



CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
May 15, 2023

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

Present In Person: Burt, Kou, Lauing, Lythcott-Haims, Stone, Tanaka, Veenker

Present Remotely: None

Absent: None

Special Orders of the Day

1. Proclamation Recognizing National Police Week – May 14-20, 2023 and National Peace Officers’ Memorial Day – May 15, 2023

Agenda Changes, Additions and Deletions

None

Public Comment

Council Member Questions, Comments and Announcements

None

Study Session

2. Study Session to Discuss Next Steps Following Letter Received on March 13, 2023 from Palo Alto Unified School District titled “Invitation for Cubberley Development Proposals”

No action taken

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Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 6, 8, 10, 11

Council Members Tanaka and Lythcott-Haims requested to pull Item 8.

MOTION: Council Member Burt moved, seconded by Council Member Kou to approve Agenda Item Numbers 3-11

MOTION PASSED Items 3, 5, 7, 9: 7-0

MOTION PASSED Items 6, 10, 11: 6-1, Tanaka no

MOTION PASSED Items 8: 5-2, Tanaka, Lythcott-Haims no

3. Approval of Minutes from May 1, 2023 Meeting

4. Approval of a three-year General Services contract with Johnson Controls Fire Protection, totaling \$423,830, for Automatic Fire Extinguishing Systems Inspection, Testing, and Repair Services; and Approval of a Budget Amendment in the General Fund.

5. QUASI-JUDICIAL. 151 S California Avenue {22PLN-00363}: Ratification of Director's Approval of Waiver from the Retail Preservation Ordinance for an Alternative Viable Use to Allow for a Medical Office Use to Occupy a 3,500 Square Foot Tenant Space. Zone District: CC(2). Environmental Assessment: Exempt from CEQA in Accordance with Guidelines Section 15061(b)(3) and 15301.

6. Approval of a Design-Build Contract with Parking Guidance Systems, LLC in the Amount of \$4,180,217 with Authorization for the City Manager to Negotiate and Execute Change Orders up to a Not-to-Exceed Amount of \$418,022 for the Downtown Automated Parking Guidance System, Access Controls & Revenue Collection Equipment Project, Capital Improvement Program Project PL-15002; and Approval of a Budget Amendment in the Capital Improvement Fund; CEQA status – exempt under CEQA Guidelines Section 15301(c)

7. Adoption of **Resolution 10108** Authorizing the City Manager or their Designee to sign Grant-Related Documents with Caltrans for the Newell Road/San Francisco Creek Bridge Replacement Capital Improvement Program Project PE-12011; CEQA: Environmental Impact Report for the Newell Road Bridge (Resolution No. 9889)

8. Approval of Amendment No. 3 with RossDrulisCusenbery Architecture, Inc. (Contract No. C17165953) to add \$687,500, increasing the not to exceed amount to \$9,725,108, for additional Professional Services for the Public Safety Building Capital Improvement Program Project (PE-

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15001); CEQA: Environmental Impact Report for the PSB and New California Avenue Area Parking Garage (Resolution No. 9772)

9. Amendment No. 5 to the Agreement between the City of Palo Alto and the Friends of the Junior Museum and Zoo for Mutual Cooperation and Support to Extend the Agreement through June 2024 and Accept a \$75,000 Grant for a Community Engagement Specialist; CEQA status – not a project

10. Approval of Professional Services Agreement Contract Number S23184570 with Foster & Foster Consulting Actuaries, Inc. in an Amount Not to Exceed \$147,180 to Provide Actuary Services for a Period of Five Years: CEQA Status – Not a Project

11. Authorization for approval of a Blanket Purchase Order with Granite Rock Company in the Amount of \$500,000 Annually for a Three-Year Term, beginning July 1, 2023 through June 30, 2026, for a Total Not-to-Exceed Amount of \$1,500,000 for Hot Mix Asphalt Materials for Public Works and Utilities Departments; CEQA Status – Not a Project

City Manager Comments

Action Items

12. PUBLIC HEARING: Adoption of a Resolution Providing that the City will Not Levy Assessments for the Downtown Business Improvement District for FY 2024.

MOTION: Vice Mayor Stone moved, seconded by Council Member Veenker to adopt a **Resolution 10109** declining to levy assessments for Fiscal Year 2024 for the Downtown Business Improvement District (BID).

MOTION PASSED: 7-0

13. Update, Discussion, and Potential Direction regarding State and Federal Legislation

MOTION: Council Member Veenker moved, seconded by Council Member Lythcott-Haims to direct staff to take direction on the following bills:

Support

- **AB 1598 (Berman)**
- **SB 2 (Portantino)**

Oppose

- **AB 1637 (Irwin)**

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MOTION PASSED: 7-0

MOTION: Council Member Kou moved, seconded by Council Member Burt to direct staff to take direction on the following bills:

Oppose

- **SB 423**

MOTION PASSED: 4-3, Lythcott-Haims, Tanaka, Veenker no

SUBSTITUTE MOTION: Council Member Tanaka moved, seconded by Council Member Veenker to vote “no position” on SB 423.

MOTION FAILED: 3-4 Burt, Kou, Lauing, Stone no

MOTION: Council Member Lythcott-Haims moved, seconded by Council Member Tanaka that if there is not a unanimous position on a legislative item then the vote be recorded on any resulting letter to contain the vote count.

MOTION PASSED: 7-0

MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to support AB 12.

MOTION PASSED: 6-1, Tanaka no

SUBSTITUTE MOTION: Mayor Kou moved, seconded by Council Member Tanaka to add AB 12 to the Monitor position.

MOTION FAILED: 2-5 Burt, Lauing, Lythcott-Haims, Stone, Veenker no

MOTION: Council Member Lauing moved, seconded by Council Member Veenker support ACA 1.

MOTION PASSED: 5-2, Tanaka, Kou no

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MOTION: Mayor Kou moved, seconded by Council Member Lythcott-Haims to support SB 634.

MOTION PASSED: 7-0

14. PUBLIC HEARING/LEGISLATIVE: Adopt an Ordinance That Changes Palo Alto Municipal Code Chapters 18.04, 18.09, 18.10, 18.12, and 18.40 related to Accessory Dwelling Units and Accessory Structures. Environmental Assessment: Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines sections 15061(b)(3), 15301, 15302 and 15305.

MOTION: Council Member Lauing moved, seconded by Mayor Kou to approve section A and modify language in section 18.09.040(k)(1) Except on corner lots where feasible.

MOTION PASSED: 7-0

MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to approve sections B, C, D and E and adopt the draft ordinance amending Palo Alto Municipal Code Title 18 (Zoning) to amend regulations for Accessory Dwelling Units (ADUs), Junior Accessory Dwelling Units (JADUs), and Accessory Structures, including provision to respond to direction from the department of Housing and Community Development (HCD) and refer D back to the PTC for further refinement and discussion the following:

- Create incentives including exempting or reducing impact fees and plan review fees from affordable units
- Develop incentives for ADUs to be used for housing

MOTION PASSED: 7-0

AMENDMENT TO MOTION: Council Member Tanaka, seconded by Council Member Lythcott-Haims moved to add to the motion: exempt basement floor area from ADUs and JADUs

MOTION FAILED: 2-5 Lauing, Veenker, Stone, Burt, Kou no

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Adjournment: The meeting was adjourned at 11:44 P.M.

ATTEST:

APPROVED:

City Clerk

Mayor

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