



CITY OF PALO ALTO CITY COUNCIL FINAL MINUTES

Special Meeting
June 1, 2020

The City Council of the City of Palo Alto met on this date by virtual teleconference at 5:03 P.M.

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

Absent:

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his Designees
Pursuant to Merit System Rules and Regulations (Ed Shikada,
Rumi Portillo, Molly Stump, Monique Le Conge Ziesenhenné,
Nick Raisch, Kiely Nose, Gina Roccanova)

Employee Organizations: Utilities Management and Professional Association of Palo Alto (UMPAPA); Service Employees International Union, (SEIU) Local 521; Service Employees International Union, (SEIU) Local 521, Hourly Unit; Palo Alto Police Officers Association (PAPOA); Palo Alto Fire Chiefs' Association (FCA) and Employee Organization: International Association of Fire Fighters (IAFF), Local 1319; Palo Alto Police Manager's Association (PAPMA)

Authority: Government Code Section 54957.6(a).

MOTION: Council Member Cormack moved, seconded by Mayor Fine to go into Closed Session.

MOTION PASSED: 7-0

Council went into Closed Session at 5:04 P.M.

Council returned from Closed Session at 6:52 P.M.

Mayor Fine announced no reportable action.

Agenda Changes, Additions and Deletions

Mayor Fine announced Agenda Item Number 8 had been removed from the Agenda and would be heard at a later date.

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Ed Shikada, City Manager, advised that Council Member Questions, Comments and Announcements would occur immediately following City Manager Comments.

Oral Communications

Terry Holzemer urged the Council to read information from the West Bay Citizen's Coalition and schedule a discussion of Plan Bay Area 2050.

Beth Rosenthal agreed that the Council needed to schedule a discussion of Plan Bay Area 2050. The public must be informed and allowed to provide input.

Andie Reed related that the Council needed to influence the methodology that resulted in housing requirements. Residents needed to make their own land use decisions.

Paul Machado remarked that the Metropolitan Transportation Commission (MTC) continued to use the jobs model in effect prior to the pandemic. The Council should schedule a discussion of the Plan Bay Area 2050 process as soon as possible.

Suzanne Keehn reiterated the request for a discussion of Plan Bay Area 2050. The jobs model should be rethought in light of COVID-19 impacts.

Greg Schmid shared MTC actions since September 2019. MTC was proceeding with an in-house process that would result in unattainable increases in Regional Housing Needs Assessment (RHNA) requirements. The Council should demand MTC improve the jobs/housing imbalance.

Miranda Li, Vote 16 Palo Alto, advocated for lowering the voting age to 16 years.

Rachel Owens, Vote 16 Palo Alto, supported lowering the voting age to 16 so that students could be civically engaged and lifelong voters.

Antonia Mou, Vote 16 Palo Alto, believed 16 and 17 year-olds should be allowed to vote because they were affected by local issues. Lowering the voting age would improve civic engagement and democracy.

Stacey Olgado supported the pilot program to close streets to non-local traffic and encouraged the Council to expand the program in order to support local restaurants and businesses.

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Stefan Heck asked the Council to open California Avenue and University Avenue to outdoor dining and retail for the summer. Data from Europe indicated retail sales would increase with an increase in pedestrian traffic.

Winter Dellenbach requested the Council honor George Floyd by investigating racism and police brutality within the Palo Alto Police Department and requiring the Police Chief to provide timely audits.

Judy Kleinberg advised that a survey of businesses on University and California Avenues found extraordinarily high support for partial street closures, sidewalk dining, and parklets. Restaurants should be allowed to open in a financially sustainable way.

Bob Fisk asked the Council to save the 100-year-old buckeye tree on Newell Road.

Jeremy Erman expressed concern about the lack of transparency around termination of the City's lease of Cubberley Community Center. Permanent tenants at Cubberley were being evicted while temporary tenants would pay higher fees.

Jennifer Liu encouraged the Council to impose a curfew on the City.

Jonathan Erman commented that the City should not lease only part of the Cubberley theatre. Dressing rooms and backstage areas would be needed for any event held there.

Lilly Huang asked the Council to impose a curfew on the City.

Mayor Fine asked the City Manager to ensure the Cubberley Informational Report was available on the City website.

Minutes Approval

1. Approval of Action Minutes for the May 4 and May 18, 2020 City Council Meetings.

MOTION: Mayor Fine moved, seconded by Council Member DuBois to approve the Action Minutes for the May 4 and May 18, 2020 City Council Meetings.

MOTION PASSED: 7-0

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Consent Calendar

Council Member Tanaka registered no votes on Agenda Item Numbers 3, 5, 6, and 6A.

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to approve Agenda Item Numbers 2-6B.

2. Approval of Contract Number C20178122 With Stoloski & Gonzalez, Inc. in the Amount of \$2,082,178 for the Loma Verde Avenue Trunk Line Improvements Project (SD-19000), and the Storm Drainage System Replacement and Rehabilitation Project (SD-06101).
3. Approval of Utilities Enterprise Fund Contract Number C20176920 With Davey Surgery Tree Company for the 2020 Utility Line Clearance Project in an Amount Not-to-Exceed \$14,486,057 for a Five-year Term.
4. Approval and Authorization for the City Manager or Designee to Execute Memoranda of Understanding (MOUs) With the San Francisco Foundation and PolicyLink to Accept Placement of a Fellow Under the Partnership for the Bay's Challenge Grant Program; Authorization for the Mayor to Submit a Technical Assistance Request Letter.
5. Approval and Authorization for the City Manager or Designee to Execute a Professional Services Agreement With Magellan Advisors, LLC in a Not-to-Exceed Amount of \$214,236 for Phase 1 of the Fiber Network Expansion Plan.
6. Ordinance 5497 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Title 12 of the Palo Alto Municipal Code to Set a 120-day Statute of Limitations for Challenges to the City's Water Service Rates, Wastewater Collection and Disposal Rates, Refuse Rates, Storm Water Management Fees, and Fiber Licensing Service Rates" (FIRST READING: May 18, 2020 PASSED: 6-1 Tanaka no).
- 6A. Authorize the Early Retirement Incentive Program for Police Officers and Fire Fighters.
- 6B. Council Appointed Officers Committee Recommendation to Reject Proposals Received in Response to the Internal Auditor Services Request for Proposals (RFP).

MOTION PASSED FOR AGENDA ITEM NUMBERS 3, 5, 6, 6A: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBERS 2 and 4: 7-0

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Council Member Tanaka found the 90-percent increase in the tree trimming contract unbelievable. He suggested Staff obtain new bids for the contract in Agenda Item Number 5 because prices had decreased due to the pandemic. Implementing a statute of limitations as proposed in Agenda Item Number 6 was not appropriate at the current time. He questioned whether the \$30,000 incentive for early retirement would result in any savings.

City Manager Comments

Ed Shikada, City Manager, acknowledged Staff's exhaustive efforts to reduce costs contained in contracts presented on the Consent Calendar. He read a message of hope and equity on behalf of Reverend Kaloma Smith, Pastor Paul Baines, Police Chief Robert Jonsen, and himself.

Council Member Questions, Comments and Announcements

Mayor Fine grieved for Mr. Floyd, his family, and all others injured by or lost to racism and police violence. Palo Alto would continue to hold its police officers to the highest standards and insist they treat all people with dignity and respect.

Vice Mayor DuBois supported the message of hope and expressed sorrow for the loss of life in Minneapolis. The Small Business Grant Program had issued \$10,000 grants to 50 local companies. Private donations were needed to fund the remaining applications. Expansion of the fiber network was the first step to Palo Alto becoming a Smart City.

Council Member Tanaka questioned whether a curfew could benefit the City. The City needed to be ready for the Public Health Department lifting the Shelter-In-Place Order.

Mayor Fine advised that Staff was preparing an Agenda Item for reopening.

Council Member Cormack remarked that eliminating racism would take years and decades of work.

Council Member Kniss expressed concern that violence was leading to violence. Protests and violence had happened so fast. She expressed her condolences to the Floyd family.

Council Member Kou concurred with Council Members' comments. She asked the City Manager or Police Chief Jonsen to reassure the community in light of recent protests.

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Council Member Filseth appreciated the message of hope and Former President Obama's statement that setting society's values was the responsibility of States and cities.

Robert Jonsen, Police Chief, expressed sorrow for the Floyd family. The tragedy in Minneapolis was unacceptable. The country was failing to address core systemic problems. He expressed concern for the welfare of thousands of law enforcement officers who served their communities with professionalism and respect and were being attacked for defending protestors and property. Citizens needed a safe space to voice their frustration and anger peacefully. Law enforcement agencies were being targeted by protestors and were trying to maintain the peace for non-violent protestors. Responding to civil disturbances was complex and required a fine balance between providing space for protestors and preventing violence and property destruction. The Police Department wanted to ensure citizens could express their opinions peacefully and respectfully. The community was correct to hold the Police Department accountable for its actions, but the community should also hold itself accountable. The Palo Alto Police Department would do everything in its power to protect citizens and property, to provide a safe space for public expression, to hold personnel accountable, and to provide transparency designed to enhance public trust.

Council took a break at 8:16 P.M. and returned at 8:31 P.M.

7. PUBLIC HEARING/QUASI-JUDICIAL: Newell Road Bridge Replacement Project [19PLN-00130]: Adoption and Approval of; 1) Resolution 9889 Entitled, "Resolution of the Council of the City of Palo Alto Certifying the Final Environmental Impact Report (FEIR) and Adopting Findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program Pursuant to the California Environmental Quality Act (CEQA) for the Project," 2) a Record of Land Use Action Approving an Architectural Review Application [File 19PLN-00130] for Demolition of a Two-way Bridge on Newell Road Between Woodland Avenue in East Palo Alto and Edgewood Drive in Palo Alto and Construction of a new Bridge Along the Same Alignment That Meets Caltrans Standards for Multi-modal Access, and 3) Approval of Amendment Number 3 to Contract C12142825 With NV5, Inc. to Extend the Term for Design Services for Newell Road/San Francisquito Creek Bridge Replacement Project (PE-12011).

Council Member Cormack disclosed no communications.

Vice Mayor DuBois disclosed no communications.

Council Member Filseth disclosed no communications.

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Mayor Fine disclosed no communications.

Council Member Kniss disclosed no communications.

Council Member Kou disclosed a meeting with Janie Farn about a year ago, but information discussed was included in reports.

Council Member Tanaka disclosed discussions during his community office hours, but information discussed was included in the Staff Report.

Claire Raybould, Senior Planner, reported the project was replacement of an existing two-lane bridge with a two-lane bridge in the same alignment. The new bridge would have shared 10-foot vehicle/bicycle lanes with 4-foot shoulders for bicycles and 5-foot sidewalks. The project would raise the bridge and remove abutments. A portion of Woodland Avenue in East Palo Alto and Newell Road in both jurisdictions would be raised. Striping Option A included raised 5-foot sidewalks, a 4-foot striped shoulder for bicycle use, and 10-foot sharrows. Striping Option B included a 9-foot shared pedestrian/bicycle path and 10-foot vehicle lanes. The City's Office of Transportation and East Palo Alto's Public Works Department had recommended Option A.

Michele Jeremias, Senior Engineer, advised that the existing bridge had been deemed functionally obsolete. The California Department of Transportation (Caltrans) had agreed to pay up to 88.47 percent of costs, and the Santa Clara Valley Water District (Valley Water) had agreed to provide the local matching funds. Community outreach began in 2012 and continued in 2020 with public meetings for the Environmental Impact Report (EIR). The proposed contract amendment would extend milestone dates for preparation of construction documents and completion of permitting. The existing bridge had to be replaced before flood control improvements could be made upstream of the bridge. The project would improve transportation safety and provide multimodal access.

Ms. Raybould explained that the EIR analyzed a wide range of impacts on the human and built environment. The EIR found that all impacts except for one were either less than significant or less than significant with mitigation. During the construction phase only, there would be a significant and unavoidable impact to traffic at the East Crescent Drive/University Avenue intersection in East Palo Alto. During construction, traffic would utilize other creek crossings. There was no feasible mitigation for the impact because site constraints prevented retention of the crossing during construction. Because of this, the Council must adopt a Statement of Overriding Considerations in order to approve the project. The project was integral to reducing flood hazards for the City and the region, addressed existing roadway deficiencies, and provided multimodal and Americans with Disabilities Act (ADA)-compliant access.

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Caltrans had provided National Environmental Policy Act (NEPA) certification for the project. Next steps included coordination with wildlife/water resource agencies for applicable permits, coordination with relevant agencies, and procurement of right-of-way easements.

Molly Stump, City Attorney, reported during Architectural Review Board (ARB) review of the project, Board Members remarked regarding their personal interests in the project proceeding. Staff had investigated the possibility of conflicts of interests because of these statements and found none.

Vice Mayor DuBois inquired regarding the age of the existing bridge and the expected lifespan of the new bridge.

Ms. Jeremias stated the existing bridge was built in 1911, and the new bridge's lifespan could be 100 or more years as well.

Vice Mayor DuBois requested the length of construction.

Ms. Jeremias reported work in the creek was allowed between June and October only. Construction outside the creek would take about a year and a half.

Vice Mayor DuBois inquired about construction hours.

Ms. Jeremias indicated construction hours would likely be 9:00 A.M. to 5:00 P.M. Monday through Friday.

Ms. Raybould clarified the construction hours as 8:00 A.M. to 6:00 P.M. in Palo Alto.

Vice Mayor DuBois inquired about plans to mitigate construction impacts on nearby residents.

Ms. Raybould advised that plans included the use of sound barriers and Tier 4 equipment and traffic mitigations.

Ms. Jeremias added that construction logistics plans and notice to residents were required. Staff could close Newell Road on the Palo Alto side and use it for staging and storage.

Vice Mayor DuBois inquired about the easements.

Ms. Jeremias explained that retaining walls would be located behind the sidewalks. The easements could vary between 15 and 20 feet.

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Council Member Tanaka inquired about the possibility of constructing a protected bike lane to protect cyclists and calm traffic.

Ms. Raybould related that residents had expressed concern about the width of the bridge. Sharrows complied with Caltrans' standards and reduce the width of the bridge as much as possible.

Council Member Tanaka believed residents were concerned that a wide bridge would attract cut-through traffic.

Ms. Raybould agreed that was the likely motivation for some concerns. Another motivation was reducing impacts on the creek, trees, and wildlife. In August 2019, Staff conducted additional studies to determine the number of cyclists using the bridge. The number had increased since construction of the bicycle/pedestrian bridge in East Palo Alto but was substantially lower than needed to justify construction of a Class 2 bike lane.

Council Member Kniss asked about detours during construction.

Ms. Jeremias reported vehicle traffic would be directed to Embarcadero and West Bayshore or to University Avenue. Detours for cyclists would depend on their destinations.

Council Member Kniss believed the neighborhood would be delighted with a new bridge. Residents were concerned about the new bridge attracting traffic.

Council Member Kou requesting funding information for Alternatives 1 and 2.

Ms. Jeremias indicated the construction cost estimate for Alternative 2 was \$9.1, \$8.1 million from Caltrans and \$1 million from Valley Water. Alternative 1 required the installation of nine traffic signals, which would approximately \$1 million. Any cost savings from constructing a narrow bridge would be offset by the cost of traffic signals. In addition, traffic signals would need additional funding for operation and maintenance. Alternative 2 was selected because it would be a one-time expense. The cost of maintaining an Alternative 2 bridge would be minor compared to the cost of operation and maintenance for traffic signals.

Council Member Kou asked if there would be a traffic signal for one resident to enter and exit his property.

Ms. Jeremias replied yes.

Council Member Kou asked if Staff would approach Caltrans for additional funding.

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Ms. Jeremias explained the overall project cost of \$10-\$10.5 million. \$9.1 million was the construction cost.

Council Member Kou inquired whether salary costs were included in the cost.

Ms. Jeremias indicated Palo Alto's contribution to the project had been oversight of the project. The costs did not include salary. Staff would spend more time on the project once construction began.

Council Member Kou requested future project information include the cost and number of hours for Staff time. She inquired whether the City of East Palo Alto was providing any oversight or Staff time.

Ms. Jeremias answered no.

Council Member Kou requested the flow capacity for San Francisquito Creek once the new bridge was constructed.

Ms. Jeremias related that the flow capacity would increase to 7,500 cubic feet per second (CFS).

Council Member Kou asked if the new bridge would improve the City's Federal Emergency Management Agency (FEMA) rating or reduce flood insurance rates.

Ms. Jeremias advised that the project on its own would not reduce flood insurance rates. Improvements at each crossing of San Francisquito Creek together would improve the City's FEMA rating.

Council Member Kou asked if eight trees would be removed and replaced.

Ms. Jeremias responded yes.

Council Member Kou inquired about drainage with the new bridge being higher than the existing bridge.

Ms. Jeremias explained that drainage would be managed within the public right-of-way. Raising the road would direct runoff to Edgewood. The design phase would analyze drainage and propose any needed improvements for drainage.

Brad Eggleston, Director of Public Works, clarified that Alternative 1 would not be eligible for Caltrans funding. If Alternative 1 was selected, Staff would have to seek alternative funding sources.

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Council Member Kou asked if the width of the bridge in Alternative 1 did not comply with Caltrans standards.

Ms. Jeremias indicated Caltrans' standards required 10-foot lanes with 4-foot shoulders. The 4-foot shoulders would be the bicycle lane.

Public Hearing opened at 9:14 P.M.

Paul Gumina, representative of the homeowner at 1499 Edgewood Drive, opposed certification of the Final Environmental Impact Report (FEIR) because it failed to adequately address all severe impacts. The construction staging area would be located on his client's property. The Statement of Overriding Considerations and the mitigation plan were inadequate and did not comply with the California Environmental Quality Act (CEQA). The EIR had not considered impacts of the COVID-19 emergency.

Xenia Hammer stated the project was vital for flood control and urged the Council to approve it.

Pamela Wagner expressed concern about increased traffic if Alternative 2 was constructed. Alternative 1 would meet flooding and traffic needs.

Ben Ball recommended the Council support Alternative 1. Alternative 2 would increase traffic by 2-5 percent from 2020 to 2040. Residents believed the increase was materially understated.

Hamilton Hitchings shared reasons for selecting Alternative 2 and recommended the Council approve it.

Meg Waite Clayton noted middle schoolers biked to school on Newell Road. Alternative 2 would increase the number of speeding cars and put children at risk. She supported Alternative 1.

Jamie Rappaport supported Alternative 1 because it would not increase traffic. The traffic analysis did not address the likely effect of a wider bridge on traffic. The difference in costs for Alternatives 1 and 2 was negligible. The cost for traffic signals was insignificant compared to the project cost.

Rebecca Young did not support a two-lane, large arterial for the sake of traffic mitigation and at the expense of children's safety. Alternative 1 met all needs.

Steve Young understood the neighbors did not want more traffic. Both alternatives solved flooding problems. The cost of Alternative 1 should be less than stated. The neighborhood seemed to support Alternative 1.

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Karen Hickey supported Alternative 1 because it would reduce traffic and improve bicycle safety.

Deepa Chatergi supported Alternative 1 due to concerns about increased traffic on Newell. If Alternative 1 was not acceptable to Caltrans and the City of East Palo Alto, Staff should search for alternative funding rather than default to Alternative 2.

David Yen stated the existing bridge was not wide enough for two cars to drive across it at the same time. A new bridge would be wider than the existing bridge. He urged the Council to approve Alternative 1 because it had a traffic flow pattern more in line with the existing bridge. He questioned the rationale for installing a traffic signal at one residential property.

Bob Fisk preferred to retain the existing bridge. If that was not possible, he could support the alternative that saved the 100-year-old buckeye tree.

Norman Beamer indicated any further delay in building a new bridge was unacceptable. Replacing a two-lane bridge with a somewhat wider two-lane bridge would likely not affect traffic. A one-lane bridge with traffic signals at either end was absurd. He supported Alternative 2.

Irving Rappaport advised that Janie Farn had submitted a petition signed by more than 100 people in support of Alternative 1. These people were prepared to do whatever was necessary to limit the project to reducing flood risk. Alternative 1 was the logical choice.

Angie Ball supported Alternative 1 and reiterated comments in support of Alternative 1. Funds could be found to build Alternative 1.

Carol M did not want the bridge changed. If that was not an option, she favored Alternative 1.

Steve Bisset believed the majority of residents wanted to reduce the flood risk. Residents would not object to the City installing speed bumps near the bridge.

Mike North questioned whether Staff had performed its due diligence for Alternative 1A.

David Neequaye expressed discomfort with the existing amount and speed of traffic on Newell Road. He wanted a solution that would not negatively impact the residential area, and Alternative 1 was that solution.

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Mike Farn, on behalf of Janie Farn, presented a petition with 116 signatures in support of Alternative 1. The neighborhood wanted to reduce flooding and increase traffic calming and children's safety.

Kevin Fisher remarked that a two-lane bridge would not create traffic problems. He urged the Council to proceed with a project to reduce flooding.

Barry Medoff stated 1,400 lives would be at risk if the City did not fix the flooding problem. There were ways to mitigate traffic.

Public Hearing closed at 10:10 P.M.

Council Member Cormack asked if the project was different when the environmental analysis began in 2015.

Mr. Eggleston recalled the project in 2015 proposed a significantly wider bridge with an option to align the bridge with Newell Road in East Palo Alto and with two creek overlooks.

Council Member Cormack inquired about the date of East Palo Alto's review of the project.

Mr. Eggleston advised that the City of East Palo Alto would not formally approve the project. Staff for Palo Alto and East Palo Alto were preparing a cooperation agreement to define the partnership of the two cities for the project.

Council Member Cormack asked if the project would be complete in mid-2023.

Ms. Jeremias replied yes, but perhaps closer to the end of 2022.

Council Member Cormack asked if the report indicated Alternative 1 would permanently increase the impact on traffic.

Ms. Raybould related that Alternative 1 would not result in a significant impact under Palo Alto's thresholds; however, it would result in delays of more than 4 seconds at multiple intersections. Level of Service (LOS) at intersections would fall from LOS A to LOS B or LOS C. The impacts were not considered significant under CEQA standards, but would be permanent.

Council Member Cormack asked if Caltrans would provide funding for Alternative 1.

Ms. Jeremias replied no. Caltrans would consider Alternative 1 as functionally obsolete.

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Council Member Cormack asked if East Palo Alto would partner with the City for construction of Alternative 1.

Ms. Jeremias responded no, based on past conversations with East Palo Alto staff. East Palo Alto staff also did not see the purpose of the traffic signals.

Council Member Cormack asked if the eight trees referenced earlier were protected trees.

Ms. Raybould answered yes.

Council Member Cormack inquired about ways the City could honor the heritage of the 100 year-old buckeye tree.

Ms. Jeremias reported Staff had discussed relocating part of the tree to the Junior Museum and Zoo and incorporating it into another project.

Council Member Cormack noted the 1998 San Francisquito Creek flood was a 70-year flood. With climate change, more and worse floods were possible. The recent Budget hearings had been brutal. She did not believe funding sources, other than Caltrans, were available. Valley Water would pay a portion of the costs, and Valley Water was a part of the community. The City was responsible for keeping its citizens safe and for doing the right thing for its neighbors.

Council Member Tanaka requested the amount of funding that was secure.

Ms. Jeremias reported Caltrans had approved the design phase but had not approved construction. Caltrans had reviewed cost estimates and was awaiting approval of the EIR. With approval of the EIR, Staff would meet with Caltrans to pursue construction funding.

Council Member Tanaka asked about the consequences for the project if Caltrans could not fund it.

Ms. Jeremias advised that no one would fund the project if the bridge was not built to national standards.

Council Member Tanaka clarified his question as the consequences for the project if Caltrans did not have funds for the project due to budget cuts.

Mr. Eggleston explained that the project would likely be incorporated into the broader upstream project, which needed a funding agreement among all partners of the San Francisquito Creek Joint Powers Authority (JPA).

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Mr. Shikada indicated the Highway Bridge Program was a funding program administered by Caltrans and used a combination of special State and Federal funds. Funding in the Highway Bridge Program could not be allocated for other uses.

Council Member Tanaka asked if the funding was guaranteed.

Mr. Shikada related that it was guaranteed for highway purposes. The funds could not be used for general government purposes.

Council Member Tanaka asked why East Palo Alto was not sharing in the cost of the project.

Mr. Eggleston clarified that the City was not paying the costs either. The City of Palo Alto was listed as the owner of the bridge in Caltrans documentation. The City assumed project management so that it could apply for funding under the Highway Bridge Program.

Council Member Tanaka suggested East Palo Alto should share the cost of Staff time and resources.

Mr. Shikada stated the City assisted East Palo Alto with projects of mutual interest whenever possible.

Council Member Tanaka noted Option B had a raised bike lane, which would increase the safety of children biking to school. He inquired whether Option B qualified for the funding.

Mr. Eggleston replied yes.

Council Member Tanaka believed Option B would fulfill most residents' goals for the project. He inquired whether Staff had conducted a survey of residents' opinions.

Mr. Eggleston stated Staff had not conducted a survey. At one point, Staff had considered seven or eight alternatives and utilized a screening process and community meetings to narrow the alternatives.

Council Member Tanaka asked if Staff had surveyed regarding Options A and B or obtained community input regarding the two options.

Ms. Jeremias reported Option A and Option B were the results of comments provided at Board and Commission meetings. Staff had discussed the two options with East Palo Alto to learn of its preference, and East Palo Alto's Public Works Director advised Staff of East Palo Alto's preference for Option A.

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Council Member Tanaka noted Option B provided wider lanes for vehicles, qualified for funding, reduced flood risk, and protected cyclists.

MOTION: Council Member Tanaka moved, seconded by Council Member Kniss to:

- A. Adopt a Resolution certifying an Environmental Impact Report for the Newell Road/San Francisquito Creek Bridge Replacement Project, making the required findings, and adopting a statement of overriding considerations and a Mitigation Monitoring and Reporting Plan, all in accordance with the California Environmental Quality Act (CEQA);
- B. Approve the Record of Land Use Action approving the proposed Architectural Review application based on the findings and subject to conditions of approval;
- C. Approve and authorize the City Manager or his designee to execute Amendment No. 3 to Contract No. C12142825 with NV5, Inc. to update the Schedule of Performance and extend the contract time to December 2021 to complete the design phase of the Project; and
- D. Approve Option B Striping.

Council Member Tanaka reiterated the goals of the project and neighbors' concerns. Option B appeared to be safer than Option A and a good compromise. There could be ways to mitigate some of the traffic issues.

Council Member Kniss remarked that Option B would be far safer for kids. Discussion of replacing the bridge began before the 1998 flood. The Motion moved the project in the right direction.

Mayor Fine indicated Option B was preferable for a number of reasons. He referred to Page 7 of the Staff Report regarding the City's and East Palo Alto's recommendation for Option A. The bridge was fairly small and did not have enormous traffic volumes. There was merit to integrating bridge striping with existing striping in the area. He inquired about the striping option Staff had presented in community meetings.

Ms. Raybould explained that Option A proposed sharrows because cyclists approaching Woodland Avenue would have to merge into the travel lane to turn left onto Woodland Avenue.

Rafael Rius, Lead Traffic Engineer, clarified that the intersection in Option B would be awkward for cyclists. In Option A, cyclists would merge to the center of the travel lane to turn left onto Woodland Avenue.

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Mayor Fine inquired whether Staff in outreach presented Option A or Option B as part of Alternative 2.

Ms. Jeremias responded Option A.

Mayor Fine asked if the Planning and Transportation Commission (PTC) had approved Option A.

Ms. Raybould reported the PTC had reviewed Option A only. Staff had prepared Option B in response to comments. After talking with agencies, Staff felt Option A was a better design.

Mayor Fine commented that a traditional treatment was logical for this location.

Vice Mayor DuBois noted the Council had received numerous letters supporting both options. He inquired whether the City could install speed bumps if needed in the future.

Mr. Eggleston reported Staff would conduct a post-construction Traffic Study and respond with traffic calming measures if the study revealed issues.

Vice Mayor DuBois could make the findings for a Statement of Overriding Considerations. Alternative 1 was infeasible because there was no funding for it. An assessment district could fund the project, but it would not be practical. He supported Alternative 2 and Striping Option A. He asked about the possibility of aligning the noise mitigation with construction hours.

Ms. Raybould reported the noise mitigation complied with Caltrans' standards. The mitigation also required the project to comply with standards for the city in which construction was occurring. The standards for Palo Alto and East Palo Alto were more restrictive than Caltrans' standards, and the project would comply with City standards.

Jonathan Lait, Director of Planning and Community Environment, clarified that compliance with the City's Noise Ordinance would supersede.

Vice Mayor DuBois inquired about conditions of approval for the project.

Ms. Raybould advised that conditions of approval were outlined in the Record of Land Use Action (ROLUA).

Vice Mayor DuBois wanted to ensure construction did not begin at 6:00 A.M. as the project was located near residences. He supported Striping Option A.

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Council Member Cormack preferred Striping Option A because more people would be aware of a common design. She inquired whether mixing bicycles and pedestrians was a best practice as Option B appeared to do.

Mr. Rius indicated it was not common. Option B showed a striped line that separated bicycles and pedestrians.

Council Member Cormack asked if professionals would prefer Option A.

Mr. Rius explained that Option A followed more standard design practices than Option B.

Council Member Kou inquired about the 2020 and 2040 scenarios used in the residential environment analysis.

Ms. Raybould advised that the analysis looked at increases in traffic over time and used traffic modeling and standard increases.

Council Member Kou asked if those were the growth rates for Palo Alto and East Palo Alto.

Ms. Raybould responded yes.

Council Member Kou inquired whether Staff expected growth in population, housing, and jobs to increase traffic.

Ms. Raybould clarified that other projects were planned in the vicinity, and those projects would increase traffic over time. The conclusion was the project itself would not increase traffic.

Council Member Kou asked if the air roof would have to be removed.

Ms. Jeremias related that a condition of approval required installation of a temporary air roof from Friday night through the weekend if the permanent structure had to be removed.

Council Member Kou asked if notice had been provided about the air roof.

Ms. Jeremias indicated Staff was working with a Rabbi to ensure religious services continued.

Council Member Kou requested clarification of the location of the staging area.

Ms. Jeremias reported the road right-of-way was large enough to accommodate storage and staging during construction. The parcel at 1499 Edgewood extended to the middle of the creek, but the property owner could

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not build a structure in the creek. Construction would encroach into the creek area of the backyard.

Council Member Kou noted the shoulder would not be the bike lane in Striping Option B and asked if the sidewalk was wider in Option B.

Ms. Jeremias related that the shoulder would be raised so that it was contiguous to the sidewalk. The area could be described as a multiuse path.

Council Member Kou asked if bicycles could share the travel lane.

Ms. Jeremias indicated Option B did not propose sharrows for the travel lane.

Mr. Rius explained that a cyclist could share the travel lane if there was no bike lane.

Council Member Filseth inquired about the movement of cyclists at Woodland under Option B.

Mr. Rius related that a cyclist would leave the sidewalk to turn left onto Woodland.

Council Member Filseth described a scenario for Option B of a vehicle turning right from Woodland onto Newell and a cyclist turning left from Newell onto Woodland and the two potentially colliding. A collision was much less likely under Option A.

Mr. Rius remarked that there would be markings and signage for cyclists to stop. There could be a collision if a cyclist failed to stop.

Council Member Filseth requested Staff's opinion of which option was safer for bicyclists.

Mr. Rius advised that both options were safe if cyclists and motorists obeyed traffic laws. Option A offered a traditional layout, with which most people were familiar.

Council Member Filseth inquired about methods to mitigate an increase in traffic after construction of the bridge.

Mr. Rius clarified that saving time was the motivation for cut-through traffic. The difference in time savings for the two alternatives was relatively negligible.

Council Member Filseth asked if there were tools to reduce traffic volumes.

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Mr. Rius reported speed mitigation measures would increase the time for a motorist to travel through the neighborhood and eliminate the time savings for cut-through traffic.

Ms. Raybould indicated under all the alternatives traffic would increase over time with or without the project.

Council Member Filseth noted a policy issue of keeping traffic on arterial streets or allowing it on residential streets.

Ms. Raybould related that the project would not encourage motorists to travel Newell Road over another route.

Council Member Filseth preferred Striping Option A.

Council Member Tanaka proposed a separate vote on Part D of the Motion.

AMENDMENT: Mayor Fine moved, seconded by Council Member Cormack to change Motion Part D to state, "Approve Option A Striping."

Council Member Tanaka believed most children bicyclists would ride on the sidewalk rather than in the street. Option A would be difficult for children cyclists to navigate. Option B was the safer option based on his experience riding Newell Road.

Council Member Kou noted residents wanted Option B.

AMENDMENT PASSED: 5-2 Kou, Tanaka no

Council Member Tanaka requested the Mayor split the Motion.

Ms. Stump reported the Council's rules allowed the Mayor to split a Motion if there was a request and if the Motion could be split. The Motion was not severable.

MOTION AS AMENDED: Council Member Tanaka moved, seconded by Council Member Kniss to:

- A. Adopt a Resolution certifying an Environmental Impact Report for the Newell Road/San Francisquito Creek Bridge Replacement Project, making the required findings, and adopting a statement of overriding considerations and a Mitigation Monitoring and Reporting Plan, all in accordance with the California Environmental Quality Act (CEQA);

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- B. Approve the Record of Land Use Action approving the proposed Architectural Review application based on the findings and subject to conditions of approval;
- C. Approve and authorize the City Manager or his designee to execute Amendment No. 3 to Contract No. C12142825 with NV5, Inc. to update the Schedule of Performance and extend the contract time to December 2021 to complete the design phase of the Project; and
- D. Approve Option A Striping.

MOTION AS AMENDED PASSED: 7-0

- ~~8. Discussion and Direction to Staff on Housing Affordability Requirements for Projects Proposed Under the Planned Housing Zone (PHZ). THIS ITEM HAS BEEN REMOVED FROM THE AGENDA AND WILL BE HEARD AT A LATER DATE.~~

Adjournment: The meeting was adjourned at 11:19 P.M.