

Not Yet Approved

Resolution No. _____

Resolution of the Council of the City of Palo Alto

Calling a Special Election for November 5, 2024 for Submittal to the Qualified Electors of the City a Measure to Discontinue the Use of Approximately 0.33 Acres as Park Land at El Camino Park

R E C I T A L S

A. The area known as El Camino Park is owned by the Board of Trustees of the Leland Stanford Junior University (Stanford) and is leased to the City of Palo Alto (City) until June 30, 2042.

B. Article VIII of the Palo Alto Charter provides that “All lands owned or controlled by the city which are or will be used for park, playground, recreation or conservation purposes shall be dedicated for such purposes by ordinance.” Accordingly, the City adopted an ordinance dedicating El Camino Park for park, playground, recreation, or conservation purposes, as codified at Palo Alto Municipal Code (PAMC) section 22.08.230. A legal description of El Camino Park is codified as Exhibit A-19 to PAMC Title 22.

C. Article VIII of the Charter requires that “[n]o land heretofore or hereafter dedicated for such purposes shall be sold or otherwise disposed of, nor shall its use be abandoned or discontinued except pursuant to majority vote of the electorate. Any election and related procedures under Article VIII shall conform to the provisions set forth in general law as it existed January 1, 1965, except that the council may call such election by majority vote.” The Charter includes the “provisions set forth in general law” in Appendix A to the Charter of the City of Palo Alto.

D. The City Council proposes that the voters discontinue park use for an approximately 13,960 sq. foot (or approximately 0.33 acre) segment of El Camino Park to be used to build a road connecting the adjacent Palo Alto Transit Center with El Camino Real, a state highway (the “project”). This will allow buses, shuttles, and other transit vehicles to shorten the drive time to and from the Transit Center and will encourage use of public transportation, among other benefits. The proposed project will also include multiple pedestrian and bicycle improvements adjacent to or near the proposed transit connection, including at the intersection of Quarry Road and El Camino Real.

E. Construction of the project is contingent on state agency approval, finalization of design, and obtaining adequate funding. If built, the project will remain under the terms of the El Camino Park lease, meaning that it will be owned by Stanford and leased to the City until 2042. Unless a new agreement is reached, the project and El Camino Park will thereafter revert to Stanford.

F. On April 22, 2024, the City Council adopted a Resolution of Intention to Call an Election to Submit the Question of Discontinuance of a Portion of El Camino Park as Dedicated Parkland and setting June 10, 2024 for a Public Hearing for Protests.

G. In compliance with the City Charter, the City Council now desires to call and fix a special election to submit to the city electors the question of the discontinuance of the use of approximately 0.33 acres of park land at El Camino Park.

H. A proposed ordinance attached hereto and incorporated herein by reference as Attachment “A” (the “Ordinance”) would amend the Palo Alto Municipal Code to amend Exhibit A-19 to PAMC Title 22 to amend the area commonly known as El Camino Park to reduce the

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dedicated area by approximately 0.33 acres.

I. By its Resolution No. XXXXX the City Council called a general municipal election for November 5, 2024 (“Election”).

J. Pursuant to Elections Code Section 9222 and 10403, the City Council desires to submit the Ordinance to the voters of the City.

The City Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Findings. The City Council finds and determines that each of the findings set forth above are true and correct.

SECTION 2. Election. The City Council proposes to discontinue the park use of approximately 0.33 acres of El Camino Park as set forth in the Ordinance and to present this proposal to the voters on November 5, 2024.

SECTION 3. Measure. Pursuant to Elections Code Section 9222, the City Council hereby submits a proposition for the enactment of the Ordinance to the voters at the Election and orders the following question to be submitted to the voters at the Election:

To reduce traffic congestion and travel time for transit riders, shall the measure undedicating a 0.33-acre portion of existing parkland in El Camino Park for the purpose of creating a new road primarily for transit vehicles linking the Palo Alto Transit Center with El Camino Real, be adopted?	YES	
	NO	

This question requires the approval of a majority of those casting votes.

SECTION 4. Adoption of Measure. The measure to be submitted to the voters is attached to this Resolution as Attachment A and incorporated herein by this reference. The City requests that the full text of the measure, including its exhibit, shall be printed in the County’s Voter Information Guide.

SECTION 5. Notice of Election. Notice of the time and place of holding the Election is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the Election, in time, form and manner as required by law.

SECTION 6. Impartial Analysis. Pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk on or before August 15, 2024.

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SECTION 7. Ballot Arguments. Pursuant to Elections Code Section 9286 *et. seq.*, August 13, 2024 at 5:00 p.m. shall be the deadline for submission of arguments in favor of, and arguments against, any local measures on the ballot. If more than one argument for and/or against is received, the priorities established by Elections Code Section 9287 shall control.

SECTION 8. Rebuttal Arguments. The provisions of Elections Code Section 9285 shall control the submission of any rebuttal arguments. The deadline for filing rebuttal arguments shall be August 20, 2024 at 5:00 p.m.

SECTION 9. Authorization to File Arguments. Pursuant to Elections Code Section 9282(b), the City Council hereby authorizes Councilmembers XXXXX to file a written argument in favor of this measure and also to file a rebuttal argument.

SECTION 10. Consolidation Request (Cal. Elections Code § 10403). The Council of the City of Palo Alto requests the Board of Supervisors of the County of Santa Clara permit the Registrar of Voters to completely consolidate the City's General Municipal and Special Elections for November 5, 2024 and the City Council consents to such consolidation. The Council requests the Board of Supervisors of Santa Clara County to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the qualified electors of the City of Palo Alto. The Council acknowledges that the Election will be held and conducted according to procedures in the Elections Code, including Section 10418.

SECTION 11. Request for County Services. Pursuant to Section 10002 and 10520 of the Elections Code, the Council of the City of Palo Alto hereby requests the Board of Supervisors of Santa Clara County to permit the Registrar of Voters to render services to the City of Palo Alto relating to the conduct of Palo Alto's General Municipal and Special Elections which are called to be held on November 5, 2024, and shall reimburse the county for the costs incurred by the County of Santa Clara Registrar of Voters in conducting the election for the City of Palo Alto. The services shall be of the type normally performed by the Registrar of Voters in assisting the clerks of municipalities in the conduct of elections including, but not limited to, checking registrations, mailing ballots, hiring election officers and arranging for polling places, receiving absentee voter ballot applications, mailing and receiving absent voter ballots and opening and counting same, providing and distributing election supplies, and furnishing voting machines, the canvassing of the returns of the election, the furnishing of the results of such canvassing to the City Clerk, and, the performance of other election services as may be requested by the City Clerk. The City requests the County of Santa Clara Board of Supervisors permit the County of Santa Clara Registrar of Voters to prepare the City's election materials.

SECTION 12. Transmittal of Resolution. The City Clerk is hereby directed to submit forthwith a certified copy of this resolution to the Santa Clara County Board of Supervisors and to the Registrar of Voters.

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SECTION 13. Environmental Review. The City Council finds the proposed project as described in the Recitals in this Resolution exempt from the California Environmental Quality Act (CEQA). The proposed project comes within the statutory exemption for “facility extensions not to exceed four miles in length which are required for the transfer of passengers from or to exclusive public mass transit guideway or busway public transit services.” Pub. Res. Code § 21080(b)(12). Due to its fixed location, Caltrain qualifies as an “exclusive public mass transit guideway” service. The proposed project would extend the existing transit center facility by approximately 210 feet, through the intersection of Quarry Road and El Camino Real, to facilitate the transfer of passengers to Caltrain, among other public transit services.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSECTIONS:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Manager

City Attorney

Director of Community Services

Chief Transportation Official

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Attachment A

** START HERE **

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending the Area Dedicated as
El Camino Park to Discontinue the Park Use of Approximately 0.33 Acres

The People of the City of Palo Alto do ordain as follows:

SECTION 1. Exhibit A-19 of Title 22 (Parks) of the Palo Alto Municipal Code is hereby amended to read as follows (new text underlined):

EXHIBIT A-19 LEGAL DESCRIPTION EL CAMINO PARK

Beginning at the most northerly corner of that certain 1.194 acre parcel of land described in that certain sublease between the City of Palo Alto and Southern Pacific Railroad Company, dated October 2, 1939; thence S. 17° 13' 57" E. along the westerly line of said parcel 143.13 feet; thence S. 51° 41' 59" E. 421.31 feet; thence northeasterly along a tangent curve to the left, having a radius of 13.64 feet, through a central angle of 90° 00' for an arc length of 21.42 feet to a point of reverse curve; thence southeasterly along a curve to the right, having a radius of 13.64 feet, through a central angle of 90° 00', for an arc length of 21.42 feet; thence S. 51° 41' 59" E. 122.41 feet; thence southerly along a tangent curve to the right, having a radius of 75 feet, through a central angle of 87° 29' 32", for an arc length of 114.53 feet, to a point of reverse curve; thence southerly along a tangent curve to the left, having a radius of 300 feet, to a point of reverse curve; thence southerly along a tangent curve to the left, having a radius of 300 feet, to a point of compound curve; thence continuing southerly along a tangent curve to the left, having a radius of 68 feet, through a central angle of 20° 03' 52" for an arc length of 23.81 feet, to a point of reverse curve; thence southwesterly, along a reverse curve to the right having a radius of 33.40 feet, through a central angle of 77° 52' 04", for an arc length of 45.39 feet, to a non-tangent point on the northeasterly line of El Camino Real; thence northwesterly, along said northeasterly line, the following courses and distances: N. 51° 13' 12" W. 566.52 feet; N. 42° 20' 20" W. 80.45 feet; along a curve to the left, having a radius of 1333 feet through a central angle of 8° 24' 00", for an arc length of 195.43 feet; N. 51° 08' W. 68.39 feet; along a tangent curve to the right, having a radius of 900 feet, through a central angle of 11° 08' 21", for an arc length of 174.97 feet; N. 39° 59' 39" W. 317.82 feet; along a tangent curve to the left, having a radius of 72 feet, through a central angle of 73° 09' 21", for an arc length of 91.93 feet; N. 45° 58' 59" W. 436.48 feet; N. 41° 16' 13" W. 151.00 feet; along a curve to the right, having a radius of 102 feet, through a central angle of 16° 19' 30", for an arc length of 29.06 feet, to a point of compound curve, along a curve to the right, having a radius of 12 feet, through a central angle of 90° 08' 53", for an arc length of 18.88 feet; N. 31° 10' 38" W. 85.53 feet; N. 51° 31' 10" W. 123.49 feet; N. 49° 31' 31" W. 69.11 feet to a point in the centerline of San Francisquito Creek; thence leaving said northeasterly line of El Camino Real, and running along the centerline of said creek S. 85° 56' 59" E. 164.52 feet and N. 62° 31' 01" E. 77.22 feet, to a point on the southwesterly line of the Southern Pacific right-of-way; thence southeasterly along the southwesterly line S. 51° 35' 10" E. 7.93 feet; S. 51° 41' 59" E. 797.87 feet and S. 46° 56' 10" E. 602.08 feet; thence S. 38° 18' 01" W. 60.00 feet to the point of beginning. Excepting

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therefrom the following described portion of Palo Alto Avenue: Beginning at the northerly terminus of the above described as "having a radius of 12 feet, through a central angle of 90° 08' 53", for an arc length of 18.88 feet"; thence easterly along a compound curve to the right, having a radius of 182 feet, through a central angle of 19° 27' 55", an arc length of 61.83 feet; thence N. 81° 46' 56" E. 59.63 feet; thence N. 84° 40' 59" W. along said right-of-way line 86.96 feet; thence S. 84° 40' 05" W. 192.23 feet; thence westerly along a curve to the right, having a radius of 382 feet, through a central angle of 7° 50' 24", an arc distance of 52.27 feet; thence S. 31° 10' 38" E. 85.53 feet to the point of beginning. Also excepting therefrom that portion thereof described in Resolution No. 5802 of the City of Palo Alto recorded July 16, 1980 in Book F442 of Official Records at Page 707, records of Santa Clara County, California. Also excepting therefrom that certain 0.551 acre parcel described as follows: Commencing at the intersection of the southwesterly line of the Southern Pacific Railroad Company's right-of-way, 230 feet in width, (as described in that certain easement of Leland Stanford to the Southern Pacific Railroad Company, dated November 23, 1892, and recorded October 28, 1915, in Volume 435 of Deeds at page 244, Santa Clara County Records, in which the bearing of said line is called North 51 28' West, which is also the southwesterly line of that certain easement (Palo Alto Agreement No. 224) granted by the Southern Pacific Railroad Company to the City of Palo Alto by Agreement dated October 2, 1939, and recorded November 27, 1939, in Book 954 of Official Records, page 567, Santa Clara County Records), with the center line of University Avenue produced southwesterly, as said University Avenue exists 75 feet in width (said intersection being the most easterly point of Parcel 1 as described in that certain lease of the Board of Trustees of Leland Stanford Junior University of the City of Palo Alto (Palo Alto Lease No. 3) dated June 10, 1915, and recorded by Stanford University on September 23, 1915, in Vol. P of Leases at page 333 et seq., Santa Clara County Records, in which the bearing of said line is called North 51 45" West); thence North 51 45' West along said southwesterly line a distance of 467.50 feet to the intersection of said line of right-of-way with the center line of Lytton Avenue (prolonged); a distance of 81.00 feet to a point on the southwesterly most line of Parcel No. 2, City of Palo Alto Agreement No. 46, dated October 2, 1939, and recorded October 30, 1939, in Book 951 of Official Records, page 580, Santa Clara County Records, which point is the true point of commencement; thence South 51 45' East, along said southwesterlymost line, a distance of 25.00 feet; thence South 38 15' West a distance of 120.00 feet; thence North 51 45' West a distance of 200.00 feet; thence North 38 15' East a distance of 120.00 feet to a point on the above mentioned southwesterlymost line of Parcel No. 2; thence South 51 45' East a distance of 175.00 feet along said line to the true point of commencement.

SAVE AND EXCEPT THE FOLLOWING DESCRIBED PORTION THEREOF DISCONTINUED FOR
PARK PURPOSES PURSUANT TO A VOTE OF THE PEOPLE, AS CONFIRMED BY ORDINANCE NO.

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Real property in the City of Palo Alto, County of Santa Clara, State of California, described as
follows:

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Being a portion of Park Parcel 1, as said Parcel 1 is described in that certain document, recorded on September 6, 2012, as Document 21840095, Official Records of Santa Clara County, more particularly described as follows:

COMMENCING at the most westerly corner of Palo Alto Station Grounds, as said Station Grounds are described in that certain easement from Leland Stanford to the Southern Pacific Railroad Company, dated November 23, 1892 and recorded October 28, 1915 in Volume 435 of Deeds at Page 244, Official Records of Santa Clara County, said point being marked by a found 3/4" iron pipe with wood plug and tack;

Thence along the northeasterly line of said Park Parcel, South 16°12'28" East, 56.48 feet to the POINT OF BEGINNING;

Thence leaving said point and continuing along said northeasterly line, South 16°12'28" East, 86.65 feet to an angle point in said northeasterly line;

Thence along said northeasterly line, South 50°40'30" East, 4.34 feet;

Thence leaving said northeasterly line, South 34°32'43" West, 24.21 feet to the beginning of a tangent curve to the right, having a radius of 273.00 feet;

Thence southwesterly along said curve, through a central angle of 09°40'14", for an arc length of 46.08 feet;

Thence South 44°12'57" West, 49.45 feet, to the beginning of a tangent curve to the left, having a radius of 49.50 feet;

Thence southerly along said curve, through a central angle of 62°46'25", for an arc length of 54.23 feet to the northeasterly line of El Camino Real (State Highway 82);

Thence northwesterly along said northeasterly line, North 41°18'51" West, 2.64 feet; to the beginning of a non-tangent curve, concave to the southwest, having a radius of 1,333.00 feet, with a radial line that bears North 48°17'29" East;

Thence continuing along said northeasterly line and northwesterly along said curve, through a central angle of 04°28'38", for an arc length of 104.17 feet;

Thence leaving said northeasterly line, North 44°14'48" East, 87.93 feet; to the beginning of a tangent curve to the right, having a radius of 260.50 feet;

Thence northeasterly along said curve, through a central angle of 04°48'43", for an arc length of 21.88 feet;

Thence North 49°03'31" East, 59.71 feet, to the beginning of a tangent curve to the left, having a radius of 19.50 feet;

NOT YET APPROVED

Thence northerly along said curve, through a central angle of 66°09'32", for an arc length of 22.52 feet; Thence North 29°22'27" East, 14.50 feet to the POINT OF BEGINNING.

Containing an area of 13,960 square feet, more or less.

SECTION 2. The area being discontinued for park purposes in Section 1 of this Ordinance is based on the legal survey attached as Exhibit 1.

SECTION 3. The area being undedicated as parkland by this Ordinance may only be used to construct a road linking the adjacent Palo Alto Transit Center with El Camino Real and related improvements, such as but not limited to: bus stops, utility infrastructure, landscaping, sidewalks, bicycle paths, safety infrastructure, parking spaces, lighting, signage and wayfinding, parking restrictions, and any improvement otherwise permitted in dedicated parkland (including those permitted after adoption of an ordinance).

SECTION 4. The City Council finds this proposed transit connector project exempt from the California Environmental Quality Act (CEQA). The proposed project comes within the statutory exemption for "facility extensions not to exceed four miles in length which are required for the transfer of passengers from or to exclusive public mass transit guideway or busway public transit services." Pub. Res. Code § 21080(b)(12). Due to its fixed location, Caltrain qualifies as an "exclusive public mass transit guideway" service. The proposed project would extend the existing transit center facility by approximately 210 feet, through the intersection of Quarry Road and El Camino Real, to facilitate the transfer of passengers to Caltrain, among other public transit services.

SECTION 5. Effective Date. This ordinance shall be effective only if approved by a majority of the voters and shall go into effect immediately after the vote is declared and this ordinance is adopted by the City Council.

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NOT YET APPROVED

SECTION 6. Execution. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the voters of the City by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED by the People of the City of Palo Alto voting in the election set on November 5, 2024 and ADOPTED by the City Council pursuant to California Government Code section 38451 as incorporated into Appendix A to the Charter of the City of Palo Alto.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

City Attorney or designee

City Manager

Director of Community Services

Chief Transportation Official

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Exhibit 1



March 28, 2023
BKF No. 20240028

Page 1 of 2

EXHIBIT "B"
Legal Description

PARK DISCONTINUANCE AREA
A Portion of El Camino Park, Palo Alto, CA

Real property in the City of Palo Alto, County of Santa Clara, State of California, described as follows:

Being a portion of Park Parcel 1, as said Parcel 1 is described in that certain document, recorded on September 6, 2012, as Document 21840095, Official Records of Santa Clara County, more particularly described as follows:

COMMENCING at the most westerly corner of Palo Alto Station Grounds, as said Station Grounds are described in that certain easement from Leland Stanford to the Southern Pacific Railroad Company, dated November 23, 1892 and recorded October 28, 1915 in Volume 435 of Deeds at Page 244, Official Records of Santa Clara County, said point being marked by a found 3/4" iron pipe with wood plug and tack;

Thence along the northeasterly line of said Park Parcel, South 16°12'28" East, 56.48 feet to the **POINT OF BEGINNING**;

Thence leaving said point and continuing along said northeasterly line, South 16°12'28" East, 86.65 feet to an angle point in said northeasterly line;

Thence along said northeasterly line, South 50°40'30" East, 4.34 feet;

Thence leaving said northeasterly line, South 34°32'43" West, 24.21 feet to the beginning of a tangent curve to the right, having a radius of 273.00 feet;

Thence southwesterly along said curve, through a central angle of 09°40'14", for an arc length of 46.08 feet;

Thence South 44°12'57" West, 49.45 feet, to the beginning of a tangent curve to the left, having a radius of 49.50 feet;

Thence southerly along said curve, through a central angle of 62°46'25", for an arc length of 54.23 feet to the northeasterly line of El Camino Real (State Highway 82);

Thence northwesterly along said northeasterly line, North 41°18'51" West, 2.64 feet, to the beginning of a non-tangent curve, concave to the southwest, having a radius of 1,333.00 feet, with a radial line that bears North 48°17'29" East;

Thence continuing along said northeasterly line and northwesterly along said curve, through a central angle of 04°28'38", for an arc length of 104.17 feet;

Thence leaving said northeasterly line, North 44°14'48" East, 87.93 feet, to the beginning of a tangent curve to the right, having a radius of 260.50 feet;

Thence northeasterly along said curve, through a central angle of 04°48'43", for an arc length of 21.88 feet;

Thence North 49°03'31" East, 59.71 feet, to the beginning of a tangent curve to the left, having a radius of 19.50 feet;

Thence northerly along said curve, through a central angle of 66°09'32", for an arc length of 22.52 feet;

Thence North 29°22'27" East, 14.50 feet to the **POINT OF BEGINNING**.

Containing an area of 13,960 square feet, more or less.

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EXHIBIT "B"
Legal Description

Page 2 of 2

As shown on plat attached hereto and by this reference made a part hereof.

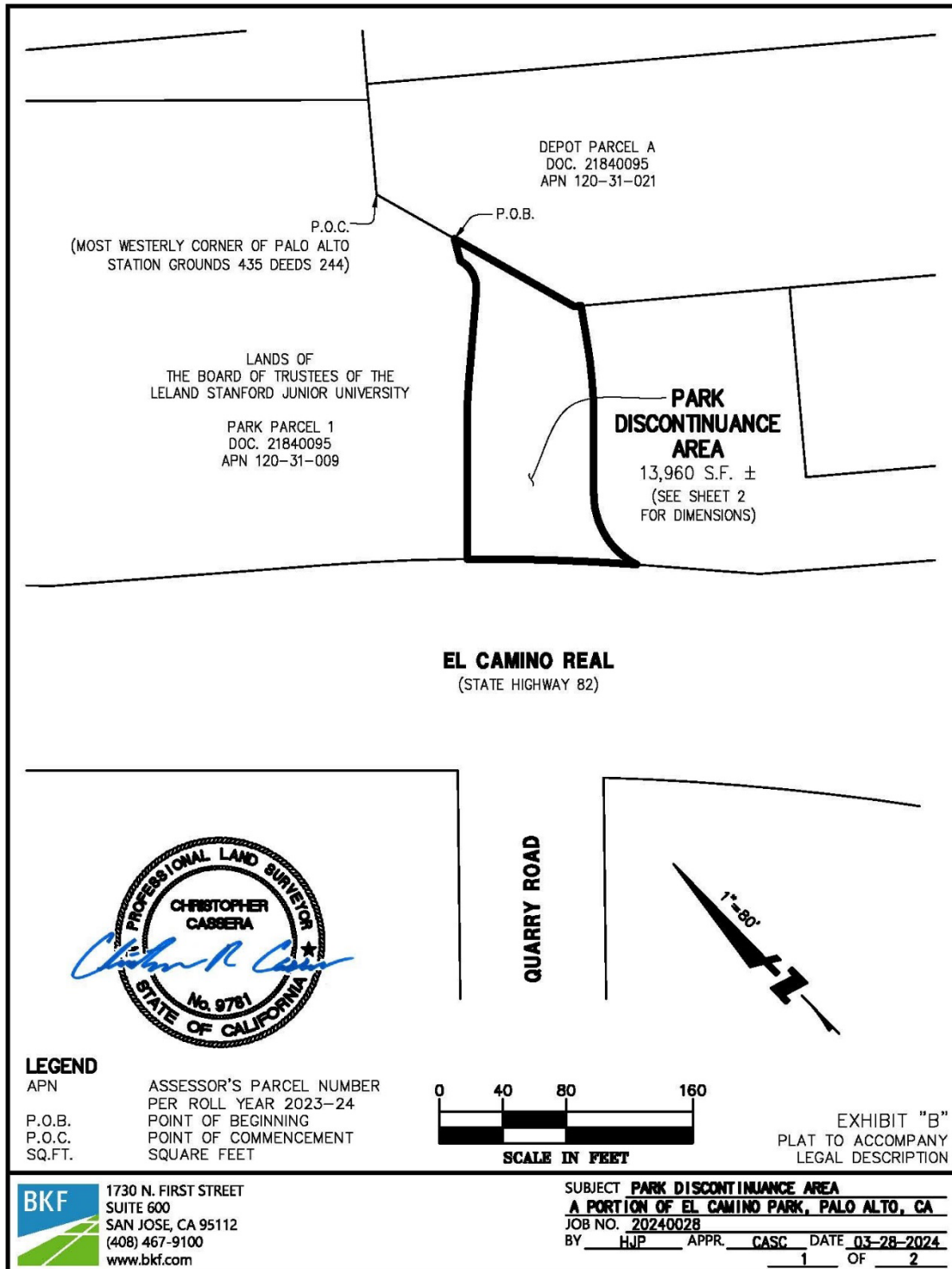


Christopher Cassera
P.L.S. No. 9781

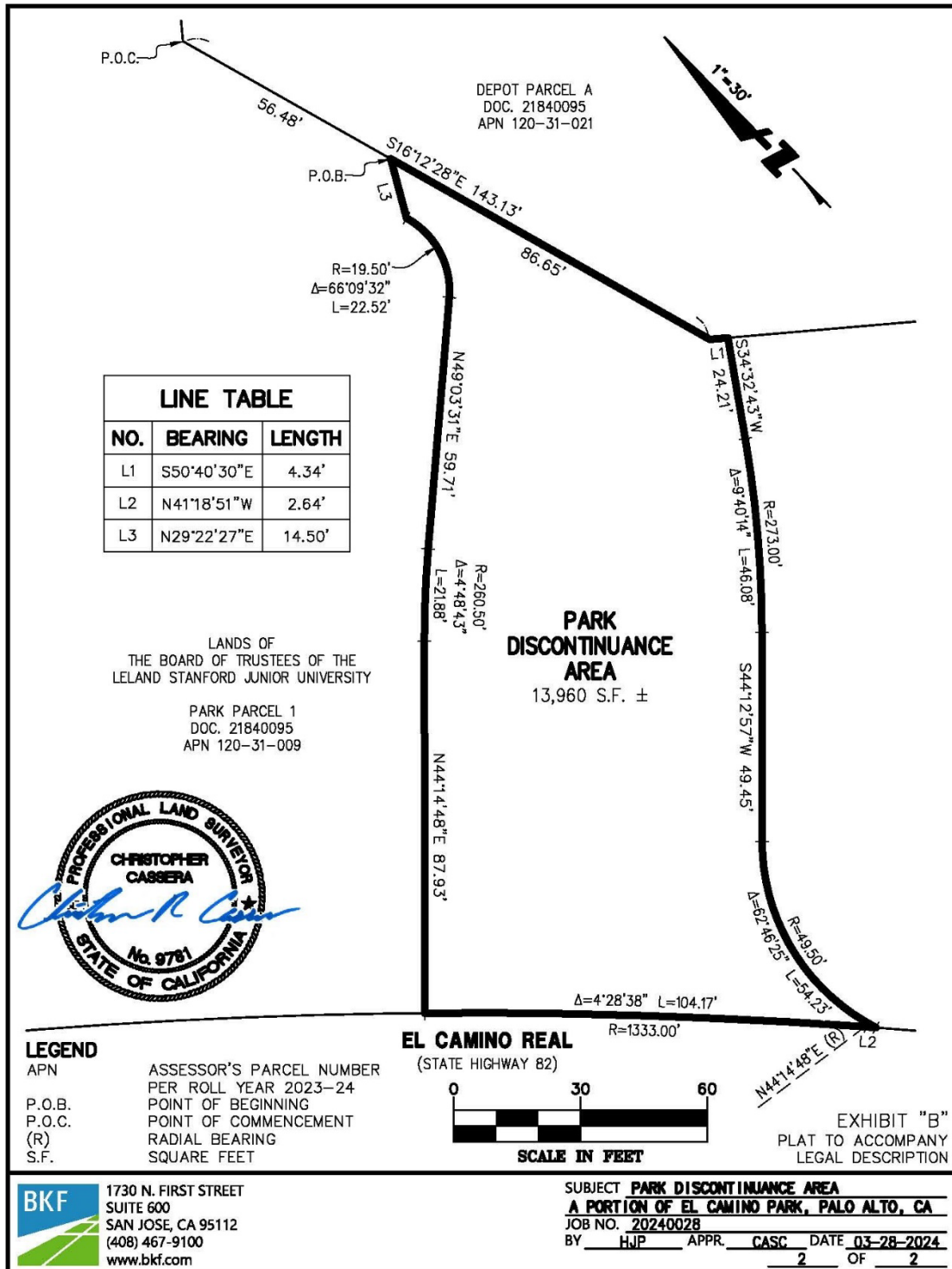
Date 3/28/2024



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