

From: [herb](#)
To: [Council, City](#); [Clerk, City](#)
Subject: May 5, 2025 City Council Meeting, Item #5:2470 Embarcadero Road
Date: Sunday, May 4, 2025 5:21:10 PM

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MAY 5, 2025 CITY COUNCIL MEETING, AGENDA ITEM #5

2470 EMBARCADERO WAY, ASSESSOR'S PARCEL NUMBER 008-03-072

Nay 4, 2025

I urge you to remove this item from your agenda and take no action on it until you abide by the California Environmental Quality Act (CEQA) and evaluate the project of which this agenda item is a segment that you are prohibited from evaluating separately because that would be a violation of CEQA.

The proposal in this agenda item seeks to do the same thing that the proponents of the Measure E site did when they identified a parcel of land to be developed without identifying the specific project to be built on the land, and without abiding by CEQA.

The Measure E proponents could ignore CEQA when they chose the acreage to be developed, because ordinances adopted by voters through the initiative process are exempt from CEQA.

The City Council is not exempt from CEQA.

The CEQA project required would identify what needs to be constructed, would evaluate a preferred location and alternatives to that location, and in a situation where multiple parcels might be acquired would consider a different preferred project for each combination of the parcels, as well as alternatives to each of those parcel combinations.

At the August 21, 2023 Council meeting the Council considered a staff report to "Explore Purchase of Property Contiguous to the Regional Water Quality Control Plant (RWQCP) to Meet Current and Future Needs of the RWQCP"
 (file:///C:/Users/PaloAlto%20Patron/Downloads/mini-packet_City%20Council%20Regular%20Meeting_20250504233645021.pdf).

The Council took the following action at that meeting:

MOTION: Council Member Lauing moved, seconded by Council Member Burt to direct staff to:

1. Explore the purchase of property contiguous to the Regional Water Quality Control Plant (RWQCP) to meet current and future space needs and if purchase not available, explore long-term lease options as secondary;
2. Explore funding options to enable purchase of one or more of the three properties

contiguous to the RWQCP; and

3. Return to Council with recommendations for purchase of property contiguous to the RWQCP and to report on the stormwater infiltration and potential use of the 5-acres of the Measure E site. MOTION PASSED: 7-0

The parcel that is the subject of this agenda item was purchased in 2020 together with one of the parcels that was the subject of the August 21, 2023 Council action.

That parcel is located at the corner of Embarcadero Way and Embarcadero Road and has the address 1900 Embarcadero Road and the Assessor's Parcel Number 008-03-071.

The staff report for that 2023 agenda item indicated that the two parcels were acquired for \$72.7 million which is the same amount reported by the Bay Area News Group in December 2020.

I have not had the opportunity to review the deed of transfer to confirm that amount, but the assessed value of those two parcels for the past three years is online, and those values are \$64.2 million (2022), \$65.5 million (2023), and \$69.5 million (2024).

You are prohibited from discussing or acting in Closed Session on the planning issues that apply to any City use, ownership, or lease of the property at 2470 Embarcadero Way.

Therefore, you need to disclose the proposed use of the property and evaluate the environmental use of the property in Open Session at a future Council meeting before going into Closed Session to discuss the lease price and terms of payment.

Having a Closed Session now would be a prejudicial abuse of discretion and a violation of CEQA, and would jeopardize the approval of any future proposed project on the site.

Herb Borock