



CITY COUNCIL SUMMARY MINUTES

Special Meeting
June 18, 2024

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 4:00 P.M.

Present In Person: Burt, Kou, Lauing, Lythcott-Haims, Stone, Tanaka, Veenker

Council Member Tanaka Arrived at 6:38 P.M.

Present Remotely:

Absent:

Action Items

AA4. Discussion Regarding Caltrans' Repaving Project on El Camino Real Replacing Existing Parking with Bicycle Lanes, Authority for Staff to Make Adjustments to the Residential Preferential Parking Permit Programs and Return to Council on Consent if Needed, Authority for Staff to Enter into Agreements As Needed to Provide Temporary Safe Parking Along the Corridor in Palo Alto, and Approval of a Resolution Supporting the Removal of On-Street Parking for this Project; CEQA status – categorically exempt. Item Continued from June 17, 2024 City Council Meeting, Presentation

Limited Public Testimony on portions of this Agenda Item may be taken at the discretion of the Council at the June 18th City Council Meeting.

June 17, 2024 original report and material for this item can be found here* (Agenda Item Number 31). On June 17th the Council Received Public Testimony; the Item Was Continued to June 18 for further Council Deliberation and Action.
<https://cityofpaloalto.primegov.com/Portal/Meeting?meetingTemplateId=14311>

PUBLIC COMMENT (CONTINUED):

SUMMARY MINUTES

1. Mark S. supported the Staff recommendation to work with Caltrans to implement the El Camino repaving and bike project, which is consistent with the City's climate, transportation, health, and equity goals.
2. Eric N. felt narrowed lanes would reduce speeding on El Camino Real. He hoped Caltrans would take the Staff suggestion to ban right turns on red on the Safe Streets to School routes that cross ECR. He felt the improved sightlines from removing parking would improve safety and asked the Council to support safety.
3. Galen F., owner of Sundance Steakhouse, objected to removing parking on El Camino to make room for a bike lane. He noted his business relies on parking and that a bike lane does not belong on a six-lane highway. He requested measures to include suitable employee and guest parking.
4. Tony L., owner Stanford Coin Wash laundromat on El Camino Real, explained his customers rely on convenience and ease of access when parking in front of the store. He stated parking along ECR is vital to businesses without parking lots and removing it would kill businesses and negatively impact lives of customers.
5. Maarten L. strongly advocated for the No Right Turn on Red restriction to make biking safer on El Camino. He felt putting bike lanes on El Camino might not be perfect for everybody but would be a huge step forward in making Palo Alto the bike friendly and environmentally city it wants to be. He urged Council to vote in favor of bike lanes on El Camino.
6. Katherine D. supported the PTA Executive Committee's recent vote to support adding No Right Turn on Red restrictions to the school commute crossings.
7. Lara A. and the Palo Alto Council of PTAs strongly supported the Staff recommendation to add No Right Turn on Red restrictions to the school commute crossings and other heavily used bike and pedestrian crossings on El Camino Real. She asked Council to vote in support of this item.
8. Ken K. (Zoom), an advocate with Silicon Valley Bike Coalition, felt the most critical safety enhancement along this corridor was removing parking to establish clear sightlines and listed ways to mitigate impacts on businesses and educate the community.

SUMMARY MINUTES

9. Jesse C. (Zoom) supported the No Right Turn on Reds. He felt the bike lane would greatly enhance safety, which should come first, and that local businesses could adapt.
10. Becky (Zoom) was unsure there was data that taking away parking on El Camino was the greatest good for the greatest number of people. She was disappointed the program to make Park Boulevard the preferred bike route was canceled.
11. Penny E. (Zoom) spoke in favor of No Right Turn on Red restrictions for ECR and way-finding signage to the parallel Wilkie Park Bike Boulevard for bicyclists who want a quieter route.
12. Kayla F. (Zoom) strongly supported measures to improve biking safety along and near El Camino and was specifically in favor of the No Right Turn on Red restrictions recommended by Staff.
13. Dylan F. (Zoom) supported the bike lanes and No Turn on Red signage.
14. Temina M. (Zoom) supported the proposed No Turn on Red restrictions and the creation of bike lanes along El Camino Real. She noted a lot of people in Palo Alto do not have cars and rely on safe bicycle transit to get kids to school.
15. Sandhya L., Deputy Director at Silicon Valley Bicycle Coalition, speaking on behalf of Guiliano, Michael, Frank, Stephen, Zafarali, was excited about all the improvements this project is bringing: reduced lane widths, increased improvements at intersections, No Right Turn on Red, all of which will reduce speeds and significantly reduce the number of crashes on the corridor. She encouraged Staff to prioritize working with Caltrans to include all the improvements not already in this project through the City's 2025 Bike/Ped Plan and to fund and prioritize future projects to elevate this to the next level. She also pushed for a 5-foot bike lane in the underpass section by narrowing lane widths to 10 and 11 feet to close the only gap this current project has.

Philip Kamhi, Chief Transportation Official, reviewed the Council motion of April 1, 2024, regarding safety improvements, parking alternatives, and RV/vehicle dwellers. Caltrans has committed to expediting encroachment permits on El Camino Real. He presented some example conditions Council might consider incorporating into the recommendation as well as the Staff recommendation.

SUMMARY MINUTES

Council Member Burt explained that when this came up April 1, he was concerned that the proposal of painting bike lanes on El Camino without other safety improvements and without a parking mitigation plan would not be a net gain for the community. He noted that Staff worked along with Caltrans on this item and asked for clarification on the authority Caltrans has in parking on El Camino.

Molly Stump, City Attorney, responded that El Camino Real is a state highway. Caltrans has the authority to design, redesign, and reconfigure the street in the way they deem appropriate even over the City's objection. Caltrans has the authority to restrict parking on the street.

Council Member Burt continued that the City did not have a great deal of leverage in this matter, yet were able to drastically improve the outcome with extensive safety measures. He felt a parking mitigation plan was extremely important and planned to include that in the motion. He believed it was compelling that Safe Routes to School and the PTA Council have fully endorsed this proposal as their mission is to assure students have safe ways to get to school, with a big focus on all of the intersections on El Camino that did not exist in April's proposal. In addition to new housing, the growing trend of E-bikes and other micro-mobility vehicles will also be a big part of the use of El Camino going forward, and he supported the current proposal.

Vice Mayor Lauing noted that in the April motion, he felt giving up more parking for a little bit more safety on El Camino was not worth it. The ad hoc was started and worked hard with Staff and VTA. The focus for Caltrans was to fix the street, and they stated and restated that the decision to put bike lanes there and remove parking was unchangeable. The discussions therefore focused on safety. He stated the group virtually walked each block of El Camino and looked at it block by block. Caltrans accepted a lot of suggestions and there are a number of ideas they are still considering, such as flashing lights on the back of buses when they are going to pull over, which would make it safer for bikes behind them. Caltrans has also agreed to work on better situations over time. There has been good progress on looking through possibilities for relocation of RVs. The remaining issue is parking mitigation, which has to be done very thoroughly. The direction of the ad hoc was to make this safer, and that has happened.

Council Member Lythcott-Haims asked if there were pictures to show what a class 4 bike facility is in contrast to other options.

Chief Transportation Official Kamhi presented a picture of an example of separated bike and car lanes and types of physical barriers.

SUMMARY MINUTES

Aung Maung, Caltrans, added that the raised curbs are about 3 inches tall and the channelizer would be around 2 feet high.

Council Member Veenker described an example in a sibling city with a 2-way bike lane on one side of a busy road and a 2-foot curb sweeping into the far right traffic lane near the intersection and then creating a bus boarding island. She asked about the process to explore physical barriers and the cost element. She also supported No Turn on Red at the designated locations and the parking mitigation.

Chief Transportation Official Kamhi explained the current design proposal Caltrans has provided includes curb but is different than what Council Member Veenker described, which is a lot of concrete work and goes beyond the scope possible for this type of project. However, it is something Caltrans has committed to looking at in a future project.

Ed Shikada, City Manager, added the devices being proposed consider both ease of installation as well as maintenance. There are also considerations of where busses are pulling in and out and where there are driveways or conflicts with traffic. Ultimately the designs are a Caltrans prerogative.

Council Member Kou recalled that Caltrans had said that the City's stretch of El Camino would be up to the City. She asked if they had rescinded that. She was in support of No Right Turn on Red. She stated the parking mitigations have not been talked about and would divide the small businesses and residents. She questioned if a state highway was the best place to do this. She wanted to support small businesses and was also concerned about the safety of buses going into the bike lane, causing bikes to veer into traffic or onto the sidewalk. She suggested Caltrans should repair the road and Palo Alto should watch to see what happens in other cities that have approved bicycles for El Camino. She noted the lack of enforcement for bicyclists. She was also offended by the use of the word vulnerable in this regard as there is already a vulnerable population of people who are functionally and intellectually disabled.

Chief Transportation Official Kamhi explained Caltrans had not given a direct response as to whether they would do this without City approval. However, legally this is their facility and they can do this. He also thought that because they have mentioned several times that they have identified it as a safety concern, they have liability issues should they not do something following this.

Mayor Stone asked if Staff or the ad hoc had reached out to residents associations in the impacted neighborhoods regarding the distribution of RPPs and expending that to additional employee permits.

SUMMARY MINUTES

Chief Transportation Official Kamhi believed that 10 to 15 permits would be distributed per zone in Southgate and Evergreen Park-Mayfield. He noted that would not be the solution on its own and would want the TMA engaged to discuss options.

Mayor Stone explained a petition was received from 22 business owners along El Camino Real alleging they felt misled about the number of parking spots to be removed. He asked for information about the outreach to businesses. He questioned why the City would be expected to maintain the bike lanes and potentially be liable for accidents within the channelizers if Caltrans owns the road and has concerns for liability if they did not make these changes.

Steve Guagliardo, Assistant to the City Manager, stated the reaction of business owners was largely consistent with the survey response, generally opposed to the removal of parking along ECR. He stated Staff tried to make clear the proposal of removal of all parking along ECR and what options could be available to help manage and mitigate those issues. There were also site visits and face-to-face conversations, and he anticipated continuing those conversations to find solutions.

Nate Baird, Parking Manager, noted the employee parking permit program in Palo Alto was unique. The previous 290 permits in Evergreen Park-Mayfield had been reduced to the permits on ECR. There is room to move some of those back in, but it is a very sensitive conversation. There is additional availability in the garages and lots. He stated Staff felt about 40 to 50 permits in the Evergreen Park-Mayfield neighborhood was reasonable and that Southgate would have a minimal impact.

Tim Shimizu, Assistant City Attorney, explained that Caltrans has the responsibility to maintain its road, including channelizers. If they wanted the City to maintain the channelizers or any other kind of improvement, Caltrans would have to enter into a maintenance agreement with the City. The City could then be held more responsible and more liable if someone got into an accident or filed a claim against the City and Caltrans, whereas currently the City is not liable because there is no maintenance agreement. In terms of taking on that obligation, the City would have to consider whether the potential liability is balanced out by the potential benefits of having channelizers. The basis for this request from Caltrans is that they do not have the staffing to maintain the channelizers even though it is their new standard. Ultimately such an agreement would most likely have to be approved by Council and it would probably be revisited should the agreement be negotiated.

SUMMARY MINUTES

Mayor Stone felt it was odd that Caltrans would move forward with the project regardless of the City's agreement and the City would still be held liable for injuries.

City Manager Shikada understood the channelizers were considered an enhancement and if Caltrans proceeded with the project without the City's willingness to maintain them, they would do the striping but not the channelizers.

Mr. Maung added that since Caltrans is the owner of the facility, they will be responsible for it. The discussion about liability was regarding if the City failed to maintain it and an accident happened due to lack of maintenance. The City would then be partially liable if the City and Caltrans agreed the City would maintain those elements.

Council Member Burt believed the issue of maintenance and liability was part of what still needed to be negotiated and was hopeful there would be progress on that topic. He noted VTA has agreed to provide 500 passes at \$90 apiece, which opens the door for businesses and potentially Buena Vista Mobile Home Park residents and others parking in that area. He also described that with a 400-space parking garage installed and increased hybrid work, there was a huge amount of parking in the Evergreen neighborhood and this proposal would return a fraction of the previously permitted number of workers and not have a significant impact.

MOTION: Council Member Burt moved, seconded by Council Member Lythcott-Haims, to:

- A. Authorize the City Manager or their designee to direct staff to make necessary adjustments to the RPP Programs and return to Council,
- B. Authorize the City Manager or their designee to enter into agreements as needed to provide temporary safe parking for those currently along the project corridor in Palo Alto, and
- C. Approve a resolution supporting the removal of on-street parking for this project.

Conditions to include:

1. Transmittal of the Fehr & Peers review memo and the joint City and VTA memo (Attachments A & D) to Caltrans with a request that Caltrans respond to requested changes

SUMMARY MINUTES

2. Development of a new Maintenance and Liability Agreement with Caltrans for the bikeway project
3. A Caltrans commitment to expediting encroachment permits on El Camino Real
4. Caltrans provision of tentative and final project timelines, when available, for public notification efforts
5. Parking mitigation plan: Adjustments to the RPP program with outreach to the business and neighborhood stakeholders, provision of the VTA smart passes through PATMA for workers, restrictions on short-term parking locations expanded on side streets immediately adjacent to El Camino, a program to relocate RV dwellers and provide bike racks
6. Continue to work with VTA and Caltrans to pilot bus stops designs installation
7. Monitor and measure mode shift and collision outcomes

Council Member Lythcott-Haims was grateful to Staff who were working to secure a location for the RV dweller community on the side of El Camino Real.

Vice Mayor Lauing agreed this may not be the best place to put bike lanes but Caltrans will unquestionably do this without the City's consent. He felt the City needed to make the best of it and be very committed to mitigating the parking issue. He was pleased with the progress and safety and believed there was a multistage plan to make it even safer.

Council Member Veenker supported the motion. She stated there was concern about the safety of bikes along a state highway but she was also concerned about cars parked along the same highway, with drivers walking into traffic to get into their cars and opening doors into traffic. There are already bicyclists on the road, and she wanted to make it a safer situation.

There was discussion about the wording of the motion.

Council Member Kou stated that the City will be losing a lot of parking spaces while hoping for more businesses, with ADUs that do not require parking, with high rises and mixed use housing that will have less parking. She thought this needed to be looked at with more reality.

Mayor Stone thought this was a significant improvement from the April proposal. Caltrans is making these changes along El Camino in neighboring

SUMMARY MINUTES

cities, and it is ultimately their decision. It is better to work with Caltrans to improve designs. Safety has to be the number one priority. He supported the motion.

MOTION PASSED: 5-1-1, Kou no, Tanaka absent

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION: Council Member Burt moved, seconded by Council Member Lythcott-Haims, to:

8. City-proposed locations in Attachment E for additional No Right Turn on Red restrictions

MOTION PASSED: 6-0-1, Tanaka absent

PUBLIC COMMENT

1. Jenny K. provided an update on the Barron Park Donkey Project, including a recent community event and several news media features.
2. Aram J. expressed anger at the Council for not agendizing discussion about a ceasefire.
3. Ken H. discussed Cubberley and felt it was an important issue. He hoped the upcoming election would allow this to move forward.

COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Vice Mayor Lauing reported out on the Chief Administrative Officers Committee, which recently met to evaluate the process of the 2024 reviews of the Chief Administrative Officers. He listed items that were discussed and noted that the Committee recommended being more thorough and strategic. Interviews will start as soon as July and a packet will be sent to the Council shortly. Separately, by Q2 of '25, the Committee wanted to have a document to bring new council members up to speed.

Council Member Kou suggested the Stanford Ad Hoc Committee may put a report out in August. She asked the City Manager to communicate with Stanford to update when they have the story poles up at the El Camino Park.

SUMMARY MINUTES

Mayor Stone announced an allocation from the Council Contingency Fund to Neighbors Abroad in the amount of \$5000 for video technology expenses related to sibling cities, USA Town Halls, and public events cosponsored by the City.

STUDY SESSION

- ~~1. Study Session: Report from the Human Relations Commission regarding their Research on the Lived Experience of Asian American, Native Hawaiians and Pacific Islanders; CEQA status – not a project~~
Item Removed Off Agenda

CONSENT CALENDAR

2. Approval of 1) Construction Contract No. C24190876 with Valentine Corporation in the Amount of \$667,369 and Authorization for the City Manager or Their Designee to Negotiate and Execute Change Orders for Related Additional but Unforeseen Work that May Develop During the Project Up to a Not-to-Exceed Amount of \$100,105; and 2) Amendment No. 1 to Contract No. S24189099 with H.T. Harvey & Associates in an Amount Not to Exceed \$131,732, for Biological Compliance and Post Construction Monitoring and Restoration, for the Baylands Boardwalk Pilings Repair Project Capital Improvement Program PE-24000; CEQA status – exempt under CEQA Guidelines Section 15301
3. Approval of Amendment No. 3 to Contract Number C21180324 with Canopy in the Amount of \$376,550 and to Extend Contract Term for One Year for Continued Implementation of Urban Forest Master Plan Programs, and Approval of a Budget Amendment in the General Fund; CEQA Status - Exempt Under CEQA Guidelines Section 15308
4. Approval of Amendment Number 5 to Contract Number C20176363 With Magellan in the Amount of \$1,122,121 to Incorporate Additional Design and Technical Services for the Fiber-to-the-Premises (FTTP) Pilot Project for a Revised Total Not-to-Exceed of \$6,807,412 Over a Five-and-a-Half-Year Term; CEQA Status – Not a Project
5. Approval of General Services Contract Number C25188309 with Cintas Corporation in the Amount of \$2,124,293 to Provide for Rental and

SUMMARY MINUTES

Laundering of Work Uniforms and Miscellaneous Items for a Period of Five Years; CEQA Status – Not a Project.

6. Approval of Contract Number C25190507 with OverDrive in an Amount Not to Exceed \$200,000 to Provide Library Electronic Content ("E-Content") for a Period of Two Years; CEQA status – not a project.
7. Approval of Professional Service Contract Number C25191000 with Grassroots Ecology in an Amount Not-to-Exceed \$612,027 for Land Stewardship Services at Pearson-Arastradero Preserve for a period of Five Years; CEQA status – categorically exempt.
8. Approval of a Memorandum of Understanding for a Countywide Food Recovery Program; CEQA Status – Exempt under CEQA Guidelines Section 15308
- AA1. Approval of (1) Professional Services Contract No. C24187724 with LensLock, Inc in Amount Not to Exceed \$1,181,400 for Replacement of the Police Public Contact Audio/Video System for a Period of Five (5) Years; (2) Police Audio/Video Technology Surveillance Use Policy; and (3) Approve a Budget Amendment in the Supplemental Law Enforcement Services Fund and Capital Improvement Fund (2/3 vote required); CEQA status – not a project
- AA2. Recommend City Council Approval of Various Task Orders with Baker Tilly for Internal Audit Services 1) Extend deadline for FY 2024 Task Orders Task 1: Citywide Risk Assessment, Task 2: Preparation of Annual Audit Plan, Task 3: Selection of External Financial Auditor and Annual Audit Coordination, 2) Execute New FY 2025 Task 5: Preparation of Quarterly Reports, Annual Status Reports, Provision of City Hotline and Other Ongoing Office Administrative Functions, and 3) Amend the budget for FY 2024 Task Orders as Recommended by the Policy & Services Committee; CEQA Status – Not a Project.

PUBLIC COMMENT:

1. Herb B. (Item 4) thought this was the wrong direction for FTTP. He suspected the same thing would happen as with other things the City has promised and only delivered in some neighborhoods. He believed that if the City was involved in transactions, rates would be subject to Proposition 218.

SUMMARY MINUTES

MOTION: Council Member Burt moved, seconded by Council Member Veenker, to approve Agenda Item Numbers 2-8, AA1, AA2.

MOTION PASSED: 6-0-1, Tanaka absent

CITY MANAGER COMMENTS

Ed Shikada, City Manager, had no updates since the meeting the previous day.

The Council took a 15-minute break and returned at 6:30 P.M.

ACTION ITEMS

9. Adoption of the Community Development Block Grant (CDBG) FY 2024-25 Annual Action Plan and the Adoption of a Resolution Approving Use of CDBG and CDBG CARES Act (CDBG-CV) Funds for FY 2024-25, and Approval of a Budget Amendment in the Community Development Block Grant Fund.

Rebecca Atkinson, Planner, reviewed the proposed sub-recipients and FY 2024-2025 funding levels consistent with Human Relations Commission recommendations. She presented the Staff recommendation.

Council Member Kou asked why there were so much unspent funds from previous years. She questioned if the 20-percent cap for planning and administration gets the City full cost recovery. She wanted information on applicants that did not get approved. She asked what qualified fire station sidewalks to be included in the new facilities improvement.

Ms. Atkinson responded that unspent funds were the result of CDBG recipients declining funds because they no longer wanted to continue the project or the project came in under bid. She noted that one proposed subrecipient did not receive funds because they were determined not to be eligible. She explained the sidewalk improvements included ADA sidewalks and curb cuts, which are a presumed benefit.

Jonathan Lait, Planning Director, did not believe it was a full cost recovery expense relative to the cost provided to the consultant and the Staff time for additional work.

MOTION: Council Member Kou moved, seconded by Mayor Stone, to:

SUMMARY MINUTES

1. Adopt the draft Fiscal Year (FY) 2024-25 Annual Action Plan (AAP, Attachment A) and the associated CDBG FY 2024-25 Annual Action Plan Resolution (Attachment B) allocating Community Development Block Grant (CDBG) and CDBG CARES Act (CDBG-CV) funding for FY 2024-25; and
2. Authorize the City Manager to execute the FY 2024-25 CDBG application to fund the FY 2024-25 Annual Action Plan and associated documents concerning the application, and to otherwise bind the City with respect to the applications and commitment of funds; and
3. Authorize staff to submit the Fiscal Year 2024-25 AAP (Attachment A) to the U.S. Department of Housing and Urban Development (HUD) by the July 6, 2024, deadline; and
4. Authorize the City Manager or designee to draft and execute a loan agreement, regulatory agreement, and related documents necessary to implement City Council direction on the Alma Garden Rehabilitation Project in a form consistent with the City's affordable housing loan documents and approved by the City Attorney.
5. Amend the Fiscal Year 2025 Budget Appropriation for the Community Development Block Grant Fund (2/3 vote needed) by:
 - a. Increasing Revenue from Other Agencies by \$1,157,286
 - b. Increasing General Expenses by \$1,157,286

Mayor Stone was confident the HRC did a thorough job of vetting CDBG applications and trusted the recommendation.

MOTION PASSED: 7-0

10. PUBLIC HEARING/QUASI-JUDICIAL. Buena Vista Mobile Home Park Redevelopment/3980 El Camino Real [24PLN-00041]: Provide Direction on Applicant's Request for Amendments to the Existing Regulatory Agreement and Proposed Application for a Streamlined Housing Development Review to Allow the Redevelopment of the Buena Vista Village Mobile Home Park. The Proposed Development Would Result in Two Parcels, One Featuring a new 61-Unit, 100% Affordable Housing, Multi-Family Apartment Building and Associated Work Within the Right-of-Way; and the Second Parcel Featuring a Renovated 44-Unit Mobile Home Park, Which is Under State

SUMMARY MINUTES

Jurisdictional Authority. Environmental Assessment: Exempt from the Provisions of the California Environmental Quality Act in Accordance with CEQA Guidelines Section 15332 (In-fill Development). Zoning District: RM-20.

Claire Raybould, Principal Planner, explained the project before the Council relates to two key components of the redevelopment: amending the existing regulatory agreement and review of the 61-unit multifamily apartment development. The proposed apartment building would be on a 1.69-acre parcel, with 44 mobile homes developed on the remaining 2.38-acre parcel. The apartments would be 100 percent affordable, and the project qualifies for an 80-percent density bonus accordingly. The applicant is proposing four concessions and five waivers for minor adjustments to code requirements. She reviewed the key design modifications. The Regulatory Amendment was modified from one agreement with 100 units to two agreements with 105 units.

Melissa McDonough, Assistant to the City Manager, discussed resident outreach by the Housing Authority.

Planner Raybould reviewed the next steps and the Staff recommendation.

Preston Prince, Executive Director Santa Clara County Housing Authority, spoke about the goals of the project.

Fred Pollock, Architect, noted the mobile home and apartment building will have joint open space, joint amenities, utility improvements, and improvements to the Los Robles frontage that will benefit the greater community. The open space at the center of the community connects to both the mobile home park and the apartment building and is framed by amenities easily accessed by both sides. He detailed the refinements addressed after input from the Architectural Review Board: providing an additional entry on Los Robles, consolidating utilities, refining the façade articulation, and increasing tree planting in the parking lot.

Executive Director Prince presented the proposed changes in the Regulatory Agreement.

Mahealani Ah Yun, City Clerk, noted there was translation service available for those who need it. This was translated into Spanish by a member of the public.

PUBLIC COMMENT:

SUMMARY MINUTES

1. Winter D., speaking on behalf of Andie R., Gerry M., Jeff G., Marilyn K., and Mary S., supported this project as a safer, prettier, more comfortable home place for Buena Vistas. She questioned how it is assured the missing documents and reports needed for final approval will meet the standard. She wanted a Palo Alto live or work preference for housing at Buena Vista. She asked how many replacement trees would be planted and if more shade trees could be planted near treeless mobile home groupings. She questioned the hard deadline for households to declare their choice to return as mobile home owners/renters or to leave permanently and when residents will know where they are to live before they are relocated. She wanted to know the plan for a substitute meeting place for the homework club during relocation and also the plan for private transport during relocation. She suggested safety signage be installed near both driveways for safe biking. She was disappointed the ARB did not accept the color palette chosen by the residents. She felt street naming was important.
2. Dich T., Buena Vista resident, felt it was of more benefit to have all of the units be rentals.
3. Jonathan G. supported the remodel of the park. He noted the road that separates the proposed condos from the mobile home is directly opposite the entrance to his complex and requested the road be moved 100 yards down to decrease traffic through the neighboring complex.
4. Herb B. raised a question of bias as he believed Council Member Veenker had been involved with one of the groups helping Buena Vista. He also felt there needed to be protection to ensure that down the road there was not an attempt to remove the remaining ownership of the individual mobile homes and create another multifamily development.

Council Member Burt asked where the updated tree plan stood and whether there was a commitment to update it in response to concerns raised. He felt the current canopy, even with mature trees, was inadequate and that the priority was for replanting on site. He asked if there would be a preference for new residents who already live or work in Palo Alto.

Planner Raybould explained a tree planting plan was provided in the development but did not include updates anticipated to be made in response to public comments related to changes in tree species for the mobile home

SUMMARY MINUTES

portion of the site. She was not aware of plans for additional canopy and screening.

Mr. Pollock noted for the entire site, both parcels, 84 trees would be removed and 128 were proposed to be replanted, on site and adjacent in the frontage.

Philip Kamhi, Chief Transportation Official, believed the apartment portion of the project complied with the tree replacement requirements. The tree ordinance does not apply to the mobile home park. However, this is a three-party agreement between the City Council, the County and the Housing Authority, so the Council could approach the conversation in that forum.

Mr. Prince stated they were very interested in having a Palo Alto preference.

Council Member Lythcott-Haims wanted this community to look like any other in Palo Alto, lush with trees. She also requested more trees, as a climate and safety issue. She was also interested in a second look at the color palette and agreed with the Palo Alto live/work preference. She asked if the units count toward the City's RHNA.

Planner Raybould explained the units have already been counted toward RHNA and cannot be counted again.

Erik Jensen, Landscape Architect, added that the lack of trees along Los Robles had to do with sub-grade utility conditions and the 10-foot Valley Water easement, where trees cannot be planted. He noted they were able to meet City requirements for tree replacement on the remainder of the site and planting off site, also using climate-adaptive native or naturalized trees to fit with the existing canopy. He thought it would have a year-round predominantly evergreen condition, giving a lot of shade and helping with the heat island effect.

Vice Mayor Lauing felt the objective design standards were well arbitrated. He asked if the amenities the residents felt were important, like play areas and homework club with computers, were all accepted. He wanted an update on the applicants getting placements. He questioned the missing materials or documents mentioned in public comment. He noted the City does not have jurisdiction over the mobile home park, yet ARB changed the colors. He asked if the City could request more consideration for the other agencies to comment on.

Flaherty Ward, Santa Clara County Housing Authority, explained the requested amenities have all been incorporated into the design. She stated that last time she came to Council, about 65 percent of households had

SUMMARY MINUTES

affirmed a housing decision, and as of today, it was 76 percent. She discussed upcoming one-on-one meetings with households to update offers based on new appraisals and provide additional details on the relocation impacts. She believed this would result in more households affirming their housing decision within the next six weeks or so.

Planner Raybould responded that the documentation to support the exemption for CEQA was not yet complete. She stated the tentative map was a separate application but was hoped to move forward in August.

Jonathan Lait, Planning Director, explained that the City does not have discretion over the color scheme and the applicant can do what they want with colors.

There was further discussion about tree planting.

Council Member Kou asked when the residents would know where and when they will be relocated. She also wanted to know about the questions of transportation during the relocation and the homework club. She asked for an explanation on the AMI up to 120% on the Regulatory Agreement.

Ms. Ward explained that given the Palo Alto housing market, they would begin to secure housing potentially 120 days before a household needs to move. Families will meet with advisors in the coming weeks and answer questions about their needs (how many children in school and where they attend, any mobility issues, pets, need for storage), which will be used to find housing. She noted the Housing Authority remains committed to making sure children get to school but there is not a plan yet because the placements and household needs have not been determined. She stated she would add the homework club to the list of things to discuss with the school district.

Sarah White, Santa Clara County Housing Authority, explained that the Regulatory Agreement captures potential over-income residents that live at BV currently and wish to return to the park. It has the same basic structure, 40 percent of the units at 30% AMI, 40 percent at 50% AMI, and 20 percent at 80% AMI, with a provision to calculate rent for those over 80% and over 120% AMI.

Council Member Veenker discussed that she was a volunteer on the Board of the Law Foundation of Silicon Valley, never received compensation, and resigned when she became a council member to avoid conflict of interest. She asked why it was necessary to remove existing trees on Los Robles and wondered if there were modifications that might preserve any. She questioned the paving material contemplated in the mobile home park and if

SUMMARY MINUTES

there was anything that could be used to reduce the heat island effect. She asked if there any mediation services had been explored regarding relocation services.

Planner Raybould explained those trees were being removed to put a sidewalk in the area and redevelop the frontage for utilities and lighting. There had been discussion and confirmation of why each of the trees was being removed.

Mr. Pollock responded that asphalt would be used for the paving, but the paving area would be reduced in the park, with additional non-asphalted areas.

Ms. Ward noted that mediation was looked into. She felt the next steps of providing residents more details about specifics would help the outlying residents who have not made a decision.

Assistant to the City Manager McDonough described various efforts to resolve residents' concerns, a lot of which have been resolved with the help of third parties.

Council Member Tanaka asked for clarification on the removal of obsolete references in the Regulatory Agreement. He questioned why the units would not be made available as low-income if the resident is able to afford regular housing. He wondered if it would be more beneficial to build 100 units and make the rest park land.

Ms. Ward explained that when the park was purchased, there was a piece of the property residents resided in that was not able to be purchased from the previous owner and was the leased land described in the original agreement. There are no longer households residing there and no reason for it to appear in the new agreement. With the redevelopment, when people move back in, there will be a rent adjustment depending on the income level, so there is no more need for the concept of base rent. She described that the rent will be adjusted to market eventually based on income, but rent increases will slowly happen over time rather than all at once. She also explained that a commitment was made in saving the park to provide mobile home ownership opportunities for the residents who lived there. The resulting plan tries to balance the desire for a denser site while honoring the mobile home owners that wish to remain as mobile home owners.

Council Member Kou questioned the Regulatory Agreement regarding reinvestment.

SUMMARY MINUTES

Ms. Ward gave background that affordable housing projects have to include something to explain what happens if ownership changes hands. She explained the Housing Authority has no intention of selling the property, but if that were to happen, the Housing Authority would reinvest the proceeds in Palo Alto to build more affordable housing. It is a scenario that is very unlikely to happen but had to be clear in the agreement.

Planner Raybould noted that changes in state law mean that deed-restricted units being rented or sold in the last five years cannot be converted to market rate development or demolished and not replaced.

Council Member Lythcott-Haims stated Barron Park does not have sidewalks. It is not necessarily considered an improvement to add a sidewalk, so she wondered if the trees could be preserved. She asked if the two-way main streets in the mobile home portion were sizable enough for a small roundabout with a tree in the middle. She wanted to know what the budget increase would be to plant bigger trees at the outset and not wait 15 years for the canopy.

Mr. Pollock believed the tree sizes and timeline were consistent with City regulations. He explained the Los Robles frontage would connect with an existing sidewalk directly to the south.

Director Lait described that the larger tree installed takes longer for the canopy to grow. The 24-inch box replacements start out small but catch up to the more mature trees through their growth pattern.

MOTION: Council Member Veenker moved, seconded by Council Member Kou, to:

1. Return on the August 5, 2024, City Council Meeting following the completion of the environmental analysis for a decision on the Streamlined Housing Development Review application and to authorize the City Manager to Execute the amended Regulatory Agreements with the following:
 - a. Consider whether any trees can be preserved on Los Robles; and,
 - b. Whether a surface treatment on the pavement can reduce heat island concerns; and,
 - c. Whether larger trees or additional trees can be planted on the Mobile Home Park; and,

SUMMARY MINUTES

- d. All reasonable efforts to resolve disputes standing in the way of housing decisions; and,
- e. Whether color choices may be returned to the resident preference; and,
- f. Pursue a Palo Alto worker resident preference.

There was discussion about the wording of the motion and whether to bring back the item on consent.

MOTION PASSED: 7-0

The Council took a 5-minute break, returning at 8:50 P.M.

11. ~~PUBLIC HEARING: Adoption of a Resolution Implementing the North Ventura Coordinated Area Plan (NVCAP), Amending the City's Comprehensive Plan and Certifying the Supplemental Environmental Impact Report, Including a Statement of Overriding Considerations; and FIRST READING: an Ordinance Adding Chapter 18.29 and Amending Chapters 18.14, 18.24, and 16.65 in the Palo Alto Municipal Code as Well as Amendments to the Zoning District Map, and Rezoning of Parcels Within the NVCAP area. CEQA Status Supplemental Environmental Impact Report SCH #2023020691. Item Removed Off Agenda and Deferred to August 5, 2024 City Council Meeting.~~

- AA3. Selection of Rail Grade Separation Alternatives for Churchill Avenue, Meadow Drive, and Charleston Road Crossings for the Advancement of the Alternatives into the Preliminary Engineering and Environmental Documentation phase; CEQA status – statutorily exempt under CEQA section 15262 (feasibility and planning study) (Item Continued from June 10, 2024) *New Item added – Limited Public Testimony on portions of this Agenda Item may be taken at the discretion of the Council at the June 18th City Council Meeting.*

June 10, 2024 original report and material for this item can be found here (Agenda Item Number 13). On June 10th the Council Received Presentations and Public Testimony; the Item Was Continued to June 18 for further Council Deliberation and Action.*
<https://cityofpaloalto.primegov.com/Portal/Meeting?meetingTemplateId=14305>

SUMMARY MINUTES

PUBLIC COMMENT:

1. Michael W. asked the Council to approve moving forward with the hybrid for more engineering study for grade separation in South Palo Alto and to retract the underpass option.
2. Steve E. thought the best solution for separation at Churchill and at Meadow and Charleston was a viaduct.
3. Andy Z. expressed strong opposition to acquisition of residential properties as part of the underpass solution for Meadow Drive and Charleston Road. He believed the hybrid solution was the only viable option and hoped the Council would reject the underpass solution for Meadow and Charleston.
4. Richard J. (Zoom) felt grade separation should focus on moving traffic, not families or property lines. He asked the Council to reject the Charleston underpass.
5. Jordan F. (Zoom) believed any plan with eminent domain was not a solution and fair market value sales price will not compensate for the economic, social, and emotional losses impacted families would face. She asked Council to eliminate the underpass option and endorse the hybrid option.
6. Aram J. (Zoom) pointed out that council members need to imagine their own properties were being taken.
7. Ethan Z. (Zoom) expressed opposition of acquisition of residential properties with regard to grade separation.
8. Nico V. (Zoom) explained how the underpass option complicates traffic, increasing throughput at the sites of the grade separation at the expense of those traveling in any other direction and leaving cyclists as an afterthought.
9. Tara S. (Zoom) expressed strong support for the hybrid option for grade separation on Charleston and Meadow and urged the Council to completely abandon the underpass option.
10. Penny E. (Zoom) felt the design work for the Midtown bicycle/pedestrian-dedicated rail crossing should be prioritized over everything else. She noted the Churchill closure would necessitate construction of an alternative bike/pedestrian crossing prior to the start of construction work and preferred Seale for that.

SUMMARY MINUTES

11. Charlotte (Zoom) thought the underpass was not a practical or safe idea for pedestrians or cyclists. She supported the hybrid model.
12. Alan W. (Zoom) stated PABAC adopted a resolution preferring the hybrid and did not recommend the underpass.
13. Karen C. (Zoom) urged the Council to reject the underpass on Charleston and Meadow and proceed with the hybrid option.
14. Tom M. (Zoom) spoke in favor of the viaduct and listed its advantages.
15. Linda (Zoom) stated based on the current housing market price, full acquisition of only two properties in Palo Alto will cost much more than \$2M and felt the City should not waste taxpayers' money on the underpass.
16. Eric N. (Zoom) hoped the Council would support the hybrid option for the Meadow-Charleston crossing.
17. Karen K. (Zoom) was in favor of the hybrid solution as compared to the underpass for Meadow and Charleston.

Council Member Kou believed it would be a travesty for people to lose their homes with the underpass option. She also explained the property effects from the viaduct option. She liked the hybrid option but noted it does not solve Churchill Avenue's grade separation. The other option is a closure, and the grade separation is about connecting Palo Alto.

Vice Mayor Lauing explained the decision tonight is whether Council wants to follow the Rail Committee's recommendation to take the underpass and hybrid alternatives to preliminary engineering. This is not a decision on any alternative but to get more information to make an informed decision in the future. He added Council has not endorsed any alternative at this point and therefore has not approved any property takings. It is still at a very early conceptual stage.

Council Member Tanaka thought the idea of taking someone's house should not be on the table and should not be studied or funded more. He stated it was a cloud over homeowners' heads and causing a lot of stress.

Council Member Veenker asked if it was possible to elevate portions of the hybrid option on pylons and assumed it would be more expensive. She discussed the bike-ped tunnel to be created during construction, which would be there afterward. She felt the underpass was a question of whether

SUMMARY MINUTES

the drawbacks were significant enough to forego even getting more information but also wondered if the remaining 95 percent of engineering would possibly get further away from property takings.

Peter DeStefano, Consultant, noted the pylon option was possible but would come with greater expense. He stated they could present different options with different costs in the next phase.

Philip Kamhi, Chief Transportation Official, explained that a bike and ped crossing would be maintained at one of the two locations at minimum during construction. He believed Council Member Veenker was referring to the additional bike and ped crossings, which would be built as a permanent solution.

Council Member Burt explained design elements that could optimize the design and lead to reduced property impacts. The point of going forward with the next phase of engineering is to problem solve. If those problems cannot be reduced, he would be less supportive of considering the underpass, but he felt the only way to lift the cloud was to proceed with refining the design and mitigating the impacts. Right now these are worst-case scenarios. He explained that in the case of the hybrid, because of Caltrain requirements, the berm, roughly a 15-foot wall, plus the train on top of that, would be right up against the back fences of the homes on Park. While it would not require any property acquisitions, it would have property impacts. Having that berm wall as a physical separation visually separating the two halves of the City is also a big deal. He described that that tunnel and trench options are too expensive but also require property impacts with support systems under the backyards of Park homes. He felt there would never be an ideal alternative, but in moving forward with engineering, the intention was to reduce the impacts, refine these alternatives, and then make a decision. He supported moving forward with engineering on both the underpass and the hybrid.

Council Member Lythcott-Haims stated she was in the minority that felt viaduct was the way to permanently separate the train but admitted it was no longer a viable option. She was worried about the traffic impacts of years of construction. She thought the renderings did not show enough detail regarding bikes and peds for the hybrid option. She was concerned about people losing their homes in Palo Alto and felt this should be prioritized as a higher concern. She wondered how the decision was made to go counter to XCAP's recommendation for closure at Churchill.

Mr. DeStefano explained the initial renderings for the underpass were very confusing regarding the pedestrians and bicyclists, so they showed the path

SUMMARY MINUTES

in a different color. That was not done for the hybrid as it was felt to be more self evident.

Chief Transportation Official Kamhi explained that quite a few members of the public spoke against the Churchill closure. Members of the community from Southgate expressed concern over being shut out, and PAUSD was strongly opposed to it.

Mayor Stone was curious about a single lane on the roundabout. He was leaning toward advancing both options to get to 15 percent to determine if the significant taking impacts and other concerns like the inadequate bike boulevard could be improved.

Chief Transportation Official Kamhi responded that the one-lane roundabout was considered to be unsafe because of the distance for the merge to occur.

Trisha Dudala, Hexagon Transportation Consultants, explained the simulation analysis for the one-lane roundabout showed there would be significant queues backing up onto Alma and resulting in unacceptable levels of service at those intersections. There also was not enough distance for the two lanes to merge into one lane in order to feed into the one-lane roundabout.

Council Member Kou believed people will not be made whole when their homes are taken. There is no documentation that property taxes will transfer, and people on social services could potentially lose services, such as children receiving school lunches, if they have an increase in income. She noted the \$14M to be procured from VTA was from a sale tax and was therefore taxpayers' money. She wanted to see the hybrid and trench alternatives advanced.

Council Member Veenker wanted to see both the hybrid berm and hybrid with column go to engineering.

MOTION: Vice Mayor Lauing moved, seconded by Council Member Burt, to advance the hybrid (including a mixed wall/column approach) and underpass alternatives for Meadow Drive and Charleston Road into the preliminary engineering and environmental documentation phase.

There was discussion on the scope of the next phase of engineering.

Council Member Kou expressed strong opposition to any property takings.

SUBSTITUTE MOTION: Council Member Kou, seconded by Council Member Tanaka, to advance the hybrid and trench alternatives for Meadow Drive and

SUMMARY MINUTES

Charleston Road into the preliminary engineering and environmental documentation phase.

SUBSTITUTE MOTION FAILED: 2-5, Lauing, Veenker, Burt, Lythcott-Haims, Stone no

Council Member Lythcott-Haims, noting that underpass has some takings in the worst-case scenario and hybrid does not, asked what the best-case scenario might be. She was interested to explore the two hybrid options.

Chief Transportation Official Kamhi explained it would need more study but suggested the best-case scenario would probably not be a complete elimination of all property impacts without significant changes.

There was discussion about the wording of the motion and possibility of splitting the motion.

Council Member Veenker felt looking at all options was good in terms of being responsible to all residents but noted she would not be interested in something that comes back similar to the current design. She hoped the engineers would come up with an improved design. She questioned how long this will take.

Chief Transportation Official Kamhi answered that the grant agreement is currently through 2027 for preliminary engineering and environmental documentation phase, which is 35 percent. The timing of the first half of that for the 15 percent depending on how long it takes to get out to bid.

Mayor Stone asked if Staff could come back to Council with an update before the full 15 percent for each plan with options to change course and refocus on one option if desired.

Chief Transportation Official Kamhi stated Staff would check in any time there was updated information about property impacts.

MOTION PASSED: 4-3, Kou, Lythcott-Haims, Tanaka

Mayor Stone adjourned the meeting in honor of Willie Mays, who passed away peacefully this afternoon in Palo Alto.

ADJOURNMENT: The meeting was adjourned at 10:41 P.M.