



CITY COUNCIL SUMMARY MINUTES

Regular Meeting
August 12, 2024

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

Present In Person: Mayor Stone, Vice Mayor Lauing, Council Member Burt, Council Member Kou, Council Member Lythcott-Haims, Council Member Veenker

Council Member Tanaka arrived at 5:34 PM

Present Remotely: None

Absent: None

Special Orders of the Day

1. Appointment of Candidates for Vacancies on the Historic Resources Board. CEQA Status – Not a project.

City Clerk Mahealani Ah Yun presented the voting results for the Historic Resources Board (HRB) appointments received electronically from all Council Members earlier today.

First round of voting for two vacancies on the HRB with terms ending March 31, 2027:

Barry Katz: Council Member Kou, Council Member Lythcott-Haims, Council Member Tanaka

Zachary Pozner: Council Member Burt, Council Member Tanaka

Geddes Ulinskas: Vice Mayor Lauing, Council Member Lythcott-Haims, Mayor Stone, Council Member Veenker

Caroline Willis: Council Member Burt, Council Member Kou, Vice Mayor Lauing, Mayor Stone, Council Member Veenker

Candidates Geddes Ulinskas and Caroline Willis were appointed to full terms expiring March 31, 2027.

2. Presentation of Exchange Students from Sister Cities of Albi, France and Oaxaca, Mexico

Sarah Burgess, President of Neighbors Abroad, introduced the exchange students from the sister cities of Albi, France and Oaxaca, Mexico. Palo Alto is celebrating our 30th anniversary of sister cityhood with Albi, France and 60th anniversary with Oaxaca, Mexico. Mayor Stone welcomed the exchange students. Mayor Stone spoke of his visit to Albi this summer and

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hoped to visit Oaxaca soon. Mayor Stone encouraged his colleagues and residents of Palo Alto to visit sister cities. The exchange students were invited to the dais for a photo with Council.

Closed Session

3. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Carina Rossner v. City of Palo Alto et al.
Santa Clara County Superior Court Case No. 23-CV-410650 (One Case, as Defendant)
Authority: Government Code Section 54956.9(d)(1)

There were no public comments. Council Member Kou recused herself from this item.

MOTION: Council Member Veenker moved, seconded by Vice Mayor Lauing to go into closed session.

MOTION PASSED: 6-0-1, Council Member Kou recused

Council went into closed session at 5:40 PM.

Council returned from closed session at 6:43 PM.

Mayor Stone announced there was no reportable action.

Agenda Changes, Additions and Deletions

City Manager Ed Shikada highlighted the changes on the amended agenda. Item AA1 is a new Action Item related to the Buena Vista Mobile Home Park. As a result, Item 8 was eliminated.

Public Comment

Mayor Stone explained the rules for public comment.

1. Deborahlise M. delivered a presentation regarding Israel and Palestine. She urged the City to divest from Israel because of apartheid.
2. Leland F. lives in East Palo Alto. He spoke about his support for the UN. He will follow up with an email to Council from the UN Association of Oakland.
3. Ken H. wanted an update on Cubberley. Last week, Council met in a closed session about property negotiations. The School Liaison meetings over the last few months have been cancelled. He has not heard anything about Cubberley from the ad hoc committee.
4. Natalie N. is a graduate student at Stanford University studying political communication. She will be attending Palo Alto City Council meetings until November to conduct ethnographic research for a project on local politics. She wanted to interview meeting attendees about their experiences, so she asked that anyone willing to schedule a one-hour interview can provide her their contact information or pick up her business card.

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5. Noel S. hoped Council was thinking more about the genocide in Gaza. He recommended the book *The Ethnic Cleansing of Palestine* written by Ilan Pappé, an Israel historian. Noel S. advised there is no excuse for silence.
6. Avram F. stated he gave Council an article he wrote regarding the Michael Brown killing, "Fixing Our Two-Tier System of Justice" published in the *Daily Journal*. The police killings of black people have not diminished. He noted that the City has not spoken about Zach Perron's speech. Vice Mayor Lauing's credentials include his work with Beth Am. Beth Am is a strong supporter of Israel. At the next Council meeting, Avram F. wanted to talk more about Israel.
7. Julie S. is a volunteer for United Sovereign Americans (USA), a nationwide organization with thousands of volunteers. She was concerned about California's voter roll database as research of the 2022 election indicated issues of compliance with federal law. She asked the Council to listen to the resolution her colleagues will read tonight. Council Members are her closest elected representatives, so she is here to seek Council's support and action.
8. Sue B. began reading the USA Resolution: Whereas it is a recognized civil right in the United States for every citizen to have free and fair elections. Whereas it is the duty of our election officials to guarantee our elections are accurate and free from distortion or manipulation. Whereas our Constitutional system of represented government only works when the following four tenets of an election are upheld. (1) The voter rolls must be accurate, National Voter Registration Act 1993. (2) Votes counted must be from eligible voters, the U.S. Constitution 14th Amendment, Section 2. (3) The number of votes counted must equal the number of voters who voted. (4) There can be no more than 1 in 125,000 ballots in error by the voting system, Help America Vote Act 2002. Whereas the analysis of the California 2022 General Election has uncovered evidence of massive inaccuracies that appear to violate both federal and state laws, including 5,886,198 ineligible or uncertain registrations. Violations found within the California State voter roll database: 2,776,939 votes cast by ineligible or uncertain registrants, 123,785 more votes counted than voters who voted, 2,776,849 apparent voting violations in excess of the legal standard for accuracy in a valid federal election.
9. Jean R. continued reading the USA Resolution: Whereas these findings trample legal accuracy requirements of the voting system during a federal election. Whereas the intent of the voters must be known factually before certification can be lawfully conducted. Whereas the 2022 General Election appears to have been invalid, depriving us of the guaranteed protection of our natural rights under a government duly and provably chosen by us, the American people, resulting in incalculable damage to our families, our way of life, and the fabric of these United States. Therefore, we call upon our representatives to provide relief to the people and the assurance of domestic tranquility by joining us in demanding a valid 2024 General Election that upholds these existing laws and equitable principles of law: (1) Proof of citizenship, identity, and

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eligibility required to register and vote, not anonymous attestation. (2) Voter rolls certified accurate and available for public review and challenge 30 days before the start of early voting. Voters added after that date must bring proof of citizenship, identity, and address in person to a qualified official at each polling place. (3) Hand-marked secure ballots similar to currency where imaging technology is used for tabulation. The security features must be verifiable in the ballot image. (4) Systems, machines, security measures, infrastructure, and conduct are required to be compliant with federal law for fraud prevention regarding risk assessment, certification, testing, and implementation. (5) Adjudication must be signed off by party candidate and trained citizen witness after being given full and effective observation rights. Candidates and trained citizens must be allowed immediate access to ballots, ballot images, and cast vote records.

10. Alicia S. continued reading the USA Resolution: (6) Ballots, regardless of entry source, election operations, and systems, must maintain end-to-end chain of custody from voter to vote count to final canvass, including auditability and witnessed transfer with paper records. (7) A National Institute of Standards and Technology-compliant, randomized, statistically valid end-to-end audit with a 95 percent confidence level of all elections pursuant to the 14th Amendment, Section 2, must be performed. These audits are to be conducted by qualified, insured, and bonded security forensics and financial auditors, not personnel from within the election system. Reconciliation will include the vote count, real physical ballots, adjudication, cast vote records, ballot count, qualified voter count, custody transfer, and all other paper and electronic election systems, including logs. (8) If the total of unique variances above is more than 10 percent of the margin of victory, a new election must be held in the state for those candidates affected unless the issues can be provably corrected by a manual hand recount and a full review of records. (9) Waiver of requirements is not allowed. Only end-to-end systems compliance from registration through certification can guarantee the intent of the people is accurately recorded. Be it resolved that the Palo Alto City Council Members stand in support with the concerns and remedies presented here. She implored the Santa Clara County Board of Supervisors, California Legislature, Federal Legislature, law enforcement, federal and state prosecutors, judges, California Secretary of State...
11. Eric M. read the final portion of the USA Resolution: ...and the County registrars of voters to cooperate and fulfill these firm requests of the people. Eric M. stated that the resolution proactively protected the validity of the 2024 General Election and that a written copy of the resolution had been provided to Council that cited U.S. Supreme Court precedents and federal constitutional mandates. Eric M. urged the Council to put this resolution on the agenda for the next Council meeting for a vote to join United Sovereign Americans in support of fair, honest, and valid elections. Eric M. encouraged people to visit their unite4freedom.com website to learn more about their organization.
12. Ben C. asked the Council to perform outreach to owners, tenants, and community members to assess the need and viability of retail on El Camino or allow ground-floor multiuse in light of parking removal.

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Council Member Questions, Comments and Announcements

Council Member Kou was contacted by many residents about the California Avenue survey August 11 deadline. There was no time stated on the notices; however, when many residents attempted to complete the survey on Sunday afternoon, it was shown as closed. Council Member Kou wanted to ensure that future notifications included the deadline time. Council Member Kou requested information on Assembly Bill 3122 and Senate Bill 450.

Consent Calendar

Public Comment: Regarding Item 5, Herb B. supported the Parks and Recreation Commission's recommendation to change the name of Tower Well Park to Fred Eyerly Tower Well Park. Herb B. believed it was important for the Council to direct staff to inform the Council when the HRB's agenda includes the Tower Well recommendation to Council.

MOTION: Council Member Burt moved, seconded by Council Member Kou to approve Agenda Item Numbers 4 and 5.

MOTION PASSED: 7-0

4. Adoption of a Resolution Authorizing the City Manager to Accept on Behalf of the City of Palo Alto a Grant of Funds from the County of Santa Clara for the 2023 Emergency Management Performance Grant (EMPG) Program and Approve FY 2025 Budget Amendments in the General Fund; CEQA Status: Not a Project.
5. Adopt an Ordinance to Rename Tower Well Park to Fred Eyerly Tower Well Park as Recommended by the Parks & Recreation Commission; CEQA status – not a project.

City Manager Comments

City Clerk Mahealani Ah Yun mentioned the interpretation services offered this evening. Samuel Tavera, Administrative Associate, City Clerk's Office, provided an explanation in Spanish how attendees could use the City's application Wordly to hear interpretation in real-time. City Manager Ed Shikada advised pacing the discussion slower to allow time for Wordly to translate.

Randomly selected residents will receive a postcard providing access to complete the upcoming annual community survey. City Manager Shikada invited community members to participate in providing feedback on City services and on life in Palo Alto.

August is Wellness Month. The City provides wellness tips in its weekly *Uplift Local* newsletter. For issues of immediate urgency or crisis, resources and ongoing services are available through the County of Santa Clara by dialing 9-8-8. [Cityofpaloalto.org/bewell](https://cityofpaloalto.org/bewell) provides a variety of resources and information on community health.

City Manager Shikada reminded community members to sign up for AlertSCC to receive emergency alerts on your mobile device.

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Upcoming City Council agenda items: August 19 includes two study sessions from the Human Relations Commission; one related to the lived experience of Asian American, Native Hawaiians, and Pacific Islanders; the other reporting on local experiences of Islamophobia, anti-Arab hate, and anti-Semitism. The Castilleja Transportation Demand Management Plan will be heard on August 19. The nonprofit risk management audit was pulled from the August 19 agenda and will return on a subsequent date. There is no Council meeting on September 2 because of Labor Day. Three closed sessions are scheduled for September 9. The study session and consent calendar will be addressed before the three closed sessions. On September 16, there will be a study session related to the Airport's long-range plan as well as work plans for a number of City Commissions and Boards.

Action Items

- AA1. PUBLIC HEARING/QUASI-JUDICIAL. Buena Vista Mobile Home Park Redevelopment/3980 El Camino Real [24PLN-00041; 24PLN-00129] Approval of a Vesting Tentative Map to Subdivide One Existing 4.5-acre Parcel into Two Parcels and to Approve a Streamlined Housing Development Review Application for a 61-unit Apartment Building. The Project Also Includes 44 Mobile Homes, which are Regulated by the State, and Authorization for the City Manager to Execute Amended Regulatory Agreements. Environmental Assessment: Exempt from the Provisions of the California Environmental Quality Act in Accordance with CEQA Guidelines Section 15332 (In-fill Development). Zoning District: RM-20.

Mayor Stone asked for disclosures. Council Member Kou had a meeting with a group of Buena Vista residents and a meeting with the Housing Authority. Vice Mayor Lauing was present for both of those meetings with Council Member Kou. Council Member Veenker had correspondence with Buena Vista residents and met with members of the Housing Authority. Council Member Lythcott-Haims had written correspondence and in-person meetings with residents as well as written correspondence and Zoom meetings with the Housing Authority. Council Member Burt participated in meetings with Buena Vista residents and the Housing Authority with Council Member Kou and Vice Mayor Lauing. Council Member Burt stated that all information shared during those meetings appeared to be in the public record. Mayor Stone met with Buena Vista residents. To the best of his recollection, Mayor Stone did not meet with the Housing Authority.

Principal Planner Claire Raybould delivered the staff presentation and provided a brief overview of the key components of the project at 3980 El Camino Real. The streamlined housing development review application is for a density bonus project on a 1.69-acre parcel that is subject to a five-hearing SB 330 streamlining process. Tonight is the final hearing for the entitlement components, including the vesting tentative map and streamlined housing development review application. The 44 mobile homes would be processed through the State's Housing and Community Development Department.

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During the June hearing, key Council requests included: Explore preserving more trees on Los Robles. Explore surface treatment of pavement to reduce heat island effect. Determine if larger trees or more trees could be planted on the mobile home portion of the site. Revise the color of the apartments to align with resident preference. Pursue a Palo Alto worker preference in the regulatory agreement. Make reasonable efforts to resolve disputes related to housing decisions. A more detailed discussion of the above items can be found in the staff report for the August 5 hearing. Due to public comment, this item was pulled from consent on August 5. Council received several letters primarily related to the relocation plan, unit size and number of bedrooms, appraisal value, ownership versus rental options, and construction phasing. Tonight, the Housing Authority will speak about how they are addressing those items.

If approved, staff needs to revise the following items in the Record of Land Use Action before signing: Reference to a tree canopy replacement number was incorrect, so it was updated to reflect the correct number of 44 trees being removed in COA 17. Reference to private garages is being removed. There is reference to a 10-foot tree clearance from utilities but there were a couple locations where trees were closer, so root barriers will be added to allow closer tree proximity to utilities. There was a correction to the reference of the final revised plans. Reference to CC&Rs will be removed because CC&Rs do not apply to this mobile home project since there will be an operator instead of the mobile homes owning the common areas. Because entitlements, particularly the streamlined housing development review application, relate to the apartment portion of the project site, the reference to a species of tree on the HCD portion of the site should be removed. There are references to deconstruction and source separation, which are standard requirements under City code. Principal Planner Raybould made Council aware that the Housing Authority indicated they may choose to demolish the mobile homes under HCD, which allows demolition without source separation and deconstruction. If there were concerns, the regulatory agreement would need to incorporate any additional Council requirements.

Principal Planner Raybould stated that Assistant to the City Manager Melissa McDonough was available to answer questions related to the project. Mayor Stone invited the Council to ask questions.

Regarding the Housing Authority's deadline to apply for tax credits, Council Member Burt asked if the regulatory agreement needed approval tonight or if approval could be held off while the Housing Authority tried to accommodate residents' issues. Planning Director Jonathan Lait stated that staff was told that the regulatory agreement could be separated, unless the Housing Authority had a different perspective.

Council Member Burt queried if SB 330 superseded the City's authority to have deconstruction requirements for the old coaches. Principal Planner Raybould replied that the mobile home portion of the proposed redevelopment site would be processed under HCD, not SB 330, so it is subject to State laws instead of the City's higher standards for deconstruction and source separation. Principal Planner Raybould's understanding was that the mobile home portion would not be subject to the requirements under CO 64 through 66 in the Record of Land Use

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Action, which included demolition. Planning Director Lait remarked that generally the City does not have jurisdiction over the mobile home park.

Council Member Veenker asked if the Housing Authority was willing to answer the question about whether the regulatory agreement needed to be decided tonight. Preston Prince, Executive Director of Santa Clara County Housing Authority, stated that not having approval tonight of the regulatory agreement does not preclude the Housing Authority from submitting applications for tax credits and tax-exempt financing before the August 27 deadline.

In reply to Council Member Veenker's understanding that funding had been secured for the mobile home park and that the application for tax credit funding was for the apartment building project, Executive Director Prince confirmed that is correct. Council Member Veenker asked about the June application for community enhancement funds and what would happen if funding and/or tax credits were not approved. Flaherty Ward, Santa Clara County Housing Authority Director of Real Estate, explained that the Housing Authority applied for federal PRICE funds, which, if awarded, would reduce the Housing Authority's \$60M commitment of gap funding for the project. Director Ward remarked that the Housing Authority made a large commitment because they have to show a balanced budget when they go to the Tax Credit Committee. Director Ward anticipated the nationwide demand for PRICE funds to probably exceed the source of available funds. Director Ward stated the Housing Authority was confident about receiving tax credits and tax-exempt bonds based on their history of competing very well for those sources and believed they would be first in our region if they applied in this round.

Council Member Veenker recalled a previous discussion about treating the pavement in the mobile home park to reduce the heat island effect was very expensive and difficult; however, the ground would be more permeable so perhaps there was less need. Council Member Veenker wanted to know if the pavement could be treated later if the funds and need were identified. Planning Director Lait thought it could be incorporated into the regulatory agreement.

Council Member Kou noted 122 trees were required. The plan showed 130 trees. Item 67 of the Record of Land Use Action Final talks about no net loss of canopy but included an option of paying in-lieu fees of \$650 per 24-inch box tree into the forestry fund if unable to plant the required number of trees on site. As trees reduce the heat island effect, Council Member Kou was concerned about the planned trees not being planted. Council Member Kou wanted language in the regulatory agreement to ensure the planting of a percentage of the 130 trees. Principal Planner Raybould thought it was fine and it was a standard condition for the City to allow in-lieu replacement for flexibility in case something happened during construction. If Council wanted, staff could add a requirement in the regulatory agreement or record of land use action for a certain percentage or number of trees to be planted on site. Planning Director Lait stated the condition was intended to provide flexibility to ensure compliance with the municipal code. Planning Director Lait reiterated it was a conceptual plan set. Planning Director Lait wanted to check with the City Attorney's Office about imposing a greater requirement on tree canopy than is set forth in our municipal code for a Housing Accountability Act project.

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meeting the City's objective standards. Planning Director Lait pointed out this is a three-party regulatory agreement and it is possible that the three entities come up with an alternative.

Council Member Kou emphasized the high importance of ensuring the tree canopy was implemented. Council Member Kou wanted assurance that most of the 130 trees were planted versus paying an in-lieu fee. City Manager Shikada explained that the requirement was not set up to provide an option but was meant to provide a practical backstop to address any unusual circumstances encountered when being implemented, such as a physical reason that a tree could not be placed as indicated in the plan.

Council Member Lythcott-Haims asked the Housing Authority for the total number of families they worked with from the start; how many of those families made their decisions to either own a coach, move to the apartment and rent, or leave the park; and how many families were undecided and why. One of Council's key questions from June was for the Housing Authority to make reasonable efforts to resolve disputes related to housing decisions. Council Member Lythcott-Haims wanted to know how many disputes were resolved since June and how many remained. Director Ward replied that there were 73 households as of January last year, 50 of which affirmed a housing decision. Of the 23 undeclared, Director Ward thought about half were related to disputes over unit size or the third-party appraisal value of their current coach, and some desired additional information before making a choice. Director Ward stated that a handful of Buena Vista households traditionally do not engage with the Housing Authority and it had been difficult to contact them on a regular basis. Director Ward remarked that 49 affirmed their choice before Council's June request, one chose after June.

Council Member Lythcott-Haims queried if there had been any progress since June to pursue a Palo Alto worker preference. Nathan Ho, Santa Clara County Housing Authority Senior Strategic Advisor, stated they started to explore implementation of a Palo Alto live/work preference per Council's directive. Federal regulation allows a Housing Authority to have a live/work or residency preference as long as it conforms to antidiscrimination law and rules. The Housing Authority has been researching the meaning of "as long as." A disparate impact analysis is an accepted practice for Housing Authorities to determine if there is possible discrimination and if it is justifiable or if there are alternatives.

In response to Mayor Stone asking how many households decided to leave the park, Director Ward answered around eight. Mayor Stone noted there will be 105 units in the proposed project, 42 households decided to stay, and 23 are undeclared. Mayor Stone sought clarification as to why the staff report stated the number of extra adults in each household exceeded the number of available apartments. Director Ward explained that they assumed the 23 undecided would stay, so they are counting 65 households staying at the park, they looked at the size of those households and how many people were over the age of 18.

Regarding the local preference, Director Ward stated the Housing Authority could do a preference on units to a municipal size but not smaller. The Housing Authority does not believe HUD regulations allow a preference specifically for Buena Vista residents. Mayor Stone hoped a

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waiting list of current Buena Vista Mobile Home residents could be exhausted before opening it up to other Palo Altans. Mayor Stone inquired if the citation to the HUD authority had been shared with the City Attorney's Office, and if City staff and the Housing Authority were in agreement on the interpretation that the HUD policy precluded a preference for Buena Vista residents. Director Ward does not believe it had been shared but the Housing Authority could pull up the regulation and send it to the City. Mayor Stone wanted a second opinion so he asked Director Ward to share it with Council and the City Attorney's Office.

Mayor Stone stated he was told by a Buena Vista resident that the Housing Authority does not consider college students living in a residence to be considered a part of that residence. Director Ward responded no, it was a miscommunication. A college student not living at home is not part of the household, is not on the lease, and is not counted toward the occupancy policy. Director Ward thought they had come to an agreement on the issue with that household and made the appropriate changes to the lease.

Executive Director Prince delivered a slide presentation. The project goals and guiding principles are affordable housing for all current residents, a redevelopment plan that preserved home ownership, and a plan that improved amenities and utilities. Executive Director Prince believed the Housing Authority's plan in front of Council tonight met those project goals and principles. The Housing Authority provided each family with housing options and the opportunity to stay in Palo Alto in a brand new home or an apartment at no cost to them. The Housing Authority met with every household at the Park multiple times, hosted large town halls, small group meetings and workshops on a variety of topics, released FAQs throughout the redevelopment planning process, bought and brought a spec home on site so residents could see a sample unit, arranged an offsite tour of larger units, held open office hours on site, and obtained additional support for residents through Project Sentinel.

Executive Director Prince stated the applications for tax credits and tax-exempt bond financing applications were due August 27. If granted the necessary approvals tonight, those applications would represent approximately \$58 million additional funds to start the project. Resident relocation would start later this year into early 2025. Construction would start in late spring and early summer. The mobile home park would be completed in Q1 2026. The apartments would be completed in Q1 2027.

Public Comment:

1. Ellen G. has been an owner at the park for 29 years. Ellen G. believed the Housing Authority had intimidated many of the residents. The Housing Authority chose how and where residents live, chose substandard RVs instead of manufactured homes, and was forcing Phase 3 residents to move twice within six months. At least three other Phase 3 residents were over the age of 75, as she is. Ellen G. had not seen the Housing Authority demonstrate recognition of how catastrophic it was to move twice.

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2. Amanda S. commented in Spanish while Wordly provided interpretation on the screen. Amanda S. asked Council to approve construction at Buena Vista because renovations were needed. Amanda S. is disabled and has many medical problems. Amanda S. spoke of the deteriorated conditions at Buena Vista. The drinking water sometimes comes out dirty. There were three electrical incidents in one month with one resulting in a fire. There were flames in one of the streets due to electricity problems.
3. Rene E. lives in Unit 21 and has resided at Buena Vista for 27 years. He was insulted by the Housing Authority's appraisal of less than \$170,000 for his unit. He obtained at least three appraisals of his home in the last five years, all valuing his house much higher than the Housing Authority's appraisal. He believed the Housing Authority had something against his family for questioning the Housing Authority's unfair terms and false promises. He stated he has done a great job maintaining his house because he owns it and cares about it. He thought his unit was comparable to many units of similar size and condition in Shoreline Park in Mountain View; none valued less than \$300,000. He fell on June 24, which he believed would have been a minor accident except a poorly installed gas pipe made it worse.
4. Erika E. is a resident of Buena Vista. She spoke on behalf of Rosa Maria, Saul B., Elisa, Valentin, and Sandra. Erika E. was excited and hopeful when the Housing Authority acquired Buena Vista Mobile Home Park, believing the Housing Authority would bring positive change to her community but things have not improved. Since the Housing Authority took over the park, Erika E. has seen a noticeable shift in the treatment of residents, unfair practices, and minimal compensation for their homes. Erika E. remarked that her brother was one of many who were pushed out due to mistreatment and harassment. About half the residents have left. The Housing Authority hosted a family party last Tuesday where they provided prewritten letters of support for residents to sign and present to the Council today. Many Buena Vista residents have limited education, few resources, and no strategic team working on their behalf. Residents have expressed their concerns about the lack of communication from the Housing Authority. This week, the Housing Authority reached out to many residents to try to mitigate issues. Erika E. stated that residents need fair compensation reflecting the true value of their homes to enable them to secure comparable housing. She urged the City Council to recognize the genuine needs of the residents and ensure that residents receive the fair compensation and treatment they deserve.
5. Mayra E. is a long-time resident of Buena Vista. She spoke on behalf of Guadalupe, Heriberto, Maria, Jenny, and Jovan. Recently, Executive Director Prince claimed that the minority of concerns were holding back the redevelopment project. Mayra E. clarified that these concerns do not come from the minority, they reflect the majority of residents who live in Buena Park; however, residents were afraid to speak because of fear of the Housing Authority's history of retaliation. Mayra E. remarked that residents who own mobile homes were mistreated and pressured to leave because the Housing Authority does not want them to continue having owner rights. Mayra E. thought the

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Housing Authority's appeal process was unjust when residents have been put through a lot of stress and anxiety. Mayra E. noted a deep mistrust within the Buena Vista community because many residents who signed agreements were initially promised one thing only to have the terms changed at signing. The Housing Authority appraised homes below their true market value, often subtracting \$40,000 to \$50,000 and presenting the difference as a relocation benefit. Mayra E. opined that the Housing Authority was exploiting residents to secure more funding for their project. She urged the City Council to address these issues. Residents deserve to be treated with fairness and respect, not as obstacles to a project. Mayra E. appreciated the support from the City Council and the Law Foundation.

6. Alex S. has seven people in his household. His 75-year-old handicapped father is in one bedroom. Alex S., his wife, and 12-year-old son are in the second bedroom. In the third bedroom are his daughter who has MS progressive disease and her two daughters, ages 12 and 3. The reason he has not signed is because the Housing Authority offered him two bedrooms but his family needs three bedrooms. The Housing Authority told him there was not space in the park but many families have left the park. Because of the empty apartments and mobile homes, Alex S. thought there was plenty of room in the park to build an extra bedroom for his family. He agreed that a new park should be built but does not agree with the Housing Authority wanting him to sleep in a bedroom with his wife, daughter, son, and two granddaughters. The Housing Authority does not live like that with their families.
7. Susi commented that her parents are strong but they are breaking under pressure because the stress is overwhelming.
8. Zabdiel H. has lived in Buena Vista since he was born. He and his family have been under a lot of stress and anxiety. His brother has health conditions. At his age, Zabdiel thought they should play, focus on their studies, and be happy kids. His family is asking to be given something fair and to respect their current square footage. Moving to a smaller house would affect his brother's health.
9. Alvaro H. is 24 years old and has been a Buena Vista resident for 14 years. He is enrolled full time at Foothill College and works full time at a senior home. He spoke on behalf of his parents. They are concerned about their unfair appraisal. He believed the square footage was short when their home was measured for the appraisal, which impacted the price offered for their home and the space offered for their new home. They were concerned about not having an updated sales price for the new homes. The estimated price was from June 2023. It was unfair to be expected to sign a contract by September 15 without knowing the full financials and without providing relocation information.
10. Esmeralda A. opined that residents were willing to work with the Housing Authority and were not against their project; however, residents want things to be fair and right. Some residents were struggling with health conditions such as cancer, strokes, dialysis, and

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disabilities. Last week, the Housing Authority reached out to help mitigate the situation of two families but more families were waiting for a solution.

11. Jose T. has lived in Buena Vista for almost 20 years and was one of the first who moved out. Before he moved, the Housing Authority told him they would give him a nice house with laundry and air conditioning as well as help him with parking. When he moved, he did not have anything the Housing Authority promised. He rented storage for six months. The Housing Authority told him they were going to pay him for the storage rent but he has not received anything from the Housing Authority. He wanted the Housing Authority to put it in writing that they will pay for the storage rent.
12. Pepe T. pointed out that the community was in attendance holding up signs. The Buena Vista residents do have not enough information from the Housing Authority. Residents are stressed and frustrated. Kids tell their friends at school that they are sad because they have to move. Pepe T. asked for three bedrooms for his family of five.
13. Avram F. sent the Council an article published in the *San Jose Mercury* about his support for Buena Vista residents. One major concern was that his black son went to Buena Vista years ago to get information about moving in but they did not want to give him the requested information. Avram F. did not see any black residents at Buena Vista and he knew black people who had been pushed out of this community. Avram F. wanted to make certain that the Housing Authority would look into antiracist issues at Buena Vista.
14. Herb B. pointed out there were multiple funding rounds of tax credit money, so the Council did not need to feel rushed into making a decision. The Housing Authority received a lot of money from the City and County on a representation to save a mobile home park, not to build a multifamily housing development. Since the State has authority over the mobile home park, Herb B. wondered if the park would remain. Herb B. suggested having a condition of the vesting tentative map that could only be removed by the residents after receiving a payment of about \$1 million to each mobile home park unit if the State at a later date wanted to turn the park into a multifamily development.
15. Liz G. stated the City's Planning Department should deal with the lack of housing for its resident poor and workers. Liz G. did not think it was the responsibility of the County Housing Authority using HUD monies and tax credits. Liz G. thought there should be some discussion to understand the differences between a Section 8 housing voucher and a project-based housing voucher. She hoped that concerns of overcrowding and a lack of storage were addressed with this development. She was overjoyed to welcome the County of Santa Clara.
16. Dich T. has been very happy as a renter for 20 years at Buena Vista. He has been treated very fairly. He sought the Council's support to get the project moving as soon as possible to avoid cost overrun in the years to come.

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17. Melodie C. has been a Buena Vista resident for over 20 years. She was part of the board that tried saving Buena Vista in 2010. She completely supported this project because she was going from an owner to a renter and it would be fully ADA accessible, which would help in her daily life as she ages. She asked Council to approve the proposed project.
18. Winter D. urged Council if they saw anything that seemed unsatisfactory or somewhat suspect in the regulatory agreement to have it looked at carefully by the City Attorney's Office. Winter D. was very concerned about the Palo Alto preference. She was shocked about the demolition. She asked for confirmation of the September 15 deadline. She wondered what happens when an independent appraisal conflicted with the Housing Authority's appraisal.
19. Consuelo H., Deputy County Executive for the County of Santa Clara, thanked the Council for their partnership on this third development together. She thanked the Housing Authority staff for their work. She had assurances from the Executive Director and staff that they were available to continue discussions if residents needed more information. Her Board will consider a recommendation from their staff in September to move the project forward. She was available to answer questions.
20. Noemi spoke on behalf of Liney B., Michael H., Nicolas M., Ernesto S., and Jose R. In Unit 52, Jose R. lives with family of eight. When he got married, his wife had five kids and he wanted to put them in the lease contract but the manager of the park, Cassie, did not want him to add them. Three years ago, Cassie sent Jose R. eviction papers and took pictures of his mobile home, then he received papers from a lawyer saying he had to move out from the park. When Cassie left, Melanie was the new manager who also sent Jose R. papers. Jose R. is legally married. He cannot tell his wife and her kids to move out. Jose R.'s family has experienced a lot of stress and anxiety. Jose R. has difficulty sleeping due to his situation. Jose R. is begging for help to keep his family together and save his home. Jose R. has cancer and is receiving treatment.

Unit 19, Ernesto S. has lived at the park for 30 years. Ernesto S. is the only source of income. His wife suffered a work injury a few years ago and is unable to work. He works in Palo Alto and is close to retirement. When they initially heard about the decision to close the trailer park and evict residents, they began to worry about their future as aging adults. Ernesto S. had about four strokes due to health issues and stress since the beginning of this eviction. As a consequence, he is visually impaired, so he bikes to work. He complained to the Housing Authority about the appraisal but they have experienced misleading direction on the eviction timeline. Ernesto S. requested fair communication and compensation for the effect this is having on their lives.

Unit 46, Nicolas and Maria M. have lived at Buena Vista for about 23 years. Their household has nine family members including seven children, six girls and one boy. The Housing Authority offered them a three-bedroom mobile home. They requested four

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bedrooms. They were told by the Housing Authority there was not enough space for a four-bedroom mobile home. His family qualified for three bedrooms because the office and his contract showed eight family members. They qualified for a four-bedroom if there were nine family members. One of his daughters is studying for her master's at a university in Los Angeles. They believe it is unfair to remove their older daughter from the contract because she lives here but goes to school elsewhere. Their daughter is finishing her school year and will come back home. They requested support to help keep their daughter home because she does not have another place to stay.

Space 73, Liney B. wanted to be an owner or receive fair payment. She appealed and had a hearing but was denied. She has experienced anxiety and stress. If the management team had provided her the correct information, she would not have signed a contract. Melanie promised Liney B. she would become an owner. Liney B. wished she was given the same options offered to other neighbors to get paid for the land lease. Liney B. asked the Housing Authority to take into consideration the needs of Buena Vista residents.

Space 54, Michael H. and his partner decided to rent after feeling great pressure from the previously contracted management team. They thought there was nothing to gain from owning a unit. At the time of their decision, there was no mention of replacing rental units with apartments. Had they been aware, they would have chosen ownership. They petitioned to amend their status to no avail. When status options were offered, it was implied they would be renting a coach.

21. Noemi, Law Foundation Representative, stated that the Law Foundation looked at some of the situations. She understood there were issues with the Relocation Assistance Act. The issues included the number of bedrooms offered and the material used for the mobile homes were not adequate. The Law Foundation struggled with there being no mention of how kids will be kept in school through the relocation process, so she asked for more clarification on how the relocation would impact kids and their schooling.

Director Ward generally respected the residents' comments. Director Ward was aware of some issues mentioned but others she was hearing for the first time. Some things she cannot speak about due to confidentiality reasons or without having access to additional data.

Council Member Kou asked if the Housing Authority had started the disparate impact report and how long it usually took to complete. Executive Director Prince replied it had not been started. The Housing Authority will take the expense of the disparate impact report as one of their costs. Executive Director Prince estimated about four months to perform the disparate impact analysis.

Council Member Kou inquired when the final version of the relocation plan would be available. Director Ward stated their board approved the relocation plan in June. It was made available for 30 days prior to board approval, so the relocation plan was out most of May.

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Council Member Kou asked the Housing Authority to address residents' concerns about retaliation. Director Ward remarked that retaliation was not part of the Housing Authority's practice nor were they interested in retaliating against residents. The Housing Authority has not forced anybody out of the park as alleged by some public commenters. Director Ward understood that residents face barriers and have concerns. The Housing Authority was doing their best to operate the site and their redevelopment plan in a fair and equitable manner with the resources they had available.

Council Member Kou queried why some comparables for the appraisals were from Mountain View while others were from Belmont. Mountain View was more similar and closer to Palo Alto. Director Ward's response was that their appraiser analyzes comparables to Buena Vista available in the market within the timeframe that the Housing Authority ordered the appraisal. The Housing Authority does not direct their appraiser which comps they should use. A third-party appraiser reviewed and qualified the last round of appraisals. Those appraisals were sent to residents. The Housing Authority notified residents they could obtain their own appraisals and be reimbursed by the Housing Authority. Council Member Kou wanted to know if the September 15 deadline would be extended to allow more time for residents to review their appraisals and offers. Director Ward stated that the Housing Authority could not push out the expected timeline for decisions because they needed decisions to move forward with the redevelopment of the park. Council Member Kou asked if the Housing Authority would provide guidelines or criteria to residents' appraisers. Director Ward explained that the cover letter sent to residents included those instructions but residents could obtain another copy from the Buena Vista advisors. Council Member Kou commented on Mr. Escalante's concerns about his appraisal going down. Director Ward remarked that no appraisals have gone down. If Mr. Escalante felt like it was worth more, he was welcome to obtain his own appraisal.

Council Member Veenker has supported this effort for many years from the Law Foundation and the City, so she was excited to see a new, more beautiful, and safer park but wanted it fairly obtained. Council Member Veenker has not heard any opposition to subdividing the property for the apartment building. She hoped to have a clearer legal picture on the Palo Alto preference in order to amend the regulatory agreement. Council Member Veenker found it concerning that about half the residents left the park. Council Member Veenker summarized what Council was told in June, what has happened since June, and what still needed to be done. In June, Council was told that appraisals were coming, there would be one-on-one meetings, and third parties would be accessed as necessary in an effort to resolve disputes. Council pulled this item from the August 5 meeting. The appraisals arrived at the end of July, one-on-meetings were scheduled this week, and third-party Project Sentinel was recently called in. Some residents are still waiting for appraisals.

Council Member Veenker asked the Housing Authority if there were concerns or if it was possible to extend the September 15 deadline until the end of September or mid-October. Director Ward was unsure if the deadline could be postponed two weeks. It might be possible but a clear answer required consultation with the team of attorneys working with the Housing Authority on Buena Vista. The Housing Authority had a detailed timeline to start construction.

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Council Member Veenker wanted the Housing Authority to investigate postponing the deadline in addition to providing Council the relocation plans and where kids would attend school.

Vice Mayor Lauing was concerned that each resident did not have enough one-on-one contact with a legal advisor. Vice Mayor Lauing wondered if Council could help facilitate, perhaps through the City Manager's Office, to ensure that residents who were negotiating or needed help understanding the situation had a legal partner provided at no cost. Appraisals were higher in some cases because the land value was now included. Vice Mayor Lauing pointed out that the number of coaches was limited by acreage and financing, so some circumstances could be accommodated immediately. He encouraged residents to accept a compromise. The Housing Authority had offered some residents to go on a wait list. There were apartments with plenty of vacancies to move to in the interim. Tonight, Vice Mayor Lauing wanted Council to address the needs of funding this project and voting for approval of the overall project.

Council Member Burt preferred to separate the regulatory agreement tonight to allow the Housing Authority to move forward with their funding. Council Member Burt would like to allow at least one more month to solve the remaining problems. Council Member Burt queried what would happen if residents obtained a new appraisal higher than the Housing Authority's appraisal. Director Ward stated that residents needed to share their appraisal with the Housing Authority so they could negotiate. Director Ward addressed Council Member Burt's questions about Project Sentinel. Last year, Project Sentinel was available for residents. Recently, the Housing Authority started another contract with Project Sentinel. Last week, residents were notified that Project Sentinel was available. The Housing Authority was reaching out to Project Sentinel to talk about a few cases. The Housing Authority was trying to get Project Sentinel on site more to engage with residents. Project Sentinel has not helped mediate any of the recent decisions. Council Member Burt encouraged Project Sentinel's involvement. Council Member Burt spoke of the importance of solving the problem to be able to prioritize residents who want to continue residing in Buena Vista. Director Ward pointed out there was no availability in the mobile home park, although she anticipated units to become available because families may choose to leave after the process of housing offers and negotiations. The Housing Authority was working on a wait list policy to prioritize households who wanted larger units. Council Member Burt wanted the Housing Authority to address RV quality and where kids would attend school during relocation.

Council Member Lythcott-Haims noticed the preference to English over Spanish in this Council meeting. Attendees who were late to the meeting were not present when instructions were given about the translation app. When one person spoke Spanish, the translation was displayed on the big screen and preserved on YouTube. On the contrary, English was not translated to Spanish on the screen for the public and YouTube although the technology was available. Council Member Lythcott-Haims stated the number one goal and priority was housing for all current residents. The government should not say your eldest child at university does not count as a family member to qualify for the bedrooms and square footage you would receive. Council Member Lythcott-Haims wanted to know what was being done to ensure kids stay in Palo Alto schools and how students would be transported to school if they were outside Palo Alto's

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boundaries. Council Member Lythcott-Haims asked the Housing Authority to address the question about the quality of RV materials.

Director Ward provided the following responses to Council Member Lythcott-Haims' questions. The Housing Authority was in contact with Palo Alto Unified School District (PAUSD). When the Housing Authority starts their temporary relocation efforts, they would prioritize temporary units in Palo Alto so children could stay within city limits. PAUSD told the Housing Authority that if families were unable to be housed within Palo Alto's city boundaries, the City would work with PAUSD so kids could stay at their local schools as part of the relocation plan. The Housing Authority would work with each family on transportation, including mileage reimbursement if parents chose to drive their kids or use private transportation. Director Ward was confused about the comments on the quality of RV materials. The Housing Authority was not providing substandard materials. Residents were welcome to visit the spec coach at the park. The Housing Authority took residents to other parks to see the make and model of the coaches the Housing Authority would purchase and install, which were of superior quality.

Mayor Stone inquired about transportation for students participating in afterschool sports, extracurricular activities, and homework hour. Director Ward replied that the Housing Authority would meet with each household to create a plan to facilitate transportation to extracurricular activities to create as little disruption as possible. The Housing Authority was required to ensure that students maintained the same quality and expectations around their life. Mayor Stone wanted a detailed breakdown of the 65 households to understand the competitiveness of the waiting list. Director Ward offered to pull the data and share it. Mayor Stone was concerned about the City losing leverage to work with the Housing Authority on the regulatory agreement if Council approved the staff recommendation tonight. Planning Director Lait explained that the regulatory agreement required an amendment because the project before the Council this evening was not consistent with the regulatory agreement the City, County, and Housing Authority had entered into. The City had leverage over the project until the regulatory agreement was approved because an amendment to the regulatory agreement was needed to build the project.

Mayor Stone shared his frustration about the uncertainty within the HUD regulations that might not make it possible for all families to continue having a home within Buena Vista when that was the original belief and trust. To have a better understanding, Mayor Stone hoped the Housing Authority could share those HUD regulations with City staff. Mayor Stone agreed with Council Member Lythcott-Haims' comment about a government agency having a say on who is part of a household. A college student is not housing secure, especially in Palo Alto. Mayor Stone said he had a home to return to when he got out of college.

Council Member Kou apologized to all the residents for speaking about their homes and its demolition in front of them because she knew it must be painful. Council Member Kou asked who would accompany residents on their appraisal negotiations. Nobody responded. Council Member Kou asked permission from Mayor Stone to ask the Law Foundation to reply. Noemi, Law Foundation Representative, stated they have very limited capacity to help all the residents

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individually. The Law Foundation has done general work for Buena Vista residents and tried to help residents advocate for themselves. The Law Foundation was unable to be present for each negotiation but they could give residents general advice. Council Member Kou identified that as a problem needing further discussion to find a resolution to avoid unfair negotiations.

Council Member Kou wanted to know what the appeal process was and how it could be done fairly. Director Ward stated that the appeal process had three steps; the first two steps were administrative at the staff level, the third step included a third-party appeal officer to render a decision. The decision was reviewed by a deputy executive director to ensure the decision did not impact the Housing Authority's program. Buena Vista was very complicated because of the many competing laws and regulations from Palo Alto Municipal Code, mobile home residency law, relocation law, Section 8 law, and the use of federal funds. The Housing Authority Board asked to be notified if their Deputy Executive Director overturned a decision by a third-party appeal officer. The Housing Authority sent their relocation plans to the State for review as required by relocation law. The State recently asked the Housing Authority to add a fourth step to their appeal process for the State to hear the final appeal. In the coming weeks, the Housing Authority will release their updated appeal process with the additional fourth step. Council Member Kou noted that the September 15 deadline needed to be extended by a few weeks because residents needed time to appeal. Council Member Kou asked the Housing Authority to keep the Council abreast on when the Housing Authority updated the appeal process.

Council Member Kou commented on a resident who made a mistake on their 1099 and owed the IRS a huge bill as a result. Council Member Kou wanted to know how that would be rectified. Director Ward asked for the person's information, name or unit number, and she would take care of it. Council Member Kou will send the contact information to Director Ward. Council Member Kou heard a gentleman speak during public comment about being one of the first who left the park but he had not been reimbursed for his storage fees. Council Member Kou wanted to know if the Housing Authority did IOUs verbally or in writing, which Council Member Kou thought it needed to be in writing. Director Ward was not aware of that particular issue. When the Housing Authority embarks on the temporary relocation for the redevelopment, each household will meet with their Buena Vista advisor to review what they are entitled to and receive clarity on what would be reimbursed, including things like storage. Hearing in the public comments that things changed based on who was the park manager, Council Member Kou emphasized the need to reestablish trust and have someone consistent to make offers and discuss terms.

Council Member Kou was amenable to moving the Record of Land Use Action Final. Council Member Kou wanted a minimum of 120 trees planted to assure there was canopy in the park. Planning Director Lait remarked that staff did not anticipate this to be an issue. It was only in the instance of something unforeseen that the applicant would not be able to plant the trees, so staff was confident the standard set forth in the condition would be achieved. Urban Forester Peter Gollinger believed Planning Director Lait's remark was accurate. With the extra trees scheduled, any unforeseen circumstances would be minimal. Council Member Kou wanted to know how this would get reported back to Council and what the next steps were.

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

1. Approve the Streamlined Housing Development Review application to develop a 61-unit apartment building pursuant to the findings and subject to conditions of approval set forth in Attachment B;
2. Approve the associated Vesting Tentative Map application pursuant to findings and subject to conditions of approval set forth in Attachment B; and
3. Direct staff to return not sooner than September 15, 2024, or subsequently if needed and allowed with the following updates:
 - A. Status report on the unresolved agreements between residents and the Housing Authority;
 - B. Update on the status of the Palo Alto live/work preference and preference for Buena Vista residents;
 - C. Clarification on the RV quality issues;
 - D. Update on the plan for resident students to be able to attend their local schools during the relocation period; and
 - E. Confirmation that the Canopy Program can meet the 122-minimum tree replacement requirement.

MOTION PASSED: 7-0

Council Member Veenker emphasized the importance of communication throughout the community so people can feel fairly treated. Ensure people feel safe and heard when expressing their views. We want a beautiful new park but we want residents to be happy about it, who feel good about being there, who feel they were fairly treated and got a fair deal. Council Member Veenker asked the Housing Authority to let the Council know what the Council could do to support this effort. Council Member Veenker thanked students for commenting and told them they made their families proud and she was proud.

Council Member Kou stated that displacement was heartbreaking. Everybody's choices need to be respected. Keep families together. Allow college students to return home to save money, find a job, and stabilize themselves in their new stage in life. Fairness is important. The Housing Authority needed to continue to develop trust. After the appraisal, if the Law Foundation is unable to be present for negotiations, Council Member Kou wanted to discuss if residents could have a realtor negotiate for them.

For the record, Planning Director Lait wanted to ensure the motion included the administrative changes to the Record of Land Use Action that staff noted in their presentation. Council Member Burt and Council Member Veenker agreed.

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City Attorney Molly Stump noted that most of these items likely did not result in amendments to the regulatory agreement; it was more to prepare the surrounding agreement so the regulatory agreement could be implemented. City Attorney Stump's expectation was if any barriers to implementing the live/work preference were discovered in the disparate impact analysis report that the City would collaborate with the Housing Authority to make adjustments to our program to remove those problems, mitigate them, come into compliance with the law, and maintain the live/work preference to the extent possible. City Attorney Stump pointed out that it takes a number of months to complete the study, so the study would not be completed before the agreement needed to be approved in order for the project to go forward on the Housing Authority's timeline.

Council Member Burt explained his motion language directing staff to return not sooner than September 15, 2024 or subsequently if needed was because he was counting on City staff to work with the Housing Authority to reconcile the date when it comes back, pushing out the date if needed for negotiations. Council Member Veenker confirmed if needed meant the City would explore with the Housing Authority the ability to push the date out, to which City Manager Shikada answered yes. For mediation, Assistant to the City Manager Melissa McDonough offered her business card to Buena Vista residents. If residents did not want to approach the Housing Authority directly, Assistant to the City Manager McDonough was happy to connect them with Project Sentinel.

City Manager Shikada noted that the Council was unable to address Item 7 due to time, so he asked if staff and audience members waiting for Item 7 could be released. Mayor Stone agreed.

Council took a break.

6. Adoption of Resolutions Amending the Evergreen Park-Mayfield and Southgate Residential Preferential Parking Program Districts to Remove Parking Spots on El Camino Real Due to Caltrans' Repaving and Bikeway Project and Moving Employee Permits to Other Locations in Each District; CEQA status - categorically exempt.

Transportation Planning Manager Nathan Baird delivered a slide presentation. The project location is from 237 to Page Mill Road. Tonight's discussion is on amending the Evergreen Park-Mayfield and Southgate Residential Preferential Parking Program Districts. Along the other Palo Alto segments of El Camino Real (ECR), staff will continue to work with impacted business and resident stakeholders as needed.

In Southgate from Churchill to Park Avenue and in the Evergreen Park-Mayfield neighborhood from Park Avenue to California Avenue, the recommended actions support accommodating current employee permit holders through the end of the year while staff evaluates ongoing parking needs and limitations in those areas. There were approximately 130 parking spots impacted on ECR in the RPP districts for this item.

Next steps include implementing a five-point action plan to support impacted local businesses along the entirety of ECR, a parking count and evaluation of block-by-block impacts in

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Southgate and Evergreen Park in the fall, and additional outreach to resident and business stakeholders.

A survey was distributed to businesses along the Palo Alto entirety of ECR. Last week, the five-point mitigation plan was distributed to businesses door to door in the two impacted RPP areas. Resident and employee permit holders and stakeholders were mailed and emailed about tonight's actions.

Staff has undertaken an approach to mitigate the impacts of parking removal, including coordinating with the Transportation Management Association (TMA) to provide up to 250 transit passes to employees, improving bus stops, providing additional bike parking, developing curb designations with businesses, and alerting employees to readily available parking permit options in California Avenue garages and lots. The California Avenue garage and lot permits are slightly more affordable than the cost of RPP employee permits.

For the Southgate RPP, no permits have been sold for Employee Zone S1 during the current cycle; five were sold during the last cycle ending in June. For the Evergreen Park-Mayfield RPP, 38 Employee Zone G permits have been sold this cycle; 48 were sold through the end of June.

Staff recommends immediately accommodating current permit holders by allowing them to park in neighborhood zones through the current permit cycle ending December 2024. To evaluate permit needs for 2025, in the fall there will be a count of parking availability in each block segment with 65 percent as the target threshold. This entails accommodating up to 50 permit holders in Evergreen Park-Mayfield Zones A through D and up to 20 more in Zone S in Southgate. Next steps include continuing coordination with VTA and Caltrans on bus stop enhancements as well as coordinating with Caltrans on future ECR projects.

Public Comment:

1. Deborah G. has lived in the Evergreen Park neighborhood for 40 years. She thought there was enough available parking to easily accommodate 50 cars. The neighborhood used to be inundated with traffic when there were startups in the Cal Ave Business District.
2. Liz G. is a resident of 2500 El Camino Real in the Mayfield Place multifamily complex. She tried to obtain a Residential Parking Permit from the City but it was not allowed. Many residents in her complex needed places to park on the street because the parking lift breaks frequently. She was upset because the City promised to tell her what was their neighborhood designation because she does not which neighborhood she belongs to but she thought it may be Zone G. There was no neighborhood school, so kids have been shifted to different school locations. Noise ordinances for blowers do not apply to her area, so Sandhill frequently starts at 7:30 AM on Saturdays. The Sonsini and Wilson Law Firm uses shredding machines at 11 PM. She complained to the police department. There is noise and air pollution. The City needed to work with Caltrans to get the sidewalks done. She did not want parking taken away from working class poor folk.

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3. Gregg F. is the owner of The Bike Connection at 2011 El Camino Real. Gregg F. went door to door to talk to other business owners. Many employees move their cars during lunch to avoid paying for parking permits. Since COVID, cars are not being ticketed, which was why the employee parking permits have gone down to 38. Neighbors will start complaining about employees parking in front of their house, forcing employees to buy permits, and then you will know how many permits you need. He thought 100 to 150 parking permits needed to be accommodated. Gregg F. was against removing parking because he thought it would adversely affect businesses along El Camino. On his way home, he saw 40 cars between Stanford Avenue and Park where it runs into El Camino.

4. Carol S. delivered a presentation on Zoom. When the Council wanted to add 40 employee parking permits to the Evergreen Park RPP in 2018, residents suggested incorporating El Camino Real into the RPP. Despite this history of problem solving, residents were not included in the proposal before Council. The RPP ends at 5 PM, so employees could park in the neighborhood from 3 PM onward with the two-hour availability window. Employees could park in City garages and lots until residents and businesses create a better plan. This would allow customers to find parking in the RPP for two hours without competition from employees. Allow employees to purchase substantially discounted permits for City lots and garages to compensate them for any inconvenience. Low-income employees can get a permit at a very low price. The current plan did not take into account the likely increase in customer parking in the RPP. The proposal did not distribute parking more broadly into the area. Zones were created to distribute parking for Cal Ave from south to north. The zones needed to be redone to avoid inundating the area with parking. She found the staff proposal of a 65 percent occupancy rate surprising. In 2018, a 60 percent occupancy target was proposed for the RPP but it was not approved by the Council, recognizing the target was zero and we count up from there, not down from 100.

5. Aram J. spoke was concerned about the September 3 deadline when Caltrans with the Sheriff's department will move 26 of the encamped vehicles with families. He thought the City should have planned better to help families instead of looking for donations and disrupting these families. A friend who has a dry cleaning business on El Camino told Aram J. it would be difficult to continue the business because of lack of parking. The City recently signed a \$3.5 million consulting contract on ground floor uses but the City did not solve this parking problem and help the people who live in RVs with families to make sure the kids' schooling was not disrupted. Instead of paying a consulting fee, \$3.5 million could put a firetruck in Station 4 and employ four more fire inspectors.

6. Natalie G. lives a half block off El Camino near Cal Ave. She was in support of bike lanes. She supported the expansion of the RPP program in her neighborhood to mitigate for the parking challenges of employees. After hearing Liz G's public comment, Natalie G. wanted to ensure that Mayfield Place residents were included in her permit designation.

7. Richard H. is a volunteer with the Palo Alto Chamber of Commerce Board of Directors and Chair of the Government Affairs Committee. He spoke in support of including employee

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parking permits in the Evergreen Park and Southgate RPP districts because it was an important part of the mitigation strategy to account for the loss of parking along El Camino Real. He encouraged the City Council to vote in support of this tonight.

8. Justine B. is the Executive Director of the Palo Alto Transportation Management Association (TMA). This afternoon, she visited 20 businesses along El Camino Real and talked to many people who were nervous about losing 220 parking spaces on El Camino Real. Many people were open to taking the train, bus, or biking. When she asked employees where they live, their answers included Palo Alto, East Palo Alto, Mountain View, San Jose, Redwood City, and Hayward. Employees can bike and e-bike from Palo Alto, East Palo Alto, and Mountain View. Caltrain is a wonderful alternative to being stuck on 101 in traffic from San Jose and Redwood City. The woman who lived near the Hayward BART station could take BART to Union City and take The Dumbarton Express. For people making less than \$70,000/year, the Palo Alto TMA offered free transit passes for Caltrain, VTA, SamTrans, and Dumbarton Express. People can sign up for \$5/day Bike Love rewards. As soon as they cross the boundary around Palo Alto, \$5 goes onto a virtual debit card. People who do not have a bike can receive a refurbished bike through Bike Exchange along with a helmet lock and lights. Bicyclists can see the businesses around them while biking on the new bike lane at 10 mph as opposed to driving down El Camino Real at 35-50 mph, so it may generate more business.

Vice Mayor Lauing supported this plan. He was on the ECR Ad Hoc Committee. He said the City was in crisis mode with this decision by Caltrans. This was not the City's project. Caltrans was asked if they could skip certain areas but it was not going to happen. Caltrans will put in the bike lanes in a matter of weeks. You do things in crisis mode that you would not do if you had a year to plan. Staff presented a comprehensive plan to the ad hoc committee. He hoped the public focused on the total plan and not just the initial impacts to the two RPPs. The plan can be revised as needed but it has to be tried first. He acknowledged things have changed since the original RPP. Postpandemic, things are different with work from home.

Council Member Burt stated there were about 230 cars parked on El Camino the length of the city, per the car count. VTA has 250 discounted SmartPasses. El Camino is the best bus route in the County, served by the 22 and 522 approximately every 15 minutes. A high percentage of low-income employees qualify for VTA passes, Caltrain passes, or other programs. Small businesses downtown told TMA it helped immensely in employee retention when they had transit passes. Staff was accommodating businesses with short-term parking on the perpendicular streets immediately adjacent to El Camino. Businesses can request 15-minute or 30-minute parking for picks-ups and drop-offs, or businesses can request 2-hour parking. Staff will come back next week with a plan to help the RV dwellers on El Camino. Staff was offering bike racks for all businesses along El Camino.

Council Member Burt remarked that when the City started adopting RPP programs, the downtown north neighborhood, Evergreen, University South, and several other neighborhoods were inundated with parking. The previous Council set limits on how many permit parkers

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could reside in the different zones in those neighborhoods. In Evergreen, it went from over 300 permits to 0 now, so an additional 50 spaces was not going to be overwhelming. Residents do not own City streets. People park in his neighborhood for Community Center activities. The City built a massive parking garage at Cal Ave. but demand dropped after COVID. Zones were set up to primarily deal with the Cal Ave workers and secondarily for El Camino workers. The zones may need to be adjusted, so that will be looked at in the next four months. Council Member Burt asked staff to follow up with Mayfield Place as he has heard many complaints over time. The City had not set up a program to fairly accommodate Mayfield Place. Chief Transportation Official Philip Kamhi commented that when the RPP program was initiated, several blocks in Evergreen Park and Mayfield had over 85 percent occupancy.

Council Member Burt asked if there was a discounted permit rate for low-income workers and if workers on El Camino were eligible to buy permits for the Sherman and Cambridge lots. Chief Transportation Official Kamhi replied that the permits for the California Avenue district provide access to any of the garages. Low-income workers are eligible for a 75 percent discounted permit. Transportation Planning Manager Baird calculated \$650/year minus 75 percent was \$162.50/year. Council Member Burt stated he attended a VTA BART meeting in Oakland and paid \$24 to park for two or three hours.

Council Member Veenker asked about the reference in the staff report to yellow and green curbs. Chief Transportation Official Kamhi explained that green curbs allowed parking for 15 to 90 minutes. Yellow curbs were for commercial loading and unloading.

Council Member Veenker wanted to know if this item would come back to Council or what were the next steps. Chief Transportation Official Kamhi said it depended on the results of their outreach to see if the needs of businesses and residents were being met. If there were no concerns or if things have not worsened since pre-implementation of El Camino Real, staff would not make any changes, which Chief Transportation Official Kamhi admitted was the unlikely scenario. If a redistribution of permits was needed to move permits from overly impacted zones to a different zone, the City would work with residents to ensure their needs were met. Those changes could be done administratively; however, to make more substantial modifications such as reducing permits, staff would need to come back to Council.

Council Member Lythcott-Haims intended to support what staff has put forward. Customers and employees are an important part of our city. It is an ecosystem and we rely on them to contribute to the vitality, vibrancy, and sales tax.

Council Member Kou attended the community meeting and heard Caltrans say they would leave it to the Cities to determine the removal of parking from El Camino Real. Council majority chose to eliminate parking for bike lanes and, as a result, is taking on the liability of accidents and potential injuries and death. Caltrans informed the Cities long ago about the repaving. The Comp Plan says to meet the residential and commercial needs that encourage commercial enterprise but not at the expense of the City's residential neighborhoods. The Comp Plan also says the City is committed to retaining existing businesses and maintaining vibrant commercial

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areas. Council Member Kou asked how the City was committed to retaining existing businesses when removing parking could potentially cause businesses to close. She has seen letters to staff or surveys from residents and businesses that voiced their opposition. Council Member Kou wanted to preserve Palo Alto's livability with a priority on neighborhood quality of life. Council Member Kou will not support this proposal.

Mayor Stone pointed out that Caltrans owned El Camino Real and controlled those parking spaces, so Caltrans could move forward with this project regardless if the Council endorsed eliminating parking spaces. At the June meeting, staff and Mayor Stone pressed Caltrans to say on record that they would respect the Council's wishes if the Council decided to not remove the parking spaces but Caltrans did not provide a clear answer. It was clear from their actions over the last several months that Caltrans was moving ahead with this project and a decision was made as a Council that it was better to work with Caltrans to improve the project, which was done thanks to the ad hoc and staff. The City had to make the best of this situation and find a way to help mitigate impacts on businesses while respecting the neighborhoods.

Mayor Stone noted in the staff report that some zones in the Evergreen Park RPP were above 65 percent capacity. Mayor Stone inquired if there was any protection in the proposed plan for zones and streets exceeding 65 percent capacity to ensure parity across the streets within the full RPP. Chief Transportation Official Kamhi explained that once employee permits were placed in those zones, staff had the administrative capability to allow a permit to be sold in whatever zone staff wanted to allocate it to in order to make it more balanced. Staff hoped to review that when they do their first counts.

Mayor Stone asked about outreach to residents' associations. One of the public commenters mentioned they were consulted and helped improve the RPP in the past. Transportation Planning Manager Baird met with a couple residents in person and had some email conversations, but he spent more time on outreach to businesses. Transportation Planning Manager Baird will visit frequently to continue conversations directly with residents over the next few months. Letters were sent to all stakeholders in both RPPs. Current resident and employee permit holders in both districts were emailed. Mayor Stone heard from key stakeholders saying they were not contacted. Mayor Stone encouraged staff to reach out to Council for their help in connecting staff to some of those key stakeholders. Mayor Stone stated the parking study needed to be updated because parking demand was increasing. The negative consequences on businesses not having employee parking would be devastating. Mayor Stone supported the recommendation.

Vice Mayor Lauing wanted to adamantly make it clear that this was not the Council's preference. As a result of Council's reluctance, Caltrans was willing to work with the City on safety things such as bollards and bumps in the road. Caltrans was not going to move off their regional plan of bike lanes going through three towns.

Council Member Burt pointed out that \$70,000 to qualify for the low-income discount for parking permits was just above the very low income threshold according to our county AMI.

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Low income for a single person is about \$100,000/year. The low-income discounted parking permits were put in place seven or eight years ago. Since then, earnings for low-income workers and cost of living have increased. The parking permits have two tiers, full price or steeply discounted. Council Member Burt thought there should be a tier to include the upper limit of low income of about \$100,000/year. Council Member Burt wanted to attract employees to park in garages where there was surplus space.

Barron Park off Military Way was looking for a possible RPP. Council Member Burt wanted staff be receptive to neighborhood requests for an RPP.

Council Member Burt added to the previous comment about additional safety measures on El Camino. Caltrans initially wanted to only stripe the bike lanes but now it was a fully separated and protected bike lane in most areas and the intersections were improved. Council Member Burt said that Safe Routes to School went from being very ambivalent about these bike lanes to now saying they believe the safety measures would improve child safety on bikes.

MOTION: Council Member Burt moved, seconded by Vice Mayor Lauing to, pursuant to City Council direction on June 18, 2024 to amend the RPP Districts affected by Caltrans' El Camino Real Repaving and Bikeway project, which will remove most of the parking on El Camino Real, adopt the attached resolutions to:

1. Remove the parking spots located on El Camino Real from the Evergreen Park-Mayfield and Southgate RPP Districts;
2. Reallocate 50 employee permits from El Camino Real (Zone G) to Zones A-D in the Evergreen Park-Mayfield (EPM) Residential Preferential Parking (RPP) district;
3. Reallocate 20 employee permits from El Camino Real (Zone S1) into Zone S in the Southgate (SG) RPP district; and
4. Direct staff to:
 - a. Evaluate a second tier of low-income parking permits pricing that would go up to approximately 80% AMI for a single person;
 - b. Respond if requested to any other RPP requests from impacted neighborhoods going forward;
 - c. Engage with Mayfield Place to address their off El Camino parking needs; and
 - d. Promote additional incentives to encourage employees to park in parking garages rather than RPPs.

Mayor Stone asked for an addition to the motion to direct staff to promote additional incentives to encourage employees to park in parking garages rather than RPPs. Council

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Member Burt and Vice Mayor Lauing agreed. Council Member Burt suggested making sure businesses were familiar with the discounted passes for very low income and low income.

MOTION PASSED: 6-1 with Council Member Kou voting no

7. ACTION/LEGISLATIVE: Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning) and Title 21 (Subdivisions and Other Divisions of Land) to Clarify Existing Regulations and to Implement Recent State Housing Laws. Chapters 18.14 (Housing Incentives), 18.18 (Downtown Commercial District), 18.30(F) (Automobile Dealership (AD) Combining District Regulations), 18.42 (Standard for Special Uses), 18.52 (Parking Regulations) and 18.77 (Processing of Permits and Approvals), and 21.12 (Tentative Maps and Preliminary Parcel Maps) are Amended, and Chapter 21.11 (Streamlined Subdivisions Resulting in Ten or Fewer Parcels) is Added. CEQA - Exempt Pursuant to Guidelines Section 15061(b)(3).

Agenda Item Number 7 Not Heard and Deferred to a Date Uncertain.

Adjournment: The meeting was adjourned at 10:55 PM.