



CITY COUNCIL SUMMARY MINUTES

Special Meeting
May 16, 2022

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:00 P.M.

Present: Burt, Cormack, DuBois, Kou, Stone, Tanaka

Absent: Filseth

Closed Session

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Authority: Government Code Section 54956.8 Property: 445 Bryant Street, Assessor's Parcel Number 120-15-107 Negotiating Party: JSRFIT LLC, a California limited liability company d.b.a. Form Fitness City Negotiators: Ed Shikada and Kiely Nose Subject of Negotiations: Lease Price and Terms of Payment

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

MOTION PASSED: 6-0-1 Filseth absent

PUBLIC COMMENT

Rebecca Eisenberg reminded the Council that in Chapter Five of the League of California Cities Brown Act regarding Closed Sessions that the nature of the lease was not listed as an item that should be held in closed session. She wanted to understand what the proposed development was.

Mayor Burt remarked the applicant was Form Fitness City.

Council went into Closed Session at 5:00 P.M.

Council returned from Closed Session at 6:10 PM P.M.

There were no announcements for the public.

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There were no announcements for the public.

Special Orders of the Day

2. Proclamation Recognizing National Police Week - May 15-21, 2022
and National Peace Officers' Memorial Day - May 15, 2022

Council Member Stone read the proclamation into record.

Police Chief Jonsen stated it was an honor to receive the proclamation in honor of the men and women of the Palo Alto Police Department.

3. Proclamation Recognizing Emergency Medical Services Week May 15-21, 2022

Council Member Cormack read the proclamation into the record.

Fire Chief Geo Blackshire mentioned the Palo Alto Fire Emergency Medical Services (EMS) services was established shortly after President Ford authorized National EMS Week. For the year 2021, Palo Alto Fire EMS had a 33 percent rate on return of spontaneous circulation when the national average was between 20 and 25 percent. That success was accomplished through the collaboration with the Palo Alto Police Department, the Emergency Services Dispatch Center and the Palo Alto Fire Department.

EMS Chief Kim Rodgrick acknowledged the struggles the COVID-19 Pandemic posed on services and training. The pandemic imposed a change to State regulations to allow EMS trained individuals to administer vaccination shots and help over capacity hospitals.

Agenda Changes, Additions and Deletions

Mayor Burt announced that the agenda will be reordered so that Item 13 will be moved to the end of the agenda.

PUBLIC COMMENT

Rob Levitsky explained the Castilleja School project started with five Variances, but the neighborhood educated itself and provided valuable feedback regarding the project. At the most recent Planning and Transportation Commission (PTC) meeting, the Commission approved to allow the school to begin at 450 students but refrained on additional increases until neighborhood impact could be assessed. The Planning and Development Services Department in their Staff report for Council's

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upcoming meeting actively lobbied against the recommendation made by the PTC.

Linda Jolley advocated that a minimum wage worker living in Palo Alto could not afford to rent a small bedroom. Many folks were living in vehicles and the City continued to harass them by issuing frequent tow warnings. She requested the City provide all information on the current policy to her.

Neva Yarkin remarked that the City needed to do better with respect to environmental issues. Castilleja School wanted to expand its school which would cause more Greenhouse Gasses to be instilled into the atmosphere. Also, the many tons of cement needed for the project omitted thousands of tons of carbon dioxide. These actions did not support the City's climate plan.

Elizabeth Weal, a member of the League of Women Voters, announced the League provided a petition with signatures requesting the Council pass a \$500 cap on campaign contributions for City Council candidates.

Katherine Miller, a member of the League of Women Voters, remarked the League presented three local campaign financial proposals. Passing all three proposals was the best approach to local campaign finance reform in a comprehensive manner.

Karen Harwell supported a \$500 cap on local campaign contributions. Current law allowed up to \$4,900 for Palo Alto City candidates which was ten times higher than the allowable amount for Santa Clara County Supervisors.

Jean Lythcott, a member of the League of Women Voters, stated with the contribution cap of \$4,900, the City was inviting only the wealthy to run for City Council positions. A \$500 cap on donations would likely increase diversity of Council candidates.

Alice Smith shared since the year 2016, the cost to run for City Council had risen 66 percent which far outpaced inflation. It was time for the City Council to pass a \$500 cap on local campaign donations.

Lisa Ratner, a member of the League of Women Voters, echoed previous speaker's comments to pass a campaign cap of \$500. Contributions to the Palo Alto City Council candidates were dominated by several large donors.

Nancy Neff represented the Palo Alto Clean Money Campaign and explained the campaign worked to reduce the influence of money in

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politics to reduce corruption or the appearance of corruption. The Clean Money Campaign urged the City Council to pass a \$500 cap on campaign donations.

Judy Kleinberg remarked as a former City Council Member and Mayor, she voluntarily limited her campaign amount to \$20,000. The increase in campaign costs had deterred folks from running for City Council. She supported campaign finance reform and a cap of \$500 on donations. A cap encouraged small donors to engage in the public process.

Liz Jensen, a member of the League of Women Voters, found it anti-democratic to leave the City Council donation cap at the State's default level of \$4,900. She echoed the request to pass a \$500 cap for donations before the November 2022 elections.

Elaine Elbizrl, a member of the California Clean Money Campaign, supported a \$500 cap on campaign donations.

Michael Morganstern believed the current City Council was one of the best Councils money could buy. He urged Council to represent the people, not big donors and pass a \$500 cap on campaign donations.

Roger Smith listed the names of neighbors and former Mayors who helped reduce the City Council from nine members to seven members. Also, they encouraged a more accountable, more effective and more productive Palo Alto City Government. He encouraged the Council to be more productive.

Romola Georgia was horrified by the anti-democratic influence of money on the City's elections. She strongly supported the League of Women Voters proposal to cap campaign donations at \$500.

Steven Branz shared he used to organize the Waverley Street block parties and folks running for Council were always invited to attend. He believed that type of engagement should continue and supported the League Of Women Voters proposals for campaign finance reform. The limit would increase local donations and public participation.

Aram James was not supportive of a cap on local campaign donations. He encouraged Rebecca Eisenberg to run for City Council. He expressed frustration with Council Member Cormack and her unwavering support for the Palo Alto Police Department.

Rebecca Eisenberg thanked Mr. James for his comment. She shared she ran for a City Council position in the year 2020 and believed campaigns

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should be publicly funded. She supported the previous speaker's comments to place a cap on local campaign donations.

Math Schlegel commented his home had been free of fossil fuels for over 5-weeks. He emphasized the behavior of folks was causing detrimental impacts to nature. The City must stop burning fossil fuels in the next 3-to 5-years to stop mass extinction.

Kari Yarkin remarked she is a neighbor of Castilleja School and was supportive of the school until the neighborhood began to feel the impacts regarding traffic and added weeknight events. Castilleja School continued to violate their existing Conditional Use Permit (CUP) and was asking for increases in various areas that would impact the neighborhood more. She emphasized now was the time for the City of Palo Alto to say not to the new Castilleja CUP.

Winter Dellenbach announced that folks needed to water their trees during a drought. She believed the League Of Women Voters' proposal was neither practical, nor realistic because many types of donations were exempt under the proposed cap.

Fred Balin mentioned several times contribution caps had been raised and neither time had they been approved by the Council. The League of Women Voters was requesting one component of their proposals to be adopted by the Council. He encouraged the Council to adopt the proposal.

Julie Beer supported the \$500 campaign contribution limit for the City Council elections. She expressed concern about larger donors and their influence on candidates.

Rita Vrhel highlighted that Castilleja School had violated its current CUP and the City did nothing about it. She requested the City place the project on hold and differ the item to the Santa Clara County Civic Grand Jury.

Mary Sylvester aligned her comments with Ms. Dellenbach and other voices regarding transparency. City Staff continued to hide evidence and findings about Castilleja School from the public.

Mora Oommen thanked the City and Staff for a well-attended and safe May Fete Parade.

Council Member DuBois remarked public comment was the time for the public to speak about policy. When personal attacks are made, the comments are ignored and not considered during deliberations.

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Mayor Burt read a portion of the City's response regarding the incident that took place in Buffalo, New York.

The Council took a moment of silence on behalf of the victims.

Consent Calendar

Mayor Burt acknowledged the memorandum that highlighted amendments to Item 4, Item 12 and Item 11.

Council Member Cormack, DuBois registered a no vote on Agenda Item Number 5.

Council Member Tanaka registered a no vote on Agenda Item Number 6.

MOTION: Council Member Cormack moved, seconded by Mayor Burt to approve Agenda Item Numbers 4-12.

MOTION PASSED Items 4, 7-12: 6-0-1 Filseth Absent

MOTION PASSED Items 5: 4-2-1 Cormack, DuBois no, Filseth Absent

MOTION PASSED Items 6: 5-1-1 Tanaka No, Filseth Absent

4. Approve Minutes from the May 2, 2022 City Council Meeting
5. Adoption of **Resolution 10037** Authorizing Use of Teleconferencing for Council Meetings During Covid-19 State of Emergency
6. Approval of Amendment One to Six (6) Enterprise System SAP On-Call Professional Services Contracts with: 1) Avertra Corporation, C20174583A; 2) Peloton Group, LLC., C20174583B; 3) Etech-360, Inc., C20174583C; 4) V3iT Consulting, Inc., C20174583D; 5) IT Resonance, Inc., C20174583E; and 6) Techlink Systems, Inc., C20174583F, to Increase the Level of Services that May be Provided and Increase the Combined not-to-exceed Amount from \$350,000 Annually to \$650,000 Annually in Year 2 and \$1,650,000 Annually in each of Contract Years 3 through 5, for all Six (6) Contracts, Bringing the New Contract not-to-exceed Combined Amount Across all Six (6) Contracts to \$5,950,000 Over a Five-Year Period, for provision of Department-Specific SAP Solutions
7. Approval of Contract Number C22183804 With Jacobs Engineering Group, Inc, (Jacobs) in the Total Amount Not-to-Exceed \$880,569 to Provide Engineering Services for the Joint Intercepting Sewer (JIS Rehab.) Rehabilitation (Phase 1) at the Regional Water Quality

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Control Plant from the Plant Repair, Retrofit, and Equipment Replacement capital project (WQ-19002) in the Wastewater Treatment Fund

8. Approval of Contract No. C22183905 with Prime Government Solutions, Inc. for an Amount Not to Exceed \$136,892 Over a Term of Approximately Five-Years through June 30, 2027 for the Provision of Cloud-based Agenda, Meeting, and Commission Management and Automation Software
9. Adoption of **Resolution 10038** for Senate Bill 1, the Road Repair and Accountability Act, for Fiscal Year 2023, Providing the Street Maintenance Project List for Capital Improvement Program Project PE-86070
10. Approval of Amendment Number Two to Contract No. C20175911 with Labyrinth Solutions, Inc., to extend the Contract Term through October 21, 2022 at No Added Cost, for Information Technology Professional Services, Cloud Computing Hosting and Support Services, and As-Needed SAP Application Technical / Functional Support Services.
11. SECOND READING: Adoption of **Ordinance 5549** Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapters 18.04 (Definitions), 18.16 (Neighborhood, Community, and Service Commercial (CN, CC and CS) Districts), 18.18 (Downtown Commercial (CD) Districts) and 18.30 (A) and (C) the Retail and Ground Floor Combining Districts. Environmental Review: Exempt Under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) until December 16, 2022. (FIRST READING: May 2, 2022: PASSED 7-0)
12. SECOND READING: Parks and Recreation Commission Recommend Adopting **Ordinance 5550** to Amend the Foothills Nature Preserve Attendance Range to 400-600 Guests (FIRST READING: May 2, 2022: PASSED 7-0)

Council Member Cormack remarked that given the number of in-person events being held. There was no longer a need to support the resolution listed in Item Five.

Council Member DuBois echoed Council Member Cormack's comment regarding Item 5.

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Council Member Tanaka stated Item Six was an astounding amount of money to be approved on the Consent Calendar.

MOTION PASSED/FAILED: 7-0

City Manager Comments

City Manager Ed Shikada announced the flag at all City facilities had been lowered to half-mast in recognition of the millionth death mark of the COVID-19 Pandemic. There has been an increase in COVID-19 cases locally, regionally and nationally. COVID-19 testing was available at local facilities and those were listed on the City's website. The City celebrated the official opening of the Junior Museum and Zoo as well as Rinconada Park. The Palo Alto Police Department and City officials would be holding a short ceremony on May 17, 2022 in honor of the three officers killed in the line of duty. Movie night in the park was to begin on May 20, 2022 at Mitchell Park and run through July 22, 2022. On May 20 and May 21, 2022, Bike to Wherever Days will have energizing stations throughout the City in renegotiation of Bike Month. Upcoming items for the May 23, 2022 City Council meeting included Castilleja's project review. He requested that Council Members mark a placeholder for a potential special June 21, 2022 City Council meeting.

Action Items

13. Approve a Fiscal Year 2023 Program for Domestic Recycling of Mixed Paper and Mixed Rigid Plastics; Approve a Budget Appropriation in the Refuse Fund Fiscal Year 2023 Operating Budget; Direct Staff to Negotiate a Corresponding Contract Amendment with GreenWaste of Palo Alto for Program Costs in an Amount Not to Exceed \$1.2M (7:05 – 7:45 PM)

ACTION: Item was continued to a future meeting

14. Adopt **Resolution 10039 and Resolution 10040** Authorizing the City Manager to Continue to Close California Avenue from El Camino Real to Park Boulevard, and Ramona Street between Hamilton Avenue and University Avenue Until December 31, 2023 and Direct Staff to Implement Specific Access Lanes and Perimeter Rules

Chief Transportation Official Philip Kamhi noted the item was for temporary closures only and not for permanent closures. As the City begins to study the long-term closures for the streets, Staff will be conducting a California Environmental Impact Report (CEQA) as well as a traffic study.

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Senior Transportation Planner Ozzy Acre reported the item was a continuation from the February 28, 2022 City Council meeting. On September 13, 2021, the Council authorized an extension of the street closures through June 2022. Council then extended the closures through December 2023. At the May 9, 2022 Council meeting, the Council provided direction to Staff on the proposed permanent parklet standards and programs. The transition from the pilot parklet program to a permanent parklet program was happening parallel with the extension of the temporary street closures and evaluation of long-term solutions. Adoption of the proposed resolution would allow the City Manager the authority to temporarily close portions of California Avenue and Ramona Street until December 31, 2023. Also, the resolution authorized Staff to implement specific access and perimeter rules. For clarification, parklet was the area identified immediately adjacent to the curb. On street dining refers to dining on a closed street. As the City moved through the process, Staff would continue to refine the regulations associated with the public space. Staff's recommendations balanced activities while managing risk and safety and preserved the flexibility for long-term closures. Staff recommended installing a dedicated 16-foot emergency access lane down the middle of California Avenue with a 10-foot two-way bike lane superimposed on top. For Ramona Street, Staff recommended installing a 16-foot-wide emergency lane with a 20-foot wide lane in front of Cardinal Hotel with a 10-foot wide bike lane superimposed on top. Staff also recommended all restaurants with on street dining install a barrier to prevent guests from entering the bike lane. Also, Staff recommended only small tents and umbrellas be used in the on-street dining areas with the exception of large tents during inclement weather months. Staff continued to work collaboratively with other City departments to improve the aesthetics and place making of the two streets.

City Manager's Office Kara Apple reported as part of the public engagement process, Staff created a survey to solicit feedback on the extension of the temporary closed street as well as the program enhancements. Staff received 648 responses from the community survey with 573 respondents indicating they enjoyed the outdoor parklet with 75 indicating they did not enjoy the parklets. The community expressed words of support for the sidewalk and closed street dining and retail. Also, the community supported additional enhancements for the existing program. Many respondents indicated they visited the Downtown and California Avenue areas one to two times a month and/or per week. Also, many respondents noted they frequently visited restaurants, bars and retail in the area. A survey was sent out to the businesses in the area and 40 responses were received. The survey asked how supportive the businesses were to additional enhancements and retail was more

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supportive than restaurants. There was an even split on whether the businesses would support a fee for use of the public right-of-way.

Mr. Acre highlighted a chart that showed the year over year changes for the past 2-years for Sales Tax from July to December for the California Avenue and University Avenue Districts. The next steps were to work with businesses to help bring them into compliance if the resolution was adopted by Council. Engagement with businesses and the community would continue throughout the process. Staff would continue working on the street closures and long-term recommendations and would present those to the Council in late 2022, early 2023.

Council Member DuBois wanted to understand the need for a dedicated emergency lane versus movable furniture in the space.

Interim Deputy Fire Marshall Stephen Lindsey explained the areas were surrounded by many buildings that did not have sprinklers. Having quick access to the area was paramount for the safety of the community.

Council Member DuBois inquired if fire access could be managed from the allies behind California Avenue.

Mr. Lindsey remarked the department needed both primary and secondary access to the buildings. Having access to both sides of the building was important and the 16-foot lane was a reduction from the 20-feet required by the California Fire Code.

Council Member DuBois asked if Staff considered no bike lanes in order to maximize the use for businesses.

Mr. Kamhi noted the space was considered lost space because the space was dedicated for emergency access. That was why the proposal was to superimpose a bike lane over the top of the emergency lane.

Council Member DuBois wanted to understand how the City will limit folks from crossing the bike lanes.

Ms. Apple disclosed there would be marked pedestrian crossings as well as barriers around the dining spaces.

Council Member DuBois understood on Sundays the farmers market would continue to use the middle of the street.

Ms. Apple confirmed that is correct.

Mayor Burt asked if other permanent structures would be allowed.

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Ms. Apple stated any business with a parklet will be required to transition to the permanent parklet guidelines and the guidelines addressed roofed structures.

Mayor Burt wanted to understand if Staff met with businesses and discussed whether it was beneficial to invest in more permanent structures with the understanding the program would sunset in December of 2023.

Ms. Apple noted the survey did ask several questions regarding that. It was a concern of businesses whether to take the risk of investing and then have the City discontinue the program. The permit for the larger tents was only valid for 6-months because anything longer was considered a building.

Mr. Lindsey mentioned the Fire Code did require permits for tents larger than 400-square feet and confirmed they could only be erected up to 6-months at a time.

Mayor Burt wanted to know if the City was providing enough time for businesses to transition from temporary tents to more permanent structures. He asked if there were locations wide enough for the full 8-foot sidewalk and dining together.

Ms. Apple commented Staff had not done a thorough analysis but stated both California Avenue and Ramona Street varied in sidewalk widths. Upon visual inspection, many of the businesses were over capacity in terms of outdoor space. Another topic for discussion was how much outside space could businesses use.

Mayor Burt requested further explanation regarding capacity.

Ms. Apple explained that early in the pandemic restaurants were allowed to seat up to 100 percent of their capacity outside.

Mayor Burt was not aware the City had defined capacity as indoor and outdoor.

Council Member Cormack mentioned there were many places along California Avenue that did not have dining in the street. She wanted to understand how those spaces would be addressed to keep pedestrians out of the bike lanes.

Ms. Apple remarked Staff proposed to utilize those spaces with public art or other enhancements while still allowing space for the farmers market.

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Council Member Cormack inquired what other fire departments were requiring for closed streets.

Mr. Lindsey shared that some fire departments required lanes to go through the area, some used automatic bollards and some broke up the space into small areas with emergency access on either side.

Mr. Kamhi noted there will be signage for pedestrians and edge treatments installed by the City.

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Zareen, a shop owner on California Avenue, remarked more folks were doing their shopping online instead of visiting brick and mortar stores. She supported keeping the street closed but with no bikes and no cars. Removing the tents from the restaurants would make the retail shops more visible.

Lara Ekwai, a shop owner on California Avenue, encouraged the Council to consider California Avenue and Ramona Street separated. She requested that California Avenue be opened up to cars while the feasibility study was being done but with no bicycle access. Having a blocked off rectangle was unsafe and ugly. She encouraged the City to reach out to leasing agencies to address the rising percentage of vacant stores.

Rebecca Eisenberg expressed that street closures assisted small business owners and retail restaurants if done wisely. Foot traffic was very important for small businesses and the large tents blocked their storefronts. To address vacancies, she suggested not requiring parking because there was a 6-story parking garage available to California Avenue.

Giuseppe commented that Staff's proposals was a move in the right direction. He liked the concept of extending the closures to 2023 and encouraged the City to explore capacity.

Lori Romero Villarrea, a shop owner, agreed that many folks did not feel comfortable coming inside. Her main concern was the safety of the proposed bicycle lane. She supported closing California Avenue and believed the vacancy rate was an issue before the pandemic hit.

April Webster supported the extension of the closure for California Avenue to the end of 2023. She often visited California Avenue by bicycle and would continue to walk her bike through the parklets if the street were to remain closed.

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Alfred Pace, a business owner on California Avenue, supported the continued closure of the street. The closure of California Avenue had re-energized the street and reestablished the arts.

Leland Wiesne loved walk-able areas but believed having a bicycle lane down the middle of California Avenue was unsafe. He suggested having more bike parking to encourage folks to walk the area. He expressed concerns about parking when the vacant buildings acquired tenants and he could not support the closure of the street.

Nancy Coupal, a business owner on Ramona Street, appreciated the City's efforts to help small businesses during the pandemic. She urged the Council to continue the closure of half of Ramona Street. The businesses needed outdoor seating in order to stay afloat among many other benefits.

Jessica Roth, a business owner on California Avenue, appreciated Staff's attempts of bringing more foot traffic to the area. She requested speed mitigation measures be installed for bicycles and safe pedestrian crossings. She requested the street be opened to cars during the planning process.

Lisa Robin, a retail business owner on California Avenue, commented that the City's response to close the street during the pandemic was the appropriate decision. Extending the street closure and using it as a bike superhighway posed a risk to retail owners. The street was cleaner before the closure and the street was designed for slower traffic and walkable spaces.

Mike Stone, an owner of a grocery store, remarked the businesses were not only dealing with COVID-19 but also inflation, prices, wages, supply chain issues and other alarming factors. He noted there was a majority of businesses who had voiced opposition to extending the street closure and he echoed those comments.

Charlie Weidan requested the City evaluate how extending the closure would affect all businesses on both California Avenue and Ramona Street. The City should use a coordinated effort to attract dining and retail guests to the area.

Greg St. Claire, a restaurant owner, expressed he was concerned about retail and the office spaces in Downtown. Without restaurants there was no commercial or vibrant retail. He supported high quality standards and high-quality finishes if the street were to remain closed.

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Terri Holtzemer clarified that the extension of the closure was from El Camino Real to Birch Street. He referenced Packet Page 163 that indicated there had been a shift in opinions on if California Avenue should remain closed. He suggested the City explore the City of Los Alto's model and noted the street was a publicly owned street maintained by taxpayers. Now was the time to reevaluate what a business's fair share was.

Mayor Burt announced that Item 13 would be rescheduled for an upcoming meeting.

The Council took a break from 9:02 PM and reconvened at 9:10 PM

Mr. Kamhi remarked in areas where there was not on-street dining the City would install edge treatments.

Council Member Cormack inquired if Staff had any information on how vacancies had changed on University Avenue since it had been reopened.

Ms. Apple noted there was an increase in foot traffic and sales.

Council Member Cormack agreed that California Avenue and Ramona Street are two different situations. She asked where bike parking would be for California avenue.

Mr. Kahmi remarked that bike parking facilities could be used as edge treatments.

Council Member Cormack asked if the bike parking at the garage was being utilized.

Ms. Apple confirmed that it was.

Council Member Cormack suggested having more bike parking in the dead-end areas. She remarked there are other countries who have closed roads and did not have an emergency access in the middle of the road.

Mr. Lindsey restated many of the buildings do not have sprinkler systems and fire trucks needed close access to the building. Also, it was best practice to have the ambulance as close to the scene as possible.

Fire Chief Geo Blackshire added the recommendation was to minimize the time it would take to arrive at the emergency as well.

Council Member Stone invited Staff to explain the aesthetics and design elements of the proposal.

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Transportation Planning Manager Sylvia Star-Lack noted that Staff had not determined the design of the bike and fire lane but the lanes would not look like the visual in the Staff report.

Council Member Stone expressed his concern about having a large swatch of paint running down the middle of the road.

Mr. Kamhi noted that State Street in Santa Barbara, California used red and green markings to mark their emergency and bike lane. The City would utilize signs and barriers to direct folks.

Council Member Stone inquired if the consultant doing the long-term alternatives would also be doing an economic impact analysis.

Mr. Kamhi confirmed an economic analysis would be performed and that was directed by Council at the February 28, 2022 meeting.

Council Member Stone mentioned the Staff report indicated a request for a consultant.

Mr. Kamhi clarified Staff would be issuing a Request for Proposals (RFP) in order to hire a consultant.

Council Member Stone asked why retail on California Avenue recovered more quickly than other retail in the city.

Administrative services Department Steven Guagliardo mentioned that sales for California Avenue declined from 2018 to 2019 but then grew in 2019 to 2021. As noted in the Staff Report there were a whole number of variables as to why sales increased.

Council Member Stone appreciated the surveying of the local businesses and the community. He inquired if there had been further dialog with businesses on California Avenue and Ramona Street.

Ms. Apple answered Staff talked with the businesses prior to the surveys being sent out. Many follow up conversations were held with Staff about the proposed layout of the emergency and bicycle lane.

Council Member DuBois agreed that California Avenue and Ramona Street were separate situations. Ramona Street was designated as a historic district and the aesthetics of the closed street should reflect that. California Avenue had more variety, it was a large space and there were noticeable issues during different times of the day. Based on the public feedback, there was a lot of uncertainty whether to reopen the street or not. The goal of the closure was to experience outdoor dining, not extra

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indoor space that was outdoors. The Council should discuss rent for street spaces. One concept was to open California Avenue Monday through Friday and then close it Friday evening through Sunday. He agreed with many of the speakers that a 2-year bike path was not what was envisioned for California Avenue and the bikes should be routed to surrounding streets instead. The visions for California Avenue should be similar to the Stanford Mall or Santana Row. If the goal was to make the street a pedestrian space, it did not make sense to have a bike path down the street for 2-years.

Vice Mayor Kou understood the California Fire Code required emergency roads to be 20-feet wide.

Mr. Lindsey confirmed that is correct. He noted that Stanford Shopping Mall used bollards that could be lowered by emergency personnel in case of an emergency. The mall was also designed with wharf hydrants and active suppression systems.

Vice Mayor Kou acknowledged that the layout of California Avenue and Ramona Street were not designed for emergency access if the streets are closed. She expressed concern that the businesses would start to encroach into the bicycle and emergency lane. She mentioned the Architectural Review Board (ARB) recommended edge treatments be no taller than 36-inches to allow visibility. She encouraged restaurants to provide aid to the retail businesses by keeping tents and barriers lower for maximum visibility. She asked if the Economic Development Committees (EDC) will replace the California and Downtown Business District Committees.

Ms. Apple clarified the intention of the EDC was to supplement the existing committees. The Downtown Business EDC had been established and Staff was working to form the California Avenue EDC.

Vice Mayor Kou supported Council Member Cormack's suggestion to place bike racks at the end and in the vacant spaces along the streets. She expressed surprise that many business owners who supported the closures had now articulated that the street should be reopened.

Mayor Burt wanted to know if the alleys along California Avenue could be used for emergency access.

Mr. Lindsey restated that the fire department needed two access points.

Mayor Burt asked if having two access points was a requirement.

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Mr. Blackshire remarked he could not comment on the requirement for access. The fire department's recommendations were based on the size of the apparatus and operation.

Mayor Burt encouraged Staff to explore it further. He commented there has been a temporary, haphazard design for the past 2-years on California Avenue. The main reason for the decrease in visitors on California Avenue was the large-scale absence of office workers, not cars. He believed the restaurants and evening activities carried California Avenue through the pandemic. The rebound of retail sales during 2019 through 2021 was an unexpected surprise. Roughly 40 percent of folks who filled out the survey stated they biked or walked to California Avenue. That fulfilled many of the goals in the Bike and Pedestrian Master Plan but also the City's Comprehensive Plan. The City should continue to encourage folks to bike to California Avenue and provide bike parking along the street. Also, to use any empty parklet spaces for bike corrals. He expressed concern that the City had done very little to support retailers. The City should prioritized more marketing and support for retailers. In the beginning folks were encouraged to walk down the center of the street for social distancing purposes. Now the approach should be to move pedestrians off the street onto the sidewalks and in front of retailers. He encouraged more signage, an app for California Avenue and that live concerts be held at the far east end to revitalize the area. He did not support restricting the use of parklets to restaurants only.

Council Member Tanaka appreciated the surveys and the public outreach. While he understood the reason to place the bicycle lane down the center of the street. He questioned if pedestrians would be able to cross the lane safely and why the emergency lane had to be 16-feet wide. The streets needed cleaner aesthetics. He requested Staff to provide a breakdown analysis on Sales Tax with respect to the part on California Avenue that was closed compared to the part that was opened. He believed the data would inform the Council on if the closure had helped or hurt businesses.

Mr. Guagliardo remarked Staff did not have the data to dis-aggregate by what was closure or what was open or by address. A consultant was working on it and that type of breakdown would be included in ongoing economic development efforts. Staff believed the data by district did answer many of the questions asked by Council. The data indicated that the overall situation had less to do with the streets being closed and more to do with the larger Sales Tax trends.

Council Member Tanaka wanted to understand why it was hard to parse out the data if all the information was available.

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Mr. Guagliardo clarified it was more time intensive instead of difficult. The closure and the open dates did not line up evenly with the quarter dates.

Council Member Tanaka agreed not having the data line up would be difficult to work through. He asked what percentage of the California and University Avenue Business District had opened streets to vehicle traffic.

Ms. Apple answered Staff had not calculated that.

Council Member Tanaka commented that all stakeholders wanted the highest amount of economic activity and he encouraged Staff to parse out the data to help the Council make the right decision. He asked how many retailers were on California Avenue, University Avenue and Ramona Street.

Ms. Apple disclosed she did not have that figure.

MOTION: Mayor Burt moved, seconded by Council Member Stone to

- 1) Adopt the attached resolutions (10039 and 10040) extending the City Manager's authority to temporarily close portions of California Avenue and Ramona Street until December 31, 2023; and
- 2) Authorize Staff to implement the following specific access and perimeter rules:
 - a. Implement a dedicated emergency access lane.
 - b. Require the installation of edge treatments around retail or dining spaces that are no taller than 36 inches from the platform or street, whichever is applicable
 - c. Direct staff to work with businesses to eliminate large tents and re-establish an 8-foot sidewalk width as soon as feasible.
 - d. Implement a slow dedicated two-way bicycle lane on Cal Ave.
 - e. Within the California Avenue closure, City staff may install appropriate enhancements or aesthetic elements that will also provide a visible distinction from the emergency access lane and dining areas.
 - f. Within the California Avenue closure, all changes to the interim closed program shall be coordinated with the Urban Village Farmers' Market to accommodate minimum market footprint requirements

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- g. Within Ramona St. closure have city staff develop design requirements for the long-term closure that support the historic district; and
- 3) Direct staff to develop a plan to support retailers on California Avenue, including a marketing program; and
- 4) Direct staff to develop an interim fee structure for Cal Ave and Ramona.

Mayor Burt stated it was important for the City to improve the current design and support for pedestrians.

Council Member Stone agreed with Mayor Burt and stated now was the time to create a better shopping and dining experience. Though the proposals were not perfect, they were the best proposals to move forward. The motion provided consistency to the business community. It was very important to receive feedback from the businesses. He shared the concerns of the other Council Members regarding emergency access and the bike lane but believed the City must stay consistent with the Sustainability Climate Action Plan (S/CAP) and the Comprehensive Plan.

Council Member Cormack could not see how Items 2(a) and 2(d) of the motion were going to affect the current situation on California Avenue and Ramona Street.

Mr. Kamhi wanted to understand what Item 3 of the motion meant.

Mayor Burt remarked the item was not recommended to be a transportation initiative. Staff should explore wayfinding signage, retail parklets, retail on widened sidewalks and utilizing different types of art to encourage folks to visit the eastern end of California Avenue.

Mr. Kamhi inquired if the support for retailers only addressed the interim period.

Mayor Burt articulated there was no reason not to continue the efforts in the long-term.

City Manager Ed Shikada stated Item 3 of the motion could be a large undertaking. He suggested the item be explored further by Staff and returned to Council for follow up.

Mayor Burt emphasized the City had not supported retailers and many of the initiatives such as signage would greatly help retailers.

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Mr. Shikada noted that a large portion of the City's Uplift Local Program was focused on retailers.

Council Member Cormack asked how much space Item 2(a) and 2(d) of the motion remove from the current situation on Ramona Street.

Mr. Lindsey commented that many businesses had already moved their spaces back to provide emergency access.

Council Member Cormack asked if Staff was recommending any enhancements or aesthetic improvements to Ramona Street.

Ms. Apple confirmed Ramona Street would receive edge treatments. California Avenue would receive additional enhancements to its empty spaces. The farmers market's footprint was a huge limiting factor in what the City could do with the available space on California Avenue.

Council Member Cormack could not support 2(d) of the motion. She wanted to understand how the bike lane would affect future plans of transforming the space into a pedestrian friendly area.

Mr. Kamhi remarked the long-term analysis would evaluate different alternatives.

Council Member Cormack stated a two-way bicycle lane down the middle was not the envision the community had for California Avenue. She understood that the Council was not committing to a plan for Item 3 of the motion.

Administrative Services Director Kiely Nose answered the Council was not directing Staff to implement a plan.

Council Member Cormack asked if Item 3 would address the entire business district on California Avenue.

Mayor Burt answered yes.

Council Member Cormack wanted all businesses included in the overall plan. She recommended changing the language of Item 3 to a marketing information program.

Mayor Burt did not want to limit it to only a marketing information program.

Council Member Cormack understood that Item 3 of the motion did not include University Avenue because it was not a closed street.

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Mayor Burt commented the intention was not to preclude University Avenue.

Council Member Cormack requested Item 3 be voted on separately.

Mr. Kamhi recommended the motion allow a maximum height of 36-inches for edge treatments.

Council Member DuBois was not convinced that the City should allow large tents during inclement weather.

Mayor Burt agreed but believed businesses should have time to change their setup.

Council Member DuBois recommended the use of umbrellas with no end caps rather than large tents.

Mayor Burt recalled that any new parklets could not have large tents but the motion was addressing existing parklets.

Council Member DuBois interpreted Item C of the motion as it encouraged the use of tents.

Mayor Burt agreed but he did not want to create a hardship for existing businesses.

Council Member DuBois mentioned that many businesses that left California Avenue were not commuter focused businesses. He was concerned about Item D of the motion. California Avenue was a destination point and he did not want California Avenue to become a bike boulevard. He wanted to see the City accelerate the formulation of design guidelines for parklets. He agreed with Council Member Tanaka that the farmers market should be reoriented into the center of the street and direct pedestrians to walk on the sidewalk. The sidewalk width requirements should be enforced because many of the sidewalks on California Avenue were narrow.

Mayor Burt understood the sidewalk widths were addressed at the prior Council meeting.

Mr. Shikada answered that is correct.

Council Member DuBois supported having signs to the parking garage but not to over use signage. He supported the idea of retail parklets but the main problem was attracting more visitors throughout the day. More events at night would not help daytime retailers. He requested that Item

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3 of the motion be voted on separately. He requested that Staff consider the historic nature of Ramona Street in the design guidelines.

Ms. Apple did speak with the market manager for the farmers market and having booths back-to-back was the least desirable configuration.

Council Member DuBois wanted to understand the edge treatments better and what would happen during the farmers market.

Ms. Apple explained there was existing space for the farmers market to utilize the space around the in-street dining spaces.

Council Member DuBois rephrased he pictured there would be barriers between the bike lane and parklets.

Ms. Apple clarified the barriers were not temporary and were located around the dining spaces.

Council Member DuBois requested Item 2(c) be voted on separately.

Mayor Burt asked if the intention was not to allow large tents from now on.

Council Member DuBois answered yes.

Mayor Burt agreed large tents should be removed but wanted to allow for a transition period.

Council Member DuBois believed there was time to remove the tents and replace them with semi-permanent structures.

Mr. Shikada found it appropriate to specify highlight enforcement of the sidewalk width. He suggested that removal of the tents be included in the enforcement of the sidewalk width.

Mayor Burt amended Item C of the motion.

Mr. Kamhi requested clarification regarding Item G of the motion.

Mayor Burt clarified Item G of the motion applied to the long-term plan.

Mr. Shikada suggested clarifying language for Item C.

Council Member Tanaka asked if the plan was to have an emergency and bike lane down the center of Ramona Street.

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Mayor Burt asked if Council Members were concerned about both streets having the emergency and bike lane or just California Avenue.

Council Member Cormack did not see the proposal as an issue for Ramona Street.

Council Member Tanaka was concerned about having an 16-foot wide emergency lane on Ramona Street because it was a very narrow street.

Mr. Shikada remarked that in the context of a street, 16-feet was small.

Council Member Tanaka did not want to see pedestrians walking down the center of the streets and believed that would be the case if Item 2(d) of the motion failed.

Mayor Burt believed if a bike lane were constructed then it would be clear that bicycles go down the center and pedestrians would walk on the sidewalk.

Council Member Tanaka understood that foot traffic would be in the center of the street during the farmers market.

Mr. Shikada confirmed that is correct.

Council Member Tanaka emphasized the traffic should be on the sidewalks and not in the center of the road.

PROPOSED AMENDMENT: Council Member Tanaka moved to separate the data into open street data and closed street data.

Mayor Burt could not support the amendment.

PROPOSED AMENDMENT FAILED DUE TO LACK OF A SECOND

Vice Mayor Kou asked if the maximum barrier height was from the street level as indicated in the Staff Report or from the platform level.

Mr. Kamhi apologized and stated there were no platforms on California Avenue and Ramona Street. He recommended the motion state from the platform or street.

Mayor Burt agreed.

Vice Mayor Kou acknowledged a letter from the public stating that their office tenants were not allowed to have private outdoor space. She

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understood from the prior discussion that all businesses could apply for outdoor space.

Mr. Shikada stated that was the Council's intention and the office could apply.

Mayor Burt was hesitant to expand the outdoor use to office.

Vice Mayor Kou understood the City was charging an encroachment fee to businesses who use the public right of way.

Ms. Apple explained that all permit fees had been waived during the temporary closure. Staff had not done the analysis on a potential fee structure for a permanent closure.

Mayor Burt amended the motion to direct Staff to develop an interim fees structure for California Avenue and Ramona Street.

Council Member Stone believed that the public would be precluded from using an outdoor office space and he strongly opposed expanding the outdoor use to offices. He envisioned California Avenue being changed into a pedestrian promenade and having a bike lane down the center would encourage folks to walk on the sidewalk. He asked what type of barrier was at the end of the closed portion of Ramona Street.

Ms. Apple answered that currently there was a water filled barrier with an opening in the middle.

Mayor Burt amended Item 2(d) to implement a slow dedicated two-way bicycle lane.

Council Member Cormack asked if Item 2(e) allowed Staff to improve the existing orange barriers.

Mr. Kamhi answered yes.

Ms. Apple mentioned one of the concepts was to place temporary public art covers over the barriers and they would be changed out frequently.

Council Member DuBois inquired if there would be a barrier at the open end of Ramona Street blocking cars from driving down the emergency lane.

Ms. Apple explained the barriers would be reconfigured and additional moveable barriers would be installed.

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Motion Split for the Purpose of Voting:

MOTION: Mayor Burt moved, seconded by Council Member Stone to

3. Direct Staff to develop a plan to support retailers on California Avenue, including a marketing program.

MOTION PASSED: 4-2-1, Cormack, Tanaka No, Filseth Absent

MOTION: Mayor Burt moved, seconded by Council Member Stone to

2. Authorize Staff to implement the following specific access and perimeter rules:
 - d. Implement a slow dedicated two-way bicycle lane.

MOTION FAILED: 3-3-1, Cormack, DuBois, Kou No, Filseth Absent

MOTION PASSED: 5-1-1, Tanaka No, Filseth Absent

15. PUBLIC HEARING: Adoption of Two Ordinances Implementing the Objective Standards Project, Including: 1) New Chapter 18.24, Contextual Design Criteria and Objective Design Standards; 2) Modifications to Affordable Housing (AH) Overlay District to Eliminate the Legislative Process; 3) Changes to Remove Inconsistencies and Redundancies, and Streamline Project Review Throughout Title 18. (9:15 – 10:45 PM)

ACTION: Item continued to future meeting

Council Member Questions, Comments and Announcements

Council Member Stone shared his experience riding along with a Palo Alto police officer.

Council Member DuBoise thanked Staff for the Junior Museum and Zoo and Rinconada Park grand opening ceremony. He shared that the West Valley College held the 42nd Special Games. He supported having an extra meeting to catch up on outstanding items.

Vice Mayor Kou recommended the Council discuss and write a letter on the City's perspective regarding Assembly Bill 2181.

Mayor Burt attended the League of Cities conference. Several Assembly Members and a Senator remarked that cities provide a strong voice that

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was influential in their decision-making. They encouraged cities to provide their opinions earlier in the legislative process

Adjournment: The meeting was adjourned at X:XX P.M.



CITY COUNCIL DRAFT ACTION MINUTES

ATTEST:

APPROVED:

City Clerk

Mayor

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