



# CITY COUNCIL DRAFT ACTION MINUTES

Regular Meeting  
October 2, 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, Veenker

Present Remotely: Tanaka

Absent:

## Special Orders of the Day

1. Proclamation Recognizing National Fire Prevention Week - October 8-14, 2023

## **NO ACTION**

## Study Session

- ~~2. Request for Pre-Screening of Application to Amend the Development Agreement and South of Forest Area Phase 1 Coordinated Area Plan for 260 Homer Avenue that Currently Restricts the Amount of Space that One or More Commercial Office Tenants can Occupy at the Property. Zoning District: AMF (MUO). CEQA Status: Not a Project. Item Removed Off Agenda~~

## Consent Calendar

3. Approval of Minutes from September 11, 2023 and September 12, 2023 Meetings
4. Adoption of a Resolution Approving and Attesting to the Veracity of the City's 2022 Annual Power Source Disclosure and Power Content Label Reports; CEQA Status: Not a project
5. Authorization to Amend the Existing Contract for Litigation Defense Services with the Law Firm of Liebert Cassidy Whitmore (Contract S20178997) to Increase the Not-to-Exceed Amount to \$110,000 and Extend the Term to December 31, 2023; CEQA – Not a Project

# DRAFT ACTION MINUTES

6. Approve Three Contracts for Landscape Maintenance Services: 1) a Five-year Contract with BrightView Landscape Services, Inc., in the Amount of \$12,288,093; 2) a Five-year Contract with Gachina Landscape Management, Inc., in the Amount of \$516,740; and 3) a Five-year Contract with Grassroots Ecology in the Amount of \$529,459 for Specification for Habitat Restoration in Foothills Nature Preserve and Adobe Creek Pedestrian Bridge Native Plant Restoration; Approval of Contract Amendment No. 2 to Contract C18170810A with BrightView Landscape Services, Inc. to increase the Not to Exceed amount by \$75,152 to provide weekend services for a three-month contract extension; and Approval of Budget Amendments in Multiple Funds (2/3 vote required) as Recommended by the Finance Committee; CEQA status - Categorically exempt per regulation 15301 (existing facilities) and 15304 (minor alterations).
7. Approval of a SaaS Agreement C23188925 with Accela for an Amount Not-to-Exceed \$1,143,563 for Online Planning and Building Permitting and Enhanced Reporting System for a Period of Three-Years and Authorization of a 10% Contract Contingency in an Amount Not-to-Exceed \$114,356; CEQA Status - Not a Project
8. SECOND READING: Adoption of Ordinances Rezoning the Properties Located at 340-404 Portage Avenue, 200-404 Portage Avenue/3040-3200 Park Boulevard, 3201-3225 Ash Street, 3250 Park Boulevard, and 278 Lambert Avenue from RM-30 to Planned Community (PC); and Adoption of an Ordinance Approving a Development Agreement with SI 45, LLC for the 14.65-Acre Property Located at 200-404 Portage Avenue, 3040-3250 Park Boulevard, 3201-3225 Ash Street, and 278 Lambert Avenue. CEQA Status – EIR certified by Council Resolution 10123 (SCH #2021120444)
9. SECOND READING: Ordinance Creating New Chapter 12.11 (Parklets) and Amending Certain Sections of Titles 16 and 18 (FIRST READING: September 11, 2023 PASSED 7-0)
10. SECOND READING: Ordinance Approving a Development Agreement with SI 45, LLC, for the 14.65-acre Property at 200-404 Portage Avenue, 3040-3250 Park Boulevard, 3201-3225 Ash Street, and 270 Lambert Avenue (FIRST READING: September 12, 2023 PASSED 7-0)
11. SECOND READING: Ordinance Amending Section 18.08.040 of the Palo Alto Municipal Code (The Zoning Map) to Change the Classification of Property Located at 340-404 Portage Avenue from Multiple Family Residential (RM-30) to PC Planned Community Zone (FIRST READING: September 12, 2023 PASSED 7-0)

Council Member Tanaka registered a no vote on Agenda Item Number 6.

**MOTION:** Mayor Kou moved, seconded by Council Member Lauing to approve Agenda Item Numbers 3-11.

# DRAFT ACTION MINUTES

## MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PASSED ITEMS 3-5, 7-11: 7-0

MOTION PASSED ITEM 6: 6-1, Tanaka no

### Action Items

12. Receive the Human Relation Commission's Recommendations on the Evaluation and Celebration of Additional Dates to Advance Race & Equity, Including Through City Recognition and City Paid Holidays and Provide Direction to Staff on Further Actions. CEQA status – not a project.

**MOTION:** Vice Mayor Stone moved, seconded by Council Member Lythcott-Haims to:

1. Receive the Human Relation Commission's recommendations responding to the Council referral on the evaluation and celebration of additional dates to Advance Race & Equity; and,
2. Direct staff to further review and refine the proposed standard framework and procedure for considering City recognition of events, individuals, and celebrations; and,
3. Direct staff to include consideration of Juneteenth as a paid holiday as part of it's next round of labor contract negotiations through meet-and-confer, and;
4. Direct staff to implement the HRC recommendation to recognize Dolores Huerta Day and Cesar Chavez Day as independent dates of significance as non-paid holidays, and;
5. Direct staff to remove Italian-American Heritage from the 2<sup>nd</sup> Monday in October, and that the City will solely recognize Indigenous Peoples' Day.

## MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PASSED 1-2, 4-5: 7-0

MOTION PASSED 3: 4-3, Tanaka, Kou, Lauing no

13. Proposed Amendments to Palo Alto Municipal Code Title 18 (Zoning) Chapters 18.04 (Definitions), 18.10 (Low-Density Residential), 18.12 (R-1 Zones), 18.13 (Multiple Family Residential Zones), 18.40 (General Standards and Exceptions), and 18.54 (Parking Facilities Design Standards) to Facilitate Implementation of Green Building Standards, Including Noise Standards and Placement of Obstructions Within Garages and Exterior Setback Encroachments for Electrification Equipment Such as Heat Pumps, Energy Storage

# DRAFT ACTION MINUTES

Systems and Electric Vehicle Charging Stations, and to Title 9 (Public Peace, Morals and Safety) Chapter 9.10 (Noise) to Facilitate the Installation of Electrification Equipment for Residential Development as Recommended by the Planning and Transportation Commission. CEQA Status – Exempt under CEQA Guidelines sections 15061(b)(3) and 15301.

**Council Member Lythcott-Haims recused herself from this item.**

**MOTION:** Council Member Burt moved, seconded by Council Member Veenker to adopt the draft ordinance amending the Title 18 and Palo Alto Municipal Code Chapter 9.10 to further facilitate the installation of electrification equipment in residential neighborhoods with the following modifications and direction:

1. Increase the base noise standards by 3 decibels for all heat pumps, and by 5 decibels for heat pumps with inverters, and to create a comprehensive list of heat pump equipment.
2. Direct staff to evaluate the following for future refinements to the ordinance:
  - a. Evaluate allowing units with higher manufactured dB ratings provided that the sound is attenuated, and;
  - b. Explore the streamline testing protocol for nonstandard equipment, and;
  - c. The Development Center receives this information as soon as possible to disseminate for anyone looking at heat pumps or other HVAC equipment.

**MOTION PASSED: 6-0-1, Lythcott-Haims recused**

Adjournment: The meeting was adjourned at 8:59 P.M.

# DRAFT ACTION MINUTES

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.