



CITY COUNCIL SUMMARY MINUTES

Special Meeting
June 10, 2024

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 4:00 P.M.

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

Council Member Tanaka arrived at 5:48pm

Present Remotely:

Absent:

Call to Order

Mayor Stone called the session to order. The clerk called roll noting six present.

Agenda Changes, Additions and Deletions

Ed Shikada, City Manager, noted the meeting was starting early based upon the Council bringing forward Item AA1.

Public Comment

Mayor Stone discussed new rules implemented for public comment and went over ground rules.

4. Deborahlise explained why she views Israel as a liability and declared it is time for disclosure and begin discussion on boycott and divestment.
5. Barbara M. stated that Alma Street north of Oregon is an unsafe route for the adjacent community and provided two alternate options she thought would be safer.
6. Lori spoke about maintaining unity in the community despite tragic events occurring globally. She wanted to learn more about Council's priority in providing community events designed to focus on inclusion and offered to help in any way.
7. Giora described dozens of books in the holocaust section of the Rinconada Library being found defaced 10 days prior. He urged Council to address antisemitism in Palo Alto and

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asked to have an educational informational program to be launched to help prevent antisemitism.

8. Alison R., speaking on behalf of (7): Noel S., Michelle H., Uzma H. Mona F., Lea G., Fariha H., Virginia L., described firsthand accounts of the rights of Jews being violated by Israeli Settlers and the IDF. She opined that true antisemitism was being misunderstood.
9. Sarit S. spoke about collateral damage in the rescue of hostages from a refugee camp in Gaza by the IDF. She urged for a call for the release of hostages and the surrender of Hamas.
10. Bill R. requested full-shift, 24/7 funding for the Fire Department. It was his belief that the information presented by Staff at the May 15, 2024, meeting was neither complete nor analytical. He requested an analysis of the ISO rating of the City and a further analysis of the 201 rights of the City. He was against authorizing the City Manager to negotiate with AMR.
11. Brenda B. discussed support provided by AbilityPath to Reach. She looked forward to Council's consideration for their program and Mitchell Park.
12. Alyssa S. spoke about the benefits of AbilityPath.
13. Soheila M. indicated that Council's decision to support AbilityPath's \$250,000 grant request was vital assuring that it would be impactful to the community.
14. Bryan N. repeated his request for the Mitchell Park Place matching grant and described how the funds would be used.
15. Paul P.
16. Mark S. spoke against Smith Development's request to eliminate the possibility of a bike lane at Middlefield and University and felt the City should move faster in updating the Bicycle and Pedestrian Plan to anticipate and address how different transportation is going to be with higher density development and believed the 2012 recommendations should be completed.
17. Aram J. did not agree with the Council's rule against talking about foreign affairs.

Council Member Questions, Comments and Announcements

Mayor Stone spoke about his attendance of the 30th birthday party for the City's celebrity resident donkey, Perry, and announced they had until June 23rd to raise funds for Perry and that the City would match up to \$10,000 on those donations.

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Consent Calendar

MOTION: Vice Mayor Lauing moved, seconded by Council Member Lythcott-Haims to approve Agenda Item Numbers 1-11.

MOTION PASSED: 6-0-1, Tanaka absent

1. Approval of Minutes from May 20, 2024 Meeting
2. Adoption of a Resolution Calling for a General Municipal Election to be held November 5, 2024
3. Approve Extension to the Deadline for Boards, Commissions, and Committees Workplans from June 2024 to Council Approval in August 2024
4. QUASI-JUDICIAL. 310 California Avenue [23PLN-00304]: Request for Approval of a Conditional Use Permit for the Expansion of an Existing Commercial Recreation Use and Renovation of an Eating and Drinking Space. Environmental Assessment: Exempt from the Provisions of the California Environmental Quality Act in Accordance with CEQA Guidelines Section 15301 (Existing Facilities). Zoning District: CC(2)(R)(P). For More Information Contact the Project Planner Nishita Kandikuppa at nishita.kandikuppa@cityofpaloalto.org.
5. Approval of a Finding that the Fire Station No. 4 Replacement Project (CIP PE-18004) is "Substantially Complex" Under Public Contract Code Section 7201 and Direction to Increase the Retention Schedule From Five Percent to Ten Percent; CEQA Status – Exempt Under Section 15061(b)(2)
6. Approval of Professional Services Contract Number C24189086 with Carollo Engineers, Inc. in the Total Amount Not-to-Exceed \$2,742,774 for Preparation of the Long Range Facilities Plan Update for the Regional Water Quality Control Plant for a Period of Two and a Half Years; CEQA Status – Not a Project
7. Approval of Construction Contract C24190538A with JJR Construction, Inc. in an Amount Not-to-Exceed \$1,586,191 and Authorization for the City Manager or Their Designee to Negotiate and Execute Change Orders for Related Additional but Unforeseen Work that May Develop During the Project Up to a Not-to-Exceed Amount of \$158,619 for the Fiscal Year 2024 Sidewalk Repair ADA Improvement Project-REBID, Capital Improvement Program Projects PO-89003 and PO-12001; CEQA Status – exempt under section 15301(c)

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8. Approval of Amendment Number 4 to Contract Number C21179265C with Carollo Engineers, Inc., to Increase Compensation by \$4,151,386 and Approval of Amendment Number 2 to Contract Number C21178333 with Black & Veatch to Extend the Contract Term through December 31, 2027 for the Local Advanced Water Purification System Project (WQ-19003); CEQA status - Notice of Determination Adopted November 18, 2019
9. Adoption of a Resolution Approving Revisions to the City of Palo Alto Energy Risk Management Policy
10. Approval and Authorization for the City Manager or Their Designee to Execute the Following Five Utilities Contract Amendments for the Electric Grid Modernization Pilot: 1) Amendment Number 1 to VIP Powerline Corp C23185980 Increasing Compensation by \$16,000,000 Through April 2028; 2) Amendment Number 1 to Davey Surgery Tree Company C20176920 Increasing Compensation by \$3,103,484 Through May 2025; 3) Amendment Number 1 to Stella-Jones Blanket Purchase Order Increasing Compensation by \$3,000,000 Through June 2026; 4) Amendment Number 1 to Oldcastle Infrastructure Blanket Purchase Order Increasing Compensation by \$450,000 and Extending the Term to December 31, 2024; and 5) Amendment Number 1 to Statewide Traffic Safety and Signs S22183236 Increasing Compensation by \$200,000 Through December 2024; CEQA Status: the Grid Modernization Project is Exempt Under CEQA Guidelines Sections 15302, 15303 and 15183.
11. Approval of Contract Amendment Number 1 to Contract Number C21181223A with Integrated Design 360, LLC. in the Amount of \$100,000 and Extend Term by Six Months for Sustainability Services Related to Green Building, Energy Reach Codes, and Sustainability Climate Action Plan; CEQA Status: Not a Project.

City Manager Comments

City Manager Shikada addressed agenda Item 13. An issue had been raised as to whether that includes the Meadow and Charleston Crossing. The rail grade separation alternatives was and is inclusive of all of those locations. He then gave a slide presentation discussing community engagement opportunities, Summer Reading For a Cause, Take Action to be Sustainable This Summer, and notable tentative upcoming Council items.

Action Items

- AA1. Pre-Approved Parklet Designs and Proposed Revisions to Adopted Ongoing Parklets Standards

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City Manager Shikada noted a supplemental report had been issued the prior week that laid out the specific items that are part of this recommendation related to the interim ordinance and resolution related to Ramona Street, the ongoing parklet program, approval of pre-approved parklet designs, and the timeline under which this recommendation was brought forward. He stated there are a number of community stakeholders with a range of interests.

Ashwini c, Project Manager, gave a slide presentation discussing the Parklets Program including an overview, architectural review board discussions, proposed refinements to ongoing parklet standards, pre-approved designs and user guide, considerations for Council action, Parklet Program timeline, and recommendations.

Ms. Kantak answered the ordinance related to the non-street parklets goes through December and they would have to come back to that.

Council Member Burt wanted a better understanding of the difference between the new parklet standards and existing parklets. He asked if there was explanation as to why a bunch of proprietors think they will have to demolish their existing parklets and completely rebuild them.

City Manager Shikada wanted to clarify that what they were bringing forward was a pre-approved design and it was not intended to reflect anything compulsory. This action follows Council's direction the last time parklets was discussed. It reflects the transition from the emergency COVID conditions under which parklets were originally installed with compliance with the design guidelines Council has now approved. He stated it was not surprising that proprietors would be concerned with any modifications. The specific refinements on the graphic are the only ones being proposed that evening. On issues of consent of adjacent property or the like, those are items that have previously been directed by Council and are not a part of what they were bringing that evening.

Ms. Kantak explained what they were bringing to the meeting were refinements to the permanent or ongoing parklet standards Council adopted in September of last year. They were based on discussions with the ARB and stakeholders and there were changes noted that they wanted to recommend to Council. The main differences would be the setbacks from vehicular traffic and ADA accessibility. The existing parklets can continue where they are located but will have to make some modifications to be in compliance.

Steve Guagliardo, Assistant of the City Manager, brought up the issue about roofs extending beyond someone's frontage that had been brought up the previous September in which Council decided that could be done if a letter of consent was obtained. That was not in the temporary program and is in the ongoing standard. The other piece is the provision for drainage and access to drainage that is included in the ongoing standard and not in the temporary program. The final piece is the limit of 350 square feet but the provision to allow people to have up to two of those parklets. He thought a messaging issue was the cause of some proprietors thinking they would have to demolish and rebuild and Staff was working with parklet operators to

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understand that in some cases a retrofit may work and in other cases depending on where they are sited versus the ongoing standards being applied, it may be closer to the latter.

Council Member Veenker wanted clarification of the phrase “maintain consistency with other downtown businesses occupying public spaces”.

City Manager Shikada explained it refers to all of the other parklets in all locations with the exception of car-free California Avenue.

Vice Mayor Lauing queried if there was ever any consideration given to grandfathering in some of these with minor variations or delaying the implementation time.

Ms. Kantak indicated they were open to looking at it on a case-by-case basis if there was a minor variation but they wanted to be sure they were being fair and all safety standards were being adhered to.

Council Member Kou wanted to know if the Emerson Street repaving was still on schedule. She wanted a reminder why the Ramona car-free area was extended until March 2025. She asked when the license fee would start.

Ms. Kantak answered they were planning the repaving in two phases to accommodate the parklets and it was on schedule. She explained that even though Ramona was included in the program, it was unique because it is car-free and a lot of the standards are designed to allow appropriate distances from vehicular traffic. They did not think it made sense for the existing parklets on the car-free portion of Ramona to adhere to those standards. They would be developing standards for outdoor dining on car-free streets and those would be more applicable. The license fee would start once the interim ordinance changes go into effect.

Brad Eggleston, Public Works Director, added the work is still on schedule and described the planned phases.

Council Member Burt questioned how long it would take if someone wanted to do a custom design and what the process would be. He wanted to know why the gap between parklets was required to be 8 feet. He asked why these parklet standards could not be applied to Cal Ave.

Ms. Kantak explained that would go through the Public Works Department. The permitting would be much easier with the pre-approved shop drawings. With a custom design, it will depend on what kind of information is coming in and would probably be about four to six weeks. She stated the 8-foot gap was for emergency access and for access between parklets for parallel parking. They were removing the requirement for an 8-foot gap between two parklets under the same proprietor. She explained reasons that the Cal Ave one would need to follow the outdoor dining standards rather than parklets.

Tamara Jasso, Fire Marshall, remarked there are no codes directly related to parklets at this time. They had to take into consideration best practices and other safety features. They also

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had to consider the changing parklets possibilities so came up with a number so each business would have to give some space. If a business left or removed the parklet, it would not impinge on the other business. That space was 3 feet but because of other requirements it became 4 feet to be consistent with the setbacks.

City Manager Shikada thought the primary issue was the lack of aesthetic standard to Cal Ave. He stated if Council wanted to direct staff to allow Cal Ave restaurants to use the parklet standards they could.

Public Comment:

1. Sikandar S. (Zoom) wondered when they might know what the plan is for businesses that are not street facing.
2. Richard H., speaking on behalf of Palo Alto Chamber of Commerce, stated that although they agreed with the concept of having the preapproved parklet designs that incorporate a uniform look, they believe these actions should occur as part of the larger University Avenue Streetscape improvement projects. He stated that the overall consensus is that now is not the time to have the burden of parklets being removed on businesses.
3. Nancy C. agreed with the comments of Richard H. She requested Council to reconsider the idea of grandfathering in light of the large investments that have been made.
4. Claudia described why grandfathering in the parklet standards that exist would be a good solution.

MOTION: Council Member Kou moved, seconded by Council Member Burt to:

1. Approve and direct staff to adopt the Revised Ongoing Parklet Program Regulations, including allowing the use of planters on parklets.
2. Approve Pre-Approved Parklet Designs and the Associated Draft User Guide as recommended by Architectural Review Board (ARB).
3. (For consent on June 17) Adopt the attached interim ordinance and resolution to:
 - a. Extend the interim parklet program for parklets and at-grade dining on the car-free portion of Ramona Street until March 31, 2025, or until outdoor dining standards are adopted for Ramona Street, whichever is sooner;
 - b. Implement license fees under the interim ordinance for this same section of Ramona Street for use of the right-of-way as previously established under the Ongoing Parklet Program.

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4. Direct staff to return to Council promptly after Summer Break with an Agenda Item to consider applying the ongoing parklet standards to California Avenue.

MOTION PASSED: 6-0-1, Tanaka absent

12. Hearing on Written Protests Against Proposed Discontinuance of a portion of El Camino Park; and Adopt a Resolution and Ordinance Approving a Ballot Measure for the Discontinuance of a portion of El Camino Park and Calling a Special Election on November 5, 2024; CEQA status - statutorily exempt per Pub. Res. Code § 21080(b)(12).

Council Member Veenker recused herself on Agenda Item Number 12.

Council Member Veenker remarked that she would recuse herself from this item because of Stanford's role in it and her affiliation with the university.

City Manager Shikada commented that this was the City Council's second hearing on this topic and an opportunity for the Council to hear any objections to the proposal to place this on the ballot. He noted that Staff issued a supplemental memo on this topic transmitting a letter of intent that has been discussed between the university and city representatives that spells out some context for the proposed Quarry Road project including responsibilities for funding, design, and construction of the roadway including the university contributing up to \$4 million for completion of the roadway as well as maintenance funding, extension of the lease for playing fields at El Camino Park for an additional 10 years through 2052, and undertaking a long-term visioning process for the Palo Alto Transit Center that addresses dynamic public spaces, multimodal transit needs, and community engagement. He stated one of the recommendations would be for authorization from Council for the Mayor and himself to execute the letter of intent with the university.

Tim Shimizu, Assistant City Attorney, provided an explanation of the legal process as required. He had copies of two written protests distributed indicating that the law required Council to review them. In order to proceed with putting the measure on the ballot, Council would need to vote to overrule them.

Public Comment:

1. Herb B. remarked that although Council Member Veenker recused herself due to conflict of interest but she participated in the prior action. He was concerned whether that put that action in jeopardy, thus his submitted protest. He described why he believed the map showing the current park boundaries to be inaccurate. He pointed out that the supplemental staff report stated a majority vote was needed to reject a protest when in fact a two-thirds vote was needed.

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2. Charlie W. expressed the Chamber's support of the adoption of a resolution in ordinance approving a ballot measure this November for the Quarry Transit Way Connection Project and encouraged Council to place this resolution on the ballot.
3. Navi D., Government and Community Affairs Officer at Caltrain, expressed the agency's strong support for the resolution to add the proposed parkland changes to the November 2024 ballot.
4. Charlsie C. expressed strong support on behalf of SamTrans in putting the proposed parkland changes to the November 2024 ballot.
5. Howard D. (Zoom), senior transportation planner at AC Transit, spoke in support of rezoning the portion of land.
6. Winter D. (Zoom) did not see any analysis of impacts or benefits. She thought more information and quantification was needed to up the chances of this passing and rededication must specifically be included in any ballot measure without ambiguity. Also given that 0.24 acres of parkland would be lost and another 1 acre rendered useless, 1.24 acres should be replaced and dedicated. The conservation use should be recognized and upheld.
7. Eleutha A. (Zoom) supported the Staff recommendation with the condition of improving north/south bike connectivity to the train station. She mentioned the 2000 VTA Measure A which allocated \$15 million for a new Palo Alto Intermodal Transit Center that should be available for this purpose.
8. Rediet T., transportation director for Stanford Medicine, strongly supported the proposed connection from the Transit Center to the El Camino and Quarry Intersection and identified the 2011 Stanford University Medical Center Development Agreement that set aside funds specifically for this purpose.

Council Member Kou discussed her initial reservations regarding the project but stated after seeing a visual she was in support of the project. She mentioned the letter of intent with Stanford that was in the supplemental report and Stanford's agreement of placing story poles indicating the boundaries. She addressed Stanford's assurance that they would keep communications open with Palo Alto Post 375.

Council Member Burt talked about Stanford's agreement to extend the lease on the playing field portion of the area. He supported the comments that this extension would be combined with a redo of the circulation of the bus routes. He questioned what the best way would be to ensure that the support for the proposal was contingent on resolving the need for a north/south bike route. He mentioned working on a colleague's memo bringing forward a number of sites as perspective park dedication sites on primarily city-owned or controlled land with the intent to come forward in early fall.

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Molly Stump, City Attorney, explained the ballot item was an important first step but did not commit the Council to execute the project in full. If Council wanted to talk more about the project and additional details or connections they would like to make with respect to their support to execute the project, Staff could come back and do that after the break. Any resolution or direction provided in August, September, or October could be taken into account by voters when they consider this item.

Vice Mayor Lauing wanted to confirm that the \$4 million was not being committed to that night but the focus was solely on the park rededication. He did not understand the public comment made about an acre that was deemed useless. He echoed Council Member Burt's comments that the City is dedicated to creating more parkland.

City Attorney Stump confirmed this to be correct adding the letter of intent provides additional detail about both parties and their intentions and understandings around the project.

Assistant City Attorney Shimizu thought the speaker was referring to what is commonly known as the Red Cross Buildings Parcel which is fully under the control of Stanford. They have looked into that parcel and do not think there would be a problem proceeding at that time.

Mayor Stone queried if there as a ballpark idea of anticipated costs for the project. He questioned if there was anticipation that this project could balloon past Stanford's \$4 million commitment and if there were concerns about that from Staff. He asked if there was a thought on how much ongoing maintenance there would be and if Stanford's contribution was anticipated to cover it all.

Philip Kamhi, Chief Transportation Official, answered it is estimated to be roughly \$3.55 to \$4.3 million. He noted Staff did have concerns with the initial estimates and these were revised estimates. They did believe there is grant funding that would be applicable for this.

City Manager Shikada commented that it was subject to further discussion with the transit agencies in addition to the university. The Transit Center itself is maintained by VTA and a number of different agencies could come into play ultimately deciding the appropriate contributions for ongoing maintenance.

Council Member Lythcott-Haims disagreed with the notion that Stanford would be the primary beneficiary of the undedication of parkland and opening up Quarry Road explaining that the project would do a lot to ease the public transit congestion.

Council Member Kou asked an undedicated park automatically gets rededicated for the portions that are not used. She thought if the measure included automatic rededication that it might reassure the public. She wanted to make sure that they remember to find out when the story poles are going up.

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City Attorney Stump explained Council could do that by ordinance and it was their discretion to do that at the right time. She hesitated because of the uncertainty around setting something up that would have to happen at an uncertain point in the future.

MOTION: Council Member Burt moved, seconded by Council Member Lythcott-Haims to:

1. Hereby overrule the written protests.
2. Adopt the Ordinance and Resolution calling for a Special Election on November 5, 2024 and submit to the voters a Ballot Measure of whether to discontinue the park use of approximately 0.33 acres of El Camino Park for the purpose of constructing a roadway for transit vehicles between El Camino Real and the Palo Alto Transit Center.
3. Delegate authority to the Mayor to authorize one to three Council Members to file a written argument in favor of this measure and also to file a rebuttal argument.
4. Authorize the Mayor and City Manager to Execute a Letter of Intent with Stanford University for the Quarry Road Project.

MOTION PASSED: 6-0-1, Veenker recused

13. Selection of Rail Grade Separation Alternatives and Bicycle-Pedestrian Crossing Near the Churchill Avenue Crossing for the Advancement of the Alternatives into the Preliminary Engineering and Environmental Documentation phase; CEQA status – statutorily exempt under CEQA section 15262 (feasibility and planning study).

City Attorney Stump remarked Council had an interest in allowing people to provide input about Charleston and Meadow. Council may have discussion about Charleston and Meadow. Some may have read the item to not include those crossing so stayed home when they had an interest in speaking so Council has indicated a desire to have those people have an opportunity to have input.

City Manager Shikada added they recommend that be on the 18th but will be confirmed at the end of the item.

Mayor Stone announced they would take public testimony on Churchill, Charleston, Meadow, and the Seale Underpass but would likely limit Council discussion to vote to not include Charleston and Meadow until the next week.

Ripon Bhatia, Senior Engineer, gave a slide presentation about the grade separation projects discussing an agenda, background, project planning – rail grade separation design and approval process, project planning, technical review – Council adopted evaluation criteria, alternative under Council consideration, additional studies, Caltrain engagement and technical review, four tracking segments, Kellogg Avenue vs Seale Avenue Crossing, conceptual page property

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impact assessment, real estate regulations, Churchill Avenue Partial Underpass, Meadow Drive underpass, Charleston Road Underpass, Meadow/Charleston hybrid, estimated costs, Rail Committee recommendations, and next steps.

Council Member Burt explained how the Rail Committee was working toward the least property impact possible. He discussed Caltrain's involvement in the project. He stated they needed to go from where they were to where they need to be to refine the designs.

Public Comment:

1. Patrice F. remarked that the goal of grade separation should focus on moving traffic, not families. She felt Palo Altans would be better served by the hybrid solution.
2. Marshall H. described why he was against the underpass.
3. Sabrina L. expressed concerns about the underpass solution.
4. Michael W. strongly opposed the Charleston underpass plus roundabout option stating that the hybrid was the most equitable solution. He added that avoiding eminent domain was top priority.
5. Tom C. explained why he did not think the proposed Seale Underpass was necessary.
6. Joan S. asked the Grade Separation Project not to remove the Alma Charleston traffic light due to safety concerns.
7. Nicole C-W. expressed frustration that some of her property would be taken if the Charleston Underpass option was chosen. She urged Council to do better for all of Palo Alto.
8. A representative spoke on behalf of Jackie S. asking Council to reconsider the tunnel on Seale as it would be the most ineffective, unsafe, and negatively impactful idea of all.
9. Barbara M.
10. Stephane M. asked City Council to deselect Churchill Partial Underpass as a preferred option and discussed how the loss of property he would affect the livability of his home.
11. Kathleen J-M. echoed the comments of Stephane M.
12. Ruby C. remarked that the eminent domain plan was not feasible and would interrupt their livelihoods. She requested that the City see if those plans are realistic. She asked Council to deselect the Churchill Partial Underpass.
13. Mike F. advocated that the fully elevated viaduct plus berm was the better option.

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14. Wanfeng Z. asked Council to deselect the underpass at Meadow Drive as the preferred option and consider the hybrid option citing financial and safety reasons.
16. Santa P. strongly opposed the idea of a tunnel on Kellogg or Seale asking Council to prioritize student safety over car traffic.
17. David M. asked Council to reconsider leaving Churchill Crossing open to car traffic. He suggested putting a pedestrian tunnel under Churchill. He stated the proposed plan would make the traffic on Alma faster and worse.
18. John M. stated Caltrain is the worst neighbor ever due to noise and dust. He felt hearing from Council members in the paper who said somebody should sacrifice for it for the good of the City sounded ignorant and insensitive.
19. Michele G. argued that there was no need for tunnels at Seale Avenue or Kellogg. She asked Council to think about how self-driving cars could impact the Churchill Crossing.
20. John B. asked City Council to reject the Seale to Peers Park Tunnel proposal as well as closing Churchill citing safety issues. He also wanted it to be known he just found out about this two weeks prior.
21. Melinda M. expressed concern about eminent domain for her neighbors and wanted to make Council aware that electrification of the train made their house uninhabitable due to noise. She was tired of cars cutting through her neighborhood and wanted to get the police on it.
22. Drew H. stated he, like many others in the audience, just learned of the Churchill Grade Separation recently. He opined closing vehicular traffic to Churchill was the best option.
23. Ron P. urged City Council to eliminate the Charleston/Meadow Underpass option once and for all. He remarked the design was flawed and property seizure was unacceptable. He suggested opting for the hybrid or viaduct option.
24. Val S. spoke in favor of the Seale Pedestrian Tunnel.
25. Linda (Zoom) hoped City Council would offer surveys of the five options and post the survey results to the public. She added they did not want to sacrifice their families for unreasonable, unfair and inefficient options.
26. Phil Y. (Zoom) commented that the Churchill Partial Underpass Proposal was materializing as needed significantly more eminent domain than what was initially sold to Council and the public. He explained that it would render 15 homes substandard and would not improve safety or traffic. He urged putting Churchill on hold.
27. Catherine (Zoom) spoke against the Churchill Partial Underpass Proposal and thought the viaduct or hybrid were better options.

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28. Mash N. (Zoom) was deeply concerned that his property comes under eminent domain. He agreed that the hybrid option was better than the underpass. He mentioned there could be resistances to taking over the homes adding litigation to the costs.
29. Kyle B. (Zoom) stated that the package before them contained new information which includes the potential acquisition of properties and impacts not previously known to the Council or the public. He urged Council to bring back the Churchill Rail Crossing in an upcoming meeting to allow the public a chance to voice their concerns.
30. Erin (Zoom) spoke against the proposed Seale Avenue thoroughfare due to its detrimental impact on their neighborhood, safety of their children, property values, and overall quality of life. She felt the existing conditions were working adequately and asked that Council reject the Seale Underpass.
31. Mark S. (Zoom) thought Churchill should be closed to cars and the bike and pedestrian tunnel located there. He spoke about why Kellogg and Seale were not good options.
32. Elizabeth A. (Eleutha A.) (Zoom) commented that it is a problem to be doing selection and having everybody involved at 5 percent design and to be using worst case because different options have different deltas between the best and worst case. She wanted to hear more about the public's concerns and ideas and to explain why she thought it was the best option for all modes of transportation after working on it for 10 years. She offered her email, ealexis@gmail.com, inviting comments.
33. Barbara H. implored Council not to close Churchill as it would create a silent eminent domain to hundreds of homes on Embarcadero and to consider the partial underpass.

Council Member Veenker wanted to know why doing a bike bridge instead of a tunnel was not an alternative. She asked about right-of-way options. She asked why the northbound left-turn lane approaching Churchill also allowed traffic to go straight. She thought one could taper back in sooner if there were not three lanes extending as far. She wondered if they could condense the two northbound lanes on the right to one and still have two northbound lanes.

Mr. Bhatia explained how going above the rail tracks would impact a significant amount of additional housing and not be a cost effective or feasible solution. He described that the through lane would also allow for the left turns coming out of Churchill to go onto northbound Alma Street. He stated the Rail Committee has already made the recommendation to look into that configuration in their preliminary engineering phase. At the earlier stages of the PE, they will be looking to see how they could effectively reduce the width on the northbound Alma lanes to eliminate impact onto the private properties. They are working with Caltrain and VTA to negotiate that agreement in the next steps. One recommendation from the Rail Committee was to come back at about 15 percent level of completion to seek direction to proceed forward on the 35 percent development of the PE.

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Mr. Kamhi said the right-of-way impacts would spill into private properties. He noted that typically a bike ramp like that would not be a comfortable bicycling experience.

Vice Mayor Lauing wanted more information on the specifics of the Seale issue versus Churchill. He asked if they have to do either Kellogg or Seale.

Mr. Kamhi explained that initially Kellogg Avenue had been the one that was further developed. He noted that through recommendations from bicycle stakeholders and others that provided input to those plans and the Caltrain right-of-way that exists, they recognize that at Kellogg Avenue a crossing was going to have potential property impacts into the PALY Football Stadium. He also noted that the Seale Avenue was not a new concept but was developed in the 2012 Bicycle and Pedestrian Plan. Seale Avenue fills a longer gap between the other crossing locations and has more space for landing on both sides. The geometry available on Seale and Kellogg is nearly identical. Seale Avenue has a few more connections to existing bicycle infrastructure and paths. He stated the way that partial underpass is designed is that the bicycle and pedestrian connection is not intended to be at Churchill along with the partial underpass so Kellogg or Seale are the more preferable locations.

Council Member Kou was shocked to hear somebody said it was too bad that they disclosed the property takings. She mentioned that when she first came onto Council in 2017, one of the criteria put forward was that there would be no property takings. She did not know when that changed and even taking one was too much. She referenced the next steps section on the April 29, 2024, Staff report where a paragraph said that they are planning for the expanded outreach efforts to keep the community informed about the various technical studies and project updates including the outreach initiative to gather feedback and comments from the resident community, especially those that would be greatly impacted and affected by the grade separation project. She had to reach out to Staff to understand why these meetings and community outreach were not coming forward. She found out that most of it was going to be notices that would be sent to the properties. She wanted to know why the Rail Committee told Staff not to have a community meeting during that time. She remarked that the cards that went to residents did not have very much information except to talk about the Rail Committee and Council meetings. She did not think many people were seeing the blog Staff had put out. She thought the outreach had been quite dismal. She hoped they would bring the decision on Churchill back forward. She thought having the red tape markings was an opportunity for residents to go out and see how much of their driveway might be taken. She said that the people living on Kellogg would be so impacted because of Castilleja's development. She did not think this plan should move forward until more thought had been put into it. Seeing the number of homes that would be impacted was surprising to her. She was against property takings. She mentioned the Rail Committee meeting where there was talk about a scope to come up with 35 percent of good level detail of the preliminary engineering environmental clearance and she was surprised that it was now at 15. She asked for clarification of that if she was misunderstanding.

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Mr. Kamhi clarified that what Staff was referring to was when Council and the Rail Committee would have a chance to weigh in on how the plans had been revised.

Council Member Lythcott-Haims asked if Churchill closure entailed any partial or complete takings within the South Gate neighborhood. She wanted clarification on what the bike/ped options were with the Churchill closure with mitigation.

Mr. Kamhi answered at the level of design they were at, they did not have any anticipated property takes but there could be some potential property impacts through the mitigations.

Mr. Bhatia added there are improvements that are identified as mitigation measures which include intersection improvements at El Camino Real and Churchill, Embarcadero and El Camino Real, Oregon Expressway and Alma Street, and Oregon Expressway and El Camino that would require some additional widening to provide for additional lanes and may have some additional right-of-way considerations that would need to be looked at more carefully as they look into those designs. He explained option one entails going straight along Churchill Avenue, underneath both railroad tracks and Alma Street, and coming back on the opposite side in the middle of Churchill Avenue with stairs and ramps connecting. Option two would include ramps going along the railroad tracks so pedestrians and bikes would cross Alma Street at the signal light intersection on the other side of the railroad tracks, go along the railroad tracks, go down the ramp, come back up the other side, and daylight back on to Churchill Avenue. He explained how option one would work better with the Caltrain right-of-way. The ramp would go under the train track between Kellogg and Churchill.

Council Member Burt discussed in detail the background of how the proposed solutions were formed. He stated there were no perfect or easy solutions but they had to find the best one.

Council Member Tanaka agreed that the outreach on this had been very poor. He mentioned that the City has no money to build this. He thought they should either do nothing or do it right. He opined people were going to fight having their property taken which would increase the cost and delay the time. He stated the Tesla Taxi would be released in August and they may not need the train. He did not approve having kids drive through tunnels.

Mayor Stone was curious how much of a longer journey it would be if biking toward Seale to Cal Ave and why there was a need to put the tunnel fairly close to an existing infrastructure. He was curious about the district's reaction to Kellogg.

Mr. Kamhi noted how far the Cal Ave Tunnel is from the crossing depends where one is coming from. He stated this is really a Bicycle and Pedestrian Transportation Plan item. Something it has and will be looking at is additional bicycle and pedestrian crossings. Saying they have an existing crossing and are going to eliminate one where there are quite a few crossings is underserving the demand for crossings. He noted that saying it would potentially just take the bleachers was understating it and it would mean reconfiguring the entire sports field.

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Mr. Bhatia added that in addition to the PAUSD there were additional impacts to the Caltrain side because of the requirements for the overhead electrical systems.

Council Member Veenker asked how many students cross daily at Churchill now that would need to find a new route. She wanted to know what the Staff report meant by stating the Churchill closure was a backup. She asked for the best information on where in Peers Park the currently posited tunnel on Seale would come out and if it could be in the part closest to the school.

Mr. Kamhi added that the Cal Ave Tunnel is a very old tunnel that they frequently get complaints about because it is considered substandard. They would be talking about hundreds of bicyclists and pedestrians needing to go through it at the same rush time. He said that the mention of Churchill closure as a backup went back to Council action in November 2021 where the partial underpass was selected as the locally preferred alternative and kept the closure option as a backup. That was ultimately up to Council's determination. He remarked they did not yet have a design for where the path would go. The tunnel would most likely exit on the part directly across from Seale behind the tennis courts. He explained two different options of where the path would go.

Gary Black, Hexagon, answered the number of students who cross Churchill daily is between 300 and 400 in the morning and again in the evening.

Council Member Lythcott-Haims inquired about the cost on the Churchill closure backup plan and the partial underpass. She queried if they know what the kids want and if there would be any merit or consideration given to working with PAUSD to do some surveying of the students on the options.

Mr. Kamhi stated from the last update they had to it, the cost was between \$95 million and \$115 million and the partial underpass was \$260 million to \$320 million. He said they have not had a specific youth survey but they received more comments specifically in favor of Seale generally through the Bike and Ped Plan than Kellogg. He noted they had the school district not in favor of Kellogg. The Seale connection provides additional connections to bicycle infrastructure that the Kellogg option does not and a better gap. He added that on a year-to-year basis, where the students actually come from would change. They have the PALY Catchment map which specifies the area where the students come from. From that perspective, their analysis showed that Seale would better meet the potential area students could come from to go to PALY than Kellogg.

Council Member Kou asked if it was true that the reason they had to do a four-track was because Caltrain had gotten money from High-Speed Rail. She wanted confirmation that on Seale it has been asserted that there will be no properties partial or full takings but only parking.

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Mr. Kamhi stated it was his understanding was that four-tracking would potentially accommodate high-speed rail but also Caltrain desires four-tracking for their future enhancement.

Mr. Bhatia added it was the understanding that the 2040 vision moderate and high-growth scenario for Caltrain requires four-tracking within Palo Alto. In addition, that would also serve High-Speed Rail. He stated the two corner properties at Alma may have some impact because of the turning movements that will happen at that location with the addition of the ramp in the middle of the road.

Navi stated Caltrain has a PMFLA they signed with High-Speed Rail that is an agreement in order for them to conduct blended service to accommodate Caltrains' moderate growth vision as referenced in the adopted service vision for eight trains per hour per direction including High-Speed Rail's trains which are an additional four. The four tracks are there in four specific locations along the Caltrain corridor. She described how those four segments have been identified per Rail Committee's urging to identify that four-track segment sooner to help initiate this advancement. The blended service in the four-track is what they were obligated to do under the agreement in order to provide that blended service in the passing tracks that would be needed to safely pass trains along the corridor north and south. She stated High-Speed Rail provided funding as partners but under the PMFLA, they had a blended service and that agreement was made in order to attribute to and ensure they could bring High-Speed Rail onto the Caltrain corridor safely.

Vice Mayor Lauing opined a tunnel was needed to get bikers and pedestrians under the tracks and thought Staff and the consultants made a good argument in favor of Seale.

Council Member Burt commented on the amount of bicyclists who would ride on the wrong side of the street because there is not a good flow and it is a dangerous situation that needs addressed. He discussed where the school district bike riders are coming from.

Council Member Kou wanted to know what she and the community could expect to hear back from Staff after this goes through. She questioned who the residents should go to with public input.

Mr. Kamhi noted they would be back the following week to talk about the other locations. Apart from that, there were still several agreements they need to get through including the FRA for funding and services. Caltrain intends to become the lead implementing agency following the current phase. He noted the timeline would be further developed in the next phase. He said City Staff would continue to be engaged in the process of public comment.

Council Member Lythcott-Haims was concerned about the partial taking of property on Alma due to the partial underpass and was in favor of solutions that did not require the partial procurement of homes and intended to vote against this.

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Vice Mayor Lauing countered the point of doing this is to go to preliminary engineering and environmental documentation phase to see what the impacts are.

Council Member Lythcott-Haims guessed that raised the validity of the backup option and if they only advance this option, asked where that put them in terms of properly assessing the legitimacy of the backup option should it turn out that this options requires some partial takings.

Mr. Kamhi stated that would ultimately be the point of the check back in. He added the alternative was less of an engineering challenge because it was a closure and was within Council's ability to decide. He stated the estimate to get to 35 percent was \$5 to \$7 million per alternative and some percentage of that to get to 15.

Council Member Tanaka could not support the proposal.

Council Member Veenker shared Council Member Lythcott-Haims concerns about the potential takings and also about making sure it is something students would use. She urged Staff to assess whether they could reduce a lane on Alma and likely students paths in parallel with this so when they get back the preliminary engineering they can feel comfortable about those two issues. If not, she would not be inclined to look favorably on an option they cannot engineer away from takings. She opined the backup for the closure was in their hip pocket if need be. She would be supported with some trepidation.

Mayor Stone aligned with Council Member Veenker and agreed additional information was needed. He thought it was the right plan to move forward and continue to explore this option.

Council Member Burt reiterated the only way they would be able to understand whether they can address these concerns is through going forward with the engineering.

Council Member Kou asked if the Rail Committee and Staff could consider moving their meetings to evenings so people who work are able to participate.

MOTION: Vice Mayor Lauing moved, seconded by Council Member Burt to recommend Seale Avenue for Bicycle and Pedestrian crossing location at for the Partial Underpass Alternative at Churchill Avenue Crossing to advance into the Preliminary Engineering and Environmental Documentation Phase, with the closure alternative as backup.

MOTION PASSED: 5-2, Kou, Tanaka no

City Manager Shikada announced the following Tuesday would be the best date for the continued discussion specifically to the Meadow and Charleston Crossings. His recommendation was to have this follow the other action items.

Adjournment: The meeting was adjourned at 9:22 P.M.