



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
November 09, 2020

The City Council of the City of Palo Alto met on this date in Virtual Teleconference at 5:01 P.M.

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

Absent:

Special Orders of the Day

1. Resolution 9921 Entitled, "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Jon Hospitalier Upon his Retirement."

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to adopt the Resolution Expressing Appreciation to Jon Hospitalier Upon his Retirement.

MOTION PASSED: 7-0

Closed Session

- 1A. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Subject: NAACP, et al. v. City of Palo Alto, United States District Court, Northern District of California, Case No. 5:20-cv-07251-EJD (Foothills Park)
Authority: Government Code Section 54956.9(d)(1).

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:25 P.M.

Council returned from Closed Session at 6:14 P.M.

Mayor Fine announced no reportable action.

ACTION MINUTES

Minutes Approval

2. Approval of Action Minutes for the October 26, 2020 City Council Meeting.

MOTION: Mayor Fine moved, seconded by Council Member Cormack to approve the Action Minutes for the October 26, 2020 City Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to approve Agenda Item Numbers 3-10.

3. Approval of a Memorandum of Agreement Between the San Francisco Bay Restoration Authority and the US Army Corps of Engineers to Utilize Resources of the Bay Restoration Regulatory Integration Team (BRRIT) for Pre-permit Application Review and Permit Processing for the Palo Alto Horizontal Levee Pilot Project at no Cost to the City.
4. Approval of Contract Number C21179815 With Daleo, Inc. in the Amount of \$6,417,876 for Gas Main Replacement Project 23 (GS-13001) in the Evergreen, Ventura, College Terrace, Research Park, Greer Tract, Midtown, and Charleston Terrace Neighborhoods; and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$641,788, for a Total Not-to-Exceed Amount of \$7,059,644.
5. Approval of a Traffic Calming Pilot Project and Related Improvements in the Crescent Park Neighborhood.
6. Approval of Amendment Number 2 to Contract Number S15153692 With Woodard & Curran as Successor-in-Interest to RMC Water & Environment for Long Range Facilities Plan Program Management Services at the Regional Water Quality Control Plant, and to Extend the Contract Term Through December 31, 2022.
7. Approval of a \$500,000 Net Zero Budget Amendment in the General Fund for the Planning & Development Services Department's Cost Recovery Program for Private Development Studies.
8. Approval of Contract Number C21178949 With Avenidas, Inc. for the Provision of Comprehensive Services to Older Adults for Five-years in an Amount Not-to-Exceed \$2,626,165.

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9. Approval of Contract Number C21178948 With Palo Alto Community Child Care for Five-years for Management of the City's Child Care Subsidy Program in an Amount Not-to-Exceed \$2,660,556.
10. Policy and Services Committee Recommends Council Accept the Proposed 2020 National Community Survey and Process.

MOTION PASSED: 7-0

Action Items

11. Discussion and Potential Direction on Community and Economic Recovery Strategies Including Uplift Local Holiday Promotions, Business Support Activities, and Testing; and A) Expanding the Definition of Retail and Retail-like to Allow More Diverse Retail Activities; B) Temporarily or Permanently Altering Parking Requirements for a Change of Use; C) Temporarily Suspending the Retail Preservation Ordinance in Some Areas of Palo Alto; and D) Continuing Closures of Portions of California and University Avenues to Vehicular Traffic.

Council took a break at 7:40 P.M. and returned at 7:52 P.M.

MOTION: Mayor Fine moved, seconded by Council Member Cormack to extend the closures of portions of California Avenue and University Avenue to vehicular traffic until March 31, 2021.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to extend the closure until May 31, 2021.

MOTION AS AMENDED: Mayor Fine moved, seconded by Council Member Cormack to extend the closures of portions of California Avenue and University Avenue to vehicular traffic until May 31, 2021.

MOTION AS AMENDED PASSED: 6-1 DuBois no

MOTION: Mayor Fine moved, seconded by Council Member Kniss to direct Staff and the Planning and Transportation Commission to quickly propose changes to enable Diverse Retail Uses in more Retail Sites, including:

- A. Food, Medical, and Educational uses citywide; and
- B. Financial and Professional Office uses in core commercial areas.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, Part A, "or by district".

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to combine Motion Parts A and B to read, "...educational, financial and professional office uses citywide or by district."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "...and to evaluate ways the City can curate a strong retail mix."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "...quickly evaluate and propose changes...".

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "Direct Staff to return to Council with minor adjustments to the definition of what qualifies as a retail use and adjust the thresholds for retail CUP uses in order to promote retail activity and decrease vacancies." (New Part B)

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

- A. Direct Staff and the Planning and Transportation Commission to quickly evaluate and propose changes to enable Diverse Retail Uses in more retail sites, including food, medical, educational, financial and professional office uses citywide or by district, and evaluate ways the City can curate a strong retail mix; and
- B. Direct Staff to return to Council with minor adjustments to the definition of what qualifies as a retail use and adjust the thresholds for retail CUP uses in order to promote retail activity and decrease vacancies.

MOTION SPLIT FOR PURPOSE OF VOTING

MOTION AS AMENDED PART A PASSED: 7-0

MOTION AS AMENDED PART B PASSED: 4-3 DuBois, Filseth, Kou no

Council took a break at 10:12 P.M. and returned at 10:21 P.M.

MOTION: Council Member Filseth moved, seconded by Mayor Fine to direct the Planning and Transportation Commission to review the geography of the Retail Preservation Ordinance in Palo Alto.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to change the Motion to state, "...Commission to evaluate and propose the geography...".

MOTION AS AMENDED: Council Member Filseth moved, seconded by Mayor Fine to direct the Planning and Transportation Commission to evaluate and propose the geography of the Retail Preservation Ordinance in Palo Alto.

MOTION AS AMENDED PASSED: 6-1 Kou no

12. Direction to Modify the California Avenue Parking Policy to Expand Eligibility for City Garage Parking Permits, Modify the Evergreen Park Mayfield Residential Preferential Parking (RPP) Program to Reduce Employee Parking in the RPP District, and Develop a Parking In-Lieu Program for the California Avenue Business District (Continued From October 26, 2020).

MOTION: Council Member Tanaka moved, seconded by Council Member Kniss to continue this item to a date uncertain.

MOTION PASSED: 7-0

13. ~~Update and Discussion on the Regional Housing Needs Allocation (RHNA) Process and Direction to Staff Regarding the City's Response to the Proposed RHNA Methodology, Including Preparation of a Formal Comment Letter. (THIS ITEM WILL BE CONTINUED TO NOVEMBER 16, 2020)~~
14. ~~PUBLIC HEARING / QUASI-JUDICIAL / LEGISLATIVE. 788 San Antonio Road [19PLN-00079]: The City Council Will Consider: 1) Adoption of a Resolution Certifying a Final Environmental Impact Report (EIR), Making CEQA Findings Including a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Plan; 2) Adoption of a Resolution Amending the Comprehensive Plan; 3) Adoption of a Zoning Ordinance: a) Expanding the Housing Incentive Program to San Antonio Road, and b) Amending Definition of Gross Floor Area and Amending Retail Preservation for Housing; 4) Approval of a Tentative Map for a Condominium Subdivision; 5) Approval of a Variance to a Special Setback; and 6) Approval of Major Architectural Review for 102 Dwelling Units, a 1,800 Square Foot Commercial Space and two Basement Levels of Parking. (STAFF REQUESTS THIS ITEM BE CONTINUED TO NOVEMBER 16, 2020)~~

Adjournment: The meeting was adjourned at 12:38 A.M.