



Planning & Transportation Commission

Action Agenda: January 12, 2022

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Approximately 6:02 pm

Madina Klicheva, Administrative Assistant, called the roll and announced that all Commissioners are present and that there was a quorum.

1. Recognition of Commissioner Alcheck for his Service with Planning and Transportation Commission.

Rachael Tanner, Assistant Director recognized Commissioner Michael Alcheck for his many years of service to the City by serving on the Planning and Transportation Commission (PTC). She shared that Staff has a plaque for Commissioner Alcheck and Palo Alto mementos. She read the plaque scripture and thanked Commissioner Alcheck.

Commissioner Templeton expressed her appreciation of Commissioner Alcheck's expertise and kindness when she first joined the Commission.

Commissioner Lauing shared that passion and amazing knowledge best described Commissioner Alcheck.

Vice-Chair Roohparvar thanked Commissioner Alcheck for his kindness, expertise, knowledge, passion and pushing the Commission to approach projects outside of the box.

Chair Hechtman admired Commissioner Alcheck's preparedness and passion to articulate an inclusive vision for Palo Alto and its citizens both current and future.

Commissioner Chang thanked Commissioner Alcheck for the advice he gave when she first joined the Commission. She expressed appreciation to Commissioner Alcheck's insightful comments.

Commissioner Alcheck wished the Planning and Transportation Commission success. He summarized that the PTC is the advisory body to Council that is most closely dealing with the housing crisis and the housing crisis was one of the biggest challenges that the State of

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 California has faced. He appreciated the comments from the other Commissioners. He thanked
2 Staff for their hard work and dedication to the City.

3 **Oral Communications**

4 The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

5 Chair Hechtman announced that oral communications is the chance for the public to speak on
6 items that were not on the agenda.

7 Madina Klicheva, Administrative Assistant, announced that there are no raised hands.

8 **Agenda Changes, Additions and Deletions**

9 The Chair or Commission majority may modify the agenda order to improve meeting management.

10 Chair Hechtman asked if any Commissioners or Staff have suggested agenda changes, additions,
11 or deletions.

12 Rachael Tanner, Assistant Director, disclosed that Staff has no changes or revisions.

13 **City Official Reports**

14 2. Directors Report, Meeting Schedule and Assignments

15 Rachael Tanner, Assistant Director, shared that this is the 3-years of virtual hearings. Regarding
16 Covid-19 updates, the Omicron Variant has become the dominant strain and is causing a surge
17 in Covid-19 cases. She encouraged folks to receive their booster shots, to get vaccinated and to
18 get tested whenever they feel sick. The City provides COvid-19 testing on Tuesdays at Mitchell
19 Parking Library from 9:00 am to 2:30 pm. Folks should schedule an appointment due to walk-
20 ups being in high demand. Also because of the Covid-19 surge, the Planning and Development
21 Services Department has eliminated in-person meetings, but virtual appointments were
22 available. Virtual appointments would be held through the end of January 2022 and then the
23 City will reassess and determine if in-person meetings can resume. Staff predicted that in
24 February or March of 2022, PTC may resume in-person meetings, but that was being assessed
25 on a meeting-by-meeting basis. PTC will hold a special meeting on January 19, 2022, and then a
26 regular meeting on January 24, 2022. City Council did select a new Mayor and Vice Mayor at
27 their January 2022. The new Mayor was Pat Burt, the new Vice Mayor was Lydia Kou and
28 Council was going to hold their Council retreat virtually on February 5, 2022. She invited
29 Commissioners to ask questions of Staff.

30 Commissioner Chang pointed out that there are typos in the PTC meeting dates with the year
31 stating 2021 instead of 2022.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman moved the discussion to the study session item.

2 **Study Session**

3 Public Comment is Permitted. Five (5) minutes per speaker.^{2,3}

4 3. Study Session to Review the City's 2023-31 Housing Element Update Progress

5 Chair Hechtman read the item title into the record.

6 Tim Wong, Senior Housing Planner, acknowledged that Commissioner Lauing and
7 Commissioner Reckdahl are both on the Housing Element Working Group. He mentioned that
8 there are two corrections to the Staff report. The first was on Packet Page 13, in the last paragraph
9 discussing the General Manufacturing (GM) and Research, Office, Limited Manufacturing
10 (ROLM) yields. The unit yield for GM should be 654 units and the unit yield for ROLM should be
11 902 units. The other correction was on Packet Page 14 under Staff suggested site, it should be
12 116 units instead of 127 units.

13 Commissioner Chang requested that Staff repeat the last correction.

14 Mr. Wong obliged and then continued with his presentation on the City's progress towards
15 updating the Housing Element for the planning period of the year 2023 through the year 2031.
16 The Housing Element was one of the seven mandated Elements in the Comprehensive Plan and
17 was used as the City's strategic plan for housing for 8 years. It was also the only Element that
18 required approval by the State of California. The objectives for the Housing Element included
19 planning to accommodate housing for all socio-economic segments, allow the development of
20 affordable housing, remove unreasonable governmental barriers for housing development,
21 preserve and improve existing affordable housing and ensure equal housing opportunities for
22 all. The Housing Element identified adequate sites for potential housing development which
23 helped the City accomplish its mandated Regional Housing Needs Allocation (RHNA) with an 8-
24 year cycle. The Housing Element also identified City programs and policies to promote housing
25 opportunities and meet the required certifications by the State Department of Housing and
26 Community Development (HCD). The RHNA was a city's or jurisdiction's fair share of housing for
27 future housing needs. The State of California would determine the future housing needs for all
28 income levels in the region. They then assigned a regional government a specific number of
29 housing units and that entity would distribute those housing unit counts among the various
30 cities in their region. The City of Palo Alto must use the housing allocation and accommodate
31 that in the Housing Element. The City was in the 6th cycle of RHNA and was allocated 6,085
32 housing units. The City's current 5th cycle allocation was 1,988 housing units. The RHNA
33 allocation was broken down into income levels. The City was required to build 1,556 housings
34 for very low incomes, 896 housing units for low incomes, 1,013 housing units for moderate
35 incomes and 2,621 housing units for above moderate incomes. Regarding site selection, a

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 working group was established in June of 2021 to update the Housing Element. They were
2 provided a set of site selection strategies in which they prioritized and selected their preferred
3 strategies. They then began to identify potential housing sites based on the preferred strategy
4 as well as identify enough sites to meet the City's RHNA allocation. The working group was very
5 supportive of protecting low-density zoned residential districts and this included no proposal to
6 up zone R-1 or other low-density zone districts in the City. The State of California required that
7 the City have a no net loss buffer and so the working group identified 609 potential housing
8 sites in case the other sites did not yield the proposed housing density. Regarding the first
9 strategy, HCD allowed jurisdictions to use current and approved land use applications to be
10 applied towards its RHNA. This strategy yielded 515 residential units. Regarding the second
11 strategy, HCD required jurisdictions to calculate the number of Accessory Dwelling Units (ADU)
12 based on the average of permitted ADUs from the past 3-years. The City's average was 64 units
13 and that was then multiplied by 8-years which resulted in a residential yield of 512 units.
14 Another strategy reviewed sites that allowed multi-family residential development and this
15 yielded 461 units. Of the 461 units, 40 sites were carried over from the 5th cycle. Per state
16 requirements, those 40 sites contained a by-right requirement for projects proposing a 20
17 percent affordability component and those projects only had to go through Design Review
18 using Objective Standards. The working group approved four strategies. The first strategy was
19 to up zone existing zone districts which allowed greater density or more units per acre. This
20 strategy yielded 1, 657 housing units. The next strategy located additional residential
21 development near fixed rail and upzoning those sites which yielded 798 units. Another strategy
22 the work group preferred was to locate additional residential development along with other
23 transit corridors and up zone those parcels. This strategy yielded 274 units. Another strategy
24 was to locate additional residential development on land owned by faith-based institutions.
25 This strategy multi-family housing to be developed on underutilized areas of existing structures,
26 vacant portions, or parking lots that were greater than ½ an acre. This strategy yielded 148
27 units. The remaining strategy that the working group will consider at their meeting was City-
28 owned parking lots. This strategy would locate City-owned parking lots in the downtown area
29 for low-income/high-density housing. This strategy had the potential to yield 168 units. A work
30 group member suggested that GM Zones allow residential uses to be developed with a
31 minimum of 40 dwelling units per acre. This strategy had the potential to yield 654 units.
32 Another working group member suggested was to explore ROLM zones that currently allowed
33 residential uses with a Conditional Use Permit (CUP). This strategy could yield up to 902 units.
34 Regarding Stanford University, three parcels in direct control of Stanford University included a
35 vacant property on Pasteur Drive, the Palo Alto Transit Center and 3128 El Camino Real. To
36 determine potential housing yields for those sites. Sandford University assumed a minimum of
37 five stories of residential with two stories of parking, above-ground parking and parking ratio
38 reductions. This strategy would yield approximately 825 units. Other Stanford University-owned
39 properties that are to be considered but Stanford University does not have direct control over
40 included 3300 El Camino Real which could yield 92 housing units and Palo Alto Square which

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 could yield 300 to 400 units. Staff had also suggested several sites that showed past developer
2 interest and those had the potential to yield 116 units. On top of the RHNA, the working group
3 identified an additional 2,000 units more than needed. Those additional units were to be placed
4 on a reserve list to explore for future RHNA cycles and would not be included in the Housing
5 Element. The next steps included the working group completing the site selection process and
6 then exploring potential housing policies and programs. Staff will bring the Housing Element
7 back to PTC in February 2023 for a formal review of the Housing Element sites. In the original
8 project schedule, Staff had the goal to complete all the rezones and have the Housing Element
9 adopted by January 2023. With the additional state requirements passed in September 2021,
10 the revised schedule did not allow time to complete rezones by January 2023 and so City
11 Council will adopt the Housing Element in March of 2023 without the rezones. Staff hoped to
12 receive the title “substantial compliance” from HCD after Council adoption and then receive full
13 certification once the City completes the rezones. Staff has provided the Housing Element
14 update information and presentations on the Housing Element update website.

15 Chair Hechtman invited Commissioners to ask questions of Staff.

16 Commissioner Chang was amazed to see how much work has been done. She asked how is the
17 determination made for a parcel to be targeted for a particular income level.

18 Mr. Wong explained that HCD has criteria to help jurisdictions determine what sites are best for
19 the different types of income levels.

20 Commissioner Chang wanted to know what “suitable and available” means.

21 Mr. Wong acknowledged that the City has no vacant land and so the parcels must have
22 redevelopment potential. Staff uses the Improvement to Land Ratio (ILR). If a parcel has an ILR
23 of less than 1 1/2 times the assessed value of the land, then the parcel is a candidate for
24 redevelopment.

25 Commissioner Chang wanted to understand if the working group ever considered strategies 13
26 and 14.

27 Mr. Wong informed that any sites where retail is allowed if it met the other criteria, was
28 deemed appropriate for inclusion as part of the housing sites inventory. Where the mixed-use
29 residential office is allowed, that includes GM Zones.

30 Clare Campbell, Senior Planner, added that the working group voted and prioritized the
31 strategies.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang asked if the City has discussed with Stanford University the long leases in
2 Stanford Research Park. She emphasized that the research park is a prime candidate for
3 housing.

4 Mr. Wong explained that Palo Alto Square and sites along El Camino Real were the low-hanging
5 fruit and Staff has not explored other areas of Stanford Research Park. Due to the length of the
6 leases, the timeframe was too short to reach out to lease holders but could be explored for a
7 future Housing Element.

8 Commissioner Chang encouraged Staff to begin that process now.

9 Vice-Chair Roohparvar asked if the strategy used for ADUs could be applied to Senate Bill 9
10 projects and lot splits.

11 Mr. Wong confirmed that Senate Bill 9 was discussed among the working group. HCD has not
12 shared specific direction on how Senate Bill 9 projects can be applied to RHNA. Staff predicted
13 that those sites may come into play for future Housing Elements.

14 Commissioner Summa agreed that Staff and the work group have done great work and very
15 efficiently. She asked for Strategy 2 and 3, would the proposed densities include the existing
16 low-density residential areas.

17 Mr. Wong confirmed only parcels that currently allow for multi-family would be up zoned.

18 Commissioner Summa inquired if Staff reached out to the faith-based institutes that were
19 identified in the site selection process.

20 Mr. Wong explained that Staff will be sending a letter to all property owners who may be up
21 zoned. Regarding faith-based parking lots, new state law allowed faith-based institutions to
22 develop their parking lots without having to replace the parking.

23 Commissioner Summa asked if the concept is to retain parking from City-owned parking lots
24 and then build residential above it.

25 Mr. Wong explained that the consensus was to have no loss of parking.

26 Commissioner Lauing commented that all of the units should be thought of as a capacity
27 analysis and there were no projects connected to the site selection process. The working group
28 tried to provide flexibility in case one site was deemed unsuitable for housing development or
29 other aspects. He appreciated Staff's insight and help while working with the working group.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl agreed with Commissioner Lauing that Council should have the
2 flexibility to remove sites and have sites available to replace those removed sites.

3 Chair Hechtman invited members of the public to provide their comments.

4 Madina Klicheva, Administrative Assistant, announced that there are no raised hands for public
5 comment.

6 Chair Hechtman brought the item back to the Commission for discussion. He inquired if Staff
7 had areas they wished to hear feedback on from PTC.

8 Mr. Wong noted this was to start the jumping-off point for PTC in anticipation of the February
9 2023 meeting. He requested Commissioners to ask questions and to provide feedback if the
10 working group and Staff should follow a different direction.

11 Rachael Tanner, Assistant Director, added that if Commissioner has items they want to see
12 when the item comes back in February 2023. That should be shared with Staff at this time.

13 Commissioner Chang remarked that she had a concern regarding GM and ROLM sites because
14 they have such high density in a very concentrated area of the City. She foresaw there being
15 traffic and transportation problems as well as school impact. She predicted that traffic could
16 double in some areas and the streets impacted are commuting routes for students. She
17 encouraged Staff to plan for the transportation demands. Both GM and ROLM sites are close to
18 the already congested San Antonio/Charleston/Highway 101 area and adding more housing
19 units will exacerbate the problem tenfold. She foresaw a problem with a large number of kids
20 having to be placed in neighborhood schools and those schools becoming over capacitated.
21 That type of problem affected existing and new residents' quality of life if their kids have to be
22 sent to a different school. In summary, she was concerned about having a large concentration
23 of housings placed in a small section of Palo Alto.

24 Commissioner Summa believed that the area that holds the existing ROLM and GM sites should
25 have an area plan. Other concerns with having high density in one area were park land and
26 shopping. She asked if Staff was exploring housing above retail at the Stanford Shopping
27 Center.

28 Mr. Wong reported that Staff has met with the owners of the Stanford Shopping Center.
29 Through the discussions, the site was not available for the 2023-2031 Housing Element.

30 Commissioner Summa inquired what the blue and white special buffer was on the maps.

31 Ms. Campbell the blue and white stripe indicated a 150-foot buffer between commercial
32 buildings and residential homes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar requested that Staff provide a visual of actual units built-in past RHNA
2 cycles and where they were built and compare that with current times. She clarified it may be a
3 study of financial feasibility tied to transportation impacts tied to schools. She believed that
4 would provide a holistic picture of what the City realistically felt would be accomplished. Also,
5 an analysis on if the City does not approve any housing projects and what ramifications that
6 would cause.

7 Commissioner Templeton wanted to know what the planning order usually is? She explained
8 folks in Palo Alto often plan for future impacts and she wanted to understand if all that planning
9 has to happen before drafting the housing plan.

10 Commissioner Reckdahl explained that a large amount of the total RHNA was made up of
11 below-market housing. It will take a lot of City planning to pay for and build the units. He noted
12 that the RHNA reflected units and the natural tendency was to build micro-units. That was not
13 good for Palo Alto or for families trying to live in Palo Alto. As the units are built, the City will
14 have to encourage increased square footage that is adequate for 2-bedrooms and 3-bedroom
15 units.

16 Ms. Tanner explained that the policies and programs in the Housing Element will explore
17 community facilities and components needed to support the community in the future. The City
18 has other policies in place that prepared the City as it grows and protects quality of life
19 essentials. If the City does not build enough housing to reach specific targets within a specific
20 timeframe. Then certain state laws are triggered and take over to get the housing built.

21 Mr. Wong summarized that the worse off in not meeting the building thresholds and then the
22 lower the threshold becomes for by-right developments.

23 Ms. Tanner added that if housing is built, the City would need to be ready to figure out how to
24 accommodate all of the growth, not just the housing portion.

25 Commissioner Templeton clarified that her comment was really that the other components of
26 growth do not have to be drafted and approved at the same time as the Housing Element.

27 Ms. Tanner agreed.

28 Chair Hechtman shared his surprise at the amount of work Staff and the working group has
29 accomplished so far. He asked what is the densest residential zoning within the City in terms of
30 dwelling units per acre.

31 Ms. Campbell answered 40 dwelling units per acre.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman agreed that the current exercise was a capacity analysis rather than a design
2 analysis. He asked if there are designs at 40 dwelling units per acre that fit with the City's
3 existing height limits.

4 Mr. Wong answered some projects have exceeded 40 dwelling units per acres and maintained
5 the height limit.

6 Chair Hechtman wanted to understand the feasibility of building a structure with 50 dwelling
7 units per acre and still staying under the existing height limit.

8 Mr. Wong confirmed that he would have to explore that further and come back to the
9 Commission.

10 Chair Hechtman clarified that he wanted to understand if the City is creating capacity criteria
11 now that will force the City to revisit height limitations in the future. He respected that the
12 working group decided not to up zone low-density residential zones. He also recognized that
13 low-density residential zone in close proximity to transit is underutilized and predicted that
14 those sites will eventually have to be upzoned. He encouraged the City to think about that in
15 terms of the long-term and start formulating a plan now rather than be forced into it later. He
16 suggested a 10-minute break and then take up the Action Item.

17 [The Commission took a 10-minute break]

18 **Action Items**

19 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
20 All others: Five (5) minutes per speaker.^{2,3}

21
22 4. Consideration of Updates to Section 18.42.110 (Wireless Communication Facilities) of
23 Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) of the Palo Alto
24 Municipal Code (PAMC). Environmental Assessment: Exempt per CEQA Guidelines
25 Sections 15061(b)(3) and 15301, 15302, 15303 and 15305.

26 Chair Hechtman read the item into the record. He addressed an issue that was raised by a
27 citizen whether he should recuse himself from the item. The same concern was raised at the
28 February 2020 meeting where the PTC heard the Wireless Ordinance for the first time. He read
29 the following statement into the record. *"Potential conflicts of interest are very serious and I
30 take them seriously. I think that one of the most important functions that our citizens can
31 perform in this public process is to raise these issues where they believe they exist. Because if
32 they don't put a voice to them, then we can't talk about them. One of our residents has raised
33 this issue about me as it relates to the wireless industry and so I appreciate them bringing
34 forward their concerns. There are two types of potential conflicts of interest, financial interest*

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 and bias and I intend to address both of them. I'm a land-use attorney and I've been doing this
2 work for more than 30-years and along the way, I have done work for the telecommunications
3 industry. Specifically, my firm had as a client for a substantial period of time one of the largest
4 industry companies and my primary job for them was to attend public hearings, like this
5 Planning Commission hearing, and seek approval of permits so that they could build wireless
6 communication facilities. But the last time I did any of that work was more than a decade ago
7 and probably more like 15-years ago or more. I'm in a small firm and another attorney in my
8 firm has also done that kind of work with the industry, but she has not done any work with the
9 industry in many years. California's Political Reform Act provides that a conflict of interest exists
10 if I have a financial interest in the outcome, and it imputes to me any income that my firm has
11 earned from the industry, or from anybody who would have an interest in Palo Alto's Wireless
12 Ordinance in the last 12-months. I have no financial interest in the outcome of the Wireless
13 Ordinance at issue here, nor is there any industry income to impute to me. And so, under this
14 law, I have no conflict of interest. Nor is it reasonably foreseeable that my participation on this
15 agenda item will result in any future income to me or my firm. The citizen claims that my
16 comments 2-years ago were very highly favorable to the industry. I disagree with that
17 characterization and the industry must disagree too because in the 2-years since I made those
18 remarks, not one of them has knocked on our door to have us do work for them. The other
19 potential conflict of interest is bias and the concern is that because of my prior involvement with
20 the industry and the prospect that at some point in the future I or another member of my firm
21 might be hired by the industry, that I have a bias. In other words, that I could not fairly and
22 impartially decide a matter related to the telecommunications industry. I have no bias regarding
23 that industry. I think there may be some confusion of bias with background. The fact that I have
24 prior experience in the industry is actually an asset I believe in processes like this. And I would
25 like to believe that it is this background and the experience that I have in other land use matters
26 is part of what the Council saw in appointing me. My background does not make me
27 predisposed to like or dislike any wireless industry position, but it does allow me to understand
28 their processes and positions. I think that is a useful tool and it is not a matter of bias. My
29 allegiance in my role as a Planning Commissioner is to the City of Palo Alto and my intention is
30 to make decisions that in my view are in the best interest of the whole City. And so that doesn't
31 necessarily mean I'll agree with every comment of every resident from time to time. But it does
32 mean that I will take a broad fair view and that I am not beholden to the wireless industry in any
33 way. I have no conflict of interest based on bias. There's a related concept called the perception
34 of bias that is considered where there is no actual bias constituting a conflict of interest. In her
35 email to the PTC, here is how the citizen expressed her perception of my bias. She wrote, "United
36 Neighbors passively accepted your refusal to recuse yourself at the PTC in February 2020 only to
37 watch as you advocated for cell tower applicants at every turn". The verbatim minutes of that
38 February 12th, 2020 PTC meeting are available online and I would encourage anyone interested
39 in this issue to read all of my remarks during that hearing. If you do, you will find that I clearly
40 stated my goals for the Wireless Ordinance to be having a lawful ordinance that did not expose

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 the City to litigation the City would lose and a reasonable permit process set forth in the
2 ordinance that would result in the citizens of Palo Alto and it's businesses having access to the
3 best technology available. Anyone impartially reading my remarks at that 2020 hearing will find
4 that every one of my statements was in furtherance of one of those two goals. For me to recuse
5 myself today, based upon perceptions of bias, where there is no substantial evidence supporting
6 a reasonable perception of bias would set a terrible precedent for all of the City of Palo Alto
7 decision-makers. Any time even a single citizen wanted to exclude a decision-maker from the
8 Palo Alto process, they could claim, without substantial evidence, that they perceived that
9 decision-maker of being biased, and point to my recusal regarding the Wireless Ordinance as
10 reflecting the necessary result. For example, pro-housing advocates could claim that they
11 perceive bias of those City Council Members who are described as residentialists based upon
12 their statements in deliberating housing issues, their votes on those issues, and even statements
13 they made in campaigning for office. I am unwilling to add force to such claims of perception of
14 bias by recusing myself here where there is no reasonably held perception of bias based upon an
15 objective view of the evidence. That would not be in the best interest of the City of Palo Alto, nor
16 in its governmental functions. Finally, this citizen also claimed my participation violates the
17 State Bar Rules of Professional Conduct that regulate me as a lawyer. But those rules do not
18 apply here because I am participating tonight as a Planning Commissioner and not as an
19 attorney representing the City or an attorney representing the telecommunications industry. I
20 have conferred with the City's Attorney Office on these matters and I will be participating fully in
21 tonight's discussion." He invited Staff to begin their presentation.

22 Sheldon Ah Sing, Principle Planner, announced that Staff recommends that the PTC hold a
23 public hearing, discuss modifications to the Palo Alto Municipal Code contained in the draft
24 ordinance, provide feedback and recommendations to Staff on items to include in a draft
25 ordinance for future consideration. Then close public comment and continue the item to a
26 future meeting. The full ordinance will be brought back to PTC in the spring of 2022 with a
27 revised ordinance that will include all the feedback from stakeholders. He referenced several
28 links that were included in the Staff report. Those links were to the existing Wireless Ordinance,
29 the draft Wireless Ordinance, the application checklist, two ordinances from other
30 communities, selective Comprehensive Plan policies and goals, and a letter from a wireless
31 carrier dated December 2, 2021. The Wireless Ordinance was updated in the years 2015, 2018,
32 and 2019. The Objective Standards Resolution and updates were adopted in 2019. Based on
33 Council direction from 2019, the Wireless Ordinance was updated again and was now before
34 the PTC for review. A joint study session meeting was held in November 2021 with Council and
35 the Architectural Review Board (ARB) to discuss the ordinance. In 2020, PTC recommended
36 Staff further reconsider incomplete applications, alternatives analysis, noise, independent
37 experts and referrals to ARB/PTC. Regarding existing tools, all wireless communication facility
38 (WCF) applications must follow the application checklist, design and constructions standards as
39 well as the Wireless Ordinance. WCFs that are located within the public right of way must

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 follow additional tools including Objective Standards and Master License Agreements along
2 with all the other tools. The proposed Wireless Ordinance updates were consistent with current
3 federal and state laws and recent court decisions affecting the Federal Communications
4 Commission (FCC) orders. If there are further changes to the federal or state laws, Staff will
5 propose new amendments to address those changes. An internal Staff working group
6 comprised of the Planning and Development Services Department, Utilities Department, City
7 Attorney's Office, Public Works and outside counsel worked together to draft the proposed
8 ordinance. The proposed revisions of the draft ordinance responded to current WCF trends,
9 updates to laws and regulations, clarified the City's review procedures and information to
10 analyze wireless applications, clarified generally applicable development standards the City's
11 Comprehensive Plan, improved the effectiveness of the City's regulations and reflected the
12 values of the City. Regarding incomplete applications, Staff acknowledges that there are time
13 constraints on wireless applications and applications can sit for long periods due to
14 incompleteness. Staff recommended that whenever an applicant fails to provide a substantive
15 response to the City within 90-days after receiving a Notice of Incomplete. The application will
16 be denied with prejudice. The applicant can file a new application with the City for the same
17 site after denial is issued. Regarding the alternatives and feasibility for exceptions, the proposed
18 amendments included new application requirements for Tiers Two and Three for comparative
19 analysis and feasibility. The goal was to understand the pro and cons of a primary location and
20 its alternatives. Regarding noise, the proposed amendments included a new application
21 requirement to submit an acoustical report and a new Condition of Approval that included a
22 standard that a facility complies with the established noise standards in the Municipal Code.
23 Regarding location and design preferences, the draft ordinance included a new subsection and
24 added that other location preferences are included by reference in the adopted resolution.
25 Staff recommended that the design and location preferences be located in the resolution and
26 not the ordinance. Regarding Objective Standards, the Ninth Circuit Court decision does not
27 require that standards be objective but need to be reasonable. Staff recommended removing
28 and updating areas in the ordinance and resolution where it referenced Objective Standards.
29 Regarding referrals, the applicants are bound by shot clock time frames and it was unlike that
30 an application would have time to be reviewed by both ARB and PTC. Staff requested PTC's
31 feedback on having the Director of Planning refer applications directly to Council instead of ARB
32 or PTC. Regarding independent experts, the draft ordinance clarified the requirements and
33 expectations for applications for independent expert use. Regarding additional topics, the
34 ordinance included codifying items from the application checklist. Staff requested flexibility on
35 the checklist to allow Staff to respond to changing technology and regulatory landscape.
36 Regarding Conditions of Approvals, Staff proposed new and modified Conditions of Approval in
37 the ordinance. The condition allowed greater code enforcement ability and greater
38 accountability. Several items remained unchanged in the proposed draft ordinance. Staff was
39 not expecting wireless application submittals to decrease in the future and expected the
40 applications to have one or more exceptions. Next steps included continued outreach with the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 community and carriers. Staff anticipated meetings with ARB in late February 2022 and would
2 return to PTC during the spring for recommendations on the ordinance and resolution. Then
3 Staff would seek adoption from Council in late spring of 2022.

4 Chair Hechtman invited the Commissioners to ask clarifying questions of Staff.

5 Vice-Chair Roohparvar asked what the magnitude of applicants Staff was anticipating per year.

6 Garret Sauls, Current Planning, answered in the last 2- to 3-years the City has received three to
7 four projects for the right of way entitlements for small cell applications.

8 Vice-Chair Roohparvar wanted to understand the pros of undergrounding the WCF equipment
9 and how that compared to pole-mounted equipment and lines.

10 Mr. Ah Sing stated that one pro was visual aesthetics.

11 Vice-Chair Roohparvar predicted that was the primary reason other jurisdictions were pushing
12 to underground the equipment.

13 Gregory McKernan, Utility Engineer, agreed that undergrounding the equipment removed the
14 visual eyesores that the equipment can bring to the City. Also, undergrounding provided more
15 reliability of the network.

16 Vice-Chair Roohparvar inquired why Staff looked at ordinance from Ithaca, New York and
17 Aspen, Colorado.

18 Mr. Ah Sing recalled that a member of the public at the joint session suggested that Staff
19 explore those two cities.

20 Commissioner Summa asked who the outside counsel was, what portions of the ordinance did
21 they work on and will they be working on the ordinance moving forward.

22 Mr. Ah Sing introduced Gail Karish who was the outside counsel and stated that she will be
23 following the ordinance to completion.

24 Commissioner Summa predicted that outside counsel worked on the legal aspects and not the
25 technical aspects.

26 Mr. Ah Sing confirmed that is correct.

27 Ms. Tanner interjected that on the question regarding how many applications the City has
28 received, the City could receive one application but it could contain several nodes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Sauls shared that of the three applications the City has received since 2019. One application
2 contained 10 nodes, another application received approval for three nodes, and the third
3 application contained three nodes but was later decreased to two nodes.

4 Ms. Tanner noted that there may not be copious amounts of applications but each application
5 contained large volumes to review.

6 Mr. Sauls shared that each application can propose a maximum of 15 nodes per application.

7 Vice-Chair Roohparvar understood that the noise impacts related to noise during installation
8 and after installation.

9 Mr. Ah Sing believed it was both.

10 Commissioner Chang recalled that Santa Clara County has a regulation that noise in residential
11 areas cannot exceed 55 decibels during the day and 45 decibels at night. She asked if that
12 conflicted with the language in the draft ordinance where it stated 60 decibels.

13 Mr. Ah Sing disclosed that he was not familiar with Santa Clara County's noise regulation. He
14 commented that the order may be only applicable to the unincorporated areas of Santa Clara
15 County. The City has its own Noise Ordinance.

16 Ms. Tanner also did not know and agreed that it may only apply to unincorporated parts of
17 Santa Clara County.

18 Commissioner Chang remarked that she would follow up with Staff offline about the matter.
19 She requested that Staff explain the different exceptions and if exceptions are prioritized or
20 weighed between residential application and commercial application. She explained that many
21 residents expressed concerns in their letters about visual impacts and having cell phone towers
22 close to their house.

23 Mr. Sauls confirmed that currently, the City does not have a weighted scheme where one
24 exception equaled a specific value. The current resolution looked at the total number of
25 exceptions in what is proposed in terms of the primary location compared to alternative
26 locations. If one location required fewer exceptions than another location, then the one with
27 fewer exceptions is valued as a preferred location. The City advocates have cell towers located
28 near commercial structures instead of in residential neighborhoods.

29 Commissioner Chang pointed out that there is resistance from residences on where WCF is
30 placed. She suggested that Staff make it clear that the City has a preference for exceptions that
31 are away from residential areas.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Sauls further explained it is a balancing act between what is legally required and what is the
2 least aesthetically impactful location. He mentioned that through the current process there is
3 going to be a discussion about if it is possible to create a weighted system for exceptions.

4 Commissioner Chang asked why Staff chose a waiting period of 90-days and not a shorter
5 waiting period if an application lapses.

6 Mr. Ah Sing explained that while looking at other jurisdictions' ordinances, 90-days seemed like
7 a reasonable amount of time to give applicants time to respond to a Notice of Incomplete.

8 Chair Hechtman requested that counsel explain the limitation of the robustness and
9 completeness of how the City can regulate telecommunications that relate to federal
10 preemption.

11 Gail Karish, Best Best & Krieger LLP, noted that state and federal law is always servicing to
12 preempt local authority. At the federal level, laws that were enacted in 1996 placed procedural
13 and substantive limits on what local authorities can do. The Federal Communications
14 Commission is solely responsible for determining what radio frequency (RF) emissions levels are
15 safe and that also reduced local control. The Federal Communications Commission adopted the
16 shot clock restrictions and other timelines. There is a State Franchise Right that allows
17 telecommunication companies to use the public right of way for installations. Cities can issue
18 permits and review applications to ensure that the installations do not "incommode the public
19 use". Federal Government Code Section 6409 was adopted in 2012, that law deals with
20 modifications or addition to existing WCF. If an applicant meets all of the criteria for Section
21 6409, then cities must approve the application.

22 Chair Hechtman invited Commissioners to share any disclosures they may have.

23 Albert Yang, Assistant City Attorney, interjected that those sorts of disclosures are not required
24 because it is not a quasi-judicial item.

25 Chair Hechtman opened up the public comment portion for the meeting.

26 Hamilton Hitchings spoke on behalf of himself, disclosed that RF waves can cause burns at close
27 range. Many studies indicate that many health problems can be endured if a person resides
28 within 1,500-feet of a cell site for a duration of time. The buzzing noise produced by cell towers
29 also hurts nearby homes. He shared that City light poles can now be used for cell site
30 installations. He requested a 100-foot setback instead of the 20-foot setback and the noise level
31 be capped at 45 decibels. He agreed with the written submittal that Chair Hechtman may have
32 an ethical conflict of interest and should recuse himself from the item. He shared that Chair

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Hechtman’s law firm lists on their website a legal specialty obtaining approvals for
2 telecommunication towers and cellular facilities throughout the Bay Area.

3 Jeannie Fleming read the letter she sent to the PTC into the public record. *“Dear Planning and
4 Transportation Commission Chair Hechtman, I am writing to you on behalf of United Neighbors.
5 United Neighbors is a grassroots organization of Palo Alto residents that, for the last 5-years,
6 has been working to further the development of thoughtful, responsible wireless policy for our
7 City. A policy that, while recognizing the rights of telecommunications industry, priorities the
8 interest of the people who live here. As part of our efforts, we have taken part in dozens of
9 meetings on this topic, meetings with the Planning and Transportation Commission, with the
10 Architectural Review Board, with City Council and with senior City Staff. But since you, and I
11 mean Chair Hechtman again, you have refused to recuse yourself, we are not going to attend or
12 participate in the PTC meeting on January 12, 2022, where revisions to Palo Alto’s Wireless
13 Ordinance are scheduled to be considered. For decades, you and the small law firm in which you
14 are a partner have worked for telecom companies, helping them secure permits for wireless
15 facilities. Attached is a screenshot from your firm’s website stating that obtaining such
16 approvals is an area in which you specialize and soliciting business in that arena. The work you
17 do and the work your partners do constitutes a clear and serious conflict of interest for you as a
18 Commission Member. One that disqualifies you, both as a public official and as a member of the
19 California State Bar, from participating in the consideration of wireless matters that come
20 before the PTC. Yet you refuse to recuse yourself. United Neighbors passively accepted your
21 refusal to recuse yourself at the PTC meeting in February 2020 only to watch as you then
22 advocated for cell tower applicants at every turn. Were the PTC convening in Council Chambers
23 this week, we would attend and to highlight the impropriety of your participation stand, en
24 masse and turn our backs to you each time you spoke. But COVID has made that impossible.
25 Hence, I am writing to say that your participation in the PTC’s consideration of Palo Alto’s
26 Wireless Ordinance is unethical and that we will not be a party to it. Sincerely, Jeanne Fleming.”*

27 Beal [phonetics] Ross agreed with Chair Hechtman’s statement regarding federal preemption
28 but recommended that he receive a third-party opinion on the matter. He recommended on
29 Packet Page 88 under emergency deployment to delete the sentence “or when otherwise
30 warranted by conditions that the Director deems to be an emergency”. He recommended a
31 section be added that when a permit is granted, that notice is sent to the accessor and the
32 State Board of Equalization. He stated this is possessory of public property and should be taxed.
33 Nowhere in the report did it mention that there are shared poles between PG&E and the City.
34 Those poles are under the Public Utilities Commission (PUC) order that favored
35 undergrounding. Nowhere in the ordinance did it discuss limitations around airports and it
36 should be clarified for the record that there are three types of recusal. He appreciated Chair
37 Hechtman’s statement at the beginning of the item and requested that the two City Attorney’s

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 opinions be shared with the public for transparency. He concluded that the City should always
2 pursue undergrounding equipment.

3 Jeremy Strew disclosed that over the last 5-years he has been submitted Verizon Wireless
4 Applications to the City. He found the hyper-technical code ambiguous and confusing. He
5 recommended clarifying bullet points for City street preference, clarifying the definition of
6 “potential” under the potential historic district siting requirements, clarifying height and pole
7 diameter exceptions for pole replacement requirements and clarifying the landscaping
8 screening requirement regarding trees.

9 Paul Albritton, outside counsel for Verizon Wireless, agreed that the existing Wireless
10 Ordinance is confusing and difficult to work with. Verizon Wireless submitted a letter on
11 December 2nd, 2021 that included proposed redline changes to the ordinance and he strongly
12 urged the Commission to letter and considered the proposed changes. Verizon Wireless also
13 submitted a letter in November 2021 and he requested that Staff provide comments to the
14 letters. He emphasized that the current exception-based ordinance does not work and required
15 the Planning Director for every application to determine if the pole can or cannot be denied
16 with exceptions based on federal law. There is no priority to the ordinance, no list of exceptions
17 and no preference system.

18 Maureen Cruzen, Municipal Engagement Partner with Verizon Wireless, mentioned that several
19 years ago Verizon Wireless identified a dire need in the City to expand capacity and improve the
20 wireless network. She urged PTC to recommend that Staff update the code to provide clearer
21 standards and guidance. She recommended that the City host an educational session before the
22 draft ordinance is finalized to allow Verizon Wireless and the other carriers to share
23 information about their networks.

24 Alex Loypen [phonetics] shared he also works with Verizon. He stated that the tradition that
25 Palo Alto has to create innovation and embrace technology should not be stopped. Policies are
26 a statement of principles and statement of intent and he questioned what type of statement is
27 the City trying to make? He mentioned since the guidelines were adopted in 2019, Verizon
28 Wireless has only been able to site three small cells during a global pandemic where everything
29 has moved online. Neighboring communities have dispatched hundreds of small cells and have
30 improved their home broadband service for their residents.

31 Chair Hechtman requested that Staff guide what items they wished to receive feedback on.

32 Mr. Ah Sing suggested Commissioners share grammar corrections, request clarification on
33 sections if they are not clear and feedback regarding referrals.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar flagged Section 18.42.110, Subsection (a), the last sentence in the first
2 paragraph and stated it was confusing and Staff should clarify what independent source is. Also,
3 in the same section but Subsection (b)(1), she wanted to understand what amateur meant and
4 suggested replacing amateur with non-commercial. She flagged Section 4(a) which was missing
5 a period after the word applies. Regarding Subsection 14, the definition for stealth was vague
6 and she recommended including languages such as camouflage or concealment. Regarding
7 Subsection 15, the word “that” is missing and then regarding Packet Page 78 in Subsection (3)
8 at the top, the sentence starting with “the applicant shall submit a signed...” does not make
9 sense. On Packet Page 79, she recommended including the timeframes instead of only
10 referencing them. On Packet Page 81 through 81, she suggested not using the word specific and
11 just say standards. Lastly, she recommended that Staff review when the word chapter and
12 section is used throughout the ordinance. When the item comes back to the Commission, she
13 requested that Staff provide pros and cons for using an exception system compared to a
14 preference system. She supported allowing the Planning Director to refer applications straight
15 to Council given the tight timeframes.

16 Commissioner Reckdahl supported Vice-Chair Roohparvar’s recommendation to bring back pros
17 and cons for exception-based versus preference base. He shared that the exception-based
18 approach has a lot of overhead and he asked if it works well.

19 Mr. Ah Sing restated that Staff tries to balance the desires of the community and federal and
20 state laws. He mentioned that designed preferences are located in the resolution because it is
21 easier for Staff to amend the resolution than amend the ordinance.

22 Commissioner Reckdahl acknowledged that there is never a plan where everything works
23 perfectly. Regarding referrals, he supported having the projects come to PTC and ARB before
24 going to Council, but due to the tight time constraints. He wanted Staff to have the option to
25 decide which avenue is the best. Regarding noise, the ordinance has no maximum noise
26 amount and he wanted to see a maximum of 45 decibels be included in the ordinance. He
27 mentioned protections for tones and that antenna can have a buzzing noise. He recommended
28 that the City mimic Massachusetts’s noise requirement where there cannot be a noise source
29 that has more than 3 decibels in one octave than the next one. He asked how are applications
30 verified that they are meeting the noise requirements?

31 Mr. Sauls explained that the current Objective Standards identify noise related to the area
32 around the antenna and ambient noise increases that may be over a 3-decibel limit. Currently,
33 equipment produces 40 decibels of noise at the face of the antenna itself but does not result in
34 an ambient noise increase to the surrounding area. He asked if the antenna on Alma Street that
35 omits noise is on a wood utility pole.

36 Commissioner Reckdahl answered yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Sauls shared that 10 years ago, AT&T installed several oDAS sites and they do not have the
2 same stealth design as the new equipment. The equipment may become less optimally
3 functional.

4 Commissioner Reckdahl noted that the noise sounds like a fan. He was concerned that the
5 equipment installed now will be noiseless but in 2-years will be producing noise.

6 Mr. Sauls shared that Staff does not do field tests and noise issues are primarily based on
7 complaints the City receives.

8 Commissioner Reckdahl asked how many cell towers currently exist in the City.

9 Mr. Sauls answered for the right-of-way installations there are 110 to 116 with the majority of
10 them being oDAS sites.

11 Commissioner Reckdahl asked what fees are charged to the carriers.

12 Mr. Sauls explained there is a Planning Entitlement Application Fee, Building Permit fees and a
13 yearly lease fee from the Utilities Department.

14 Mr. Yang noted that one of the conditions that the City added into the oDAS project was that
15 the sites have battery backups. The batteries are what required fans and since then, batteries
16 are no longer included in the design. The carriers are required to respond to any complaints and
17 do maintenance on the facilities.

18 Commissioner Reckdahl summarized that if a person complains to the City, City Staff confirms
19 that the complaint is legitimate and then City Staff reports it to the carrier who is responsible to
20 come to fix the problem.

21 Mr. Yang confirmed that is the correct process.

22 Commissioner Reckdahl mentioned that battery backups are mandatory in Palo Alto Hills.

23 Ms. Karish confirmed that in high fire-threat areas there has to be backup power, but does not
24 specifically have to be a battery. In macro cell applications, many carriers have backup
25 generators.

26 Commissioner Reckdahl asked if there are any noise limits on backup generators.

27 Ms. Karish remarked that backup generators may qualify for an Eligible Facilities Request. There
28 is a temporary state law in effect that is similar to an Eligible Facilities Request.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Lauing understood that the ordinance contains a combination of subjective and
2 objective regulations.

3 Mr. Ah Sing answered that is correct.

4 Commissioner Lauing asked if the Commission should discuss the resolution.

5 Mr. Ah Sing mentioned that ARB will be discussing the resolution first and then PTC will review
6 the full ordinance with the redlines to the resolution.

7 Commissioner Lauing read that the Planning Director has the sole discretion to refer
8 applications to the ARB for Tier Two. He presumed that meant applications with exceptions.

9 Mr. Sauls answered that is correct.

10 Commissioner Lauing acknowledged that nobody supports the existing exception-based
11 process. He mentioned that the Planning Director could refer an application to ARB, ARB
12 reviews the application and then sends the application straight to Council. He supported the
13 comments by Commissioner Chang and a public speaker that there should be a weighed system
14 on what is important. He recommended that Staff begin from scratch and explore ways to best
15 streamline the process. He was very sympathetic to the concerns regarding noise and he
16 supported the recommendation to have a 100-foot from residences instead of 20-feet. He
17 supported the concept of having co-locations on commercial buildings, but he acknowledged
18 that there are more poles than commercial buildings. He wanted to know at what threshold
19 would an independent consultant be used to review technical aspects.

20 Mr. Sauls stated that the provision is used for right-of-way applications due to the proximity of
21 those facilities to the public.

22 Commissioner Summa thanked the members of the public and acknowledged the very specific
23 concerns that they raised. She entrusted Staff to review those remarks and explore improving
24 those areas. She supported Staff's proposed timeline for the ordinance and to continue
25 towards a June 2022 adoption. She recommended that the ordinance state that the City's
26 overarching goal is to expedite the applications and make sure any equipment is as far away
27 from residents as it can be. With that said, she supported having a 100-foot minimum distance
28 from residents. She mentioned that there is a large group of poles that are preferred poles for
29 the City because they are located in areas where there is not a conflict with residences. She
30 encouraged Staff to prioritize those poles in the ordinance. Regarding aesthetics and locations,
31 she agreed with Commissioner Lauing's comment that the applications do not have to be
32 reviewed by PTC and ARB once there are strong standards for the location. Once a location is
33 established, ARB can review the projects for aesthetics. She appreciated Commissioner

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Reckdahl's comments regarding noise and the maximum of 45 decibels. She predicted that
2 starting with a lower baseline will be more successful. Regarding maintenance, she supported
3 undergrounding the equipment in high fire-threat areas. She asked if the City is tracking
4 whether the equipment is being maintained and paid for by the carrier.

5 Commissioner Chang agreed with every comment Commissioner Summa made. She supported
6 Staff's proposed timeline to have the ordinance adopted in June of 2022. She recommended
7 that Staff meet with United Neighbors and the carriers to understand their opinions on the
8 ordinance. She did not want citizens who feel like they are not being heard to continue to try
9 and stop any WCF from being installed.

10 Chair Hechtman mentioned that he has the same two goals that he had at the February 2020
11 meeting. He announced his confidence in the City Attorney's Office and outside counsel to
12 examine Mr. Albritton's letter and make the best decisions for the City. Regarding noise, he
13 confirmed that the unincorporated Santa Clara County has a maximum daytime decibel level of
14 55 and 45 decibels at night in residential zones at the property line. Those only apply to
15 unincorporated areas and every City in Santa Clara County has its own Noise Ordinance. He
16 asked if it is allowable to have different noise decibels requirements for specific uses that go
17 beyond the current Noise Ordinance.

18 Mr. Ah Sing mentioned that he will pull up the City's Noise Ordinance and share it with the
19 Commission.

20 Jim Fleming, Utilities Department Analyst, shared that poll attachments include a Master
21 License and carriers are required to pay \$270 per pole per year plus any energy consumption
22 charges.

23 Commissioner Reckdahl asked if the fee is a cost recovery or a rental fee.

24 Mr. Fleming explained that based on the 2018 Small Cell Order by the FCC, \$270 is appropriate.

25 Ms. Karish added that the FCC Order states that the rate that can be charged has to be cost-
26 based and there is a separate state law that has a formula to calculate the rental rate for utility
27 poles. Outside of the public right of way, there are no limitations. Concerning decibel levels, she
28 confirmed that any requirement must be reasonable and that no state law requires City's to
29 match their existing Noise Ordinance to WCF.

30 Mr. Ah Sing shared that for residential neighborhoods within the City, the average 24-hour
31 noise level can be at or below 60 decibels.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman suggested that the Commission continue the conversation and check-in at
2 11:00 pm.

3 Commissioner Lauing asked if there is an option to make motions in the second hearing or
4 should be made now.

5 Mr. Ah Sing wanted to know from the entire Commission if they supported the ordinance
6 having a 45-decibel maximum and what buffer distance did the Commission supported from
7 residences.

8 Ms. Tanner mentioned that procedurally, the hearing would be closed and the second hearing
9 would have a new Staff report and a newly amended ordinance.

10 Commissioner Lauing suggested that the Commission start making motions.

11 Chair Hechtman did not support a special noise level for WCF. If the City's existing Noise
12 Ordinance is not adequate, then PTC should review it and provide comments. Regarding the
13 buffer from residents, he mentioned that at the February 2020 meeting the Commission
14 expressed interest in the buffer distance but was told by Staff that the requirement was not in
15 the ordinance, so, the Commission could not discuss it and he believed that was the same case
16 now.

17 Mr. Yang stated that it is an appropriate topic for the Commission to discuss.

18 Chair Hechtman recommended that when the item comes back to the Commission, Staff share
19 how 20-feet was selected and what was the impact if the buffer is increased. Regarding the
20 referral, he opined that if an application has problems with the design then it should go to ARB.
21 If location is the concern, then PTC should review it and if there are serious concerns in both
22 areas then it should go to Council. The current process sends applications to ARB that have
23 location issues and that it is not desirable for ARB to handle planning issues. Concerning the
24 existing process, he noted that it creates a box and if an application does not fit within the box,
25 then exceptions are needed and that slows down the process. The problem with the current
26 system was that the majority of applications do not fit within the box and now the exception is
27 becoming the rule. He suggested that Staff explore more flexible requirements and he
28 supported Staff in exploring a more preference-based process. Regarding WCF application
29 requirements 11 and 12, he remarked that his concern was that there was no guidance as to
30 the extent of the alternatives analysis and that was not a good process. He suggested that Staff
31 mimic the California Environmental Quality Act alternative process for the Wireless Ordinance.
32 He concluded that he submitted a redline version of the draft ordinance to Staff with minor
33 changes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl agreed that the City is trying to get the best design. If there are
2 different options for the applicant to choose from with reduced analysis, that should be
3 allowed. He mentioned that some of the mock-ups are very ugly. He asked what advantages are
4 there to having antennas at the top of a pole.

5 Mr. Ah Sing confirmed that the antennas cannot be undergrounded but the other associated
6 equipment can be.

7 Commissioner Reckdahl restated that the photo he is referencing has an antenna on top with a
8 bulb underneath it. He wanted to understand if that was all the equipment in the bulb or if
9 there was additional equipment underground.

10 Mr. McKernan mentioned that older equipment used faux mailboxes and other structures for
11 the ground-mounted equipment. The new antennas have the antenna and radio together with
12 no ground equipment.

13 Commissioner Reckdahl stated that if the antenna is going to be on the top of the pole, then
14 undergrounding does not create any benefits.

15 Ms. Karish added that it depended on the application and what antenna was being used.

16 Commissioner Reckdahl recalled that Council discussed moving antennas above eye view. He
17 wanted to know if the ordinance included requirements for height.

18 Ms. Tanner clarified that there was the height of the equipment on the pole and then the pole
19 height itself. There are different types of poles and the height can vary.

20 Mr. Ah Sing stated there are height standards for poles in the resolution.

21 Ms. Tanner predicted that the ordinance is reducing the height whereas Council discussed
22 increasing the height.

23 Commissioner Reckdahl pointed out that Staff resources were flagged as a concern and he
24 inquired if more Staff can be hired to process the applications.

25 Ms. Tanner concurred that there could be different Staffing models to look at. She proclaimed
26 that there are not enough applications to make it a full-time position. Staff will explore the
27 associated fees and make sure they are aligned with the required resources.

28 Commissioner Reckdahl supported the inclusion of hiring independent experts. Regarding
29 Packet Page 61, Number 13, he wanted external confirmation that a location or design was not

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 feasible and that applied also to Packet Page 78, Number 7. He wanted the City's fees to cover
2 independent experts where feasible.

3 MOTION #1

4 Commissioner Chang motioned to recommend that the City establish a minimum distance of at
5 least 100-feet and prioritize the use of the 500 poles that are not located close to residences.
6 Also, the goal of the ordinance should be to prioritize locating poles away from residences.

7 SECOND

8 Commissioner Summa seconded.

9 FRIENDLY AMENDMENT #1

10 Commissioner Reckdahl suggested that Staff investigate if a buffer distance of 100-feet is
11 feasible.

12 Commissioner Chang accepted the friendly amendment.

13 Commissioner Summa accepted the friendly amendment.

14 Commissioner Reckdahl asked if Staff determines that 100-feet does not work. Should they
15 explore what distance does works?

16 Commissioner Chang stated the motion is a recommendation and would like the motion to
17 recommend that Staff consider a buffer distance of 100-feet. If at the next meeting Staff
18 identifies where 100-feet is not feasible. Then the Commissioner can discuss the topic further.

19 Commissioner Reckdahl mentioned his neighborhood where it was not possible to have a 100-
20 foot buffer.

21 Commissioner Templeton wanted to know if there were any legal ramifications regarding the
22 buffer distance. She recalled that Staff had already investigated the buffer zone.

23 Ms. Tanner confirmed that Staff can explore different distances.

24 Ms. Karish stated that whether the 100-foot buffer is legal or not depended on what the
25 analysis showed the impact would be of that type of requirement.

26 Commissioner Templeton recalled seeing a diagram that graphed the distance and it was
27 presented to Council.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ah Housing recalled it being 20-feet and 100-feet.

2 Commissioner Templeton recommended that Staff provide that to the Commission. She echoed
3 Commissioner Reckdahl's concern that the 100-feet may be too exclusive per Staff's
4 recommendation.

5 Commissioner Lauing also supported Commissioner Reckdahl's comment. He predicted that if
6 the 100-feet will not work, Staff will share the distance that will work.

7 Chair Hechtman announced that he can support the motion with the amendment.

8 VOTE

9 Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced that the
10 motion carried 7-0.

11 MOTION #1 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

12 MOTION #2

13 Commissioner Lauing supported Chair Hechtman's comment of exploring acceptable expansion
14 of alternatives but should be coupled with a process of quickly resolving exceptions that are
15 existing. He moved that Staff come up with a proposal to expand the acceptable alternatives for
16 acceptable passage and to create a new process for exception resolution. He mentioned that he
17 did not want to be too general or too specific. He wanted to streamline the process if
18 exceptions are included in an application.

19 Commissioner Summa requested that Commissioner Lauing explain the motion.

20 Commissioner Lauing explained that maybe the problem is that the City is not validly
21 considering several alternatives that would be accepted and would not require an exception.

22 Commissioner Summa asked if the motion is suggested a weighted preferences approach.

23 Commissioner Lauing answered yes but he was open to separating the two items into two
24 motions.

25 Chair Hechtman suggested decoupling the two items and taking them as separate motions. He
26 explained that the ordinance required an alternative analysis. He explained that he wanted a
27 better explanation of how many alternative sites an applicant has to turn in to satisfy the
28 requirement and what the criteria are. The other concept was a question of what applications
29 can be turned in that would not require any exceptions.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 MOTION #2 WITHDRAWN

2 Commissioner Lauing recommended separating the two concepts and withdrew his motion.

3 MOTION #3

4 Chair Hechtman moved that Staff draft revisions to the ordinance or the supplemental
5 materials that better defined the alternative analyses as referred to in the WFC application
6 requirements point 11 and 12, to quantify the number of alternative sites required to satisfy
7 the alternatives analyses requirement and to provide guidance in the selection of those
8 alternative sites, so, that we get the alternative sites that would best serve the interest of the
9 citizens of Palo Alto, both in terms of receiving cell coverage and protection of their aesthetic
10 environment.

11 SECOND

12 Commissioner Lauing seconded.

13 Commissioner Summa wanted confirmation that the concept outlined in the motion was not
14 already located in the ordinance or other documentation.

15 Ms. Tanner answered that there is no upper bound of how many alternatives must be analyzed.

16 VOTE

17 Ms. Klicheva called a roll call vote and announced that the motion carried 7-0.

18 MOTION #3 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

19 MOTION #4

20 Chair Hechtman mentioned that Staff investigates revising the Wireless Ordinance to either
21 expand the range of applications that can reasonably be expected to be processed without the
22 need for an exception, or alternatively, to consider moving to a preference system with
23 preferences ranked.

24 SECOND

25 Vice-Chair Roohparvar seconded.

26 VOTE

27 Ms. Klicheva called a roll call vote and announced that the motion carried 6-1.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 MOTION #4 PASSED 6(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Templeton) -1 (Summa
2 against)

3 Chair Hechtman invited Commissioner Summa to speak to her no vote.

4 Commissioner Summa felt that making the ordinance more flexible could result in the City
5 losing its discretion in terms of location and aesthetics. She wanted to maintain local control
6 but not make it impossible for carriers to install WCF.

7 Commissioner Reckdahl wanted to see historical data on what exceptions were applied for in
8 the past applications.

9 Commissioner Hechtman recommended that the Commission provide motions that addressed
10 the referral concept and noise level.

11 Commissioner Summa recalled that the City's current Noise Ordinance outlined the required
12 noise level to be a number of decibels above ambient noise in residential areas. She shared that
13 in her neighborhood, many neighbors complained about noise coming from the Research Park.
14 Once installed, the noise soon became ambient to the neighbors.

15 Ms. Tanner confirmed that Commissioner Summa was correct and that ambient sound does
16 very around the City. She mentioned that the Comprehensive Plan does indicate a maximum
17 decibel level across the entire City. She suggested that the Commission provide a motion that
18 Staff investigates noise levels, similar to the distance motion previously made.

19 MOTION #5

20 Chair Hechtman pointed out that the Staff report does reference Commissioner Summa's
21 recollection regarding ambient noise.

22 Commissioner Summa informed that the Staff report is not what she was refencing. She
23 disclosed that she did not recognize the language as language coming from the Comprehensive
24 Plan. She felt 60 decibels was too high for areas where the ambient is much lower. She moved
25 to direct Staff to look at noise restrictions that investigate the Santa Clara County levels that are
26 45 and 55 respectively day to night and also compare to the existing Noise Ordinance in the
27 City's Municipal Code and the proposed 60 decibel level in the Staff report.

28 Ms. Tanner announced that the motion is helpful for Staff.

29 SECOND

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang seconded.

2 Commissioner Summa proclaimed that now was the right opportunity to correct the decibel
3 level in the City which has been a consistent problem. She suggested that the opportunity may
4 be able to be expanded across the entire City. She acknowledged that it is very hard to enforce
5 decibel levels.

6 Commissioner Chang agreed that noise does need more investigation.

7 Commissioner Reckdahl felt that the requirement was strangely written, but supported having
8 it investigated further.

9 Commissioner Hechtman supported the motion.

10 FRIENDLY AMENDMENT #2

11 Commissioner Reckdahl requested to include into the motion to have Staff evaluate
12 Massachusetts's pure tone requirement.

13 Commissioner Summa accepted the friendly amendment but confessed that she did not
14 understand the concept.

15 Commissioner Chang accepted the friendly amendment.

16 VOTE

17 Ms. Klicheva conducted a roll call vote and announced that the motion carried 7-0.

18 MOTION #5 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

19 MOTION #6

20 Commissioner Lauing prefaced that he is not trying to be too prescriptive. He moved that Staff
21 evaluate the process for decision-making on referrals to ARB or PTC concerning the Tier 2 WFC.
22 He mentioned that he personally was not strong on PTC because that could be at the Director's
23 discretion. His motion would allow the Director to decide which body an application can be
24 referred to and the ordinance would outline what the process is to do that.

25 Ms. Tanner asked if efficiency in the process was part of what Commissioner Lauing was seeking
26 Staff to weigh.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Lauing clarified that the Director can refer an application to either of the two
2 Commissions. He emphasized that he was more interested in finding ways to accelerate the
3 decision process. He did not want applications going back and before to ARB/PTC and the
4 Director and then go to Council.

5 SECOND

6 Commissioner Reckdahl seconded the motion.

7 Commissioner Lauing restated that his motion is to keep it conceptual so that Staff can explore
8 a more efficient process.

9 Commissioner Reckdahl inquired if ARB meets twice a month.

10 Ms. Tanner confirmed that both PTC and ARB meet twice a month.

11 Commissioner Reckdahl was concerned about the delay in sending an application to ARB or
12 PTC. He wondered if having the ability to go directly to Council would help, but he supported
13 having Staff evaluate it further.

14 Commissioner Lauing noted that Commissioner Reckdahl's suggestion to go straight to Council
15 was not precluded from his motion. He presumed that the Director did not have to go to either
16 body and could send the application right to Council if they so choose.

17 Commissioner Summa thought there was a process that gave sole discretion to the Director to
18 overrule ARB or PTC's recommendation.

19 Mr. Sauls answered that currently the ordinance only referred to ARB and that no language
20 identified whether the Director can overrule the ARB's decision.

21 Ms. Tanner noted that ARB is a recommending body and they don't have final decision-making
22 capability.

23 Commissioner Summa wondered if the motion would incentivize appeals.

24 Ms. Tanner understood that Commissioner Lauing and Commissioner Reckdahl alluded to that
25 concern of the balancing act between sending the application to ARB or PTC and the shot clock.

26 Commissioner Chang was concerned that the motion was too general. She recommended that
27 PTC identify when it would be that a referral needed to be made. She did not have a preference
28 if an application should go to PTC or ARB.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Lauing agreed with Commissioner Chang and noted that he was not clear as to
2 why ARB was always the sole discretion of the Director. He believed his motion would allow
3 Staff to address that concern.

4 Ms. Tanner mentioned that Staff is taking notes about the discussion and is capturing the
5 sentiment of the Commission.

6 Chair Hechtman found the discussion among the Commissioners very helpful. He referenced
7 Packet Page 82, subpart (i), Number One, and felt that Staff's proposal made sense because of
8 the shot clock. He supported having the Director decide if there is enough time to send an
9 application to the ARB or PTC, or if it should go straight to Council. He appreciated and agreed
10 with Commissioner Chang about the importance of neighbors being able to share their
11 comments. He concluded that he cannot support the motion because he supported Staff's
12 original proposal.

13 Commissioner Lauing mentioned that what is missing in Staff's proposal is the process of what
14 happens when the application is referred to ARB or PTC. That was the part that needed
15 clarification.

16 Chair Hechtman supported adding clarification regarding the process of what happens after
17 ARB or PTC review. He announced that he supports the motion on the floor.

18 Ms. Karish wanted clarification if the Commission supported or not the direct referral to City
19 Council.

20 Mr. Ah Sing agreed that should be included in the motion as to whether or not the Director can
21 refer directly to the Council.

22 Ms. Tanner understood that was included in the motion.

23 Commissioner Lauing wanted to understand what the best process is and that it gets done fast
24 because of the shot clock issue.

25 Chair Hechtman requested that Staff provide their recommendation on the issue.

26 Ms. Tanner agreed that time is the enemy, but Staff wanted a process that is similar to other
27 decision processes. That a City Board or Commission reviews the work and then it can be
28 appealed to Council if needed. She noted that often applications are appealed. She remarked
29 that it would be helpful for the Director to have opinions from ARB or PTC or Council to make a
30 decision.

31 Mr. Ah Sing stated that having the most flexibility would be helpful.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman asked if the Director referred an application to Council, would Council make a
2 decision on the application; or would they provide feedback and then send the application back
3 to the Director.

4 Ms. Tanner answered that Council would make the decision.

5 Ms. Karish agreed.

6 Chair Hechtman understood that with that process there is no decision and appeal, only a
7 decision.

8 Ms. Karish concurred.

9 Chair Hechtman inquired if Staff was comfortable with that.

10 Ms. Tanner agreed that Staff needs to explore it further.

11 Mr. Ah Sing believed that the motion allowed Staff to explore it further.

12 VOTE

13 Ms. Klicheva conducted a roll call vote and announced that the motion carried 7-0.

14 MOTION PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

15 MOTION #7

16 Commissioner Reckdahl moved that Staff may, at the applicant's expense, hire technical
17 experts to evaluate the analysis described on Packet Page 63 Number 13, Packet Page 78
18 Number 7 and Packet Page 83 Number 3. He stated that his motion is to give Staff the ability to
19 seek out help if they needed it.

20
21 Commissioner Chang felt that the intent of the motion was already covered in the draft
22 ordinance.

23
24 Chair Hechtman agreed.

25 Commissioner Reckdahl recommended that the Commission individual review each reference
26 he made. He started with Packet Page 63 Number 13.

27 Ms. Tanner remarked that if Commissioners are supportive of the motion, then Staff would
28 keep the language in the ordinance that allowed Staff to seek outside consultation.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 SECOND

2 Commissioner Chang seconded.

3 Ms. Karish pointed out the introductory language about the independent expert. She
4 mentioned that the list was illustrative and not exhaustive.

5 Chair Hechtman agreed and pointed out Item 1(a) under the introductory statement that also
6 mentioned that Staff can seek outside consultation.

7 MOTION #7 WITHDRAWN

8 Commissioner Reckdahl withdrew his motion.

9 Commissioner Chang mentioned that the discussion shared with Staff that the Commission
10 supports the language and she saw that as good feedback.

11 MOTION #8

12 Commissioner Templeton appreciated the time the Commission spent providing feedback but
13 felt the Commission was coming to a close on the discussion. She moved that Staff take PTC's
14 motions and anything pertinent from the Commission's conversations and come back to PTC at
15 a date uncertain.

16 SECOND

17 Commission Templeton announced that Commissioner Chang seconded.

18 VOTE

19 Ms. Klicheva conducted a roll call vote and announced that the motion carried 7-0.

20 Chair Hechtman announced that the Commission will take a 5-minute break and will move to
21 the next item after the break.

22 [The Commission took a short break]

23 **Commission Action:** Motion by Chang, seconded by Summa. Motion Passed 7-0

24 **Commission Action:** Motion by Hechtman, seconded by Lauing. Motion Passed 7-0

25 **Commission Action:** Motion by Hechtman, seconded by Roohparvar. Motion Passed 6-1
26 (Summa against)

27 **Commission Action:** Motion by Summa, seconded by Chang. Motion Passed 7-0

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 **Commission Action:** Motion by Lauing, seconded by Reckdahl. Motion Passed 7-0

2 **Commission Action:** Motion by Templeton, seconded by Chang. Passed 7-0

3 **Approval of Minutes**

4 Public Comment is Permitted. Three (3) minutes per speaker.^{2,3}

5 None

6 **Committee Items**

7 Chair Hechtman announced that there are no Commissioners with raised hands. He moved to
8 the election of Chair and Vice-Chair.

9 **Election of Chair and Vice Chair**

10 ELECTION OF CHAIR

11 Chair Hechtman opened the floor for nominations for Chair. He mentioned any Commissioner
12 can be nominated and the nominated could second the nomination.

13 Albert Yang, Assistant City Attorney, answered that was correct.

14 Commissioner Templeton answered that Commissioners can nominate themselves as well.

15 Chair Hechtman explained that the nominee can either accept or decline a nomination. Then
16 public comment period will be held and then there will be a vote.

17 NOMINATION FOR CHAIR

18 Commissioner Chang nominated Commissioner Lauing for the position of Chair.

19 SECOND

20 Commissioner Summa seconded.

21 Commissioner Lauing accepted the nomination.

22 Commissioner Templeton disclosed that she was going to nominate Commissioner Chang but
23 understood by Commissioner Chang nominating Commissioner Lauing that Commissioner
24 Chang would not want the position. She hoped that she would accept a nomination for Chair in
25 the future.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang confessed that she did not have the time to be Chair at this time and
2 wanted to experience how the Commission works more before accepting a nomination for
3 Chair.

4 Chair Hechtman opened the floor for public comment.

5 Winter Dellenbach strongly supported Ed Lauing as Chair of PTC. She stated that whoever holds
6 the Chair position must know how to run a meeting, do it efficiently, not talk too much,
7 facilitate discussion among the other Commissioners and speak last. Mr. Lauing performed all
8 of those aspects when he was Chair of the PTC several years ago. As a Commissioner, she stated
9 that he is bright, knows the role of a Commissioner, and is very conversant in zoning law and
10 land use. Also, he is civil, pleasant, respectful to the public and he does not condescend.

11 Mary Silvester endorsed Commissioner Lauing for Chair of the PTC and she seconded Ms.
12 Dellenbach's support. She stated he brings a wealth of experience to the role, can work in
13 collaboration with groups, is highly experienced in both business and community affairs and is
14 open to diverse points of view. He provides a fair hearing to folks who may have opposing
15 views, is data-driven, outcome-oriented and mindful of the process.

16 Chair Hechtman stated that it is a real testament to Commissioner Lauing that members of the
17 community have stayed up to nearly midnight to voice their support for Commissioner Lauing
18 to become Chair.

19 Commissioner Chang shared that the reason she nominated Commissioner Lauing was because
20 of his experience in Chairing the PTC in the past as well as the Parks and Recreation Commission
21 and his work on the Housing Element.

22 Commissioner Summa agreed that Commissioner Lauing serves the community well and is easy
23 to work with.

24 Vice-Chair Roohparvar appreciated Commissioner Lauing's kindness when she joined the
25 Commission, his expertise and viewpoints.

26 Commissioner Reckdahl explained that Commissioner Lauing was his first Chair when he joined
27 the Parks and Recreation Commission.

28 VOTE

29 Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced that the
30 motion carried 7-0.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 NOMINATION FOR COMMISSIONER LAUING FOR CHAIR PASSED 7(Chang, Hechtman, Lauing,
2 Reckdahl, Roohparvar, Summa, Templeton) -0

3 Commissioner Hechtman congratulated Chair Lauing on his new appointment.

4 Chair Lauing thanked everyone for their unanimous support. He remarked that PTC's work is
5 very important and was ready to add value to the work by Chairing the Commission. He
6 thanked Commissioner Hechtman and Vice-Chair Roohparvar for their leadership through the
7 past year. He pledged to have fewer meetings that run to midnight.

8 ELECTION FOR VICE-CHAIR

9 Chair Lauing asked for nominations for Vice-Chair.

10 NOMINATION FOR VICE-CHAIR

11 Commissioner Reckdahl nominated Commissioner Summa.

12 SECOND

13 Commissioner Chang seconded.

14 Commissioner Summa accepted the nomination.

15 Chair Lauing called for other nominations for Vice-Chair; seeing none he invited Commissioner
16 Reckdahl to speak to his nomination.

17 Commissioner Reckdahl mentioned he worked with Commissioner Summa on the North
18 Ventura Coordinated Area Plan (NVCAP) and through that process, he appreciated
19 Commissioner Summa's knowledge about zoning.

20 Commissioner Hechtman was looking forward to working with a promising dynamic leadership
21 group.

22 Commissioner Chang appreciated Commissioner Summa's attention to detail and her expertise.

23 Chair Lauing announced that Commissioner Summa and himself are the senior Members of
24 PTC.

25 Ms. Tanner reminded that public comment must be taken and then a vote.

26 Chair Lauing opened the floor for public comment.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Winter Dellenbach stated she has been waiting for years to be able to welcome Commissioner
2 Summa as a Chair or Vice-Chair of the PTC. She stated Commissioner Summa's knowledge
3 about zoning law is unsurpassed on the PTC, she is the go-to person for the community to ask
4 questions and she has served Palo Alto for over 20-years in different capacities.

5 Mary Silvester supported the nomination of Commissioner Summa for Vice-Chair for PTC. She
6 agreed that Chair Lauing and Commissioner Summa will be a dynamic team for PTC. She shared
7 that both are smart, capable, open-minded and both value the community and what the public
8 has to say. She echoed all of Ms. Dellenbach's comments.

9 Chair Lauing thanked the speakers for their comments.

10 VOTE

11 Ms. Klicheva conducted a roll call vote and announced that the motion carried 7-0.

12 NOMINATION FOR COMMISSIONER SUMMA AS VICE-CHAIR PASSED 7(Chang, Hechtman,
13 Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

14 Commissioner Chang thanked Commissioner Hechtman and Commissioner Roohparvar for their
15 leadership.

16 Vice-Chair Summa thanked the PTC and members of the public for their support. She thanked
17 Commissioner Hechtman, Commissioner Roohparvar, Commissioner Templeton and Staff for
18 navigating the PTC through the process of virtual meetings.

19 Commissioner Templeton echoed the sentiments of gratitude to Commissioner Hechtman and
20 Commissioner Roohparvar.

21 **Commission Action:** Commissioner Lauing was nominated by Chang, seconded by Summa.
22 Nomination Passed 7-0

23 **Commission Action:** Commissioner Summa was nominated by Reckdahl, seconded by Chang.
24 Motion Passed 7-0

25 **Commissioner Questions, Comments or Announcements**

26 Chair Lauing announced that at the next meeting PTC will be discussing Castilleja School
27 Expansion Project.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Rachael Tanner, Assistant Director, confirmed that was correct. She announced that City
2 Council will not be meeting on Monday due to Martin Luther King Day. Their next meeting will
3 be held on January 24, 2022.

4 Commissioner Templeton wanted to know if PTC will discuss the meeting dates for the year.

5 Ms. Tanner encouraged Commissioners to review holidays and think about a time for a summer
6 break.

7 Commissioner Lauing adjourned the meeting.

8 **Adjournment**

9 12:08 pm

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.



CITY OF
**PALO
ALTO**

Planning & Transportation Commission Action Agenda: January 12, 2022

Virtual Meeting
6:00 PM

1
2
3
4
5

6 **Call to Order / Roll Call**

7 Approximately 6:02 pm

8 Chair Hechtman: Thank you. May we have a roll call, please?

9

10 Madina Klicheva, Administrative Associate: Chair Hechtman?

11

12 Chair Hechtman: Present.

13

14 Ms. Klicheva: Vice-Chair Roohparvar?

15

16 Vice-Chair Roohparvar: Present.

17

18 Ms. Klicheva: Commissioner Chang?

19

20 Commissioner Chang: Present.

21

22 Ms. Klicheva: Commissioner Lauing?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Commissioner Lauing: Present.

3

4 Ms. Klicheva: Commissioner Reckdahl?

5

6 Commissioner Reckdahl: Present.

7

8 Ms. Klicheva: Commissioner Summa?

9

10 Commissioner Summa: Present.

11

12 Ms. Klicheva: Commissioner Templeton?

13

14 Commissioner Templeton: Here.

15

16 Ms. Klicheva: We have a quorum.

17 1. Recognition of Commissioner Alcheck for his Service with the Planning and
18 Transportation Commission

19 Chair Hechtman: Thank you. Our first order of business tonight is a ceremonial item. The

20 recognition of Commissioner Michael Alcheck for his service to the Planning and Transportation

21 Commission. Ms. Tanner, will you be taking the lead on this?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Rachael Tanner, Assistant Director of Planning: Certainly, and please do let me know if you can't
3 me here at any points. I'm getting a note that my internet is unstable. So, thank you
4 Commissioners and thank you I guess should say former Commissioner Alcheck. We just want
5 to take a moment to recognize your many years of service to the City of Palo Alto through
6 service on the Planning and Transportation Commission. And I think we have... do we have
7 Madina, a visual of the wonderful plaque and some little Palo Alto swag we were able to get for
8 you. Again, it's a little bit awkward being in a virtual environment where we normally would be
9 with you, we would be able to hand this to you and shake your hand. And just say thank you in
10 person but we are not able to. So, we're happy that we were able to provide a plaque, a few
11 mementos from the City of Palo Alto which really is just a small token representing the value of
12 the service that you provided to the residents of Palo Alto, to the Staff of Palo Alto, and really is
13 probably pretty trite considering the many years of service. The many evenings and hours you
14 spent reading Packets, here in deliberation, and hopefully still warm your heart a little bit and
15 something that you can look at fondly as you remember your time here.

16

17 Of course, you're still here in Palo Alto. We hope to maybe see you back at Commission, maybe
18 we'll read some emails from you as we continue to make progress on important planning and
19 transportation policy efforts here in the City. So, you can see this here, the City of Palo Alto
20 presents to Michael Alcheck in recognition and appreciation for outstanding public service as

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Planning and Transportation Commissioner, July 23rd, 2012 to December 15, 2021. Chairperson,
2 September 11, 2013, to December 2014, and also February 2017 to November 2017. So, maybe
3 it's something fun, I don't know if [unintelligible], but it sounds like you could almost do one of
4 those 10-year challenges but it would like the 12-year challenge of what you looked like when
5 you first started the Commission. Hopefully, we haven't aged you too much as you're stepping
6 off of the Commission. But we do really want to thank you for your service to the City and to
7 the citizens and residents of Palo Alto.

8
9 With that, I will just open the floor if any Commissioners wanted to add anything. And just
10 again, thank you Commissioner Alcheck and it's great to see your kids there as well joining in a
11 little bit.

12
13 Chair Hechtman: Commissioners, any remarks any of you would like to make? Well...
14 Commissioner Templeton.

15
16 Commissioner Templeton: Hi, I don't have any prepared remarks or anything I just wanted to
17 say how much I appreciated Commissioner... former Commissioner Alcheck's expertise and
18 kindness when I first joined the Commission and helping me get up to speed and showing me
19 the ropes of how the Commission works. I really appreciated that and it's been wonderful to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 get to know him over the course of the time we've served together. So, thank you for all you've
2 done and wishing you all the best. Thank you.

3

4 Chair Hechtman: Commissioner Lauing.

5

6 Commissioner Lauing: Yes, I was trying to reflect over the last few days on what words came to
7 mind when I thought about Michael and I can't say all of them. But the ones that really come to
8 mind, all kidding aside, is first of all passion about what you believe in and how you tackled
9 issues and that's a real good thing. That's a real good thing for Commissioners to have in
10 support of residents.

11

12 And the second one may be redundant but it's not inapplicable and that is just your amazing
13 knowledge. And I don't say that with respect to your legal knowledge which is immense but
14 your accumulated knowledge of how the City works and how everything works and certainly
15 your historical knowledge. So, as our historian, you'll be hard to replace given the seniority I
16 think which is now actually me and Doria. So, we can't make that up in a couple of years so
17 thanks for that service.

18

19 Chair Hechtman: Vice-Chair Roohparvar.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar: I also don't have prepared comments but Commissioner Alcheck, thank
2 you for everything that you've brought to the table. From your kindness when I first joined, to
3 your expertise and knowledge. To the passion you bring to the table and for always challenging
4 us and people to think differently and pushing, you know, pushing us to approach things
5 differently. Thank you.

6

7 Chair Hechtman: I will confess that it was hard to wrap my mind around the guy who shaves the
8 sides of his head being our elder statesmen, but those are the facts. In the 2-years that I shared
9 the dais with you, I've admired your preparedness and your passion to articulate, forcefully at
10 times, an inclusive vision for Palo Alto and its citizens both current and future. It's been an
11 honor to serve with you, Michael. Commissioner Chang.

12

13 Commissioner Chang: I don't have prepared remarks either but I just wanted to thank you
14 Commissioner Alcheck for the advice that you gave me when I joined just a few months ago.
15 And also, I just really appreciate the insight that you offer with many of your comments and
16 they're very valuable. Thank you.

17

18 Chair Hechtman: Alright, seeing no other hands, Commissioner Alcheck you elected to provide
19 your sort of parting remarks at the end of our last meeting. Is there anything [unintelligible]
20 (interrupted)

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Michael Alcheck: No, I don't have anything (interrupted)

Chair Hechtman: A brief message (interrupted)

Mr. Alcheck: I would refer to those remarks for the... I think I... for any that didn't hear it, I would love for you guys to listen to those remarks but I wish you and all of the Commissioners success. I think the short takeaway from my previous remarks was that this the advisory body that is dealing with or is most closely dealing with the housing crisis. Which is probably one of the biggest challenges the State of California has right now. And so, I hope that you have greater success in your terms moving forward with tackling that challenge. And I really appreciate the comments made tonight and working each of you. And I promise to make excellent use of all my future Wednesday evenings and I hope that you guys do too. So, thanks, thanks again and thanks to everyone at Staff. I mean I'll just say this, it's been a short time together with Rachael Tanner but Amy French and I have gone back a long time and there were a lot of great people that worked at the City that I've had a chance to work with. And just shy of 10-years seems like forever so it's... I appreciate everyone at the... at headquarters and I appreciate their help getting me ready for these meetings as well. Thank you, guys and good luck.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: Thank you. We'll give you a silent (interrupted)

2

3 Amy French, Chief Planning Official: Thank you, Michael.

4

5 Ms. Tanner: Round of applause.

6

7 Chair Hechtman: We'll now move on to oral communications.

8 **Oral Communications**

9 The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{2,3}

10 Chair Hechtman: This section is for the public to speak on items not on tonight's agenda. Please
11 raise your hand if you wish to speak. On the Zoom App, there is a raise hand button on the
12 bottom of your screen. If you are dialing in from a phone, please press *9. Ms. Klicheva, do we
13 have any public speakers for oral communication?

14

15 Madina Klicheva, Administrative Associate: I don't see any raised hands at the moment.

16

17 Chair Hechtman: We will move then to agenda changes, additions and deletions.

18 **Agenda Changes, Additions and Deletions**

19 The Chair or Commission majority may modify the agenda order to improve meeting management.

20 Chair Hechtman: Commissioners, Staff, I have none. Do any of you have any?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Rachael Tanner, Assistant Director: Staff does not have any changes or deletions.

Chair Hechtman: [unintelligible], Ms. Tanner. Then we will move to City official reports.

City Official Reports

2. Directors Report, Meeting Schedule and Assignments

Chair Hechtman: Right back to you Ms. Tanner.

Rachael Tanner, Assistant Director: Thank you, Chair Hechtman. Commissioners, good to be with you this evening on our first meeting of this new year, 2022. We are beginning our 3rd year of remote hearings but we don't know if we will have a full year of remote hearings. I think what I'll focus my updates on for your benefit and for those listening and for those you may know in terms of COVID-19 updates. We all know that Omicron has really become the dominant strain, quire the surge, unfortunately, national wide. We're looking at more hospitalizations than ever and just a very contagious version of the virus spreading very quickly. So, just want to encourage folks to get boosted if you haven't already, to get vaccinated if you haven't already, as two of the ways we can really best protect ourselves from severe illness or hospitalization. And of course, to get tested and tests have been in short supply and there's been discussions about that. The City does through a couple partners, Keratin and other companies, have testing on Tuesday at Mitchell Park Library. It is from 9:00 am to 2:30 pm. Again, 9:00 am to 2:30 pm at

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mitchell Park Library. You can schedule an appointment for those tests and walk-ups may be
2 unavailable because of high demand. So, we do encourage folks to try to schedule an
3 appointment and you can schedule that up to 4-days early. You can find more information and
4 a link to test scheduling application on the City's website; cityofpaloalto.org. If you go to the
5 calendar, it's also on the home page landing page there.

6
7 Also, because of the surge right now, the Planning and Development Services Department has
8 curtailed our in-person meetings right now. Customers who are looking to file applications,
9 have questions, want to talk about a current application they have on file, can still schedule a
10 virtual appointment. They can find that again cityofpaloalto.org and going to the Planning and
11 Development Services webpage there. You can schedule a virtual appointment where you can
12 talk by phone or by video conference with Staff. And so, we're going to do that through the rest
13 of January. When we get to January 31st, which is that Monday, we'll kind of see where things
14 are and possibly open up our in-person appointments again. But again, right now, just out of an
15 abundance of caution and really as you may have heard, trying not to overwhelm our hospital
16 systems further and our healthcare systems further by trying to blunt that steep up curve of
17 Omicron. So, and then of course, if you do feel ill, please don't go anywhere. Please stay home
18 and get tested and see what's going on as the symptoms keep growing. Pretty much anything it
19 seems like right now could possibly be a symptom of COVID. And so, you just want to make sure

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 if you're not feeling well, to just stay home and try to take care. And then also please do wear
2 masks when you're out in public and public places.

3

4 We do hope that possibly in February or March that we'll see... look to the Council for
5 leadership on that. We may resume in-person meetings but I think that's just been par for the
6 course. Let's just take it meeting by meeting and we'll certainly give you plenty of notice before
7 we begin in-person Planning Commission hearings.

8

9 We do have special meeting next week. We don't usually meet but we're going to be meeting
10 next week on January 19th and also the following Wednesday. So, pretty full January for you all.

11

12 And then lastly, I'll just say the City Council did select a new Mayor and Vice Mayor. The Mayor
13 is Pat Burt, the Vice Mayor is Lydia Kou and the Council will be holding a retreat on Saturday,
14 February 5th. So, if you're interest... virtual but again we'll continue to monitor things. You can
15 tune in and the Council will be among other things selecting the Council priorities for the
16 coming year.

17

18 So, those are... that's the report that I have right now but again open to any questions on this or
19 other topics that the Commissioners might have.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Thank you, Ms. Tanner. Commissioner Chang?

2

3 Commissioner Chang: Yeah, I just wanted to note, not so much a question, but it looks like
4 there's some typos in the meeting dates where they all say 2021 instead of 2022. So, we want
5 to make sure that we properly publish our calendar.

6

7 Ms. Tanner: Yes, we can certainly get into the next year. 2021's in the rearview mirror, thank
8 you for noting that.

9

10 Chair Hechtman: Any other questions of Staff on the official reports? Seeing none, we move
11 now into our next agenda item, a study session.

12

13 **Study Session**

14 Public Comment is Permitted. Five (5) minutes per speaker.

15 3. Study Session to Review the City's 2023-31 Housing Element Update Progress

16 Chair Hechtman: Agenda Item Number Three, it's a study session to review the City's 2023
17 through 2031 Housing Element Update Progress. May we have a Staff report, please?

18

19 Rachael Tanner, Assistant Director: Great, thank you... yes, we shall and we have Clare
20 Campbell, our Manager of our long-range planning team and Tim Wong our Senior Housing
21 Planner. Of course, we're very lucky that one of the working group members, Commissioner

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Lauing, is here as well. So, we can also pepper him with questions if we need to. So, I'm going to
2 hand it over to Clare and Tim to take it away.

3

4 Tim Wong, Senior Housing Planner: Good evening, again my name is Tim Wong, Senior Planner,
5 and I'll be giving tonight's presentation. And let's not forget Commissioner Reckdahl who is also
6 on the Housing Element Working Group so congratulations Commissioner Reckdahl.

7

8 So, before I begin on the presentation, I would like to just point out a few minor corrections to
9 the Staff Report. So, on Packet Page 13 with the GM and RLOM discussion, would like to revise
10 some of those numbers. If you go to the very last paragraph, it talks about the GM and ROLM
11 yields. Instead of 1,144-units for the GM Zone. It's 654-units and instead of 1,435-units in the
12 ROLM Zone sites, it's 902 for a total of 1,556-units which is part of the title. So, if you could
13 make that quick change and lastly, another minor on Packet Page 14 under Staff suggested
14 sites. On the second to last sentence in that Staff suggested site paragraph, it should say 116-
15 units instead of 127. I know it's a reduction in units but don't worry, after this presentation we
16 still have plenty of units to go around to meet our RHNA so.

17

18 Commissioner Chang: Could you just repeat that one, the second one again?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Wong: Sure. On Packet Page 14 under the Staff suggested sites discussion, on the second to
2 last sentence it says based on 40-units per acre and yields... and your Staff Report says 127-
3 units. It should say 116. So, apologize for any confusion in regards to those numbers. Okay?

4
5 So, I'll go ahead and get started with my presentation and once again, good evening. Tonight,
6 I'll be presenting the City's progress towards updating the Housing Element for the planning
7 period of 23... 2023 through '31. And so next slide, please?

8
9 And so just a quick description, what is a Housing Element? The Housing Element is one of the
10 seven mandated Elements in a General Plan or better known as the Comprehensive Plan in Palo
11 Alto. And it is the City's strategic plan if you will for housing for the next 8-years and it is also
12 the only element that requires approval by the state of the seven mandated elements. Next
13 slide.

14
15 And so, what are the objectives of the Housing Element? It's to provide housing or
16 accommodate housing for all income levels. Also, developing housing for... developing housing
17 that's affordable to all. Removes unreasonable governmental barriers for housing
18 development. That is more addressed in the policies and programs of the Housing Element. It's
19 also to preserve and improve existing affordable housing and ensure equal housing

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 opportunities for all. The last one is the most recent objective that the state has included as
2 part of a Housing Element. Next slide.

3

4 And so, what does the Housing Element cover? It is responsible for identifying adequate sites
5 that are zoned to accommodate the jurisdictions fair share and that's better known as the
6 Regional Housing Needs Allocation or RHNA for short which I'll be touching upon later. It looks
7 at programs and policies to promote housing opportunities including housing for special needs
8 population and other special populations or underrepresented populations also. And also, it
9 meets the... again, since this is the only Element that requires approval from the state. It has to
10 meet specific Housing Element requirements to obtain state approval. So next slide.

11

12 And so, what is the Regional Housing Needs Allocation or RHNA for short? It's basically a City's
13 or jurisdictions fair share of housing for future housing needs. And so, it all starts from the top,
14 the state does their determination to project what the future housing needs are for the next 8-
15 years. And what they do is they assign a regional government, in our instance ABAG. They have
16 assigned ABAG a specific number of housing units that ABAG is responsible for allocating. And
17 just to let you know, ABAG recently concluded their allocation process, and they finalized the
18 RHNA numbers as of December of last year. And as part of that, as ABAG has done their
19 allocation to all the jurisdictions within their purview. We must take that allocation and
20 accommodate that in our Housing Element. So, next slide, please.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 So, at the bottom, you can see the City's allocation is 6,086-units for our... the 2023 planning to
3 2031 planning period. Otherwise known at the 6th cycle. Our current Housing Element or the 5th
4 cycle, which runs 2015 through 2023, we received a little under 2,000-units. But as you can see,
5 our 6th cycle allocation is well, three times greater than our current housing allocation. And in
6 addition, as one of the objectives is to provide for all socioeconomic households or residents.
7 Our RHNA is broken down into four income categories as you can see. Next slide.

8

9 And so, at this point I would like to talk about the working group's progress in terms of site
10 selection and also, this presentation is as we will be coming back to the PTC on February 9th for
11 your formal review. This is I think an excellent foundation for the PTC to be caught up as part of
12 the site selection process, but next slide, please.

13

14 So, the working group has been work... has been busy in identifying adequate sites to meet our
15 City's RHNA. And it has been a process that has basically... the working group has been working
16 since June. And how we approached the site selection process is initially Staff provided the
17 working group a number of site selection strategies that ran the gambit of introducing housing,
18 in a potential site selection strategy of introducing residences in areas where there previously
19 has not been residential. Such as open space, parking lots, or even... to the other end is maybe
20 up zoning existing residential areas. And so, based on that set of strategies, which you, the PTC,

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 received as I believe Attachment A of the Staff Report. The working group went through and
2 prioritize it and selected its preferred strategies, which of those strategies they decided to
3 pursue. But as part of the strategies, the working group was very supportive of protecting any
4 low density zoned districts or neighborhoods. That is one of the things that they were... they
5 emphasized and to let you know, of all these strategies, there are no proposals to up zone R-1
6 or any other low-density zoned districts in the City and you'll see that through the maps also.
7 And then the working group, as part of its preferred strategies, started identifying sites and we
8 at the point where the working group has identified sufficient sites and now we're just going
9 through the formal approval process if you will. So, that the... then the PTC can also act upon
10 the working group's approvals. Next slide.

11

12 And so here is a snapshot or this is the working group progress as to-date and you can see
13 there's a lot of numbers and a lot of different rows of information. But what I will do is I will
14 go... later in the presentation, I will explain each one of those rows and what they mean. But
15 with this slide, I wanted to show you, if you could look in the third column if you will. Our RHNA
16 allocation is 6,086-units and the next row is a no net loss buffer. The state requires that we
17 have no net loss. In other words, we cannot specifically plan up to 6,086-units. We have to
18 provide a buffer, so if any site on the Housing Inventory Site develops less than the projected
19 yield of units on that site. There is a buffer to help maintain the City's inventory to stay above
20 6,086-units. So, actually the working group... what the work... and so we calculated the buffer at

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 10 percent in which we used for the current Housing Element. So, we decided to use the same
2 methodology for this upcoming Housing Element and so overall, we had to plan for about 67 or
3 identify sites to accommodate approximately 6,700-units. And again, just to note, these rows
4 that are in red, it's to... these are strategies that the working group has already approved and
5 you can see their associated unit yields under the column that says proposed working group list
6 12 to 21. Thank you, Clare. And again, I'll go through each of those rows individually. Next slide,
7 please.

8

9 And this... these are strategies that the working group will consider tomorrow night at their
10 meeting and as you can see, the total unit yield, if all these strategies are approved. Are... is
11 over 7,100-units which is still... we've identified sites to accommodate over 400 more additional
12 units than what is necessary and this is including the 10 percent buffer. So, we're still working
13 through what to do with those additional units and I want to just note that these numbers right
14 now are a snapshot in time. These numbers are fluid, they may change here and there. Don't
15 anticipate any significant adjustments but it could be as we go... continue to review the sites.
16 Sites might come off and sites might come back on and so just wanted to say for now these are
17 the numbers as a snapshot in time. Next slide.

18

19 And so this very busy map shows all the sites at... proposed throughout the City. And just to
20 highlight, the yellow are all the areas in the City that are low-density residential. And I

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 apologize, it's a very small map but that's just a summary of all the proposed sites based on
2 their respective strategies. So, next slide.

3

4 So, starting with the first strategy if you will which was pipeline units. HCD allows jurisdictions
5 to use current and approved land use applications. Those in the pipe... planning pipeline to be
6 applied towards its RHNA and that also can include approved Building Permits as long as those
7 units are estimated not receive certificate of occupancy by June of 2022. If they receive C Of O
8 prior to June of '22, those would be applied to our current RHNA as opposed to our 6th cycle
9 RHNA count. And based on our pipeline, we... it would yield about 515 residential units, but just
10 to let you know, this number has even changed as we've received planning application. So,
11 again to emphasize the fluidity of some of these numbers. Next slide.

12

13 Also, we can apply ADU production towards our RHNA and HCD says that we need to use our 3-
14 year average in order to help calculate what our ADU production is. So, as you can see, this is
15 our 3-year production for 2019 through 2021 which gives us an average of about 64-units over
16 that 3-year... per year for that 3-year span. And we can multiple it by 8-years which is the
17 planning period, so therefore 8 times 64 yields 512-units. So, those... that 512 can also be
18 applied towards our RHNA.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 And then another strategy is looking at those sites that already allow for multi-family at the
2 highest density. So, for example, we combed the City for more RM-40 sites and also CS sites
3 that again, already allow density at the highest in the City. And so, based on that, we were able
4 to identify an additional 461-units. I just want to touch that these 461-units also includes units...
5 that we have used for this 5th cycle or current Housing Element and we have used... rolled over
6 or carried over 40 of those sites. And a new state requirement is if we do carry over sites from
7 previous Housing Elements, we must put a by-right requirement on those sites. Where if
8 somebody comes in that proposes a 20 percent affordability as part of the project on one of
9 these 40 carry-over sites. Then again, it's a by-right component, no environmental review, and
10 only design review using Objective Standards and again, there are 40 carried over sites as part
11 of this particular strategy. Next slide. And this is again a map showing the proposed sites or
12 identified sites and I understand the maps are small. But we'll also post this and the maps on
13 our Housing Element website at paloaltohousingelement.com and you can download or expand
14 these maps to get a clearer picture. Again, the yellow highlights low-density residential zoning
15 districts. So, next slide.

16

17 And so, the first strategy that the working group approved was looking at up zoning current
18 zoning districts. So, increasing the CN Zone by 10-units per acre and then also looking at up
19 zoning RM-30, CC, and CS to the maximum allowable if you will in Palo Alto. And based on that

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 up zoning strategy, we were able to identify sites that would yield over 1,600-units. And the
2 next slide will... next slide please... shows the map of those proposed sites. Next slid please.

3

4 And the second strategy is also looking at up zoning units that are within a certain radius of the
5 City's two Caltrain stations. So, if it's a ½-mile, anything a 10-minute walking distance, anything
6 within ½-mile to ¼-mile, it was proposed to up zone to 40 dwelling units per acre. And anything
7 within a quarter-acre... not a quarter acre, a quarter mile of the Caltrain station... pardon me for
8 that error. We would up zone to 50-dwelling units per acre and based on that strategy almost
9 800-units would be yielded if you will from this strategy and here's a map. There are some up
10 zone proposed for the San Antonio but a large majority are for Caltrain and the downtown train
11 station. Next.

12

13 And another strategy the working group preferred was to look at transit corridors. In other
14 words, high-frequency bus routes and up zoning up to 40 dwelling units per acre there with a
15 yield of 274-units. Next slide and as you can see, it's mostly along the El Camino corridor and
16 those are within a ½-mile of the bus route.

17

18 The fourth is also looking at using faith-based institutions for multi-family housing. And the
19 proposal or the strategy was to again, allow multi-family housing on underutilized existing or
20 vacancy portions or parking lots of faith-based institutions. Using that... and this strategy we

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 specifically looked at faith-based institutions where the parking lot was greater than 1/2 an acre
2 and we identified I believe four... five or six faith-based institutions with that criteria. And that
3 gave us a yield at 148-units and those are the identified faith-based institutions. With this and
4 also up-zoning to 50 dwelling units per acre. Those will require rezone... potential rezones for
5 those particular strategies.

6
7 And those were all the strategies that the working group has approved and again, I mentioned
8 that tomorrow they will complete the site selection progress by reviewing the remaining
9 strategies. So, next slide.

10
11 The first is City-owned parking lots. As you know, the Council already directed to start exploring
12 parking lots for residential development, but the working group had been discussing using
13 parking lots previous. And we looked at larger City-owned parking lots, again greater than ½ an
14 acre, that could accommodate multi-family housing. And again, this is still under discussion with
15 the working group but with that approach, we would yield 168-units. Next slide and those are
16 the proposed parking lots. There are four in the downtown area and two for Cal Ave.

17
18 Next slide is, this wasn't a preferred strategy from the working group but it was actually a
19 working group member suggestion to include general manufacturing as part of the Housing
20 Inventory list. And currently, in GM, residential units or residential uses are not permitted. They

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 had been previously and so this proposal would reintroduce residential units. And using a
2 minimum density of 40 dwelling units per acre. That would yield 654-units and then also
3 another suggestion was to look at ROLM zoned sites. Since ROLM already allows for residential,
4 with a Conditional Use Permit, and identifying those sites has another projected yield of 902-
5 units. Next slide and here are where the proposed sites would be. Mostly in the corner of the
6 City. What is it, the southeastern corner of the City? Next slide.

7

8 In addition, one of the areas we looked at was Stanford University but just for reference, yes.
9 Everyone understands that Stanford University owns large parcels of land or large... a number
10 of acres. However, a number of those parcels are under long-term leases. About 93 percent I
11 believe of Stanford properties are under these long-term leases where the leases... the lease
12 holder has basic control over the land. But as part of it, Stanford University proposed three sites
13 under their direct control that would be good potential housing sites. They are vacant property
14 on Pastuer Drive, on the corner of Pastuer and Sand Hill. The Palo Alto Transit Center or 27
15 University and 3128 El Camino Real, which is McDonalds on El Camino and again these are...
16 these three sites were proposed because they are under direct control. And the Stanford
17 University representatives gave a presentation that said under certain assumptions, minimum
18 of five stories of residential above two stories of parking, using above-ground parking because
19 underground parking is fairly expensive and also potentially some parking ratio reductions.
20 With those assumptions in place, looking at these three sites, it could yield a total of 825-units

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 on those three properties. And I believe you received a breakdown of what those are but the
2 vacant on Pastuer would... could potentially yield 225 units, Palo Alto Transit Center 180 units,
3 and the El Camino site would be 425 for a total of 825-units. Next slide.

4
5 In addition, as not part of the Stanford proposal but there are other Stanford-owned properties
6 that are still currently in the mix. 3300 El Camino Real with a unit yield of 92-units. That had
7 been included because there had been a developer proposal for residential units on that site in
8 the past. And also, we're looking at potentially adding residential units to the Palo Alto Square
9 property, that 15-acre site. City Staff is in current discussions with the lease holder at Palo Alto
10 Square and that could also have a potential of 300 to 400-units. Again, it's fluid and if there is
11 developer interest or lease holder interest. Those units would certainly be added to the list of
12 sites.

13
14 And then lastly, there are some Staff suggested sites. Table Two of your Staff Report to show
15 what those sites are, but those sites were included because those have had pre... past planning
16 applications for residential uses. Mostly pre-screens but that does show developer interest on
17 the site and that does... that is... is what HCD is looking at. They're looking at sites with potential
18 redevelopment and if we can show sites that have previous developer interest. That would also
19 help with the City's case to HCD and that would yield 116-units. Not the 127 as outlined in the
20 Staff Report.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 And actually, the working group did such a great job of identifying sites to accommodate units.

3 They have identified over sites that will accommodate probably over 2,400-units more than

4 needed as part of the City's RHNA. So, what we've started to do is put those less HCD

5 defensible sites on a reserve list and the reserve list could be used for future RHNA. Or if we

6 need to take more sites to boost our reserve for whatever reason. The reserve list would be a

7 great source of potential future sites or. And so, because what we don't want to do is present

8 to HCD more units than really needed because in the past, such as that carry over by-right

9 requirement. We're not sure what the state may do about sites that have been identified in

10 current and future Housing Element. So, to avoid any potential additional requirements, that's

11 why we're proposing the reserve list and it will not be included as part of the Housing Element.

12 Next.

13

14 And so here is that same map and with the explanation of each of the rows of strategies. You

15 can see where there are some strategies where we have proposed to put some of those units in

16 that reserve list and others that will... no units will be placed on the reserve list and next slide.

17 Again, you can see that if approved with all these different strategies, seven, there will be

18 enough sites to accommodate 7,100 which is still approximately 430-units additional than what

19 is necessary. So, the 427 and the 2,000. Again, the working group has done such a great job to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 identify all these sites to accommodate these units. Next slide and again, here's the same map
2 just showing all the different sites with the respective strategies and next slide.
3
4 And so, what are the next steps? As mentioned, the working group is slowly... it will complete
5 the site selection process at tomorrow's meeting and so next slide, please. What the working
6 group will be working on over these next few meetings is starting to look at housing policies
7 and programs. In January you can see finalizing sites. We're also... they're also going to start
8 being introduced to... you can see the acronym AFFH which is Affirmatively Furthering Fair
9 Housing requirements. It's quite the mouthful, but that is new state requirement that has to be
10 considered as part of any Housing Element, and so we'll start introducing that to the working
11 group. And as you can see, here we are with the PTC and the HE, Housing Element, update.
12 February, we're going to focus on... the working group will focus on policies and programs. And
13 we're also going to have a housing development 101 which will be developer presentations
14 about basic housing, multi-family housing development and potentially their experience in
15 developing in Palo Alto. And based on their experiences, we can tailor some potential policies
16 and programs to address some of those issues if any during their... in their experience. And as
17 you can see again, February 9th we will be coming back to the PTC for their formal review of
18 sites. March, we'll be finalizing the housing policies and programs with the working group and
19 April is when we start preparing the administrative draft. City Council will consider PTC's formal
20 recommendations about sites and then the PTC will also be considering the working groups

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 policies and programs that they have recommended. So, as you can see, next four months a lot
2 of moving parts in regards to the Housing Element and next slide.

3
4 I will show, this is just a very busy slide but it's showing the overall project schedule and as you
5 can see on the original schedule, the bottom half of the slide we. We had originally proposed to
6 finish all the rezones and the get the Housing Element adopted by January of 2023 which is the
7 statutory deadline for adoption of Housing Element in the Bay Area. However, in September of
8 last year, the state passed additional Housing Element requirements that really blew up our
9 original update schedule. And you can see in the revised, this is just basically to show that it has
10 elongated our update schedule and the ramifications here are we will not be able to complete
11 our rezones by January of 2023. And what we're going to... attempting to do in March of '23 is
12 for the City Council to adopt the Housing Element without the rezones. What we're hoping to
13 get from HCD is something known as Substantial Compliance if we rezone in the future and
14 then once we rezone. We will have full certification by HCD and so with that being said, next
15 slide, this is ahead up to more towards the PTC. And so again, February of 2022 the PTC will be
16 doing a formal review of Housing Element sites. April, PTC will be looking at policies and
17 programs and May, the Council will also be looking at policies and programs. So, that by June of
18 2022 we hope to release the administrative draft with requires a 30-day review. And in
19 February of 2023, we're looking at formal PTC review of the Housing Element with it going to
20 Council in March. And again, because we are planning to do the rezoning post Council adoption

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 of the Housing Element. Estimate that we'll probably be bringing back the rezones for the
2 Housing Element to the PTC in April of 2023. And with Substantial Compliance being obtained
3 from HCD in May of 2023, the Council completing their review of rezoning to be able to tell HCD
4 by August of 2023 that we have rezoned those sites that we said we have rezoned. And
5 hopefully, that will be the last step to gaining HCD certification.

6
7 Next slide and so that basically concludes Staff's presentation about the Housing Element
8 Update as of January of 2022. We do have a project web page at
9 www.paloaltohousingelement.com. That is our... that's where all the Housing Element update
10 information is housed. Pardon the pun, but there you can look at past working group meetings,
11 past PTC, in addition to Ad Hoc as well as any really important information about Housing
12 Elements. And so once again, that concludes Staff's presentation. I know it's a lot of
13 information. Welcome any question or comments from the PTC.

14
15 Chair Hechtman: Alright, thank you, Mr. Wong, for that detailed report. Questions of Staff from
16 the Commission before we go to public comment? Commissioner Chang followed by Vice-Chair
17 Roohparvar.

18
19 Commissioner Chang: First off, thank you Mr. Wong for that presentation and thank you to all
20 of Staff and the Housing Element for all the work that you've done. I can see that since the last

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 time this was agendized for the PTC but that we weren't able to discuss that there's been a lot
2 of forward progress. So, it's just amazing to see how much work has been done and it's been
3 really good work. So, I had a question about how is the determination for some... made for
4 something to be targeted for a particular income level? So, when I looked at the Attachment B
5 that said the Palo Alto full sites inventory. There's a column that says income level I think or
6 something like that. Income category and so I was wondering what... how the Housing Element
7 working group makes a determination for which site should be targeted for a particular income
8 category?

9
10 Mr. Wong: Thank you very much Commissioner Chang for that question. What we use is we use
11 HCD criteria. So, HCD considers a site appropriate for low-income housing if it's the parcel is
12 larger than half an acre and its zoned at a default density of greater than 30 dwelling units per
13 acre. And so that's how we distinguish between extremely low, low-income sites with
14 moderate and above moderate sites. And so, throughout the presentation, I was mentioning
15 that ½-acre because one of the criteria appropriate for low-income housing.

16
17 Commissioner Chang: Great, thank you, super helpful. Relatedly, I know that HCD requires that
18 a site is "suitable and available" for residential development. And I was wondering how... what
19 does that mean in practice?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Wong: Another great questions. In regards to suitable and available, understanding that the
2 City has no vacant land. I think maybe ½ a percent of all sites in Palo Alto are vacant. So, what
3 we look at is redevelopment potential for those sites and I... as part of that we use what is
4 known as the ILR. The Improvement to Land Ratio based on assessed records and if it has an ILR
5 of less than 1/2, which means that the land improvements are less than ½ times the assessed
6 value of the land. We consider that and this has been an HCD approved methodology that is
7 appropriate or it's a good candidate for redevelopment. Because if it had an ILR of let's say,
8 which means the improvements are five-time the value of the land. They're not going to
9 redevelop because of the value of the improvements. So, that was one criteria that we used to
10 argue suitable and available and also, part of the available, we need to argue that there have
11 been trends of Palo Alto redeveloping from lower to higher densities. And so, this trend kind of
12 permeates through a lot of these sites and so it's more piecemealing all of these different
13 arguments to... a document that these sites are suitable and available. But those are some
14 examples of how Staff will provide that proof.

15

16 Commissioner Chang: Thank you, super enlightening. I mean I saw that it was one other criteria
17 but this is helpful. Really helpful for me to understand. I had a question about sort of the... oh
18 sorry, what was it, strategies on Packet Page 19. So, I'm just curious about the process that the
19 Housing Element working group went through. Did the working group ever consider strategies,
20 excuse me, strategies 13 and 14? That is to allow mixed-use residential anywhere office is

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 currently allowed and also to allow mixed-use residential anywhere where retail is currently
2 allowed? I'm just curious what the process was and kind of where those fell out on the relative
3 list of priorities or strategies?

4

5 Mr. Wong: Okay, well with... we did kind of touch upon strategies 13 and 14 by looking at...
6 because some of the other strategies, Strategy Number One up zoning, we looked solely
7 residential but we also looked at mixed-use. Some areas where retail is allowed and we did
8 incorporate some of those sites. And so... and I don't think, correct me if I'm wrong, but there
9 are no retail exclusive sites. So, anywhere basically where retail is allowed, if it met the other
10 criteria, was we felt appropriate for inclusion as part of the housing site's inventory. And where
11 mixed-use residential... where office is currently allowed, that kind of touched upon maybe not
12 directly address, but including the GM Zone to reintroduce residential kind of falls in nicely with
13 strategy 13.

14

15 And I will say our housing working group members, Lauing, Keith and Ed, feel free to chime in at
16 any time. But those are some of... we did discuss them and they kind of got folded in
17 organically.

18

19 Clare Campbell, Senior Planner: And then I can also maybe just add to that. I think the working
20 group actually kind of took a vote. I think we voted for which ones they... they took a vote to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 see which ones were the priority ones and that's where things landed with that discussion and
2 that vote.

3

4 Mr. Wong: Yeah, thank you.

5

6 Commissioner Chang: So, I wanted to ask the question just because I've heard a lot buzz about
7 COVID and fewer people in offices and office/housing imbalance. So, I wanted to ask that
8 question about... I'm just wondering where that landed and that's very helpful context, thanks.

9

10 And then finally, my last question is regarding all the Stanford Research Park land with long
11 leases. Is there anything that we can do about that? Particularly, we know that there's going to
12 be another Housing Element in 8-years and that area just seems ripe. It's just perfect because
13 then you have jobs and houses co-located and people don't have to commute. And it could be
14 so great and so much land there. Just wondering is there anything that can be done? Is there
15 anything that the Housing Element group has come up with?

16

17 Mr. Wong: In some ways, we elected to use the low-hanging fruit of the Stanford Research Park
18 and looking at Palo Alto Square and along El Camino. At this point, we didn't really explore
19 looking into other areas. We did have discussions with Stanford University representatives but
20 because of the type of leases that Stanford does, and the outreach that would be required to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 talk to each of the lease holders since they're basically in control. Felt that it might be... because
2 of the logistics, this timeframe we're already starting pretty early. But I think the logistics of
3 that timeframe may be a little too short to get all that in place for this Housing Element.

4

5 Commissioner Chang: Sure, that makes a lot of sense. I'm just hoping that we start now for the
6 next Housing Element.

7

8 Mr. Wong: Absolutely, this won't be the last Housing Element and it won't be the last RHNA.
9 Who knows (interrupted)

10

11 Commissioner Chang: Right because the next RHNA is going to have another 7,000 or if we're
12 going to use the same percentage increase. It's going to be some astronomical number. We
13 have to dip into that area and I think we have to start those discussions now. Alright, thank you,
14 that's it for me.

15

16 Chair Hechtman: Vice-Chair Roohparvar followed by Commissioner Summa.

17

18 Vice-Chair Roohparvar: Thank you. Thank you for everyone's work and the working group.
19 Thank you, Mr. Wong, for a great presentation. I was looking at the ADUs that were... the
20 anticipated ADU production for RHNA... the numbers for RHNA based off of current permits and

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 extrapolating and projecting. And I was thinking about SB 9 and lot splits and whether those...
2 you know, same kind of analysis would be applied. Have you thought about that or how does
3 that fold into things? I do know that SB 9 lot splits is relatively new legislation, they're hard to
4 do. Do those count for RHNA? Was it discussed? Just generally what are your thoughts about
5 that?

6
7 Mr. Wong: Yes, at the working group meeting SB 9... thank you very much for that question. SB
8 9 was discussed. I think in regards to applying it towards our RHNA, we're... we haven't gotten
9 any direction from HCD in regards to SB 9 but everyone is thinking that it would be very similar
10 to ADU. It has to be a history of showing whether it be lot splits or ADU production, permitting
11 and so I think for this Housing Element there may not be enough history because (interrupted)

12
13 Vice-Chair Roohparvar: [unintelligible]

14
15 Mr. Wong: It is so relatively new. And I know we can argue about the, I believe it's the Turner
16 Study, that says 5 percent of the units could be. But I do... all the housing planners are
17 speculating HCD would probably not accept that type of argument. So, maybe for the next
18 Housing Element but it's too new for this current update.

19
20 Vice-Chair Roohparvar: Got it, thank you. That's it.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Commissioner Summa.

Commissioner Summa: Thank you very much. Thank you, Staff and working group. This seems like really great work done super efficiently actually. So, good work there and thank you for the Commissioner’s previous questions. That covered some of mine. I did have a couple specific questions about some of the strategies and Strategy 2 and 3, the corridors and Caltrain circles basically. Those... if... when those areas also include the low-density residential areas. Then they won’t... those densities wouldn’t include to that portion of the corridor and/or the circle around the train stations, or would they? Is that... am I (interrupted)

Mr. Wong: I think are you saying... well, just to clarify, there are single-family residences interspersed through those areas but those are not proposed to be rezoned. It’s only those parcels or districts that already allow for multi-family and we would just up zone those areas.

Commissioner Summa: That’s what I thought based on what you said but I was just getting a clarification and then the faith-based parking lots. I was wondering when you established these, I think it was five or something like that, did you actually talk to the institutions and they have excess parking or they can use some other parking? I mean what... details of that.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Wong: Thank you very much for that question. We are about to send out a letter to all the
2 property owners who are... they're being proposed to be up zoned or allow residential uses.
3 Specifically, the GM Zone property owners and faith-based institutions will receive this letter
4 saying it's being proposed that we introduce multi-family residential on your property. Just to
5 give them a heads up and in regard... so that will be going out shortly.

6
7 And then following up in regards to parking, there is a new state law that allows faith-based
8 institutions to develop their parking lots without having to replace. There are certain
9 parameters but that's the general gist of that requirement. So, this would kind of dovetail with
10 that strategy.

11
12 Commissioner Summa: Okay, thank you for that and then oh, the City parking lots. I'm familiar
13 with the proposal by ARB Members Peter Baltay and David Hirsch for the downtown location;
14 which was to retain the parking from the parking lot and build above it. Would that be the same
15 basic model for the rest of the garages?

16
17 Mr. Wong: That was a discussion amongst the working group about we don't want to lose
18 additional parking and so it would... at this point we're not necessarily conditioning all those
19 sites whether they affordable units, whether it must replace the parking. I think that will
20 proceed as the City develops their RFPs based on a Council direction. I think the general

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 consensus would be supportive of no loss of parking. Any development would need to retain
2 the existing as well as provide parking for any new residences. So, that would all be I guess part
3 of the mix as the City starts to solicit for RFPs.

4

5 Commissioner Summa: Okay, thanks for that and I think that's it. And once again, great work
6 and done really efficiently and quickly it seems.

7

8 Chair Hechtman: Commissioner Lauing.

9

10 Commissioner Lauing: Yes, I thought I'd comment before we go to public comment a little bit
11 on the structure of this. All of these units that have been brought forth so far are basically,
12 think of it as a capacity analyses. There are no projects connected to this at all. We weren't
13 even suppose to look at projects and it was kind of hard not to because everyone wanted to get
14 to that. But we intentionally went away from that and so what that means is, for example, pick
15 one of these categories. When this comes to PTC if we decide that Rome isn't an appropriate
16 place because we need light manufacturing. We can make that judgment and incorporate that
17 into a PTC recommendation. I picked Rome out of the air, by the way, I'm standing for that. And
18 say we don't think we should do that and we look at it and say whoops, those 400 units are
19 gone and now we have to find another area where we can do more density or whatever. So,
20 there's just tons of flexibility here and we're not at the project level yet. That's coming up soon

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 and I think that's going to be a harder assignment actually to get this thing going forward. And
2 similarly, of course, as we know, anything that we recommend to Council can also be changed.
3 So, if we say Rome's a great idea and they say no, no, no, that's a bad idea. Then they would
4 take that up. So, there's a lot of gates to go through and this point we're just trying to get
5 through how many units we think we can get out of appropriate parcels. And that's what Tim
6 and Staff have driven and have done a really good job, a really good job with that. And their
7 interaction with all of the various elements of the working group has been really terrific so. That
8 was... it was one of those it takes a village and that's why where we are is where we are. That's
9 all.

10

11 Chair Hechtman: Commissioner Reckdahl, jump in, the waters fine.

12

13 Commissioner Reckdahl: Yeah, just to follow up on Ed's [note – Commissioner Lauing] point,
14 this will be going to Council, right? And we want to make sure that... the working group wants
15 to make sure that, and I guess PTC too, that we give Council some flexibility. Because there's
16 going to be some sites there that they don't like and if we just give them the bare minimum
17 with no flexibility. Then if they want to throw stuff off, they haven't been in the weeds looking
18 at these sites and aren't familiar with them. So, we really do have to give them the flexibility,
19 give them exercise so they can X off the ones they don't like and end up with something that is
20 happy... everyone is happy with.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: I see no further Commission question of Staff. I'm going to move us into the public comment on this item. So, we'll open the floor for public comment. Please raise your hand if you wish to speak. On the Zoom App, there is a raise hand button on the bottom of your screen. If you are dialing in from a phone, please press *9. Ms. Klicheva, are there any public speakers for this item?

Madina Klicheva, Administrative Associate: Right now, I don't see any raised hands.

Chair Hechtman: Alright, I do see 13 people in attendance.

Ms. Klicheva: Participants, uh-huh.

Chair Hechtman: So, just talking slowly to see if anybody is moving their cursor towards that raised hand and I'm not seeing any raised hands. So, we'll conclude public comment then and I'll bring it back to the Commission for discussion and to tee that up, Mr. Wong, are there... this is a study session so we're not looking for a motion, a finite direction, but are there things that Staff on behalf of itself and the working group are looking to come away from this study session that the Commissioners can focus on?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Wong: I think starting, this is to provide a jumping-off point for the PTC if you will in
2 anticipation to the February meeting. But certainly, if there are any questions, we want to
3 address them now and also, if there are anything that could... that you think that may
4 significantly change from what the working group has done as not a misdirection if you will but
5 a change in directions. Those type of things I think would be greatly appreciated at this point
6 because we really want to do... hear from the PTC in anticipation of the February meeting. So,
7 just any information that we can provide to you or respond (interrupted)

8
9 Ms. Tanner: Maybe I can (interrupted)

10
11 Mr. Wong: To make the February meeting a little more smooth.

12
13 Chair Hechtman: Ms. Tanner, were you saying something? She looks like (interrupted)

14
15 Ms. Tanner: Can you hear me?

16
17 Chair Hechtman: Yes, now we can hear you.

18
19 Mr. Wong: Yeah, everyone went silent. Okay.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: Okay, sorry.

2

3 Chair Hechtman: Nope, can't hear you.

4

5 Ms. Tanner: [unintelligible] in terms of just if there's any feedback that you would like to see
6 when this comes back. A strategy that's not included, a site that's not there, something that
7 you think should be added or taken away. Not [audio cut out]

8

9 Chair Hechtman: Okay, we got the... a little bit of that and then she went silent again. So, let's
10 move... if she establishes good connection, we can have her say more, but let's go to the
11 Commission discussion. And I see Commissioner Chang's hand followed by Commissioner
12 Summa. Commissioner Chang.

13

14 Commissioner Chang: Thank you, Chair. So, it's not that I don't think that these sites are
15 appropriate. It's that I have concern about the GM and ROLM zoned sites. Mainly because there
16 are so many units currently slated for that area and it's a very concentrated part of... it's a little
17 corner of Palo Alto. And so, it just raises a bunch of issues in my mind that I am not quite sure
18 what the process for addressing the issues, but they center primarily on two issues. One is
19 transportation, traffic and the associated safety concerns and schools.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 So, regarding the ROLM sites, that... those ones are my primary concern because they're even
2 more concentrated than the GM and it's a lot of density in there. I think it was 654-units which
3 is like if you assume that there's about 25,000-units in Palo Alto. That would be 3 percent of all
4 of Palo Alto that we'd be jamming into that little area which looks like a four-by-four-block
5 area. I mean maybe I'm wrong with the math but it is very dense there. I don't have a problem
6 with the density per se, but we did see traffic studies car counts actually done for the South
7 Palo Alto Bikeways Project. And for that, certain sections of East Meadow had only 800 cars a
8 day and parts of Fabian have 4,000 cars a day. So, if you're introducing an additional 650
9 households there. It could cause doubling of the traffic in some areas and those are... and the
10 streets that will be impacted I imagine will be things like Loma Verde, East Meadow and
11 Charleston. Which are big commuting routes for our students and they're already somewhat
12 dangerous. So, that's just something... I just think that we need to plan for the transportation
13 demands there. The road aren't necessarily set up to suddenly have an additional 3 percent of
14 Palo Alto going through those area, right?

15

16 The other concern once you add in the GM areas. Both of those are really close to the San
17 Antonio/Charleston/101 area and we all know what a mess that area is. If you go in that area
18 any time between 7:00 and 10:00 am or 3:00 to 7:00 pm. It's a zoo there and its... we know that
19 the intersections... the San Antonio and Charleston one is very dangerous for pedestrians and
20 bikes and so it's dangerous in general. There's accidents there all the time, so my concern is

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 that it's already a congested area and if we add 1,500 units basically that are all going to have
2 to go through there. That's like a quarter of what we're adding to Palo Alto for this RHNA cycle
3 and so what it says to me is that we really need to work on planning for transportation there.

4

5 And then finally, with the schools, my concern is that what we witnessed after the development
6 of the end of East Meadow. That are by Fabian and East Meadow at the end near 101. After all
7 of those units went in, we had a massive problem with neighborhood schools there and so I'm
8 hoping that there is some amount of coordination being done with PAUSD. We had a 30
9 percent at one point of students who were supposed to go to Palo Verde as their local
10 neighborhood school where overflowed elsewhere. And so that's a quality of life issue not just
11 for the current people there but also all the people who are going to be moving in. And if you
12 just think about it, 1,500-units, let's say one child comes per... comes with each unit. I mean it
13 could be as much as two even, right, or on average. Let's say it's just one, that's 1,500 kids.
14 PAUSD current has 10... I think it's 11,000 students enrolled. Somewhere between 10,000 and
15 12,000 is what I will say. So, if you add 1,500 kids, that's a huge influx. One elementary school
16 ranges between 300 and 600 students. What are we going to do there with all these kids being
17 added in that little corner of Palo Alto? And so, I'm just... it's part question but it's also part
18 planning. We need to address that and I hope that there's Impact Fees or something that are
19 going to be assessed to help us build a new school or. I don't even think you can cram that
20 many kids into the existing campuses that are in South Palo Alto. So, there's some big

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 challenges there and that's my concern about the concentration of housing kind of in 8-years in
2 that area if we're successful enough and able to actually build all the units. That's it.

3

4 Chair Hechtman: Commissioner Summa.

5

6 Commissioner Summa: Thank you so much and I also had some questions about the GM and
7 ROLM sites and they're very similar to Commissioner Chang's because we are talking about a
8 lot of development there. And I think... I almost feel like we need to study that like a special...
9 like the NVCAP, an area plan just to get the infrastructure working right. And in addition to
10 schools, I think we have to think about parks there with that many new people because... and
11 also shopping. Retail, essential retail that could be walkable. So, I feel like that whole area,
12 while I'm not against it at all, I think it almost warrants a larger planning exercise.

13

14 And then I had just a question or because I didn't hear it but I may have missed it. Are we still
15 talking about housing at Stanford Shopping Center or is that no longer being considered? Above
16 retail.

17

18 Commissioner Reckdahl: It's not... oh (interrupted)

19

20 Mr. Wong: Would you like me to address that?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: Go ahead, Tim.

Mr. Wong: Yes, we did discuss... we have met with the Stanford Shopping Center and we did some initial conversations but just like the SRP. It might not be ready for this Housing Element for... because they also have other requirements that they have to... so, it might be more appropriate for the future Housing Element.

Commissioner Summa: Okay and then on that very dense map, which I'd love to have a larger version of, there was something called... I think it was blue and white stripe and it was called a special buffer or height buffer or something like that. Could... it was very hard to see.

Ms. Campbell: I can jump in.

Commissioner Summa: I was just wondering what that was.

Ms. Campbell: Okay and maybe I can just share my screen very briefly just to show you what that is. And I have the map and it's in a PDF so you can zoom in and out pretty easily. So, for example, I was just zoomed into the area that we were just talking about. The ROLM and GM areas. This blue stripped zone here represents a 150-foot buffer from the residential. So, all this

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 yellow is the single-family, this is an R-1 single-family neighborhood and in Palo Alto for most of
2 our residential zones. We have a requirement that if you're within 150-feet, you have a lower
3 height for your new development and typically it's 35-feet. So, that's what those blue stripes
4 represent when you see them on the map. And you can see it's kind of spread out everywhere
5 but that's what they represent.

6

7 Commissioner Summa: Okay, so it's the existing buffer zone (interrupted)

8

9 Ms. Campbell: Yes.

10

11 Commissioner Summa: But expressed differently on this map because it's showing where it is
12 next to the sites that are being considered.

13

14 Ms. Campbell: Exactly.

15

16 Commissioner Summa: Okay, thank you so much for clarification of that. That's it for now.

17

18 Chair Hechtman: Vice-Chair Roohparvar.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar: Thank you. To I think Ms. Tanner's request for things we would like to
2 see next time around and I don't know if you... if Staff has the ability or time or bandwidth to do
3 this. But what I would find very interesting is you know the RHNA analysis is with respect to
4 capacity. You know thinking about in... this is all of the capacity we have. We're not going to
5 realistically build 7,000 but having some sort of visual or snapshot of okay, past RHNA Cycle, 5th
6 RHNA Cycle, this is how many units were actually built. Maybe a map of where they were built
7 and compare it to current what we're actually expecting. Like a feasibility tied to... I don't know
8 if it's possible, but financial feasibility tied to transportation impact, tied to school. Something
9 like that give a more holistic picture of what are we realistically going to be looking at and what
10 potential realistic impacts it has. I don't know if that's feasible. If you want to respond to that
11 Mr. Wong or not.

12
13 And then also, aside from that, some analysis of this is just certification for the HCD certification
14 which is separate and apart. And then when we do the site selection, what happens if... and
15 maybe nothing happens, but we don't approve any projects? They just don't work out. Are
16 there any ramifications by the state or what not? Could we face any loss of additional funding
17 or whatever? Separate after certification during the RHNA cycle. So, not for now but maybe
18 later on down the road that would be interesting to hear about as well. I know you put the
19 ramifications for failure to be in Substantial Compliance but the failure to actually build. What
20 are the ramifications there? Thank you.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Hechtman: Commissioner Templeton.

Commissioner Templeton: Thank you. Lots of good discussion. I appreciate all the questions and comments. Just thinking about feedback and how it all ties together in my mind. Mr. Wong, one thing that would be helpful to know is kind of what the planning order usually is? And what I'm referring to is I'm just thinking about, you know you heard us all kind of go down this path of what if and cascading consequences and maybe we should hold off having a plan until we've thought through every step of the way and that is very often how we think in Palo Alto. We've got a lot of ability to do risk analysis and think about all these variable consequences and want to plan for every possibility. And I'm wondering if we need to do all of that before we come up with the housing plan? So, for example, in another community perhaps, the housing plan is set and then the cascading consequences kind of key off of that, or do we have to have all of that thought through like schools and shopping and transportation before the housing? Like understanding how the consequences are planned for. Does it come after, before, at the same time? Does it all have to come together as one big package that's revealed at once? So, that would be just some feedback because you can hear it in all of our thoughts that we've shared tonight is that we're thinking about it. So, guidance on how to understand where we are in the process. Assurances that the planning that we're considering as the impacts of the housing plan

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 will be handled, but they'll be handled here at this point. Or understanding that a little bit
2 better would be helpful I think. Thank you.

3

4 Chair Hechtman: Other Commission comments? Commissioner Reckdahl.

5

6 Commissioner Reckdahl: Hey Tim, can you put up slide 6? There's a couple things I want to
7 point out there or Clare. Whoever has control of the screen.

8

9 Mr. Wong: Clare has control.

10

11 Ms. Campbell: Give me a second.

12

13 Commissioner Reckdahl: Yeah, so slide 6 of the Packet. Okay, so this our housing allocation for
14 the next cycle and so the bottom table is our upcoming cycle. If you look, there's a huge
15 number, but also a huge percentage of this huge number is below-market housing and that
16 takes subsidized rents and that's not easy to work with. So, we really have our work cut out for
17 us trying to figure out how are we going to get these low-market... below-market units built and
18 paid for. We'll need some type of government subsidy or some other type of landowner benefit
19 to get those built.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 The second thing is that all these numbers are our RHNA requirements are in terms of units, not
2 square feet, and so Gain Theory would say that the natural tendency would be [unintelligible]
3 make units, let's make them really tiny. And so, the natural tendency of building these tiny units
4 is not good for Palo Alto. I mean we have great schools, we have this history of having very
5 family-friendly community and that kind of is not consistent with building a bunch of micro-
6 units. And so, when we build these we also have to encourage square footage to grow and have
7 the two-bedroom, three bedrooms that families need and that's going to be hard too. So, not
8 only is this 6,000 hard, but the fact that we have to get a variety of units for both size and
9 income is going to make it even harder. That's what I wanted to point out.

10

11 Chair Hechtman: Other Commission comments?

12

13 Ms. Tanner: If you want Chair, if I could (interrupted)

14

15 Chair Hechtman: Sure, let's try again Ms. Tanner.

16

17 Ms. Tanner: I wanted to respond... alright, I going to turn my video off. Let's see if it works,
18 hopefully. I wanted to respond to Commissioner Templeton and Vice-Chair Roohparvar's
19 comments kind of around sequencing and impacts of the plan into the future. I think there's

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 going to be two things to think about. One is there's the site selection part of the Housing
2 Element and also the policy and program part.

3

4 So, part of policy and programs can think about community facilities and kind of what are the
5 things that are needed not only to bring the housing to fruition. But do it in a way that's holistic
6 and supports the community going into the future. And so, I think that we are obligated by law
7 to complete the plan this year and Tim and Clare can explain more about the timeline and some
8 of those things. And so, we're not going to be able to do a full community facility analysis, but
9 we do also as a community have things like Impact Fees and other policies in place that do try
10 to prepare. So, that as we grow, we do have resources to provide facilities that would be time
11 commitment with that growth. And that even also goes to the things like thinking about the
12 Development Standards, providing open space on-site for the residents who live there for
13 example. That's a policy that we have in place to try to make sure that these future homes are
14 livable for those future residents of Palo Alto. So that's one thing.

15

16 I think that the Vice-Chair did ask a little bit about maybe consequences to the plan if we don't
17 build. And there's certainly consequences if we don't have a compliant Housing Element and
18 Mr. Wong can go into those a little bit more in detail if the Commission would like. There are
19 also some triggers that if we don't meet some of our targets. That we're... just on the last slide
20 actually, slide 6, meet those number of units built in certain timeframes within the cycle. Then

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 certain state laws come into play in Palo Alto. I think in particular SB 35, which I believe if you
2 don't meet the market rate... if a jurisdiction doesn't produce the market-rate housing units
3 that are required. Then I think even for right now for example in Palo Alto, if a developer
4 proposed a development with 50 percent affordable, below-market-rate units. I want to say
5 that that certain Objective Standards maybe only apply. I can't remember exactly what the
6 requirement is and then as you... if you don't meet your market rate and then if you're not also
7 meeting your below-market rate. Then more and more requirements and less affordability is
8 required for the housing to kind of... does it become by-right Tim? Is that what's happen under
9 SB 35? I don't want to misspeak what the impact is.

10

11 Mr. Wong: Yes, the worse off in not meeting your building, then the lower the threshold come...
12 becomes for by-right developments based on a percentage of affordability.

13

14 Ms. Tanner: So, I think those are some of the "teeth" that have been put into the Housing
15 Element law at the state level in the past few legislative cycles. So, that's kind of a more of a
16 short-term impact and then, of course, making sure that we have the transportation to parks.
17 All the things that make a community great to serve our residents as part of what we try to do
18 with our Impact Fees. But certainly, fees are only part of the puzzle because you need space for
19 a school, you need space for a park, you need actual physical areas for these things to go. You
20 need a place for a fire station or police stations or other facilities and so that is also part of the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 puzzle that if the housing is built. The City would need to be ready to figure out how to
2 accommodate all of the growth. Not just the housing portion of the growth. So, those are just a
3 few comments to try to respond to those questions and those comments.

4

5 Chair Hechtman: Thank you, Ms. Tanner. Commissioner Templeton.

6

7 Commissioner Templeton: Thank you, Ms. Tanner. I... just to clarify, what I was trying to get at
8 is those plans don't have to be built and drafted and approved at the same time as the Housing
9 Element, does it? They would come... they would be results of an approved Housing Element.
10 People would update their school districts and their school plans and things like that.

11

12 Ms. Tanner: Yeah, I think that would be a fair way to say it.

13

14 Commissioner Templeton: Okay, alright, thank you. That's really helpful.

15

16 Chair Hechtman: So, I want to start by acknowledging I was skeptical that the working group
17 and Staff could get this far this fast. It is a herculean effort to find 6,000 potential units in Palo
18 Alto and you exceeded that by 1,000. So, kudos for the extraordinary number of meetings and
19 the fact that you brought us to this point and I'm looking forward to Staff coming back with the
20 groups' further refinement I guess on February 9th.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

I did have a couple of question and a comment. Question of Staff, are... what's our... what is currently our most dense residential zoning in terms of dwelling units per acre?

Ms. Campbell: It's 40 dwelling units per acre.

Chair Hechtman: Oh, alright, and I realize that this exercise we're going through now is really it's a... I think Commissioner Lauing described it well. It's kind of a capacity analysis rather than a design analysis. But do we know that there are designs at 40-units per acre that can fit within our existing height limits?

Mr. Wong: Just to respond, we do have projects that have exceeded that 40 dwelling units per acre that I think, for example, the project on... the old VTA lot on the corner of El Camino and Page Mill. I think that was able to meet height plus it's a much higher density. Understand that it wasn't zoned RM-40 but that does show the potential or possibility is there.

Chair Hechtman: Okay, that's very helpful. I was going to ask the same question for this new contemplated 50 DUA zoning that is suggested to apply in I think within a quarter-mile of the transit stations. Do we think that can... and maybe that project you just mentioned on the old

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 VA [note – VTA?] is an example where they've already built something at 50 DUA that was able
2 to conform to the height requirement. Do you know?

3

4 Mr. Wong: That I'm not sure about so I'll have to... I can get back to you or as part of the
5 presentation in February address that question.

6

7 Chair Hechtman: Yeah and again, this is really a future issue and I'm really trying to understand
8 is if we are creating capacity criteria now that will force us to revisit height limitations later.
9 That's it and if it is, then we'll do that in the future.

10

11 Then the last thing I wanted to say, it's just a comment. The working group decided as part of
12 its strategy to avoid up zoning of any of the low density residential areas. The R-1s, R-2s, I don't
13 know if R-3s, and I respect that and I respect the working group doing the hard work. They get
14 to make that initial recommendation call. But I recognize and I want to make sure we all
15 recognize that to the extent we have low-density areas in close proximity to our transit stations,
16 to our Caltrain stations, those properties are by any appropriate measure underutilized and the
17 question is not whether they'll ever get up zoned but when. Because we can go through this
18 next RHNA cycle and completely avoid them. I'm not suggesting that we shouldn't, but what's
19 going to happen as we go through these RHNA cycles are things are going to get built pursuant
20 to these up zoning policies. And as we build those dense buildings, you know when we build a

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 five-story building and in the next RHNA cycle, we want to up zone that property from 50
2 dwelling units to 65. Nobody is going to tear down that new building and put up a more dense
3 one. That's not realistic and eventually, the pressure is going to come to focus... to recognize
4 we're going to have to invade, if that's what you want to call it, these low-density
5 neighborhoods. Again, I'm only talking about the ones in close proximity to the transit stations.
6 And my only point here is that we should be thinking long-range about that and have a plan
7 rather than get forced into it when we get some RHNA... new RHNA process and really have to
8 swallow because we didn't plan for it. So, that comment may be 16-years away from now. I
9 appreciate that but I just... it's something that I think about and I think we should have it in
10 mind.

11

12 So, those are the only comments I had. Other Commissioners have anything more to add before
13 we conclude the study session? Alright, I'm not seeing any hands, so I am going to thank Mr.
14 Wong, I'm going to thank Ms. Tanner, I'm going to thank the members of the working group,
15 including the two who are our sitting Commissioners. This is great work so far. Really excited
16 about the progress made and looking forward to having a return on February 9th with the
17 update. So, it is 7:45 and we have our next agenda is the Wireless Ordinance item, but I think it
18 makes some sense to take our 10-minute break now. So, that we can deal with that
19 uninterrupted. So, I have 7:47, so let's call it 7:57 and hope that we can actually get going by 8
20 o'clock.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

[The Commission took a 10-minute break]

Chair Hechtman: So, we will wait another minute for Vice-Chair Roothparvar and Commissioner Summa to show up.

Vice-Chair Roothparvar: I'm here. My cameras just off.

Chair Hechtman: It would appear that Commissioner Summa is in the room. There you are. We're ready to move forward Commissioner Summa. So, we will move now to an action item, Agenda Item Number Four.

Action Items

Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal. All others: Five (5) minutes per speaker.^{2,3}

- 4. Consideration of Updates to Section 18.42.110 (Wireless Communication Facilities) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC). Environmental Assessment: Exempt per CEQA Guidelines Sections 15061(b)(3) and 15301, 15302, 15303 and 15305.

Chair Hechtman: Consideration of updates to Section 18.42.110, Wireless Communication Facilities, of Chapter 18.42, Standards for Special Use, of Title 18, Zoning Title, of the Palo Alto Municipal Code. The environmental assessment is it is exempt per CEQA Guidelines Section 15061(b)(3), 15301, 10302, 15303, and 15305. Before we receive the Staff Report, I need to

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 address an issue that has been raised by a citizen regarding whether I should recuse myself on
2 this item. The same issue was raised by the same citizen in February of 2020 when the Wireless
3 Ordinance was last before us. My response from 2-years ago is still true so I'm going to largely
4 repeat it.

5

6 Potential conflicts of interest are very serious and I take them seriously. I think that one of the
7 most important functions that our citizens can perform in this public process is to raise these
8 issues where they believe they exists. Because if they don't put a voice to them, then we can't
9 talk about them.

10

11 One of our residents has raised this issue about me as it relates to the wireless industry and so I
12 appreciate them bringing forward their concerns. There are two types of potential conflicts of
13 interest, financial interest and bias, and I intend to address both of them. I'm a land-use
14 attorney and I've been doing this work for more than 30-years and along the way, I have done
15 work for the telecommunications industry. Specifically, my firm has as a client for a substantial
16 period of time one of the largest industry companies and my primary job for them was to
17 attend public hearings, like this Planning Commission hearing, and seek approval of permits so
18 that they could build wireless communication facilities. But the last time I did any of that work
19 was more than a decade ago and probably more like 15-years ago or more. I'm in a small firm

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 and another attorney in my firm has also done that kind of work with the industry, but she has
2 not done any work with the industry in many years.

3

4 California's Political Reform Act provides that a conflict of interest exists if I have a financial
5 interest in the outcome, and it imputes to me any income that my firm has earned from the
6 industry, or from anybody who would have an interest in Palo Alto's Wireless Ordinance in the
7 last 12-months. I have no financial interest in the outcome of the Wireless Ordinance at issue
8 here, nor is there any industry income to impute to me. And so, under this law, I have no
9 conflict of interest. Nor is it reasonably foreseeable that my participation on this agenda item
10 will result in any future income to me or my firm.

11

12 The citizen claims that my comments 2-years ago were very highly favorable to the industry. I
13 disagree with that characterization and the industry must disagree too because in the 2-years
14 since I made those remarks, not one of them has knocked on our door to have us do work for
15 them.

16

17 The other potential conflict of interest is bias and the concern is that because of my prior
18 involvement with the industry and the prospect that at some point in the future I, or another
19 member of my firm, might be hired by the industry that I have a bias. In other words, that I
20 could not fairly and impartially decide a matter related to the telecommunications industry.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 I have no bias regarding that industry. I think there may be some confusion of bias with
3 background. The fact that I have prior experience in the industry is actually an asset I believe in
4 processes like this. And I would like to believe that it is this background and the experience that
5 I have in other land use matters is part of what the Council saw in appointing me. My
6 background does not make me predisposed to like or dislike any wireless industry position, but
7 it does allow me to understand their processes and positions. I think that is a useful tool and it
8 is not a matter of bias. My allegiance in my role as a Planning Commissioner is to the City of
9 Palo Alto and my intention is to make decisions that in my view are in the best interest of the
10 whole City. And so that doesn't necessarily mean I'll agree with every comment of every
11 resident from time to time. But it does mean that I will take a broad fair view and that I am not
12 beholden to the wireless industry in any way. I have no conflict of interest based on bias.

13

14 There's a related concept called the perception of bias that is considered where there is no
15 actual bias constituting a conflict of interest. In her email to the PTC, here is how the citizen
16 expressed her perception of my bias. She wrote, "United Neighbors passively accepted your
17 refusal to recuse yourself at the PTC in February 2020 only to watch as you advocated for cell
18 tower applicants at every turn". The verbatim minutes of that February 12th, 2020 PTC meeting
19 are available online and I would encourage anyone interested in this issue to read all of my
20 remarks during that hearing. If you do, you will find that I clearly stated my goals for the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Wireless Ordinance to be having a lawful ordinance that did not expose the City to litigation the
2 City would lose and a reasonable permit process set forth in the ordinance that would result in
3 the citizens of Palo Alto and it's businesses having access to the best technology available.
4 Anyone impartially reading my remarks at that 2020 hearing will find that every one of my
5 statements was in furtherance of one of those two goals.

6

7 For me to recuse myself today, based upon perceptions of bias, where there is no substantial
8 evidence supporting a reasonable perception of bias would set a terrible precedent for all of
9 the City of Palo Alto decision-makers. Any time even a single citizen wanted to exclude a
10 decision-maker from the Palo Alto process, they could claim, without substantial evidence, that
11 they perceived that decision-maker of being biased, and point to my recusal regarding the
12 Wireless Ordinance as reflecting the necessary result. For example, pro-housing advocates
13 could claim that they perceive bias of those City Council Members who are described as
14 residentialists based upon their statements in deliberating housing issues, their votes on those
15 issues, and even statements they made in campaigning for office. I am unwilling to add force to
16 such claims of perception of bias by recusing myself here where there is no reasonably held
17 perception of bias based upon an objective view of the evidence. That would not be in the best
18 interest of the City of Palo Alto, nor in its governmental functions.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Finally, this citizen also claimed my participation violates the State Bar Rules of Professional
2 Conduct that regulate me as a lawyer. But those rules do not apply here because I am
3 participating tonight as a Planning Commissioner and not as an attorney representing the City
4 or an attorney representing the telecommunications industry. I have conferred with the City's
5 Attorney Office on these matters and I will be participating fully in tonight's discussion.

6

7 Thank you for your patience while I work through that and now Ms. Tanner, I would like a Staff
8 report.

9

10 Rachael Tanner, Assistant Director: Thank you. I'm going to turn it over to Sheldon Ah Sing who
11 will give the report this evening. Sheldon?

12

13 Sheldon Ah Sing, Principle Planner: Yes, good evening, thank you as I get some windows
14 arranged here. So, start off with the recommendation. I'm Sheldon Ah Sing, Principle Planner
15 for the City and this evening we would recommend that the PTC hold a public hearing, discuss
16 the modifications to the Municipal Code contained in the draft ordinance. We're really seeking
17 feedback and recommendations to Staff on the items that... to include in a draft ordinance for
18 the future consideration. We're not recommending the full ordinance at this time. We are going
19 to come back to the PTC later this spring with a... it would be probably a revised ordinance

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 considering all of the feedback from the stakeholders. And then thirdly, to hear public
2 testimony and close the public hearing to re-notice for a future hearing.

3

4 What we'll talk about today is provide a little bit of background on how we got here, a brief
5 overview of the existing tools that are available for review of wireless communications facilities,
6 a brief overview of some changes to federal and state law, and then a summary of proposed
7 wireless ordinance amendments which is the crux of the discussion this evening and then next
8 steps. So, I do want to also make you aware of attachments and links that we have included as
9 part of the Staff Report that you may refer to as we go through discussion and presentation.
10 These include the draft Wireless Ordinance, the existing Wireless Ordinance, the application
11 checklist. We've also included two ordinances links from other communities that the public
12 brought to our attention to consider. Selective Comprehensive Plan policies and goals and
13 there's also a comment letter from one of the carriers back on December 2nd on Packet Page
14 122.

15

16 A little bit of background, the Wireless Ordinance has been updated in 2015, in 2018, in 2019
17 and at the same time, there were adoption of the Objective Standards a Resolution updates in
18 2019 a couple of times. And then we were directed go to the... back and make revisions to the
19 ordinance. So, that's where we left off with the PTC back in February of 2020. And then during
20 that time we've of course been processing applications and still continuing to evaluate the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 ordinance. We conducted a joint study session meeting in November of 2021 which I think most
2 of you were there in attendance and that included the Council as well as ARB.

3

4 So, some of the direction from the PTC from 2020, the PTC requested further Staff
5 considerations of specific topics and asked Staff to return with further refinements to the draft
6 Wireless Ordinance and further discussion in the Staff Report.

7

8 So, I wanted to briefly here, just for those of you who are not familiar with the process. The
9 ordinance is the main cog here, it's a great graphic, is really the center of the regulations and
10 processing for all wireless applications. Whereas what we're discussing this evening, there was
11 quite a lot of effort and process that goes into amending the ordinance. We need to receive
12 recommendation from the PTC, then the Council needs to introduce the ordinance at first
13 reading and subsequently, there's a second reading before a 30-day period and then the
14 ordinance become effective. Now for all wireless applications, there are checklists, application
15 checklist that are applicable as well as design. Construction standards from say instance PG&E
16 or Public Works and our utilities departments and these can be updated from time to time.
17 Now furthermore, specifically for facilities within the public rights of way, applications utilize
18 some additional tools such as the Master License Agreements and then we have the Objective
19 Standards and that's of which we are going to be in process of revising this part of this process.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 And so that referring to the Objective Standards as the Resolution, we're also going to be
2 changing that to location and Design Criteria.

3

4 So really briefly here because most of this is already covered with the joint study session that
5 our outside counsel has been involved with. You get a presentation but the proposed Wireless
6 Ordinance updates, proposed amendments that are consistent with current and federal state
7 laws and recent court decisions affecting the FCC orders. In the future, if there are further
8 changes to these laws, then Staff will prepare further proposed revisions as needed.

9

10 So, these proposed updates reflect an effort of an internal working group comprised of
11 different City departments including planning, utilities, City Attorney Office, public works. Like I
12 mentioned we do also have outside counsel that's assisting us. We have to date considered
13 feedback from decision-makers, the community, and carriers. We have also considered other
14 surrounding community' regulations. We understand that Palo Alto has some unique values
15 and circumstances. These proposed updates are consistent with or go further than in
16 surrounding communities. So, where the proposed amendments are less stringent, it's
17 generally based on a Staff perspective that a different threshold would subject the City to undo
18 legal risk of claims by carriers that the requirements violate state or federal law based on the
19 City's distribution of land use and technical feasibility. Or pave an unnecessary layer of
20 additional exceptions for an applicant to request a City new process. So, some of these

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 proposed amendments that you'll see in the draft ordinance are located within existing
2 subsections or whether those are a new subsection that necessitate [unintelligible] numbering.

3

4 Next couple of slides I'm going to be talking a lot. I figure I'd spare a lot of the text on the
5 screens but we'll go through these bullet points separately. So, Staff overall acknowledges that
6 the revised ordinance is a working draft to facilitate discussion. The draft ordinance attempts to
7 find a balance between acknowledging the increase in demand for wireless technology while
8 setting up a process to locate these facilities in a way that does not contribute to visual clutter
9 but preserves the City's mainly residential character. So, the proposed revisions to the
10 ordinance strive to provide a clarity and certainty to this process. So, for incomplete
11 applications, this was a PTC clarification, and application processes limited to a shot clock
12 timeframe. And an important aspect of processing applications is time keeping and managing
13 these various projects. There are times when the application sit incomplete for a long duration
14 of time. This efforts proposes clarifications regarding the applicability of Wireless Ordinance's
15 pipeline project applications. So, as well as procedures that could be utilized to terminate these
16 facility applications that remain incomplete for an extended period of time. These clarifications
17 respond to Staff's experience that some of these applications have remained on file with on
18 substantive activity for long periods of time. In some cases, between 2- and 4-years. So, Staff
19 recommends that whenever an applicant fails to provide a substantive response to the City
20 within 90-days after a Notice of Incomplete. The application can be denied with predigest. That

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 means that the applicant can decide to refile a new applications after denial for the same site
2 and that's referred to on Packet Page 79.

3

4 So, regarding the alternatives and feasibility for exceptions, this again was a PTC clarification
5 and we can expect that some applications will request exceptions to the standard. So, the
6 proposed amendments include new application requirements for Tiers Two and Three for
7 comparative analysis feasibility. The goal is to have sufficient information to understand the
8 pros and cons of the primary location and its alternatives. Details of which will go into
9 comparative analysis which will be included in the application checklist and not in the
10 ordinance. And again, that's to provide for some flexibility for Staff to change that over time
11 and that's on Packet Page 79 for reference.

12

13 Noise, this was a comment from the Council to consider. Including noise impacts to the
14 ordinance and the proposed amendments would include a new application requirement to
15 submit a noise report, an acoustic report and a new Conditional of Approval that include a
16 standard that the facility comply with the established noise standards in Municipal Code. And
17 that's on Packet Page 78 and 83 for your reference.

18

19 The location and design preference in the current ordinance includes location preferences in
20 the purpose interpretation section. The draft ordinance includes a new subsection with the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 same language and adds that there are other locations preferences that are included by
2 reference in adopted resolution. Staff recommends maintains format by having location design
3 preferences mostly in the resolution and not in the ordinance. That's on Packet Page 82.

4
5 So, for Objective Standards, with the 9th Circuit Court decision, there's not a requirement that
6 standards be objective but need to be reasonable. Staff will remove and update instances
7 where the ordinance or resolution mentions Objective Standards.

8
9 So, for referrals, PTC has requested that Staff evaluate referrals with the Director and the draft
10 ordinance includes a PTC will, as a preferred option, since the ARB and PTC have different levels
11 of expertise. So, we want to set up the expectations accurately though because these
12 applications are bound by shot clock timeframes and it's unlikely that an application would be
13 viewed by both ARB and the PTC. It's too time intensive for that to happen, especially for a
14 complete application. So, we want to receive that feedback from the PTC, or another for the
15 Director to refer applications directly to the Council and that's on Packet Page 81.

16
17 For independent experts, this is a PTC clarification. The draft ordinance revised a section to
18 clarify the requirements and expectations for applications for independent expert use and
19 that's on Packet Page 80.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 And then some additional topics, draft ordinance includes codifying items from the application
2 checklist and this includes applicant prepared radio frequency emissions report and reports to
3 meet acoustical requirements additional stipulations. Staff has included these requirements to
4 clarify expectations for applicants and provide certainty for what is required of the applicants.
5 Not all the checklist items are proposed to be codified but Staff seeks some flexibility in the
6 checklist to allow Staff to respond to changing technology and regulatory landscape. The
7 checklist is widely available and published in advance for applicant and the public.

8
9 For Conditions of Approval, Staff proposes new and modified Conditions of Approval within the
10 ordinance. These additions allow Staff to greater code enforcement ability and establish greater
11 operations accountability. Especially important for post-installation enforcement and that's on
12 Packet Page 83.

13
14 There are some items that remain unchanged such as the types of entitlements required, the
15 exceptions process and noticing requirements.

16
17 So, resource impacts that speaks directly to Staff. We are not expecting a level of these
18 applications to drop in the future. There's certainly going to be more demand. We expect the
19 applications to have one or more exceptions to the process and these exceptions are more
20 demand on time. Especially given considering the mandated processing time lines that are

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 imposed by federal and state. So, Staff seeks to lessen these demands and ensure compliance
2 with mandates and also to provide clarity in the process and streamline where possible.

3

4 So next steps, we want to continue this outreach with the community and the carriers. We did
5 receive as I mentioned a comment from the carrier back in December. I think that was in
6 response to the existing ordinance and that's included as part of the Packet Staff Report. We
7 did have another comment from the same carrier on the draft ordinance and that comment
8 was provided to you. We have included community information other City's Wireless Ordinance
9 as links that the community has brought to our attention and we anticipate that there will be
10 an ARB meeting late February to discuss Aesthetic Design Standards. That's the resolution
11 revisions and then once we've done some outreach and we've made some revisions to this
12 ordinance and as well as get recommendation from ARB on the resolution. Then we want to
13 return to the PTC later this spring for recommendation on the ordinance and resolution. And
14 then at that point, have adoption hearing with the Council in the late spring.

15

16 So, with that, recommendation is again to discuss the modifications contained in the draft
17 ordinance, provide feedback and recommendations to Staff on the items. We may need to have
18 straw votes or multiple motions to get consensus on items perhaps and then we'll try to
19 facilitate that. And then also lastly to hear public testimony and close the public hearing to re-
20 notice for a future hearing.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

So, here's my contact information and we also maintain a website page that provides the latest information. With that, that concludes my presentation and we do have our outside counsel available. We also have Staff from our Utilities Department and also from our Current Planning Department. That concludes my presentation, thank you.

Chair Hechtman: Thank you for the presentation. Commissioners, questions of Staff before we go to public comment? Vice-Chair Roohparvar.

Vice-Chair Roohparvar: Am I the only one with questions? So, can you quickly... I just had a few quick questions. What is the magnitude of request you're anticipating per year? Do you have a ballpark estimate?

Mr. Ah Sing: Yeah, I may need to (interrupted)

Vice-Chair Roohparvar: Roughly.

Mr. Ah Sing: Rely on our current planning Gail [note – Garrett] Sauls who takes in the applications but he may have a number that we... yearly that we have.

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Garrett Sauls, Planner: Hi, this is Garrett Sauls, current planning. So far, we've only received in
2 the last 2- to 3-years we've only received about three to four projects for right-of-way
3 entitlements for small cell applications.

4
5 Vice-Chair Roohparvar: Okay, that's helpful. I had another question. With respect to... I mean
6 it's a little bit of a comment too but Packet Page 64 with respect to undergrounding. I know a
7 lot of jurisdictions have moved towards preference for undergrounding and the Packet sets
8 forth the issues with undergrounding. Do you have any sort of analysis on what the pros are as
9 well and how that compares to overhead lines? This isn't a (interrupted)

10
11 Mr. Ah Sing: It's okay, yeah, I think some of the... I'll take a stab at this one, but I think some of
12 the pros is that visually you don't see that... the equipment. That's [unintelligible](interrupted)

13
14 Vice-Chair Roohparvar: Primary.

15
16 Mr. Ah Sing: And that visual clutter. I think that reduces sort of that footprint for the equipment
17 that you just can't see.

18

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar: And that's the primary thrust of why a lot jurisdictions have been
2 pushing towards undergrounding? It's not just Palo Alto. I've seen it just by chance across a lot
3 of jurisdictions in the Bay Area so I was just wondering.

4

5 Mr. Ah Sing: Yeah, I think that's (interrupted)

6

7 Gregory McKernan, Engineer: Maybe I can fill in. My name's Greg, I'm one of the... Gregory
8 McKernan, I'm one of the Utility Engineers for the City of Palo Alto in the Electric Department.
9 So, it sounds like your question is more about what are the advantages of underground
10 electrical utilities and telecommunications. I think the main reason Palo Alto has been doing it is
11 beautification. I know that since the 50s or the 60s when they started the underground
12 districts. There's also an advantage for reliability for the system in general and that's an
13 advantage for our citizens as well.

14

15 Vice-Chair Roohparvar: Got it, that's really helpful, and then I also had another question. It
16 sounds like we looked at ordinances in Ithaca, New York and Aspen, Colorado. Is that correct
17 and I was wondering why those jurisdictions instead of (interrupted)

18

19 Mr. Ah Sing: [unintelligible]

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Vice-Chair Roohparvar: Yeah, sorry, go ahead.

2

3 Mr. Ah Sing: No sorry, at the joint study session we did receive while doing the public testimony
4 some insight on those two ordinances that was brought to our attention. So, we thought that
5 we'd just bring that. We looked through it a little bit but not substantially as we were putting
6 through this draft ordinance, but we'll certainly take a look at that more in this next phase after
7 this meeting.

8

9 Vice-Chair Roohparvar: Got it. Thank you. I have additional comments but they relate to the
10 ordinance and so hopefully we can get to that later.

11

12 Chair Hechtman: Commissioner Summa.

13

14 Commissioner Summa: Thank you very much. Thank you for the presentation and I just had a
15 quick question. And forgive me if this... you've already said this but who is the outside
16 consultant or counsel that you worked with and what portions of this did they work on with
17 Staff or will they be working on the ordinance going forward also?

18

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ah Sing: Right so Gail Karish, you can see I think she's on the screen there. She just waved
2 her hand and so she's been helping us since the fall on the draft ordinance so far and she's
3 going to see it through the completion.

4

5 Commissioner Summa: Okay so the legal aspects, no the technical, right?

6

7 Mr. Ah Sing: The legal aspects, yes.

8

9 Commissioner Summa: I just wanted... thank you so much. That's it.

10

11 Chair Hechtman: Commissioner Chang.

12

13 Ms. Tanner: Sorry, just one quick moment.

14

15 Chair Hechtman: Ms. Tanner.

16

17 Ms. Tanner: [unintelligible] the previous question. I think there was a question about the
18 number of applications we've received and I think we... maybe Garrett you can explain a little
19 bit that an application could have a couple different nodes or locations within one application.
20 Do you want to just explain that a little bit to the Commissioners how we get applications and

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 what that... what they can contain because it's not just one tower or one installation in an
2 application.

3

4 Mr. Sauls: So, since the advent of the Objective Standards in 2019, we received three
5 applications. One from AT&T, two from Verizon. In AT&T's application, there were 10 nodes
6 proposed in that project and Verizon's two applications, one which has gone to City Council and
7 have gotten approved. Initially, there were seven nodes proposed in that application and then
8 it was reduced through the review down to three node. Which ultimately were reviewed and
9 approved by the City Council and that's under Cluster Four. They also submitted an application
10 titled Cluster Five which had three nodes if I remember correctly initially in their submittal and
11 through review they ended up removing one so far but that project is still under review.

12

13 Ms. Tanner: Just to give the Commissioners a sense of kind of the volume. Maybe not that
14 many applications but there can be a bit to review in each packages. So, continue (interrupted)

15

16 Mr. Sauls: So, at a maximum, there can be 15 nodes in one submittal and that is not 15 nodes at
17 one time being decided upon. That is 15 nodes submitted in one project which could mean one
18 day someone submits 15 nodes and the next day someone submits 15 nodes again.

19

20 Ms. Tanner: Thanks, Garrett.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Hechtman: Vice-Chair Roohparvar, your hand is still up. Did I cut off your questioning?

Vice-Chair Roohparvar: No, that was it. I actually had one more question if its ok? You called on me if nobody else has their hand up.

Chair Hechtman: Commissioner Chang is waiting but go ahead.

Vice-Chair Roohparvar: Oh, go ahead. Oh, it... I'll just do it really fast. The noise impacts you're referring to, those relate to, and maybe I'm just misunderstanding. Those relate to both installation and the noise impacts after installation, right? Or is it just noise impacts after installation? Could you just clarify that?

Mr. Ah Sing: I believe they would be both.

Vice-Chair Roohparvar: Both, okay, thank you.

Chair Hechtman: Commissioner Chang.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang: Thank you, Chair. Mr. Ah Sing I wanted to asked about noise following up
2 on Commissioner Roohparvar's [note – Vice-Chair Roohparvar] question. So, I thought that
3 there's a Santa Clara County order specifying that the noise in residential areas specifically
4 needs to not exceed I think it's 55 during the day and 45 at night. And that... is that in conflict
5 then with what we have at the bottom of Page Packet 104? There's a footnote there that talks
6 about 60 decibels and then it can go up three decibels more so maybe 63 decibels. So, I'm
7 wondering am I missing something, or are we in violation of what the county requires?

8
9 Mr. Ah Sing: So, I'm not familiar with the order if that's something that's new or maybe it's
10 something that's applicable to the unincorporated county. We certainly have our own
11 standards.

12
13 Commissioner Chang: Okay.

14
15 Ms. Tanner: I don't know. We would have to look into that specifically Commissioner but a lot...
16 I would be surprised that it would apply to the City. I think it probably is for unincorporated
17 parts of Santa Clara County where the county is the governing body.

18
19 Commissioner Chang: Okay, well, maybe we can look it up and follow up offline. I might not
20 understand correctly either. Okay, it was so dense that I'm like looking through all my notes

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 here. Can you explain a little bit about the types of exceptions? I mean I guess I've read a lot of
2 public comments about and I think the concern for residents is obviously people want their cell
3 phone service. But then they're concerned about having unsightly cell phone towers very close
4 to their house. I know that there's a giant campaign of like no cell phone towers in the little
5 league field. So, what I'm wondering is with respect to the different types of exceptions that
6 come in. Do we prioritize or weigh more heavily exceptions that deal with residential areas as
7 opposed to exceptions that are with commercial thoroughfares? How do we... can you give
8 examples of exceptions that come in and how we handle them and how we weigh different
9 exceptions with respect to whether or not they may be granted or not?

10

11 Mr. Ah Sing: Garrett, I may need to call on you again because you have some experience and
12 maybe just provide an example of a project that's ongoing that has exceptions.

13

14 Mr. Sauls: So, we don't currently have a weighting scheme where might say something related
15 to one exception equals X value. Right, where we might say if you're going to place an antenna
16 is a residential zone. There is a specific point value associated with that exception request
17 compared to placing it in another location that might be a commercial zoned district for
18 example.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 The way that our ordinance currently [unintelligible] or I guess the way that our resolution is
2 currently established is it looks at the total number of exceptions and what is proposed in terms
3 of the primary location that an applicant proposes in relationship to alternative locations. And
4 how those exception request for either location are either greater or lesser in terms of just the
5 face value number. So, if one location requires three exceptions, the other requires 10. You
6 can... on its face value you can already identify that one will have a greater or sorry, a lesser
7 aesthetic impact. One example through the Cluster Four application or through Verizon Cluster
8 Four application that the City Council decided back in June of last year was to evaluate a
9 location where the zone district was residential but the building on the site was a commercial
10 use. And there were alternatives in the surrounding neighborhood that were all located in front
11 of residential buildings. So, there's a bit of value judgment I guess you can say that is put into
12 some of those exceptions. Right like placing something in a residential area versus a
13 nonresidential area that the City is expressing in its interest and in its ordinance and resolution.
14 But like I said before, there's not necessarily an inherent weight value that we can say one
15 exception actually equals four or five points. And if you reach a certain point or reach past a
16 certain number threshold. We can't consider this node anymore for some reason.

17

18 Commissioner Chang: Thank you, Mr. Sauls. That's really enlightening and I guess my next
19 question would be that given sort of the public comments that we receive and the resistance
20 from residents. Is there a way to make it clear that we have a preference for exception... like if

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 you have to make exceptions, let's makes exceptions away from the residential areas? Right, so
2 we're choosing between alternatives for example. I mean it just seems like that would eliminate
3 a lot of... the most vehement concerns.

4

5 Mr. Sauls: To my understanding, it's a bit of a balancing act. Balancing what we are legally
6 obligated or required to provide for which is that carriers are able to locate in the right of way.
7 And trying to balance what is the least aesthetically impactful location in comparison to what it
8 is that they're proposing. I think as a part of this and Sheldon, this is something that you should
9 definitely touch on if you haven't already. Is that part of this process there was going to be a
10 discussion for the Design Criteria or the Objective Standards to how is there... is it possible to
11 create a waiting system that might serve or determine a hierarchy. That might be easier to then
12 say again like I provided in my basic example earlier. If a certain exception requires X number of
13 points and there's a barrier or a roof that we say you can't exceed. You know to some extent
14 whether it's legally appropriate or not is a separate question. But to some extent, an applicant
15 may be able to tell that a facility is going to have a lot more challenges. Trying to propose
16 something there for a certain location than in other locations.

17

18 Commissioner Chang: Makes a lot of sense. One last question, so there was... I think it's Packet
19 Page 62 where we're talking about, as Mr. Ah Sing mentioned, that sometimes an application
20 can lapse. It's incomplete and then the telecommunication company just doesn't come back to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 us and yet it chews up Staff time to continually have to see and track it and check on this
2 application. And the proposed shot clock... the proposed clock where we can deny the
3 application without predigest if its notice is incomplete was 90-days. Is there a reason that we
4 chose 90 and not something short just to lessen the administrative burden on Staff? That just
5 seems like low-hanging fruit. It might be... I'm just wondering how we came up with the 90-
6 days.

7

8 Mr. Ah Sing: I'll try to take a stab at that and if Gayle, you may want to answer this as well. But I
9 think we were looking at some experiences from other jurisdictions and that was one that
10 would be reasonable amount of time to give the carriers and applicant to respond to our Notice
11 of Incomplete.

12

13 Commissioner Chang: Okay, so it's benchmarked against other Cities then it sounds like. Thank
14 you.

15

16 Chair Hechtman: Other Commissioner questions of Staff before public comment? So, I have one
17 question, possibly it's directed toward legal counsel. So, Palo Alto has some limitations on the
18 robustness and completeness of how it can regulate telecommunication industry here in Palo
19 Alto, that relate to some federal preemption on certain issues and I was wondering if our

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 attorneys could just briefly explain that to us. To help guide our later discussion so that we
2 don't sort of wonder into those areas that we're not suppose to be concerned with.

3

4 Gail Karish, Best Best & Krieger LLP: Good evening everyone. Thank you for the question. That's
5 sort of like can you explain the telecommunications law tertius in 2-minutes or less. So, this is
6 an area... I should say my name is Gail Karish, a partner of Best Best & Krieger, and your outside
7 counsel. I've been working with Staff and you can tell are very knowledgeable and handle a lot
8 of everything very well on their own.

9

10 So, I think that the things that I would point to quickly is just sort of overall guidance. When
11 you're looking at state and federal law. They're always serving to preempt local authority. I
12 mean you start with the basic premise that you have authority to control development within
13 your jurisdiction. And so, anything that the state or federal government is doing is by its very
14 nature chipping away at that authority.

15

16 The two big things that have happened at the federal level is one was laws enacted in 1996 and
17 specifically with respect to wireless. Put some procedural and substantive limits on what a City
18 could do. So, an example is if you're going to deny an application, it must be in writing and it
19 has to be based on substantial evidence. If you... the Congress made the federal
20 Communications Commission solely responsible for determining what are safe levels of RF

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 emission. And so, that leaves for local government, you're unable to take action or regulate
2 based on the concern about the environmental or health effects of RF emissions. So, long as the
3 applicant is compliant with the federal standards. That's another example. You have to act
4 within a reasonable period of time on applications and so that's... that requirement of federal
5 law is what was the hook that the federal Communication Commission used to come up with all
6 of these shot clocks for action on wireless applications. And all the procedures related to that
7 and timelines for responding to applicants and sending out Notices of Incompleteness and all of
8 that.

9

10 There... an example of limitation in state law is that there is a state franchise right of telephone
11 companies to use the public right of way for installations and your authority is not completely
12 preempted. They... you can issue permits and review applications to ensure that the
13 installations do not, in the words of the statute which is very old, incommode the public use.
14 And that has to do with both safety and aesthetics issues in the public rights of way. So, those
15 are some examples of the constraints that are placed on you.

16

17 One other federal law that I'll mention and that's that Section 6409 that we talk about. That
18 was adopted in 2012 and that law deals specifically with modifications or additions to existing
19 wireless facilities. So, existing towers or base stations and if under the FCC rules. If an applicant
20 can check all the boxes and meet the criteria that are suppose to represent an insubstantial

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 change. Then your authority as a local government is incomplete preempted. You must approve
2 the application.

3

4 Chair Hechtman: Alright, thank you Ms. Karish. Are there other Commissioner questions of
5 Staff? If not, just before we go to public comment, I was remiss at the beginning of this item to
6 not ask my fellow Commissioners if there are any disclosures of ex parte communications? Not
7 just reading the public comments to the whole Commission. So, this is an opportunity to make
8 that disclosure and I apologize for being distracted at the front of this item and not doing that
9 at the proper time. Commissioner Summa.

10

11 Albert Yang, Assistant City Attorney: So, actually I would just note that technically those sorts of
12 disclosures are not required for this item because it's a legislative item before the Commission.
13 Not a quasi-judicial item.

14

15 Chair Hechtman: Thanks for the clarification, Mr. Yang. So, it's not necessary and so
16 (interrupted)

17

18 Mr. Yang: You're welcome to make them if you'd like but it's not necessary.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Oh, me too, okay. Alright, then that's a volunteer opportunity here. I had no
2 such communications. I will volunteer and with that, I will move us to public comment. Let's
3 see.

4

5 Madina Klicheva, Administrative Assistant: We have three raised hands and how first speaker is
6 Hamilton Hitchings.

7

8 Mr. Hamilton Hitchings: Good evening. The following are my personal comments. Radio waves
9 from cell phones towers admit non-ionizing radiation which causes burns at close range. This is
10 why AT&T and Verizon require cell phone towers to be turned off before their technicians work
11 on them. These small cell sites are not really small and have powerful antennas that can also
12 radiate 3 and 4G as well. Many scientific peer-reviewed studies have found health problems.
13 Including an increase in cancer of less than 1,500-feet from a cell site over a duration of time.
14 Increased blood abnormalities, cogitative decline in students near cell towers over 2-years and
15 general neurobehavioral effects. A review of these studies resulted in a recommendation of a
16 500-meter buffer. In Switzerland, the 5G rollout was halted in the Canton of Geneva because of
17 the adverse effects reported until safety studies could be complete.

18

19 The buzzing noise from towers is also a negative effect and impact on the surrounding homes.

20 These poles with heavy cellular electrical equipment can now fall directly on adjacent

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 residences during a major earthquake. We now know that City light poles can be used for cell
2 site installation. Something that Staff had not included previously.

3
4 I join many other Palo Altans, including 38 who wrote City Council in January of 2020, in
5 requesting a 100-foot setback or at least a substantial increase over the current 20-foot
6 setback. I am also requesting the noise level be limited to 45-dBA, the same as Los Altos already
7 has.

8
9 Lastly, I'm concerned that Bart Hechtman may have an ethical conflict of interest as the Chair of
10 the PTC. Bart is one of four partners in his law firm which lists as its first legal specialty on their
11 website obtaining approvals for telecommunications towers and other facilities throughout the
12 Bay Area and whose customers include Verizon. This according to his website which says that
13 this information was update in November of 2021. The act of currently listing this on his firm's
14 website can be interrupted as actively soliciting new business. His firm solicitation of future
15 potential business with these wireless companies is in conflict with what is best for the
16 residents of Palo Alto and could result in bias. While this may not meet the strict and narrow
17 legal definition of a legal conflict of interest. It certainly seems to be an ethical conflict of
18 interest. I am requesting Bart recuse himself to avoid any perceived conflict of interest and to
19 hold himself to the highest ethical standard. Thank you.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Thank you. Our next speaker is James Fleming.

2

3 Ms. Jeannie Fleming: Okay, I don't see to see an image here.

4

5 Ms. Klicheva: Ms. Fleming, we can hear you. You have 3-minutes to share your comments.

6

7 Ms. Fleming: I'm sorry, I don't see an image and I don't know why. Can you please stop the
8 clock for a minute?

9

10 Ms. Klicheva: Yeah.

11

12 Ms. Fleming: For some reason, there's no image of me and I'm asking, am I doing something
13 wrong?

14

15 Ms. Klicheva: No, you are not. The clock is stopped but I don't know why you cannot see the
16 Commissioners or the Staff.

17

18 Ms. Fleming: Well, it's not that, I'm... it's actually the opposite question. I'm... can you see me?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: No, we cannot see you because you joined as a participant and usually we...
2 participants (interrupted)

3

4 Ms. Fleming: I see, okay.

5

6 Ms. Klicheva: Video is off.

7

8 Ms. Fleming: Alright, okay. Madina, thank you very much for explaining, I didn't realize that.

9 Okay, start the clock. My name is Genie Fleming and I'm here to read a letter that I sent to the
10 PTC into the public record for tonight's meeting. Dear Planning and Transportation Commission
11 Chair Hechtman. I am writing to you on behalf of United Neighbors. Madina, would you please
12 put up that slide that I sent to you?

13

14 Ms. Klicheva: Yeah, just a second. Did you send me via email?

15

16 Ms. Fleming: Yes, I did. I sent it to Lesley. She sent it to you. She confirmed that you had it.

17

18 Ms. Klicheva: Okay.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Fleming: There it is, okay. United Neighbors is a grassroots organization of Palo Alto
2 residents that, for the last 5-years, has been working to further the development of thoughtful,
3 responsible wireless policy for our City. A policy that, while recognizing the rights of
4 telecommunications industry, priorities the interest of the people who live here. As part of our
5 efforts, we have taken part in dozens of meetings on this topic, meetings with the Planning and
6 Transportation Commission, with the Architectural Review Board, with City Council and with
7 senior City Staff. But since you, and I mean Chair Hechtman again, you have refused to recuse
8 yourself, we are not going to attend or participate in the PTC meeting on January 12, 2022,
9 where revisions to Palo Alto's Wireless Ordinance are scheduled to be considered.

10

11 For decades, you and the small law firm in which you are a partner have worked for telecom
12 companies, helping them secure permits for wireless facilities. Attached is a screenshot from
13 your firm's website stating that obtaining such approvals is an area in which you specialize and
14 soliciting business in that arena. Again, this is a screenshot from Mr. Hechtman's website. I got
15 it from the website last week. This is the first of four, I think it's either four or five areas of
16 specialization for the firms. It's the one listed first and incidentally, they're not in alphabetical
17 order.

18

19 The work you do and the work your partners do constitutes a clear and serious conflict of
20 interest for you as a Commission Member. One that disqualifies you, both as a public official

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 and as a member of the California State Bar, from participating in the consideration of wireless
2 matters that come before the PTC. Yet you refuse to recuse yourself.

3
4 United Neighbors passively accepted your refusal to recuse yourself at the PTC meeting in
5 February 2020 only to watch as you then advocated for cell tower applicants at every turn.
6 Were the PTC convening in Council Chambers this week, we would attend and to highlight the
7 impropriety of your participation stand, en masse and turn our backs to you each time you
8 spoke. But COIVD has made that impossible.

9
10 Hence, I am writing to say that your participation in the PTC's consideration of Palo Alto's
11 Wireless Ordinance is unethical and that we will not be a party to it. Sincerely, Jeanne Fleming.
12 Thank you very much for listening.

13
14 Ms. Klicheva: Thank you. Our next speaker is Beal [note – phonetics] Ross.

15
16 Mr. Beal [note- phonetics] Ross: Good evening, can you hear me?

17
18 Ms. Klicheva: Yes, we can.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ross: Alright. I'm going to agree with Chair Hechtman on further clarification preemption. I
2 think a third-party opinion is needed with respect to the ordinance when you're don't with it or
3 during this process. To clarify the unique issues associated with this type of federal preemption.
4 You are left with limited land-use authority, that needs to be clarified what that is specifically.
5 You need to avoid the situation of litigation that exists in Los Altos. They were implored to do
6 that. They did not do that. That's the price to pay if there's not a clear line drawn between what
7 can be here in terms of what legitimate land use litigation and what cannot.

8
9 I would like to make a specific recommendation on Packet Page 88 under emergency
10 deployment. The phrase "or when otherwise warranted by conditions that the Director deems
11 to be an emergency" should be deleted. The only person that would have authority to allow
12 that would be the City Manager under State Emergency Services law.

13
14 I also think there needs to be a section added that when a permits granted. That it notice be
15 giving to the accessory and to the State Board of Equalization. This is declared by the issues
16 between fees and taxes. This is clearly a possessory interest of public property that needs to be
17 taxed. I think there's a data insufficiency. There are shared poles between PG&E and the City.
18 Those aren't articulated in anything that I could see. That would mean that those pole would be
19 subject to the PUC Order favoring and encouraging undergrounding. Likewise, I don't see, and it

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 is complex, any reference to the FAA regulations concerning SAF and limitations around
2 airports.

3
4 Finally, I think that it should be clarified on the record that there are three types of recusal. Per
5 conflict of interest, financial conflict of interest, and appearance of impropriety. I appreciate
6 very much the Chairmen's statement at the beginning of the meeting, but Public Officials under
7 AB 1234, which are articulated provisions of the Government Code, are not the ones that
8 determine it. Reference has been made to two City attorney opinions. Those should be made
9 public as they are in other jurisdictions routinely. So, that the basis can be clarified. If the Chair
10 can participate, the Chair can participate, but that reasoning needs to be exposed.

11
12 I would encourage you to pursue undergrounding. It's something that bears on all interests of
13 the public health and safety. Thank you.

14
15 Ms. Klicheva: Thank you. Our next speaker is Jeremy Strew.

16
17 Mr. Jeremy Strew: Good evening, Commissioners. My name is Jeremy Strew, I'm with Verizon
18 Wireless. Over the past 5-years I've submitted wireless applications in Palo Alto on behalf of
19 Verizon and I'm here tonight to share some of the permitting delays that I've experienced.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 In short, I found the hyper-technical code ambiguous and confusing. Let me begin with the City
2 street preferences. Each street is categorized as either express way, arterial, residential arterial,
3 collector and local. These are published in the standards with bullet points. The bullet points
4 don't indicate a preferential order and this causes confusion and delays determining the City's
5 order of preference.

6
7 Under the potential historic districts siting requirements, the definition of potential was unclear
8 to myself until after the application was submitted. That was even after a one-on-one meeting
9 with both planning and historic preservation Staff members.

10
11 As for the pole replacement requirements, they cause a lot of confusion as well. If we need to
12 increase the height of a pole, it seems an exception is required for each pole. Even though the
13 standard does allow for an increase of a pole height by 5 ½-feet. If we increase the height of a
14 pole, we need to increase the diameter of the pole as well in order to ensure the structural
15 integrity of that pole. But by increasing the diameter of the pole, it requires another exception.
16 That isn't spelled out clearly in the standards and facts. It actually took me two resubmittals to
17 understand that requirement.

18
19 As I stated before, we are allowed to increase that existing pole by 5 ½-feet. But the Planning
20 Department seems to have determined outside of the WCF standard that all replacement poles

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 be a specific height. Even if that height increases the pole by more than 5 ½-feet. That hasn't
2 been published in advance and that's led to increased delays. Resubmitting applications due to
3 the laborious need to revise the engineered pole spec sheets, instruction drawings, the
4 electromagnetic engineering reports, the pole structural, as well as photo simulations.

5
6 Finally, the landscaped screening requirement language is extremely confusing. Staff does
7 believe that this requires one tree on each side of a pole for a total of two trees, but that is not
8 stated in the ordinance. This raises three questions for us. The first is how many trees are
9 required? Second is what defines interruption and lastly, what define direct views? We actually
10 believe this requirement was created to camouflage side-mounted equipment on wood utility
11 poles. Not the integrated radio antae nodes that we are utilizing at the top of the metal street
12 light poles. Thank you for your time tonight.

13
14 Ms. Klicheva: Thank you. Our next speaker is Paul I think Albritton. Sorry if I mispronounced
15 your last name. Paul?

16
17 Mr. Paul Albritton: Okay, I think I'm off mute. Can you hear me now?

18
19 Ms. Klicheva: Yes, we can.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Albritton: Okay, good evening. Paul Albritton, outside counsel for Verizon Wireless. Thank
2 you very much for your time this evening, Chair Hechtman, Members of the Commission.
3 Verizon Wireless as you have heard has spent the last couple of years working on small cell
4 wireless applications in the right of way in Palo Alto. And it has been an arduous couple of years
5 and for that reason, Verizon Wireless is very invested in assisting you and working on this
6 ordinance to make it a great ordinance for Palo Alto. For that reason, I have two points I want
7 to make to this, this evening.

8
9 First, as you heard, we submitted a letter on December 2nd which included redline changes...
10 proposed redline changes to the ordinance that we think would alleviate some of the issues
11 that Jeremy was talking about. We encourage you and your Council to please pay close
12 attention that hard work that we've done. It was included with actual substantive descriptions
13 of the changes we had provided in a letter. We also provided those, the comments today, to
14 the proposed amendments that you just heard and they're... it would be difficult to cover them
15 in 3-minutes. So, I encourage you to read that letter as well and as well as the letter that we
16 sent in November which included examples of the types of facilities Verizon Wireless would like
17 to put in the right of way in Palo Alto. So, we are looking forward and would ask you to ask the
18 Staff to respond to the proposals that Verizon Wireless has made. Particularly as they relate to
19 our 2-year experience.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 My second point is the most important point and that is you just heard and you heard from the
2 questions from Commissioners. This exception-based ordinance does not work. There's no
3 priority to the ordinance, there's no list of exceptions that we're supposed to apply to. It's
4 whatever the Staff believes. It may be a deviation from a guideline or a pole design guideline
5 for the City.

6

7 The second worst part about the exception is it requires the Planning Director in every case to
8 determine that the pole cannot be denied because with an exception because it would violate
9 state or federal law. Now we know the Planning Director's a really bright guy but he's not a
10 federal judge and he doesn't wear robes to work every day and he shouldn't be making a
11 decision. Every one of Verizon Wireless's applications required one to seven exception. In each
12 case, he had to decide if I deny this site, would I be violating federal law. Instead, you should be
13 using a preference system with the land-use issue that you want. A preference system that is
14 ranked. It does say that you want to go to industrial, commercial and subsequent zones. That
15 you have designs and a preference order so that we can submit alternative analyses that lists
16 those preferences. I cannot over-emphasize this. The exception process doesn't work. It puts
17 the City at the risk of appeals or litigation and it doesn't guide either the Staff or the carriers. So
18 please, ask your Staff, ask your Council why we don't use a preference system instead of an
19 exception system. And if you don't understand the question, please ask it twice. Thank you very

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 much for your time. We appreciate your efforts this evening and we're happy to answer any
2 questions.

3

4 Ms. Klicheva: Thank you. Our next speaker is Maureen Cruzen. Maureen? I see that you are on
5 mute. I see now (interrupted)

6

7 Ms. Cruzen: Can you hear me now?

8

9 Ms. Klicheva: Yes, yes, we can.

10

11 Ms. Cruzen: Great, thank you so much. Good evening Commissioners and Staff. My name is
12 Maureen Cruzen and I'm a Municipal Engagement partner with Verizon Wireless. We
13 appreciate the opportunity to participate in this process as the City revisits the Wireless
14 Ordinance. As I mentioned in the joint study session in November, Verizon several years ago
15 identified a dire need in Palo Alto, to expand capacity and improve our wireless network. Since
16 that time, we've been working toward that goal with limited success. Mainly due to unclear and
17 overly restrictive location and design requirements. Some examples of which you heard earlier
18 from my colleague Jeremy Strew.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Verizon only spends valuable capital building sites where we know they're needed. Based on
2 our analysis of the consumer demand. We know that the Palo Alto community wants this
3 service. The need for connectivity both at home and away continues to increase as people use
4 their phones for calls, text, internet access, as well as the use of all kinds of apps for things like
5 napping, emails, ride-sharing, and video conferencing. In addition, 88 percent of the 27.4
6 million 911 calls each year in California originates from a cell phone.

7

8 We urge you to direct Staff to update the Code to provide clearer standards and guidance for
9 everybody. For applicants, residents and Staff, so that together we can meet those
10 communication needs.

11

12 In the previous session, we heard Commissioners express frustration that they don't know or
13 understand what the carriers want or need. I recommend that the City host an educational
14 session before the draft ordinance is finalized. Sort of a wireless 101 where Verizon and the
15 other carriers could share information about how our networks work and why they need to add
16 to and expand that. And if you're interested in such a session, Verizon would be happy to reach
17 out to the other carriers and make that request. Thank you all for your time tonight.

18

19 Ms. Klicheva: Thank you. Our next speaker is Alex Loypen [note – phonetics].

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Alex Loypen [note – phonetics]: Good evening, Commissioners. Hopefully, you can hear
2 me?

3

4 Ms. Klicheva: Yes, we can.

5

6 Mr. Loypen [note – phonetics]: My name is Alex Loypen and I'm also with Verizon. I wanted to
7 step back a little bit here though and sort of think about this from a higher level and from a
8 little bit of a philosophical point of view if I can. Palo Alto isn't just any City. Palo Alto has a story
9 history as one of the centers, the original centers of innovation in Silicon Valley. It created the
10 entire industry we're now basically using to have this meeting, right? And so, I think that that
11 tradition of innovation and embracing technology is something that shouldn't stop at 4G or at
12 5G even. And so, as we're looking forward to the kind of policy that we want here in the City of
13 Palo Alto. I think we need to think about the idea that policy is a statement of principles. A
14 statement of intent. What kind of City do... does Palo Alto want to be? I can't imagine that the
15 residents and the businesses of Palo Alto want other Cities to move ahead. To leap ahead of
16 them in terms of technology.

17

18 You know, my colleagues here have done a very good job of talking about the details with the
19 application process and the law and the work we're willing to do, internally and with our
20 partners, to help educate policy makers and residents on what we're trying to do here. But I

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 think that the numbers really speak for themselves. You know since the guidelines have been in
2 place in 2019, we've been able to site three small cells during a global pandemic where
3 everything has moved online. Three small cells. I can't imagine that that's an acceptable
4 number. Particularly when neighboring communities, San Jose, others, hundreds of small cells
5 have been built and it's not just about cell connectivity and when you're on the go. But it's
6 about a whole new home board band service. Speeds are getting to the point where now we
7 can compete. Instead of Comcast, instead of an AT&T fiber, whoever, you can chose Verizon for
8 your home broad band and that delivered to you over the air. Instead a line to your house,
9 wires, or whatever. That's choice I think people want and so I just want to say philosophically
10 let's think about what kind of City Palo Alto wants to be not just next year. Not in 5-years but in
11 10-years because this is a long-term investment in the future of the City of Palo Alto. And so
12 that's where I'd like to leave this and again, thank you all for your time and I do hope that we
13 can continue to work together on this issue. Thank you so much.

14

15 Ms. Klicheva: Thank you for your comments. Chair Hechtman, we don't have any raised hands.

16

17 Chair Hechtman: Alright, then I am going to conclude public comment. Thank you to the
18 members of the public who spoke on this issue. I'm going to bring it back to the Commissioners
19 for discussion and to guide us in that. Mr. Ah Sing, do you want to... so, we're not voting on an

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 ordinance tonight but do you want to give some guidance as to what Staff is hoping to achieve
2 from the Commission tonight to shape our discussion?

3
4 Mr. Ah Sing: Sure, thank you and so you are correct that we're not seeking a full
5 recommendation this evening. But there may be some things that the Commissioners, as they
6 read through the ordinance, they noticed there's something that's maybe the grammar or
7 maybe there's something that's not very clear that could be more clear. But we're looking for
8 some feedback and direction on that and then I think we also had mentioned about referrals.
9 We are recommending that we include the PTC in there but also can a Director refer directly to
10 the Council. So, maybe that might be one of the first things to provide direction on.

11
12 Chair Hechtman: Thank you. Commissioners, who would like to lead off this discussion? Thank
13 you Vice-Chair Roohparvar.

14
15 Vice-Chair Roohparvar: I'm fine doing it if nobody wants to. I know that you guys were... Staff
16 was looking for feedback on the ordinance. So, I went through and just flagged some areas that
17 appeared vague so I'll flag for you.

18
19 Section 18.42.110, Wireless Communication Facilities, Subsection (a), last section that says
20 although this section implements and references provisions of state and federal law and I think

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 in this section shall be interpreted to create an independent source of the right to provide an
2 applicant by such state or federal law. I don't... that's like confusing for me. I don't know what
3 you're referring to by independent source. If something is federally or state... preempted by
4 federal or state, then it's preempted by federal or state. So, maybe just some sort of
5 clarification on what you're getting at there, or maybe I'm just misinterpreting it.

6
7 Also, Subsection... same major section and then Subsection (b)(1), where it defines antennas
8 and it says "this definition does not include antennas designed for amateur or household use". I
9 don't know if amateur (interrupted)

10

11 Ms. Klicheva: [unintelligible]

12

13 Vice-Chair Roohparvar: Could you mute your (interrupted)

14

15 Chair Hechtman: Yeah, Ms. Klicheva, if you can mute?

16

17 Ms. Klicheva: I'm sorry.

18

19 Vice-Chair Roohparvar: No problem, no problem. The section that says it's designed for
20 amateur household use. I don't know if amateur is a defined term, but if it's not it's a bit vague.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 I don't know if you want to go for the term noncommercial if that's what you mean. There's
2 some vagueness.

3

4 Section 4(a), very minor, you're missing a period which could through off the meaning of the
5 sentence after the word applies.

6

7 Then this is a primary one. Subsection 14 Stealth, where you define it as means "designed to
8 look like something other than a WCF". I think that's extremely vague. I would... I mean it seems
9 like the intent is to say concealment or camouflage as you do subsequently in the statute. So, I
10 would include that in that section to create a bit more definition.

11

12 And then Subsection 15, you're missing the word that. A modification "that" substantially
13 changes, in order to get the proper sentence structure.

14

15 And then you get to Packet Page 78, at the very top, Subsection 3. It says "that the applicant
16 shall submit a sign to complete the City standard". The sentence doesn't make sense. I think
17 you need to add application or remove but that section doesn't make sense.

18

19 And, oh this was a... on Packet Page 79 you refer to a timeframes provided by state or federal
20 law. I assume that the reference is because those timeframes could change or not. I think it

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 would be helpful for anybody using this provision or sorry, using this ordinance or referring to it
2 for those timeframes to be included. But if there's concern that it could change or whatnot,
3 then that makes sense.

4
5 And then on Packet Page 81 through 82 there's a lot of reference to specific standards, instead
6 of Objective Standards. I think the work specific is unnecessary and confusing. Why not just say
7 standards? Unless it's meant to refer to something specific but it seems like it should just be
8 standards.

9
10 And that is... well, I'll just tell you this too. On Packet Page 88 you refer to... in Section 3 you
11 refer to section in capital. I think it should be chapter. I think there's... I'd be careful with
12 references to chapter and section throughout. So, you don't just refer to section two or section
13 three when you mean to refer to the entire ordinance. That is it in terms of my feedback for the
14 ordinance.

15
16 And if Staff can later get to this, I was... maybe now or next time you bring it back. The question
17 that one of the [unintelligible] raised regarding why we don't use a preference system and
18 instead of an exception standard. If you could provide pros and cons of that and compare those
19 for us. That could be interesting. I don't mean to put you on the spot and you probably won't

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 be able to do it now but maybe when you bring it back or something. Understanding why we
2 went with one or the other could be helpful.

3

4 And then I'll just give you my off-the-cuff preliminary response to whether the Director should
5 be able to directly refer applications to City Council. To me, it seems to make sense given the
6 tight timeframes in order to help expedite processes and to be able to the discretion to do that.
7 Of course, if my fellow Commissioners raise something that I haven't heard of. I'm open to
8 changing my mind on that but just a first flesh I think that makes a lot of sense. Thank you.

9

10 Chair Hechtman: Commissioner Reckdahl.

11

12 Commissioner Reckdahl: I had the same question about the exception base versus preference.
13 Staff, can you discuss that at all, or is that something that you need to prep for?

14

15 Mr. Ah Sing: I think we may need some initial time but I know that we... to kind of get back and I
16 like the idea of the pros and cons. So, certainly, we can come back to the Commission with that.

17

18 Commissioner Reckdahl: When I look at the preference or the exception based it seems kind of
19 a lot of overhead. Do you think it works well?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ah Sing: Well, I think that we've been trying to balance certainly some of the desires of the
2 community and we have these federal and state laws that kind of guide the process and
3 especially with the shot clock for instance. So, I think with that idea that in some ways it's
4 working but I think that's why we're looking into some revisions to make it more clear. So, part
5 of that preference that you don't see that's in the ordinance will be clarified more in the
6 resolution. So, a lot of those design preferences are located there and the reason they're there
7 is because we can amend that a little easier than say the ordinance.

8
9 Commissioner Reckdahl: This may be just a very hard problem and that whatever option you
10 pick. There's going to be pros and cons and there's nothing where everything works perfectly.
11 So, I do look forward to hearing those pros and cons.

12
13 With regard to the PTC whether the Staff can go to directly to Council. In theory, in principle, I
14 would really like to see go to PTC and ARB but I just don't think we have the time. I think we... I
15 would want to see the option that give Staff the option to do the route that they think is the
16 best. I don't think we can always route it through PTC because of the schedule issues.

17
18 The noise issues, Commissioner Chang mentioned on Packet Page 104 it lists the spec and that,
19 to me, it's unbounded. There's no maximum noise and we know that these things don't have
20 infinite noise. So, there really should be an upper bound to go with that and Santa Clara County

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 does have 45 dB at night. Salt Lake City does 30 dB which is very very quiet. I think they're
2 pushing... they're effectively by putting that noise, they're instituting that you have to have a
3 noiseless WCF and not one. But at least for us, we at least should have a 45 dB maximum.
4 That's a reasonable amount of noise and I don't see any reason to allow it to go higher than
5 that.

6
7 Another thing is protection for tones. You know I walk along Alma and there's a cell tower there
8 that buzzes and if that was my backyard it would drive me nuts. And I don't know if it's the fan
9 is bad or but it makes this annoying tone. And the state or the wealth of Massachusetts does
10 have a noise requirement and they go by octaves. And so, they said that any octave can't have
11 more than 3 dB than the next octave next to it and by doing that... and that's for any noise. Not
12 just cell towers, any noise you can't have any noise source that has more than 3 dB in one
13 octave than the next one and white noise isn't bad. I mean people buy a white noise machine
14 to put in their bedrooms at night but no one puts something that goes [makes noise] whining at
15 night. And that's just... that would just be very bad to near your house or even near the park.
16 It's just there's no need for that. So, I really think we should mimic what Massachusetts is doing
17 for the tonal and have octaves.

18
19 Another thing is noise verification, so we have all of these requirements. How do we verify that
20 they're meeting the noise? Do we test that regularly or do we just wait for the public to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 complain about it and then go out and test it? What's the process for this? That's a question for
2 Staff.

3

4 Mr. Ah Sing: Yes, thank you. I know that we have that included as a Condition of Approval in the
5 draft ordinance but maybe Garrett, is there anything that we're doing currently for that?

6

7 Mr. Sauls: So, our Objective Standards currently identify noise related to more so like the area
8 around the antenna and whether or not it's going to result in some sort of ambient increase
9 over I believe it's at a three or a five LVN or dB within that area. What we do require applicants
10 to provide is an acoustical analysis of the equipment that they're proposing. Everything that I've
11 seen proposed so far from either AT&T or Verizon have put that the equipment itself produces
12 about I believe if I remember correctly 40 dB at the right... on the face of the antenna itself. And
13 then around there it would not necessarily be resulting in any sort of increase beyond that 3-
14 decibel rating that we allow for in terms of the ambient area increases.

15

16 I wouldn't be surprised, and unfortunately, this is something probably of about 10-years ago, if
17 [unintelligible – bad audio] Commissioner Reckdahl, if the one you might have been talking
18 about was on a wood utility pole. Do you remember on Alma Street, was it a wood utility pole?

19

20 Commissioner Reckdahl: Yeah, that's on a wood pole.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Mr. Saul: Right, so I do know that about 10ish years ago, AT&T came in and put in a number of oDAS sites. Sorry, can you still hear me?

Commissioner Reckdahl: Yep.

Mr. Sauls: Okay sorry, my internet connection was going in and out. They put in a number of oDAS site which are basically the preliminary aspects or sorry, preliminary installations to these kind of small cell right of way application where we anticipate or have received or anticipated in the coming years. And from what I've just seen, observing them out in the field, they do not necessarily have the same kind of stealth design in place as what we see for some of these newer antennas. And additionally, even though given that these things may be very old, it's possible they may be also becoming less functionally... no it's optimally functional.

Commissioner Reckdahl: A lot of the noise sounds like it coming from a fan and fans age and so I'm worried that you put this in and it has low noise. And then 2-years later it's making noise and so unless we go out and check this regularly. How do we know that the... we don't have a whole bunch of cell towers out there making much noise?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Sauls: Right, so we don't have Staff on... we don't have Staff who do that. It's primarily a
2 complaint-based base. On a complaint basis that we would go out and inspect the site and
3 determine whether or not it's conforming to our Noise Ordinance requirements.

4

5 Commissioner Reckdahl: Is that something that we should be doing? Going out and... how many
6 cell towers do we have in the City, do you know?

7

8 Mr. Sauls: For the right-of-way installations, right now we have, if I remember correctly,
9 between 110 and 116. Primarily the majority of them are these oDAS sites from about 10ish
10 years ago. There's about 70 to 75 of them and then in the last 6-years, there have been these
11 small cell installations. 19 of which are in the downtown for Crown Castle, 10 have been
12 approved by AT&T in the downtown, 3 from Verizon have been approved in the downtown-ish
13 area long Middlefield and then also next to Channing House. So, there's a fair amount of them
14 that are out there. It seems to me at least that the majority of them may be these older
15 facilities.

16

17 Commissioner Reckdahl: So, what fees do we charge the cell companies? Do we charge them
18 for ongoing maintenance or work or is it just installation fee?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Sauls: When they submit an application, there is a Planning Entitlement Application Fee. I
2 believe that electric utilities has a yearly kind of lease fee they charge in order to locate on the
3 pole. And so, I believe Mr. McKernan or Mr. Uyon [note - phonetics] would probably be able to
4 answer that question a little bit better for any ongoing fees. But in terms of permit fees the City
5 receives, it's primarily those upfront costs of submitting an application for Staff to review on
6 the Planning Entitlement side and then the Building Permit side. Now, there are not necessarily
7 fees associated or collected by those specific departments or groups after the fact and that's
8 pretty typical for any commercial construction. If someone builds a new building, we'll usually
9 assess those permit fees during the review process and then afterward, any fees collected
10 would probably be things more like utilities or any sort of taxes I guess I would say.

11

12 Mr. Yang: So, I have a few comments to jump in here and it's really to the specifics of those
13 older AT&T locations. My recollection... if my recollection is correct, one of the conditions that
14 the City added in to that project was that several of the sites had battery backups. So, that if
15 power went down, the cell sites would continue to function and it's actually those batteries that
16 require fans. And since then, I don't think we've been including batteries as part of the design
17 that we're seeking and so I think most of the new designs, I think maybe all of them are fan-
18 less. So, they shouldn't have those same sorts of issues, but if there is some sort of noise
19 problem or something where the equipment isn't functioning properly and the City becomes
20 aware of that. Then it would be... you know we don't collect fees for the maintenance because

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 it's the private entity's responsibility to maintain that and they do have a responsibility to keep
2 it in good working order.

3

4 Commissioner Reckdahl: So, if the public complains then we send someone out to see whether
5 the complaint is legit and then if we think it's legit. Then they tell AT&T fix your box?

6

7 Mr. Yang: Yes, essentially.

8

9 Commissioner Reckdahl: Okay.

10

11 Mr. Yang: Or I'm sure... I'm sure AT&T also has some facility for the public to complain directly
12 to them and then they can send someone out to you. But if the complaint came to us, that's the
13 process that we would follow.

14

15 Commissioner Reckdahl: Now you mentioned battery backup, in Palo Alto Hills that's
16 mandatory now, isn't it? To have battery backup for all cell towers?

17

18 Mr. Yang: I don't know about that.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: The CUP did that in a year and a half ago. In all the fire risk areas, you
2 have to have 72-hours of backup.

3
4 Ms. Karish: If you'd like I'd can explain a little bit about that CPUC order. So, that is... yeah, in
5 certain high fire-threat areas there has to be some sort of backup power. It doesn't have to be a
6 battery necessarily and there are some exceptions to which types of facilities might be
7 required. It would depend a little bit on feasibility. Sometimes likes sites in the right of way,
8 there's just not room or any backup or other factors. But typically, in implementing that
9 requirement we've seen a lot of macro cell sites have cities get applications for backup
10 generators. That's been mostly what we've seen in other cities.

11
12 Commissioner Reckdahl: Does Palo Alto has any limits? You know, if you have a backup
13 generator, that's going to be pretty noisy. Do we have any guidelines or requirements for those
14 backup generators?

15
16 Ms. Karish: Well, there are two ways that... I don't know specifically in your Code. We... if you
17 got an applications, it may qualify as an eligible facilities request actually because it would be a
18 modification to an existing facility. They often come in that way and so that would be one
19 possibility.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Another is there's a state law, a temporary state law that is sort of similar to an eligibility
2 facilities request kind of law that's only in effect for another... this year and next year. That
3 would require you to approve certain types of macro cell tower backup generators.

4
5 So, there... depends on how the application comes in and what's being done. And how it would
6 be processed and to what extent you would have authority... local authority to deny it.

7
8 Commissioner Reckdahl: Okay, I have some more but I'll hand it off to someone else for now.

9
10 Chair Hechtman: Commissioner Lauing.

11
12 Commissioner Lauing: Thank you. I have quite a few as well. I'm reluctant to get into a lot of
13 wordsmithing of the ordinance and consider more of the big picture that we want to get into
14 the ordinance which I think is kind of what you requested here. So, at base on all the... lot of
15 pages, at base, we had to come up with Objective Standards because of federal laws. And then
16 the lawsuit from the court said no, just kidding, we don't have to do that. So, the simply way of
17 thinking about that is well, we just revert to completely subjective laws and we're good to go.
18 But it seems like the trend here what Staff is trying to create is kind of a combination of both.
19 Some objectivities... I'm not talking about the shot clocks and applications but the regulations.
20 Some combination of objective and subjective, if that's what I'm hearing. Is that correct?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Mr. Ah Sing: I mean yes. I mean there's certain... certain standards have numerical values and those are going to be objective but then some others are going to be more subjective. But I think yes, based off of the courts decision that... especially you'll see this more in the resolution. We are looking at some subjective type standards.

Commissioner Lauing: Yeah and by the way that resolution was not redlined so I didn't see that as being something that you wanted to discuss tonight.

Mr. Ah Sing: That's correct. We are going to the ARB for their input on the resolution and then coming back to the PTC with the ordinance.

Commissioner Lauing: Okay because I had some questions [unintelligible]. So, there's a lot of discussion here, for example (interrupted)

Chair Hechtman: Commissioner Lauing? We're having that issue with your microphone when you turn your head to the left I think.

Commissioner Lauing: I can't do this so I have to do whatever I can. So, there's some... on Page 65 and 66, there's discussion, we've been talking around this but referrals for Tier Two

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 application. Should they go to ARB or PTC? Bracketing who they should go to for a minute. They
2 seem to go somewhere and the language says that the Director has a sole discretion to refer
3 applications to ARB for Tier Two. I presume that means applications with exceptions? That's the
4 intent there, otherwise, he wouldn't have to refer them. Is that correct?

5

6 Mr. Sauls: Correct.

7

8 Commissioner Lauing: And it remains unchanged in Tier One and Tier Three over on Page 66,
9 but you know as we certainly heard from public comment from carriers and the public and from
10 letters that would come in. That nobody is happy with the system that's happening right now.
11 So, whatever the Director is currently in his sole discretion referring to ARB. One simple process
12 is to say that those go to ARB because he wants their opinion, they make a decision and they
13 send it directly to Council themselves. To hopefully go on the Consent Calendar and that would
14 make things a lot faster. So, that's a suggestion but I guess I'm suggesting that you start with a
15 whiteboard on how should this process really happen with exceptions. And there's been a
16 couple excellent comments from Commissioner Chang and then the gentleman from Verizon
17 discussing this preference system and in Commissioner Chang's case, a weighting system. You
18 know, let's weigh what's important so it's pretty clear and maybe too many things don't even
19 have to go to ARB or if we would prefer that because that's a more democratic way than just
20 having the Director decide on everyone. Then we could streamline this which I think is the goal

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 that we want to hear from all sides of this discussion while maintaining the standards of
2 aesthetic values and safety and noise. So, that's one thing that I would like to see kind of start
3 from scratch to come up with the right answers. You don't have to talk about that now but just
4 figure out a way to best streamline it.

5

6 Very sympathetic to the comments on noise. The public comment on having 100-feet instead of
7 20-feet which is in the ordinance. I know there's some constraints on what we can't do but it
8 seems like we could put in whatever we want to get a little bit more space between residences.
9 And if we want to wait, that we'd rather have things away from residences. We don't have to
10 site five different examples of health scares but we can just be cautious. So, I think we should
11 be cautious. The... because the radiation issues is not fake and we want to be able to address
12 that.

13

14 The situation as it's coming in now of the co-location and commercial buildings. It seems like far
15 superior to poles. On the other hand, we now have a lot of poles and some people... and some
16 are put there. And there's a lot more poles and they are, by the way, generally further away
17 from the home than 20-feet. So, I think that's a good direction.

18

19 One thing that I wanted to reference back on Page 80, which is in the ordinance, is the middle
20 of the page says "the Director's authorized to retain on behalf of the City an independent,

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 qualified consultant to review technical aspects” etc. And I was interested in at what point
2 would that trigger be pulled? What would we be looking for in some situations versus some
3 other situations when we wouldn’t do that? So, if anybody has a ready answer to that, that
4 would be appreciated?

5

6 Mr. Sauls: The consultant that we use is CTC, [unintelligible] Telecommunications corporation,
7 and we’ve utilized them through the right of way applications that we’ve received so far from
8 AT&T and Verizon. So, AT&T Cluster One which was submitted in 2019 after we adopted our
9 first Objective Standards in conformance with FCC rule at the time. And then afterward, in
10 2020, we received Cluster... Verizon Cluster Four. So, Clusters One, Two and Three were
11 submitted prior to the Objective Standards requirements. Cluster Four and Five were submitted
12 after. So, during the period where we needed to follow through on our Objective Standards. So,
13 I guess to one part of it... go ahead, sorry.

14

15 Commissioner Lauing: I was going to say, so it’s basically new equipment as it comes around?

16

17 Mr. Sauls: Yeah, it’s primarily been reserved for right-of-way applications because of the
18 proximity for those facilities to the public. We have used it in other instances on private
19 property as well when there are brand new installations on rooftops where there are not
20 currently existing wireless antennas. But in recent years, meaning in the last 2-years that we’ve

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 been reviewing some of these applications. We primarily utilized them for the right-of-way
2 applications. Them being CTC to do technical analysis of the proposals.

3

4 Commissioner Lauing: Okay, fine. That's all for now and I'll hear from other colleagues.

5

6 Chair Hechtman: Commissioner Summa.

7

8 Commissioner Summa: Thank you and I want to start out by thanking the members of the
9 public and acknowledging some of the very specific and detailed concerns that Mr. Stroup I
10 believe his name was, expressed. I'm concerned about that, but I think I have to entrust Staff to
11 look at those comments. They're so specific to a process I haven't used that it's hard for me to
12 evaluate it and take them seriously and see if those things he mentioned can be improved that
13 were so specific. I was also very taken by some of the points Mr. Ross made and I'm going to try
14 to weave those into my comments. But and forgive me if it's a little disorganized and because I
15 didn't find the Staff Report very helpful in like an order and organization that we should speak
16 to this thing so but I'll just plunge right in.

17

18 The first thing that I wanted to acknowledge was to support Staff's timeline on this. I think it's
19 important for all parties that we stick to that June date. So, thank you for doing that and I'm
20 also interested in adding something the ordinance and if I missed it and it's there, forgive me.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 But and that is an acknowledgment sort of that our main goal here is to expedite the
2 application and make sure that they aren't as far away from residents as they can be. So, and I
3 think one of the ways to do that is to have a 100-foot minimum distance. Before when we saw
4 this, there was a 20-foot distances that was suggested and that wasn't very well supported in
5 terms of expressing ranges that would work. And it seems like now the public and people are
6 kind of landing on 100-feet and some of my... I believe my... our newest colleague I think might
7 have mentioned that.

8
9 And I think there's another thing that has come up and that's that there's a large group of
10 poles, I think it's 500 or so, that are sort of these preferred poles because they are... and it's a
11 large group of them. They're located in areas where they don't have a conflict with residences.
12 So, I would also prioritize using those poles as much as possible first and if they don't fully cover
13 the distances or areas needed. Then, of course, we would have to look at other locations. So,
14 those are some of my... and I think the way we're going to do this best is by having subjective
15 aesthetics and utilizing what the 9th Circuit Court gave us back.

16
17 That and locations and when it comes to aesthetics and locations. I think that kind of ties into
18 the referrals question and I agree I think with my colleague Commissioner Lauing. I don't see
19 that these would necessarily have to go to PTC and ARB. I think once we have good standards
20 for the locations and involved not near residences and using the 500 poles I'll call them. I think

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 that then the only standard left that would need... so the idea was that PTC look at locations
2 and ARB would look at aesthetics. I think the standard then becomes this issue of whether the
3 facility is visible from inside the house and I think that's an aesthetics standard. And I think that
4 the ARB can cover both of those things at that point, both of those issues, and we could
5 expedite this and get it done quicker which seems to be an issue here.

6

7 So, now, let's see, now there's kind of an issue that has risen that's kind of grew... a few things
8 have grew together and they have to do with noise and maintenance and operational efficiency
9 and standards of these devices. So, with regards to that, I very much appreciate the very
10 detailed information from our newest colleague who suggested 45 decibels. I have to admit,
11 you lost me at 3 tones only per octave. I... but it sounds good, I don't know and I think if 45 is a
12 standard. That we can provide of noise decibel level to our residents and business community. I
13 think that would be super great because it is very hard for the City to monitor and enforce
14 decibel levels. So, starting with a lower baseline I think will be more successful for everyone.

15

16 And I also wanted to mention with regards to maintenance, and I think I brought this up in
17 2020, but it's something that a member of the public said reminded me of this. And that is
18 shared pole and these are mostly out in the hills and making... and then Ms. Karish also
19 mentioned that the CPUC orders about these facilities because they're in fire-threat areas. And

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 I believe there might be an issue with undergrounding them in those locations being much
2 safer. So, if I'm correct about that, maybe we can look to that.

3
4 And then another question I think is have we set this up, and this is not really the PTC's purview
5 but I do... it's been mentioned also this evening. And that is are we making sure that the
6 maintenance... ongoing maintenance is expedited and paid for by the owners of the facilities?
7 And are we getting the right fees for these facilities at the time of installation, but more
8 importantly on an annual basis?

9
10 And, let's see, so next... I did that already, share poles. Did that already. I think I've covered
11 everything from all my notes from now. So, I'll leave it at that for right now, thank you.

12
13 Chair Hechtman: Commissioner Chang.

14
15 Commissioner Chang: Thank you, Chair. So, I agree with everything that Commissioner Summa
16 said and so I don't want to repeat it all. I would just like to say that I agree with everything that
17 she said but I do want to emphasize two things in particular.

18
19 One is this seems like it has been a long time in the... I mean it's been a long time since 2019.
20 So, I fully support Staff's timeline that's proposed to get this done by June and so that seems

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 like it would just make everybody happier. It make all the public commenters happier and I
2 agree because right now there's just too much ambiguity in what's going on.

3

4 Then the second thing I wanted to say is it seems that there's a lot of... thank you to all the
5 public commenters. And I would like to recommend that Staff meet with our interested citizens.

6 It's difficult to have a dialog and you can tell just from what both Verizon and some of our
7 interested citizens have said. That there needs to be a little bit more dialog and I would

8 recommend that Staff meet with both parties to understand what we really should be doing
9 with this ordinance. So, I think I believe that Staff has been in conversation with the

10 telecommunication companies and because we're doing that. I think it's really important to
11 meet with our really creditable and extremely knowledgeable citizen group, United Neighbors.

12 And that way we'll get to a solution where everyone's needs are met and we maintain
13 community trust because what I don't want to happen is a group of citizens who are feeling like

14 they're not heard. Continually trying to stop any telecommunications or WC [unintelligible]
15 from going up because as Verizon mentioned. We do need them and so I think that the most

16 expeditious way to get this done in a way where there's not a big uproar would be for Staff to
17 meet with United Neighbors. So, that we make sure that the discussion happens so that we're

18 not leaving something on the table. Like it just sounds like there are areas of agreement and
19 areas where there could be even more agreement. So, that's my big comment, thank you.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Other Commissioners? Alright, I will go while we see if any other
2 Commissioners want to make comments and I think Commissioner Reckdahl indicated that he
3 had some more comments on a second round. So, we'll come back to you and anyone else.

4
5 So, my ambitions and goals for this Wireless Ordinance are really no different than they were
6 when this last came to use in February of 2020. And as I stated then, and I stated earlier, there
7 are two goals.

8
9 The first is to have a lawful ordinance that does not expose the City to litigation that the City
10 will lose. And in that regard, I have seen in the public comments the two letters that Mr.
11 Albritton referenced in his remarks tonight from I think it was December 2nd and earlier today.
12 And those letters reference his opinion as to a number of provisions that he contends would
13 violate law and I want to make clear, I am expressing no opinion whatsoever, agreeing or
14 disagreeing, with any of those. My only point in bringing them up is I'm confident that our City
15 Attorney and our outside counsel are going to study each and every one of those and to the
16 extent they find them well-founded, that they're going to make an adjustment in our
17 ordinance, our draft ordinance so that we're not exposed to litigation we can lose.

18
19 The second goal I have is to have a reasonable permit process set forth in the ordinance that
20 would result in the citizens of Palo Alto and its businesses having access to the best technology

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 available. And so here I have a number of items I want to mention. A couple of... a minor... well,
2 not a minor one, a short one first. Regarding noise, responding to a question Commissioner
3 Chang asked earlier, I do a lot of work in the unincorporated county and I happen to know their
4 noise regulations very well. And they do have, as you described, in residential zones at the
5 property line a maximum decibel... a maximum 55 dB day time and 45 dB night time. So, those
6 are correct figures that you heard, but those only apply in the unincorporated areas. And every
7 city within the county has the right and has I believe set their own decibel limits. Now, I don't
8 know what Palo Alto's are. The... I think we have City Staff here who might be able to tell us
9 that but I would also be interested in knowing from City Staff if we have those decibel limits
10 that are generally applicable, is it allowable to set different decibel limits specifically for
11 facilities related to wireless communication? I have some concern that that may not be okay,
12 but that's something that we could look into. Ms. Tanner, do we have noise standards for
13 residential districts day and night?

14

15 Ms. Tanner: Yeah, I was just going to say, I think we could answer the question just to try to
16 explain what our current Noise Ordinance is in the City. And then I did also want to note, we
17 have utility Staff who can explain the questions regarding the maintenance and ongoing fees
18 for maintenance of facilities if folks are interested in hearing that as well.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Sheldon, do you want to take the Noise Ordinance question? Or I'm not sure if Mr. Yang wants
2 to or Garrett. We have a lot of folks here so (interrupted)

3

4 Mr. Ah Sing: I'm trying to... yeah, I'm trying to look that up.

5

6 Ms. Tanner: So, who would like to talk about the Noise Ordinance.

7

8 Mr. Ah Sing: I'm trying to look it up in the Code.

9

10 Ms. Tanner: Because I know part of it is about the ambient levels. Ambient levels and then kind
11 of how when we have equipment producing noise. Kind of how far that can reach and what
12 distances.

13

14 Chair Hechtman: Maybe while Mr. Ah Sing is looking that up (interrupted)

15

16 Ms. Tanner: I think Amy has provided that.

17

18 Chair Hechtman: We could (interrupted)

19

20 Ms. Tanner: Get... hear from utilities about the pole maintenance (interrupted)

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Chair Hechtman: Yeah, yes.

3

4 Ms. Tanner: Perhaps?

5

6 Chair Hechtman: Yes, please.

7

8 Ms. Tanner: And was that... Dave, we're you going to do that?

9

10 Mr. Dave Yuan, Strategic Business Manager: I think Jim Fleming is going to do that.

11

12 Ms. Tanner: Okay, thank you, Jim.

13

14 Mr. Jim Fleming, Senior Management Analyst: Yes, my name's Jim Fleming. I'm an analysis with
15 the Utilities Department. Commissioners Summa and Reckdahl brought up earlier the fees that
16 are collected related to the pole attachments. There is Master License Agreement with the
17 carriers and under that agreement, they have to pay \$270 per pole per year. Plus, any energy
18 consumption charges and that is based on any electric rate changes year to year too. So, there
19 are... there is a license fee that is paid on an annual basis by the carrier in addition

20 [unintelligible](interrupted)

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Commissioner Reckdahl: And is that a cost recovery fee or? Is that a cost recovery fee or is that
3 just something where we're charging rent basically?

4

5 Mr. Fleming: Yeah, there's a little bit of history of this in terms of what we can charged but
6 based on the 2018 Small Cell Order by the FCC. The \$270 is a safe harbor number and
7 coincidentally our fees was already at that level when the order was issued in 2018.

8

9 Ms. Tanner: Great and then we thought that perhaps Ms. Karish if you could perhaps address
10 the question about having a decibel level that's distinct for wireless facilities. I think that was
11 part of the Chair's question.

12

13 Ms. Karish: Sure, if I can just add on that \$270 rate. That is... so the FCC order said that...
14 reinterpreted some other provisions of federal law and basically said the rate that could be
15 charged for use of City-owned infrastructure in the public right of way had to be costed based.
16 And that the safe harbor is \$270, but you also already had under state law a limitation that you
17 could only charge a cost-based rental rate for use of utility poles under a state law that was
18 adopted in 2011. So, that... the impact of the federal law was really just to effect the rental
19 charge for use of light poles and but there's a separate state law that has a formula for
20 calculating the rental rate for utility poles. Outside the public right of way, they're... it's a

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 different scenario. There's no limitation. It's a market negotiation for if you were to have a
2 facility on a rooftop of City Hall or something like that or in a park.

3

4 So, with respect to the decibel levels, there isn't a clear answer. There are some... if a... take for
5 example what happened in the FCC order on small cells. The initial order had a number of
6 criteria. One that were... two of which were rejected by the 9th Circuit. So, one was that the
7 standards had to be objective. But the other one was they... that is more relevant to your
8 question, at least with respect to small cell, is that the standards... the Aesthetic Standards had
9 to or Design Standards had to be no more burdensome on the wireless installation than similar
10 infrastructure. So, the understanding of that was really... would go to your point. You couldn't
11 have a noise standard that was more burdensome for the wireless facilities than the utility... the
12 electric facilities that are on the same pole for example. That was also struck down by the 9th
13 Circuit and so I think it would just be a general matter of whether there was some basis of
14 making a discrimination claim or something like that. But there's nothing really specifically
15 addressing that issue head-on.

16

17 And certainly, there is a requirement still, both in state law and just in the FCC order with
18 respect to small cells, that any requirements that you have be reasonable. So, if you were to set
19 a standard that just there's no... no one could meet. That would be technically infeasible and
20 not reasonable.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Thank you. Mr. Ah Sing, were you able to find those current Palo Alto decibel limits?

Mr. Ah Sing: Yes, so there are a couple locations where they are. They're in the comprehensive plan as well as in the implementation by the Municipal Code in Chapter 9.10. But the reference... the greatest reference we have for you Commissioners is on Packet Page 104. We do summarize that in the... what is now the Objective Standards Resolution that talks about residential areas average of 24-hour noise level. And that's the LDN at or below 60 decibels for noise generated by WCF equipment. Should not cause the night average to exceed 60 dB or increase by 5 dB or more.

Chair Hechtman: That's the footnote at the bottom of Page 104? Thank you.

Mr. Ah Sing: That's correct, so that's the standard that we are publishing.

Chair Hechtman: Alright, before I continue my comments. I do want to note it's 10 o'clock and so I would like to pause briefly and take the Commission's temperature here and I'm going to lead off by giving my view. We've already heard from a couple Commissioners the importance of keeping this Wireless Ordinance on track moving forward. We have impacted schedule at the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 PTC with a special meeting next week followed by a regular meeting that I expect to be full on
2 the 26th. And we have on our agenda tonight the election of the new Chair which I'm looking
3 forward to and I think it's important that we accomplish that tonight as well. So, I'm hoping
4 Commissioners that you all will be agreeable to keep going until at least 11:00. And then we can
5 check in again then, but I'm open to hear any objections to that plan. Commissioner Lauing.

6
7 Chair Lauing: Not an objection, just a question of in the text of the Packet it talked about
8 making motions, but it also talked about a second hearing. So, is there an option to do the
9 motions in the second hearing or is that mandatory tonight to do it in the first hearing?

10
11 Mr. Ah Sing: Yeah, I think we would like to... it's... so maybe it's a good time to take that pause
12 and talk about it a little bit more. We've heard some discussion about noise. We heard about
13 maybe a 45 dB. We'd like to hear from the entire Commission, maybe there's a motion or a
14 straw vote on is the 45 dB is that something that we should pursue in the standards? And the
15 other thing that I also heard was about the buffer distance from residential where we have 20-
16 feet now and I heard 100-feet. So, is there maybe a preference for the Commission there that
17 wireless could get some direction on to explore?

18
19 Ms. Tanner: I think it would also... just add procedurally what we would do today is close this
20 hearing and then come back and have... we would have adjusted and amended the ordinance.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 And so, the next hearing would be new information, we would take public comment again. So,
2 certainly, we would want to hear... we have heard some ideas and areas of it sounds like
3 consensus. So, if you did hear something that a couple of your colleagues were agreeing with
4 but you don't agree with. You might want to note that because we might mistake that for
5 consensus as like that's a direction the Commission is wanting us to go and in addition to the
6 couple items that Sheldon innumerate. But we would close this hearing and the second hearing
7 would be a new hearing with a new Staff Report and new amended ordinance based
8 [unintelligible -audio cut out]

9
10 Chair Lauing: So, I think the answer was there was that Staff would like motions. So, maybe as
11 part of our ongoing comments Chair Hechtman, we could start making motions.

12
13 Chair Hechtman: Alright, well we can certainly move in that direction. Let's get through the first
14 round of comments first so I will continue then. So, regarding noise, I'm not supportive of a
15 special noise level just for wireless facilities. It doesn't make sense to me. If we're trying to
16 protect somebody that any other mechanism or activity can make a certain amount of noise,
17 but for a wireless facility in the exact same location it has to make less noise than [unintelligible
18 - audio cut out] that is otherwise determined to be tolerable. If we think our Noise Ordinance
19 doesn't adequately protect our residences... our residents than by for example comparison to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 the county standards because ours is apparently higher, then we need to look overall at the
2 Noise Ordinance. So that's my thought on that.

3
4 Regarding the 20-foot, I just want to... 20-foot is referred to a couple of times, 100-foot tonight.
5 This issue came up in February of 2020 and in February 2020, just like tonight, we were only
6 dealing with the Wireless Ordinance. In my memory, and I did just review the minutes, the
7 verbatim minutes back in 2020, it turns out that that 20-foot requirement is not in the Wireless
8 Ordinance. The piece that we have in front of us and so there were members of the public who
9 in 2020 said hey, that 20-feet should be larger and there were a couple of Commissioners who
10 expressed some interest in that. But my memory is that what we were told by Staff is that's not
11 on the agenda tonight. That's a... it's a different regulation or resolution or ordinance and so
12 even though there was some interest in pursuing that, it ultimately didn't make it into the
13 motions. And so, I think we should have some clarification from Staff and perhaps legal counsel
14 on that issue. Is that an appropriate topic for conversation and a motion tonight or not?

15
16 Ms. Tanner: Alright, Mr. Yang, do you want to take this?

17
18 Mr. Yang: Yeah, I think it is an appropriate topic. I'll have to go back and look at the minutes
19 from 2020 because I don't recall exactly how that came up. But I understand you have some
20 standards are contained in a resolution that's referenced in the ordinance. And it's not part of

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 the ordinance itself but it is referenced there in and I think it's fine for the Commission to
2 provide that direction regardless of where it's going to end up.

3

4 Chair Hechtman: Alright, thank you. Alright, so then on that issue if there is interest among
5 other Commissioners in pursuing a greater distance, when this comes back to us, I'd like to
6 understand why 20-feet was selected and was approved by the Council and what is the impact
7 on the ability of Palo Altans to get access to the best technology if that is extended to 100-feet,
8 or whatever the number that a majority of the Commissioners want to direct Staff to pursue.
9 So, that's the that issue.

10

11 Regarding the referral issue, so my... the way I've seen this handled in other contexts is to ask
12 the question what issues predominate in the particular application? So, if on a particular
13 application the big issues, the primary issues had to do with design, then that could go to ARB
14 as I understand since that's the direction things have been going anyway. Alternatively, if the
15 predominant issues had to do with location and not design, then that's a planning issue and I
16 think that should come to the PTC, and if it's a tossup, then I think you go to the Council. But I
17 mean I think our current process has things routed to the ARB. So, they end up with non-design
18 issues and I don't think it's desirable for the ARB to deal with planning issues or PTC to deal
19 with design issues. So, where you really have serious issues on both, I think that the Director

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 should have discretion to recognize that and send it straight to Council. So, that's my thought
2 on that.

3

4 So, the couple other issues that are kind of bigger picture issues that I have on a reasonable
5 permit process and the first is this exception-based process as it's been described tonight. So,
6 our process essentially creates a box and if your application fits neatly into that box, then it's
7 pretty smooth sailing to get your permit and it happens fairly quickly from what I can tell. But if
8 you don't fit into the box, you need an exception and that's when more information is
9 necessary and things start to slow down. So, the problem I see with our system, as I understand
10 it has been implemented so far, is that the box is tiny. And so almost anything that a carrier is
11 likely to provide... propose is going to not fit in the box and so... and it's going to require one
12 exception or I think I read somewhere as many as seven exceptions. And so, when that
13 happens, the exception is becoming the rule and to me, that is not a good ordinance. And I was
14 thinking if that's how we had our ADU Ordinance, our citizens would not tolerate that. The...
15 almost... there's almost no chance that they can have a smooth process and by the way, if they
16 didn't respond to comments within 90-days, they have to start over again. So, I don't
17 understand... I don't think that there's any scenario where that's a good process.

18

19 Now, I'm not saying that the solution is to go to the preference-based. I don't know. I'm
20 interested in Staff looking at that but I think another way to approach this is just to make the

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 box bigger, so, that not almost everything needs an exception. So, that's one concern I have
2 with the way that the ordinance is drafted.

3

4 And the other big issue I have, and I raised this 2-years ago, is with the alternatives requirement
5 that... let me quickly find it here. It is on Packet Page 79 and it is part of... these are the WCF
6 application requirements Items 11 and 12. So, when a carrier comes in, they've gone through
7 an analysis to figure out where they want their facility. And they come in and they want to
8 apply for that and what 11 and 12 require is when they propose that. They also have to provide
9 an alternatives analysis and I don't have an issue with that concept. My concern is the way the
10 ordinance is written and maybe I've missed it or maybe it's in the checklist. But there's no
11 guidance as to the extent of the alternatives analysis. How many... I mean, you know, there are
12 somewhere between 10 and infinite other possible locations within a given area that you could
13 stick an antenna. How many of those are we going to require an applicant to analyze and in
14 what depth are we going to require them to analyze them? Again, if that information is outside
15 of this ordinance but in another codified document, then maybe those concerns are satisfied,
16 but it's not a good process if there's no guidance to the applicant on what is needed to have a
17 complete application. It's not okay if they think three applications... three alternatives are
18 sufficient and Staff in one instance says no, you need five and in a different instance they say
19 no, you need seven. So, we need to have rules that are clear for everybody so that they know
20 what's expected and those rules have to be reasonable.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 So, 2-years ago I suggested as an analogy we look at CEQA, in EIRs you require a reasonable
3 range of alternatives. And it describes not the full analysis of the primary permit but a lesser
4 analysis. I had suggested that as maybe the kind of standard that would be workable here. So,
5 I'm interested in having the process streamlined in that way to make clear to the applicants
6 what's necessary. So, that Staff... so that the applicant knows what to turn in and Staff knows
7 what they're looking for.

8

9 Those where I think all of my... oh, oh, I forgot to mention, I did earlier in the week send to Mr.
10 Ah Sing and Staff about 10 pages of the draft ordinance with minor, non-substantive changes
11 suggested. These were along the lines of what Vice-Chair Roohparvar went through here. I
12 chose to not... I didn't want to take the PTC's time to go through these minor word selection
13 issues. But those are available to my fellow Commissioners and the public to take a look at but I
14 did submit those.

15

16 So, those are my thoughts and comments and possible direction on some of these items that
17 we've been talking about. So, other Commissioners? Commissioner... I don't see him. Did...
18 looking for Commissioner Reckdahl, did he... oh, there you are. You're not... I don't know why
19 you're not on my list. Oh, you're at the bottom there. Did you have some other... you had
20 mentioned earlier that (interrupted)

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: On the bottom of your list, Bart [note – Chair Hechtman]?

Chair Hechtman: Yeah.

Commissioner Reckdahl: The first... yeah, first let me just respond to what Bart [note – Chair Hechtman] was saying. You know we’re not trying to get bone to flesh out of the applicants. We’re trying to get the best design and if they have different options to pick from. If they can do it with reduced analysis, we should allow that reduced analysis. Eventually, when we narrow it down, we’re going to want the full analysis. Why do that? You’re just wasting labor too... if you’re looking at alternatives.

Okay, let’s see, other stuff to deal with. Aesthetics, some of these mock-ups are really ugly. I’m not sure what we can do about it. I mean that may be out of our capability. Let’s talk about undergrounding. What does that buy you if you still have the antenna up top? Is it just that you’re trying to shrink the blub around the antenna? Is that... I’m not sure if Gail could answer this or Sheldon? Who’s the (interrupted)

Mr. Ah Sing: Yeah, I mean so the... there’s equipment that’s associated with the antenna itself. So, the antenna can’t be undergrounded. That’s going to be on top of the facility but the other

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 associated equipment that would otherwise be at ground level say adjacent to a sidewalk or
2 whatever. Could be in an underground vault, so that would be undergrounded and out of view.

3

4 Commissioner Reckdahl: Okay, so these pictures that I see have an antenna at the top of a pole
5 and there's kind of a bulb under it. Is that all the equipment or is there additional equipment in
6 the ground?

7

8 Mr. Karish: Are you looking at pictures that are in the Packet or?

9

10 Commissioner Reckdahl: This was in some public comment. There were some mock-ups that
11 were sent out. I'm not sure if they were generated by the... by Verizon or where this was.

12

13 Mr. Ah Sing: He may be looking at the Verizon letter from December 2nd. Is that... I think you're
14 referring to that.

15

16 Commissioner Reckdahl: But I mean just generic question is that if I'm putting something at the
17 top of a pole. I have an antenna and there are some electronics that goes with it. Is that all the
18 electronics in the small cell or is there additional electronics that's not on top of that pole?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. McKernan: Commissioner, I'll jump in real quick. Are you talking about wooden utility
2 poles? Gregory McKernan, utility electric.

3

4 Commissioner Reckdahl: No, I'm talking about the light poles.

5

6 Mr. McKernan: Oh, the street lights, okay. I think the Crown Castle node that one in, in 2016
7 has these faux mailboxes that use... are used for the ground [unintelligible]... equipment for the
8 radios. There's two components, an antenna and a radio. For the most, I believe that for the
9 Crown Castle node that in 2019... 2016, the new ones are integrated radio and antenna. So,
10 everything that you see on the top of the pole should be the equipment.

11

12 Ms. Tanner: And I think what Mr. McKernan was saying is that some installations and maybe
13 previous ones had some ground-mounted equipment. So, there was both equipment at the top
14 and some equipment that was lower on the pole. Is that right, Greg?

15

16 Mr. McKernan: Yeah, yeah [unintelligible](interrupted)

17

18 Ms. Tanner: When you talk about the mailbox?

19

20 Mr. McKernan: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Commissioner Reckdahl: I mean somethings like utilities I'd really like to see undergrounded. It really helps the aesthetics, but if you're going to have this ugly pole sticking up there with the antenna on top and you're just making it a little thinner. It seems like you're doing a lot of work on the undergrounding and not getting much benefit.

Ms. Karish: So, part of it... if I might? Part of it will depend on the application and what antennas are being used. That has the impact on both the size and the type of equipment that might be used. The size of the antennas, the equipment that might be used whether there's any backup power. You have your own electric utility so you have more control in our City with respect to what meters might be available. But in other cities, sometimes you see a large ground-mounted meter because the utility... the investor-owned utility doesn't allow for a smart meter or an unmetered rate. Right, sometimes there's a flat rate service available, sometimes not. So, there can be a lot of variability but basically, you typically will see the antenna, some radio unit either with the antenna or separate and a pole... either poled mounted equipment on the side of the pole. And sometimes you see it... designs that have a larger base that puts the equipment in the base of the pole. Sometimes it's a fake post... mailbox or some other sort of design like that or sometimes underground.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Okay, I want to move on since we're kind of short on time here. At the
2 last Council study session, some of the Council Members talked about a minimum height. That
3 they wanted to move all the antennas up above eye view. So, as you walk down the street,
4 they're not in your field of view. Do we have any requirements on height right now or we can
5 put it anywhere?

6
7 Ms. Tanner: I would say I think maybe there's a question there about height on the pole but
8 then also the height of the poles themselves and depending on what type of pole it is. That
9 height can vary and so for example, downtown there might be certain types of light poles. We
10 would want those light poles typically to be replaced with new poles. But we would want them
11 to be the same height and so that could be a bit of a challenge. And then most light poles are
12 pretty high up and so perhaps thinking about where on that pole is the minimum height of the
13 equipment mounted. I don't know Sheldon if we have a minimum height or if typically, it just
14 varies from one pole to the next depending on the specifics of that pole.

15
16 Mr. Ah Sing: We do have standards for poles. We do have that in our resolution. So, under
17 (interrupted)

18
19 Commissioner Reckdahl: Where's that at?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ah Sing: So, Packet Page 101 for instance, that's in the resolution regarding height. So, for
2 street light poles, maximum height shall not exceed 3-feet on the top of the street light pole.

3
4 Commissioner Reckdahl: Yeah, but this was the opposite. The Council Members were saying
5 they wanted it higher because then it's out of the field of view and we don't have any
6 requirements on height right now.

7
8 Ms. Tanner: Yeah, I think to your point it's probably pushing it downwards instead of upwards it
9 sounds like. So, maybe that would be (interrupted)

10
11 Commissioner Reckdahl: Yeah, okay. So, let's move on, Staff on Packet Page 67, Staff resources
12 was an issue. Is hiring more Staff an option? Could we hire hourlies to do this? To process these
13 applications or is there some skill that you have to have a dedicated full-time employee to do
14 this?

15
16 Ms. Tanner: I think certainly there could be different Staffing modeling to look at. I think part of
17 that would be whether it's Staff or consultants that are processing the applications and for the
18 planning portion of it. When we're reviewing it, we would need to only charge fees that are
19 associated with that performance of those reviews and so whether it's Staff or consultants. It
20 could be dedicated person or persons to review these applications. We probably don't have

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 enough to make it a full-time job for one person to do. Wouldn't want to hire a new Staff
2 person just to do this. And so, you know, we could look at that and make sure that our fees and
3 everything align with the resources that would be needed.

4

5 Commissioner Reckdahl: Next question is the independent experts, on Packet Page 79 we...
6 they talk about hiring independent experts to give us opinion and I really like that.

7

8 On Packet Page 63, where the applicant says "oh, it's not technically possible to do anything but
9 this". Right now, there's no... we just have to take there word for it and I would like to see that
10 also have external confirmation that it's not feasible. So, that's on Number 13 on Packet Page
11 61. I think hiring outside help to give us technical expertise here would be value-added.

12

13 And then similarly at Packet Page 78, Number Seven, same thing is that there's a periodic
14 report there and that periodic report appears to be able to just be done by the cell company.

15 And again, I think we would be well served to either have a Staff person do this or have an
16 independent company. Because if this... the whole purpose of this periodic report is to verify

17 that everything is working properly and I'd feel better again, I think there'd be value-added to
18 pay that money. And so, our fees should anticipate where will we need additional help and

19 what cost would those be? And those fees should be structured to get us... to pay for the
20 experts that we need to manage these technical processes and that's it, thank you.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Commissioner Chang, did you mean to have your hand up?

Commissioner Chang: Yes, I did. Sorry about that, I forgot to unmute. I wanted to check in and my understanding was that we were trying to make some motions, is that correct?

Chair Hechtman: Yeah, we (interrupted)

MOTION #1

Commissioner Chang: I'm just going to go out there because I want us... I think there's consensus on some stuff. I'm just going to go out there and lay it out there and see if we can at least give some concrete direction to Mr. Ah Sing here.

I would like to make a motion to recommend that establish a minimum distance of at least 100-feet and in doing so, prioritize the use of these 500 poles that we've seen on prior public comments that are not located so close to residences. And I'm lumping this in there too that the goal of the ordinance should be to prioritizing locating poles away from residences. And I am open to amendments because I am not good at making motions.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 SECOND

2

3 Commissioner Summa: Second.

4

5 Chair Hechtman: A motion and a second, thank you. I appreciate the focus on the motion. I

6 think this is the right way to go about this is take these discrete issues motion after motion and

7 get through these things that we've talked about. So, I appreciate the form of the motion.

8 Commissioners, any discussion on this particular motion? Alright, then Ms. Klicheva, can we

9 have a roll call (interrupted)

10

11 Commissioner Reckdahl: Oh, you know, I would like to have a discussion. Can you read the

12 motion again?

13

14 MOTION RESTATED

15

16 Commissioner Chang: I will try. To recommend that we establish a minimum distance of at least

17 100-feet from residences and that we prioritize the use of these 500 poles that are not located

18 next to residences. And that in addition, the goal of the ordinance overall should be to prioritize

19 locating poles away from residences.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 FRIENDLY AMENDMENT #1

2

3 Commissioner Reckdahl: Can I have a friendly amendment to say investigate because in the last
4 meeting, when was that, in February? We had that plot that showed basically the whole
5 neighborhood where you wouldn't be able to place poles and I that kind of scare me. You know,
6 if we were in Atherton, I think 100 is the right answer. I'm not sure if we can make 100 work in
7 Palo Alto. I would like to see something bigger than 20 but we also can't have whole
8 neighborhoods without cell towers.

9

10 Commissioner Chang: Yes, I would accept that friendly amendment. I think that Commissioner
11 Summa at some point had an older... at a meeting... at that same meeting had suggested can
12 we do some analysis to figure out what the gradations were? Except that I also believe that I
13 saw some... yeah, so yes, I would accept that. But the reason I suggested 100 was because I
14 believe I saw some... I was in some email flow with Mr. Sauls where there are 500 poles
15 identified throughout Palo Alto that are 100-feet away. So, that seems like plenty given the
16 volume that we're talking about here but yes, I think the analysis would be warranted because
17 we wouldn't want dead spots.

18

19 Commissioner Reckdahl: Thank you, then I support that.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: So, we have friendly amendment proposed, agreed to by the motion maker. It
2 now goes to the maker of the second. Commissioner Summa, are you okay with the proposed
3 friendly amendment?

4
5 Commissioner Summa: I am okay with that. I mean the goal is to find the right distance, not to
6 find the wrong distance.

7
8 Chair Hechtman: Thank you. Then if I can... I just want to make sure I understand the motion is
9 not to change the 20 to... feet to 100 but rather to investigate changing the 20 to 100-feet. Did
10 I... is my understanding the same as everyone else's?

11
12 Commissioner Reckdahl: My concern then is well, if they say 100 doesn't work, do we want
13 them to find something that works. That becomes a bigger task but it would be a more useful
14 task. What do you think Commissioner Chang?

15
16 Commissioner Chang: I would like to put that line in the sand because it seem like there are
17 some... you know this is a recommendation. It's not a... you know so I would like to recommend
18 to Staff to consider this. So, that is the way that I'd like to phrase it and I want to keep that 100
19 number in there because I think that it does capture some amount of potential consensus. And

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 then if there's some investigation that shows that there's some areas where this isn't going to
2 work. Then we can address that then.

3
4 Commissioner Reckdahl: First cut, I think it's better to do it right than do it fast and so if we
5 have to do a second iteration after this next time around. That's the way it goes, but I just look
6 at my neighborhood with the Eichlers. We have 20-foot setbacks. There's all the poles. We
7 would be hard-pressed to even up to 25 I think and so now our whole neighborhood would not
8 have any cells at all and that's not a good thing. So, I don't know how we can squeeze in 100. I'd
9 be curious but this would be a good exercise to see well, where would that hundred... if we
10 were to do a 100. Where would the poles end up being?

11
12 Chair Hechtman: Commissioner Templeton.

13
14 Commissioner Templeton: Thank you. Yeah, so I'm a little bit concerned about whether this is
15 legal and I'd love to hear before we vote if there's any a legal opinion about this. And two, I'd
16 love to hear from Staff because I thought we already investigated this pretty thoroughly and I'm
17 not sure about giving Staff direction to go back and investigate again if they've already done it.
18 So, I just wanted clarity on that because I would love to support Commissioner Chang, but I
19 want to just make sure that I understand those two things first. Is that alright? Can we get the
20 input from Staff?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Ms. Tanner: Certainly, and I'll invite Ms. Karish if she wants to share about some of the legal
3 challenges but first, maybe overall, I would say certainly we can look at distances and explore.
4 And kind of, you know, for some Commissioners who maybe weren't here. Look at some of
5 those radii and see what would result. To think it is an analysis we've done a little bit of and we
6 can revive but certainly, at a certain point if your precluding coverage which I think I what
7 Commissioner Reckdahl is getting too. We certainly run into issues and so having a distance
8 that on paper looks good but then you have to say well, we need to put a pole there... put
9 service there anyways. Could perhaps be the wrong message to the public that thinks oh, if
10 something can't be here, but really in order to provide coverage, it needs to be located there.
11 So, Ms. Karish if you could maybe put a little bit more eloquent on that, that would be helpful.

12

13 Ms. Karish: Certainly, I'll try. So, I can't give you a clear and unambiguous yes or no 100-foot is
14 legal or illegal. And the reason for that is when... it depends on the analysis of what that leaves
15 available. So, typically if a carrier were to challenge your Design Standards, your ordinance and
16 Design Standards as a whole. Sort of a facial challenge that they're... that we just can't put our
17 facilities anywhere in your City. They would look at the cumulative impact of all of your design
18 and location standards. That's one approach, but one standard on its own may also just be not
19 feasible or reasonable. And the only way to really know that is to do an analysis of what's the
20 impact of that requirement or that potential requirement. So, it's having a separation

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 requirement or having these sorts of aesthetic conditions or requirements on their face. You
2 can have them but until you know the impact, we can't really say for certain.

3

4 Commissioner Templeton: Thank you, Ms. Karish. Assistant Director Tanner, I think I saw a
5 diagram like that presented at Council by Director Lait. Do you recall if that was the 100-feet?
6 Like if we've done that analysis already.

7

8 Ms. Tanner: I would not want to guess. I don't know Sheldon if you recall what was in the
9 diagram that was presented. We would have to maybe go back and look.

10

11 Mr. Ah Sing: Yeah, I think my understanding is we've shown 20-feet and then I think we showed
12 100-feet.

13

14 Commissioner Templeton: Right, that's what I was thinking too. I thought we had the 100-feet.
15 So, okay, well if we haven't seen it here and it was only shown at Council. Then I'm inclined to
16 support the motion from Commissioner Chang. But I think just echoing Commissioner
17 Reckdahl's concerns that we might not like what we're going to see when we review that
18 diagram because if I'm recalling it correctly. It was too exclusive... per Staff's recommendation,
19 it was too exclusive to be useful so thank you.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Commissioner Lauing.

2

3 Commissioner Lauing: Commissioner Reckdahl's point is extremely well taken. But I think the
4 direction of the motion here is that we want to see if we can get beyond 20 and the farther
5 away we can get. There may be some health risks and there's a lot of community concern so
6 let's try to do that. I would expect that if they come back and say no, it's not going to be no. It's
7 going to be no but 40 will work or 50 will work or there might be certain areas. So, I think that
8 we could get an answer back from Staff that's not just no, we have to stay with 20. I would
9 strongly support the motion with the amendment.

10

11 Chair Hechtman: Commissioner Templeton.

12

13 Commissioner Templeton: Thank you. Yes, Commissioner Lauing, I agree. I just didn't want to
14 rehash the... and keep going in an endless loop if we've already review this material. That's kind
15 of where I was going so.

16

17 Commissioner Lauing: And it may be available and so they can just get handed the materials.
18 That would be great.

19

20 Commissioner Templeton: Exactly. Exactly, so in that case, let's just go with it. Thanks.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

VOTE

Chair Hechtman: Other Commissioners on the motion? Then I will just chime in that I could not have supported the original motion to set a new number in the absence of information. I think this is... with the friendly amendment, this is absolutely the right way to go. Let's find out if there's a better number than 20 that would still provide service to the citizens of Palo Alto. So, I will be supporting the motion. Ms. Klicheva, can we have a roll call vote on this first motion?

Ms. Klicheva: Yes. Commissioner Chang?

Commissioner Chang: Yes.

Ms. Klicheva: Chair Hechtman?

Chair Hechtman: Yes.

Ms. Klicheva: Commissioner Lauing?

Commissioner Lauing: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Ms. Klicheva: Commissioner Reckdahl?

3

4 Commissioner Reckdahl: Yes.

5

6 Ms. Klicheva: Vice-Chair Roohparvar?

7

8 Vice-Chair Roohparvar: Yes.

9

10 Ms. Klicheva: Commissioner Summa?

11

12 Commissioner Summa: Yes.

13

14 Commissioner Templeton: Commissioner Templeton?

15

16 Commissioner Templeton: Yes.

17

18 Ms. Klicheva: Motion carries 7-0.

19

20 MOTION #1 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Thank you. Commissioners, next motion? Commissioner Lauing.

MOTION #2

Commissioner Lauing: I want to try to get a couple of concepts packaged into a concise motion and I'll ask your help here Commissioner Hechtman [note – Chair Hechtman]. I think your idea of looking at acceptable expansion of alternatives, in the box as you call it, has some merit. But I also think that should be coupled with a process for more quickly resolving those exceptions that are there.

So, I would like to make the motion that Staff come up with a proposal to expand the acceptable alternatives for acceptable passage and to create a new process for exception resolution. And so that... I don't want to be too general but I don't want to be too specific and constrain what staff might come back with. And I'm trying to capture both aspects of what you suggested Commissioner Hechtman [note – Chair Hechtman] as well as we have to streamline the way this thing goes through processes to get done if there are exceptions.

Chair Hechtman: Commissioner Summa. You're muted.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Lauing: Unmute.

2

3 Commissioner Summa: I was wondering if you were talking about the exception versus... I'm
4 not sure what your motion is getting at so maybe you can explain it.

5

6 Commissioner Lauing: Well, as Commissioner Hechtman [note – Chair Hechtman] was
7 describing, maybe the problem is that we're validly considering a number of alternatives that
8 would be acceptable and wouldn't be exceptions. So, in other words, slightly broaden what's
9 acceptable. You can't go too far on that or you can do anything you want and that's not what
10 we want for the citizens.

11

12 Commissioner Summa: So, is this getting to the idea that a couple of colleagues talked about of
13 instead of having all exceptions, having weighted preferences?

14

15 Commissioner Lauing: Yeah, it's along that idea. I mean that's why I'm asking for Commissioner
16 Hechtman [note – Chair Hechtman] to help with that and I defiantly see some frowns to suggest
17 he agrees with me on the wording. But I'm trying to... maybe we need to decouple them but I'm
18 trying to say that we could look at expanding it and we also have to look at a simpler
19 streamlined way to deal with exceptions than how we're doing it right now as it's described.
20 But based on comments, if we need to separate them, we can.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: So, Commissioner Summa your hand is still up. Did you want to say something else or?

Commissioner Summa: Nope.

Chair Hechtman: Okay, so let me... since Commissioner Lauing you're referring to some comments I made. Let me try to clarify. The two issues that you're talking about that I brought up are kind of a distinct. There may be a way to couple them but I'm not immediately seeing it. The simpler issue is we have an ordinance that requires an alternatives analysis and I'm... I would like to see more meat on the bone. So, a better... an explanation somewhere in our materials of how many alternative sites they have to turn in to satisfy the alternatives requirement. And if you're going to quantify a number, what's the criteria? Because what we don't want is we don't want the industry picking sites that clearly won't work so they can say hey, you have to give me this one because I showed you four sites and they're all terrible. So, we need some criteria to guide them to pick the best... really the best alternative sites and how many there are. So, that was one concept I had. It's in the alternatives analysis.

The other idea is where I was talking about the box. That's raising the question of what applications can be turned in that won't require any exceptions, that meet all of the criteria

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 without deviating because every time you deviate from the set criteria, that's an exception. So,
2 I was suggesting that we investigate either expanding the box or looking at this... I keep
3 forgetting what they called it, the preference system with preferences ranked and I didn't have
4 a... okay, go ahead.

5

6 Commissioner Lauing: I'm convinced we should decouple them.

7

8 Chair Hechtman: Okay.

9

10 Commissioner Lauing: I think it will make it clearer so that's why I was looking to you for your
11 thoughts on that.

12

13 Chair Hechtman: But which one do you want to take first, Commissioner Lauing?

14

15 MOTION #2 WITHDRAWN

16

17 Commissioner Lauing: Well, let's just take yours. I'll just withdraw and you make yours first.

18

19 MOTION #3

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Okay, let's start with the alternatives concept. I will move that the Staff draft
2 revisions to the ordinance or the supplemental materials that better define the alternative
3 analyses as referred to in the WFC application requirements. I think it's Point 12 and 13. I'm not
4 looking at it. Let's see.

5

6 Commissioner Summa: It is.

7

8 Chair Hechtman: Yeah, 11 and 12. 11 and 12 to identify... to quantify the number of alternative
9 sites required to satisfy the alternatives analyses requirement and to provide guidance in the
10 selection of those alternative sites, so, that we get the alternative sites that would that best
11 serve the interest of the citizens of Palo Alto. Both in terms of receiving cell coverage and
12 protection of their aesthetic environment. That would be the first motion. Is there a second to
13 that motion? Commissioner Lauing, your hand is up. You're muted.

14

15 SECOND

16

17 Commissioner Lauing: Yes, second.

18

19 Chair Hechtman: Commissioner Summa, you're hand is up. You're muted now. You're muted.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: You're muted.

2

3 Chair Hechtman: Commissioner Summa, you're muted.

4

5 Commissioner Summa: I just want to verify with Staff and you brought this up before Chair
6 Hechtman that in less that direction... that more specific direction about this issue was
7 contained in another document. Like the checklist or those other application materials. I just
8 want to make sure it's not already there in a different place because then you would probably
9 maybe just want to incorporate it into the ordinance as a reference.

10

11 Ms. Tanner: Is there an existing upper bound in terms of how many (interrupted)

12

13 Commissioner Summa: The (interrupted)

14

15 Ms. Tanner: How many alternatives must be analyzed? I do not believe that we have that
16 description.

17

18 Commissioner Summa: Okay. Okay, thank you.

19

20 VOTE

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Alright, so I think I've described adequately the motion. Any discussion from Commissioners on this motion? Commissioner Summa? Oh, you're hands went up and down. Alright, Ms. Klicheva can we have a roll call vote, please?

Ms. Klicheva: Yes. Commissioner Chang?

Commissioner Chang: Yes.

Ms. Klicheva: Chair Hechtman?

Chair Hechtman: Yes.

Ms. Klicheva: Commissioner Lauing?

Commissioner Lauing: Yes.

Ms. Klicheva: Commissioner Reckdahl?

Commissioner Reckdahl: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Ms. Klicheva: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Yes.

Ms. Klicheva: Commissioner Summa?

Commissioner Summa: Yes.

Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Yes.

Ms. Klicheva: Motion carries 7-0.

MOTION #3 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

MOTION #4

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Thank you, everyone. Is there a Commissioner that wants to make a motion or
2 should I try to tackle the exceptions issue now? Okay, I don't see any hands so let me try that
3 motion and I'll preface it by saying I think this motion has to be similar to what we did on the
4 distance motion. Because we just don't have enough information to direct Staff how to go
5 about this. So, I think the motion I'm going to make is really for them to investigate.

6
7 So, I will move that Staff investigate revising the Wireless Ordinance to either expand the range
8 of applications that can reasonably be expected to be processed without the need for an
9 exception, or alternatively, to consider moving to a preference system with preferences ranked.

10 Is there a second for that motion?

11

12 SECOND

13

14 Vice-Chair Roohparvar: I'll second.

15

16 VOTE

17

18 Chair Hechtman: Vice-Chair Roohparvar. Any question or discussion on that motion? I'm seeing
19 no hands. Ms. Klicheva, will you conduct a roll call vote, please?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Chang?

2

3 Commissioner Chang: Sorry, I was still thinking. Yes.

4

5 Ms. Klicheva: Thank you. Chair Hechtman?

6

7 Chair Hechtman: Yes.

8

9 Ms. Klicheva: Commissioner Lauing?

10

11 Commissioner Lauing: Yes.

12

13 Ms. Klicheva: Commissioner Reckdahl?

14

15 Commissioner Reckdahl: Yes.

16

17 Ms. Klicheva: Vice-Chair Roohparvar?

18

19 Vice-Chair Roohparvar: Yes.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Summa?

2

3 Commissioner Summa: No.

4

5 Ms. Klicheva: Commissioner Templeton?

6

7 Commissioner Templeton: Yes.

8

9 Ms. Klicheva: Motion carries 6-1.

10

11 MOTION #4 PASSED 6(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Templeton) -1

12 (Summa)

13

14 Chair Hechtman: Thank you. Commissioner Summa, would you like to speak to your no vote?

15

16 Commissioner Summa: Sorry. In broad terms, the first clause, making the box bigger, I think is...

17 could disastrously result in us giving away too much of our discretion in the areas of aesthetics

18 and location. My goal is not to make it hard for the wireless technology, but my goal is to

19 maintain what little power we have over the situation of how these things look and where they

20 go. So, I couldn't support it for that reason.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Thank you. Commissioner Lauing?

Commissioner Reckdahl: I (interrupted)

Chair Hechtman: Commissioner Lauing and then Keith [note – Commissioner Reckdahl], if you want to be next Commissioner Reckdahl, you can. Commissioner Lauing. No?

Commissioner Reckdahl: Oh.

Chair Hechtman: Commissioner Reckdahl.

Commissioner Reckdahl: To follow up on Commissioner (audio cut out)

Chair Hechtman: Oh, you're muted.

Commissioner Reckdahl: Oh sorry. To follow up on Commissioner Summa's complaint about the exceptions. It would be very useful for me to know what exceptions we have in the past. I mean they said they had seven exceptions, what were they and that would give us some insight into what we could simplify. And is it something that we can make the box bigger or is it aesthetic

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 stuff that we can't make the box bigger? And so, any historical data of exceptions would be very
2 useful.

3
4 Chair Hechtman: Alright, so I think Commissioner Reckdahl, you just sort of added some color
5 to the approved motion which is appreciated. Let's move to other motions. I will note, based on
6 my notes from our Commission discussion, a couple items that one of our Commissioners might
7 want to make a motion on. First is the referral issue which I think Staff would appreciate
8 somebody making a motion on and then our other possibility is the noise level. That was
9 discussed by a number of Commissioners and maybe somebody wants to make a motion on
10 that. Commissioner Reckdahl.

11

12 Commissioner Reckdahl: My hand was still up.

13

14 Chair Hechtman: Yeah, do you not want it to be? Okay. Commissioner Summa. You're muted.

15

16 Commissioner Summa: I know, I'm sorry. It's late... getting late. I wasn't hoping it wouldn't be
17 this late tonight. I have a question for Staff, I don't... I could be wrong but I believe our current
18 Noise Ordinance, which is 9.10.030 I think describes the legal decibel level a little bit differently
19 than the way it was stated. I believe it's a number of decibels above ambient and... in
20 residential areas which is not 60. It might be 60 some places and I would also like to offer,

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 because of where I live in College Terrace and being involved in my neighborhood association
2 for years. One of the complaints we had to help neighbors with a lot were noise complaints
3 from the Research Park from people who live right there. And it was always kind of a funny
4 situation because once there was a noise-producing... unwanted noise-producing device added
5 that became ambient. So, I don't know how we want to approach this tonight. If we want to
6 find a decibel level, I'm not sure 60 is the right one but I know that 60 is not really the way it's
7 described in our code unless I'm looking... I'm thinking of an old version of the Code or
8 something but so maybe we need clarification.

9

10 Ms. Tanner: I think Commissioner Summa you're correct in terms of the code section you
11 referenced does indicate it's really based on the ambient sound in that area. So, it's decibels
12 above the ambient which does vary but then we also have the Comp Plan that does indicate
13 kind of a maximum decibel level. That's the goal across the City so there's kind of that as well. I
14 think if you wanted to make a motion regarding sound. It could be that similar to the motion
15 regarding distance that there's something less that we want to look at. And Staff can
16 investigate and return with some options that are less than 60 perhaps which is described in
17 our Comp Plan as this max. Maybe we want the cells to be lower than that maximum that kind
18 of overall.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Commissioner Summa? Commissioner Summa, if you look on Packet Page
2 104, the footnote at the bottom of the page. This is what Mr. Ah Sing was referring to but I
3 think he kind of... he didn't read the whole thing. He kind of short-cited it to only talk about that
4 60 number but I think that your memory of what you had seen is consistent with... it looks to be
5 consistent with this because it's not just 60. It's 60 or an increase of 5.0 and then in the
6 residential areas, the second sentence is 60 or an increase of by 3 dB or more. So, maybe
7 that's... is that more in line what your memory was?

8

9 MOTION #5

10

11 Commissioner Summa: No and I don't have to rely on my memory because I just looked it up
12 also. So, but I looked it up because of relying on my memory. So, this doesn't... I don't know if
13 this maybe Mr. Ah Sing knows. Maybe this is... I don't recognize this language from the Comp
14 Plan or the... I'm just saying I think that 60 might be too high in some areas where the ambient
15 is much lower than that. So, I'm not sure how to capture that in a motion right now but I can
16 try.

17

18 So, direct Staff to look at noise levels that reflect a... I'm not writing this down. I'm just saying it
19 so if somebody wants me to repeat it, they should write down. Direct Staff to look at noise
20 restrictions that investigate the Santa Clara County levels that are 45 and 55 respectively day to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 night and also compare to the existing Noise Ordinance in our Code and the proposed 60
2 decibel level in the Staff report. Does that kind of get at it?

3

4 Ms. Tanner: That is helpful for Staff. We can work with that Commissioner if it is adopted.

5

6 Commissioner Summa: And if I have a second, I would like to make a couple comments.

7

8 SECOND

9

10 Commissioner Chang: Second then. I second that.

11

12 Commissioner Summa: So (interrupted)

13

14 Chair Hechtman: Chang seconds. Commissioner Summa, back to you.

15

16 Commissioner Summa: Yeah, so I think this is a great opportunity to get something right which
17 is decibel level in this town which has been a consistent problem in my observation over and
18 over again. And maybe if we get this right, we can apply that same sort of standard more
19 broadly to the rest of the City.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 It's also very, very hard to get any enforcement of decibel levels so I just wanted to mention
2 that. But let's just... I just wanted to make the observation.

3

4 Chair Hechtman: Commissioner Chang, do you want to speak to your second?

5

6 Commissioner Chang: Sure, I just think this whole area needs more investigation since it does
7 seem that surrounding areas have lower limits. And I think that our residents deserve what is
8 the best they can get on this.

9

10 Chair Hechtman: Alright, Commissioners, discussion on the motion? I see Commissioner
11 Reckdahl's hand up.

12

13 Commissioner Reckdahl: I mean this is a very strange requirement because if your ambient is
14 59.9 dB, you can't make any noise. It's really strangely written so I think it's flawed, to begin
15 with but I think an investigation of better ways of doing it is would be a good thing.

16

17 Chair Hechtman: Other Commissioner comments on the motion? Commissioner Summa, your
18 hand is still up. I think that's a ghost, isn't it? Yeah. Alright, I'm supportive of the idea of
19 investigating better noise standards for Palo Alto for the wireless equipment and every other

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 noise source. So, I'll be supporting the motion. I'm not seeing any other hands. Ms.
2 (interrupted)

3

4 FRIENDLY AMENDMENT #2

5

6 Commissioner Reckdahl: Oh, can I have a friendly amendment and have Staff evaluate the
7 Massachusetts octave or I guess they have to call it pure tone. Because again, if you have white
8 noise it's not nearly as annoying as if you have a... just a whiney tone coming out of some
9 device. That's really annoying, so I would like Staff to take a look at what Massachusetts and I
10 can send a link to what Massachusetts did and evaluate whether this... whether Staff thinks
11 that's a good thing to do or not.

12

13 Commissioner Summa: I'll accept that, even though I don't get the concept exactly. But you...
14 don't explain it to me now.

15

16 Commissioner Reckdahl: Okay, I'll tell you someday over drinks I'll explain.

17

18 Chair Hechtman: The maker of the motion accepts the friendly amendment. Does the seconder
19 of the motion accept the friendly amendment?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang: Yes.

2

3 VOTE

4

5 Chair Hechtman: Alright, any further discussion by Commissioners on the motion to investigate
6 as amended by the friendly amendment? I'm seeing no hands other than Commissioner
7 Reckdahl's who just hasn't put it down yet. So, Ms. Klicheva, will you conduct a roll call vote?

8

9 Ms. Klicheva: Commissioner Chang?

10

11 Commissioner Chang: Yes.

12

13 Ms. Klicheva: Chair Hechtman?

14

15 Chair Hechtman: Yes.

16

17 Ms. Klicheva: Commissioner Lauing?

18

19 Commissioner Lauing: Yes.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Reckdahl?

2

3 Commissioner Reckdahl: Yes.

4

5 Ms. Klicheva: Vice-Chair Roohparvar?

6

7 Vice-Chair Roohparvar: Yes.

8

9 Ms. Klicheva: Commissioner Summa?

10

11 Commissioner Summa: Yes.

12

13 Ms. Klicheva: Commissioner Templeton?

14

15 Commissioner Templeton: Yes.

16

17 Ms. Klicheva: Motion carries 7-0.

18

19 MOTION #5 PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Thank you. So, is there's a Commissioner who's willing to take a stab at a
2 motion regarding the referral issue that Staff specifically asked us to opine on? Commissioner
3 Lauing, I see your hand up. You're muted. Still muted.

4

5 Commissioner Lauing: I wanted to be prompted (interrupted)

6

7 Chair Hechtman: Yeah, thank you.

8

9 MOTION #6

10

11 Commissioner Lauing: When you called on me. Yeah, again I'm going to try something that's not
12 too prescriptive relative to how Staff comes back with it. But the idea is to evaluate the process
13 for decision-making on referrals to ARB or PTC.

14

15 And I personally am not that strong on PTC but I think that that's could be at the Director's
16 discretion and some of my colleagues want that. So, what I'm trying to get to with this is that
17 can decide not only where to refer it, but what should be the process. I mean if something goes
18 to ARB, is the Director doing that just to get their opinion and then he's still going to make the
19 decision and then it goes to Council? I'm again looking for ways that maybe we can speed this
20 thing up to get to closure. So, that's the intent of the motion.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

So, evaluate the process for decision-making on referrals to ARB or PTC with respect to the Tier Two WFC.

Ms. Tanner: And my... it sounded Commissioner Lauing, just to make sure Staff understand if the motion is supported, efficiency in that process is part of what you would be seeking for us to weigh?

Commissioner Lauing: Yeah, so I'm happy to say the Director can refer it to either these two Commissions, but I'm even more interested in figuring out that there's a way we can accelerate the decision process. i.e. Have it decided by ARB and go straight to Council or something like that. So, it's not going back and forth between the Director and ARB and then get to Council and all that.

Chair Hechtman: Alright, we have a motion. Is there a second to that motion?

SECOND

Commissioner Reckdahl: I'll second it.

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Vice-Chair Roohparvar: I'll second. Yeah, go ahead.

Chair Hechtman: Commissioner Reckdahl, thank you.

Commissioner Lauing: So, as I said, I'm trying to keep it conceptual so that Staff can tell us what they really need to do there but try to get more efficiency.

Chair Hechtman: Commissioner Reckdahl, do you want to speak to your second?

Commissioner Reckdahl: One of my concerns is that ARB, are they monthly or are they bi-monthly? But PTC is bi-monthly and (interrupted)

Ms. Tanner: Both bodies meet twice a month.

Commissioner Reckdahl: Okay, so I'm sorry, that would be semi-monthly. I'm concerned about just the delay, even if it takes 2-weeks to get to the next meeting and we have a shot clock going on. And so, I wonder if having the ability to go directly to Council might help it. But let's have Staff evaluate this and see if they think that's... because if you're running low. You don't

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 want to waste 2-weeks waiting for the next ARB meeting. But I understand and agree with your
2 proposal except for that. That's my only reservation.

3

4 Commissioner Lauing: I don't think what you're suggesting there would be precluded because
5 it's at sole discretion that the Director sends it to one of those two. So, if he doesn't want to
6 send it to one of those two and wants to approve it. Then it can go right to Council as I
7 understand what's being discussed here.

8

9 Commissioner Reckdahl: So, this is pretty open-ended. We're just saying Staff, you tell us what
10 to do. What do you think would be a good process?

11

12 Commissioner Lauing: I mean and it's not even... there's no examples here of when the Director
13 chose to go to ARB right now. So, we don't have five or six examples of that and I presume he
14 doesn't have to do that. So, if he thinks it too urgent to get an opinion from ARB then he could
15 just make the decision.

16

17 Chair Hechtman: Alright, lets take discussion on the motion starting with Commissioner
18 Summa.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Summa: So, does this... I'm trying to find the place where this is in the proposed
2 ordinance. Does this include the Director's ability to overrule the ARB... I'm trying to find it.
3 Perhaps someone can help me and tell me where... what Packet Page this is in the ordinance?

4
5 Ms. Ah Sing: Sure, we're looking at I believe Packet Page 81 and that's towards the top there.
6 It's actually Number 1 where it says a Tier Two WFC (interrupted)

7
8 Commissioner Summa: So, does this contain language about the Director having sole discretion
9 over appeals also in this section? Yes, right? Number Three, Director or Council on appeal. Oh
10 no, that's not it. Okay. I just thought I had (interrupted)

11
12 Ms. Tanner: What are you looking for Commissioner Summa?

13
14 Commissioner Summa: I am looking for a process that I thought gave sole discretion for... to the
15 Director to overrule the Boards recommendation and I was wondering... and maybe I read this
16 wrong. But I was wondering why we would give... well first just... did I... am I reading that
17 wrong? If the ARB makes a recommendation, does the Director have sole authority to appeal
18 it? I mean to reverse it, overrule it.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: I... Sheldon, do you know if that's how that's currently written? A present
2 (interrupted)

3

4 Mr. Sauls: Currently [unintelligible] (interrupted)

5

6 Ms. Tanner: As proposed (interrupted)

7

8 Mr. Sauls: Only as a referral to the ARB. There's no additional language that identifies whether
9 the Director can overrule that decision. Though I don't believe we necessarily have that
10 language written down even for our standard processes. I think it would be a little bit more
11 inherent that the Director can either agree or disagree though. In reality, it's 99 percent chance
12 that the Director's going to agree and not go against the direction.

13

14 Ms. Tanner: Right, I think... yeah, I think maybe what Garrett's getting at is that inherent in the
15 ARB decisions that they are a recommending body (interrupted)

16

17 Commissioner Summa: Yes.

18

19 Ms. Tanner: Set up in our system. So, they don't have final decisions to make.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Summa: No, I understand that but I was wondering if that... and maybe this is
2 just standard, but I was wondering if that would incentivize appeals which can get... can really
3 take up a lot of time.

4
5 Ms. Tanner: Yes, and I think that kind of gets maybe to Commissioner Reckdahl's point around
6 kind of how do we... and Commissioner Lauing. How do we balance the shot clock that's kind of
7 up against us and so that kind of say okay, if you... and this is what we can get into in maybe
8 more detail when we come back is if you do have the ARB make a recommendation. Then it
9 gets appealed, then it goes to City Council and so you kind of have that. One could say well, just
10 take it to City Council and have them make a decision. That could not be great either because of
11 other reasons but if it ends up there eventually it should be cut to the chase. So, that's kind of
12 the balancing act of figuring out the best process.

13
14 Commissioner Summa: Okay, thank you.

15
16 Chair Hechtman: Commissioner Lauing, your hand is up. Is that... it's the lateness of the hour.
17 People are forgetting that their hands are up. Commissioner Chang. Nope.

18
19 Commissioner Chang: No, it is, it's up. I was just taking it down so I didn't forget to. So, my
20 concern is that this is so general that it might... I mean I'm willing to go with it. But I guess I

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 wanted to voice that I think we might want to have some prescription as to when it would be
2 that a referral needs to be made. In terms of whether it goes to the PTC versus the ARB, I don't
3 have a preference there. In fact, I think in general if... it would be fine if things went to the ARB.
4 Provided that we have... provided that I get comfort around certain other things like the
5 distance from a residence. So, I'm okay with the general instructions, but I also wanted to voice
6 these are my concerns. I think that there may be certain situations because we want to make
7 sure that our residents feel good about being able to give feedback when they need to give
8 feedback. That there may be a need to prescribe situations when something should be referred
9 rather than completely leaving it to the discretion of the Director. Thank you.

10

11 Commission Lauing: Totally agree as the maker. That was part of what I was saying is there is
12 that I'm not even clear why they're always the sole discretion of the Director or if they should
13 be? That's exactly part of the issue is it's too general right now. I just want Staff to come up
14 with the ideas. Not us tonight live so I totally agree with that, totally.

15

16 Ms. Tanner: One thing I can offer Commissioners is we do hear you tonight and so even if every
17 aspect isn't captured in the motion. We are capturing the sentiment of what you all are trying
18 to achieve in these topic areas.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Other... we have a motion and a seconded motion on the floor. Other
2 Commissioners have comments on that motion? Let me... I'll provide mine then. I don't see any
3 other hands. This discussion actually caused by this motion has been very helpful to me. And
4 I'm looking at Packet Page 81 and this is Subpart (i) Number One, top of the page. And I think
5 actually what the revision Staff has proposed here, as I try to think through the various
6 iterations and possibilities, I actually think this works pretty well and it's because of the shot
7 clock that I think that this kind of structure is necessary. Because we don't know how many
8 days into the shot clock it's going to take to get to the Director and so once he gets it, now he's
9 going to make a decision but he may think you know, I have design issues that I really want to
10 get the ARB to weigh in on if there's time, or I have a location issue that I want the PTC to weigh
11 in on if there's time. But if there's no time, I'm just going to have to do my best as the Director
12 of Planning for the City of Palo Alto. And so, I think the language that's written here, I think it's
13 important that the Director have that discretion because the worst-case scenario here is we
14 missed the shot clock. And my understanding is when you do that the application is deemed
15 approved. And so... and I don't think that that's the result we want here. So, I like this discretion
16 to basically handle each application as is needed. And while I appreciate and agree with
17 Commissioner Chang about the importance of neighbors being able to weigh in, I think the
18 safeguard here in a situation where, for whatever reason, the Director does not refer, so, that
19 there can be a public process and comment period, is that ability to appeal to the City Council
20 and so that's the kind of the fail-safe to make sure that the residents are heard.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

So, I actually like the way this is done and don't feel the need to support the motion and investigate or evaluate doing it a different way. Commissioner Lauing.

Commissioner Lauing: Yes, I just want to say that what's missing there Commissioner Hechtman [note – Chair Hechtman] is what happens after it's referred to ARB? So, that's the part that I'd like to see clarified.

Chair Hechtman: Yeah and I think... again this is the lawyer training, what I see is after that sentence to ARB and/or the Commission, then it refers to the Director's decision. So, what's missing there is what's implicit as Ms. Tanner mentioned is the ARB and the PTC are only referral bodies. And that's whether we're going up to Council or down to the Director, no offense to the Director, with that direction. So, if your motion is intended to get at the idea of clarifying that point, then I am supportive of that because I think you could add a sentence that says... basically says once it goes to ARB or PTC, if it does, then it coming back to the Director who makes the decision.

Commissioner Lauing: They may choose that or they might say it can go straight to Council because at Council the Director could still say now that I've heard the opinion. I don't agree

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 with it, so that's what I'm asking them to write for our clarification. So, that's exactly it, it's a
2 clarification of what happens to it after it goes to the either of the Boards.

3

4 Chair Hechtman: Okay, I understand... I appreciate the clarification by you and I now support
5 your motion. I think literally this is something that could be clarified in the language. Alright,
6 other Commissioner comments on this motion? Staff, is the motion clear to you? Clear enough
7 to work with?

8

9 Ms. Tanner: Yes.

10

11 Chair Hechtman: Yes, I'm seeing... okay. Ms. Klicheva, can we have a roll call [unintelligible -
12 audio cut out]

13

14 Ms. Karish: I'm sorry if I could just interrupt? There was another piece there that I'm not sure if
15 you are dropping now or not and that was the direct referrals to the City Council. I think that
16 was in the Staff report. Staff can correct me if I'm interrupting at this late hour and
17 misremembering.

18

19 Ms. Tanner: I think part of it... go ahead Sheldon.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Mr. Ah Sing: No, I was saying yes, I think that would be... that should be part of the motion is
2 whether or not the Director can refer to directly to the Council,

3

4 Ms. Tanner: I think I understood Commissioner Lauing's motion to have Staff to think about
5 that and include that as part of what we bring back. You know, when it's going to ARB or PTC
6 and then the Council's role as well. That's how I understood that.

7

8 Commissioner Lauing: I'm just trying to get... I wish he was here tonight. We could ask Director
9 Lait what would be the best process. And that's a... I'm just trying to figure out what's the best
10 process there and then whatever happens there. It gets done fast because of the shot clock
11 issue. So, I would be perfectly happy from my motion standpoint if that were included but you
12 guys tell us what you want.

13

14 Chair Hechtman: What is Staff's recommendation on this issue? There was some talk about that
15 in the Staff but it was asked more of a question. Do you Commission think this should be a
16 possible referral to PTC? Do you Commission think this should be a possible direct referral to
17 Council? What is... does Staff have a recommendation, a preferred course on how they thought
18 through this and think it will work most smoothly?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: You know Sheldon, I'll invite you to make some comments. I think that it is... you
2 know time is our enemy in this decision and so I think ideally, we'd want it to follow a process
3 that's similar to our other decisions. Where it does go to one of our Boards or Commissions and
4 then could be appealed to Council if needed. Often these are appealed because they can be
5 controversial and so it's how do we have enough time for that? Are there times either its when
6 we can have the Director just make the decision and have that either be appealed or go directly
7 to Council? And so, I think we're trying to strike that balance of are... again, our ideal process is
8 just generally for other projects is referral body, Council. We may not have the time to do that
9 and so it's kind of put us in a little bit of this quandary.

10

11 I think additionally, Director Lait has this ability to make this decision but it can feel a little bit
12 like being out on a limb. And so being able to get the feedback from either the referral body or
13 to have the Council weigh in certainly be very helpful in really making these types of decisions.
14 So, Sheldon I... that doesn't help. Sorry, I would say we do need some more time to think about
15 it but Sheldon, I don't know if a specific preference that you have thought about.

16

17 Mr. Ah Sing: I think if we get the most flexibility, that would be helpful. So, I think if going to the
18 Council, having that ability to go there would be good to consider.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: So, if I can understand that, is the thought that there might be a situation
2 where the Director would refer it to the Council. And then when that happened would the
3 Council make a decision or would they weigh in on a particular issue and send it back to the
4 Director? What's Staff (interrupted)

5

6 Ms. Tanner: I believe you're thinking it... I believe the Council would make its decision.

7

8 Ms. Karish: Right. It would be to make a decision.

9

10 Chair Hechtman: So, in that situation, you're collapsing the process. There's no decision and
11 appeal. There's only a decision.

12

13 Ms. Karish: That's right.

14

15 Chair Hechtman: Staff's comfortable with that?

16

17 Ms. Tanner: I think that... I mean I think we're comfortable with it. I think there are again... I
18 guess I think... not to speak for the Council Members. I don't know their mind. They might say
19 well I want to have the opinion of our Boards and Commissions and they do rely on the Boards

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 and Commissions and then it gets back to the time. So, that's kind of this circular kind of
2 quandary that we need to noodle a bit more.

3

4 Chair Hechtman: Would it be best to make a motion for you to noodle a bit more?

5

6 Ms. Tanner: I feel that that's kind of what we've gotten in the motion with the direction to be
7 mindful of the need for efficiency and to balance that with the decision of where to refer it. Or
8 Sheldon if you... if that sounds okay to you?

9

10 Mr. Ah Sing: Yeah, I mean the motion starts off with evaluation so I think we understand that.

11

12 Chair Hechtman: Alright, Commissioner Lauing, you made the motion. Are you still comfortable
13 with it? It captures your intent and (interrupted)

14

15 Commissioner Lauing: Yeah, exactly.

16

17 Chair Hechtman: Alright and I... it was a while ago so I can't remember who seconded it, but
18 whoever it was. You're okay?

19

20 Ms. Klicheva: Reckdahl, Commissioner Reckdahl seconded.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: Yep, I'm comfortable.

VOTE

Chair Hechtman: Okay, any further discussion? Ms. Klicheva, can we have a roll call vote, please?

Ms. Klicheva: Commissioner Chang?

Commissioner Chang: Yes.

Ms. Klicheva: Chair Hechtman?

Chair Hechtman: Yes.

Ms. Klicheva: Commissioner Lauing?

Commissioner Lauing: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Reckdahl?

2

3 Commissioner Reckdahl: Yes.

4

5 Ms. Klicheva: Vice-Chair Roohparvar?

6

7 Vice-Chair Roohparvar: Yes.

8

9 Ms. Klicheva: Commissioner Summa?

10

11 Commissioner Summa: Yes.

12

13 Ms. Klicheva: Commissioner Templeton?

14

15 Commissioner Templeton: Yes.

16

17 Ms. Klicheva: Motion carries 7-0.

18

19 MOTION PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: So, to conclude this item we're going to need a procedural motion but before I
2 do that I want to find out if there are any more substantive motions on further work for Staff?
3 Commissioner Reckdahl.

4

5 MOTION #7

6

7 Commissioner Reckdahl: Yes, I do have one here. When we remodeled our contractor did all
8 the work but the City didn't trust him, right? And they sent their own inspectors in and they
9 found stuff and so it was value-added. And so, I think in this case if there's quite often some
10 analysis here that they do and handoff... the applicant does and hands off to the City. And I
11 think we should get or use that as a chance to add value.

12

13 And so, my motion is Staff may at applicant's expense hire technical experts to evaluate the
14 analysis described on Packet Page 63 Number 13, Packet Page 78 Number 7 and Packet Page 83
15 Number 3.

16

17 And so, Staff, if they want to get help, they can get help. They don't have to guess if they don't
18 understand exactly what's going on.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Alright, so we have a motion. I see a couple of... I see one hand, Commissioner
2 Chang do you have a second?

3

4 Commissioner Chang: I have a question before it... I feel like it's already covered in the draft
5 ordinance on Page 80.

6

7 Chair Hechtman: Yeah, at least regarding the radio frequency engineer which is on Item 7 on
8 Page 78. If you go over to 80, Item G (b), that is one of the things the independent expert can
9 be hired to study. Your other references went by too quickly.

10

11 Commissioner Summa: Yeah.

12

13 Commissioner Reckdahl: Oh okay, I'm sorry. Let me go through it. Okay, 63... Packet Page 63
14 Number 13. Maybe we should just go one by one.

15

16 Commissioner Summa: Yeah.

17

18 Commissioner Reckdahl: And see if people have comments about that. Packet Page 63, Number
19 13.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Okay, which is also within the ordinance it's on Page... Packet Page 79.

2

3 Commissioner Reckdahl: Oh, I'm sorry.

4

5 Chair Hechtman: "The applicant's assertion of feasibility and infeasibility", right?

6

7 Commissioner Reckdahl: Yep, exactly.

8

9 Chair Hechtman: That's the one you're pointing to.

10

11 Commissioner Reckdahl: Yep and I think that's really critical because if the applicant says it's
12 not possible. We may not have the expertise to say no, it is possible. We're not RF designers
13 here.

14

15 Ms. Tanner: Perhaps if Commissioners are supportive of this motion it to me indicates that
16 there's support for this. And so, we would of course keep that in the ordinance or if there's
17 modifications. That's kind of maybe what I'm hearing.

18

19 SECOND

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang: So, I'll second Commissioner Reckdahl's motion because some of it's
2 already in and it sounds like he's adding some to it so I'm going to second that.

3
4 Ms. Karish: If I might? Just to point out the introductory language in that section that's talking
5 about the independent expert. It says that retain the expert to review technical aspects which
6 may include but are not limited to the following matters. So, this is not... this is an illustrative
7 list. It's not an exhaustive list.

8
9 Chair Hechtman: Does that have us also noticing that and that Item 1 (a) under that is the
10 accuracy adequacy and completeness of application materials which would include the
11 materials submitted under Item 13 so.

12
13 Commissioner Reckdahl: Okay, so you're saying Item 13 is already covered?

14
15 Chair Hechtman: Right, within the breadth of... I mean the language that Ms. Karish just read is
16 very broad. It gives the City the ability to go get an independent expert over anything related to
17 the technical aspects of the application.

18
19 MOTION #7 WITHDRAWN

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Okay then I can withdraw this if it's already covered. I just want to give
2 the City opportunity to hire experts if they need it but it sounds like (interrupted)

3

4 Commissioner Chang: But I think the point is that we like it and so that's good feedback.

5

6 Chair Hechtman: Yeah. Alright, so motion withdrawn?

7

8 Commissioner Reckdahl: Withdrawn, yep.

9

10 Chair Hechtman: Alright, thank you. I see Commissioner Templeton [unintelligible -audio cut
11 out]

12

13 Commissioner Templeton: Thank you, Chair. I just want to appreciate that we have spent 3 ½-
14 hours on this topic and as excited as we might be about Wireless Ordinance and tones and
15 beauty and all the things we know and love. I would suggest that we're kind of nickel and
16 diming it at this point and maybe we've provided the majority of our feedback and just wanted
17 to throw that out there. You know, on the one hand, we've made a few motions that have
18 clarified our position but we've also made a lot of remarks that I think I heard Assistant Director
19 Tanner say that she has incorporated in her takeaway from this discussion. So, is it... Chair, you
20 said you needed a motion or something formal to close this discussion?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Hechtman: Yeah.

Commissioner Templeton: What did you have in mind?

Chair Hechtman: Well, I think the form of the motion would be to Staff take the action described in the series of motions just passed and bring this back to us for our review at a date uncertain.

MOTION #8

Commissioner Templeton: I would like to move that Staff take our motions and our anything pertinent from our conversations and come back to us at a date uncertain. Did I capture it all?

Chair Hechtman: [unintelligible – audio to low]

Commissioner Templeton: Oh, your mic is down but (interrupted)

Chair Hechtman: Can you hear me?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 SECOND

2

3 Commissioner Templeton: Thank you, Commissioner Chang.

4

5 VOTE

6

7 Chair Hechtman: We have a motion and a second. I don't see any hands up other than... I don't
8 see any hands. Ms. Klicheva, can we have a roll call vote, please?

9

10 Ms. Klicheva: Commissioner Chang?

11

12 Commissioner Chang: Yes.

13

14 Ms. Klicheva: Chair Hechtman?

15

16 Chair Hechtman: Yes.

17

18 Ms. Klicheva: Commissioner Lauing?

19

20 Commissioner Lauing: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Ms. Klicheva: Commissioner Reckdahl?

3

4 Commissioner Reckdahl: Yes.

5

6 Ms. Klicheva: Vice-Chair Roohparvar?

7

8 Vice-Chair Roohparvar: Yes.

9

10 Ms. Klicheva: Commissioner Summa?

11

12 Commissioner Summa: Yes.

13

14 Ms. Klicheva: Commissioner Templeton?

15

16 Commissioner Templeton: Yes.

17

18 Ms. Klicheva: Motion carries 7-0.

19

20 MOTION PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Chair Hechtman: Thank you and thank you to the members of the public who stayed present
3 for the entirety of that discussion. We've got a couple more things to do tonight but I'd like to
4 suggest a 5-minute break. I for one have to relocate from one place to another to
5 accommodate family members. So, it's... I've got 11:31. Let's try to come back in 5-minutes,
6 11:36.

7

8 [The Commission took a short break]

9

10 Chair Hechtman: Alright, I think as soon as Vice-Chair Roohparvar is back we can resume. Let's
11 see, we are all... we're all back and so let's move forward to Committee Items.

12 **Commission Action:** Motion by Chang, seconded by Vice Chair Roohparvar. Pass 7-0

13 **Commission Action:** Motion by Hechtman, seconded by Lauing. Pass 7-0

14 **Commission Action:** Motion by Hechtman, seconded by Roohparvar. Pass 6-1 (Summa against)

15 **Commission Action:** Motion by Summa, seconded by Chang. Pass 7-0

16 **Commission Action:** Motion by Lauing, seconded by Reckdahl. Passed 7-0

17 **Commission Action:** Motion by Templeton, seconded by Chang. Passed 7-0

18 **Committee Items**

19 Chair Hechtman: Commissioners, any of you have Committee items to report on? Alright,
20 seeing no hands we will move to election of Chair and Vice-Chair.

21 **Election of Chair and Vice-Chair**

22 **ELECTION FOR CHAIR**

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: So, the process here, as I understand it, is I'll open the floor for nominations.
2 Any Commissioner can be nominated, there needs to be a second and my understand is the
3 nominee can second the nomination. Is that correct Mr. Yang? We'll come back to that.

4

5 Albert Yang, Assistant City Attorney: Yes.

6

7 Commissioner Templeton: Yes, and they can also nominate themselves.

8

9 Mr. Yang: Yes, that's correct, sorry.

10

11 Vice-Chair Roohparvar: Yeah, we (interrupted)

12

13 Chair Hechtman: After all of the... after the nomination and second then if the nominee did not
14 either make the motion or second, then they're asked whether they'll accept the nomination
15 and after we go through that process and get however many nominations we get, if there's
16 more than one then there is a public comment period before we vote. So, that's the process to
17 elect the Chair and then that process is repeated by the new Chair to elect the Vice-Chair.

18

19 So, I will open the floor to nominations. Commissioner Chang.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 NOMINATION FOR CHAIR

2

3 Commissioner Chang: I would like to nominate Commissioner Lauing for the position of Chair.

4

5 Chair Hechtman: Second of that nomination? Commissioner Summa.

6

7 SECOND

8

9 Commissioner Summa: I'll second that.

10

11 Chair Hechtman: Commissioner Lauing, you have been nominated and seconded for the
12 position of Chair. Are you willing to serve if elected?

13

14 Commissioner Lauing: Yes, I am.

15

16 Chair Hechtman: Commissioner Templeton. You're muted.

17

18 Commissioner Templeton: Thank you. I was going to nominate Commissioner Chang but I'm
19 gathering by her nomination of Commissioner Lauing that she might not be interested. I see her

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 shaking her head but I wanted to do you the honor of just letting you know that you've done a
2 great job and you would be great in this role. I hope you will consider it in the future.

3

4 Commissioner Chang: Thank you very much but I... very kind of you but I'd like to decline. I
5 don't think I have the time for it for one right now just yet but I kind of want to see how this all
6 works for another year at least. Like a full year would be good.

7

8 Chair Hechtman: Alright Commissioners, do we have any other nominations that any of you
9 would like to make? I'm not seeing any hands so I'm going to close the nominations and move
10 us to public comment. Please raise your hand. I see we have five people still in attendance.
11 Raise your hand if you wish to speak. On the Zoom App, there is a raise hand button on the
12 bottom of your screen. If you're dialing in from a phone press *9. Ms. Klicheva, are there any
13 public speakers for this item?

14

15 Ms. Madina Klicheva, Administrative Assistant: Yes, our first speaker is Winter.

16

17 Ms. Winter Dellenbach: Yes, Winter Dellenbach. I strongly support the nomination of Ed Lauing
18 who has been Chair before and was... and did so very ably. You know, the bottom line for being
19 Chair is actually being able to run a meeting. To be able to do it efficiently, to not talk too much
20 as Chair. Being Chair isn't all about being Chair. Making a big deal about it. It's being able to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 facilitate other Members of the Commission, to help them do what they need to do and to
2 speak last usually. It's not an ego trip and Ed doesn't make it that. He does just exactly what a
3 good Chair does and keeps things organized, keeps things moving along, and then as a
4 Commissioner because you do double duty obviously as a Chair. You're both a Chair and
5 Commissioner. As a Commissioner, of course, as everybody knows, he's very smart. He's very
6 bright at this point because he's been on the Commission for a while and before, of course,
7 served on the Parks and Recreation Commission. He knows what a Commissioner does. He
8 knows the role of a Commissioner and on the Parks... and on the PTC he knows now about
9 zoning law, land use. He's very conversant with that landscape and he's civil, he's pleasant, and
10 that's very much appreciated by the public. Unlike a very recent past Commissioner that has
11 left the Commission in the last couple of weeks. He does not condescend, he's respectful to all
12 Commissioners and he's respectful to the public. And so, I very much support Commissioner
13 Lauing in becoming Chair of the Commission. Thank you.

14

15 Ms. Klicheva: Thank you. Our next speaker is Mary Silvester.

16

17 Ms. Mary Silvester: Good evening, Commissioners. I'd like to endorse Commissioner Lauing for
18 Chair of the PTC and I second Winter Dellenbach's support for Commissioner Lauing. I think he
19 is a tremendous candidate for the Chair position. He brings a wealth of experience to this role
20 with Parks and Rec, with Palo Alto Little League, the Urban Ministry, Co-Chair of Housing

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Working Element. He knows how to work in collaboration with groups as well as has the ability
2 to take independent responsibility for his work. He has played a vital role with the
3 Comprehensive Plan as well as the City's Zoning Code. I find Ed to be highly experienced in the
4 range of business and community affairs. He's open to diverse points of view, fair-minded, and
5 independent thinker and he's not beholding to any special interest. He can read between the
6 line and ask probing questions. He and I may not always agree on every issue but I feel like he
7 gives me a fair hearing about my concern, myself and other community members. I just feel
8 he's an excellent leader. He's data-driven, outcome-oriented, but always mindful of the process
9 at hand. So, that's in sum my support for Ed tonight.

10

11 Ms. Klicheva: Thank you. Chair Hechtman, we don't have any raised hands.

12

13 Chair Hechtman: Alright, then I'd like to thank our public speakers tonight and I think it's a real
14 testament to the impression that Commissioner Lauing has given to the members of the Palo
15 Alto community, that we have members of that community who are willing to stay up till nearly
16 midnight to tell us what we, as Commissioners know, that you're highly qualified for the
17 nominations you've received and I'll be supporting the nomination. Are there any other
18 Commissioners who want to speak before we conduct the roll call vote?

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Chang: So, I just wanted to speak to my nomination which is that as somebody
2 noted earlier today. We have two Commissioners who are the most senior here and the reason
3 I... and I respect them both completely. But the reason I wanted to nominate Commissioner
4 Lauing for this is because he's done... because of his experience Chairing the PTC in the past as
5 well as extensive experience with Parks and Rec and also with this phenomenal Housing
6 Element effort. And I also always appreciate his efforts to kind of help manage the process of
7 our PTC meetings in the last few months that I've been on the Commission. Thank you.

8

9 Chair Hechtman: Commissioner Summa, do you want to speak to your second?

10

11 Commissioner Summa: Well, I will but very so briefly even though one could on and write a
12 novel about Ed Lauing. I'll just say that he's a great guy to work with, great... serves the
13 community very well and I think we'd all enjoy having him as Chair.

14

15 Chair Hechtman: Vice-Chair Roohparvar.

16

17 Vice-Chair Roohparvar: I'll keep it brief. Again, Ed, I appreciate all your kindness and you know,
18 when I first joined and meeting you at the party and your expertise and all the different
19 viewpoints you bring in. I would be supportive.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Chair Hechtman: Alright, I'm seeing... oh, Commissioner Reckdahl.

2

3 Commissioner Reckdahl: I'll keep it. Ed was my first Commissioner or first Chair. He was Chair
4 when I joined Parks and Rec. So, I always do have a soft spot in my heart for him but good luck.

5

6 VOTE

7

8 Chair Hechtman: Ms. Klicheva, can we have a roll call vote on our nomination for the new Chair
9 of the PTC?

10

11 Ms. Klicheva: Commissioner Chang?

12

13 Commissioner Chang: Yes.

14

15 Ms. Klicheva: Chair Hechtman?

16

17 Chair Hechtman: Yes, yes.

18

19 Ms. Klicheva: Commissioner Reckdahl?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Yes.

2

3 Ms. Klicheva: Vice-Chair Roohparvar?

4

5 Vice-Chair Roohparvar: Yes.

6

7 Ms. Klicheva: Commissioner Summa?

8

9 Commissioner Summa: Yes.

10

11 Ms. Klicheva: Commissioner Templeton?

12

13 Commissioner Templeton: Hello? Yes.

14

15 Ms. Klicheva: Thank you, so we have six ayes for this nomination.

16

17 Commissioner Templeton: Why only six?

18

19 Ms. Klicheva: I don't think Commissioner Lauing can vote for himself, right?

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Rachael Tanner, Assistant Director: I think he can.

2

3 Commissioner Templeton: Absolutely he can.

4

5 Ms. Klicheva: Oh, sorry, sorry, sorry. Commissioner Lauing?

6

7 Commissioner Lauing: I'm still debating it.

8

9 Commissioner Templeton: Smart man.

10

11 Commissioner Lauing: But I'll go with yes.

12

13 Ms. Klicheva: Okay, sorry, sorry, I apologize. Yeah, we have seven ayes. Motion carries 7-0

14

15 NOMINATION FOR COMMISSIONER LAUING FOR CHAIR PASSED 7(Chang, Hechtman, Lauing,

16 Reckdahl, Roohparvar, Summa, Templeton) -0

17

18 Commissioner Hechtman: Congratulations Chair Lauing. If we were together I would have

19 scrounged up a gavel and hand it to you, but I do that in spirit as you take over this agenda

20 item.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Lauing: Yeah, I just want to make a couple comments quickly before we go on to that agenda item. First of all, thanks for the complete support. The... nether of the public speakers were my mother and to Commissioner Summa’s point. The novel would be very boring because you all know everything I do which is sit in front of Zoom meetings after studying for 3-days on the Packet. So, you know, business school should have been as hard as this and I might not have graduated.

Commissioner Summa: That leaves you 4-days to do other stuff.

Chair Lauing: Right, that’s where I do my Committee, my Housing Element. But I think it's just really not necessarily at midnight but just the work we do is just so important and the way that we all throw ourselves into it. So, I’m glad to add value in any additional way I can by Chairing the Commission for this year.

And I want to say, I want to say special thanks to Chair Hechtman and Vice-Chair Roohparvar for their work this year. Especially with the leadership Bart [note – Commissioner Hechtman] of getting through all the technical challenges when public speakers go silent and Commissioners go silent and Chairs go silent or go dark. And actually, Commissioner Templeton, you had the same issues last year and unfortunately, now I’m going to start having them. So, I hope you are

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 both available for consultation on how to get through that smoothly because with one or two
2 glitches it went really well.

3

4 And I really love the Staff support. Great group and I think we got great things going on. I will
5 try as a campaign pledge to have fewer midnight meetings but when the issues get like they
6 were tonight. I support Commissioner Hechtman's decision to plow forward with that.

7

8 ELECTION OF VICE-CHAIR

9 Chair Lauing: So, the next item of agenda is to elect a Vice-Chair for the coming year and the
10 process is the same and so nominations are now open.

11

12 NOMINATION FOR VICE-CHAIR

13

14 Commissioner Reckdahl: I'll nominate Commissioner Summa.

15

16 Chair Lauing: Commissioner Summa. Is there a second? I... go ahead, Commissioner Chang.

17

18 SECOND

19

20 Commissioner Chang: I'll second that.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Lauing: Okay and we will not revert to Commissioner Summa and say are you willing to accept the job?

Commissioner Summa: I am willing to accept. Thank you very much to the nominator and the seconder. Yeah.

Chair Lauing: Further nominations for Vice-Chair? Alright, comments on the nominations from any of Commissioners including maybe Mr. Reckdahl?

Commissioner Reckdahl: I'll speak to my nomination. I did not know Doria until NVCAP and that's where I first met Doria. And we spent many hours together and I learned so much as from zoning Doria. She knows so much and she's so... such a hard worker and such attention to detail. That's what impressed me. If I asked her some petty little question, she would know. So, I was always impressed with her and so I look forward to her being the Vice-Chair.

Chair Lauing: Others? Commissioner Hechtman. Unmute.

Commissioner Hechtman: Sorry, I have to get use to being part of the rank and file again and keeping myself on mute. I was trying to say I'm just looking forward to I think what promises to

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 be a dynamic duo of leadership for the Planning Commission. I think Commissioner Summa,
2 you're going to do a great job when Ed has to go talk to his mothers.

3

4 Chair Lauing: Commissioner Chang.

5

6 Commissioner Chang: I just have to say that I really appreciate Commissioner Summa's
7 attention to detail and her expertise and thank you for answering question when I have them.

8

9 Chair Lauing: Yeah, well Commissioner Summa, the realization tonight is that we're now the
10 senior members here. So, we've got a load to carry on top of leading our management skills. So,
11 but I think it's a great group. We're going to have a big workload and we're going to get it all
12 done so and yes, we will have a retreat. Hopefully pretty early in the year this time. But first on
13 to... I believe we have minutes to approve, is that correct?

14

15 Commissioner Templeton: Shouldn't we take a vote?

16

17 Commissioner Reckdahl: Yeah.

18

19 Chair Lauing: Oh sure.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Tanner: So, we need... we need public comment I think and a vote.

2

3 Chair Lauing: I am getting sensitive to the 11:55 hour here but yes, lets (interrupted)

4

5 Ms. Tanner: I think we all are.

6

7 Chair Lauing: Thank you, Commissioner Templeton. Will you call the roll?

8

9 Mr. Yang: Oh, I'm sorry, I just want to make sure we do the public comment first if there is any.

10

11 Chair Lauing: Oh, there is, okay.

12

13 Ms. Klicheva: So, we have our first speaker is Winter.

14

15 Ms. Winter Dellenbach: Yeah, I don't want to miss a public comment on this. I have been

16 waiting for years, for years to be able to welcome Doria Summa as a Chair or Vice-Chair of the

17 PTC. I for one think it should have happened a long time ago and spoke out a long time ago on

18 that as the most qualified person in a prior vote. Her knowledge and experience on relevant

19 zoning law land use and whatever is unsurpassed on the PTC. She is a go-to person in this town.

20 I know... I happen to know people call her up and say hey Doria, what do you know about this?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 How does this work? How does this law work? What is this law? Can you explain this? She has
2 deep knowledge about exactly the sort of stuff that comes up in PTC. Not that she knows
3 everything but if she doesn't know something. There's nobody that works harder than
4 Commissioner Summa and I am so pleased that I... she seems she will be Vice-Chair tonight.
5 And she and Commissioner... oh excuse me, I'm sorry, Chair Lauing will be teamed up on PTC
6 because the whole Commission will just be... will work well as a unit because of that.

7

8 She has served Palo Alto for over 20-years in one capacity or another. Volunteered capacity has
9 been called upon. She was on the Comprehensive Plan Citizens Committee. No small task, that
10 was over a 2-year task and of course, the NVCAP and PTC. The DTAG before any of that.

11

12 I... and finally I really appreciate her attitude that she brings to meetings. Her civility, her good
13 humor, her dignity which wasn't always, by the way, I'll be plan spoke, wasn't always easy. I'm
14 going to bring up again that a recent past Commissioner, his ability to be condescending and
15 even sexist towards the women on the Commission was really terrible. And she was always
16 maintained her dignity in light of that and I just think she will be fine Vice-Chair so
17 congratulations Commissioner Summa.

18

19 Chair Lauing: Thank you.

20

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Thank you. Our next speaker is Mary Silvester.

2

3 Ms. Mary Silvester: Hello again, Commissioners. I'd like to support Doria Summa for agreeing to
4 run for Vice-Chair of the PTC and I sense that you're going to unanimously support her. She and
5 Commissioner Lauing, as was said, will be a dynamic team to lead the PTC. They're both smart,
6 capable, open-minded individuals with great leadership quality and they really value the
7 community and what the public has to say. So, I highly endorse Doria for this role. She's one of
8 those outstanding people in our community who serves because of her long-standing
9 dedication to the welfare of Palo Alto. She's not doing it for any other alternative motives and
10 she's consistently guided in your thought process and decisions by what's in the best interest of
11 Palo Alto community. To this analysis, she always brings a well-honed sense of ethics which I
12 highly respect because I often feel in public life that's sorely absent. She's thoughtful, open-
13 minded and very respectful of all members of the public; whether they have a different opinion
14 from herself or not. And as Winter said, when it comes to the Zoning Code land use law, Doria is
15 the woman to go to. I know she's been remarkably helpful to me on a number of community
16 issues. She's had many years of experience serving this community as leader in College Terrace
17 neighborhood, on the Comprehensive Plan, on NVCAP. She's done extraordinary work and I
18 think she's unanimously respected by all those she works with.

19

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 And I'd also like to say that Doria always keeps in mind when evaluating projects, as I said
2 earlier, what's the impact on the community, our environment, our traffic, parking,
3 infrastructure and the overall quality of life for our residents. So, I couldn't more hardily
4 endorse Doria for this role. Thank you.

5

6 Ms. Klicheva: Thank you. Chair Lauing, we don't have any raised hands.

7

8 VOTE

9

10 Chair Lauing: Thank you. I also would like to thanks these speakers that stayed so late to be a
11 part of this transition. It's very much appreciated for your own community involvement. Now
12 we can vote so would you take the roll, please?

13

14 Ms. Klicheva: Commissioner Chang?

15

16 Commissioner Chang: Yes.

17

18 Ms. Klicheva: Commissioner Hechtman?

19

20 Commissioner Hechtman: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Ms. Klicheva: Chair Lauing?

3

4 Chair Lauing: Yes.

5

6 Ms. Klicheva: Commissioner Reckdahl?

7

8 Commissioner Reckdahl: Yes.

9

10 Ms. Klicheva: Vice-Chair Roohparvar?

11

12 Vice-Chair Roohparvar: Yes.

13

14 Ms. Klicheva: Commissioner Summa?

15

16 Commissioner Summa: Yes.

17

18 Ms. Klicheva: Commissioner Templeton?

19

20 Commissioner Templeton: Yes.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Ms. Klicheva: Motion carries 7-0.

NOMINATION FOR COMMISSIONER SUMMA AS VICE-CHAIR PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

Chair Lauing: Excellent. We will get after it like starting tomorrow to plan for the next meeting next week. So, we need to talk Rachael about the plan for next week.

Ms. Tanner: It's Tuesday at noon.

Chair Lauing: Alright, Commissioner Chang you have a hand up?

Commissioner Chang: Yes, I just wanted to thank Commissioner... now Commissioner but former Chair Hechtman for all of his work because I know that it's not easy to think about how to facilitate these meetings. And I think he just did just a phenomenal job facilitating and making sure that all of everybody's voices were heard. And I really appreciate that and also thank Vice-Chair... former Vice-Chair Roohparvar for her work.

Chair Lauing: Commissioner Summa [**note – Vice-Chair Summa**].

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1

2 Vice-Chair Summa: Well, I want to thank all of you and the members of the public who I hope
3 were already in bed asleep and for your support. It really means a lot and I think it will be a
4 really good year. I think it's nice when we have unanimous elections too and great thanks to... I
5 want to thank Cari again tonight and our outgoing Chair and Vice-Chair because... and Assistant
6 Director Tanner. This ongoing Zoom thing and ongoing pandemic have been real challenges and
7 with very few glitches. It's worked really well. I mean there's the obvious I don't remember I'm
8 not muted but it's worked out as well as it possibly could I think and I really appreciate... it will
9 be good to see you all in person one day. And I'm just looking forward to the next year and I'm
10 really touched by the kind words of also not my mothers but. I don't know. So, I'm going to stop
11 there. Thank you.

12

13 Chair Lauing: Commissioner Templeton. Unmute, unmute.

14

15 Commissioner Templeton: I thought I pressed it, sorry, thank you. Thank you, Chair. I wanted to
16 say to echo the sentiments of gratitude towards Commissioner Hechtman. I think that as Chair
17 Lauing and Vice-Chair Summa eluded, I'm in a unique position to appreciate how challenging it
18 was to run these meetings over Zoom. And you did very, very well and I hope that you will
19 enjoy shifting back to the Commissioner role and passing the baton to the capable hands of
20 Chair Lauing and Vice-Chair Summa. Congratulations to you both. Thank you.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

Chair Lauing: Thank you. No other comments so I do think we did have some minutes, didn't we? No. One of you says yes, one of you says no.

Ms. Tanner: Well, we didn't have... I think... well, we did have minutes.

Chair Lauing: It was sent out.

Ms. Tanner: Let me just check.

Commissioner Templeton: It's not agendized.

Chair Lauing: Yeah, I didn't see it in the agenda so I didn't know if we missed it there or it wasn't suppose to be sent out. So, we can postpone that.

Ms. Tanner: Yeah, let's do that next time.

Commission Action: Motion by Chang, seconded by Summa. Motion Passed 7-0
Commission Action: Motion by Reckdahl, seconded by Chang. Motion Passed 7-0

Commissioner Questions, Comments or Announcements

Chair Lauing: Okay and just a quick preview is it seems like we're having Castilleja next time and is that the only agenda item as far as you know?

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Rachael Tanner, Assistant Director: Yes, Chair.

Chair Lauing: That’s the plan and then we’ll get working in more detail. Any other comments, announcements?

Commissioner Reckdahl: Happy Thursday.

Chair Lauing: The Housing Element meeting starts in a few hours if you guys (interrupted)

Ms. Tanner: I know, right? And I didn’t say it before but there’s no City Council on Monday. It’s Martin Luther Kind Day so there will be no Council meeting on Monday but there will be a meeting on the 24th. We will have I believe some planning items there but I don’t think it’s anything that’s come to the Commission. Well, I guess its Objective Standards will be there, at least a small fraction, but that’s following Council having taken up Objective Standards and it coming back to Council again. So, we’ll keep you posted and remind the liaisons of that, but again, don’t show up on Monday on Zoom because nobody will be there.

Chair Lauing: Commissioner Templeton.

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.

1 Commissioner Templeton: Thanks. I was just wondering if we are going to review the schedule
2 or revised the schedule? We don't have to do it tonight but notice that there's no breaks of any
3 kind in 2022 already scheduled.

4
5 Ms. Tanner: Yeah, if Commissioners want to think about both take a look at holidays that may
6 be important to you. We'll take a look at holidays as well and then think about, we did a
7 summer recess last year. You know, one of my goals is to always make sure we are working
8 hard because we have lots of work and so you're not going to get a break from me unless you
9 plan one. So, just to keep that in mind.

10
11 Chair Lauing: If there are no other items, as Commissioner Reckdahl says, first of all, welcome
12 to you and then this isn't routine. We don't do this.

13
14 Commissioner Reckdahl: I hope not. I hope not.

15
16 Chair Lauing: But as you say happy Thursday and we'll see you next Wednesday. Alright, we're
17 adjourned.

18 **Adjournment**

19 12:08 pm

-
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers.