



CITY OF PALO ALTO CITY COUNCIL FINAL MINUTES

Special Meeting
August 10, 2020

The City Council of the City of Palo Alto met on this date in Virtual Teleconference at 5:03 P.M.

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

Absent:

Agenda Changes, Additions and Deletions

MOTION: Mayor Fine moved, seconded by Council Member Kou to move Agenda Item Number 8, "PUBLIC HEARING / QUASI-JUDICIAL. 2353 Webster Street [18PLN00339] ..." to be heard before Agenda Item Number 7.

Mayor Fine believed there would be public interest in Agenda Item Number 8.

Council Member Cormack was able to agree to reordering the Agenda because the Council had not received any public comment regarding Agenda Item Number 7.

MOTION PASSED: 7-0

Oral Communications

Richard Gianuario thanked the Fire Department for responding to the call at his family's multifamily building located on Matadero and opposed the Council's reduction in Fire Department staffing.

Rebecca Eisenberg recommended the Council institute a Business Tax to fund the General Fund rather than housing.

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 5.

Council Member Tanaka registered a no vote on Agenda Item Number 2.

Mayor Fine disclosed communication with the members of the school adjacent to the carwash in Agenda Item Number 5 regarding noise issues.

FINAL MINUTES

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kniss to approve Agenda Item Numbers 1-5.

1. Resolution 9910 Entitled, "Resolution of the Council of the City of Palo Alto Establishing Fiscal Year (FY) 2021 Secured and Unsecured Property Tax Levy for the City of Palo Alto's General Obligation Bond Indebtedness (Measure N)."
2. Approval and Authorization for the City Manager or Designee to Execute a Blanket Purchase Order With the Okonite Company for Underground Cable for the Utility's Electric Underground System in an Annual Amount of \$350,000 for a Total Not-to-Exceed Amount of \$1,750,000 Over the Next Five Years.
3. Approval and Authorization for the City Manager to Execute Necessary Agreements Subordinating the City's Interests in the Palo Alto Gardens Multiple Family Residential Property at 648 San Antonio Road to Facilitate Refinancing of the Affordable Housing Development.
4. Policy and Services Committee Recommends the City Council Accept the Status Updates of the Parking Funds Audit.
5. QUASI-JUDICIAL. 2585 E Bayshore Road: Approval of the Planning and Development Services Director's Determination to Authorize a Waiver From the Retail Preservation Ordinance. Environmental Assessment: Exempt in Accordance With the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

MOTION PASSED FOR AGENDA ITEM NUMBERS 1, 3, 4: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBER 2: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 5: 6-1 Kou no

Council Member Tanaka noted Staff did not want to release a bid for the electric cable because the cable was the only one that met specifications and requirements. Requiring a specific manufacturing process seemed extreme.

Council Member Kou indicated a quasi-judicial hearing should not be placed on the Consent Calendar.

City Manager Comments

Ed Shikada, City Manager reported COVID-19 testing would occur on August 14 and 28, 2020 at the Art Center by appointment only. Face coverings were required when residents were in public. Residents were encouraged to support

FINAL MINUTES

local businesses. A temporary art installation, *The Bucolic Labyrinth*, was under construction in King Plaza. The artist, Paz de la Calzada used synthetic turf removed from the Cubberley soccer field for the artwork.

Council Member Kniss noted there were reports of COVID-19 testing not being completed. The Board of Supervisors indicated the County of Santa Clara (County) was no longer tracking test results. She requested the City Manager verify that the City's order for face coverings was consistent with the County's Order.

Mr. Shikada confirmed that exercise was a non-mandatory activity, but face coverings were encouraged during exercise.

Mayor Fine requested City messaging emphasize the rule of thumb for residents to wear face coverings when outdoors.

Council Member Cormack advised that residents respond to questions prior to obtaining an appointment for testing.

Council Member Tanaka indicated participants in his office hours stated City workers were not wearing masks.

Mr. Shikada related that City employees could not wear masks during some activities, but he would reinforce the message to City employees.

Action Items

5A. Selection of Applicants to Interview for one Position on the Human Relations Commission and two Positions on the Public Art Commission (Continued From August 3, 2020).

Council Member Cormack requested the requirements for service on the Public Art Commission (PAC) and the Human Relations Commission (HRC).

Jessica Brettle, Assistant City Clerk reported members of the HRC must be residents of the City. Members of the PAC needed to be professional visual artists, professional visual arts educators, art scholars or art collectors whose skills were known and respected in the community and, when feasible, who had demonstrated an interest in or participated in the City's Arts Program.

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to schedule interviews with the following candidates:

A. Human Relations Commission:

i. Nilofer Chollampat

FINAL MINUTES

- ii. Sunita de Turreil
- iii. Sofia Fojas
- iv. Curt Kinsky
- v. David Villaseca Morales
- vi. Paula Rugg
- vii. Lestina Trainor

B. Public Art Commission:

- i. Marilyn Gottlieb-Robert
- ii. Hsinya Shen (Incumbent)
- iii. Harriet Stern
- iv. Nia Taylor (Incumbent)

Council Member Cormack did not believe interviewing all candidates was a wise use of time. Candidates for the PAC needed to comply with requirements for service on the PAC and live or work in Northern California.

Council Member Kniss noted prior PAC Commissioners lived in nearby cities and served the PAC well.

Council Member Kou preferred to interview all PAC candidates to learn about their qualifications.

SUBSTITUTE MOTION: Council Member Kou moved, seconded by Vice Mayor DuBois to interview all applicants for the Human Relations Commission and Public Art Commission.

Vice Mayor DuBois suggested qualifications should be emphasized during recruitments. The Council needed to avoid political appointments.

Council Member Cormack noted the Council received candidate information the prior week. There were clear distinctions between candidates with professional and scholarly interests in art and those with a general interest. Hopefully, the new recruitment process emphasized the qualifications for Board and Commission members.

Council Member Kniss felt having some criteria for inviting candidates to interviews was important. Council Members were interested in selecting the

FINAL MINUTES

candidates who seemed to be the most interested in service and had the best background.

Council Member Tanaka agreed with comments regarding the wise use of time. He did not have one candidate's application; therefore, he was not able to determine whether she was qualified.

Mayor Fine noted the candidate's application was available in the digital Council Packet. Interviewing all candidates required a large quantity of Council Members' and Staff's time. The applications typically provided candidates' qualifications.

SUBSTITUTE MOTION FAILED: 2-5 Cormack, Filseth, Fine, Kniss, Tanaka
no

MOTION PASSED: 6-1 Kou no

5B. Update and Discussion on Plan Bay Area 2050 Draft Blueprint and the Regional Housing Needs Allocation Process; and Direction to Staff to Prepare Comment Letters on These Regional Efforts (Continued From August 3, 2020).

Rachel Tanner, Assistant Director of Planning and Development Services defined the Regional Housing Needs Allocation (RHNA) and reported the California Department of Housing and Community Development (HCD) allocated 441,176 new housing units to the Bay Area on June 9, 2020. The Association of Bay Area Governments (ABAG) declined to appeal the allocation. The allocation was comprised of 25 percent very low income units, 14 percent low income units, 16 percent moderate income units, and 42 percent above moderate income units. The current housing cycle was going to end in 2023. As of the end of 2019, the City issued 554 building permits for housing units towards their allocation of 1,988 units. ABAG's Housing Methodology Committee (HMC) was likely going to release a draft methodology for allocation of housing units to jurisdictions in the fall, 2020. The HMC considered three methodologies: factor-based total allocation and income shift, bottom-up, and incorporation of Plan Bay Area 2050. Depending upon the baseline and methodology, Palo Alto's RHNA was able to range from 4,480 housing units to 15,040 housing units.

Greg Schmid called attention to Super District Number 9 in Plan Bay Area and questioned the citizens' ability to discuss requirements.

Rebecca Eisenberg noted the City's record for housing production and the complaints about the job/housing imbalance. A Business Tax made existing tax subsidies and discounts meaningful.

FINAL MINUTES

Terry Holzemer urged the Council to send the HMC a comprehensive letter complaining about the lack of public engagement and process and to comment on the public letter regarding the methodology process.

Kelsey Banes suggested the Council accept responsibility for meeting housing goals and that they understand that Palo Alto neighborhoods had to change.

Iban Sadowski believed the allocation was the result of jurisdictions not changing to meet the needs of the community.

Council Member Kniss inquired regarding changes to the consequences for jurisdictions that failed to meet housing allocations.

Ms. Tanner indicated State legislation, such as Senate Bill (SB) 35, often utilized RHNA as a reward or penalty for jurisdictions. The Housing Element for the next cycle had to identify housing opportunity sites and zoning changes, which provided the number of housing units allocated in Palo Alto.

Vice Mayor DuBois reminded Council Members that an alternate draft letter had been emailed to them. The Council needed to understand which methodologies provided feasible housing numbers. It felt as though Palo Alto was going to have the largest allocation on a percentage basis in the Bay Area. The allocation was going to be virtually unattainable. Failure to fulfill the allocation meant a State override of local land use policies. RHNA was essentially a large unfunded housing mandate. The Council revised Ordinances and implemented incentive programs to encourage housing, but housing production had not occurred. He questioned whether the City should willingly participate in a process that led to failure. The City needed to develop a legal strategy to combat the no-win scenario and needed to attempt to obtain an achievable housing allocation.

Mayor Fine noted Vice Mayor DuBois wrote the alternate draft letter and believed it skirted the Brown Act.

Council Member Cormack requested the end date of the current RHNA cycle.

Ms. Tanner advised that the current cycle extended from 2015 to 2023, and the City's next Housing Element had to be certified by January, 2023.

Council Member Cormack inquired regarding State review of the City's housing production for the current cycle.

Ms. Tanner understood the City would have four years into the next cycle to meet their housing targets for the current cycle.

FINAL MINUTES

Council Member Cormack inquired about the process for a jurisdiction to appeal the allocation for another jurisdiction.

Rebecca Atkinson, Senior Planner reported an appeal process had been authorized but not defined.

Council Member Cormack requested the basis for the percentages in the income shift methodology.

Ms. Tanner replied household income.

Ms. Atkinson added that it was household income for Santa Clara County.

Council Member Cormack requested clarification of jobs/housing fit and jobs/housing balance in the three-factor bottom-up methodology.

Ms. Atkinson explained that jobs/housing fit was related to equity and housing available for low-income and high-income workers. The jobs/housing balance was the number of jobs relative to the number of housing units.

Council Member Cormack reiterated that the jobs/housing fit meant the amount of low-income housing should correlate to the number of low-income residents.

Council Member Kou clarified that the alternate letter was signed by Vice Mayor DuBois, Council Member Filseth and herself, and it was submitted to the Council for distribution with the Packet. She asked if HCD or ABAG had expressed a willingness to revisit RHNA in light of COVID-19 and the State Department of Finance's Demographic Report.

Ms. Tanner reported the bodies were not authorized to stop the processes. The City was able to seek their legislative delegation's assistance in stopping the processes.

Mr. Shikada explained that the City needed to find a legislator willing to sponsor a bill to halt the processes.

Council Member Kou proposed Staff determine other cities' interest in such legislation, and perhaps the cities were able to work together to propose such legislation. She requested the rationale for Staff not recommending an income shift of 175 percent.

Ms. Tanner explained that Staff's recommendation was based on the HMC's discussion of 125-150 percent. The City was able to support a higher percentage.

FINAL MINUTES

Council Member Filseth noted RHNA and Plan Bay Area were interrelated and referred to five key challenges for Plan Bay Area 2050 and the allocation dilemma. Plan Bay Area 2050 included costs for the first time, and \$450 billion was needed to solve the affordable housing problem. The projections were suspect. The City needed to ask ABAG for the cost of a scenario that distributed job growth more equitably, especially in lower housing-cost areas.

Mayor Fine requested an explanation of the City's progress toward its RHNA goal of 587 units in the above-moderate category, which was shown as 126 percent and 420 units.

Ms. Tanner explained that 126 percent referred to the region. In that category, the City's progress was about 71 percent.

Mayor Fine asked if Staff tracked permits, construction, or both.

Ms. Tanner advised that Staff tracked construction through building inspections.

Mayor Fine requested Staff provide the construction information.

Ms. Tanner agreed to do so and indicated construction was incentivized through the expiration of entitlements.

Mayor Fine inquired whether expired entitlements were deducted from RHNA reports.

Ms. Tanner needed to determine that, but they probably were going to have to be deducted from the reports.

Mayor Fine remarked that many housing sites identified in previous Housing Elements had not been developed and asked about changes in strategy for identifying housing sites in the next Housing Element.

Ms. Tanner indicated Staff would struggle with that in preparing the next Housing Element. One thought regarding the lack of development was that the City failed to provide incentives for the property owner to sell his property to a developer or to develop the property himself. Additionally, the cost of developing the property was possibly too great.

Mayor Fine inquired regarding an achievable housing goal if the City was not able to meet their Comprehensive Plan goal of 300 units per year.

Council Member Kou commented on job growth and commercial development in relation to housing. Legislation limited jurisdictions' control of land use and zoning. She inquired about the cost of the City's membership or participation

FINAL MINUTES

in ABAG and the League of California Cities. ABAG's projections needed to be questioned.

Mr. Shikada agreed to provide the cost of the City's membership dues toward ABAG and membership options.

Council Member Filseth remarked that Plan Bay Area 2050 was creating an almost impossible task for the Bay Area. SB 35 appeared to enable big mixed-use projects that increased housing demand. Plan Bay Area 2050 combined with State legislation was only going to intensify the current situation. The alternate letter supported the concept of relocating job growth.

Vice Mayor DuBois proposed the Council review scenario planning with Staff and direct Staff to return with strategies to influence the process. He reviewed the alternate letter.

Mayor Fine commented that the community had shown an unwillingness to solve housing production and to use local control to encourage market-rate and affordable housing. He did not support the alternate letter's implication that housing goals were impossible. In past discussions of Housing Work Plans, housing advocates had stated the incentives were not sufficient to meet goals. Yet, the Council had complied with the community's desires. Palo Alto had not tried very hard to solve the housing problem. SB 35 produced thousands of new housing units. Neither housing nor commercial developments were being proposed in the City. The land and funding of the California Avenue Parking Garage had the possibility to be used for affordable housing. He referred to housing produced through Redwood City's Gatekeeper Process. He preferred the housing crescent jobs approach for the factor-based methodology; agreed with comments regarding the income shift methodology; and believed a focus on jobs proximity was logical in the bottom-up methodology.

Council Member Cormack related that planning was difficult and complex, and funding was critical for housing production. She concurred with scenario planning. She expressed concern regarding the use of strong language during the meeting. The letter was polite.

Council Member Kniss believed the Council had to find an alternate source of funding for affordable housing.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Filseth to direct Staff to:

- A. Incorporate the new concepts from the Council alternate letter into their comment letter to ABAG's/MTC's Housing Methodology Committee, with

FINAL MINUTES

some stronger wording and asking that there is an evaluation of a new scenario that focuses on job spread through the Bay Area and recognizes cities efforts to limit job growth;

- B. Return to Council with some scenario planning based on anticipated allocations; and
- C. Return to Council with strategic options for us to influence RHNA allocations and respond effectively throughout the process.

Vice Mayor DuBois clarified that Subpart A proposed the incorporation of concepts from the alternate letter into the draft letter. The Council needed to review scenarios under the most likely allocations.

Council Member Filseth proposed Subpart C refer to milestones and updates.

Vice Mayor DuBois stated Subpart C could direct Staff to present some options for the Council to respond effectively throughout the process.

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

- A. Direct Staff to continuing work on two regional planning efforts, which are Plan Bay Area 2050 and the Regional Housing Needs Allocation (RHNA) process, and return to Council with scenarios in anticipation of preparing the new Housing Element; and
- B. Direct Staff to submit a comment letter to ABAG/MTC's Housing Methodology Committee reflecting City Council initial comments regarding the Regional Housing Needs Allocation (RHNA) methodology options that are under consideration.

Council Member Kniss indicated a new approach to housing was needed.

Council Member Cormack appreciated Staff's efforts to anticipate the Council's requests.

Mr. Shikada reported scenario planning required additional resources and obtaining resources could conflict with RHNA timeframes.

Mayor Fine inquired whether the Substitute Motion included briefing the Council regarding costs and needed resources for scenario planning.

Council Member Kniss responded yes.

Ms. Tanner requested clarification of the scenarios.

FINAL MINUTES

Council Member Cormack wanted to understand potential sites for housing and potential zoning changes.

Vice Mayor DuBois agreed that scenario planning should provide the Council with a rough sketch of potential housing sites. The difference between the Motion and the Substitute Motion was a consideration of job growth and other ways to spread jobs around the Bay Area. A Business Tax and increased Impact Fees was enough to fund housing.

Council Member Kou agreed that the decrease in commercial development severely reduced funding for affordable housing. The letter did not address ABAG's projections or dispersion. The community did not support additional commercial development.

Council Member Filseth believed a majority of residents concurred with the concept that job growth and housing growth needed to be factors in resolving the housing problem.

Mayor Fine agreed that most residents would support new housing over jobs. The ability to disperse jobs was possibly limited, but dispersion had the potential to negatively affect Palo Alto's economy.

SUBSTITUTE MOTION PASSED: 4-3 DuBois, Filseth, Kou no

Council took a break at 7:46 P.M. and returned at 8:00 P.M.

6. Accept an Update on the Summer Streets Program; Resolution 9911 Entitled, "Resolution of the Council of the City of Palo Alto Amending Resolution Number 9909 to Extend the Temporary Street Closures of California Avenue, University Avenue and Adjacent Downtown Blocks to December 31, 2020; Extend the University Avenue Closure to High Street; Extend the Expiration Date of Resolution Number 9909 Including the Temporary Parklet Program to September 7, 2021; and Clarify Allowed Activities."

Rachel Tanner, Assistant Director of Planning and Development Services reported on June 23, 2020, the Council authorized temporary street closures, a temporary Parklet Pilot Program, and expansion of outdoor dining and retail. She summarized Staff's activities regarding California Avenue and Downtown merchants, the community, stakeholders, permits, inspections, guidelines, surveys, signage and advertising, and counts. Staff received 203 responses to the online survey, 92 percent from Palo Alto residents. Forty percent dined at California Avenue, 20 percent at University, and 40 percent at both. Thirty-six percent of respondents walked, and 15 percent biked to Downtown and California Avenue. Ninety-five percent of respondents had a great parking

FINAL MINUTES

experience, would return to Summer Streets, and felt safe. Comments included requests to make the program permanent or an annual event. On California Avenue, 11 restaurants received permits for outdoor dining; evenings were busier than lunch; weekends were the busiest time; businesses estimated they earned 25-60 percent of pre-pandemic revenue; and parking on neighboring streets was not impacted. On University Avenue, 15 restaurants received permits for outdoor dining; evenings and weekends were the busiest times; businesses estimated they earned 16 to 80 percent of pre-pandemic revenue; and parking along a section of Webster was the only neighboring street impacted. The Parklet Program was generally successful with six parklets in use. Parklets were allowed on roadway surfaces to reduce costs. Parklets often provided less seating than indoor space and less seating than a closed street. Two private parking lots and some public parking lots were being used for dining and retail. Staff was developing guidelines and rules for outdoor recreation and personal services. Staff recommended extending street closures to December 31, 2020, adding the block of University Avenue between High and Emerson Streets to the program, granting Staff the ability to modify the program as needed; extending the Parklet Program to Labor Day 2021 but ending at-grade parklets on December 31, 2020; and authorizing additional activities on closed streets.

Ed Shikada, City Manager advised that slightly more than half of businesses supported continuing the University Avenue closure. He thought that in the future, the Council may want to discuss the recovery of costs associated with the private use of public rights-of-way. He requested suggestions for rebranding the Summer Streets Program.

Cedric de La Beaujardiere encouraged the Council to extend the Summer Streets beyond December 2020 and offered suggestions for outdoor dining in winter months and additional assistance for local businesses.

John Shenk indicated non-restaurant retailers were suffering because of street closures. Outdoor dining in winter months was not going to be practical. The focus needed to be narrowing drive aisles and expanding parklets.

Todd Burke related that the program on California Avenue was successful, but the Summer Streets Program also needed to benefit retailers.

Rob Fischer remarked that the program benefitted 15 of 350 restaurants in Palo Alto. Retailers were suffering. Parklets seemed to be an equitable solution.

Rebecca Eisenberg appreciated the Summer Streets Program. The City needed to invest in parklets for restaurants and retailers.

FINAL MINUTES

John McDowell supported expanding access to the Summer Streets Program to all businesses.

Ross Mayfield advised that 2,600 people signed a petition in support of the program. He encouraged the Council to extend the timeframe for the Summer Streets Program.

David Epstein proposed continuing the Summer Streets Program, increasing foot and bicycle traffic to benefit retailers, and making Hamilton and Lytton one-way to increase parking.

Iban Sadowski suggested permanently closing streets so the people could enjoy the City.

Jordan Nari, Rangoon and Burma Ruby and Wahlburgers stated times were extremely difficult, but the Summer Streets Program helped businesses. Hopefully, the program was able to expand in area.

Evan Hughes, First Presbyterian Church urged the Council to extend street closures and enhance bicycle parking as a way to reduce greenhouse gas emissions and build community.

Michael Elwall supported continuation of the Summer Streets Program and encouraged the Council to allow lighting and heating in winter months.

Taverna appreciated the City listening to the community's needs and strongly encouraged the Council to modify the program for cold weather.

Judy Kleinberg, Chamber of Commerce supported the Staff recommendation and expressed concern about the viability of businesses on side streets. The Council needed to develop strategies in support of retail businesses.

Stefan Heck advised that Downtown businesses would not survive on patronage from office workers and tourists but from local citizens. Palo Alto needed to be marketed online so that all businesses were able to benefit.

Megan Kawkab believed a parklet with a cover and heating for each business was expected to attract customers and solve the problem.

Council Member Kniss hoped Staff would continue to develop programs that assisted businesses. Many office workers that dined Downtown and on California Avenue were not going to return until 2021. She proposed Staff explore ways to make closed streets more inviting.

FINAL MINUTES

Council Member Cormack noted the number of people walking Downtown and on California Avenue was high. She inquired whether Project Sentinel applied to residences only.

Ms. Tanner advised that Project Sentinel was to mediate commercial disputes if both parties agreed.

Council Member Cormack agreed with comments regarding activating closed streets.

Vice Mayor DuBois asked if parklets at Town and Country was permitted and about the cost of those parklets.

Ms. Tanner advised that they had been permitted. The cost for those parklets was probably fairly low, depending on whether they were constructed or rented.

Vice Mayor DuBois inquired whether Staff had considered tying the timeframe for parklets to the emergency declaration.

Ms. Tanner answered yes, but the uncertainty could cause a business to forego a parklet.

Vice Mayor DuBois inquired regarding removal of parklets and the City's responsibility for parklets if utility work was required.

Ms. Tanner reported permitting required the removal of parklets and repairs to sidewalks, curbs, and streets. Generally, parklets were not to be constructed over known access points to utilities. Hopefully, utility work was able to be delayed to the end of the Parklet Program, but Staff was able to work out the details of emergency work.

Holly Boyd, Public Works Assistant Director referred to Municipal Code provisions regarding removal of parklets. A parklet was not able to be installed over a utility vault.

Vice Mayor DuBois suggested signage for California Avenue indicate the street was closed but businesses were open.

Council Member Tanaka asked if the survey distributed to businesses was the same as the survey in the Staff Report.

Mr. Shikada answered no. The survey distributed to businesses concerned keeping the streets closed. Primarily restaurants were able to capitalize on street closures. Retailers saw mixed results from street closures.

FINAL MINUTES

Council Member Tanaka requested feedback from restaurants on side streets.

Mr. Shikada indicated feedback from restaurants on side streets was more negative than feedback from restaurants on University Avenue.

Ms. Tanner added that businesses on side streets were not doing as well as businesses on University Avenue. Few restaurants reported revenues at 50 percent of pre-pandemic levels.

Council Member Tanaka inquired about retailers.

Mr. Shikada believed retailers were not doing as well as restaurants and did not view street closures as positive under any circumstances. Retailers indicated to Staff that evening customers were interested in entertainment rather than shopping; therefore, altering their hours was not going to increase sales. Closing Ramona benefited restaurants on Ramona. Opening University between High and Emerson increased traffic and activity in the area.

Council Member Kou asked where Ramona was closed.

Mr. Shikada replied Ramona was closed between Hamilton and the underground parking entrance for 250 University.

Council Member Kou asked how Staff determined the capacity for restaurant outdoor seating.

Ms. Tanner advised that the capacity for indoor seating was applied to outdoor seating. Public Works worked with restaurants on the outdoor seating layout and ensured adjacent restaurants shared outdoor space.

Council Member Kou inquired about the petition Mr. Fischer referenced.

Mr. Shikada related that the petition asked if businesses supported the closure on University Avenue.

Council Member Kou requested the amount of fees waived through the Summer Streets Program.

Ms. Tanner stated the amount was not insignificant and she promised to provide the amount at a later time.

Council Member Kou asked if the City paid for any visual elements.

Ms. Tanner answered the City placed twinkle lights in the trees along California Avenue and continued to sweep streets.

FINAL MINUTES

Council Member Kou inquired about limits on businesses' additions to the street.

Ms. Boyd reported Staff did not monitor enhancements as long as they were located within the parameters of parklets and did not affect sidewalk accessibility. Parklets were not to be built over the sidewalk or attached to existing structures.

Mayor Fine stated the survey results demonstrated the program's success. He inquired regarding the effects of the Summer Streets Program on areas outside Downtown and California Avenue.

Ms. Tanner reported Staff did not have data for that. The changing nature of the pandemic and public health orders challenged Staff's understanding of the effects on Downtown and California Avenue area.

Mayor Fine wanted to ensure the positive effects of street closures were distributed geographically. He inquired about the possibility of making Hamilton and Lytton one-way streets.

Mr. Shikada advised that one-way streets were not under consideration and were a major project for Staff.

Mayor Fine asked if Utilities charged a minimum fee to closed businesses.

Mr. Shikada indicated fixed charges for water and gas were billed to closed businesses. The charges likely were around \$100.

Mayor Fine asked about a pandemic surcharge.

Mr. Shikada reported businesses proposed a surcharge that businesses would retain.

Molly Stump, City Attorney related that the City could endorse such a surcharge, but businesses were going to need to decide whether to implement a surcharge.

Vice Mayor DuBois believed street closures worked well and supported a group of businesses. He wanted to consider additional uses of City-owned outdoor space. Staff needed to continue to monitor traffic and parking. Permits needed to address as many eventualities as possible. Perhaps the City was able to charge a fee for parklets if the emergency declaration ended prior to the expiration of parklet permits. Parking intrusion into neighborhoods was a concern.

FINAL MINUTES

Ms. Tanner explained that guidelines for at-grade parklets required basically an enclosure.

Council Member Tanaka requested the City Manager's opinion regarding the number of restaurants benefiting from street closures.

Mr. Shikada explained that street closures were proposed for locations that people traditionally visited.

Council Member Tanaka proposed closing relevant side streets except for a one-way travel lane in the center of the street. The definition of retail in the Downtown area was able to be expanded. He inquired whether Staff considered placing picnic tables for the use of takeout customers.

Mr. Shikada advised the Council that restaurants should be responsible for the hygiene of outdoor seating.

Ms. Tanner added that Staff could not be responsible for cleaning tables after each use.

Council Member Tanaka asked if Staff had considered utilizing pandemic funding to increase marketing.

Ms. Tanner related that Staff would look at additional marketing.

Council Member Kou inquired regarding restaurants outside Downtown and California Avenue seeking outdoor seating permits.

Ms. Tanner reported permits were approved for two restaurants outside Downtown and California Avenue.

Council Member Kou asked when Staff could provide the Council with updates regarding the Summer Streets Program.

Ms. Tanner suggested Staff could provide detailed updates in December, 2020 and the spring of 2021.

MOTION: Council Member Kniss moved, seconded by Mayor Fine to adopt a Resolution Amending Resolution Number 9909 to:

- A. Extend the temporary street closures of California Avenue, University Avenue and other downtown blocks to December 31, 2020;
- B. Extend the temporary street closure of University Avenue to include the block between Emerson Street and High Street;

FINAL MINUTES

- C. Extend the expiration date of Resolution Number 9909, including the duration of the temporary Parklet Program to September 7, 2021; and
- D. Allow activities in addition to outdoor dining and retail to occur on temporarily closed streets.

Council Member Kniss recommended Staff explore activities occurring in other cities. She inquired whether the City had an ombudsman program.

Mr. Shikada answered yes.

Council Member Kniss suggested a public contest to rename the Summer Streets Program.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to return with options for a COVID percentage surcharge for local businesses (New Part E); and direct Staff to return with a retail support plan focused on vacancies, expanded permitted uses, and currently existing retail (New Part F).

Mayor Fine proposed a pandemic surcharge as a way to support retailers that were not able to serve customers on the street.

Vice Mayor DuBois suggested Subparts E and F may be overly prescriptive and Staff needed to return with a Retail Support Plan.

Mayor Fine explained that concerns about vacancies and permit uses was expressed to him.

Council Member Tanaka proposed Staff explore converting streets with high restaurant densities to one-way streets.

Council Member Kniss advised that Staff was exploring that option almost weekly.

Mayor Fine reiterated the City Manager's comment.

Council Member Tanaka inquired about ways to increase marketing.

Mr. Shikada reported Staff would develop a robust program and, if necessary, they were able to seek additional funding from the Council.

Council Member Tanaka proposed Staff develop a utility bill forgiveness program with reserved pandemic funding.

Mayor Fine agreed with directing Staff to explore utility relief.

FINAL MINUTES

Ms. Stump reported utility funds could not be used for a relief program.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to consider options for utility relief." (New Part G).

Council Member Tanaka proposed the City provide placemaking materials and consider temporary relief from the minimum wage requirement.

Council Member Kniss recalled that the minimum wage requirement was a State law.

Council Member Tanaka questioned whether a pandemic surcharge reduced the number of servers' tips.

Council Member Cormack believed Subpart F was very important as people shopped online. She asked about existing utility assistance programs.

Mr. Shikada clarified Subpart G pertained to closed businesses.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to amend Motion, Part G to state, "direct Staff to return to Council with options for utility relief for closed retail businesses."

MOTION AS AMENDED RESTATED: Council Member Kniss moved, seconded by Mayor Fine to adopt a Resolution Amending Resolution Number 9909 to:

- A. Extend the temporary street closures of California Avenue, University Avenue and other downtown blocks to December 31, 2020;
- B. Extend the temporary street closure of University Avenue to include the block between Emerson Street and High Street;
- C. Extend the expiration date of Resolution Number 9909, including the duration of the temporary Parklet Program to September 7, 2021;
- D. Allow activities in addition to outdoor dining and retail to occur on temporarily closed streets;
- E. Direct Staff to return with options for a COVID percentage surcharge for local businesses;
- F. Direct Staff to return with a retail support plan focused on vacancies, expanded permitted uses, and currently existing retail; and

FINAL MINUTES

- G. Direct Staff to return to Council with options for utility relief for closed retail businesses.

MOTION AS AMENDED PASSED: 7-0

Mayor Fine asked about Council Members' wishes to continue the meeting.

Vice Mayor DuBois suggested the Mayor consider public comment for Agenda Item Number 8.

Council took a break at 10:24 P.M. and returned at 10:31 P.M.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kniss to continue Agenda Item Number 8, "PUBLIC HEARING / QUASI-JUDICIAL. 2353 Webster Street [18PLN00339]: Appeal of Director's Approval ... " to August 17, 2020.

MOTION PASSED: 5-2 Cormack, Fine no

7. PUBLIC HEARING: Adoption of an Ordinance Amending Palo Alto Municipal Code Chapters 18.52 and 18.54 Adjusting Parking Requirements to Facilitate EVSE Installation, Compliance With Accessibility Laws, Parking Substitutions, and Parking Lot Re-striping and Maintenance. Environmental Assessment: This Project is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines Section 15301, 15302, 15303, and 15061(b)(3).

Rachel Tanner, Assistant Director of Planning and Development Services reported the amendments reduced the dimensions of an electric vehicle (EV) parking stall, allowed extra bike parking, established motorcycle parking, provided standards for lot re-striping and maintenance, ensured Code language complied with Americans with Disability Act (ADA) requirements, enabled parking lot retrofits for accessible parking and charging equipment and ensured Codes were consistent and clear. She explained the proposed parking stall dimensions, bike parking, motorcycle parking, re-striping and maintenance was consistent with State law, and that ADA requirements and existing Municipal Code provisions were covered as well.

Public Hearing opened and closed without public comment at 10:46 P.M.

Council Member Filseth asked if the proposed amendments applied to parking lots for apartment buildings.

Ms. Tanner answered yes.

FINAL MINUTES

Council Member Filseth inquired whether the proposed amendments were not going to result in the loss of parking with the installation of EV charging equipment in existing parking lots.

Sam Gutierrez, Current Planner clarified that the amendment allowed the installation of rapid charging equipment in existing parking lots without a loss of parking.

Mayor Fine inquired about interest in advertising on EV charging equipment.

Ms. Tanner advised that the amendments addressed the installation of equipment on private lots. The property owner determined whether to allow advertising. She needed to investigate the ability to advertise on City-sponsored charging equipment.

Mayor Fine requested an explanation of long-term and short-term bike parking.

Mr. Gutierrez related that short-term parking was typically bike racks placed near the entrances of buildings. Long-term bicycle parking was typically bike lockers located near employee entrances and public transit.

Vice Mayor DuBois inquired whether the proposed amendments applied to both public and private parking lots.

Ms. Tanner replied yes.

Vice Mayor DuBois asked regarding Staff's tracking of the conversion of parking spaces.

Ms. Tanner explained that parking was tracked through the City's permitting platform.

Vice Mayor DuBois asked if approvals would be ministerial.

Ms. Tanner indicated approvals would be ministerial or Director decisions.

Council Member Tanaka asked if the Code contained any provisions for electric bikes, scooters or motorcycles.

Ms. Tanner reported there were no provisions concerning charging stations for electric bikes or skateboards.

Council Member Tanaka inquired regarding efforts to prevent bike thefts.

Ms. Tanner wanted to inquire with the Police Department.

FINAL MINUTES

Council Member Kou requested the number of parking stalls in the Downtown and California Avenue public garages that would be lost to charging equipment.

Ms. Tanner was not aware of plans to install charging equipment in public garages. Staff wanted property owners to upgrade their parking lots holistically so that Staff was able to reconfigure plans to prevent a loss of parking.

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to adopt an Ordinance amending Title 18 (Zoning Code) Chapters 18.52 (Parking and Loading Requirements) and 18.54 (Parking Facility Design Standards) of the Palo Alto Municipal Code (PAMC).

MOTION PASSED: 7-0

~~8. PUBLIC HEARING / QUASI-JUDICIAL. 2353 Webster Street [18PLN00339]: Appeal of Director's Approval of an Individual Review Application to Demolish an Existing One-story 1,593-Square-Foot (SF) Home and Construct a Two-story Home (Approximately 2,935-SF) With a Basement and an Attached Garage. Zoning District: Single-family Residential (R-1).~~

Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 11:02 P.M.