, you
19 get about another 15 minutes with Tom here.
20

21 Mr. Marshall: Some of these will be quick.
22

23 Chair Garber: Okay, are we ready to move on to the next?
24

25 Mr. Marshall: Okay, Street Light System Conversion. We are doing an LED trial on our street
26 lighting for energy saving regions, so we are going to be looking at the technology for that, and
27 this is what this is, initial roll-out, and then we are going to making recommendations to Council
28 on whether to proceed with an LED roll-out to the entire City.
29

30 Okay, the next one on here is Coleridge/Cowper/Tennyson 4/12kV Conversion. That's just a
31 voltage conversion. Usually, when we do a voltage conversion we have energy savings because
32 of the higher voltage. We also do it to refurbish our facilities, but there is essentially no change
33 to the facilities, but we are just changing the voltage of them.
34

35 Commissioner Keller: And this is not out for several years?
36

37 Mr. Marshall: Yes, it's out, future years.
38

39 General Shop Tooling. It probably shouldn't have been on here, but it's just buy new capital
40 tools for our shop and the office.
41

42 The next one is, Cathodic Current Interrupters. Those are new devices we are putting on our
43 cathodic protection system of our steel gas pipelines. It allows us to interrupt the current and do
44 some required testing. So it's just adding a new device. I don't know that it has any, and it
45 probably has some energy savings with it, but there are really not any major impacts with that.
46

1 Commissioner Keller: Is this to keep sparks out of the gas lines?
2
3 Mr. Marshall: No, it's not about sparks. It's a body protection issue. It induces a small current
4 on your metallic pipeline and it keeps them from corroding away.
5
6 Commissioner Keller: I see. Okay.
7
8 Mr. Marshall: So this is just an interrupter, and it has to do with the testing of it, how you test to
9 make sure that this system is working properly.
10
11 The next one is Gas Station 4 Rebuild, and that's an existing gas station but we are going to
12 reduce the pressure from PG&E. They deliver one pressure, and we reduce that pressure to our
13 distribution delivery. These stations are old and we are rebuilding them with new regulators.
14
15 Commissioner Keller: I'm assuming you are referring to a natural gas station as opposed to one
16 that pumps gasoline.
17
18 Mr. Marshall: Correct.
19
20 Commissioner Keller: You might want to put the name Natural Gas as opposed to this, so
21 people would know it's not for fueling cars.
22
23 Chair Garber: And that was Commissioner Keller.
24
25 Commissioner Keller: Sorry.
26
27 Mr. Marshall: Let's see, the next one is GMR (Gas Main Replacement). That's a Project 24
28 issue, so the next project we have is routine projects where we are going out and replacing
29 deteriorating gas facilities, either material that is degrade or steel pipe that is corroded to the
30 point that it needs to be replaced.
31
32 Chair Garber: Vice-Chair Tuma had a question.
33
34 Mr. Marshall: Okay.
35
36 Vice-Chair Tuma: It is ... with respect to this item as well as item WS-14001, and the issue
37 which I know is one that you guys hear all the time, but I feel I need to bring it up. It was
38 brought to my attention by several people in our neighborhood, and that has to do with, and I
39 know it says specifically in here that there is going to be coordination with the paving folks, as
40 we follow along, and we are going to try and do these things simultaneously. There is a project
41 currently going on in Barron Park in my neighborhood, down my street, and we've had a number
42 of residents who have expressed this concern because there are streets being torn up that were
43 paved not too long ago, and so this item, as well as the other one that I referred to, are both
44 opportunities for that coordination. There was a lot of discussion at a recent meeting in our
45 neighborhood, and the questions were asked about why is this happening. One of the answers,
46 much to my surprise, that was given was, well, there are two different departments, and we don't

1 always coordinate on these things. And I'd be happy to share details with you offline about that,
2 but these are opportunities to make sure that we are not tearing up streets that we just paved, and
3 so I wanted to bring that to your attention on these two items.
4

5 Mr. Marshall: Yeah, just in responding. You are probably talking about Matadero, I assume,
6 because that issue has come up, and I think we responded to several issues in and around
7 Matadero and that's a particular case that arose. We do coordinate, and Mike can attest to that,
8 but that was special case where the condition of the facilities were determined after the street had
9 already been paved several years ago, five or six years ago that paving took place, and there was
10 a video inspection program that we had done.
11

12 Vice-Chair Tuma: Honestly, I think it's more of a Public Relations issue. I think you guys do,
13 and actually are fairly diligent in trying to assess these things out, but when you have people in
14 the public saying to the neighborhood, well, we just don't know how to coordinate on these
15 things, I think that that's an opportunity for improvement.
16

17 Mr. Marshall: I would like to hear more, but maybe not here.
18

19 Vice-Chair Tuma: Yes, exactly.
20

21 Commissioner Keller: Is that a City staff person that said that?
22

23 Vice-Chair Tuma: Yep.
24

25 Commissioner Keller: All right, that's
26

27 Vice-Chair Tuma: But I don't want to take up a lot of the Commission's time with it, but these
28 two items are opportunities to both, when you are doing the work as well as talking to the public,
29 to make sure that the public understands what is going on, and that is the context in which I
30 wanted to mention that.
31

32 Chair Garber: Commissioner Fineberg.
33

34 Commissioner Fineberg: I would concur with Vice-Chair Tuma's observation. In a different
35 part of town, in my neighborhood, I've experienced the same kinds of things where the street
36 gets dug up and paved and then dug up again, very shortly, and crosswalk stripes get painted, and
37 then they come and scrape them a month later and repaint them. So we can talk offline and I'd
38 be happy to share details.
39

40 Chair Garber: Commissioner Lippert.
41

42 Commissioner Lippert: Yeah, and I'm just going to say ditto. I mean, I'm at Downtown North,
43 and the same thing happens there where they put in, I guess, a new storm sewer line and then dug
44 up the street again to put in a gas line and then to redo a gas line replacement, and it's not
45 important for you to defend here.
46

1 Mr. Marshall: I think it's important that we have some/we need to have more discussion, maybe
2 at a different time to talk about why those things happen and what can be expected to happen and
3 what maybe some expectations are, and maybe not realistic in terms of the work that has to be
4 done and how it gets done, and so we could maybe have an offline discussion a little more.

5
6 Commissioner Lippert: The insult to injury was that, of course, Public Works which deals with
7 road maintenance went and repaved the street and then, of course, it got dug up again right
8 afterwards, but we can talk about it.

9
10 Mr. Marshall: It's certainly an important issue for all/the whole community. We want to have
11 some dialogue on this to get some understanding in the community of what we have to do and
12 what we can coordinate and what can't be coordinated, and so we appreciate your comments.

13
14 Chair Garber: Anything else? Tom?

15
16 Mr. Marshall: Am I done. I think I have more.

17
18 Mr. Sartor: You have a couple more on the next page if you want to finish it.

19
20 Chair Garber: Commissioner Keller.

21
22 Commissioner Keller: Yes, with respect to this item, I notice that there is a summary page on
23 Page 173 of the CIP booklet, and this item which is for 2013-2014, it's says "various locations,"
24 and I think that this is not appropriate notice for members of the community to know where their
25 mains are going to be done. In addition, I notice that the Charleston/Arastradero Corridor
26 between El Camino and ...

27
28 Commissioner Fineberg: What page?

29
30 Commissioner Keller: Page 173. It's right behind the green sheet, the first opening page of the
31 Gas Fund. It just says "various locations" without those locations being identified, and I
32 remember in the past we actually saw the locations, so I think that is a change which is not an
33 improvement.

34
35 Secondly, if you look at the stretch of Arastradero Road between El Camino and the far side of
36 the Foothill Expressway that says 2012-2013. I'm assuming that we moved that up because of
37 the Charleston/Arastradero trial that's supposed to be happening, I assume, sometime in the next
38 year or so. So that change should probably be noted in this and indicating when that has been
39 moved up, if it's been moved, if it's been swapped or whatever, and not be identified as being
40 that far out.

41
42 And the third thing is that it would be helpful if this chart were not merely prospective for the
43 future by year, but also indicated since you do have the history of what has happened in the
44 recent past, for the last few years, if you could include those as well so that people were aware of
45 what changed recently or what's going on and it would give a context for showing a little bit

1 more about your systematic program for improving the gas mains throughout the City on an as-
2 scheduled basis. It to give some of that history it would be helpful.
3
4 Mr. Marshall: Okay.
5
6 Commissioner Keller: Do you have any response about the Arastadero Road?
7
8 Mr. Marshall: I'd have to go back and look at it. I know we are coordinated on Arastadero.
9
10 Mr. Sartor: I think you guys have actually done that work over there.
11
12 Mr. Marshall: I think we did it already, so ...
13
14 Mr. Sartor: So this is probably a typo on the ...
15
16 Mr. Marshall: It got moved up, I think, after we ...
17
18 Mr. Sartor: After we coordinated that.
19
20 Mr. Marshall: After we created the Budget, so we will go back and look.
21
22 Commissioner Keller: Right, so that should be corrected in this so that people are aware that this
23 actually happened.
24
25 Mr. Marshall: Yeah.
26
27 Chair Garber: I don't understand. They are doing it again. Tom, keep going.
28
29 Mr. Marshall: Where was I? Okay, I'm on the back page, I think. I think that's yours, Mike.
30
31 Mr. Sartor: Okay, first up on the second page is the Matadero Creek Storm Water Pump Station
32 and Trunk Lines. This one is a Storm Drain Project that is associated with the Storm Drain
33 Enterprise Fund and will be connecting, as the title describes, storm lines to that pump station to
34 transport the water off the streets more efficiently into Matadero Creek. Back to you, Tom,
35 unless there are any questions.
36
37 Commissioner Keller: I assume that this would work even in periods of flooding? Sorry. I
38 assume this will work even during periods when there is flooding, I mean, when there is high
39 water, a hundred-year flood, this will still continue to work?
40
41 Mr. Sartor: Yeah.
42
43 Commissioner Keller: Thank you.
44

1 Mr. Marshall: The next one is mine, it's the Waste Water Collection System
2 Rehabilitation/August Project 27. Again, this is our routine sewer or wastewater rehabilitation
3 projects replacing pipe etc.

4
5 The one following that is Water Maintenance Replacement, Project 28. Again, that is on the
6 water mains, and it's the replacement of the water mains and that's the end of mine, unless there
7 are questions.

8
9 Chair Garber: Okay.

10
11 Greg Betts, Interim Director of Community Services: Our first project is the Junior Museum and
12 Zoo and the Bobcat Habitat at the zoo area of the Junior Museum. This also includes not only a
13 new enclosure for the bobcats but it includes walkways, some of the asphalt pathways around the
14 zoo area, which will provide better ADA access for children and zoo visitors. This project enacts
15 Policy C-24 as many of our Community Service programs are to reinvest in aging facilities to
16 improve their usefulness and appearance and avoid deferred maintenance of the City
17 infrastructure. This is a project that enjoys support from the Friends of the Junior Museum and
18 Zoo that are contributing most of the \$500,000 cost of this project. So, in a way, this project also
19 realizes the Comprehensive Plan goal of taking full advantage of outside revenue from public
20 and private partnerships.

21
22 Chair Garber: Commissioner Fineberg:

23
24 Commissioner Fineberg: Many, many of the projects, even though they appear to be in non-
25 Public Works areas of the City are managed by the Public Works Department. I believe, for
26 instance, lighting in the Children's Theater, but this project is managed by Community Services.
27 Is there something different about this project? Or why is this being managed by Community
28 Services and others might not be.

29
30 Mr. Betts: In some cases, Commissioner Fineberg, it depends on the scope of the project. For
31 example, the Park staff manages tennis court resurfacing because we have something that
32 happens every single year, we have contractors in place, and we have a recipe, if you will, for
33 being to manage that. There are other projects that are more complex and that require either
34 landscape architecture, more stringent reviews, or contracting out for the design services, so
35 utilizing the two staff members of Public Works that are the landscape architect and the project
36 manager that are more complex. In this particular case, since this is a public/private partnership
37 with the Friends of the Junior Museum and Zoo, we will have an agreement that allows the
38 Friends to actually take charge of the habitat area, make the improvements and then turn the
39 project back over to the City. So it would involve less work on the City's behalf.

40
41 Commissioner Fineberg: Okay, thank you.

42
43 Chair Garber: Commissioner Rosati.

44
45 _____: I have a question of about funding. When I read the description on page 107, it
46 talks about the fact that the Friends of the Junior Museum are committed to funding this.

1
2 Mr. Betts: Correct.
3
4 Mr. Rosati: So, is the funding coming from the Friends of the Junior Museum or from the City,
5 I'm just curious?
6
7 Mr. Betts: \$105,000 is coming from the Friends of the Junior Museum and Zoo, and \$70,000 is
8 a contribution from the City's Infrastructure Reserve.
9
10 Commissioner Keller: You mean \$505,000.
11
12 Mr. Betts: Maybe I said that wrong.
13
14 Rosati: Yeah.
15
16 Mr. Betts: Let me try again. \$505,000 from the Friends, \$70,000 from the City.
17
18 The next project is at the Cubberley Community Center. The bleachers in the gymnasium are
19 original to the Cubberley Community Center. This project replaces those original wooden
20 bleachers and not only upgrades the facility but it also provides better handicap access.
21
22 Chair Garber: Commissioner Keller had a question on the previous.
23
24 Commissioner Keller: About the Junior Museum and Zoo, is the contract going to be let by the
25 Friends of the Junior Museum and Zoo, or let by the Community Services Department (CSD)
26 staff.
27
28 Mr. Betts: It will be led by the Friends of the Junior Museum.
29
30 Commissioner Keller: And does the City have any liability in terms of that?
31
32 Mr. Betts: As part of our public/private partnerships, and we've had a few of these projects like
33 Heritage Park, and we are also working with the Friends of Lytton Plaza, and the standards for
34 insurance, for bonds, for both performance and bid bonds, are still required as though it was a
35 City project.
36
37 Commissioner Keller: Okay, so all those issues have been handled?
38
39 Mr. Betts: Yes.
40
41 Commissioner Keller: Thank you.
42
43 Mr. Betts: And I think I mentioned the replacement of the bleachers at Cubberley. Believe me,
44 with the splintering of those bleachers, this project is long overdue.
45
46 Chair Garber: We skipped over Administrative Services, or did we?

1
2 Commissioner Keller: Not yet.
3
4 Mr. Betts: No.
5
6 Ms. Bozman: Mike, you're on.
7
8 Chair Garber: Okay, yes, right, right. Okay.
9
10 Mike Sartor, Assistant Public Works Director: The next project on your list is the Downtown
11 Library Improvement Project. That is one of the projects that was included in the recent Bond
12 election and was passed in November. So we have created a new project to capture that funding
13 and scope of work.
14
15 Chair Garber: Vice-Chair Tuma.
16
17 Vice-Chair Tuma: Just a question about that. On Page 69, it says under Supplemental
18 Information that I noticed this phrase, and this in several of these, "computers and furniture and
19 furnishings will be provided from non-Bond funding."
20
21 Mr. Sartor: Correct.
22
23 Vice-Chair Tuma: But is that something that we would see in the CIP?
24
25 Mr. Sartor: No, the furniture, fixtures and equipment will be/funding for that will be raised by
26 the Library Foundation and Friends of the Library, and provided separately.
27
28 Vice-Chair Tuma: Okay.
29
30 Chair Garber: I'm sorry, Commissioner Keller.
31 Commissioner Keller: So a thought to what Vice-Chair Tuma said, and I assume that the
32 furnishings and computers will be essentially purchased and donated to the City. Is that the
33 idea?
34
35 Mr. Sartor: That's correct.
36
37 Commissioner Keller: Thank you. So it's actually not cash. I think it would be helpful too, if
38 that were quantified, just like it was done for the Junior Museum and Zoo, to sort of quantify that
39 amount of ...
40
41 Mr. Sartor: Well, we are actually, as part of the design project, working with the Friends and
42 Foundation to identify what the order of magnitude will be for that, and so once we do that, we
43 would be able to quantify. We can't give you that number right now.
44
45 Commissioner Keller: Okay.
46

1 Chair Garber: Vice-Chair Tuma,
2

3 Vice-Chair Tuma: Just along those lines, maybe in here, and just in general to help the public
4 get their head around this, instead of talking about non-Bond funds, so that it would be non-City
5 funds, or something like that. I think that would, and I'm just thinking bigger in terms of getting
6 them, and getting that stuff done, and this money is not coming from the City.
7

8 Mr. Sartor: The one caveat to that, Vice-Chair Tuma, is in the event that the Friends and
9 Foundation cannot raise enough money, the City Council may need to look at funding separately,
10 but that is not a commitment.
11

12 Chair Garber: Commissioner Keller.
13

14 Commissioner Keller: I would agree with Vice-Chair Tuma. It might be better to say
15 "computers and furnishings are not allowed to be provided by Bond funding. The Friends of the
16 Palo Alto Libraries intends to raise the money to provide that" and then some sort of estimate of
17 that would be helpful. And I note that this is in contrast to what the Friends of the Junior
18 Museum did where that was quantified and much more detailed.
19

20 The second thing I'd like to point out is that, if you compare Page 68 with Page 69 in here, Page
21 68 says "Board/Commission Review none" and Page 69 does not have the line
22 "Board/Commission Review" and I noted some other ones are also missing that.
23

24 Chair Garber: Commissioner Lippert.
25

26 Commissioner Lippert: It wouldn't because it's an existing building that is being rehabilitated.
27

28 Commissioner Keller: Well, even if it doesn't require review, the line should be there saying
29 "none." I'm complaining about the line being missing and even if it's not, it should so state.
30

31 Mr. Sartor: Okay.
32

33 Chair Garber: Commissioner Fineberg.
34

35 Commissioner Fineberg: If the Friends of the Library were to donate, let's say, significant
36 furniture with a value in excess of \$50,000 with a life in excess of the five or ten years to meet
37 the Capital Tax, would and should those assets be tracked in the Capital Budgets, even if it is an
38 external source of funding, so should that amount be tracked if those assets will be capitalized?
39

40 Mr. Sartor: I'm not sure I'm following your question.
41

42 Chair Garber: I think that's question for Cathy over here, because the issues you raised may not
43 be really relevant to the Capital Plan is trying to capture, but those costs are caught on.
44

45 Ms. Bozman: Those are/it's an Accounting issue, and there's already set lives for furniture and
46 fixtures, so furniture and fixtures don't go within the realm of the CIP and that's ...

1
2 Mr. Sartor: You know, this is not about the [voiced over]
3
4 Ms. Bozman: It's an Accounting Regulation.
5
6 Commissioner Fineberg: So let me ask it differently. Will the Friends of the Library be
7 donating, on this project or even Mitchell Park, when we get to it later, will there be any
8 donations of assets that would be capitalized and are they/should they be tracked.
9
10 Ms. Bozman: Well, I think what Mike said is that this is still to be determined. We don't know
11 yet. They haven't determined what they are going to be able to commit to, so I can't answer that
12 right now. We don't ...
13
14 Mr. Sartor: We've actually given the Library Foundation and Friends a target number budget for
15 furniture and fixtures included for all of the libraries and the community center, that they are
16 raising money to attain. The Capital Budget here tracks the Enterprise Fund and General Fund
17 Infrastructure Reserve money that goes towards these projects. The furniture, fixtures and
18 equivalents are ancillary to that, and in addition to that, and it will become the property of those
19 facilities, but not of debit against the Capital Fund, per se.
20
21 Ms. Bozman: And, again, when you ... for furniture, equipment and fixtures, unless it's one
22 piece that meets the test, you wouldn't put it/you wouldn't ... you know, you don't put it ...
23
24 Chair Garber: What do you mean, put it? Capital ...
25
26 Bozeman: Capital Project. You wouldn't/you don't do it all in one lump sum, so if you get 50
27 desks that are worth in a total of \$50,000, that's not one asset. Those types of things aren't
28 capitalized in that way.
29
30 Chair Garber: Mike, how many more items do you have.
31
32 Mr. Sartor: I have the rest of Page 3 and two more on Page four, so it looks like I've got ten.
33
34 Chair Garber: Keep going.
35
36 Mr. Sartor: Okay. The next one, starting at the top of Page 3 is the Mitchell Park Library and
37 Community Center. Similarly to the last project, that is one of the Bone measure projects and we
38 will essentially be demolishing the existing library and community center at Mitchell Park and
39 rebuilding a new 50,000 square foot building to house both of those activities at Mitchell Park.
40
41 Chair Garber: Commissioner Keller.
42
43 Commissioner Keller: I notice that it lists the construction costs in the budget requests all being
44 in 2009 and 2010. Is there really a phasing of this? I'd be thrilled to find the whole library and
45 community center being finished by June of next year, but I somehow doubt that this is the case.
46 Should be this be phased over a period of time, or how is that done?

1
2 Mr. Sartor: No, actually, we need to show it in the year that we will be awarding the
3 construction contract.
4
5 Commissioner Keller: Okay.
6
7 Chair Garber: Again, this does not represent actual work time. This is just when the dollars are
8 recorded.
9
10 Mr. Sartor: This is when we need to have the money to sign a contract with the contractor.
11
12 Commissioner Keller: So when do you expect the library will be done?
13
14 Mr. Sartor: The completion date is sometime towards the end of 2011.
15
16 Chair Garber: I thought it was 2012.
17
18 Mr. Sartor: Or 2012.
19
20 Commissioner Keller: All right. Thank you. And when will that come before the Planning
21 Commission?
22
23 Mr. Sartor: It will be coming before the Planning Commission several times in its duration. I
24 don't ...
25
26 Chair Garber: You don't have the dates yet?
27
28 Mr. Sartor: Actually, if I brought down my schedule, I think it's coming before you and the
29 Architectural Review Board this spring, or actually this summer.
30
31 Commissioner Keller: Okay. Thank you.
32
33 Mr. Sartor: Or in the next few months for concept drawings.
34
35 Commissioner Keller: Thank you.
36
37 Chair Garber: Keep going.
38
39 Mr. Sartor: Okay. The next one is associated with the Downtown and Mitchell Park Library
40 Projects. It's providing temporary facilities for the administrative staff that is housed in the
41 Downtown Library as well as the library at Mitchell Park, itself. So the first phase will be to
42 move the library administrative staff that are in the Downtown Library over to the Lucie Stern
43 Center, and also the technical services staff that is there will go out to Cubberley at the
44 auditorium there, and then when we get ready to demolish the Mitchell Park Library, we will be
45 setting up a temporary Mitchell Park Library at the Cubberley Community Center Auditorium.

1 So this project pays for those expenses. It's shown as a separate project in the CIP because of its
2 non-Bond-able expenses, so we are having to fund that out of the Infrastructure Reserve Fund.

3
4 Chair Garber: Commissioner Keller.

5
6 Commissioner Keller: Just a quick note, I'm presuming that there is no Commissioner Board
7 review necessary, and it should so-state that in the CIP Fax box.

8
9 Mr. Sartor: Duly noted.

10
11 Chair Garber: Keep going. Oh, I'm sorry. Commissioner Fineberg.

12
13 Commissioner Fineberg: So if I understand it correctly, it's providing temporary facilities in
14 other existing buildings.

15
16 Mr. Sartor: Pardon me?

17
18 Commissioner Fineberg: It's providing temporary facilities in other existing buildings?

19
20 Chair Garber: Yes.

21
22 Mr. Sartor: Yes.

23
24 Chair Garber: You might call it temporary occupancy.

25
26 Commissioner Fineberg: Okay.

27
28 Mr. Sartor: Yeah.

29
30 Commissioner Fineberg: Again, this may border more as an Accounting question, but what part
31 of that meets the test for capitalization? Will this asset have a life? Is it not an operating
32 expense?

33
34 Mr. Betts: I might be able to help answer that. In order to make, for example, the auditorium at
35 Cubberley fit to be a library, there will be some improvements needed and, for example, bolting
36 down the book stacks onto the floor, and then when the library is finished, and the book stacks
37 are taken away, the floors will have to be patched and resurfaced. And so there are some, and
38 Cubberley as you may know, is an older facility and there are some accommodations for the
39 public, improved lighting, looking at some of the window enhancements or the types of
40 enhancements to make the building really function as a library.

41
42 Commissioner Fineberg: So those upgrades would remain then for the life of Cubberley.

43
44 Mr. Betts: Yeah.

45
46 Commissioner Fineberg: Some of them. Okay.

1
2 Mr. Betts: Think of them as tentative improvements.

3
4 Chair Garber: Yeah, and my experience with these sorts of Capital Budgets in other venues is
5 that, although this typically is not something to be capitalized, it is typically tagged onto and
6 made part of another Capital Project, because without it, the Capital Project cannot be done. So
7 it has been split up because probably the Bond, and it is actually in the Accounting world is
8 probably part of the other project. Sorry, Mike.

9
10 Mr. Sartor: Okay, any other questions?

11
12 Okay, the next project is actually what we provided for you at places. The project description is
13 this separate sheet labeled 113 and the Ventura Community Center Park Project is to upgrade
14 and renovate the playground and picnic area at the Ventura site and also put in a new irrigation
15 system in the athletic field and renovate the turf there.

16
17 Chair Garber: Commissioner Keller.

18
19 Commissioner Keller: The description says that it has a water saving of 15-25 percent, and I'm
20 wondering why the operating costs/why the project increases maintenance costs as opposed to
21 decreasing them.

22
23 Mr. Sartor: I'll defer to my colleague in the Community Services Department on that.

24
25 Mr. Betts: Let me see if I can split this up for you, Commissioner Keller. The Maxicom
26 controller for the irrigation system relies on a weather station. We have a couple of weather
27 stations in Palo Alto that monitor humidity, rainfall, wind speed, temperature and prescribe a
28 certain amount of water, rather than just coming on every day for two hours, let's say.

29
30 Commissioner Keller: I understand. I have one of those at home.

31
32 Mr. Betts: It comes on, you know, judiciously. The increase cost for the playground is that the
33 current playground that is there is probably about 15 years old, and as we put in new equipment
34 that needs code, it needs both safety code as well as ADA accessibility code, and it kicks in new
35 standards for the frequency at which the playground equipment has to be inspected and every
36 bolt, every slide component, everything has to be checked on at least a monthly basis, and so
37 rather than having just a simple swing, for example, with a metal chain that currently needs to be
38 checked maybe quarterly, we will have equipment that will need to be checked more frequently,
39 and that is where we have to make sure that either the sand or the fiber that we put in the
40 playground is kept to a certain level to ensure accessibility.

41
42 Commissioner Keller: So that's ironic. We have to make sure that the new equipment is within
43 spec monthly, but the old equipment that is unsafe only needs to be checked quarterly. There is
44 something weird about that not needing/not trying to check the old equipment that is more likely
45 to be unsafe for potential damage on a more periodic basis, but I just want to point that out.

1 Chair Garber: Commissioner Fineberg.

2
3 Commissioner Fineberg: There is a group of children who use that playground Sundays that are
4 children with special needs, and many of them have physical handicaps. Regarding the ADA
5 compliance and the accessibility and the goals of our Comprehensive Plan to provide where there
6 are special needs groups, whether they be seniors or children or handicapped, has there been
7 extra care, or should there be extra care so that the needs of those special needs kids would be
8 accommodated? I'm thinking specifically some of the ADA compliance on playgrounds means
9 that a child can roll up to the play structure and hold a hand-hold on the play structure, but there
10 is nothing else they can do with it, other than hold it, versus there are other pieces of equipment
11 that a kid in a wheelchair could actually use and roll on to and bounce on, or have a playful
12 experience, as opposed to a legally compliant one.

13
14 Mr. Sartor: Absolutely. We are very aware of Palo Alto because of the school district which has
15 an exceptionally high number of children with special needs, and a broad range of special needs,
16 from autism to hearing impairment or whatever, and so we are very, very sensitive in looking at
17 not just accessibility as it may relate to a wheelchair or non-wheelchair but we are looking at
18 stimulus, we are looking at shade structures as it relates to children that are more sun-sensitive,
19 and we are working with the Friends of the Palo Alto Parks for what is called a Universal Access
20 Playground at Mitchell Park, and that project is still sort of in the conceptual phase.

21
22 Commissioner Fineberg: Okay, but regarding Ventura Park, that playground more than many
23 has a regular population there that would be well-served. So can that just be a consideration as it
24 goes further?

25
26 Mr. Sartor: Absolutely.

27
28 Commissioner Fineberg: Thanks.

29
30 Mr. Sartor: That's high on our radar.

31
32 Chair Garber: Commissioners, we are running into our time limit here. Let's keep moving.

33
34 Mr. Sartor: Okay, the next project Bridge Rail, Abutment and Deck Repairs. That was put in
35 here to address the railing at the Alma Street Bridge over crossing the Oregon Expressway that
36 has been knocked down a couple of times, and we also have a requirement to resurface the decks
37 at a number of bridges that are subject to a Caltrans review, so we will be doing an elastameric
38 sealing on those bridges that are listed in the CIP.

39
40 Chair Garber: Commissioner Keller.

41
42 Commissioner Keller: Considering that the Alma/Oregon Expressway overpass bridge is over a
43 County road, are we getting any funding from the County for doing that improvement? Or is that
44 entirely our bailiwick?

1 Mr. Sartor: It's actually our bridge. The City of Palo Alto built the bridge and owns the bridge.
2 We've actually had several meetings with the County and are appealing to them, so at this point
3 it is our responsibility.

4
5 Commissioner Keller: Thank you.

6
7 Mr. Sartor: The next project is the Main Library New Construction and Improvements, and
8 again this is a Library Bond Project to renovate the main library and add about 4000 square feet
9 of program space.

10
11 The next project is the Improvements at Monroe Park. I need to look this one up.

12
13 Mr. Betts: This is a project, Mike, to replace some of the/there is a circular pathway, asphalt
14 pathway around the park, and it will/that has become cracked and is an issue with accessibilit7.
15 There is a small playground area and like we mentioned just before, with Ventura, this will
16 replace the playground equipment in Monroe Park.

17
18 Mr. Sartor: Thank you, Greg.

19
20 Chair Garber: Commissioner Lippert.

21
22 Commissioner Lippert: If I could back-step for just a minute. Yeah, under, and I guess it's the
23 Main Library New Construction and Improvements, I guess in the Fax there it does not have the
24 Board and Commissioner Review, does it have Board and Commission? Oh, on the next page is
25 the Board and Commission Review. So we would review that ... oh, that's Mitchell Park. So,
26 where is the ... would there be review if it was ...

27
28 Commissioner Keller: Yes, there will.

29
30 Mr. Sartor: Actually, the main library will have not only ARB and Planning Commission, but it
31 will also have the Historic Resources Board Review.

32
33 Commissioner Lippert: Okay

34
35 Mr. Sartor: So we will correct that in the final version of this.

36
37 Commissioner Lippert: Well, the biggest question I guess I have is with regard to increasing it,
38 and probably the Floor Area Ratio (FAR) would be increased significantly and maybe outside
39 the PF Zone.

40
41 Mr. Sartor: No, we've all/we've done an Environmental Impact Report (EIR) on that project and
42 that's already been ...

43
44 Commissioner Lippert: Great, okay, good.

45
46 Mr. Sartor: So we've got EIR plans on that.

1
2 Chair Garber: Scott Park.

3
4 Mr. Sartor: Scott Park Improvements. That is on Page 116, and similar to Monroe Park, we will
5 be doing upgrades to the play equipment and the play surfacing at Scott Park.

6
7 Chair Garber: Commissioner Fineberg.

8
9 Commissioner Fineberg: Quick question. How many of our City parks have already been
10 upgraded and how many are still left?

11
12 Mr. Sartor: Let me defer to Greg on that.

13
14 Mr. Betts: You know, I'm sorry I don't have an answer. I'll get back to you on that. We are
15 coming to the end, after a ten-year infrastructure program, and we are coming to the last of the
16 playgrounds, but I'll provide, through Staff, an answer to that question.

17
18 Commissioner Fineberg: Is there a reason that the ... if there are any aren't listed, should they
19 be in the windows that are '11, '12, '13 and '14?

20
21 Chair Garber: They, and if I may answer briefly, they may be, but they/and if or unless they fit
22 the budget this year, you wouldn't see them.

23
24 Commissioner Fineberg: Okay.

25
26 Chair Garber: Commissioner Keller.

27
28 Commissioner Keller: Two things. First of all, some of these things are several years out. Some
29 of these things we see several years out and I think some of these things we don't, and I'll have
30 some generic comments about looking at things in the future in the latter session. However, I
31 noticed that we had some things last time about bathroom installations in some of the parks. Is
32 there any coordination being done between the upgrades to the parks for this kind of thing, and
33 the installation of bathrooms, or does it make sense to keep it separate? Is there synergy for
34 coordinating them or is the coordination not helpful?

35
36 Mr. Betts: I guess the short answer is the coordination for the restrooms isn't helpful.

37
38 Commissioner Keller: Okay, thank you.

39
40 Mr. Betts: It's usually simply for the playgrounds.

41
42 Mr. Sartor: If I could answer and refer you, Commissioner Fineberg, to Page 103, there's
43 basically a Planning CIP program. That would be PE-06010, for Park City Improvements, and
44 basically this forecasts out over a period of the five-year CIP, the order in which parks are going
45 to be improved. As the parks come closer for funding, we then create individual projects for, for
46 example, Hopkins Park or for Scott or Monroe, and they basically ... that's why you'll look in

1 columns 2009/2010, and it's vacant, and this is because the dollar amounts that you may have
2 seen from the columns from previous years has now been designated to individual projects. So
3 this will give you an idea of some of the four parks that are coming up in the near future.
4

5 Chair Garber: So, for clarification, Greg, this sheet isn't actually a project, it is descriptive of a
6 program of projects that are otherwise articulated in the ...
7

8 Mr. Betts: Right, more like a plan, if you will.
9

10 Chair Garber: Exactly.
11

12 Mr. Betts: Yeah.
13

14 Chair Garber: Commissioner Keller.
15

16 Commissioner Keller: Is there a list somewhere of which parks have been done and which parks
17 haven't been done and for quite a while that is beyond the list here?
18

19 Mr. Sartor: No, but as I mentioned to Commissioner Fineberg, I would be happy to supply that,
20 go back and give you a chronology of our ten years of City Works projects.
21

22 Commissioner Keller: Great, thank you.
23

24 Chair Garber: Okay.
25

26 Commissioner Lippert: Question, and it's a fall-out on Commissioner Keller's question since we
27 are talking about parks, and we are going to leave parks in a minute, I hope. It's Page 113 in this
28 book, Park Restrooms Installation, and it talks about the installation of these park restrooms. Is
29 that something that we are not supposed to comment on? I don't see that anywhere on the list?
30

31 Chair Garber: Is that one that had been improved in previous years, yes?
32

33 Commissioner Lippert: And so it's beyond our scope, it's not discussed? Okay, thank you.
34

35 Chair Garber: Civic Center and Chiller Drive.
36

37 Mr. Sartor: This is a fairly simple project. We are going to be replacing the air conditioning
38 drive unit in the Civic Center with this project, with variable drive _____.
39

40 Chair Garber: Lot J Structure Repair.
41

42 Mr. Sartor: Okay, this one is, and I don't know how many of you are familiar with the
43 Cowper/Webster Garage, which is known as Lot J. It is a steel frame building with wooden
44 framing bolted to the metal, and a number of the actual wooden braces and architectural features
45 are starting to fall apart and need to be replaced, so that is what this project is.
46

1 Chair Garber: Those darn architects. I thought it was core ten steel.
2
3 Mr. Sartor: I think the frame is, yes, but it's got the wood mounted to it.
4
5 Chair Garber: Commissioner Keller.
6
7 Commissioner Keller: I'm wondering why there is not a comment on the Impact Analysis, both
8 of the Chiller Drive, and the Lot J in reducing maintenance costs. Presumably, these would
9 reduce maintenance costs, for instance a comment about the need for repairing these things.
10
11 Mr. Sartor: That's a good point.
12
13 Commissioner Keller: Thank you.
14
15 Mr. Sartor: The next project for Public Works is to implement a program to install tree grades
16 around the street trees in downtown that do not have them, so that's what this project is.
17
18 Chair Garber: Vice-Chair Tuma.
19
20 Vice-Chair Tuma: Is there a similar project for Midtown and California Avenue areas where you
21 have heavy pedestrian traffic?
22
23 Mr. Sartor: Actually, we do have a separate CIP for California Avenue to do street tree
24 replacements and tree grades.
25
26 Vice-Chair Tuma: And Midtown?
27
28 Mr. Sartor: Midtown, no, not at this point.
29
30 Vice-Chair Tuma: Okay.
31
32 Chair Garber: Commissioner Fineberg.
33
34 Commissioner Fineberg: Has input been received from either the City tree arborist or the Public
35 Works arborist or canopy regarding whether this is of benefit to the survival of the trees, or if
36 there are any adverse effects to the health of the trees?
37
38 Mr. Sartor: Actually, this project was proposed by the Public Works arborist and canopy.
39
40 Commissioner Fineberg: Okay, great.
41
42 Mr. Sartor: It's their project.
43
44 We have the Highway 101. Do you want to take this one, Gayle?
45

1 Gayle Likens, Transportation Manager: We are proposing to fund this project in the second year
2 of the two-year CIP as a Feasibility Study to look at how to develop year-round pedestrian
3 bicycle grade crossing of Highway 101. We are not saying it's an overpass or and underpass, but
4 to look at the options.
5
6 Chair Garber: Vice-Chair Tuma.
7
8 Vice-Chair Tuma: A couple of questions. One is that I noticed that in the spreadsheet we have it
9 indicates that there is a departmental review required. Is that for the Feasibility Study?
10
11 Ms. Likens: Not for a Feasibility Study.
12
13 Vice-Chair Tuma: Okay.
14
15 Ms. Likens: For the project.
16
17 Vice-Chair Tuma: Right, but not for a Feasibility Study, which is what we are looking at here,
18 right?
19
20 Ms. Likens: That's correct, but this ...
21
22 Mr. Sartor: You wouldn't be able to do an EIR for \$100,000.
23
24 Ms. Likens: No, no. No, actually, yeah, the cost for the next steps are substantially higher, but
25 this is being created as a stand-alone CIP that would carry the project through the different
26 phases of development.
27
28 Vice-Chair Tuma: The other thing is that this is budgeted for 2010-2011, and my understanding
29 is that there are potentially significant funds available to actually do the project. Is the timing of
30 this study going to, in any way, inhibit or ability to go after those funds?
31
32 Ms. Likens: I don't believe so, because the need for this facility has been identified in the Santa
33 Clara County Valley Transportation Authority (VTA) Bicycle Expenditure Program in the
34 Valley Transportation Plan 2035. We submitted it about a year ago with a fairly high cost
35 estimate in what we understand to be the cost of building overpasses over the freeways at the
36 time at \$15 million, so there is a line item in the plan that would provide up to \$10 million for
37 this project, and we hoped ...
38
39 Vice-Chair Tuma: Right, I just don't want to miss the vote on that one.
40
41 Ms. Likens: No, and that's a long-term plan, and so, and there may be other sources of funding,
42 Federal funding if we have the opportunity to seek and get that.
43
44 Chair Garber: Commissioner Keller:
45

1 Commissioner Keller: In follow-up to Vice-Chair Tuma’s question, would doing this Feasibility
2 Study facilitate garnering the County funds by allowing for the scoping of the project better and
3 getting a better estimation of the cost?
4

5 Ms. Likens: Yes, absolutely. Generally, grant funds are not available for feasibility studies, and
6 it’s even better if you have your environmental clearance, and then you really have the ability to
7 go after funds, so this is the first step in this process and it would help.
8

9 Commissioner Keller: Great, and do you know whether there is potential for getting some
10 funding from the Peninsula Gateway 2025 effort for this particular project?
11

12 Ms. Likens: Potentially, down the line, although we are not sure where that project is going at
13 this point. The VTA funds are at least identified as a funding source and there is a line item in
14 that plan for this project.
15

16 Chair Garber: Commissioner Lippert.
17

18 Commissioner Lippert: Yes, you mean those seasonal projects across 101, would that be more
19 appropriate? Actually, but under the reviews, wouldn’t Caltrans also have to review it because it
20 crosses their right-of-way?
21

22 Ms. Likens: Of course.
23

24 Commissioner Lippert: So that would also be included in there?
25

26 Ms. Likens: Possibly, if we are looking outside the City, it would be a process, so many other
27 agencies would get involved.
28

29 Commissioner Lippert: And then also if VTA has funds in it, would they ... would ... okay,
30 great.
31

32 Chair Garber: Commissioner Fineberg.
33

34 Commissioner Fineberg: Would it make sense, or is there a reason it would not, to include the
35 words “year-round” in the description of the project so that it would read “the project will
36 conduct a Feasibility Study for a year-round pedestrian bicycle grade separating crossing,” so it,
37 and I’m reading this sheet that you just gave us today.
38

39 Ms. Likens: I didn’t put that in there.
40

41 Commissioner Fineberg: Oh, I’m sorry.
42

43 Chair Garber: It’s in the justifications.
44

45 Commissioner Fineberg: It’s in the justifications but not in the ...
46

1 Ms. Likens: We'd be happy to change that, absolutely.
2
3 Commissioner Fineberg: Because that would accomplish a greater purpose than a subterranean
4 one that floods for part of the year.
5
6 Ms. Likens: Yes.
7
8 Chair Garber: Commissioner Keller.
9
10 Commissioner Keller: Maybe one way to do that is where in the description the first line says "a
11 new pedestrian bicycle grade separated crossing," if that word "new" were replaced by "year-
12 round" so people would not assume that you were assuming the conclusion. It should be year-
13 round, but if it can be done with the under-crossing, right? If it can't be done with the under-
14 crossing, let's be clear on that so that people don't assume that you are ruling that out
15 unnecessarily but ruling it out because it is infeasible.
16
17 Chair Garber: Collection Software.
18
19 Ms. Bozman: Our IT Manager is not here, but I will try to take this one on. This would be
20 replacing the software that our front desk, our revenue collections people use at the front lobby,
21 upgrading that software. I know that the software that they have currently is quite old and is not
22 optimum for what they would use it for, so this is a program to upgrade and replace that software.
23
24 Chair Garber: Commissioner Keller.
25
26 Commissioner Keller: I noted that this also does not have the Board Commission Review and I
27 assume the answer is none or I assume this is not Utilities Advisory Commission (UAC), right?
28
29 Ms. Bozman: Right, this is Administrative Services.
30
31 Commissioner Keller: And I assume the \$8000 a year from 2010 through whatever is operating
32 costs? Is that maintenance? What is that \$8000?
33
34 Ms. Bozman: It might be a placeholder, just because the project stretches out for four years.
35
36 Commissioner Keller: Well usually tech support is considered operating and not capital which is
37 why I'm asking the question.
38
39 Ms. Bozman: We'll have to get back to you. I'm not an expert on this and I just know ...
40
41 Commissioner Keller: Would this reduce? Would it be expected that this would reduce costs
42 over whatever you currently have to do in terms of operating costs?
43
44 Ms. Bozman: I would expect that it's there to increase efficiencies.
45

1 Commissioner Keller: Yeah, so maybe the operating costs, and I presume the reason that you are
2 doing this is because the operating costs would go down, or the revenue would go up.

3
4 Ms. Bozman: I would hope both. Question?

5
6 Chair Garber: Commissioner Fineberg.

7
8 Commissioner Fineberg: Would this yield more satisfied citizenry that get gentle reminders and
9 come away with a better feel from their interactions with the City?

10
11 Ms. Bozman: It would be a good goal. I mean, again, I'm not the project manager on this one,
12 so all I know is that the software that they use currently is quite old, so it might give the citizens
13 a faster service, and the staff may be more able to access information, and that would lead to a
14 better interaction and better experience.

15
16 Chair Garber: Utilities Customer Billing. I'm sorry, that's where we were. Scheduled Vehicle
17 and Equipment Replacements.

18
19 Ms. Bozman: No, we missed one.

20
21 Chair Garber: Those are different.

22
23 Ms. Bozman: The Utilities Customer Billing System Continuous Improvements Program. We
24 just completed implementation of moving from two separate systems for utilities customers,
25 billing systems. We had a banner system that the City had for many years. We just finished an
26 implementation where we moved onto Systems and Applications and Data Processing (SAP) for
27 the Utilities Billing Module, so this is in addition to that. This is just additional system
28 improvements that may be needed over the next few years, upgrades and any additional module
29 enhancements that after they go through the phase-in period and see that they might need.

30
31 Mr. Marshall: That's where we are going to have to do where we talked about time-of-use
32 billing. The current system, as we implement this, has not implemented time-of-use billing, so
33 these are going to be the costs to implement time-of-use billing and other upgrades that we are
34 going to need in SAP to do more detailed billing scenarios for the customers.

35
36 Chair Garber: So this is connected in some way to the metering project?

37
38 Mr. Marshall: Yes, it will be, but we will need to implement things in the SAP software to allow
39 the metering project to work, and there are other improvements in customer interfacing with
40 compiling more options for paying bills and other things in the utilities system, and so that is
41 what that will be doing.

42
43 Chair Garber: Commissioner Keller.

1 Commissioner Keller: So it says in the Summary that annual maintenance cost is included, and
2 that means that it would not increase? It's already included? There is no increase in the annual
3 maintenance cost?
4

5 Mr. Marshall: For SAP, yes. Right.
6

7 Commissioner Keller. Okay, great, because maybe if the word "already" would indicate that this
8 cost is not going up, per se, otherwise it is not clear. I'm wondering why there are a bunch of
9 these things collections software, utilities customer billing, and what is telecommunications, and
10 why is it saying "not" on all of these things, including the previous page which says "telephone
11 system replacement" which says "none" under "telecommunications," and so I don't understand
12 what telecommunications is supposed to be and why it says "none" for a lot of these things there,
13 and if anybody has the answer. Maybe somebody should review these things and see whether
14 there is a telecommunications issue and I'm wondering whether the, and what was the one that
15 we had before?
16

17 Commissioner Fineberg: For the Record, 268, and it's titled "Telephone Systems Replacement,"
18 but telecommunications is "none."
19

20 Commissioner Keller: Exactly.
21

22 Commissioner Fineberg: That would be one where I would think there would be something.
23

24 Mr. Marshall: I could hazard a guess. I think telecommunications where it's something that
25 needs a new telecommunications facility and might need new telephone connection or something
26 like. I don't think it's referring to ...
27

28 Chair Garber: Well, there may be no impacts. It says "impacts." There would be risks.
29

30 Mr. Marshall: Right, but the new telephone system, well, that's a new telephone system, but you
31 don't have to re-establish new telephone lines. I'm only speculating, but I think that may be
32 why.
33

34 Chair Garber: Let's move on. Scheduled Vehicle and Equipment Replacements, Page 7, all the
35 way at the bottom.
36

37 Ms. Bozman: I think actually we are done.
38

39 Commissioner Keller: This was not on the sheet. I'm not sure what sheet.
40

41 Ms. Bozman: That one was actually pulled from the post budget.
42

43 Chair Garber: Okay, so we now have, nope, Commissioner Lippert.
44

45 Commissioner Lippert: Yeah, I found one that appears to be omitted, but maybe somebody can
46 clarify this for me. On Page 71, Foothills Park Interpretive Center Improvements.

1
2 Mr. Betts: Well, Foothills Park is in the Open Space. Generally, there is an PTC review for
3 anything in the Open Space.

4
5 Ms. Bozman: If it was more than what they included in the prior year, if it's not new this year.

6
7 Commissioner Fineberg: It won't be until 2011.

8
9 Ms. Bozman: And, again, new ...

10
11 Commissioner Lippert: Still, it's missing, and it should say Board Commission Review. It has
12 ARB, PRC and it doesn't have PTC and so that's ... I mean, we haven't reviewed it, and I don't
13 think it has been up for review yet, has it?

14
15 Chair Garber: Commissioners, we are at the end of our list, but we still have time left before we
16 have to vacate this room. Are there any general questions? Vice-Chair Tuma.

17
18 Vice-Chair Tuma: I don't have a question, but I have a comment and I recognize that we are
19 going to be doing comments mostly later; however, we won't have the Staff. So this is my third
20 year participating in this process. The first two years were in the conference room in quiet
21 session, and I have to say that from my perspective the set of materials and the way that we
22 received them, and the way that they were outlined, were great. I think we made a lot of
23 improvements in terms of making our review easier and having this spreadsheet, and it would
24 have been great to get it the day before, but nonetheless having it and the items that identified,
25 and how it identified them, while our task goes beyond the new items, focusing it on the new
26 items makes all the sense in the world and having the information made the review process, in
27 my mind, a lot easier and a lot more straightforward. Maybe it's because I've done it a couple of
28 times too, but I'm just ... and congratulations on the materials. I think it was great, and I really
29 appreciate it. I know a ton of work went into this. I think you guys did a great job.

30
31 Chair Garber: Commissioner Keller.

32
33 Commissioner Keller: I'd like to go back to the Ventura Community Center and Park item. And
34 the reason I'm going back to that one is because this specifically says the irrigation system is
35 connected to a centralized weather base program, and yet it says "telecommunications none." So
36 I assume that there does need to be a telecommunications connection between the irrigation at
37 Ventura Community Center Park and where the centralized weather base irrigation controller
38 that gets the satellite readings.

39
40 Mr. Betts: The controller units use cell phone technology, essentially wireless connections.

41
42 Commissioner Keller: I would consider that telecommunications.

43
44 Chair Garber: However, not to defend the project, it may have no impact on the project or the
45 resources being utilized for it, so it wouldn't come up.

1 Mr. Betts: It's going into the same number that the other controllers are reporting to.
2
3 Commissioner Keller: Okay, well.
4
5 Chair Garber: Commissioner Fineberg.
6
7 Commissioner Fineberg: On that point, in the front of the book, and I've scouted for it, include a
8 definition of what these CIP facts mean? Because we are kind of asking for a translation of that
9 and ...
10
11 Ms. Bozman: It does not, but that is a good point and we should add that in. I think that's a
12 good point.
13
14 Chair Garber: Commissioner Keller.
15
16 Commissioner Keller: So a few comments. Firstly, thank you very much for this spreadsheet.
17 Just a slight request in the future. Could you please put it in order by page number? It's a lot of
18 easier to follow if you could flip pages in one order rather than back and forth, but it was very
19 helpful.
20
21 The second thing is that we know what we have but we don't know what we don't have, and
22 there are a series of infrastructure studies, basically by the auditors, saying here is a list of the
23 backlog of ten, twenty or thirty years' worth of things that need to be done for Capital
24 Improvements in the City and it seems to me that it's hard and because that study was done, that
25 I would like to see at the beginning of this project, the CIP each and every year, with a list of all
26 of those CIPs that have been identified by the auditor and which ones have been covered in
27 previous years, which ones are in the scope of the current CIP for the next five years and which
28 ones are to be handled in the future with some unspecified date, or if you have an idea of when
29 they might happen and some specified date. This way, a member of the public, a member of the
30 City Council, a member of the various commissions could identify, well, here is this project, and
31 we know it's going to happen sometime in the future, why isn't it here, or maybe we should
32 complain that it should be moved up higher priority, but essentially this is a roadmap of what is
33 missing, and since no studies have been done, it would be helpful to have that roadmap clearly
34 identified as a front section of this chart.
35
36 Chair Garber: Other questions? Comments? Julie?
37
38 Ms. Caporgno: Actually, Susan, I may get to you. Commissioner Fineberg had submitted some
39 questions and I think most of them would probably be better address at the next session we have
40 with the Commission; however, there are two of them that really pertain to this, really, and I
41 don't know if you feel that they have been answered, but you had asked what are the future
42 financial requirements of projects with budget amounts noted only, and if you had ...
43
44 Commissioner Fineberg: We got to the _____ and the library.
45

1 Ms. Caporgno: Okay, and then the last question was this one about, is “in” supposed to be the
2 last word on Page 7 in the last paragraph.

3
4 Commissioner Fineberg: That’s just a typo.

5
6 Ms. Caporgno: That’s what I thought, okay.

7
8 Commissioner Fineberg: We also got to Number 6, if you want to cross that one off.

9
10 Ms. Caporgno: Yeah, I knew that one.

11
12 Commissioner Fineberg: And 3.

13
14 Ms. Caporgno: But the other ones are more I think that would deal with what you are going to
15 do subsequent to this session.

16
17 Commissioner Fineberg: Following up though on, and if I can, following up on Commissioner
18 Keller’s comment, and it’s sort of my question number two, and I’ll take the piece of it now that
19 having Staff may benefit our conversation. I went and looked at the Municipal Code that talks
20 about what the purview of the PTC is regarding review of the Capital Improvement Program.
21 The last sentence of it says, and let me just read it, it’s a quick paragraph.

22
23 “The General Plan should be the guide for the Capital Improvement Program insofar as the
24 Capital Improvement Program affects the physical development of the City. The Planning
25 Commission shall submit an Annual Report to the Council regarding the Capital Improvement
26 Program which shall review each project for its conformity to the Master Plan and review the
27 program as a whole in order to suggest any improvements in the economy or efficiency which
28 might be affected through the combining of various projects and suggest any needed
29 improvements which do not appear in the program.”

30
31 So, it’s that last part I want to focus on, “suggesting any needed improvements which do not
32 appear in the program.” So, I absolutely concur with Commissioner Keller that we are blind to
33 that because we don’t know what projects haven’t been included that haven’t gotten to us that
34 won’t go to Council, and frankly I don’t even understand the entire process of how things go
35 prioritized to get to here, and then I know they’ll go forward to Council Finance Committee and
36 then Council will get them after that. So, while I agree with Vice-Chair Tuma that the process
37 we are doing this year is a huge improvement compared to the process we had last year, and I
38 want to thank staff for that, and this is a great improvement, but I’d like to see additional
39 information about what hasn’t been included and I don’t know if I could go so far as to ask now
40 if there are pet projects that each of you has that didn’t make the list? Or are you constrained
41 from acting outside what’s written? I don’t know what would be appropriate.

42
43 Mr. Sartor: Let me take a shot at that, Commissioner Fineberg. This plan is a five-year plan,
44 and we have attempted to include just about most of our major priorities in the five years,
45 somewhere in the five years. What gets funded in the first year is a function of sitting down and
46 prioritizing those five years’ worth of projects and putting in what have the most critical health

1 and safety components, co-compliance issues, the Bond projects of course are in there, and how
2 much money do we have available. So that's how we prioritize the projects throughout the five-
3 year plan. Now, we also have a broader and more comprehensive list of City needs that we've
4 called the Infrastructure Backlog, and that goes out and takes a look out about 20 years and
5 trying to crystal-ball beyond 20 years of needs is nearly impossible, but we do have a list of
6 streets that need to be paved. We manage that on an annual basis. We have a Pavement
7 Management System so we track what streets need to be done and priorities of sidewalks, city
8 buildings, city parks, and they are all there. And kind of reflecting on what Greg was talking
9 about, my staff meets with Greg's staff on a regular basis. We have monthly coordination
10 meetings and we keep track of parks that have been improved and future parks that need to be
11 improved, and those are kept on a spreadsheet.

12
13 So I think that the short answer is that we sit down and we prioritize the projects on the basis of
14 what is critical in terms of health and safety, what's out of compliance with the law, and what
15 projects do we have money for.

16
17 Chair Garber: If I might, and actually I'm going to say a few things Commissioner Keller, and
18 then what I think, Commissioner Fineberg, is in part getting at is how can the Commission have
19 input onto the priorities and projects that are chosen for the particular years that we are
20 addressing?

21
22 Commissioner Fineberg: And the public?

23
24 Chair Garber: So that activity all occurs at the beginning of the year, and if I'm recalling from
25 years past, the various department heads have deadlines that are mid February or something of
26 that sort to be able to get those proposals in and, as I understand it, they utilize any number of
27 sources of inputs to determine that including various boards and commissions. Those then get
28 fed in to the plan at which point there is what is more commonly referred to in the trade as "horse
29 trading" depending on the amount of funds that are available and a competing interest for
30 priorities etc. There isn't any, to my knowledge, requirement for the Planning Commission to
31 have any input into any of that at that time. We simply review it at the other end to see that it
32 broadly supports the Comprehensive Plan and on advice the Council then approves it.
33 Commissioner Keller and then Commissioner Lippert.

34
35 Commissioner Keller: So I appreciate, and I'm pleased that you have a 20-year look forward,
36 and I think that's great and that kind of forward-looking position should be in the CIP and I think
37 that, to the extent that that was available to be in the CIP plus a look back at what you've
38 actually accomplished, would give appropriate notice to the citizenry and some boards and
39 commissions so that if the general public felt that a particular project was a higher priority than
40 the staff might have realized, then that could be incorporated into that process because right now
41 there is no visibility into that at all, and I think to me making that available is part of what is
42 listed here as "civic engagement for the common good." Giving the public information allows
43 for that civic engagement, firstly.

44
45 Secondly, I think that by putting it in this process at this stage it allows for the public to analyze
46 it over the next few months so that they can provide that information in the summer and the fall

1 for that input to go to the staff that is doing that prioritization. So I don't, and we may wish to
2 have some sort of public hearing, some body may wish to have some public hearings in the fall
3 to provide that, but publishing it as part of this, I think, would make this more useful.
4

5 Thirdly, this document is not easily available in any reasonable form at this stage and it isn't as
6 far as I understand it published in general form until some time after it is officially adopted, and
7 so public access to all of this information may be somewhat problematic in terms of getting the
8 various drafts of this and getting a final form as adopted by the City Council, so we should
9 explore how that can be done.
10

11 Ms. Bozman: If I might, this proposed budget is on the website, and it is available if someone
12 wants to buy the document, or we will also have it on CD and available. So this proposed
13 document is available to the public.
14

15 Commissioner Keller: Great. Thank you. I want to get into, if I may, three particular pet ideas
16 along the lines of things I think might be missing. One, is the San Antonio Road Onramp onto
17 101 Southbound and perhaps Gayle Likens might want to address the issue of the potentiality of
18 such a project which would greatly improve health and safety in South Palo Alto. What's the
19 prospects for having that done?
20

21 Ms. Likens: Currently, that project of looking to put a Southbound Onramp to 101 on San
22 Antonio and potentially closing the Charleston Southbound Onramp is not included in the
23 current project that is underway which is an auxiliary lane project on Highway 101, adding lanes
24 between the onramps and off-ramps to facilitate merging onto the freeway and off the freeway.
25 That project is being managed by the VTA and they are working closely with Caltrans, but they
26 did not include looking at the onramp situations at both Charleston and San Antonio, and they
27 did not have the money to include it in that project. They got money through Metropolitan
28 Transportation Commission (MTC) and they had to move forward with the project, but they have
29 recognized that this needs to be a follow-up study and VTA staff have committed in writing to
30 doing that because Caltrans has raised that issue, and they have operational problems on
31 Southbound 101, especially at the Charleston Onramp, and looking at creating a new onramp at
32 San Antonio would address some of those issues. However, the City itself would have some
33 issues and concerns that we would want full environmental analysis of that because of the
34 impacts on our own surface streets. So, it's going to happen, but it's not going to happen as part
35 of the auxiliary lane project.
36

37 Commissioner Keller: And am I correct in assuming that the auxiliary lane project will not do
38 anything to preclude the onramp being built at some future time?
39

40 Ms. Likens: I don't believe so, but I don't know for a fact. I don't think so.
41

42 Commissioner Keller: Okay, I guess this question should be addressed to Mr. Marshall, and that
43 is that the City has a program for utility under-grounding and I understand that this may have
44 slowed down because of Pacific Bell, or whatever they are called now, no longer co-funding that,
45 or what is the status is that, and how are the neighborhoods picked for which the under-
46 grounding is done?

1
2 Chair Garber: Quickly, because we have two other Commissioners that have questions.

3
4 Mr. Marshall: Okay, so I'm going to have to go real quick. It has slowed down somewhat
5 recently because of the issues with AT&T and cooperating on projects, and so that is something
6 that we are dealing with still. We are trying to continue to do projects and we are choosing
7 projects that they will participate in right now. So, that was one question. Let's see, what else?
8 And then you had a question about ...

9
10 Commissioner Keller: The order in which they are chosen?

11
12 Mr. Marshall: They are chosen by the Rules and Regulations 17 which guides us in the selection
13 of underground districts, although it's a little iffy now because we can't get participation with
14 AT&T, and so that is going to have to be looked at. We will have to go back and look at that
15 rule and regulation on how they are selected.

16
17 Chair Garber: Okay, Commissioner Keller, if I can get you to hold off. Let's get
18 Commissioners Commissioner Lippert and Commissioner Fineberg and then come back to you.

19
20 Commissioner Lippert: Yeah, I wanted some follow-up on the conversation we were having
21 previously about the 20-year backlog maintenance list. I don't know if I would agree with
22 Commissioner Keller's statement that this was included in the CIP or even referenced in the CIP,
23 but I think what's important here with regard to that list is that on that backlog list and the CIP
24 work, in the beginning we talked about the coordination of roadwork along with CIP work that
25 was being done, and so the road maintenance list really needs to be looked at or whatever Public
26 Works is doing in the way of road maintenance work with utilities work that is being done and
27 that was the concern that I think we had in the very beginning of this meeting. And so that's
28 really maybe I think where some of the relevance of that backlog list might be.

29
30 Mr. Sartor: It is. The City of Palo Alto has a very rigorous Geographical Information System
31 (GIS). We have a program within that called Project Coordinator where every one of the Utility
32 CIP projects are on that list and the upcoming street maintenance projects are on that same list.
33 We meet with the Utility Department once a month. We sit down and go over our five-year plan,
34 our list of streets, and we coordinate the paving, so yes that does exist.

35
36 Commissioner Lippert: Thank you.

37
38 Chair Garber: Commissioner Fineberg.

39
40 Commissioner Fineberg: I have a question about whether it would be appropriate or possible to
41 add a project to the CIP list that would build levies to provide flood protection for the areas in
42 the eastern part of Palo Alto that are particularly in tidal flood zones. We have a CIP project OS-
43 09002 on Page 101 that is raising the level by about six inches of existing levies. If that
44 construction is consistent with our Comprehensive Plan and providing flood protection, public
45 safety, emergency access is all desirable with our Comprehensive Plan, how can we justify
46 excluding providing that same benefit to maybe an additional 5000 houses in the eastern part of

1 Palo Alto? Each of those homes pays about \$1000 a year in FEMA flood insurance. Many of
2 those homes will be between three and five feet underwater if there is a 100-year flood. If those
3 levies are breached, we are going to be in trouble, and I know the South Shoreline Study is
4 working with Army Corp and there is a 40-year plan, but is there any possibility that the City can
5 take control and do any work to improve the flooding conditions?
6

7 Mr. Betts: Yes, you have to understand that the levy system in Palo Alto is actually operated by
8 three different agencies. Part of it is the airport. They recently raised their section of the levy
9 two years ago, at 1-1/2 feet. The Santa Clara Valley Water District owns the majority of the
10 levies on the tidal basin. They recently had a project to raise the levies between the Baylands
11 Athletic Center and the Friendship Bridge to East Palo Alto by two feet and that was four years
12 ago. The City of Palo Alto has actually had responsibility for just short sections of the levy
13 including the section between the parking lot at the Lucie Evans Baylands Interpretive Center
14 and the area that starts that property that is part of the airport. We work in very close
15 cooperation with the maintenance section of Santa Clara Valley Water District. If we see
16 erosion, ground squirrel holes, or if our emergency trucks don't have access on the levies, the
17 park rangers are the first line in terms of monitoring high tides, and so we notice areas that we
18 have to sandbag, and the project that is currently in place is the only area that we are currently
19 having the sandbags, so we're trying to work between all three partners and the Joint Towers
20 Authority to make sure that our levy system is ...
21

22 Commissioner Fineberg: So is there any reason we should not add a project that would provide
23 flood protection and remove Eastern Palo Alto from the FEMA tidal flood plane?
24

25 Mr. Betts: Well, the primary thing is that we don't have the ownership of the levies and that is
26 actually something that is funded through the Santa Clara Valley Water District.
27

28 Chair Garber: I'm not sure that the levy would cause those lands to become declassified because
29 of their location.
30

31 Commissioner Fineberg: Absolutely, if Army Corp certifies it, it can be removed, and that
32 requires a big deal, but it can be de-certified.
33

34 Chair Garber: Commissioner Keller and then we are going to have to adjourn and ...
35

36 Ms. Caporgno: Yeah, we are. There Deputy, City Manager and the City Clerk are anxious for
37 us to get out of here.
38

39 Commissioner Keller: Okay, so with respect to Commissioner Fineberg's comments, I believe
40 that it is the Bayward levies and the inadequacy of those is the reason that 2400 homes in the
41 proportion of Palo Alto nearest 101 are in the Bay floods, so having a CIP for that would
42 certainly make sense as a placeholder. Let me just quickly say that I'm wondering the extent to
43 which we improve street patching. When they are resurfaced they tend to, and I've noticed
44 certainly in my neighborhood and other neighborhoods, they crack after they have been
45 resurfaced and whether improved patching of the streets would mean that we could go longer
46 between resurfacing the streets because in my neighborhood some things have happened over the

1 past five to ten years and they are already cracking up and there has not been any applying of the
2 hot tar to keep them from cracking and coming up even further. Is there something that can be
3 done along that line?
4

5 Mr. Sartor: I'm not sure I understand. I mean, we do various pavement treatments, ranging from
6 total reconstruction to resurfacing to what we call preventive maintenance where we put in what
7 you call hot tar, which is actually a slurry seal or the double coating of slurry seal on rock, and if
8 you are asking if there is a better way to do it, we are doing the best we can.
9

10 Commissioner Keller: Well, let me suggest that you go and look at Mayview between the length
11 of Mayview and Ross Road near Mayview where the pavement was done several years ago and
12 it's cracking and see if there is a better thing we can do, just as an example.
13

14 Mr. Sartor: We do survey every street throughout the city every year.
15

16 Commissioner Keller: Okay, well that ...
17

18 Mr. Sartor: And we do take a look at its pavement condition and it goes into the mix of priority
19 for future.
20

21 Commissioner Keller: Well, the chunks are coming up from the street and I'm wondering
22 whether if we can keep the chunks from coming up any further and whether the street will have a
23 longer life.
24

25 Mr. Sartor: Understood.
26

27 Chair Garber: Likely, a separate topic, but we need to adjourn. We will reconvene in the
28 Council.
29

30 **AT 6:30 PM:**
31

32 Chair Garber: This is the continuation of a previous session that was started at 4:00 p.m. this
33 afternoon. This would be the time for anyone from the public to speak to the Commission on
34 any item before it. I see now cards. We do not need to take roll again because we are all here.
35

36 *ORAL COMMUNICATIONS.* Members of the public may speak to any item not on the agenda
37 with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a
38 speaker request card available from the secretary of the Commission. The Planning and
39 Transportation Commission reserves the right to limit the oral communications period to 15
40 minutes. **None.**
41

42 *AGENDA CHANGES, ADDITIONS AND DELETIONS.* The agenda may have additional items
43 added to it up until 72 hours prior to meeting time. **None.**
44

45 ***NEW BUSINESS***
46

1 **Public Hearing:**

- 2
3 1. **Capital Improvement Program 2009-2012:** Review and recommendation of the
4 Capital Improvement Program for Comprehensive Plan consistency.
5

6 Chair Garber: So this brings us to our first item which is the Capital Improvement Program for
7 2009-2012, and the Commission has been asked to review and recommend the Capital
8 Improvement Program relative to its consistency to the Comprehensive Plan. Does Staff, and in
9 this case Julie, have anything that she would like to add?
10

11 Ms. Caporgno: I'll make it very short, Chair Garber. I had introduced, in the Study Session,
12 Cathy Siegel and Chitra Moitra who worked with Budget this year to go over the individual and
13 particularly the new CIP projects to identify conformity with the Comprehensive Plan and that
14 information was included in a book that you have. And tonight, really what we would like you
15 to focus on is are the projects that were identified in the CIP, and particularly the new ones as we
16 have stressed, because you have seen the old ones before, is there conformity with the
17 Comprehensive Plan?
18

19 I know that Commissioner Fineberg I had quoted earlier in the Study Session had quoted the
20 Municipal Code and the charge of the Commission and that there were some others, and you can
21 look at the context of the individual projects and how they fit with the other projects, and also if
22 you have any suggestions for needed improvements, and that is definitely still valid that
23 information from the Municipal Code; however, if you will note on there, it talks about "sell"
24 versus "suggest" so that you have to make, in accordance with State Law and per City
25 Ordinance, a determination as far as conformity to the Comprehensive Plan for the individual
26 projects. As far as looking at the context and how they relate to other projects and the idea of
27 also needed improvements, those are things that you can make suggestions in your transmittal to
28 the City Council that you feel that this would be advisable, but that is really the focus is the
29 consistency with the Comprehensive Plan.
30

31 And then the other thing that we would like you to do is give some direction as to what you
32 would like to include in the transmittal to the City Council. We had provided the letter that you
33 sent last year as an example, and it doesn't mean that you have mirror that, or it doesn't have to
34 be very long, but you can work on it tonight, identify things that you would like to include and
35 then Staff can draft a letter and run it past the Chair, or if you just give us some ideas we can
36 prepare more of it and do most of the work and then run it past the Chair, but we do need that to
37 be done quickly because the Finance Committee will be reviewing the CIP and needs to have
38 your information for next week, and so we were hoping to get this completed in the next couple
39 of days.
40

41 Chair Garber: Just before we open this to Public Comment, let me draw your attention to
42 question number one from Susan Commissioner Fineberg, which states, and this is from the
43 Ordinance:
44

45 "The General Plan should be the guide for the Capital Improvement Program insofar as the
46 Capital Improvement Program affects the physical development of the City. The Planning

1 Commission shall submit an Annual Report to the Council regarding the Capital Improvement
2 Program which shall review each project for its conformity to the Master Plan and review the
3 program as a whole in order to suggest any improvements in the economy or efficiency which
4 might be affected through the combining of various projects and suggest any needed
5 improvements which do not appear in the program.”
6

7 Does this give the Commission and then therefore the Commissioners the opportunity to make
8 specific recommendations for projects that should be included in the Capital Plan?
9

10 Ms. Caporgno: Yes, it does. For instance, you can suggest in your letter that you think that the
11 levy project should be included in the CIP. Now, that doesn't mean, and I think the real issue for
12 is, or from the City's perspective is that we have to get a recommendation or decision from you
13 as to conformity with the Comprehensive Plan, but these other two items, the efficiencies, or the
14 other projects, those are things that you can suggest and include in your letter and it's up to you
15 as to whether or not you want to do that.
16

17 Chair Garber: All right. Are there any other questions of Staff before I open the Session to the
18 public? Commissioner Lippert.
19

20 Commissioner Lippert: I just want to review one other thing with you. Prior to us receiving the
21 CIP, it came before Council on their Agenda, and can you explain that? That is a little different
22 than normally.
23

24 Ms. Caporgno: This year the City Manager decided that he wanted to go to the full Council in a
25 Study Session to discuss the CIP. So normally you would receive that CIP and then it starts to
26 go through the Finance Committee Process, and then the full Council sees it after it has gone
27 through the Finance Committee, but he wanted to discuss it in general with the full Council
28 before it was referred to you and then it went to the Finance Committee. So that's what
29 happened and I think that was on April 28th.
30

31 Commissioner Lippert: And can you enlighten us as to what the substance of that discussion
32 was?
33

34 Ms. Caporgno: My understanding, and I wasn't there, but from what I have heard is that the CIP
35 itself was not really discussed. It was more just generally what issues the City Manager thought
36 we were facing as far as the Budget, and how he generally was planning on addressing those, and
37 I assume that one way that it does affect the CIP is that a portion of what he is envisioning to
38 meet the shortfall that we have is to curtail some of the projects that we have or that are under
39 consideration. Now, I don't know if those would be CIP projects or just projects in general, but
40 that is probably the best and closest relationship as far as the to the CIP, but there weren't any
41 specific projects that were discussed.
42

43 Commissioner Lippert: So I guess the line of questioning that I have here is, if in fact we have
44 this CIP in front of us, have those deferred Budget and Capital Improvement Items been
45 addressed in this document, or will they be addressed once we've completed our review?
46

1 Ms. Caporgno: They will be addressed after you've completed your review. So what will
2 happen, or the next steps in the process are that you will be reviewing this and then making a
3 recommendation and it goes as far as the conformity as well as if you have any other comments
4 regarding the CIP in general, what should or shouldn't be in there, how to I guess address more
5 than one, or what Vice-Chair Tuma was saying earlier in trying to be efficient by making sure
6 that if there are two departments working on a project that we address that as efficiently as
7 possible. But, you make that recommendation and then the Finance Committee is going to be
8 reviewing that information that you have provided in addition to everything else that they have
9 received including the City Manager's comments and then they will be making a
10 recommendation to Council as to what to include in the CIP, and then the Council acts on the
11 CIP.

12
13 Chair Garber: Commissioners Commissioner Fineberg and then Commissioner Keller.

14
15 Commissioner Fineberg: Thank you, Julie, for your comments earlier. One clarification, when
16 you were talking about if the Commission felt that a new project should be added, you
17 mentioned that would be optional but we needed to make the determination as to the consistency
18 with the Comprehensive Plan. Did that consistency analysis apply to the entire program, the
19 entire listing of CIP programs? Or, if there is an additional item, that we would have to make
20 the determination in this hearing of that program, the additional program's consistency?
21

22 Ms. Caporgno: You have to make a finding of consistency with the book, all of the CIP projects,
23 and what we have told you in the past is that and again this year, and you look at them
24 individually. That is the requirement and so you have found most of them to be consistent
25 previously, so the new ones were why we were focusing you on those because you haven't found
26 them to be consistent yet. But, if you were also recommending another project to be added to the
27 CIP, then you would need to identify that it you felt was consistent too, because if the Council
28 elected to incorporate that project, you would have to make that finding and that's a charge and a
29 State Law that the Commission finds the CIP to be consistent with the General Plan or
30 Comprehensive Plan.

31
32 Chair Garber: Vice-Chair Tuma had a follow-up.

33
34 Vice-Chair Tuma: I don't see how that would be possible. I mean, it would seem to me that the
35 most we could do would be to recommend that a project be looked to be included in next year's
36 version. I just don't see how we could even begin to understand. I mean, there could be a
37 concept put forward, certainly, and I'm very supportive of that, but to take that concept and
38 define it well enough to know whether it would also be consistent with the Comprehensive Plan
39 seems to me to be well beyond the scope of anything we would be capable of doing without the
40 input from Staff. So I personally would have a great deal of problem saying that an idea that we
41 came up with as something that should be included would be consistent with the Comprehensive
42 Plan without having that project scoped and do all of the other things that would go into it, but I
43 think making a recommendation that it be included in next year's CIP would certainly be
44 appropriate, and then have it be worked as part of the process, but I don't know, maybe I'm not
45 getting it, but I just couldn't see us doing that tonight with a project that hadn't been vetted by
46 Staff and others.

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Chair Garber: Julie.

Ms. Caporgno: And I agree with Vice-Chair Tuma. I'm just saying that the process, if you were to recommend one to be included, you would have to find the conformity and or else it couldn't be included, so I was just trying to make that clear.

Chair Garber: When does the Council need to sign off on this?

Ms. Caporgno: I think it's June 12th is the Adoption by Council. In the next couple of weeks, the Finance Committee is going to, and actually the CIP goes to the Finance Committee next Wednesday, and then in a couple of weeks, or a month, it would be going to full Council.

Chair Garber: Yeah, so there is no time to actually put a project together but the point is well taken that if we have recommendations of projects that can better serve and answer to the goals of the Comprehensive Plan, this would be a good time to hear those. Commissioner Fineberg, do you have more? Go ahead.

Commissioner Fineberg: So if we are going to be attempting to add some conceptual projects, what manner procedurally would we arrive at some sort of agreement of which projects? Do we do a Straw Poll? Is it everybody gets to suggest whatever it is that their personal thoughts are? A formal vote? Motions?

Chair Garber: I guess, and let me take a stab at this, Julie. I'm thinking that there are two pieces here. One is the transmittal of the CIP to Council with comments that are specific to it. Then, there is possibly a second part to that, or a second transmittal, that is a series of recommendations for study/projects for Staff to consider in the following year or some year. You know, who knows? Maybe it is more than actually could be scoped and put together in two weeks and presented, etc. etc., so maybe there isn't a timepiece here, but maybe it's simply a list of initiatives for staff to consider. Suggestions?

Ms. Caporgno: Can I, and I guess since you are considering this and you have recognized this, it probably would be impossible to recommend something to include in this year's CIP and that maybe the Commission would, and you had at one point and I know it has kind of fallen by the wayside probably temporarily, but the report to Council from the Planning Commission that maybe you do something, and I'm not saying including in that, but at some process similar to that that maybe a group of you get together and identify what you think are projects that should be included for next year's CIP and you do it early on so that you could give them something like in the fall of this year, so that the departments would have ample time to consider those, and that there would be some intervening time in which you could kind of vet them more carefully.

Chair Garber: Let me try this out on you because Commissioner Fineberg's suggestion is an important one which is how do you get to some sort of knowledge that the recommendation or the suggestion that is made by any one Commissioner is supported by any of the others?

1 So if we were to create a list, I think it would be very difficult for us on the fly to try and put
2 together consensus on any one of those, but it seems to me that Staff would go away and take
3 those recommendations, frame them in whatever format they should be and some very general
4 scope put around them such that they can be considered against each other and then brought back
5 to us for a Straw Poll or something of that sort.

6
7 Commissioner Fineberg and then we will go to Commissioner Keller.

8
9 Commissioner Fineberg: So I want to finish this discussion and I do have one more question. I
10 would agree with Vice-Chair Tuma that it will be difficult for us to determine with any certainty
11 the consistency with the Comprehensive Plan of something that we introduced tonight, but that
12 should not preclude our ability to complete what is our process as detailed in the Municipal Code
13 and it specifically says that we submit an Annual Report. It doesn't say two or three of them,
14 and it has "an Annual Report that includes a review of each project for its conformity," and I'm
15 going to paraphrase now, review of the program as a whole and to suggest any needed
16 improvements, and I strongly feel that this should go as one report as the Municipal Code says it
17 should. That said, I also understand that with time constraints we may not be able to have the
18 most perfected process this year, and as this year's process is much better than last year's, I think
19 we can make as much progress as we reasonably can this year and then work to maybe
20 incorporate a process that will address that added component for next year.

21
22 I don't know if this could just be included as comments, but maybe we can find some quick way
23 to include something with the idea that it tentatively might be considered in the future budgets.

24
25 Chair Garber: Commissioner Keller, you had a follow on.

26
27 Commissioner Keller: Yes, firstly, I agree with Commissioner Fineberg that in general there
28 should be one report and I greatly appreciate Commissioner Fineberg actually looking at the
29 writing here because I have been trying to do things like this in the past and have been rebuffed
30 in doing so, but thanks to Commissioner Fineberg's actually finding the wording that we are
31 supposed to do this, I feel somewhat vindicated.

32
33 A couple of things.

34
35 Firstly, I am going to suggest this process for the future and then see how we can fit it in for this
36 time. The process that makes sense for the future is that the CIP document that we get include
37 the backlog list as mentioned by Public Works and also include the chronology of past projects
38 as mentioned by Public Works as Utilities and other staff have, and that is to give a bigger
39 picture of what's been done recently and what's going to be done in the future. We, then, get
40 that document as part of the CIP document including future things not yet scheduled and past
41 things done to get an idea of sort of where the lay of the land is on this. We then review
42 individual projects that are mentioned as actually defining projects in the CIP and compare those
43 with conformity to the Master Plan, project by project and indicate which ones have problems in
44 that respect.

45
46 Chair Garber: These would be the "new projects" that we were ...

1
2 Commissioner Keller: Well, new projects or if there are any errors in the olds ones, whatever, or
3 to the extent that there have been revisions in the Comprehensive Plan in the intervening year
4 that affect existing projects that may occur as well. For example, if you make a modification to a
5 Comprehensive Plan in that year and that therefore causes a lack of conformance in a project that
6 has already been reviewed, and in other words, it happens both ways.
7

8 In general, we would not have to re-review existing already known projects, but sometimes that
9 may have to happen because of Comprehensive Plan changes, and I expect that when we have
10 the Comprehensive Plan update to go through 2020 that at that point in time we will probably
11 have to go through all the CIPs because there will be extensive changes made throughout, so
12 hopefully that addresses that issue of whether it's new projects or only old ones.
13

14
15 The next thing is, with respect to reviewing the program as a whole in order to suggest any
16 improvements in economy or efficiency which might be affected through combining of various
17 projects, or suggesting any needed improvements that needed to be done in this program, and in
18 general, I suggest that this be done through a series of Motions made at the equivalent of this
19 meeting each year and that essentially if, for example, Commissioner Fineberg were to say she
20 thinks we should consider as part of a CIP raising the levies in the Baylands in order to remove
21 2400 homes from the flood plane, and that Motion should make some reference to why it is not
22 unreasonable to the Comprehensive Plan, and then we vote on that up or down as a
23 recommendation and that this be part of the efficiencies and improvements and things like that,
24 and that those be individual Motions that we make, and then we collect the set of those Motions
25 to be the recommendation to the Council as part of this.
26

27 Now, I think that we are probably prepared to make some of those Motions tonight. Maybe we
28 are, maybe we are not, but we do not have the backlog list of future potential CIPs of sort of the
29 20-year backlog, and we don't have the chronology of past projects done, and what I'm
30 suggesting is that as a way of jump-starting this process that towards the end of the summer,
31 prior to Staff doing this iteration for the next year, that this come back to us with those listed
32 items and that we, the Planning Commission, be given the opportunity to discharge this function
33 with respect to future projects that we think are worthwhile including. But, in general, and in the
34 future, we can do all of that at the one annual meeting for review.
35

36 Chair Garber: Commissioner Lippert.
37

38 Commissioner Lippert: Well, I want to start off by saying that the road somewhere is always
39 paved with good intentions but in this case I don't agree with my colleagues here. In fact, to
40 suggest projects without understanding, I think, the implications of those projects is really a folly
41 of fools. What really needs to be addressed here and I think is probably far more important is to
42 find portions of the Comprehensive Plan which are falling short in terms of what the City has
43 established as the roadmap by which the City is going to be developed. By that what I mean, and
44 I can give as a really good example is that, for instance in the Comprehensive Plan, it spells out
45 that every neighborhood or every grouping of homes of I think it is a population of 5000 will
46 have a park. So if we were able to find that this policy was deficient in certain neighborhoods,

1 we could go ahead and within the purview of this body say we find that there is a grouping of
2 5000 homes, or residences, or whatever that are lacking a public park. Very specific, and we are
3 not telling them how to budget for it, we are not telling them about a project, and we are not
4 doing anything. All that we are doing is identifying that there is a deficiency here in the
5 Comprehensive Plan and what the CIP is, and that is in fact I believe the approach that they
6 followed in terms of securing and making sure Heritage Park came about is that the South of
7 Forest Avenue (SOFA) area was blocking a park for the number of homes that were planned on
8 being developed there.

9
10 Again, I think that like any good architectural or design project it's problem-solving and the root
11 of any sort of problem-solving is defining what the program is, and that should be the level to
12 which we should be doing our investigation, not assigning specific projects. So in Commissioner
13 Fineberg's, I guess, discussion here you were identifying a program of a flood zone or whatever,
14 and that really is what should be identified and not the raising of the levies, because in fact we
15 could be creating a greater problem.

16
17 Chair Garber: Let me pull this back on track here. First thing, let me ask my Commissioners
18 let's not attempt to define whether the process can or should be here. Let's create a
19 subcommittee that will go away, make recommendations and bring those back to us and work
20 with Staff to accomplish that, because I think that there are a lot of good ideas, but let's not try
21 and do this on the fly; let's try and do it systematically and thoughtfully, and we can make that as
22 part of our Motion as we go forward.

23
24 If I can, let's bring us back to comments that are specific to the projects that we have seen and
25 comments that are germane to the questions and answers that we have received earlier this
26 evening.

27
28 I have lights from Commissioners Fineberg and Keller.

29
30 Commissioner Keller: First of all, I want to underscore the comments that were made in the
31 earlier session about the study for the crossing of 101 in the vicinity of Adobe Creek, if you will,
32 and that this specifically be called out that it be year-round and perhaps even year-round should
33 be part of the title of that new CIP so that it is unambiguous what is intended there.

34
35 And I also would encourage to the extent that we create a committee to look at potential
36 additions of CIP items to be considered by Staff and to come back at some point, and that this
37 committee be given the backlog list that was mentioned by Public Works, and chronology of past
38 projects going along those lines and comparison of those to the work of the various infrastructure
39 studies that have been done in the past so that you can sort of cross-correlate and cross-track that
40 so that in some sense there are various list of backlogged items and there are various lists of
41 needed infrastructure items and it would be nice to have this committee be given all of that
42 material so that it could and that material also be made public so that the public would have
43 meaningful ways of participating in this discussion and also so that the Committee could note
44 inconsistencies in that and understand those things which should have been identified and
45 weren't identified. Thank you.

1 Chair Garber: Thank you. Vice-Chair Tuma. I'm sorry, Commissioner Fineberg and then Vice-
2 Chair Tuma.

3
4 Commissioner Fineberg: I would prefer to see tonight's project fulfill our mission that is in the
5 Municipal Code. I know we are not going to be able to perfect a process tonight on the fly, but I
6 think that we've identified already one, if not two, projects where there might be concurrence
7 among Commissioners about their benefits and consistency with the Comprehensive Plan and I
8 would not want to lose those.

9
10 Let me get on to some specific comments about projects we discussed earlier. The Bicycle and
11 Pedestrian Access across Highway 101. I agree that the language should stress the year-round
12 access, whether that be in the title or the description, but not relegating it solely to, I believe it
13 was the third paragraph on the page, and I support this new addition to the Budget. I believe that
14 it is consistent with the Comprehensive Plan and Penny Ellson wrote us a Memo listing many
15 specifics of its consistency. Should that be read into the Record? Should we have a Straw Poll
16 as to that list either being adopted or Staff reviewing it?

17
18 Chair Garber: Yeah, I don't think we need to as part of the Record, but more importantly, it's
19 already part of the project that was submitted to us now by the City as opposed to Penny, is that
20 correct?

21
22 Ms. Caporgno: Correct, and I think what Commissioner Fineberg is suggesting is that we
23 include all of the references to the other Comprehensive Plan policies that it is consistent with. I
24 mean, I think that the information that you had received from Staff had indicated a couple of
25 those policies, but Penny had done a much more thorough analysis and provided many more
26 references, and that we could include in your Transmittal Letter that information.

27
28 Commissioner Fineberg: Well said, thank you. If we could do that, I would feel that would
29 improve the documentation of how that crossing is consistent with the Comprehensive Plan. I
30 would ...

31
32 Chair Garber: Commissioner Fineberg, Commissioner Keller would like to interject a comment
33 there.

34
35 Commissioner Keller: Does this have any Planning Commission review and/or Bicycle
36 Advisory Commission review, because it only lists ARB and PRC?

37
38 Ms. Caporgno: We will need to check on it. I think part of it was that it was done very
39 hurriedly, and so we will make sure that it is correct in whatever was sent to the Council.

40
41 Commissioner Keller: Thank you.

42
43 Chair Garber: Vice-Chair Tuma.

44
45 Vice-Chair Tuma: I would note that what the project that is listed here is just the Feasibility
46 Study. It is not the actual project of creating the solution.

1
2 Ms. Caporgno: Yeah, I agree with Vice-Chair Tuma, but I think that when Gayle mentioned that
3 that's why there was an Environmental Review, and we need to be consistent in that this is a
4 Feasibility Study and we exclude the Environmental Review, and if it addresses the entire
5 project, even though right now there is only \$100,000 for Feasibility, that we need to address the
6 other boards and commissions that will review it.
7

8 Commissioner Fineberg: On the one-page sheet we were just given today, at the bottom section
9 where it does say "impact and support analysis," it does include that the design stage it may
10 require ARB, PRC and PTC review so the ARB and PRC was only committee review in the top
11 six lines.
12

13 The comment that Commissioner Lippert made regarding any proposed additions for tonight, I
14 absolutely agree with him that they not be so specific as to define a project but just be
15 identification of problems that exist, Comprehensive Plan policies are not being upheld, and
16 obviously the expectation would be that they would be considered in future CIPs. He
17 commented on the need for parks and where there are new populations that are not being served
18 according to Comprehensive Plan criteria, and I would agree with that and would suggest that we
19 consider a comment that generalizes that to include the question I had as my fifth question to
20 Staff if we could look at the new developments that have happened in South Palo Alto including
21 Vantage, Echelon, Classic, Altair, CT, CJL, Arbor Real, Summer Hill Homes at the Elks, Alma
22 Plaza, Mayfield Mall and West Meadow Oaks, and anything else I have forgotten. We've had a
23 large number of new residents added in a very concentrated area and to my knowledge there has
24 been very little, if not, infrastructure or amenities added to support that population. So if we
25 could identify the CIP projects that would improve these neighborhoods, provide new public
26 gathering spaces, essential services and pedestrian amenities to encourage less reliance on the
27 automobile and review Comprehensive Plan consistency with supporting that new population, I
28 think that's the kind of new, and I'm struggling with the wording because it is not a project, but a
29 new suggestion that would allow the Comprehensive Plan to be better supported by the CIPs.
30 And I am struggling with how we can determine the consistency our land use and community
31 design when we don't have the basic information to determine whether all the neighborhoods are
32 being served adequately.
33

34 So I would like to see an analysis of the CIP projects, both historic and proposed, that are broken
35 down on a geographic basis, and that would allow us to determine whether there are adequate
36 levels of service in things like parks, public infrastructure and pedestrian amenities, and that is it
37 for now.
38

39 Chair Garber: Commissioner Keller.
40

41 Commissioner Keller: Well, I agree with what Commissioner Fineberg said. One of the
42 interesting things with respect to parks is that I believe that so far the Park Impact Fees of
43 developments have gone into improving parks in general and not towards acquiring parkland
44 with the exception, I believe, of Heritage Park, which was part of the SOFA processes as
45 observed and there hasn't been the acquisition of parkland for any, as far as I can tell, of the
46 developments that have so far been done in South Palo Alto, and so that is a big problem, and to

1 the extent that Parkland Impact Fees are only used for park improvements and not park
2 acquisition that is an issue and to the extent to which Parkland Impact Fees are insufficient in
3 order to be able to do the acquisition necessary, that is also a concern about the degree to which
4 the nexus studies are appropriate there.

5
6 I think that it may be possible at this meeting. There seems to be the suggestion of flood
7 protection for tidal flooding as a CIP. There's a potential for on-ramp from San Antonio Road
8 onto 101 Southbound, which is entirely within the City of Palo Alto ignoring the issue of
9 whether you close or do not close the southbound ramp from Charleston onto 101 in
10 Mountainview. Those are potential CIPs that I think we may be able to and I think are enough to
11 move onto the radar screen so that we might be able to have Motions on those tonight and have
12 them be studied. I'm not sure that those need to be relegated to a committee. I do think that the
13 notion by Commissioner Lippert of identifying those areas in the City that are inadequately
14 served by parks does require further review by a subcommittee, but I do think that these two
15 particular items, the onramp and the flood protection are things that I think are well enough
16 understood that we could recommend them for further study by Staff for inclusion in the future.

17
18 Chair Garber: Commissioner Lippert.

19
20 Commissioner Lippert: Well, I appreciate you understanding my point of view and where I was
21 coming from. That was really being used as an example, and not as a real live way of creating
22 more work here. It really was meant in the spirit of just giving an example as to how the process
23 might work. But, be that as it may, what I think is important here is that I do not have any desire
24 to increase the bureaucracy, increase the workload of staff of this City and what I am looking for
25 here, I think more than anything, is towards my Commissioners to do the heavy lifting, and by
26 that what I mean is that rather than put it on Staff to find that where housing projects are being
27 built and we have increased density, to look for where there are deficiencies in the
28 Comprehensive Plan. As a Commissioner, it is incumbent upon us to use those documents and
29 to be familiar enough with the projects that we review and to have an understanding of the
30 documentation that we can then go to the General Plan and be able to say with the CIP there is a
31 deficiency or a problem here and be able to identify it. It is not Staff's responsibility to come
32 forward with this work. They have enough to do. It is our job as Commissioners to sift through
33 these documents to be able to do our own research and homework.

34
35 Chair Garber: Vice-Chair Tuma.

36
37 Vice-Chair Tuma: Okay, a few comments. One is that I will echo the sentiments of
38 Commissioners Keller and Fineberg with respect to PL-11000 which is the Bike Pedestrian
39 Crossing. I do want to make sure that with respect to the timing of this project, the project being
40 the feasibility study that in our previous session I had asked Gayle Likens whether by putting it
41 off to next year that we would in any way jeopardize the ability to get the addition \$10 million or
42 so dollars in funding and she said she didn't think so. I just want to make sure we are 100
43 percent sure of that because I would just hate to see us not put \$100,000 in the budget this year
44 that could net us \$10 million in the next or subsequent years. So I think it's really important that
45 we take a look at that and make sure that putting the Feasibility Study off until next year does not
46 jeopardize the funding option.

1
2 I would also again echo the sentiments of Commissioner Keller, in particular, with respect to
3 getting a list of completed and backlogged projects going forward as a part of what we are
4 looking at. It gives us the ability to examine the program as a whole.
5

6 I am struggling with us expanding our purview this evening from what we came in her doing
7 without any advice from Council. I think that while we have a section of Code section in front of
8 us that appears to be on point, that I know from many years of practicing law that often times a
9 section of a Code section without all of the context background and other information sometimes
10 can lead you down the wrong path and I am not suggesting in any way that this is what we have
11 here, but without seeing the whole Statute and without our legal counsel advising us on this, we
12 could easily overstep our bounds. Maybe it is just my legal training, but I am very cautious that
13 we not do that because the context is not completely clear. But, and like Commissioner Keller
14 said, I do want to thank Commissioner Fineberg for pulling this out because these other elements
15 do seem to be to get this whole CIP process more weight and it's more interesting with more
16 impact to look at the bigger picture instead of what we have done in years past, so I think that
17 this is a movement in the right direction, but I would have a great deal of difficulty coming up
18 with anything tonight that is a recommendation that we also say at the same time is consistent
19 with the Comprehensive Plan because what this is and specifically even in citing the Statute, the
20 Statute says that we are to review projects for their conformity with the Comprehensive Plan and
21 what I thought I understood Commissioner Fineberg saying is that we wouldn't get to the level
22 of a project, but rather would be talking more about a concept, and so I think that it is perfectly
23 appropriate for us to talk about concepts, and even if we can come to some sort of consensus
24 about what concept should be pursued, I think that that is great, but getting to the level of saying
25 that it is defining it well enough to be able to determine whether it is consistent with the
26 Comprehensive Plan seems to be well beyond the scope of what we would be able to do, and that
27 would be something that I would have a great deal of trouble supporting, but I do want to move
28 these ideas forward because I do agree with a couple of the ideas that have been mentioned thus
29 far in terms of that they should be something that is moved forward. I am just not prepared to
30 either define it well enough to be a project and therefore say it is consistent with the
31 Comprehensive Plan or to go down that route tonight, but I do want to try to find a way to move
32 these ideas to Council, to Staff and get them as part of the process for the next year.
33

34 Chair Garber: Commissioner Rosati, and then Chair Garber and Commissioner Keller.
35

36 Commissioner Rosati: I have just a few comments. One is that the CIP projects as presented
37 this afternoon appear to me to be consistent in scope to the Comprehensive Plan. I do not see
38 anything that stands out that would not comply. I also felt, as I think many of the other
39 Commissioners feel, unable to comment as to whether the CIPs are appropriately prioritized, and
40 I don't think that is our mandate. I do have a concern about prioritization in light of the possible
41 funding shortfalls that the City is going to be facing, so I do think that the prioritization in
42 particular in these days is a very important exercise and I would want the City and Council to be
43 particularly thoughtful as to how that process would unfold if funds were restricted and what is
44 the procedure by which we ensure that we focus on the most high priority CIPs for the City and
45 for the Comprehensive Plan.
46

1 There is on set of CIPs, the library-related CIPs that in my opinion while on the surface appear to
2 be consistent with the spirit of the Comprehensive Plan will require a lot of work as we see them
3 unfold. The definition of these projects is so high level at this stage that clearly we will want to
4 eventually revisit them as they unfold. There are so many ways to develop those projects and the
5 impacts that they will have and how we start moving things around and what kind of disruption
6 to the neighborhoods that they will have that I would advise the City Council to consider.
7

8 I echo Vice-Chair Tuma's comments on the concern for the CIP for the overpass/underpass and
9 the access for pedestrians and bicycles through the Baylands. As I was listening to Gayle's
10 presentation I kept asking myself couldn't we just accelerate that study? What would it take to
11 that study earlier? However, if it is deemed that the impact is neutral, there is no possibility of
12 losing that funding and that there are other priorities and I would keep my comments around this
13 out of the summary.
14

15 Finally, and this is not in the context of the comments in the letter that the Chair would be
16 writing, but I just wanted to support the comments made by Commissioner Lippert about how to
17 approach mentally, the mental model for approaching and identifying new ideas, new
18 suggestions, by basically really understanding the Comprehensive Plan and identifying where we
19 may feel that the Comprehensive Plan is not being supported and starting at that level versus
20 specific initiatives.
21

22 Chair Garber: Well, I am not hearing anything that I am not agreeing with. I think relative to
23 solutions and moving the item forward my recommendation relative to Commissioner Fineberg's
24 lovely discovery of this particular wording in the Ordinance which I like others am thankful that
25 she had found, I think finally gives us the leverage that we had and this Commission had
26 attempted to find in the development of its Annual Report which has not been developed this
27 year, but by finding this in the Ordinance it suddenly gives new meaning to what that Annual
28 Report should be and how it should be cast, and gives weight to its development and its
29 consistent issuance. Therefore, I think in my mind, it is not a separate subcommittee but it is the
30 next iteration of that subcommittee that would then incorporate the learnings and the work of the
31 previous committees around the Annual Report deliverable and it would then answer this
32 Ordinance directly.
33

34 It seems to me that in addition to the objective that were stated for that committee before that you
35 would also then add, and these may be somewhat redundant, but you add three other tasks.
36

37 One, is to define the process for recommending projects for inclusion in the CIP annually. Two,
38 is to define the timing and cycle that that process would occur. And then, three, define the
39 review materials that Staff should be preparing for the PTC to make its findings which would
40 then include things like backlog and new projects, etc.
41

42 That said, I will weigh in with some of the other Commissioners that have spoken to that it is not
43 the Commission's role to define solutions but it is the Commission's role to identify problems
44 and/or deficiencies and/or opportunities to be raised to Staff to come back with solutions for our
45 review.
46

1 That presumably would be made part of that subcommittee's task, but I am not opposed to
2 Recording the problems and deficiencies that have been mentioned this evening which include
3 the flood protection issues, issues with safely entering southbound onto 101 from San Antonio
4 and issues of deficiencies with parks especially in South Palo Alto, and then finally the problem
5 that we have faced and have come to realize ever more keenly in the deficiencies of the way that
6 we are modeling parking, not on a project level, but on a neighborhood level and the impacts that
7 parking has.

8
9 I think those are my comments. I, like Commissioner Rosati, find nothing that does not support
10 the Comprehensive Plan in the specific CIP at it has been presented to us and will, short of
11 anyone else, make a Motion at the time that we are ready for that.

12
13 Commissioner Keller, do you have other comments, and then I'll invite any of the other
14 Commissioners for their final comments and then we will move forward. Julie.

15
16 Ms. Caporgno: If anyone has any comments, I just wanted to address a couple of things that you
17 have raised, so when you have concluded.

18
19 Chair Garber: Sure, go ahead.

20
21 Ms. Caporgno: Okay, thank you. First of all, I don't know if anybody noted
22 Mr. Sartor never pointed this out, and I don't know if this would satisfy some of the
23 Commission's concerns about backlog, but on Page 273 and 274 of the CIP booklet, there is a
24 list of General Fund Infrastructure Backlog Summary and Infrastructure Future Needs Backlog.
25 I don't know why and maybe he was not aware that it was in here, and I don't know how
26 comprehensive that is, but there is some information as to the backlog projects. And I just also
27 wanted to mention this afternoon after I received Commissioner Fineberg's email I did attempt to
28 contact our City Attorney to do the very thing that Vice-Chair Tuma had asked about are there
29 any restrictions on this and unfortunately he is at a conference this week, so I will check with
30 him next week to find out if there are any restrictions as far as what the role of the Commission
31 is related to the passage that Commissioner Fineberg pointed out.

32
33 And then the final thing I wanted to mention is, and this gets a little bit at what Commissioner
34 Lippert was saying as far as Staff workload, but some of the comments or some of the items that
35 you have identified that you would like further information on are not within of the purview of
36 the Planning Department and so I know that in the past there has been in previous Commissions
37 this desire to have more information regarding parks, the amount of parkland available etc. and
38 we had attempted several years ago to get that information from the Parks Department and it was
39 unavailable and so some of this, even if the Commission would like these sorts of things, there
40 are certain restrictions that we aren't going to be able to necessarily get the information that you
41 desire. In some respects, it may be better to frame the concern that you feel that the City should
42 be providing sufficient parks or land for new development and there has been additional new
43 development over the past two years, and there have not been parks to support that, and so that
44 that is one of the issues that should be addressed when funding for the CIPs is analyzed each
45 year, something to that effect, so that you don't have to necessarily have the data but you have
46 the concept that is out there and you can include any sort of information that you transmit to

1 Council and that is just a suggestion and Staff would be more than happy to work with you when
2 you convene the subcommittee, and I think you are probably now going to have to assign this,
3 and my understanding and recollection is that former Commissioner Sanders was on the
4 committee so probably another person will have to be participating on that committee.

5
6 Chair Garber: Thank you. Commissioner Keller and then Commissioner Lippert.

7
8 Commissioner Keller: Thank you. The first thing is that there is the Committee for report to
9 Council and I do believe that in particular the two items that have been brought up recently, the
10 probable insufficiency of parks in South Palo Alto and to keep up with new development and the
11 issues of parking requirements I think are appropriately within the purview of that report to
12 Council based on analysis of those developments, and so I think that's one way to handle it, and
13 when the time comes I would be interested in making a Motion.

14
15 Chair Garber: Commissioner Lippert and then Commissioner Fineberg.

16
17 Commissioner Lippert: Sometimes one can't see the forest for the trees, as they say, and I sort of
18 digressed from commenting on the CIP previously and I would just like to take a moment to say
19 that I'm in agreement that the CIP does an adequate job in terms of addressing the projects in
20 terms of our policies in the General Comprehensive Plan and that it is consistent with that. Just
21 to comment on Commissioner Fineberg's research here, I think that she has really done a great
22 job in terms of digging up this paragraph here, and I believe that it is important that we do re-
23 examine that and perhaps do so as a topic of one of our future retreats in terms of looking at the
24 CIP and how we address that procedure in the future.

25
26 But I do want to speak about the efficiency that I believe that again we don't always see the
27 forest for the trees and I think that this year in particular, this new process has made us and our
28 review of the CIP far more efficient than it has ever been in the past. But, by the same token, I
29 don't think we should throw out the subcommittee of three that in fact the subcommittee of three,
30 perhaps their work should begin after our Annual Report to the Council. And the way I see this
31 structure happening, listening to Chair Garber, is to begin with, when project comes forward to
32 us like the project on East Meadow, or the Campus for Jewish Life, maybe that should be the
33 trigger for something in the CIP that we see as deficient. The problem with having the
34 subcommittee is that it is only a group of three individuals and for them to identify where the
35 deficiencies are and for other Commissioners to not be able to chime in because of the Brown
36 Act, is a shortcoming in this process, and so by looking at Campus for Jewish Life and saying
37 this is a really large development and we see the East Meadow Development and so on, and then
38 be able to then say that we see a massing of housing here going in with no parkland associated
39 with it yet they pay into the Quinby Act and the parkland fees, and then maybe that should begin
40 to generate that as an item that the CIP subcommittee then begins to look at. In other words, it
41 has its own little process in which as we see these projects they then get packaged up with our
42 Motion and just sent over to the CIP subcommittee. That way, we have established a process by
43 which we all have engaged in having something to say where we see there is a shortfall in the
44 CIP, the Committee addresses it and is able then to bring it back without necessarily having a
45 dialogue or violating the Brown Act, and thereby all of our concerns are heard, and I think that
46 probably that should begin with the report to Council.

1
2 Chair Garber: Commissioner Fineberg.
3

4 Commissioner Fineberg: I'd like to start with the big picture by saying that the new CIP projects
5 that we were presented appear to me as being consistent with the Comprehensive Plan as per the
6 policies and programs that were noted in our handouts. I would be able to Move or express
7 support for consistency except for the parts where we are missing the review. It's unclear to me
8 how we can proceed knowing that we are doing what we are charged with without having the
9 advice of the City Attorney on this. I am the first to admit that I am not a lawyer, but if I am left
10 to my own devices to make my best interpretation of the Municipal Code it says that we are
11 supposed to make an Annual Report to Council, and I am quoting this, "an Annual Report to
12 Council regarding the Capital Improvement Programs." That, to me, is not to be commingled or
13 substituted with our other Annual Report which was generated by a PTC Motion, I believe, three
14 years ago and was defined, if I can roughly paraphrase it and correct me, that it was a document
15 that the PTC could kind of be a canary in a coalmine and raise issues as an advanced warning of
16 issues that need to be brought to Council's attention.
17

18 I think they have to remain two Annual Reports with distinct purposes, and I think because the
19 Annual Report to the City Council that we create can be changed within our purview because we
20 created it, I think that it's perfectly fine to include comments there where we feel there are issues
21 that are happening within the City that Council needs advance warning of, and I shouldn't say
22 warning because that is negative, but advanced notice of, and that these have been observed.
23

24 That doesn't absolve us of our responsibility to do what the Municipal Code says that we should
25 do which includes an Annual Report about only the CIP programs that includes a section that
26 suggests needed improvements, so if we send a report to Council without suggesting needed
27 improvements that we might concur on, are we doing our duty, or are we failing to do our duty
28 and I can't answer that.
29

30 I see several solutions. One is we continue until we can get clear direction from the City
31 Attorney, or we do as best as we can and we say whatever and we do a better job next year, and
32 I'm frankly more comfortable with continuing because we don't have clear instructions.
33

34 Hold on, I should have said this other stuff first, but let me. I'll let you interject. I wanted it on
35 the Record that for a possible suggestion for a needed improvement that we consider a project, a
36 concept or whatever the wording to provide flood protection in the tidal flood zones and that
37 would be supported by Goal N-4 which is about Water Resources, Goal N-10 which is Natural
38 Hazards and Policy and N-49 which I'm sorry I forgot to write down what it is, but that was
39 Policy N-49, and I would concur with Commissioner Keller's comment and also Vice-Chair
40 Tuma's comment about the question for advancing the timing of the funding for the bike and
41 pedestrian ramp so that we not miss the opportunity for that \$13-14 million, and that was it.
42 Thank you.
43

44 Chair Garber: Vice-Chair Tuma and then Commissioner Rosati.
45

1 Vice-Chair Tuma: Okay, so let me take a crack at how I think we can accomplish what
2 Commissioner Fineberg is saying but not overstep our bounds. I think maybe it's pretty
3 straightforward actually, and I am not making a Motion here, but I would envision a Motion that
4 says something like we find that the CIP as it stands is consistent with the Comprehensive Plan
5 and that we additionally suggest the following additional needed improvements that do not
6 appear and then list the things that we have talked about and leave it at that, where we not going
7 so far as to define them as a project, and we are not going so far as to say that the "needed
8 improvements" which mirrors the language in the Statute are necessarily consistent with the
9 Comprehensive Plan, but yet we are sending a clear message that we think these things are
10 needed and they need to be looked at so we don't overstep our bounds but we meet the apparent
11 requirements of the statute and we list those items that have been discussed and maybe there is a
12 Motion that starts with this and we do some Friendly Amendments to make sure that these
13 "needed improvements" get added to it, but I think I would be comfortable with a process like
14 that where we stay within the consistency of the Comprehensive Plan for the items that are in the
15 CIP and then we make some other suggestions that we've talked about and then we say that the
16 following needed improvements should be examined and list those very specifically and then
17 that becomes part of the Transmittal to Council. That is maybe a way to bridge that.

18
19 I do have one other thing I want to throw out there to see if the Commissioners think that it rises
20 to the level of getting included as a specific item in our transmittal and I know that this is
21 something that has been discussed every year that I have been on the Commission in the context
22 of the CIP but nonetheless I think it's an ongoing problem and I would suggest that we make a
23 recommendation that Public Works and the Utilities Department re-examine their process for
24 coordinating paving projects and improvement projects and further that they develop a strategy
25 for communicating their rationale for doing what they are doing to the public, and I think that
26 second piece is very important, because I found in previous discussion with Public Works that
27 sometimes when you examine what has gone on, they would have had to have had a crystal ball
28 to not make what appears to be a silly decision and in fact the decision that they've made is quite
29 appropriate, but they did not know that X was going to happen, and it happened and so there you
30 have.

31
32 Often times, I don't necessarily think that there may be inconsistencies where the coordination is
33 not as good as it could be, and so I think that they should re-examine that, but I think they also
34 need to develop strategies for where there is what appears to the public to be a mistake that in
35 fact it is not and I think that if they do that they will actually save quite a bit of money because
36 what happens is, and in certain instances this has happened at this time in my neighborhood, but
37 it develops into this big brouhaha and they have to have meetings with the public and they have
38 to talk about it, and so if they would just communicate that, and they did a very good job of
39 communicating to us that they were going to do this project, but they could also say that they
40 know that they just paved Matadero but here is why, and you leave it at that, and so I think that
41 the consensus that I heard when we were in the other room was that people see this enough and
42 sort of including it as one of the items that these guys should look at and figure out how to deal
43 with, to me, rises to the level of being included in our Transmittal to Council.

44
45 Chair Garber: Commissioner Keller, a Motion perhaps?
46

1 Commissioner Keller: Yes, thank you, I make the following Motion:

2
3 First, that the Planning Commission finds that the new Capital Improvement Program Projects
4 are consistent with the Comprehensive Plan and we make the Amendment to PL-11000 with
5 respect to year-round and that we suggest that this project should be accelerated if it turns out
6 that this would be useful for obtaining the money from external sources.

7
8 Second, with respect for suggestions for reviewing improvements in economy or efficiency
9 which might be effective through the combining of various projects, we make the following two
10 suggestions.

11
12 The first suggestion is that Public Works and the Utilities Department do a better job of
13 coordinating projects that impact the streets and better inform and solicit input from the public
14 about prioritization of projects that impact the streets.

15
16 The second suggestion is that Public Works Consider Improvements to street maintenance
17 process that increases the life of streets and reduces the need for street resurfacing.

18
19 Third, that the following suggestions of needed improvements that do not appear in the program
20 are transmitted.

21
22 One is consider of future CIP for tidal flood protection and, two, is the consideration of a future
23 CIP that would involve an onramp from San Antonio Road onto Southbound 101.

24
25 And number four, that the future iterations of the proposed Capital Budget, the CIP document,
26 include the following four items.

27
28 One, a backlog list of those things which have been identified by Public Works, Utilities and
29 other departments as work that is expected to included in a future CIP.

30
31 Second, the chronology of the past projects in the last several years to provide context for what
32 has occurred.

33
34 Third, a combined comprehensive map of all the projects listed on the CIP in one place so that
35 we can identify the locations of the various projects on the City map.

36
37 And fourth the infrastructure studies that were done in the past by the various auditors, and I'm
38 not sure else did the infrastructure studies, but the summary of those listed items that need to be
39 done appear and be cross-correlated with the list of chronology of past projects and the backlog
40 list of future CIPs so that members of the public and the various Boards and Commissions and
41 the Council can understand the list of the infrastructure study lists and which of those things are
42 scheduled, have been scheduled or left to the future but are identified.

43
44 Commissioner Fineberg: Point of Clarification, could you express that fourth point in ten words
45 or less? I got lost.

1 Commissioner Keller: The fourth point was asking for four things. I'm asking for the backlog
2 list included in the future CIPs. In other words, in this document will be four things. One is the
3 backlog list that they have identified, two is the chronology of past projects, three is a combined
4 map of where all the projects appear on a single map in addition to the individual maps and four
5 is a list of those items that have been identified in prior infrastructure studies by the auditor and
6 other bodies within the Council and a cross-correlation of this list with the other lists.

7
8 Chair Garber: Vice-Chair Tuma.

9
10 Vice-Chair Tuma: Additional Point of Clarification. In the very beginning of your Motion you
11 said that the new CIP projects are consistent with the Comprehensive Plan. I believe that our
12 charge is to make a recommendation or consensus as to whether the entire CIP is consistent with
13 the Comprehensive plan, so perhaps you would want to clarify your Motion.

14
15 Commissioner Keller: We haven't done a review this time of those projects. We've only done
16 a review of the new projects and therefore I am not sure that we can say anything about the other
17 projects unless we want to go back and review them or trust prior Commissions, but I think that
18 our review has been limited to the new projects.

19
20 Chair Garber: Julie.

21
22 Ms. Caporgno: The Commission's role is to look at the entire CIP. We were focusing you on
23 the new ones for discussion with the department heads because we knew you had limited time
24 and those are the ones you had no heard about previously, but the review you received the whole
25 document because the charge of the Commission is to look at the entire document and then to
26 reach some conclusion. Now, admittedly, if these have not changed I would assumed that you in
27 the past last year you found them to be consistent and they haven't changed over the past year
28 and that they should still be consistent this year, but your charge is to look at the entire
29 document.

30
31 Chair Garber: Before we go on, we need a Second, or the Motion will die. Is there a Second?

32
33 Commissioner Fineberg: Second.

34
35 Chair Garber: Good. Would the Maker like to speak to his Motion?

36
37 Commissioner Keller: Yes, thank you. First of all, I would like to commend Staff and also the
38 various presenters in the Study session. I think that this process has been better than the previous
39 processes that we have gone through and there have been certainly a number of improvements to
40 this. I think we can make a few more improvements that I have identified, but I think this has
41 been a very helpful process and I think that having the entire Commission being able to interact
42 with the various department heads, I think, has been a helpful improvement.

43
44 I also appreciate that we are in a time of limited resources and that a great deal of evaluation
45 occurs but not by us, but by Staff and by the Finance Committee of the City Council and by the
46 City Council, and that it is not our job to prioritize, but it is our job to identify those things which

1 may have been overlooked and which should be considered and go through a prioritization
2 process by the aforementioned bodies.

3
4 Thirdly, I think that this as identified by Commissioner Fineberg, the more comprehensive
5 review as we are doing, I think, does more justice to this process because it allows us to more
6 inform and do a better job of recommending things to the Council based on our detailed analysis
7 and one of the reasons that I've added these suggestions to the Motion is honor of my advisor for
8 my PhD thesis who taught me that it is often better to ask for forgiveness than to ask for
9 permission, and considering that we do not have the City Attorney there, I would rather be yelled
10 at for doing the wrong thing than avoid making the Motion with these various things in it. I
11 think that we will be our own counsel, so to speak, and include our appropriate recommendations
12 to Council.

13
14 Chair Garber: Would the Secunder like to speak to their Second?

15
16 Commissioner Fineberg: Yes, I would. I think that the Motion as made allows us to move this
17 forward and still accomplish what is our best attempt to satisfy as our charge as we see it in the
18 Municipal Code. I would like to make one Friendly Amendment that in number three the
19 wording read specifically from the Municipal Code that there be this list of "suggest any needed
20 improvements which do not appear in the program" and that we cite that wording from
21 Municipal Code Section 19.04.040.

22
23 Commissioner Keller: That's fine.

24
25 Commissioner Fineberg: And secondly, as part of that, you stipulated two areas that we include
26 and the first was the tidal flood protection and the second was the onramp, and I would like to
27 add a third that if we can word it that the issue is adequacy of improvements in all neighborhoods
28 as stipulated in the Vision Statement of Chapter Two which is the Land Use and Community
29 Design with respect to the CIP projects that improve the neighborhoods, provide new public
30 gathering spaces and this should be verbatim from the Comprehensive Plan, "providing new
31 public gathering spaces, essential services, pedestrian amenities to encourage less reliance on the
32 automobile," and that is exactly as quoted from the Comprehensive Plan.

33
34 Commissioner Keller: Could you cite where that is from in the Comprehensive Plan so that will
35 make it easier for Staff.

36
37 Commissioner Fineberg: Sure, it's Second Chapter of the Comprehensive Plan which is titled
38 Land Use and Community Design and it's the first paragraph that is titled the Vision Statement,
39 and this is not in the Ordinance any more, but I am speaking to my Friendly Amendment, that the
40 Vision Statement is where the framers of the Comprehensive Plan gathered up all the policies, all
41 the goals, all the programs and tried to speak to what they are accomplishing. We are not being
42 asked right now to drill down for policies and programs to support it because we don't know
43 what the specific project is, but I believe to be consistent with the Comprehensive Plan, fulfilling
44 the Vision Statement is a primary task.

1 Commissioner Keller: Are you suggesting that what Staff do with this is that they look at which
2 neighborhoods may not have been sufficiently provided with amenities?
3

4 Commissioner Fineberg: Yes, that's why I'm saying it would read that the Staff look at the
5 adequacy of improvements in all neighborhoods, and that was the beginning of the additional
6 item, and that wording is straight out of the Comprehensive Plan.
7

8 Commissioner Keller: Can I defer this and let other Commissioners weigh in before I decide
9 whether to accept it. Is that okay? Chair?
10

11 Chair Garber: Yes, but I guess I would suggest the Secunder not offer it as an Amendment yet.
12

13 Commissioner Fineberg: Just to confirm that my first recommendation of the specific wording
14 for that whole section you accepted?
15

16 Commissioner Keller: Yes, I did.
17

18 Commissioner Fineberg: And then I can wait to offer my second Friendly Amendment.
19

20 Commissioner Keller: Thank you.
21

22 Chair Garber: Commissioner Lippert and then Vice-Chair Tuma.
23

24 Commissioner Lippert: I would like to offer a couple of Friendly Amendments, under point four
25 that the comment on the infrastructure backlog, that there is a section on infrastructure backlog.
26

27 Commissioner Keller: I will take the Friendly Amendment to indicate that it should be a detailed
28 list of infrastructure backlog, more detailed that what is currently provided.
29

30 Commissioner Lippert: That's fine, but it should cite that there is one.
31

32 Commissioner Keller: Thank you. Does the Secunder accept the Amendment.
33

34 Commissioner Fineberg: As you have amended yes, second.
35

36 Commissioner Lippert: And as another Friendly Amendment in point four you were talking
37 about a chronology or projects, past as well as current projects, and my Friendly Amendment is
38 that perhaps it might be better served in a bar chart form in which it shows the Projects in an
39 itemized listed matrix, along a timeline that shows where they fall and then as projects slip,
40 perhaps, and I'm sorry a Gantt chart, they are then repositioned the following year.
41

42 Commissioner Keller: Let me suggest that replacing the word chronology with an itemized list
43 of past projects to which a timeline has been identified and how Staff wishes to present that is up
44 to them, but to me the main issue is that the projects be identified by time and I don't really care
45 whether it is sorted by time or sorted by location or sorted by category, or whatever, but to me
46 the important thing is that the past projects be identified along with the time.

1
2 Commissioner Lippert: The reason why I'm recommended that it be provided in Gantt chart
3 form is that it really would be helpful in the review rather than creating additional work.
4

5 Chair Garber: Assuming the Gantt chart already exists, we don't know.
6

7 Commissioner Keller: I'd rather not make the Gantt chart a formal part of the Motion because
8 I'd like Staff to consider that as something for them to consider and if they can do that, that's
9 fine.
10

11 Commissioner Lippert: Fine, then I'll be making my comments, which is that I won't support
12 your recommendation here and the basis upon which I won't is number one not accepting my
13 additional Friendly Amendment and number two, I am not in agreement with the additional
14 projects that you've heaped on the list, and so I'm very uncomfortable with those
15 recommendations in terms of Charleston and San Antonio Road, and I'm not comfortable with
16 the levy recommendation here, and I'm not comfortable with the parks recommendation and I
17 don't have any ability upon which to evaluate those as to their appropriateness. While I support
18 and I'm in support of the CIP itself, I am not in support of the Motion, so I will not be supporting
19 the Motion.
20

21 Chair Garber: Vice-Chair Tuma and then Chair Garber.
22

23 Vice-Chair Tuma: Okay, so a couple of things. Where is it? There it is. What we were asked to
24 do here tonight was to make a recommendation with respect to the 2009-2014 Capital
25 Improvement Program consistent with the Comprehensive Plan and recommend the findings to
26 the City Council. I don't think we are doing our job if we limit this Motion to the new items. I
27 think we were given sufficient warning, notice and discussion that this is what it was about. Yes,
28 we focused on the new items, but we are advocating our responsibility in my view if we this
29 motion does not cover the entire CIP. I mean, that's what we came here to do tonight, so I would
30 offer a Friendly Amendment that deletes the word "new" from the original Motion.
31

32 Commissioner Keller: I'll accept that.
33

34 Chair Garber: Secunder.
35

36 Commissioner Fineberg: I can't accept that because we don't have any analysis from Staff
37 regarding the consistency with the Comprehensive Plan of the other projects. We had virtually
38 no discussion of the rest of them and that is where my quandary comes of whether a continuation
39 would be a better mechanism.
40

41 Chair Garber: What that would mean, though, is that we would be repudiating the previous
42 recommendations that this Commission has made of the CIP projects that have been here and
43 that we have already considered in previous years. Julie.
44

45 Ms. Caporgno: The CIP document, every single CIP has consistency statements in here. We
46 just, and as I said, we focused on those. You had a limited amount of time. You had discussed

1 them before and when we gave you the whole book it was for you to review the whole book. I
2 mean, otherwise we would have just given you the thirty or so that were discussed with the
3 department heads or the department representatives.

4
5 Commissioner Fineberg: Point of Clarification, am I allowed to change my mind?
6

7 Chair Garber: Of course.
8

9 Commissioner Fineberg: I will accept that Friendly Amendment.
10

11 Vice-Chair Tuma: Okay, thank you. I had one other comment, question or clarification, and I'm
12 not sure which or what it is, but I'm trying to bridge a gap which may not exist and that is that as
13 I understood the Motion, all we are doing with respect to these additional projects is making the
14 statement that they are needed improvements to the program. Is that correct, and that is a
15 question for the Maker.
16

17 Commissioner Keller: We are suggested these as needed improvements which do not appear in
18 the program and that they should be considered for future improvement in the program.
19

20 Vice-Chair Tuma: Okay, so they should be considered for future improvement. We are not in
21 any way passing on their consistency with the Comprehensive Plan, is that correct?
22

23 Commissioner Keller: That's correct.
24

25 Vice-Chair Tuma: The intent of the Motion?
26

27 Commissioner Keller: Yes, that's correct. The expectation is that these will come back to us in
28 a future year, and when they come back to us as projects, then we will at that time consider their
29 consistency with the Comprehensive Plan.
30

31 Vice-Chair Tuma: Right, but you would leave open the possibility that they may not come back
32 to us as projects because we are merely asking and recommending that Staff look at things, and it
33 is possible that they may not come back to us as projects. That is a possibility.
34

35 Commissioner Keller: That's correct and it is also possible that if they don't that we may
36 recommend them again next year.
37

38 Vice-Chair Tuma: Right, exactly. Okay, because it's that spirit in which we are offering these
39 suggestions that makes me comfortable with moving this forward that we are not saying that
40 these are projects. They are not projects and we are also not passing on their consistency with
41 the Comprehensive Plan but rather we are just saying that these are just things that should be
42 looked at or are needed improvements that don't appear in the program and so I would appeal to
43 Commissioner Lippert to think about the way that this Motion was framed in that light and if he
44 is not inclined to support the Motion for other reasons I could understand that, but with respect to
45 the items that have been added to the Motion, it seems to me that the spirit in which we are doing

1 this at least I am comfortable and I would appeal to Commissioner Lippert to maybe reconsider
2 that component of his objection.

3
4 Chair Garber: Actually, let me speak for a moment, and then I'll let you go.

5
6 To that point, I would also like to encourage Commissioner Lippert to come on board and to that
7 end, let me suggest or make a Friendly Amendment to the Maker to include that the Staff or
8 Public Works or whatever portion of the Staff ends up creating the list of projects, that they
9 consider presenting it as a Gantt chart which would make the reading of it easier and its
10 understanding that much more quickly done.

11
12 Commissioner Keller: Let me suggest that we request that Staff provide a list of past projects
13 which include date information and that Staff consider the presentation of that information
14 graphically in a Gantt or per chart.

15
16 Commissioner Lippert: Can you restate that, please?

17
18 Commissioner Keller: Yes, I'm requesting that the Staff provide a list of past projects including
19 date information of when the projects were done and that Staff consider the appropriate graphical
20 presentation of that material in a Gantt or Per chart.

21
22 Chair Garber: Let me ask the Seconder first if they would accept that.

23
24 Commissioner Fineberg: How about if it was worded that Staff provide a list or Gantt chart of
25 and then as your language.

26
27 Commissioner Keller: How about if I replace the word "list" with "Staff include the past
28 projects and including date information and consider presenting that in a graphical form such as
29 through a Gantt or Per chart," is that acceptable to the Seconder?

30
31 Commissioner Fineberg: That's acceptable, thank you.

32
33 Chair Garber: I'm actually not done, but Commissioner Lippert.

34
35 Commissioner Lippert: Yeah, I'll make the formal Motion which is that the recommendation
36 include a recommendation that the future CIP include a chronology of current and past projects
37 in a Gantt chart format. I need a Second on that. That's a Motion. Sorry, no, a Formal
38 Amendment, I'm sorry.

39
40 Chair Garber: Clarification?

41
42 Commissioner Keller: Can I ask clarification of whether you mean past, current and projected
43 future?

44
45 Commissioner Lippert: Correct.

1 Chair Garber: So, I'll Second to move things along, and so I'm taking that this would replace the
2 Amendment that was just offered by the Maker?

3
4 Commissioner Lippert: Correct.

5
6 Commissioner Fineberg: Point of Clarification, that would only be for the last item of the fourth
7 point and not replacing the big Motion.

8
9 Chair Garber: Yeah, that is my understanding.

10
11 Commissioner Lippert: And just to clarify things for everybody, if in fact that is accepted, I will
12 feel comfortable about voting in support of the Main Motion.

13
14 Chair Garber: Right, but this is just the Amendment, and so just replacing the last stated
15 Amendment of the Maker.

16
17 Commissioner Keller: So I will accept that Amendment.

18
19 Commissioner Lippert: You don't. You can't do that. We have to vote on the Amendment.

20
21 ??: I'd like to Call a Question on the Motion that is on the Table which deals just
22 with this fourth point.

23
24 Chair Garber: Okay. All those in favor of just this particular point which is that the Staff shall
25 include a Gantt chart of past and future projects, and now we've got that question going here.

26
27 Commissioner Keller: I'm assuming that this doesn't replace the last statement but actually
28 amends the last statement so that in other words it basically requests that they include the Gantt
29 chart and replace the first thing that I had.

30
31 Chair Garber: That's right. That's correct, just the one line here, and that is also in future, yes,
32 CIPs. Correct. Okay, all those in favor? (ayes) All those opposed? That particular Motion
33 passes unanimously.

34
35 Now, let's go back to the Main Motion which I think brings the questions or the comments back
36 to the chair which is myself and I have one other clarification and that is on item number two
37 under the needed improvements that you stated that was on the onramp to 101 that was specific
38 to San Antonio Road.

39
40 Commissioner Keller: Yes, it was specific to San Antonio Road. The onramp from San Antonio
41 Road is eastbound onto southbound 101.

42
43 Chair Garber: Perfect. Then, for item number three there, let me see if Commissioner Fineberg
44 would feel comfortable with wording related to that. In my mind, a Vision Statement attached to
45 this is not helpful in that it is not action-oriented. It doesn't have a specific thing that it is
46 looking for. I like the Vision Statement but I think that in my mind what the real issue is that we

1 want Staff and the City to focus on, or perhaps the critical issue here, is parking and extra project
2 parking, and we do not have a way in which to address that because it doesn't come up around
3 projects. There is a hypothesis that it is that the additional problems that we have with Parking
4 are project-related which remains untested. I'm talking about parking that has created a number
5 of impacts around some of the larger housing issues and in particular in South Palo Alto. I was
6 going to suggest that third needed improvements and I am not sure that I am getting the language
7 exactly right that the Maker had created that there be directed towards the City addressing the
8 extra project parking impacts on a neighborhood basis as opposed to a project basis.
9 Commissioner Keller.

10
11 Commissioner Keller: I'm not sure that parking is, per se, the kind of improvement that we are
12 talking about but perhaps to be a little bit more specific in regard, perhaps we should and I'm not
13 going to make this Amendment yet, but I am basically going to put it out for comments before I
14 formally make this Amendment that we suggest the consideration of acquisition of additional
15 parkland to correspond to the increased development that has occurred in the last few years in
16 South Palo Alto and that's specific. It is specific enough for the purposes of this. It indicates
17 and is recognition of the fact that the Quinby Act which required dedicated parkland as a
18 essentially not applied for hardly any of the projects that occurred in South Palo Alto, and that
19 unlike that projects that created Heritage Park, nothing comparable was done in South Palo Alto,
20 and I think that might be the spirit. I think that parking is a different issue and is better addressed
21 in the report to Council.

22
23 Chair Garber: Vice-Chair Tuma.

24
25 Vice-Chair Tuma: I had failed to comment on this additional item that Commissioner Fineberg
26 had put in. I'm losing a little bit of track of where we are procedurally. Has this actually been a
27 Formal Amendment.

28
29 Chair Garber: I have not made it an Amendment yet. It is just a comment and nor has the
30 Commissioner Keller. His was not stated as an Amendment either, as a comment that he as
31 floating to the Commission.

32
33 Vice-Chair Tuma: Okay, so in content I very much agree with what Commissioner Fineberg has
34 stated and I think her statement was broader than what Commissioner Keller has narrowed it
35 down to because she included public gathering spaces, essential services and pedestrian
36 amenities to encourage less reliance on the automobile. My problem is, if that were one of the
37 programs or projects that we were putting forward that is a huge task. I mean, that is just a
38 gigantic task, basically, to make sure that all of our neighborhoods have the right amenities and
39 so I would really struggle with making that a recommendation to Council because I think we
40 need to be more specific if we were going to recommend something like that. Now, whether
41 narrowing it all the way down to acquiring parkland is the right place on the continuum, maybe
42 that's too specific or too limited in terms of covering what the vision of the Comprehensive Plan
43 here is. I don't know what the right resolution is, but I would have trouble supporting an
44 Amendment that was as broad as what Commissioner Fineberg had suggested. At the same time,
45 I'm not sure that limiting it just to parkland and/or parking covers the spirit of what she was
46 after. I don't know, and I'm not entirely convinced that this is the right place to resolve that in

1 the context of the CIP discussion, but just let's continue to have the discussion a little bit because
2 I do think that there are some shall way amenity inequities or deficiencies that should be
3 addressed, but the way that it was framed before is a bit too big or comprehensive for me.
4

5 Commissioner Fineberg: Well, I chose the wording from the Comprehensive Plan specifically
6 because it is the document that governs our land use and it's been adopted. It's been subject to
7 public hearings. It's simply not even debatable. It is the document that governs how we make
8 land use decisions, and this is the Vision Statement of the chapter addressing land use and
9 community design. What my attempt is by using the language from the Comprehensive Plan is
10 that we not have to wordsmith and that what we are simply pointing out is that inequity that
11 Vice-Chair Tuma pointed out. It could be accomplished through an impossible number of
12 projects, so I'm assuming it may not cause perfection but by pointing it out as a global issue that
13 there is an area of town that has had numerous new residents that have not received any new
14 amenities, and that's not the wording of my Motion, but that is the intent that the analysis then of
15 how does it get addressed, that's where the projects will be prioritized and I don't know if parks
16 are the first place that should be prioritized because no one has done any analysis so maybe it's
17 parks. Certainly on libraries we know that Mitchell Park will go a long way to address the
18 library needs of the southern end of town and the new residents and the increased demand that
19 will happen, so some of the CIP projects that are in the pipeline will address that without any
20 additional spending, but maybe there are needs where the projects don't exist and so I'm trying
21 to spur an analysis to determine which specific projects, knowing that it won't be a quest of
22 perfection.
23

24 Chair Garber: Commissioner Keller.
25

26 Commissioner Keller: I greatly appreciate the spirit that Commissioner Fineberg is suggesting
27 and I also am greatly informed by Vice-Chair Tuma's comments and I think that in some sense
28 part of our job is to, in the extent that we are going forward and making suggestions of any
29 needed improvements, I think we need give more direction to the extent that we are suggesting
30 those needed improvements and pointing to a background broad statement in the Comprehensive
31 Plan doesn't provide sufficient specificity to provide direction. I'm not making this as an
32 Amendment but I'm basically throwing this out for people to consider. To the extent that
33 Commissioner Fineberg's wording refers to essentially all neighborhoods it is in some sense
34 overly broad, but to the extent that what we direct to is the recognition of the new development
35 that has occurred in the last several years and considering whether there is sufficient of the
36 amenities of that Commissioner Fineberg mentioned to correspond to the new housing
37 developments in the last five years, say, I think that would provide the necessary specificity and
38 yet not be too specific to parkland that Vice-Chair Tuma objected too. I'm going to throw that
39 out as an idea and perhaps Commissioner Fineberg might want to suggest wording.
40

41 Chair Garber: I have some thoughts too. Commissioner Lippert.
42

43 Commissioner Lippert: I'm not opposed to the direction in which we are going in terms of the
44 recommendation here in terms of citing specific areas of deficiency. Where I'm struggling is in
45 the complexity of being able to make specific findings. That's where I'm having difficulty. I
46 would feel a lot more comfortable if we were able to say that over the last three years there are X

1 number of units of new housing in Palo Alto, which is information that is available to us
2 thorough the Association of Bay Area Government (ABAG) numbers to be able to say that they
3 happen in an approximate area at the site where that area is or where that congregational mass is,
4 and then begin to say in looking at a citywide land use map we see that amount of recreational
5 space, and I'm being very specific here, is lacking. That would be the findings upon which you
6 could then go to the CIP and begin to make findings or specific recommendations to Council. To
7 broadly say deficiency in an infrastructure I don't think rises to our abilities and it relies to
8 heavily on Staff and the City government to make those determination sand report back to us.
9 That's not within our purview. We don't have Staff in that sense.

10
11 Chair Garber: How about this, why don't we state something along these lines, which is that the
12 City has recognized, and let me give the problem statement and then I'll give what I think the
13 solution is. We have recognized, we the Commission, we the Staff and we the City have
14 recognized that a number of recent projects have exacerbated a variety of issues, particularly in
15 South Palo Alto that have caused us to question whether we are meeting the vision of the
16 Comprehensive Plan. Therefore, what we would suggest that the City do is to look at addressing
17 the deficiency of planning that South Palo Alto needs to establish what programs and policies
18 should be put in place to address these issues and that that would essentially be item number
19 three here to create this basis for which to do that planning. Anyone? Commissioner Fineberg.

20
21 Commissioner Fineberg: If I heard you correctly you are suggesting Amendments to the
22 Comprehensive Plan Programs and Policies. I'm thinking more on the lines of something that
23 first part of what you said but we're not talking about Comprehensive Plan Amendment tonight,
24 we are talking about CIP projects, so the CIP projects that would address the first part of what
25 you said.

26
27 Chair Garber: Yeah. All I'm suggesting is that there is an issue that could be addressed through
28 funding via the CIP vehicle which would address some of the planning deficiencies or how we
29 should address planning deficiencies in Southern Palo Alto and because it is planning it has to
30 meet the Comprehensive Plan and it has to address all of those things and so let's figure out what
31 the big issues are and what the right ways of addressing those are. Commissioner Keller.

32
33 Commissioner Keller: I would encourage Commissioner Fineberg who has the wording to draft
34 a third item under this list of needed improvements along the lines of referencing the
35 developments in South Palo Alto as you have done and then having the wording of considering
36 whether there are sufficient amenities with respect to developments that have occurred and if you
37 could basically, and I think that this is the kind of scope that I would support or perhaps other
38 people would. Does that make sense?

39
40 Commissioner Fineberg: Absolutely. Should I take another crack at crafting it?

41
42 Chair Garber: Please.

43
44 Commissioner Fineberg: And if I'm awkward in my wording, I want to say in advance that I
45 welcome ...

1 Chair Garber: You've got five other editors here.

2
3 Commissioner Fineberg: I'm not crafting the language yet but this is going to be under a section
4 that's titled Suggest Any Needed Improvements which did not appear in the program so maybe
5 we could start with considering the recent increase in population clustered in South Palo Alto,
6 including the following developments, and this is not comprehensive and if Staff could please
7 later add anything I am forgetting, Vantage, Echelon, Classic Communities, Alterra, CK, CJL,
8 Arbor Real, Summer Hill Homes, Elks Club, Alma Plaza, Mayfield Mall, West Meadow Oaks,
9 and these developments have added population which may not be adequately served with
10 neighborhood improvements including public gathering spaces, essential services and pedestrian
11 amenities to encourage less reliance on the automobile. End.

12
13 And then regarding your question about parking, could we have an additional item that then is,
14 and so that would be like a fourth item.

15
16 Chair Garber: Actually, I wouldn't even bother because I think parking would be a part of your
17 previous statement.

18
19 Commissioner Fineberg: Okay.

20
21 Chair Garber: But I think you might also want to state specifically that the recommendation here
22 from the Commission would be that the City undertake a Planning Study to understand what
23 those issues are. Commissioner Lippert.

24
25 Commissioner Lippert: If I might, we can make this and add this as an Amendment, move this
26 forward to Council with perhaps in that recommendation saying that this is an item that we
27 would like to see returned to us before the next CIP, so that way we know that it's something that
28 could be addressed in the next CIP.

29
30 Chair Garber: Yeah, I think that actually all of these items under here we would be looking for a
31 response from Staff in one form or another because presumably and granted some outside
32 likelihood, but some could be answered in the two or three weeks before the City Council. Not
33 likely, but all of them would need to come back to us in some form and was just discussed
34 between Vice-Chair Tuma and Commissioner Keller, some may not come back to us, but that
35 doesn't keep us from asking that they be reconsidered.

36
37 Commissioner Lippert: Well, you know, I think if we go back to the language of what our task
38 is before us this evening, and if you specifically go to the language Commissioner Fineberg had
39 in her questions which is again any suggestions any needed improvements which do not appear
40 in the program. That follows along the lines of those specific words. So what we are basically
41 doing is we are saying, not only are we moving this forward to you, but we are asking that if you
42 are in agreement with us that you make allocate the resources to then have it come back to us as
43 though it was continued, but that the continuation date is of course before the next CIP.

44
45 Chair Garber: Okay, so Commissioner Fineberg, could you forgive me for asking you to repeat
46 yourself, but could you state your wording as a Friendly Amendment for the Maker.

1
2 Commissioner Fineberg: Okay, I am going to do that in two parts. The wording that I was said
3 was that given, and staff is going to have the benefit of verbatim minutes if I don't get this
4 exactly correctly, but given the recent population growth in South Palo Alto with projects
5 including and then I had the list, that there be CIP projects, and I'm not getting this quite right
6 that would provide for all Palo Alto neighborhoods to be improved, each having public gathering
7 places, essential services and pedestrian amenities to encourage less reliance on the automobile.
8

9 The Amendment that Commissioner Lippert is suggesting would apply to all three of the items in
10 the list, so that would be appropriate as a Friendly Amendment to Commissioner Keller's main
11 section three item.
12

13 Commissioner Keller: So, firstly, I am not sure that we need to stay anything about when these
14 come back to us, but certainly, we should I think in general ask that we get responses on these in
15 the cycle of the next CIP, and how that should be worded and where that should be part of the
16 Motion, I'm going to suggest that the Chair give me guidance on that. With respect to the
17 Friendly Amendment made by Commissioner Fineberg, let me suggest a wording along these
18 lines that the Planning Commission or however we want to have the lead-in to that suggests that
19 improvements be considered in the vicinity of the following listed developments, whatever they
20 are, to address any deficiencies in and then the rest of the stuff in the Comprehensive Plan. Does
21 that make sense? The idea is the Motion that says that we suggest that they consider projects in
22 the vicinity of these new developments that address the deficiencies and then in the
23 Comprehensive Plan is a list of those things, the gathering spaces and all of that. That is where
24 the deficiencies would begin and that we direct them specifically in the vicinity of the new
25 developments.
26

27 Chair Garber: That we direct the study to look in the vicinity of those developments.
28

29 Commissioner Keller: That's correct.
30

31 Chair Garber: Okay, we'll shorten this. Will the Seconder accept the Maker's revision? I know,
32 but it's now been restated so I'm asking you to Second it and move forward.
33

34 Commissioner Fineberg: I will Second that so it would be that the PTC improvements be
35 considered in the vicinity of recent developments in South Palo Alto including the long list of
36 developments so as to address deficiencies in neighborhood improvements so each is to have
37 public gathering spaces, essential services and pedestrian amenities to encourage decreased
38 reliance on the automobile.
39

40 Commissioner Keller: That's correct.
41

42 Chair Garber: Perfect, and then relative to your looking for guidance on the previous piece, I
43 would simply suggest that the Planning Commission would ask that Staff return to the Planning
44 Commission with status on these topics and how they will be executed.
45

1 Commissioner Keller: Perhaps we should, and let me suggest this, and see if this makes any
2 sense, and I'm going to offer it later but I'm just putting this as a trial balloon that the Planning
3 Commission request that Staff either include CIPs addressing our suggestions or respond with an
4 explanation on how these issues are to be addressed in the future.

5
6 Chair Garber: Yeah, I think that's fine. Julie.

7
8 Ms. Caporgno: Since this is a report, or this report will be going to Council, maybe the way to
9 phrase that is that you are requesting the Council to direct Staff to respond to you because that's,
10 and I mean, we are not going to, or the Public Works and the other departments ...

11
12 Chair Garber: Thank you.

13
14 Commissioner Fineberg: Is Staff allowed to make Motions?

15
16 Commissioner Keller: I'm going to make the Amendment which is to what I said earlier as per
17 Julie's suggested wording. Thank you.

18
19 Chair Garber: Okay, let's vote.

20
21 Commissioner Fineberg: I accept.

22
23 Chair Garber: You betcha. All those in favor? (ayes) All those opposed. The Motion passes
24 unanimously with Commissioner Holman absent and we will close that item, and close the
25 Public Hearing. Commissioner Lippert.

26
27 **Commission Action**: Commissioner Keller moved with a second from Commissioner Fineberg
28 to recommend to Council staff recommendations of the CIP (6-0-0-1, Holman absent)

29
30 Commissioner Lippert: I just want to make one brief comment here. You know, I really
31 appreciate incorporating my Friendly Amendment even though I had to be forced a little bit, but
32 what's important here, I think, is that Council hears from all of us in terms of our thoughts, and
33 since we are not trying to do these as random comments, we are trying to form a consensus here,
34 and I really don't like to have to force my hand in such a way.

35
36 Last year, I made a comment with regard to the City's fleet of automobiles and had suggested as
37 part of the CIP in the purchase of those vehicles that they look at low-emission/high-efficiency
38 vehicles and I was pleased to see that a number of City vehicles had been replaced with Priuses.
39 Every one of our comments, as a body, is particularly important, and so when I have to put on
40 my game face or poker face here and begin to force my hand, it doesn't really make it a pleasant
41 experience for myself or my colleagues.

42
43 Chair Garber: Well, we all take lessons. I would like to thank the Commissioners. I thought,
44 although it was a bit longer than I was expecting, a very good discussion. Again, I would like to
45 thank Commissioner Fineberg for essentially allowing to have it, or finding a way for us to have
46 it. Commissioner Keller.

1
2 Commissioner Keller: I'd like to thank Commissioner Lippert for making his very useful
3 suggestions and it does point out one other thing which is that in some sense we have this issue
4 that the Maker and Seconder of the Motion have essentially control of the floor and control of
5 the Motion, and it does indicate that perhaps we might want to consider a process such as Straw
6 Polls or Straw Motions, if you will, in order to be able to do that in general rather than having
7 everything controlled by the Maker and the Seconder, and this is an illustration of that process.
8 Thank you.

9
10 Chair Garber: Commissioner Fineberg.

11
12 Commissioner Fineberg: Tonight's discussion really drove home a point for me that our
13 effectiveness and our ability to be productive and provide good recommendations to Council is
14 very dependent on our following our mandates that are in the City Code and State Law, and as
15 none of us are lawyers we are dependent on quality and content, and I'm sorry, I take that back,
16 we do have lawyers amongst us. My apologies. We are dependent on the advice from the City
17 Attorney's office and in the absence of that all we can rely on is our own best interpretations of
18 what is very complicated and beyond our ability to necessarily know all the subtleties. It is my
19 hope that we went in the right direction tonight and I really appreciate Staff's bearing with us
20 during these conversations, and it looks like Julie has ...

21
22 Chair Garber: Julie.

23
24 Ms. Caporgno: I just wanted to add that I think I can assuage the Commissioners' concerns
25 about what you have done tonight as far as the letter and conformity with the Municipal Code.
26 My concern was more similar to what Vice-Chair Tuma was expressing in that if you were to go
27 beyond that and were to identify something that you wanted to actually incorporate in the CIP
28 this year, but in the past you have in your report, and even though it has been more trivial in the
29 types of issues that you have raised, you have raised and made suggestions, etc. and so I don't
30 think that anything that you have done here tonight is in conflict with what is expressed in the
31 Municipal Code or what you have done previously.

32
33 **ITEM NO. 2 BELOW WILL BE CONTINUED TO DATE CERTAIN OF MAY 13, 2009.**

- 34
35 2. **Zoning Ordinance Amendment**: Review and Recommendation to City Council to: (1)
36 Adopt an Ordinance Amending Sections 18.10 (Low Density Residential Districts), 18.12
37 (R-1 Single Family Residential Districts), and 18.13 (Multiple Family Residential
38 Districts) of Title 18 (Zoning) of the Municipal Code (PAMC) , and (2) Adopt an
39 Ordinance amending PAMC Title 21 (Subdivisions and Other Divisions of Land),
40 Chapter 21.20 (Design), Section 21.20.301 (Flag lots), regarding subdivision incentives
41 for historic preservation.

42
43 Chair Garber: A number of the Commissioners have mentioned to me that they have not read all
44 of the Minutes, and I will not point it out, but let us and I am going to Move that we continue
45 those to the next meeting which is actually next week anyway.

1 Commissioner Keller: Second.
2
3 Chair Garber: All in favor. (ayes) That passes unanimously. Julie.
4
5 **APPROVAL OF MINUTES**: Regular Meeting of March 18 and Special Meetings of April 1
6 and April 15, 2009
7
8 **Commission Action**: Chair Garber moved approval of minutes to the next agenda meeting.
9
10 Ms. Caporgno: I just wanted to make sure of one thing. I just wanted to clarify, we are going to
11 take the comments that you made regarding the CIP, craft a letter and then we will run it past
12 Chair Garber to make sure that this includes everything, and then it will be forwarded to Council.
13 I just wanted to make sure that the Commission was comfortable with that process.
14
15 Chair Garber: Commissioner Keller.
16
17 Commissioner Keller: I'm comfortable with that process and somebody on the Commission
18 mentioned that Staff will have benefit of the verbatim minutes not soon enough for the Staff
19 report to be created, I'm well sure.
20
21 Ms. Caporgno: I'm sorry, I didn't understand what you said.
22
23 Commissioner Keller: I'm assuming that you will have to craft the Memo, this draft, without the
24 benefit of the verbatim minutes.
25
26 Ms. Caporgno: Correct, because this needs to be to them and actually they are probably going to
27 start clamoring for it in the next day or two, but I think that probably the latest we can get it out
28 would be Monday, and I don't think we get verbatim minutes until probably midweek next week.
29
30 Commissioner Keller: Is it possible to get our verbatim minutes to the various Council bodies in
31 time for them to consider it even if it is not in time for your report?
32
33 Ms. Caporgno: We may be able to get it to them at places on next Wednesday, and so we may
34 be able to get them back on Tuesday, and Wednesday is when they are discussing this.
35
36 Commissioner Keller: So maybe it can be emailed to them so that if they wish to they can look
37 at it in advance.
38
39 Chair Garber: So that is the 13th?
40
41 Ms. Caporgno: Yes.
42
43 Chair Garber: And we have a meeting on the 13th.
44
45 Ms. Caporgno: They are going to be in there, and we are going to be in here.
46

1 Chair Garber: I'm supposed to be representing the Commission, though, at that meeting.
2
3 Ms. Caporgno: And I'm supposed to be representing kind of the liaison to the Commission at
4 that meeting, so they have been told that if they needed us they can come over here and grab us.
5
6 Commissioner Lippert: That's only the Finance Committee. That's not the City Council.
7
8 Ms. Caporgno: And this not for the Finance Committee this next week.
9
10 Chair Garber: So a Commission Representative does not need to be there for that.
11
12 Ms. Caporgno: Yeah, I didn't realize that. Yes.
13
14 Chair Garber: But is it going to the full Council the following week?
15
16 Ms. Caporgno: No I believe it goes sometime in June.
17
18 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***
19
20 Chair Garber: All right, Chair Garber is the Commission Representative for May. We still need
21 a Commission Representative for June. Oh, that's right, Karen did say that she was doing it for
22 June. Commissioner Keller.
23
24 Commissioner Keller: May I point out that the Report to Council Committee isn't listed under
25 the committees on the top of Page 3 and it probably should be added.
26
27 Chair Garber: Yeah, and we will look for the new assignments for that as well. We have two,
28 and then we need to at least get one more if we don't want to juggle the whole thing, but we will
29 get to it. If there is nothing else, we are adjourned. Thank you.
30
31 **ADJOURNED: 8:48 PM**
32
33