



# CITY COUNCIL ACTION MINUTES

Regular Meeting  
December 11, 2023

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:30 P.M.

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

Present Remotely:

Absent: Veenker

## Consent Calendar

Mayor Kou registered a no vote on Agenda Item Number 4, 5, 6.

Council Member Lythcott-Haims, Council Member Tanaka, Vice Mayor Stone, and Council Member Lauing requested to pull Agenda Item Number 6 from Consent.

**MOTION:** Vice Mayor Stone moved, seconded by Mayor Kou to approve Agenda Item Numbers 1-5.

## **MOTION SPLIT FOR THE PURPOSE OF VOTING**

**MOTION PASSED ITEMS 1-3: 6-0-1, Veenker absent**

**MOTION PASSED ITEMS 4-5: 5-1-1, Kou no, Veenker absent**

1. Approval of Minutes from November 27, 2023 Meeting
2. Regional Water Quality Control Plant Joint Intercepting Sewer Rehabilitation Project Phase 1: Approval of Construction Contract, Construction Management Contract Amendment, and Addendum 12 to the Mountain View, Los Altos, and Palo Alto Agreement on Project Funding; CEQA status – Exempt under CEQA Guidelines Section 15301 (Repairs to Existing Facilities)
3. Approval of Contract Amendment Number 1 to Contract C23187506 with Momentum for Health to Extend Term by Eight (8) Months at No Additional Cost to the City, Revise the Not-to-Exceed Amount Down by \$68,294 to \$1,931,706 and Compensation Language, Provide Quarterly Invoicing, and Revise the Schedule of Rates; CEQA Status – Not a Project.

# ACTION MINUTES

4. Adoption of an Ordinance Amending Chapters 4.10 (Licenses Obtained by Application to Chief of Police), 4.30 (Soliciting Funds), and Chapter 4.32 (Soliciting Information for Commercial Purposes); and Adding Chapter 4.12 to Title 4 (Business Licenses and Regulations) of the Palo Alto Municipal Code to Comply With Updates to the Law, Including 2018 Senate Bill 946 (Sidewalk Vendors). CEQA status – categorically exempt.
5. Adoption of an Urgency Ordinance and an Interim Ordinance That Allows the Director of Planning and Development Services to Extend Planning Entitlements for Housing Development Projects up to an Additional 18 Months. Environmental Review: Exempt from CEQA in Accordance with CEQA Guidelines 15061(b)(3).
6. SECOND READING: Adoption of an Ordinance Implementing Program 1.1A and 1.1B of the Housing Element, Including: 1) New Chapter 18.14: Housing Incentives, and 2) Modifications to Base Zoning Districts Throughout Title 18. Adoption of a Resolution Making Corresponding Changes to the Land Use and Design Element of the Comprehensive Plan. (FIRST READING: November 13, 2023 PASSED 5-1-1, Kou no, Veenker recused and PASSED 6-1, Kou no) ***Removed from Consent***

## Action Items

7. LEGISLATIVE: Adopt Ordinances Amending Planned Community Ordinance 2343 for 2901-2905 Middlefield Road and Establishing a Separate Planned Community Zoning Designation for 702 Ellsworth Place to Enable the Development of a new Single-Story, Single-Family Residence. CEQA Status -- Categorically Exempt Under CEQA Guidelines Sections 15061(b)(3), 15301, and 15303 (Continued from September 18 and November 6, 2023)

**MOTION:** Council Member Burt moved, seconded by Mayor Kou to approve the staff recommendation to adopt two ordinances and implement the following:

1. UPS approved delivery spot plan on Ellsworth that does not affect the footprint of the house, that provides a useable delivery spot for 10-11 foot wide trucks, maintains safe road circulation with Middlefield, does not remove public parking on Sutter, and to relocate the communications pole at a shared expense of the City and the property owner.
2. Require graded fencing that would allow visibility line of sight through 2 angles of the fence that allows adequate transparency of 3-foot fence.
3. Direct Staff to pursue ADA tactile markers on the sidewalk where it intersects the Ellsworth Place easement subject to approval by the Director of Public Works at the City's expense.

# ACTION MINUTES

4. Width of Ellsworth Place at entrance to be 26-feet wide for at least 100-feet from Middlefield Road.
5. Parking space #16 can be removed at the discretion of the Planning Director.

**MOTION PASSED: 6-0-1, Veenker absent**

8. Direction to Pursue Development of New Parking and Refined Proposals for Housing in the University Avenue Downtown and Development Goals for Housing Investment. CEQA Status – Not a Project.

**MOTION:** Council Member Burt moved, seconded by Mayor Kou to direct staff to:

1. Resume work on a new parking structure in the downtown core on a City surface parking lot (previously designed for on Hamilton / Waverley Lot D at 375 Hamilton Avenue) based on the premise that City funds for parking at this site would only be for the purpose of replacing lost surface parking.

**MOTION PASSED: 6-0-1, Veenker absent**

**MOTION SPLIT FOR THE PURPOSE OF VOTING**

2. Pursue refined proposals for potential housing development on City surface parking lot on Lytton / Kipling Lot T at 450 Lytton Avenue, or elsewhere, with direction on key development goals:
  - a. 100% affordable housing up to the 80% AMI that qualifies for relevant tax credits.
  - b. Height allowance and/or density evaluate to two additional stories above current 50-foot height limit with the additional stories being set back from the street face.
  - c. Evaluate parking onsite that would be available for the affordable housing residents and potentially shared use for public purposes. Pursue transit pass provisions for residents as well as other best practices in reducing single occupancy vehicle use.

**MOTION PASSED: 5-1-1, Tanaka no, Veenker absent**

9. Adopt a Resolution Establishing the Council Annual Calendar of Meetings, Breaks and Council Events for the Calendar Year 2024.

# ACTION MINUTES

**MOTION:** Council Member Lauing moved, seconded by Council Member Burt to adopt a resolution establishing the Annual Summer (June 21 – August 4, 2024) and Winter (December 20, 2024 – January 5, 2025) Breaks, Council Regular and alternate meeting dates and Council event schedule from January to December 2024 with the following changes:

1. Elimination of Finance Committee meeting on Tuesday, March 5<sup>th</sup>, 2024 and to be rescheduled.
2. Add Tuesday, June 18<sup>th</sup>, 2024 as an optional additional City Council meeting.
3. Eliminate Monday, June 24<sup>th</sup>, 2024 City Council Meeting.

**MOTION PASSED: 6-0-1, Veenker absent**

10. Approval of Amendments to the Employment Agreements between the City of Palo Alto and Council Appointed Officers, specifically the City Manager, and City Attorney and Adoption of Amended Resolution Amending Appointment Term for Interim City Clerk through March 31, 2024 and salary adjustment. CEQA Status - Not a Project

**MOTION:** Mayor Kou moved, seconded by Council Member Burt to approve and authorize the Mayor to execute the following contract amendments for Council Approved Officers and Adoption of Amended Resolution Amending Appointment Term for Interim City Clerk:

1. Amendment No. 11 to Employment Agreement between the City of Palo Alto and Molly S. Stump (Attachment A);
2. Amendment to Resolution Amending Appointment Term for Interim City Clerk through March 31, 2024, and salary adjustment in alignment with increase for all unrepresented Management and Professional employees (Attachment C).

**MOTION PASSED: 6-0-1, Veenker absent**

**MOTION SPLIT FOR THE PURPOSE OF VOTING**

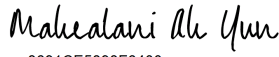
3. Amendment No. 5 to Employment Agreement between the City of Palo Alto and Ed Shikada (Attachment B); and

**MOTION PASSED: 5-1-1, Tanaka no, Veenker absent**

Adjournment: The meeting was adjourned at 11:03 P.M.

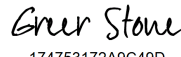
# ACTION MINUTES

ATTEST:

DocuSigned by:  
  
8891CE5896F0400...

City Clerk

APPROVED:

DocuSigned by:  
  
474763472A9C49D...

Mayor

NOTE: Action minutes are prepared in accordance with Palo Alto Municipal Code (PAMC) 2.04.160(a) and (b). Summary minutes (sense) are prepared in accordance with PAMC Section 2.04.160(c). Beginning in January 2018, in accordance with [Ordinance No. 5423](#), the City Council found action minutes and the video/audio recordings of Council proceedings to be the official records of both Council and committee proceedings. These recordings are available on the City's website.


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Signer Events

Signer Events	Signature	Timestamp
Greer Stone greer.stone@cityofpaloalto.org Vice Mayor Security Level: Email, Account Authentication (None)	<div>DocuSigned by:  174753172A9C49D...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 198.167.171.162</div>	Sent: 1/19/2024 4:35:30 PM Viewed: 1/20/2024 7:10:39 AM Signed: 1/20/2024 7:11:12 AM

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Mahealani Ah Yun Mahealani.AhYun@CityofPaloAlto.org Interim City Clerk Security Level: Email, Account Authentication (None)	<div>DocuSigned by:  8691CE5898F6400...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 199.33.32.254</div>	Sent: 1/20/2024 7:11:13 AM Viewed: 1/23/2024 11:35:55 AM Signed: 1/23/2024 11:44:10 AM
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/19/2024 4:35:30 PM

Envelope Summary Events	Status	Timestamps
Certified Delivered	Security Checked	1/23/2024 11:35:55 AM
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Completed	Security Checked	1/23/2024 11:44:10 AM
Payment Events	Status	Timestamps