



# CITY COUNCIL SUMMARY MINUTES

Special Meeting  
February 28, 2022

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 6:00 P.M.

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

Absent:

## Study Session

1. ~~Report and Discussion on Valley Water's Purified Water Project Including Location of the Advanced Water Purification Facility at the Former Los Altos Treatment Plant Site, Reverse Osmosis Concentrate Management, Upcoming Agreements and Decisions. (This item has been removed from the agenda)~~

## Agenda Changes, Additions and Deletions

Mayor Burt announced Item 1 was removed prior to the final posting deadline and will not be considered.

## Public Comment

Ken Horowitz mentioned that Foothill College wanted to purchase the 8-acres at Cubberley and he shared their proposed plan of the site with Council. He shared that up to the year 2010, the City had paid \$113 million in rent to Palo Alto Unified School District.

Winter Dellenbach emphasized that the City must acknowledge the magnitude of the spill at Matadero Creek. The current spill may have adverse impacts that are not currently observable. She looked forward to seeing a collaborative approach to improving communication between the Veterans Affairs Palo Alto Heath Care System (VAPAHCS) and the City to prevent future incidents.

Jennifer Landesmann acknowledged that the Federal Aviation Administration (FAA) has been setting policy and Congress has been ineffectual to change those policies. She asked what role do local governments have regarding policies set by agencies and who enforces those rules.

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Stanford Stickney shared that his class at Stanford University is working on the transportation challenges in Palo Alto's Sustainable Climate Action Plan. He requested that Council provide input on the project and its findings. Preliminary findings showed that many folks are not comfortable riding their bikes on Palo Alto streets and many folks expressed frustration in finding appropriate outlets to move forward with sustainable practices.

Mayor Burt invited Mr. Stickney to contact him by email.

## Consent Calendar

Council Member DuBois registered a no vote on Agenda Item 7.

Council Member Tanaka registered a no vote on Agenda Item 7.

Gurmeet Lamba, a member of the Board of Directors of Palo Alto Art Center Foundation, provided comments regarding Consent Calendar Item 5. The agreement will help the Art Center attract donors who can then help fund art center programs. He thanked the Council for their continued support.

**MOTION:** Council Member Cormack moved, seconded by Mayor Burt to approve Agenda Item Numbers 2-6, 8-10.

2. Approve Minutes from the February 5, 2022 City Council Retreat, February 7, 2022 City Council Meeting, and the February 14, 2022 City Council Meeting.
3. Adoption of **Resolution 10018** to Authorize the City Manager to Apply for an SB1383 Local Assistance Program Grant from the California Department of Resources Recycling and Recovery (CalRecycle) and Execute Related Program Agreements and Amendments.
4. Appointment of 2022 Emergency Standby Council.
5. Approval for the Renewal of the Agreement Between the City of Palo Alto and the Palo Alto Art Center Foundation for Mutual Cooperation and Support to Facilitate the Foundation's Financial and Administrative Support of the City's Palo Alto Art Center.
6. Approval of Amendment No. 2 to Professional Services Contract Number C20176858 With Sandis Civil Engineers to Increase the Not-to-Exceed Compensation by \$50,000 (to \$171,000) and to Extend the Term of the Contract to October 2026 for the Completion of Final Plans and Design Support for the Churchill Avenue Enhanced Bikeway Project.

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7. Staff and Utilities Advisory Commission Recommend the Council Adopt **Resolution 10019** Amending Utilities Rule and Regulation 11 (Billing, Adjustments and Payment of Bills) to Set a \$5,000 Limit on Fee-Free Credit Card Payments and Apply a Cost-Recovery Charge for Credit Card Payments in Excess of \$5,000.
8. Approval of a Five-Year Contract C22181932 with Sierra Traffic Markings, Inc in the Amount of \$850,000 to Provide On-Call Minor Roadway Improvements.
9. Approval of Contract C22182466 With Ranger Pipelines, Inc. in the Amount of \$7,819,336 for Water Main Replacement Project 28 (WS-14001) in the Barron Park, Oak Creek, Duveneck Francis, Charleston Meadows Neighborhoods and in the California Business District, and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$781,934 for a Total Not-to-Exceed Amount of \$8,601,270.
10. Approval of Contract No. C22182372 with CSW/Stuber-Stroeh Engineering Group Inc. in the Amount of \$164,852 for Design Services for the University Avenue Streetscape Update Capital Improvement Program Project, PE-21004 and Approval of Budget Amendments in the Capital Improvement Fund and the Stanford University Medical Center (SUMC) Fund.

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

**ITEMS 2-6, 8-10 OF MOTION PASSED:** 7-0

**ITEM 7 OF MOTION PASSED:** 5-2, Tanaka, DuBois no

Council Member DuBois stated to be consistent, he believed that all credit card fees should be passed to buyers regardless of the size of the transaction.

Council Member Tanaka believed the City should offer more flexibility in terms of bill pay. He felt that the policy drives out small businesses and the City should be friendlier to small local retailers and restaurants.

### City Manager Comments

City Manager Ed Shikada announced that Santa Clara County anticipates removing the Mask Mandate on March 3, 2022. The City's Boards, Commissions and Committees will begin hybrid meetings on March 1, 2022. Members of the public attending in person will be checked for vaccination status or test status. Free community COVID-19 testing continued to be

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available at Mitchell Park and the Palo Alto Art Center. Neighbors Abroad, the City's non-profit partner for City to City relationships worldwide, established an Ukrainian Emergency Children's Relief Fund to support Ukrainian children during the Russian invasion. In support of the Ukrainian people, the upper floors of City Hall will be illuminated with Ukraine colors blue and yellow. Regarding the hate incidents that occurred in the City and in other Bay Areas, the Mayor and Police Department issued a statement both denouncing the hate incidents and called for a community response that reinforces kindness and belonging. The City held its first community meeting regarding Palo Alto Fiber and over 75 community members attended. Upcoming events included the City Manager's outreach effort regarding key priorities and skills needed for a new Chief of Police. Also, there was to be a Summer Camp and Job Fair on March 6, 2022 and Harbor Day festivities at Palo Alto Art Center on March 12, 2022. Upcoming items for City Council was a joint session with Council and the Utilities Advisory Commission regarding the Sustainability Climate Action Plan (S/CAP) on March 7, 2022 as well as a follow up on the Parks and Recreation Commission's recommendations regarding a new community gymnasium.

## Action Items

11. PUBLIC HEARING: Objections to Weed Abatement and Adoption of a Resolution Ordering Weed Nuisance Abated.

Fire Chief Blackshire introduced Moe Kumre who presented the item to the Council.

Santa Clara County Weed Abatement Manager Moe Kumre announced that this was the second step in the three-step process. The Council will hear public comments on why residences should not be included in the program, close the public hearing and direct Santa Clara County Weed Abatement to inspect and abate any properties that are not in a fire-safe condition. Staff will return in June 2022 to discuss the cost of the process.

Public Hearing opened at 6:37 P.M.

The Council kept the Public hearing open and returned to the item after the culmination of item 12. There were no comments from the public.

Public Hearing closed at 8:46 P.M.

**MOTION:** Council Member Filseth moved, seconded by Vice Mayor Kou to adopt the **Resolution 10020** ordering the abatement of weed nuisances in the City of Palo Alto.

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## MOTION PASSED: 7-0

The Council returned to Item 11 for the final vote of the motion.

12. Discussion and Direction on Draft Response to the Santa Clara County Civil Grand Jury Report Published December 16, 2021 Pertaining to Affordable Housing and Potential Direction to Staff on Related Policies.

Planning and Transportation Director Jonathan Lait announced that Council will be considering a response to a Civil Grand Jury report that was published December 16, 2021. The report compared Palo Alto's affordable housing production over a defined period of time to the City of Mountain View. The Grand Jury provided recommendations to the City to facilitate more affordable housing production. The City's deadline to respond to the report was March 16, 2022 and the City either could agree wholly, partially agree, or wholly disagree with the findings made by the Grand Jury. Staff worked with the Mayor's assigned Ad Hoc Committee, Council Member DuBois and Council Member Filseth, to prepare a response letter and recommendation for Council to consider. One correction Staff proposed to the draft response for Finding Number Three was to delete the reference regarding eminent domain for the Bona Vista Preservation Project which did not occur. For the next steps, Staff will work with the Ad Hoc Committee on any recommendations made by Council and will return on March 14, 2022, where the item will be placed on the Consent Calendar.

Council Member Filseth explained that historically Palo Alto has one of the highest rates for affordable housing as a percentage of total housing in all of Santa Clara County. The Grand Jury focused on affordable housing for the period between the year 2015 to the year 2019. In the year 2019, the City of Mountain View produced 260 more affordable housing units than Palo Alto and that was the basic finding of the report. The Grand Jury provided recommendations for process as well as economic recommendations. The first economic recommendation was that 100 percent of affordable housing projects should be built by non-profit developers and paid for by the Affordable Housing Fund. The second economic recommendation was to provide affordable housing as part of a mixed-use development done by a private developer containing both housing and commercial space in which the commercial entity would fund the affordable housing. Through their review, Staff and the Ad Hoc Committee agreed with many of the process recommendations. Regarding the economic recommendations, the group agreed with the first recommendation but had reservations regarding the second recommendation. If both supply and demand are considered for the second economic recommendation. The City would be displacing more folks than providing housing for. The City's jobs and housing imbalance has

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plateaued and rent appreciation has slowed. Staff and the Ad Hoc Committee agreed with the Grand Jury's recommendation regarding expanding and diversifying funding sources. He urged residents and the City to write to Congress and request they put more funding into Project HomeKey to build more affordable housing. He concluded that Silicon Valley has not invested enough of its wealth into housing, transportation, social services and infrastructure in order to keep the global innovation of Silicon Valley moving forward.

Council Member DuBois emphasized that Palo Alto is a leader in Santa Clara County in terms of the total number of units. In terms of total units of affordable housing, Palo Alto had over 2,300-units and the City of Mountain View had 1,420. While the Grand Jury report indicated that the City of Mountain View produced 260 more affordable housing units than Palo Alto. The City of Mountain View was still behind in the total number of affordable housing. It was important to set quantifiable targets for the housing stock so the City knows what to aim for and can track its accomplishment. The Grand Jury report focused on specific plans as a primary tool and the City disagreed that it is the only planning tool. Also, the City disagreed that the North Ventura Coordinated Area Plan (NVCAP) was a failure because it was still in progress. There was no data that showed that the City of Mountain View processes applications faster. The Ad Hoc Group believed that the City has been innovative in working to address housing.

Scott O'Neil emphasized that the presentation showed that the City has reduced jobs to address the housing crisis and he did not support that approach. He stated that the City has kept all housing types functionally illegal to build and has constrained the production of housing. The City must provide housing of all types which will result in a trickling down affect that will provide more affordable vacancies.

Keith Reckdahl spoke on behalf of himself and found the Council's Ad Hoc Committee's response to the Grand Jury report very thoughtful. As outlined in the Grand Jury report, providing concessions can generate more affordable housing demand than the concessions provide. He felt the discussion in Appendix 1 was excellent. Redwood City had 12 mixed-use projects with 1,900 market-rate units and 900 affordable units. The projects also had 3 million square feet of office space which will generate demand for 9,000 new housing units with 4,000 of them being affordable units. Palo Alto City Council should continue to consider how their affordable housing plans affect both supply and demand.

Rebecca Sanders shared that the Ventura neighborhood wants all commercial uses to sunset in the NVCAP so that all of the production can be affordable

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housing. She aligned her comments with Mr. Reckdahl and that commercial development cannot solve the housing crisis. She stated that the City should not be mandated to build affordable housing without a way to pay for it. She expressed her appreciation to Staff and the Ad Hoc Committee for the report and supported their findings.

Robert Moss remarked that the high cost of land and high cost of construction are the driving factors as to why affordable housing was not being built. He recommended that the City work with non-profits and churches to build affordable housing.

Winter Dellenbach found the presentation by the Ad Hoc Committee well said. She agreed that there are a variety of funding sources and federal tax credits, but the State of California continued to mandate housing numbers with no funding. She emphasized that the State of California should fund non-profit housing developers directly to build affordable housing. She clarified that Santa Clara County worked with the City to save Bona Vista.

Jessica Roth agreed with Ms. Dellenbach's comments. She shared that she was on the below-market rate list for 15-years before her family received a unit. She emphasized there is a massive need for affordable housing in Palo Alto and strongly encouraged the City not to grow office space and retail spaces.

Amy Sung remarked that now is the time to stop the discussion and act on building more housing. The two affordable housing projects within the City are two Santa Clara County proposed projects.

Council Member Cormack appreciated that the Grand Jury report acknowledged that the process is complex, that some folks in Palo Alto do not accept the approach of using mixed-use development for housing and that Council Members should do more on explaining the topic versus just advocating for it. She requested Staff's opinion on using precise plans as outlined in the Grand Jury report.

Mr. Lait confirmed that the City of Mountain View has several precise plans. The City has South of Forest Area (SOFA) and NVCAP. In his professional opinion, the City does not need precise plans to determine where to place housing but rather have clear zoning regulations, clear communication and provide development incentives.

Council Member Cormack felt that a precise plan for downtown Palo Alto could be useful. She asked if the new funds coming into the City's Affordable Housing Fund were coming from the luxury homes on Maybell Avenue.

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Mr. Lait stated that those funds have been contributed already.

Council Member Cormack mentioned that two-thirds of Palo Alto residents work outside of the City.

Council Member Stone stated that the City should accept its shortcomings and acknowledged that more work should be done for housing. He found several of the Grand Jury's recommendations appropriate and suggested that the City should study them further. The Grand Jury report praised the City of Mountain View for raising affordable housing funds from their commercial and mixed-use development. The report did not acknowledge the adverse impacts that increased office and commercial has on the long-term housing crisis. The reality was that the City of Mountain View's growth in housing cost had exceeded Palo Alto's over the last 10 years and the report was silent on that point. He supported addressing the issue of affordability versus addressing more housing production. In summary, making the jobs/housing imbalance through greater production of commercial uses was not the right approach.

Council Member Filseth remarked that the City of Mountain View has established standards for affordable housing per square footage of commercial space and they are part of the solution.

Vice Mayor Kou remarked she did not understand the rationale behind comparing the City of Mountain View to the City of Palo Alto and the way the findings were presented in the Grand Jury report. She agreed with Staff that the report missed the mark and was simplistic in its recommendations on how to address housing. The State of California was not doing enough preservation to ensure that affordable market-rate housing is made available. She mentioned that the City of Mountain View has approved the demolition of several rent-controlled apartments for luxury housing which has caused a lot of displacement. Throughout the State of California, there is a trend where many affordable housing units are being lost due to their time period expiring and then are turned into market-rate housing. She commented that the Grand Jury should have looked at the problem State wide instead of comparing the two cities against each other.

Mayor Burt noted that the jobs/housing imbalance is a metric that has been used pervasively to review the City's needs but was not invented by the City. In the past several years, the City has established the Affordable Housing Overlay and brought back the Planned Home Zone (PHZ) to address housing. He believed that Council has strongly vocalized their initiatives for housing.

Council Member Cormack was not prepared to support the statement "Palo Alto believes that within the Mid-Peninsula the economics of private developer investment now make for-profit mixed-use projects with positive next of

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demand affordable housing nearly impossible without subsidies" as written the City's response letter. She supported there being more Council advocacy but the response letter missed an opportunity when it could have listed the City's partners in Recommendation Three. She disagreed with the response to Finding Four and believed there was an opportunity to aid in resident's acceptance of affordable housing. Regarding precise plans, she recommended that the City provide a more comprehensive answer. The City has an economic problem and that was not specifically related to commercial office space and jobs in the City. Regarding Finding Nine, she believed that the City can take more responsibility. Regarding Finding Twelve, she acknowledged that the City does not have a great funding strategy. Regarding Appendix Four, it was not accurate to say that 2018 was only a citizen ballot initiative but that Council voted five to four to make the change.

Mayor Burt recommended that the Ad Hoc Committee take the recommended changes that they agree with and incorporate them into the response letter.

Council Member DuBois noted that some of the Grand Jury's recommendations had very short timeframes for making a lot of changes. Regarding precise plans, the Ad Hoc Committee did not see that being the primary tool to generate affordable housing. The jobs/housing imbalance was not the only metric, or even the key metric, but rather a regional metric.

**MOTION:** Vice Mayor Kou moved, seconded by Council Member Filseth to direct Staff to Accept the Grand Jury Response Letter.

Vice Mayor Kou found that the Ad Hoc Committee had used compelling analysis to draft the response letter. There are different ways that each city to come up with funding for affordable housing. Palo Alto has a more intentional purpose in developing and providing genuinely affordable housing instead of using the trickle-down method.

Council Member Filseth agreed that some of the language in the letter could be more precise. He requested that Council Member Cormack provide her comments to him after the meeting regarding the response letter. He inquired if the motion should call out the language regarding eminent domain.

Mayor Burt stated it has been indicated that it will be incorporated in the final letter as a clarification.

Council Member Cormack remarked she will send her comments to Council Member Filseth and if her comments are incorporated into the letter. Then she can support the letter when it comes back to Council on the Consent Calendar.

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Mayor Burt recommended that Council Member Cormack state her amendments now for the maker and seconder.

Council Member Cormack requested that the letter remove the statement in the second sentence halfway down on the second page that she read into the record earlier.

Council Member Filseth did not accept removing the statement but suggested that it be rephrased.

Council Member Cormack suggested that Recommendation Three be expanded to include partnerships with Alta Housing and surveying residents.

Vice Mayor Kou did not accept that.

Council Member Filseth announced he supported that.

Council Member Cormack suggested that the language on Page 243 at the top be modified regarding the disagreement response to Finding Four.

Vice Mayor Kou answered no.

Council Member Cormack recommended that the City take more responsibility in the response to Finding Nine.

Council Member Filseth asked what does that mean.

Council Member Cormack noted the headline acknowledged that the Palo Alto process is lengthy but that was not indicated in the text. She recommended a looking forward strategy for the disagreement to Finding Twelve instead of objecting to past thinking.

Council Member Filseth did not accept using different language because the Grand Jury stated that Palo Alto does not have an Affordable Housing Fund.

Council Member Cormack clarified that the language should include more forward-looking language. She recommended that Appendix Four be clarified that the 2018 non-residential development cap was not decided at the ballot.

Council Member Filseth supported striking the language in Appendix Four.

Mayor Kou agreed.

Council Member Cormack appreciated the maker and seconds' consideration but announced she could not support the motion.

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**MOTION AMENDED:** Vice Mayor Kou moved, seconded by Council Member Filseth to direct Staff to Accept the Grand Jury Response Letter and include clarification that the 2018 non-residential development cap is not decided at the ballot box.

Council Member Stone agreed that the Grand Jury's affordable housing example is too simplistic and focused more on housing growth. He appreciated that the response letter focused on truly affordable housing. He agreed that the City of Mountain View's affordable projects replaced large qualities of rent-restricted apartments. He was disappointed that the Grand Jury Report provided only one sentence that criticized the State of California's lack of providing funding for affordable housing. He echoed the comment that the main problem is funding and encouraged folks to contact Assembly Members and Senators to restore affordable housing funds. In conclusion, he supported the comments regarding supply and demand.

**MOTION PASSED:** 5-2, Cormack, Tanaka no

The Council took a 10-minute break before hearing Item 13

13. California Avenue and Ramona Street Temporary and Permanent Closure: Direct Staff to Issue RFP for a Feasibility Study and Return for Contract Approval, and Provide Direction to Staff on Activities and Programming.

Mayor Burt explained that the item was heard at a previous Council meeting and requested that folks who spoke at the last meeting hold their comments.

Chief Transportation Official Philip Kamhi recapped that the request was to hire a consultant to conduct a study for the permanent closures of Ramona Street and California Avenue as well as understand the existing conditions, provide communications to the businesses, understand the impacts of changes to parking and traffic, economic analysis, and develop concepts and alternatives with stakeholders.

City Manager Ed Shikada acknowledged the contentious issues regarding closing, opening and the specific characteristics of California Avenue. Staff explored the City of Santa Barbara's layout for State Street and invited an architect to speak to his findings.

Planning Consultant Bruce Fukuji shared that he was on the Palo Alto Urban Design Committee who shaped the Palo Alto Downtown Plan and other City initiatives. State Street, in the City of Santa Barbara, was identified by American Planning Association as one of the greatest places in America. State Street has been closed to vehicle traffic and the City of Santa Barbara worked

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with stakeholders to develop the design of the street. All the cross streets are for through traffic and have terra planters to separate the travel lanes from the sidewalk and vertical markers for bicycles. Long ago, parking was removed from State Street which made it easier for the City of Santa Barbara to implement the current changes as well as have more plantings on the curbside of the street. They established a Community Arts and Planting Committee that helped guide the landscaping along the street. Due to the design of the street, the spillover from restaurants, the overall experience as well as recreational spaces and allowing open-air markets has helped local retailers along State street. A survey was done to better understand what the community wanted for State Street. Residents wanted the street to be closed and expanded to include the cross streets, more housing, dining, music, art, places to sit, children play areas and adult games. After the survey, the City of Santa Barbara created an Advisory Committee to create a State Street Master Plan.

Mr. Shikada remarked that the question is what is the status quo and what is the next phase as the City moves from emergency conditions to interim conditions to permanent changes for California Avenue. Staff predicted that the requested study would take 12- to 18-months and active engagement from stakeholders will be key in formulating a plan for California Avenue.

Todd Burke loved the presentation regarding State Street and was excited that could be the future for California Avenue. He appreciated that all stakeholders will be involved, not just businesses.

Nancy Isaac felt the presentation about State Street was a great idea as to how to move forward with California Avenue. She strongly supported moving forward with a California Avenue plan and opening up Ramona Street.

Cherry LeBrun owned a business on Ramona Street and stated that not having through traffic decreased drive-by visibility. She could not imagine new tenants leasing vacant spaces on a dead-end street that has vacant storefronts. The closure was outdated, unnecessary and very detrimental to retail service and office uses.

Dustin Underwood represented a business on Ramona Avenue and aligned his comments with the previous speakers that Ramona Avenue should be reopened.

Lisa Robbins, a business owner on California Avenue, stated that her business was suffering in a way that was not apparent during the pandemic. California Avenue has become an unsightly street and there were accessibility issues to her business.

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Lorenzo Manuali loved the presentation regarding State Street and he supported that plan for California Avenue. He supported the approach of engaging all stakeholders in the discussion regarding the future of California Avenue.

Shannon McEntee urged Council not to make the closure of California Avenue permanent. The area has very little ingress and egress with narrow streets and has pushed traffic to residential streets.

Charlie Weidanz urged Council to reach out to all stakeholders to assess the current economic climate. Once the outreach is completed and the problem has been identified. Then the City should explore a feasibility study. He wanted to understand what the short-term decisions will be.

Nancy Coupal shared that the City of Menlo Park hired a consulting company to explore how to make downtown Menlo Park better. She urged the City to do the same for downtown Palo Alto. The City of Menlo Park will continue its street closures and will increase the type of use for the different buildings. She acknowledged that retail has changed and Palo Alto needs to be forward-thinking.

Rob Fischer, a restaurant owner, felt the street closures has hurt the City immensely. He did not support permanently closing Ramona Street.

Jessica Roth believed that the closure of California Avenue did not make sense for downtown Palo Alto. She emphasized strongly that folks need to be able to walk by retailers' windows and that was not happening with the streets being closed.

Council Member Cormack believed this was not a problem to be solved but an opportunity to be seized. She was pleased to hear about an advisory committee to explore options for California Avenue and requested that the City be thoughtful about who is on that Committee. She inquired what the difference was between a Request for Information (RFI) and a Request for Proposal (RFP).

Mr. Kamhi clarified that Staff was not seeking direction on whether to do one or the other.

Administrative Service Director Kiely Nose added that Staff was seeking direction for Council on which path best suited Council's direction. An RFI would most likely require an RFP and an RFP would go straight towards a solution.

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Council Member Cormack supported an opportunity that contributed to a strong sense of place. She agreed that all businesses have not benefited equally from the street closures and it was appropriate to have that conversation. She asked how will the City determine that the majority of the properties do not object to moving forward on a street closure.

Mr. Kamhi stated that was dependent on the path that is followed for regulatory approval but would take place at the public hearing through a survey.

Council Member DuBois suggested that Council have another discussion about what to do regarding the street closure deadline of June 2022. He agreed that there are many different business types on California Avenue and Ramona Street. He recommended that the economic consultant's work include all business types. The City must find a way to have more folks walking on the sidewalks by keeping the sidewalks clear and attractive. He recommended that folks be required to move indoors after 10:00 p.m. to minimize noise for residents who live in the buildings. He encouraged the RFP to include aesthetics and policies around street cleaning, loading docks and other aspects of an operating business district. Regarding permanent closures, he expressed concerns about pushing commercial traffic onto neighborhood streets and that the City must determine commuter bus routes. He asked what the timing will look like for a traffic study.

Mr. Kamhi confessed that Staff cannot determine if and when the City's traffic will return to normal.

Council Member DuBois remarked that the RFP should explore the cost of leasing public space. He suggested closing California Avenue from Friday afternoon to Sunday afternoon or having the street be only one-way for vehicle traffic. He agreed that the street has minimal attendance during the day. The businesses along California Avenue have been through a lot of disruption and the street was unsightly. He wanted to know what the interim plan is for the streets during the 18-month planning process. He inquired if Council was approving the budget now or would it come back during the 2023 Budget process.

Mr. Kamhi mentioned that Staff would be returning to Council for approval of the contract. He noted that currently, the Office of Transportation does not have the resources to work on the project.

Council Member Stone agreed that the City has an opportunity to re-envision California Avenue and the only way to embrace that opportunity was to explore a permanent closure. He wanted to understand if vehicular access must be maintained for emergency vehicles.

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Mr. Kamhi noted that the study will explore emergency access.

Council Member Stone asked Staff to explain California Vehicle Code Section 21101 Subsection F.

Mr. Kamhi confessed he could not provide that answer. Staff was not seeking direction from Council on which regulatory path Staff should pursue for creating a permanent closure.

Council Member Stone inquired where the City was in hiring an economic development manager and will they play a role in reimagining California Avenue.

Mr. Shikada confirmed that recruitment was underway and Staff expected that the person would be a part of the process.

Council Member Stone supported the City following the City of Santa Barbara's process.

Mayor Burt mentioned that two of Council's 2022 priorities was economic recovery and transition as well as community health and safety. He wanted to create an environment that allowed intergenerational experiences. The Staff report was focused on the traffic engineering aspect and the long-term streetscape. He clarified that the project is an urban design project and one that needed multiple stakeholder groups' opinions. He suggested a process where stakeholders provide short-term changes as well as medium- and longer-term changes that all focused on the end goal. He recognized that the City has been in a state for the past 2-years of a drastically reduced daytime population which has resulted in growth in the evening population. He agreed that the City was well behind neighboring cities in terms of unified aesthetic themes and moving from a temporary setup. Currently, the closures on California Avenue and Ramona Street do not allow folks to right their bikes down the street and he encouraged the City to explore ways to promote bicycle riding. Through discussions with the Danish community in Palo Alto, they shared that in Denmark the more pedestrian-friendlier the space is, the more people will come visit it.

Council Member Tanaka agreed that there has to be foot traffic near the retail storefronts. He recommended for the farmers market, that the back of the booths face the street and the front face the sidewalk. He encouraged the RFI/RFP to address the net economic benefit for the area. He wanted to hear more about how the design of State Street works for the City of Santa Barbara. He asked how will the City monetize the public space, how will the City make it fair and then what will the money be used for. Historically, the City did not have a good process on how it monetizes its land.

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Assistant Director of Planning and Development Services Rachael Tanner mentioned that Staff has explored other city's rent programs for their parklets and it varied from city to city.

Council Member Tanaka concurred that it would be very important for Council to understand those other programs in order to decide what the next step is. The City has to be prepared that many office workers may never come back and California Avenue may have to become a destination. He agreed that the aesthetics on California Avenue look temporary and unsightly and that the street should encourage multiple modalities transportation. He explained there are two types of retail, one where the store provides the lowest cost possible for goods and the other where the store is more about the experience than the purchase. For California Avenue, it made more sense to have experiential retail than low-cost retail and that should be included in the RFI/RFP.

Vice Mayor Kou remarked that the design of the street should come before the street closure analysis.

Mr. Kamhi answered that the feasibility study will outline the impacts on the businesses currently and that will help inform the design.

Vice Mayor Kou inquire if the design charette would include the City's new economic development manager.

Mr. Shikada emphasized that all the components have to be done concurrently and fit together in terms of the intent and cost.

Vice Mayor Kou wanted to understand if the intent is to support the existing businesses and restaurants while attracting new businesses and restaurants.

Mr. Shikada confirmed that is the intent, but the change to California Avenue will be more inviting to some businesses than it will be to others.

Vice Mayor Kou supported the comments that sidewalks have to be pedestrian-friendly and be Americans with Disabilities Act (ADA) compliant.

Council Member DuBois inquired if there will be issues to temporarily close the streets for 3-years while the City plans.

City Attorney Molly Stump explained that Staff feels that the City has not invoked those temporary closures inappropriately. There will come a point when it is not appropriate to keep the streets closed.

Council Member DuBois was concerned about how long the process could take. He supported moving forward with an RFI or RFP but wanted the City to be

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sensitive to the impacts on the businesses on California Avenue. Regarding the June 2022 deadline, he wanted to observe the development of the daytime population and then have the item come back for further discussion.

**ORIGINAL PROPOSED MOTION:** Council Member DuBois moved, seconded by Vice Mayor Kou to:

- A. Direct Staff to issue a Request for Information (RFI) and/or Request For Proposals (RFP) to obtain a consultant to conduct a feasibility study to define the scope and understand the impact of the proposed permanent closure(s) on portions of California Avenue from El Camino Real to Park Blvd. and the section of Ramona Street between Hamilton Avenue and University Avenue
- B. Direct Staff to return to Council for approval of the contract for the feasibility study and to provide a schedule
- C. Direct Staff to proceed with commencing a charette process prior to the full RFI/RFP product
- D. Include into the RFI, in addition to items mentioned in the staff report:
  - i. Evaluate option to close Cal Ave from Friday afternoon to Sunday afternoon in addition to permanent closure
  - ii. Consider methods to value rents for use of public spaces and evaluate if revenues could be used as partial funding of the process
  - iii. Suggest approach to improve aesthetics and maintain open sidewalks
  - iv. Include proposed guidelines on hours of use of public spaces and noise control
  - v. Evaluate displaced traffic impacts, particularly on residential streets
  - vi. Bring the budget request as part of the 2023 Budget process

Council Member DuBois was interested in having a consultant evaluate a partial closure.

Vice Mayor Kou inquired if the motion should include having the item come back to Council before the June 2022 deadline.

# SUMMARY MINUTES

Council Member DuBois assumed it would come back and believed it did not need to be in the motion.

Mr. Shikada confirmed that Council Member DuBois was correct.

Council Member Cormack requested that the maker explain Item C of the motion.

Council Member DuBois clarified it was included in Staff's motion.

Council Member Cormack suggested that Item C of the motion be deleted.

Council Member DuBois agreed.

**AMENDMENT:** Council Member Cormack moved, seconded by Mayor Burt to delete C, i: Evaluate option to close Cal Ave from Friday afternoon to Sunday afternoon in addition to permanent closure.

Council Member Cormack stated that in order to move forward, permanent changes will have to happen.

Mayor Burt saw the proposal as an impracticality for the design that the City wants.

**MOTION PASSED:** 4-3 Filseth, Dubois, Kou no

Council Member Cormack inquired if the maker would support modifying the language in Item C, ii to consider methods.

Council Member DuBois agreed.

Council Member Cormack asked if Item C, v. was included as part of the work.

Mr. Kamhi answered yes.

Council Member Cormack asked if the motion passed without Item C, vi. will Staff be coming back before the 2023 Budget process.

Mr. Kamhi answered that Staff would need to coordinate with the other departments.

Mr. Shikada understood that Item C, vi. was speaking to the outcome of the work.

Council Member DuBois interjected no, that is not correct.

# **SUMMARY MINUTES**

Council Member Cormack expressed concern about the delay if Item C, vi. was included in the motion.

Mr. Shikada confirmed that Staff wants to explore opportunities for outside help.

Mr. Kamhi mentioned there are not enough Staff resources to work on the project and was concerned about coordinating the project with the 2023 Budget process.

Council Member DuBois understood that Staff may have an estimate closer to the budget process timeframe.

Mayor Burt asked if the maker would accept under Item C, ii. to dedicate the revenues toward partially funding the process.

Council Member DuBois understood that the project would be done before rents are collected.

Mayor Burt mentioned that the City could be collecting rents in the near term.

Council Member DuBois accepted the amendment.

Mayor Burt inquired what was needed to begin a charette process.

Mr. Shikada understood that the sequence was to start with data collection that then formed the basis for several components including the charette. In terms of the City of Santa Barbara, there were 16 design teams hired and a series of sponsors who funded the work.

Mr. Fukuji understood that the design teams did the work pro bono. The City of Santa Barbara collected data, then did the charette and then formed the Advisory Committee for the Master Plan.

Mayor Burt emphasized that Palo Alto would be a more simplified version of the City of Santa Barbara's process.

Mr. Kamhi stated that data collection is critical for the charette to be successful.

Mayor Burt disagreed and mentioned that the City has followed charette processes in the past that were not based on data collection.

Council Member DuBois inquired if the request by Mayor Burt is reasonable.

# SUMMARY MINUTES

Mr. Shikada recognized that the process can be done in several ways. The data collection will include both current user experiences as well as expectations for the experience of what the street could be in the future. Without data, it would be more difficult to work towards a common goal.

Mayor Burt confirmed that data collection was part of the June 2021 motion and that Staff would bring forward concepts for the Council to consider. That work was never done. He expressed concern that work will continue to pile up without any progress and the City should have progress sooner rather than later. The charette would look at improvements on the existing streetscape that would inform the long-term design as well as improve the current conditions.

Council Member DuBois believed that the motion captured that sentiment.

Mayor Burt understood that the original charette was not strictly limited to aesthetics.

Council Member DuBois heard concerns from Staff and did not accept the amendment.

**PROPOSED AMENDMENT:** Mayor Burt moved, seconded by Vice Mayor Kou to add to motion: Direct Staff to proceed with commencing with a charette process prior to the implementation of the RFI/RFP.

Mr. Shikada understood from the amendment that the focus was on the interim improvements and less on a charette. Staff has struggled on obtaining an agreed-upon approach from businesses for immediate changes.

Mayor Burt confirmed that the charette process would bring everyone together to find consensus on next steps. The process of responding to individual businesses without an integrated concept was not working.

Mr. Shikada emphasized that Staff has not left the June 2021 motion unattended too.

Vice Mayor Kou agreed that in order to give business owners confidence, the City must move forward.

Council Member Cormack believed that the feasibility study was very traffic-focused and would not create creative ideas. Also, putting a charette in before a separate process was a good idea. She did not support having the amendment included in the main motion, but Staff's recommendation should come into more alignment with Council's discussion.

# SUMMARY MINUTES

Council Member Stone supported the sequencing that Mayor Burt described. He asked where the charette would fall in the process for an RFI/RFP.

Mayor Burt answered that the charette would precede the implementation but not precede the solicitation of the RFI/RFP.

Council Member Filseth could not support the amendment.

Council Member DuBois confessed his confusion on where the charette fits in and what the scope of it is.

Mayor Burt clarified that the charette would take place in the next three to six months and the intention was to implement short-term solutions that feed into the long-term design. He mentioned that the City must market the street more effectively with signage and other items.

**MOTION FAILED:** 3-4, DuBois, Filseth, Cormack, Tanaka no

**AMENDMENT:** Mayor Burt moved, seconded by Council Member Stone to add to the motion: Direct Staff to come back with an item on Action to extend the street closure through December 31, 2023

Council Member DuBois noted that it was not agendized to discuss whether to extend the closure period or not.

Ms. Stump confirmed that is correct, but Council can direct Staff to come back with a proposal.

Council Member Filseth invited Staff to provide their thoughts on the amendment.

Mr. Shikada stated the discussion is helpful and maintaining a stable condition could encourage the merchants to upgrade their outdoor spaces.

Police Department Public Outreach Liaison Kara Apple agreed that many of the merchants want to know what to plan is moving forward.

Council Member Filseth inquired if it would be helpful to know the outcome of the RFI/RFP before deciding on extending the street closure.

Ms. Tanner confirmed that is correct that Council's decision does not foreclose any future choices.

Council Member Filseth asked what the implications and ramifications will be for closing the streets for 12- to 18-months.

# **SUMMARY MINUTES**

Ms. Tanner predicted the businesses that have not benefited from the closure from the past 2-years may continue to see fewer benefits than businesses that have benefited. With more offices coming back into work, that may benefit the businesses who have been struggling with the street closure.

Council Member Filseth wanted Council to discuss more whether to extend the street closure.

Vice Mayor Kou asked if businesses who have not benefited from the street closure are saying they will make investments in their outdoor spaces.

Ms. Apple confirmed that retailers can use the outdoor space but none have elected to do so. The businesses that are operating outside have indicated that they want to make improvements.

Vice Mayor Kou agreed with Council Member Filseth that whether to extend the street closure or not should come back to Council for further discussion.

Council Member DuBois agreed that if the amendment is passed then Council is sending the message that the streets will remain closed long-term. He mentioned it would be counterproductive to have folks make additional investments now before Design Standards and rents are determined. He supported the City of Santa Barbara's look with its consistent design and branding.

Council Member Filseth was not sure if a charette was needed or not to determine whether the street should remain closed or not. He asked if there will be new information in the next several months to help Council decide on whether to keep the streets closed or not.

Mr. Shikada stated that outreach would have to take place prior to June 2022.

Ms. Tanner predicted that Staff would not have additional information except that more people are returning to work. She mentioned that the aesthetic standards for the permanent parklets could be applied to the street configurations.

Council Member Filseth acknowledged that the City must conduct community outreach and that the City needs a plan.

Mayor Burt understood from Staff that within 12- to 18-months Staff will develop the RFI/RFP and issue a contract.

Mr. Shikada confirmed that would be Staff's target.

# SUMMARY MINUTES

Mr. Kamhi stated that it was impossible to know the timeline without knowing the scope of the project. The reality of the outcome could be a phased implementation.

Mayor Burt shared his skepticism that the work could be accomplished in the 12- to 18-month timeframe.

Council Member Stone emphasized that having certainty for the businesses is critical and he did not support moving the goalposts every 6-months.

Council Member Cormack announced her support for the amendment. She asked if the item should be an action item so that Staff can do outreach.

Ms. Tanner noted that not having the item be an action item would not prevent Staff from doing outreach.

Council Member Cormack supported having the item be on the Consent Calendar. She suggested that the maker and seconder include a date in the amendment.

Mr. Kamhi stated it would be less confusing for the public if there was a date certain.

Mayor Burt agreed.

Vice Mayor Kou requested that the item not go on the Consent Calendar and be an action item. By extending the street closure to December 31, 2023, Council was disregarding the comments made by businesses who have had difficulty with the streets being closed. She could not support the motion.

Mayor Burt supported the item coming back to Council as an action item.

Council Member Filseth supported that as well.

**MOTION PASSED:** 5-2 DuBois, Kou no

Council Member Tanaka requested that Item C, iii. be refined further and encourage foot traffic on the sidewalk instead of down the center of the street.

Council Member DuBois supported the change.

Council Member Tanaka wanted to see that the work will increase economic activity in the area.

Vice Mayor Kou understood that was covered in the feasibility study.

# SUMMARY MINUTES

Council Member Tanaka requested that the motion allow bike traffic on California Avenue.

Council Member DuBois stated this was not a discussion about design but agreed that bike traffic should be part of the design.

Mr. Kamhi confirmed that bicycle traffic is part of the scope and planning effort.

Mayor Burt restated that Council Member Tanaka was asking does the motion prohibits bike traffic on the streets for the next 18-months.

Ms. Tanner answered no.

Council Member DuBois wanted to see a solution that separated bicycles from pedestrians.

**PROPOSED AMENDMENT:** Council Member Tanaka moved, seconded by Mayor Burt approved the addition of section D, i to enable biking on Cal Ave.

Council Member Cormack asked if the amendment is for Staff to redesign the current configuration on California Avenue to allow bicycles.

Council Member Tanaka wanted to leave it open for flexibility but did not want to see California Avenue closed to bicycles for the entire 18-months.

Council Member Cormack acknowledged that the Staff report states that Staff does not have the resources to fix current conditions but Council wants to see current conditions improved.

Mr. Kamhi foresaw the amendment as a possible pilot program to have a bike lane on California Avenue. He mentioned that while the majority of folks walk their bicycles, many businesses have complained about folks not walking their bicycles.

Council Member Cormack inquired if a bicycle lane can be accommodated on Sundays during the farmer's market.

Mr. Kamhi mentioned Staff would have to explore that further.

Mayor Burt assumed that during the market there would be no bicycles.

Council Member Filseth liked the idea but could not support the amendment.

Vice Mayor Kou agreed that implementation and enforcement of the rule will be hard to manage.

# SUMMARY MINUTES

**MOTION FAILED:** 3-4, Kou, Cormack, Filseth, DuBois no

**FINAL AMENDED MOTION:** Council Member DuBois moved, seconded by Vice Mayor Kou to:

- A. Direct Staff to issue a Request for Information (RFI) and/or Request For Proposals (RFP) to obtain a consultant to conduct a feasibility study to define the scope and understand the impact of the proposed permanent closure(s) on portions of California Avenue from El Camino Real to Park Blvd. and the section of Ramona Street between Hamilton Avenue and University Avenue
- B. Direct Staff to return to Council for approval of the contract for the feasibility study and to provide a schedule
- C. Include into the RFI, in addition to items mentioned in the staff report:
  - i. ~~Evaluate option to close Cal Ave from Friday afternoon to Sunday afternoon in addition to permanent closure~~
  - ii. Consider methods to value rents for use of public spaces and evaluate if revenues could be used as partial funding of the process
  - iii. Suggest approach to improve aesthetics and maintain open sidewalks so that the pedestrian traffic is near the windows
  - iv. Include proposed guidelines on hours of use of public spaces and noise control
  - v. Evaluate displaced traffic impacts, particularly on residential streets
  - vi. Bring the budget request as part of the 2023 Budget process
- D. Direct staff to come back with an item on Action to extend the street closure through December 31, 2023

**MOTION PASSED:** 7-0

## Council Member Questions, Comments and Announcements

Vice Mayor Kou expressed her appreciation to Staff for lighting City Hall with the colors of Ukraine.

# **SUMMARY MINUTES**

Council Member DuBois attended the Palo Alto Fiber community meeting and found the meeting informative.

Adjournment: The meeting was adjourned at 11:53 P.M.