

TOWN COUNCIL MEETING NO. 747, MAY 28, 2008

ROLL CALL

Mayor Derwin called the meeting to order at 8:00 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Driscoll, Merk, Toben and Wengert, and Mayor Derwin
Absent: None
Others: Town Planner Mader, Town Administrator Howard, Town Attorney Sloan, Asst. Town Administrator McDougall, Planning Manager Lambert and Town Clerk Hanlon

ORAL COMMUNICATIONS: None

(1) PRESENTATION - Expansion Plans for Stanford University Hospital and Shopping Center

Andy Coe, Stanford, provided an overview of what was proposed for the School of Medicine (SoM), Stanford Hospital and Clinics (SHC), and Lucile Packard Children's Hospital LPCH). He discussed: 1) reasons for renovations; 2) seismic upgrades; 3) capacity of hospitals and need for more space; 4) emergency visits; 5) changes in delivery of medical care in hospitals; 6) new patient standards; 7) components of SoM project; 8) components of SHC project; 9) components of LPCH project; and 10) renovations to Hoover Pavilion.

Bill Phillips with Stanford Management Company, representing Simon Properties, reviewed the Shopping Center proposal. He discussed: 11) Simon Property Group--lessee and operator of the shopping center; 12) interest from Palo Alto in expanding and enhancing the shopping center; 13) competition from other shopping centers; 14) addition of 240,000 sf of retail space and restaurants; 15) 120 room hotel; and 16) connection points. He said traffic and trip generation would be looked at in detail during the EIR phase. Responding to Councilmember Toben, he said 1,000 employees would be added to the 3,400 existing employees. About 700 peak hour trips would be added to current trips. The medical center project would generate an additional 1,000 peak hour trips.

Steve Turner, Sr. Planner--City of Palo Alto, said these were large and complex projects that Palo Alto had been reviewing for about 17 months starting in December of 2006. Up until August of 2007, the City did an information-gathering phase and introduced the projects to the community. EIR consultants had been hired, there was a website for public information, and fact sheets had been produced. Phase 2 began with the formal applications submitted in August 2007; that started the environmental review process. He discussed: 17) consultants hired to look at all aspects of the projects; 18) traffic analysis; 19) design guidelines; 20) architectural review in 2009 and beyond; 21) next steps; 22) release of draft EIR in November 2008; 23) fiscal impact report; and 24) public hearings in late 2008 and early 2009. Mr. Coe added that once the projects received Palo Alto's approval, State planning dept. approval was required, which was usually a 1-2 year process. The construction phase would be 5-8 years. Mr. Phillips said it was hoped that development would occur on the shopping center in 2010-2013 with full completion 2014-2015.

Responding to Councilmember Merk, Mr. Coe described the three existing hospital buildings. The 1959 and 1973 buildings did not meet seismic standards and would be torn down and rebuilt. He described the new site for the hospital and office buildings and renovation of the 1989 hospital wing. Responding to Councilmember Merk, he said mailings were intended to educate people about the various services offered at the hospitals and long-term needs of hospitals. Responding to Councilmember Merk, Mr. Turner said strong linkages and connections would be promoted through the use of pedestrian pathways, walkways and creating visual interests. The intent was to create good urban design so people would feel comfortable

enough to walk or bike as opposed to driving from the medical center to the shopping center. Councilmember Merk said 10-15 years ago, what was then called Willow Road was two lanes. Any time during rush hour, it was backed up, and it could take 20-25 minutes to get from one end to the other. Stanford built Stanford West, changed the name to Sand Hill Road and made it four lanes. Now it was the same thing at the same hours. He did not see any improvement even though a lot of improvement had been promised. You couldn't get through the shopping center without getting stuck. Sand Hill was two lanes from Arboretum to El Camino, and you couldn't drive into Palo Alto from Sand Hill Road. He couldn't imagine another 1,700 car trips.

Councilmember Driscoll asked if there was a plan to try to streamline or expand the traffic capacity entering the site from El Camino or Sand Hill Road. Mr. Turner said a traffic impact analysis was being conducted, and the traffic consultants would prepare a report that looked at the impacts of these projects on very specific intersections—including the vicinity of Menlo Park and Portola Valley. What those impacts would be weren't known, and mitigations had not been identified yet. Other projects included mitigations, such as modifying the roadway network by widening roads and adding lanes. A draft traffic study should be available this summer, and appropriate mitigations would be discussed. Responding to Councilmember Driscoll, he said approval of these projects would be conditioned on having reasonable traffic mitigations. The goal was no new net trips for these projects. It was not a requirement, but it was a goal that Palo Alto felt could be achieved through traffic management programs, improved urban planning, good connections to public transit, etc. That was something that the City was very concerned about, and was a priority of the town council.

Town Planner Mader said when the Stanford general use permit was approved, there was to be no net increase in traffic. Stanford put into play a number of TDM programs to try to reach that goal. He had been told that it had been successful. For the hospital on Sand Hill Road, traffic management was a part of the plan that put into play various devices to encourage people not to drive their cars. He questioned whether that would work and whether the additional traffic could be siphoned off. He also wanted the Town to be on record as having major concerns about the Sand Hill/Santa Cruz/Alpine Road intersections, which could only become worse and increase traffic congestion on Sand Hill Road. Sand Hill Road was the key connection Portola Valley residents had to get to El Camino and into Palo Alto. Those were real choking points for residents of the Town. He urged that in the EIR work being done, these things be addressed with particular care to try to solve those problems in advance. Mr. Turner said the traffic work was just starting, and he didn't have any additional information with regard to the success of the Stanford general use permit in meeting the requirement for no additional trips. The City of Palo Alto was looking at intersections around the area, and the Sand Hill/Santa Cruz intersection was one of those intersections being looked at. There were many different types of mitigations that could be placed upon the projects in order to reduce traffic impacts to a less than significant level, and those would be looked at throughout the summer and discussed with the applicant and the city council.

Town Planner Mader said he understood that a couple of decks would be added to the parking garage by the Hoover facility; that would increase the height considerably. Another question related to the height of the hospital building. Mr. Turner said the existing parking structure at the shopping center near Quarry and El Camino was a 3-story structure, and two levels would be added. It would extend to about 54-56 feet. Mr. Coe said there would be elements of the hospitals that would go up to seven stories and 130-135 feet in height. The City would be doing a visual impact analysis of those designs. He added that the hospital currently participated in the university's TDM program. For example, 23% of the hospital employees commuted to work in other than a single occupancy vehicle. That programming would be enhanced in the future. Town Planner Mader said it was easier to do that for employees; it was more difficult for patients. Responding to Town Planner Mader, Mr. Turner said none of the projects proposed included any housing. The City had identified four areas around the project area that would be appropriate for housing, which he discussed. The City saw a number of areas that could contribute to housing in the future, which could help eliminate some of the traffic impacts.

Responding to Town Planner Mader, Mr. Turner said the City of Palo Alto issued a Notice of Preparation soon after the formal submittal of the applications in August. Two public hearings were held before the planning commission and city council to take comments from interested members of the public as well as from adjacent jurisdictions. The scoping report listed all of the items that would be looked at. If the Town had comments about these projects, Palo Alto wanted to hear them. They would help to guide the work of the City and make sure concerns of neighbors were addressed. He said he would ensure that the Town was on notice of public and design review hearings for these projects. He was also willing to come back with updates.

Regarding the traffic study, Councilmember Toben said there was a massive new development coming on line shortly at the intersection of I-280 and Sand Hill Road. What was being proposed here was much larger still. He presumed that the analysis would take into account the future volume that that project would generate. Mr. Turner said the cumulative impacts of the project under construction would be included in the analysis.

CONSENT AGENDA

By motion of Councilmember Merk, seconded by Councilmember Driscoll, the items listed below were approved with the following roll call vote:

Ayes: Councilmembers Driscoll, Merk, Toben and Wengert, and Mayor Derwin
Noes: None

- (3) Minutes of Town Council Special Meeting on 5/21/08.
- (4) Warrant List of 5/28/08 in the Amount of \$289,991.55.
- (5) Second Reading by Title, Waive Further Reading, and Adoption of Ordinance 2008-374 Adding Section 18.04.258 [Nonconforming Structure] to Chapter 18.04 [Definitions] of Title 18 [Zoning] and Amending Chapter 18.46 [Nonconforming Structures and Uses] of Title 18 [Zoning] of the Portola Valley Municipal Code.

REGULAR AGENDA

- (2) Minutes of the Town Council Meeting of May 14, 2008 (Removed from consent agenda)

Councilmembers Merk and Driscoll submitted changes to the minutes of the 5/14/08 meeting. By motion and second, the minutes were approved as amended by a vote of 5-0.

- (6) Recommendation by Field Study Group for Oak Tree at Ford Field

Referring to Ms. Lambert's memo of 5/21/08, Ms. Howard said the soonest the arborist could schedule the tree work was Monday, June 2. Councilmember Driscoll suggested the item be continued until the tree work was done and Councilmembers had a chance to look at the tree prior to the 6/11/08 meeting. Council concurred.

- (7) Tobacco Retailer Permit Ordinance

Ms. Sloan reviewed her memo of 5/16/08 and recommendation that the Town adopt the County's tobacco retailer ordinance to ensure a uniform Countywide approach to regulating the sale of tobacco products. Roberts Market would be the only retailer of tobacco products in Town. She said the 2008 fee for the County permit was \$108; the 2009 fee would be \$111. Responding to Councilmember Toben, she said she

was not sure if the Town could prohibit Roberts from selling tobacco products. Responding to Councilmember Wengert, she said if the police or Sheriff's Dept. went to a tobacco retailer and determined that they had sold tobacco to minors, they could prosecute them in court. That was a complicated process. If the retailer had to have a permit, it could be revoked if they were caught selling to minors.

Councilmember Merk moved first reading by title, waive further reading, and introduction of an Ordinance Adding Chapter 8.26 [Tobacco Retailer Permit] to Title 8 [Health & Safety] of the Portola Valley Municipal Code. Councilmember Wengert seconded, and the motion carried 5-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(8) Not-for-profit Agency Funding Requests

Ms. Howard reviewed the staff report of 5/28/08 on the not-for-profit agency funding requests and donations made by the Town in FY 2007/2008. Since the memo was written, she said she received additional requests from CERPP for \$5,000 and Jobs for Youth for \$500. Responding to Councilmember Wengert, she said historically, the total had been between \$11,000 and \$13,000. Ms. Sloan added that all cities donated to causes such as these because they felt these types of organizations helped serve the residents and provided a service that the town or city didn't have the capacity to provide.

Responding to Councilmember Driscoll, Ms. Howard confirmed that the San Francisquito Watershed Council was not the same group as the JPA. The JPAs that the Town belonged to were reflected in the regular budget if there was a monetary obligation.

Councilmember Toben said the Town should be able to articulate some alignment between the organizations and important policies and objectives of the Town. The Town was not acting as philanthropists but stewards of the taxpayers' money. There were several organizations that clearly met that test such as CERPP, Sustainable San Mateo County, PCRC and the San Francisquito Watershed Council. He did not see as close a linkage with an organization like Second Harvest Food Bank. That was a group that many people in the community funded privately. If the Town funded Second Harvest Food Bank, why shouldn't it fund the Boys and Girls Club, Big Brothers/Big Sisters, etc. He had the same hesitation with respect to Jobs for Youth and Shelter Network. In those situations, a \$500 gift was so nominal its value came into question. He would prefer to do more with those organizations that were tightly linked to the Town's policy/agenda and look at not funding the organizations that were peripheral to the mission of the Town Council. He suggested funding Sustainable San Mateo County at \$2,000, PCRC at \$1,340, Watershed Council at \$4,000, and CERPP at \$5,000 for a total of \$12,340.

Councilmember Merk said he agreed Sustainable San Mateo County should be funded the same as last year at \$2,000. PCRC had been at \$1,288 for at least two years in a row. Although the Town funded the group, they were underutilized by the Town. He suggested \$1,300. He was fine with \$4,000 for the Watershed Council. While it was small, he thought \$500 for the Shelter Network, which supported battered women, would be a lot of money for them and was appropriate. He agreed Joint Venture Silicon Valley Network could be left off because they promoted growth in terms of the need for housing, more traffic, etc. He also agreed that if the Town donated to Second Harvest Food Bank, there were a lot of other similar organizations that the Town could donate to. He also supported funding CERPP.

After discussion, Council agreed on: a) CERPP at \$5,000; b) Sustainable San Mateo County at \$2,500; c) PCRC at \$1,300; d) San Francisquito Watershed Council at \$4,000; and e) Shelter Network at \$500, for a total of \$13,300.

(9) Status of Town Center Project

Ms. Howard said work on the soccer field had begun. Grading had started on the creek. They also started the grading where the plaza would be along with work on the turnaround for the driveway. She described work being done on the Community Hall, Town Hall and EOC, and Library. They were also doing the grading for the donor wall behind the Community Hall.

Councilmember Driscoll said the architect needed to get plans to C.R. Hodgson for the final changes for the Town Hall plan. Other than that, the project was on or ahead of schedule. Also, Parks and Rec had complained about the lack of an outfield fence and potential risks. Mr. Young had found a flexible removable outfield fence material that would cost about \$1,700. Councilmember Toben noted that there was some apprehension in the parent community that balls could reach the playground. Councilmember Driscoll said some of the adult players tried to hit the balls that far but had not been able to with metal bats; the playground was about 265' away from home plate. Councilmember Toben said he had seen people hit to 230 feet, but not 265 feet. Additionally, these were softballs and not baseballs. If the Town needed to put up a net just outside the playground, it would. Baseballs could come down very vertically, and the fence would need to be quite high. Councilmember Driscoll said the playground also had the issue of heat, and there was some discussion about putting a canopy over the sandbox area. That might be a better safety measure as opposed to trying to build a fence. He suggested putting up a temporary canopy for a couple of years while the trees started to grow. He noted that the Conservation Committee planted two trees on Sunday. The Committee had suggested the tree types and volunteered to plant them.

(10) Reports from Commission and Committee Liaisons

(a) Planning Commission

Councilmember Toben said the Commission discussed a large Blue Oaks project. They approved the project with Commissioner Elkind abstaining because she was concerned about the size of the project. There was also a lot of discussion about the draft Sustainability Element. Town Planner Mader had put every conceivable goal, objective and policy in the draft that the Commission would be working its way through. He planned to meet with the Chair and the Town Planner to see how it could be tightened up somewhat. A preliminary draft would be coming to the Council early in order to provide feedback to the Commission.

(b) Parks and Rec Committee

Councilmember Toben said he attended a retreat that the Chair convened. The most significant result was that there would be a new subcommittee structure in three parts: a) traditional parks/fields maintenance and programming; b) parks and playgrounds, such as Triangle Park; and c) programming for the Community Hall and classes. There was also renewed interest in the Committee. There were five applicants for four vacancies. The Committee had to function effectively, and he felt the Committee Chair was in a better position than Councilmembers to recommend people to fill the vacancies. Councilmember Merk said he did not feel it was the Chair's responsibility to decide who should or should not be on the Committee. Councilmember Toben said the committee Chair had the opportunity to observe his or her team in operation and therefore had some basis for saying what the right mix of people was. Ultimately, the decision was the Mayor's, but he felt appropriate weight should be given to the recommendation of the committee Chair.

Ms. Howard noted that at one point in the past, the Council appointed a couple of members to the Trails Committee, and the Committee was very upset. They felt they should have some input as to who was on their committee. Since that time, it was the policy that all letters of application went to the committee for their review. The idea was to work with the committee and get their input. It was rare that there were more people who wanted to serve on a committee than there were vacancies. Councilmember Driscoll said the

risk was to end up with a committee that tended to stack itself. He agreed the committees should see the applications and make recommendations to the Council. But, it was the Council's responsibility to make sure the committee had a plurality of opinion.

Councilmember Merk felt all applicant letters should come to the Council with or without a recommendation. Councilmember Toben felt the Chairs' judgment, which presumably was based on an interview process, should be reflected. Councilmember Wengert said the Mayor should have the final decision. The Mayor should talk to the committee Chair first, and then talk to the applicants if she wanted to. Councilmember Driscoll said these were advisory committees, and the Council needed a plurality of advice. The idea of limiting the number of advisors didn't seem appropriate. With Parks and Rec needing to divide itself into three subcommittees, he questioned whether there should be a Parks Committee and a Rec Committee. Additionally, he did not want the committees to feel they had to have a lot of rigid votes and make decisions. They were there to give the Council recommendations. Serious decision-making should be done by the elected officials.

Councilmember Toben did not like the idea of splitting Parks and Rec into two committees. Councilmember Driscoll said he did not want to turn away anyone's advice. It was difficult enough getting applicants. Councilmember Toben said any member of the community could give input to the Parks and Rec Committee. The charter could be enlarged, and that was a possibility. Councilmember Driscoll suggested asking the Committee if they were willing to consider 13 members. Councilmember Toben said he would discuss it with the Chair.

(c) Emergency Preparedness Committee

Councilmember Merk said the Committee was working on the exercise for the next 5th Wednesday meeting.

(d) HEART

Councilmember Merk said he had not been noticed of today's meeting at which the budget was approved. The member agency dues remained unchanged even though the budget was going up. Pacifica and So. San Francisco both joined last year. The Town's dues were \$1,841, which covered administrative costs. All of the program costs were covered by loans, grants, and charitable contributions. They had leveraged \$13 for every \$1 taken in. Three projects had been completed, and two were in progress. Responding to Councilmember Toben, he said the biggest project was around 400 units, and the smallest was about 50. Responding to Mayor Derwin, he said the projects were along transportation corridors. Most were in the north County.

(e) ASCC

Councilmember Wengert said the ASCC reviewed two small projects on Crescent and Grove.

(f) Conservation Committee

Councilmember Wengert said Sue Chaput asked for an update on the Fire District's recommendations and wanted to know the Conservation Committee's input on that issue. The Committee was also asked to prepare a list of fire-retardant natives that could be used. A lot of discussion took place about the tree at Ford Field; the Committee wanted it to remain. Sausal Creek planting had also been discussed. There was also some discussion about the chipper program, participation in the Town picnic, and native grass (*Nassella lepida*) planned for Triangle Park.

Councilmember Driscoll said a committee member had pointed out that the Committee was being asked to comment on projects coming from the Planning Dept. too late to be agendaized. It was suggested that the

agenda have a catchall to cover "Review of Projects Before the ASCC." Councilmember Wengert said that had been a long-standing issue. Ms. Hanlon said the Committee would forward their agenda to Ms. Lambert who would make sure projects were listed.

(g) Website Design

Councilmember Wengert said the group was working hard to get names of other possible design and maintenance firms in order to get a competitive bid. She thought there would be at least 2-3 additional names.

(h) School District

Mayor Derwin said she participated in interviews of candidates for principal at Corte Madera; the new principal should be announced shortly.

(i) Woodside Fire District

Mayor Derwin said she and Councilmember Wengert would be meeting tomorrow with a Board member of the Fire District to discuss the fire mapping issue.

WRITTEN COMMUNICATIONS

(11) Town Council 5/16/08 Weekly Digest: None

(12) Town Council 5/23/08 Weekly Digest

(a) Planning Commission Vacancy

Referring to Ms. Lambert's memo of 5/21/08, Ms. Howard said an ad would be placed in *The Almanac*, on the Town website, and on the PV forum announcing the Planning Commission Vacancy. After discussion, Council agreed to ask Planning Commissioner Elkind to stay on the Commission past July and hold interviews on September 10 when the full Council was present. Responding to Councilmember Toben, Ms. Sloan said the new commissioner's appointment would be an interim appointment until the term began in January when the 4-year term would have to be re-advertised. Ms. Howard noted that three Commissioners' terms, including Commissioner Elkind's, ended in December. Councilmembers discussed whether the Commission could function with four Commissioners until January. Ms. Sloan suggested the ad indicate that this was a three-month position, which would be available for a 4-year term in January. Councilmember Driscoll suggested "...to complete the term of a Planning Commissioner." Ms. Sloan suggested speaking with the Town Planner to see what was coming up September through December. There might be only 4-5 meetings.

(b) Information Regarding California Volunteers (Attached separates)

Councilmember Merk suggested the information be integrated into the Town's website.

(d) Status of Noise Element and Noise Ordinance

Referring to the memo from Town Planner Mader dated 5/21/08, Councilmember Toben said the Town needed to take cognizance of aircraft noise over Portola Valley. If the element expressed concern about aircraft overflight noise, it gave a platform/basis on which to make a rational complaint when aircraft traffic increased. Councilmembers discussed the recent increase in aircraft noise. Councilmember Merk noted that he was on the Noise Committee and would see that it was included.

(e) Phillips Brooks School Renovation

Referring to *The Almanac* article, Councilmember Toben noted that the director of the school stated emphatically that they had no present plans to move. This was a different message from a year ago. He discussed a meeting he attended in April with the director, the new chair of their Board, and neighbors of the potential new school site. The neighbors had been very vocal about concerns, and he expressed the Town's position. He felt it had been effective.

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

Mayor

Town Clerk