



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
June 23, 2020

The City Council of the City of Palo Alto met on this date via Virtual Teleconference at 5:02 P.M.

Participating Remotely: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

## Special Orders of the Day

1. Appointment of two Candidates to the Utilities Advisory Commission for Three-year Terms Ending May 31, 2023.

First Round of voting for two positions on the Utilities Advisory Commission for Three-year Terms Ending May 31, 2023.

Voting For: Claude Ezran

Voting For: Lisa Forssell      Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Voting For: Phil Metz

Voting For: Lauren Segal      Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Mayor Fine announced that Lisa Forssell with 7 votes, and Lauren Segal with 7 votes were appointed to the Utilities Advisory Commission.

## Consent Calendar

**MOTION:** Mayor Fine moved, seconded by Council Member Cormack to approve Agenda Item Numbers 2-4A.

2. Authorize the City Manager to Place "Black Lives Matter" on a City Street Near Palo Alto City Hall.
3. Approval of a Lease Agreement Between Palo Alto Unified School District (PAUSD) and the City of Palo Alto for the Cubberley Community Center for 54 Months, Not-to-Exceed \$2,733,280 per Year.

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4. Adoption of a Resolution 9907 Entitled, "Resolution of the Council of the City of Palo Alto Continuing the Proclamation of Local Emergency due to COVID-19."
- 4A. (FORMER AGENDA ITEM NUMBER 9). Approval of Amendment Number 2 to Contract Number C18171057 With AECOM for Continued and Expanded Services for the Connecting Palo Alto Rail Grade Separation, PL-17001, Effort and to Increase Compensation by \$309,872 for a Total Not-to-Exceed Amount of \$2,794,658; and Approval of an Updated Rail Workplan (THIS ITEM WAS MOVED TO CONSENT BY A MOTION OF THE COUNCIL ON JUNE 22, 2020).

**MOTION PASSED:** 7-0

## Action Items

- 4B. PUBLIC HEARING / QUASI-JUDICIAL. 488 University Avenue [19PLN00038]: Request for a Waiver From Title 18 to Allow Conversion of a Residential use to a Hotel use to Accommodate 100 Guestrooms. In Addition, the Applicant Requests Approval of an Architectural Review and Historic Review Application for Interior and Exterior Renovations to the Hotel President to This Category 2 Historic Building, as Well as a Parking Adjustment to Accommodate the Conversion to a Hotel use. The Project Also Includes a Conditional Use Permit to Allow for Restoration and use of a Historic Rooftop Garden and for the On-site Sale of Alcoholic Beverages. Proposed Revisions Include Structural and Seismic Retrofit of the Existing Structure. Zone District: Downtown Commercial District With Ground Floor and Pedestrian Overlays (CDC)(GF)(P). Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) Pursuant to Guidelines Sections 15332 (In-fill Development), 15331 (Historical Resource Restoration/Rehabilitation), 15301 (Existing Facilities), and 15302 (Replacement or Reconstruction)(THIS ITEM WAS CONTINUED FROM JUNE 22, 2020).

Public Hearing opened at 6:26 P.M.

Public Hearing closed at 6:43 P.M.

Council took a break at 6:43 P.M. and returned at 6:59 P.M.

**MOTION:** Mayor Fine moved, seconded by Council Member Kniss to:

- A. Grant a waiver to allow conversion of a downtown residential use to a hotel use;

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- B. Approve the requested architectural review, historic review, parking adjustment, and conditional use permit applications, and the associated environmental exemption findings;
- C. Direct Staff to update in-lieu parking requirements and fees prior to issuance of a building permit;
- D. Remove condition 58;
- E. Add a condition to prevent office conversion; and
- F. Expand the condition to prevent amplified sound on the roof deck.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, Part E, "and provide a waiver for all residential uses."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to combine Motion, Parts A and E, to read, "Direct Staff to update findings and impose conditions as appropriate, granting a waiver to allow the conversion from rental housing to a hotel use or residential use, and prohibiting the conversion into non-hotel commercial uses, including offices;"

**MOTION AS AMENDED RESTATED:** Mayor Fine moved, seconded by Council Member Kniss to:

- A. Direct Staff to update findings and impose conditions as appropriate, granting a waiver to allow the conversion from rental housing to a hotel use or residential use, and prohibiting the conversion into non-hotel commercial uses, including offices;
- B. Approve the requested architectural review, historic review, parking adjustment, and conditional use permit applications, and the associated environmental exemption findings;
- C. Direct Staff to update in-lieu parking requirements and fees prior to issuance of a building permit;
- D. Remove condition 58; and
- E. Expand the condition to prevent amplified sound on the roof deck.

**MOTION AS AMENDED PASSED:** 6-1 Kou no

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**MOTION:** Mayor Fine moved, seconded by Council Member Kniss to direct the City Attorney to prepare a public memo explaining the legal rules that applied to the Council's consideration and decision on the President Hotel, and publish it on the City's website.

**MOTION PASSED:** 6-1 Kou no

Council took a break at 8:56 P.M. and returned at 9:07 P.M.

5. PUBLIC HEARING: Adoption of a Resolution 9908 Entitled, "Resolution of the Council of the City of Palo Alto to Suspend Assessments for Fiscal Year 2021 on the Downtown Palo Alto Business Improvement District."

Public Hearing opened at 9:08 P.M.

Public Hearing closed at 9:10 P.M.

**MOTION:** Council Member Kniss moved, seconded by Vice Mayor DuBois to adopt a Resolution temporarily suspending the levy of assessments in Fiscal Year 2021 in connection with the Downtown Palo Alto Business Improvement District (BID).

**MOTION PASSED:** 5-2 Filseth, Kou no

6. ~~Discuss the Parks and Recreation Commission's Pilot Program to Increase Access to Foothills Park for Nonresidents and Provide 3 June 23, 2020 Direction to Staff (THIS ITEM WAS CONTINUED BY COUNCIL ON JUNE 22, 2020 TO A DATE IN AUGUST)~~
7. Urgency Interim Ordinance 5500 Entitled, "Urgency Interim Ordinance of the City of Palo Alto Temporarily Allowing Expansion of Outdoor Dining, Retail, and Other Activities on Public and Private Property; Relaxing Regulations Regarding: 1) Onsite Parking, 2) On-sale and Consumption of Alcohol, 3) Design/Architectural Review, and 4) Permit Fees to Facilitate Such Outdoor use"; and Adoption of a Resolution 9909 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing Temporary Street Closures of California Avenue, University Avenue and Adjacent Downtown Blocks; and Approving a Temporary Pilot Parklet Program Including Standards and Requirements."

**MOTION:** Council Member Kniss moved, seconded by Council Member Cormack to:

- A. Adopt an Interim Urgency Ordinance Temporarily Allowing Expansion of Outdoor Dining, Retail, and Other Activities on Public and Private Property and Relaxing Regulations Regarding Onsite Parking, On-sale

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and Consumption of Alcohol, Design/Architectural Review, and Permit Fees, All to Facilitate Such Outdoor Use During the COVID-19 State of Emergency, With the Ordinance to Take Effect Immediately Upon Adoption; and

- B. Adopt a Resolution Temporarily Closing Portions of California Avenue and University Avenue and Certain Downtown Streets Intersecting University Avenue Pursuant to California Vehicle Code Section 21101 and Approving a Pilot Parklet Demonstration Program Including Parklet Design Requirements, All to Facilitate Outdoor Dining and Retail.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion, Part B, "...and to encourage Staff to accommodate low-cost parklet options."

**MOTION AS AMENDED RESTATED:** Council Member Kniss moved, seconded by Council Member Cormack to:

- A. Adopt an Interim Urgency Ordinance Temporarily Allowing Expansion of Outdoor Dining, Retail, and Other Activities on Public and Private Property and Relaxing Regulations Regarding Onsite Parking, On-Sale and Consumption of Alcohol, Design/Architectural Review, and Permit Fees, All to Facilitate Such Outdoor Use During the COVID-19 State of Emergency, With the Ordinance to Take Effect Immediately Upon Adoption; and
- B. Adopt a Resolution Temporarily Closing Portions of California Avenue and University Avenue and Certain Downtown Streets Intersecting University Avenue Pursuant to California Vehicle Code Section 21101 and Approving a Pilot Parklet Demonstration Program Including Parklet Design Requirements, All to Facilitate Outdoor Dining and Retail; and to encourage Staff to accommodate low-cost parklet options.

**MOTION AS AMENDED PASSED:** 7-0

- 8. ~~Discussion and Direction to Staff on Housing Affordability Requirements for Projects Proposed Under the Planned Home Zoning (PHZ) (Planned Community Zoning) (THIS ITEM WAS CONTINUED BY COUNCIL ON JUNE 22, 2020 TO A DATE IN AUGUST)~~
- 9. ~~Approval of Amendment Number 2 to Contract Number C18171057 With AECOM for Continued and Expanded Services for the Connecting Palo Alto Rail Grade Separation, PL-17001, Effort and to Increase Compensation by \$309,872 for a Total Not-to-Exceed Amount of~~

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~~\$2,794,658; and Approval of an Updated Rail Workplan (THIS ITEM HAS BEEN MOVED TO CONSENT)~~

Adjournment: The meeting was adjourned at 11:43 P.M.