



**City Council  
Special Meeting  
Tuesday, June 21, 2022  
3:00 PM  
Council Chamber & Virtual  
Amended Agenda**

Amended agenda items appear in Red on the agenda below.

**\*\*Times updated on 6/21/22**

Pursuant to [AB 361](#) Palo Alto City Council meetings will be held as “hybrid” meetings with the option to attend by teleconference/video conference or in person. To maximize public safety while still maintaining transparency and public access, members of the public can choose to participate from home or attend in person. Information on how the public may observe and participate in the meeting is located at the end of the agenda. Masks are strongly encouraged if attending in person.

## **HOW TO PARTICIPATE**

### **VIRTUAL PARTICIPATION**

**[CLICK HERE TO JOIN](https://cityofpaloalto.zoom.us/j/362027238)** (<https://cityofpaloalto.zoom.us/j/362027238>)

**Meeting ID: 362 027 238 Phone: 1(669)900-6833**

The meeting will be broadcast on Cable TV Channel 26, live on YouTube at <https://www.youtube.com/c/cityofpaloalto>, and streamed to Midpen Media Center at <https://midpenmedia.org>.

### **TIME ESTIMATES**

Time estimates are provided as part of the Council's effort to manage its time at Council meetings. **Listed times are estimates only and are subject to change at any time, including while the meeting is in progress.** The Council reserves the right to use more or less time on any item, to change the order of items and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public.

### **REVISED PUBLIC COMMENTS**

Public Comments will be accepted both in person and via Zoom for up to three minutes or an amount of time determined by the Chair. All requests to speak will be taken until 5 minutes after the staff's presentation. Written public comments can be submitted in advance to [city.council@cityofpaloalto.org](mailto:city.council@cityofpaloalto.org) and will be provided to the Council and available for inspection on the City's website. Please clearly indicate which agenda item you are referencing in your email subject line.

PowerPoints, videos, or other media to be presented during public comment are accepted only by email to [city.clerk@cityofpaloalto.org](mailto:city.clerk@cityofpaloalto.org) at least 24 hours prior to the meeting. Once received, the City Clerk will have them shared at public comment for the specified item. To uphold strong cybersecurity management practices, USB's or other physical electronic storage devices are not accepted.

## CALL TO ORDER

### CLOSED SESSION (3:00 - 4:30 pm)

#### AA1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

Property: 1237 San Antonio Road

Negotiating Party: LifeMoves, a California Nonprofit Public Benefit Corporation

City Negotiators: Ed Shikada, Kiely Nose, Chantal Cotton Gaines, Sunny Tong, Rachael Tanner, Albert Yang

Subject of Potential Negotiations: Lease Terms (3:00 pm – 4:00 PM)

### AGENDA CHANGES, ADDITIONS AND DELETIONS

- The City Council continued Item 1: Closed Session from 6/20 to 6/21
- Item 3 was differed to a future date
- Item 2 will be heard after Item 4.

### PUBLIC COMMENT (4:30 – 4:45 PM)

*Members of the public may speak to any item NOT on the agenda. Council reserves the right to limit the duration of Oral Communications period to 30 minutes.*

### CONSENT CALENDAR

*Items will be voted on in one motion unless removed from the calendar by three Council Members.*

1. Approval of Amendment Number 2 to Contract #C21180324 with Canopy to Add to the Scope of Services, Extend the Term through June 30, 2024, and Increase the Not-to-Exceed Amount of the Contract by \$742,210, for a New Not to Exceed Amount of \$967,720; and Approval of a Budget Amendment in the General Fund in FY 2023  
*Late packet report added*

### ACTION ITEMS

*Include: Reports of Committees/Commissions, Ordinances and Resolutions, Public Hearings, Reports of Officials, Unfinished Business and Council Matters.*

2. Adoption of a Temporary Emergency Ordinance Requiring a Conditional Use Permit to Establish a Firearms Dealer Retail Use. Environmental Assessment: Exempt under CEQA Guidelines 15061(c)(3).  
*(5:45-6:45 PM, To be heard after Item 4)*
3. Urgency Ordinance of the Council of the City of Palo Alto Imposing a Temporary Moratorium on the Approval of Development Entitlements or Building Permits that Entail the Storage, Use, or Handling of Hazardous Materials Within the General Manufacturing (GM) District, Research, Office and Limited Manufacturing (ROLM) District, and Research Park (RP) District *(Removed from Agenda)*
4. 1237 San Antonio Road (22PLN-0114 and 22PLN-00113) Project Homekey: Staff and the Applicant (LifeMoves) Update to City Council

Q&A

Presentation

on This Project and Request for Consideration of a Third Story Design Option. Zoning District: PF (Public Facilities) *Late packet report added (4:45-5:45 PM)*

5. Colleagues Memo: Adopt A Resolution Regarding Reproductive Rights for Palo Alto Residents (6:45 – 7:15 PM) *Title Updated*

#### COUNCIL MEMBER QUESTIONS, COMMENTS, ANNOUNCEMENTS

*Members of the public may not speak to the item(s)*

#### ADJOURNMENT

#### OTHER INFORMATION

Standing Committee Meetings - None

Public Comment Letters

Schedule of Meetings

#### AMENDED AGENDA ITEMS

*Items that have been added/modified from the original publication of the agenda are listed below. Any corresponding materials are appended to the end of the initial packet. If full items have been added to the Agenda, they will be denoted with a number starting with AA, meaning Amended Agenda item.*

#### **AA1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**Authority: Government Code Section 54956.8**

**Property: 1237 San Antonio Road**

**Negotiating Party: LifeMoves, a California Nonprofit Public Benefit Corporation**

**City Negotiators: Ed Shikada, Kiely Nose, Chantal Cotton Gaines, Sunny Tong, Rachael Tanner, Albert Yang**

**Subject of Potential Negotiations: Lease Terms (3:00 pm – 4:00 PM)**

1. Approval of Amendment Number 2 to Contract #C21180324 with Canopy to Add to the Scope of Services, Extend the Term through June 30, 2024, and Increase the Not-to-Exceed Amount of the Contract by \$742,210, for a New Not to Exceed Amount of \$967,720; and Approval of a Budget Amendment in the General Fund in FY 2023 *Late packet report added*
4. 1237 San Antonio Road (22PLN-0113 and 22PLN-00114) Project Homekey: Staff and Applicant (LifeMoves) Update to City Council as to Project Status and Request for Direction on a Third Story Design Option. Zoning District: PF (Public Facilities) *Late packet report added*

5. Colleagues Memo: Adopt A Resolution Regarding Reproductive Rights for Palo Alto Residents (7:15 – 7:45 PM) *Title Updated*

## **PUBLIC COMMENT INSTRUCTIONS**

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. **Written public comments** may be submitted by email to [city.council@cityofpaloalto.org](mailto:city.council@cityofpaloalto.org).
2. **Spoken public comments using a computer** will be accepted through the teleconference meeting. To address the Council, click on the link below to access a Zoom-based meeting. Please read the following instructions carefully.
  - A. You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
  - B. You may be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
  - C. When you wish to speak on an Agenda Item, click on "raise hand." The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
  - D. When called, please limit your remarks to the time limit allotted.
  - E. A timer will be shown on the computer to help keep track of your comments.
3. **Spoken public comments using a smart phone** will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below. Please follow the instructions B-E above.
4. **Spoken public comments using a phone** use the telephone number listed below. When you wish to speak on an agenda item hit \*9 on your phone so we know that you wish to speak. You will be asked to provide your first and last name before addressing the Council. You will be advised how long you have to speak. When called please limit your remarks to the agenda item and time limit allotted.

[CLICK HERE TO JOIN](#) **Meeting ID: 362 027 238 Phone:1(669)900-6833**





## City of Palo Alto City Council Staff Report

(ID # 14520)

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Meeting Date: 6/21/2022

Report Type:

**Title: Approval of Amendment Number 2 to Contract #C21180324 with Canopy to Add to the Scope of Services, Extend the Term through June 30, 2024, and Increase the Not-to-Exceed Amount of the Contract by \$742,210, for a New Not to Exceed Amount of \$967,720; and Approval of a Budget Amendment in the General Fund in FY 2023**

**From: City Manager**

This report will be a late packet report and will be made available on June 16, 2022.



## City of Palo Alto City Council Staff Report

(ID # 14514)

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**Report Type: Action Items**

**Meeting Date: 6/21/2022**

**Summary Title: Firearms Dealership Emergency Ordinance**

**Title: Adoption of a Temporary Emergency Ordinance Requiring a Conditional Use Permit to Establish a Firearms Dealer Retail Use. Environmental Assessment: Exempt under CEQA Guidelines 15061(c)(3).**

**From: City Manager**

**Lead Department: Planning and Development Services**

### **Recommendation:**

Staff recommends that Council adopt a temporary emergency ordinance to require a conditional use permit to establish a firearms dealership.

### **Background:**

A firearms dealer is a person engaged in the business of selling, transferring, or leasing, or advertising for, sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm. In Palo Alto, a firearms dealer is considered a retail land use and is allowed where retail is permitted or conditionally permitted, subject to approval of a firearms permit from the Police Chief. A firearms permit has several objective standards that if met, requires the issuance of a permit. One criterion restricts firearm dealerships within 250 feet of zoning district where housing is a principal use, daycare centers, schools, massage establishments and other land uses. Based on these parameters, a firearms dealership could be established in certain areas of the City. These locations are shown in Attachment A and includes portions of the Stanford Research Park, which is not anticipated to be a likely location for such a land use.

Staff is bringing this policy discussion forward in part due to a recent inquiry received at the public planning counter regarding permissible locations for a firearms dealership in the City. To establish a firearms dealership, an individual would need to find a qualifying site (Attachment A), identify an available building or tenant space and willing property owner to lease the premises and obtain a firearms dealership permit from the Police department.

In many surveyed bay area jurisdictions, a conditional use permit is required to establish a firearms dealership. Palo Alto also requires a conditional use permit when retail is a conditional use in a zoning district but would allow it by right where retail is a permitted land use. At present, based on the location of various land uses highlighted above, the only available properties that could accommodate a firearms dealership also require a conditional use permit. However, this could change if certain land uses discontinue, such as a massage establishment, altering the location of where a firearms dealership may be located.

### **Discussion:**

Staff recommends that the City's policy for firearms dealerships be consistent in requiring a conditional use permit regardless of whether the underlying zoning would otherwise permit retail by right.

Approval of the emergency ordinance requires four-fifths of the Council members present for passage. If the Council supports staff's recommendation to require a conditional use permit for any firearms dealership and the recent public inquiry to locate such a facility in the City warrants timely action, the City Council may adopt the subject ordinance. If adopted, the ordinance would be initially effective for 45 days and could then be extended for a period of time for staff to make the necessary changes to the municipal code.

Alternatively, the Council could direct staff to process an amendment through an interim ordinance, which does not require a super majority, but does require two readings and a 30 day referendum period before it takes effect. The Council could also determine that an amendment is not necessary at this time.

### **Summary of Key Issues:**

Firearms dealerships are considered retail uses in the City and are permitted by right where retail uses are allowed or conditionally permitted where retail uses are conditionally permitted (generally industrial/manufacturing/research districts). A variety of other requirements apply to firearm dealerships set forth in Palo Alto Municipal Code Chapter 4.57.<sup>1</sup>

The location of where firearms dealerships may be located can change when certain land uses are discontinued. Presently, a conditional use permit is required for firearms dealerships.

The proposed ordinance would require all firearms dealerships to obtain a conditional use permit, even where retail is otherwise permitted.

### **Resource Impact:**

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<sup>1</sup> [https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto\\_ca/0-0-0-64381](https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-64381)

There are no significant resource impacts associated with this action.

**Timeline:**

If adopted, the temporary emergency ordinance will be effective for an initial period of 45 days, after which it may be extended, in stages, for up to a total of two years. A permanent ordinance may be adopted following a hearing before the Planning and Transportation Commission.

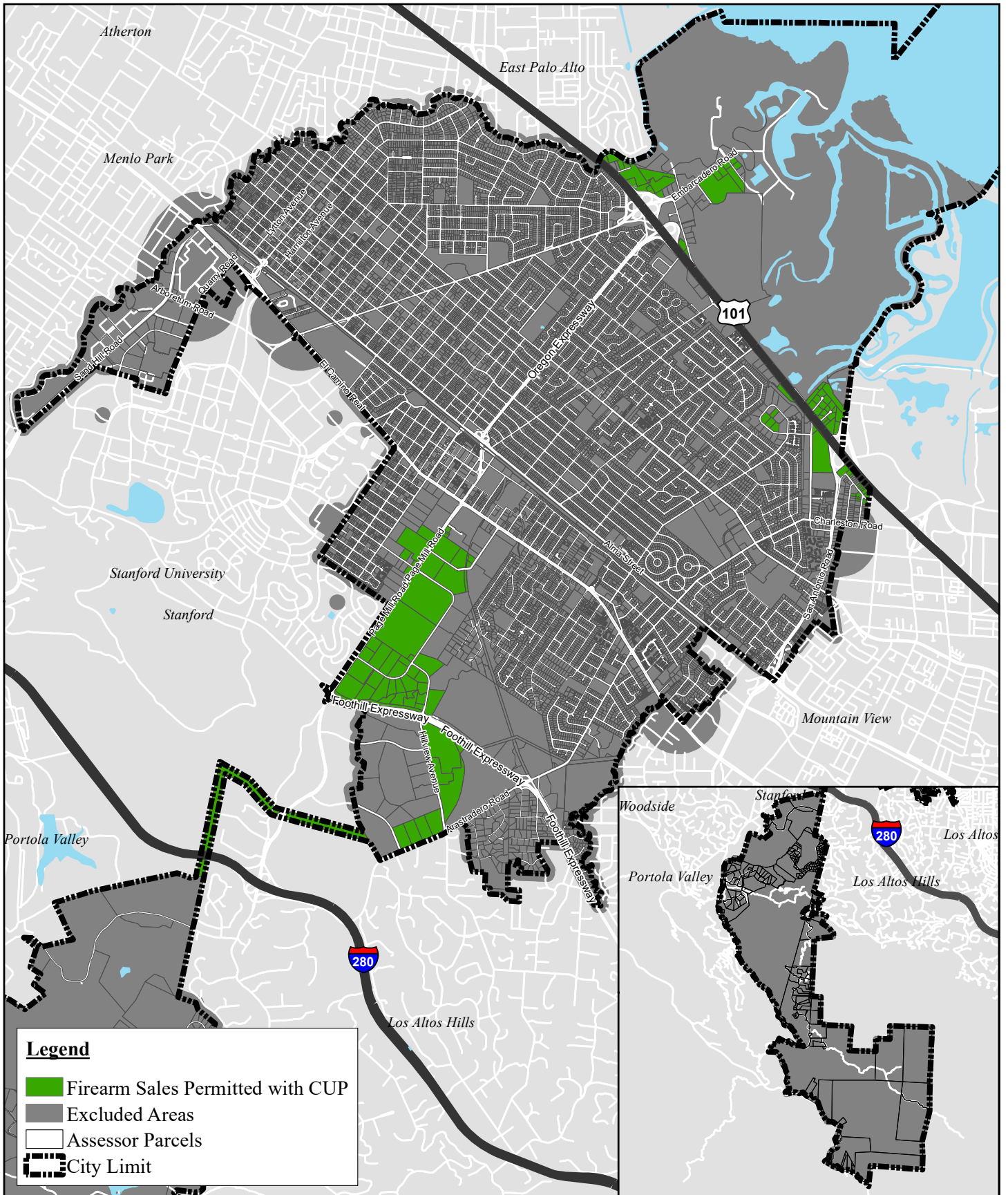
**Environmental Review:**

Adoption of the attached ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(c)(3), because it can be seen with certainty that there is no possibility of a significant adverse impact on the environment.

**Attachments:**

**Attachment2.a:      Attachment A: Firearms Dealerships Allowed Locations (June 2022)**  
**(PDF)**

**Attachment2.b:      Attachment B: Ordinance Adopting a Requirement that Firearms Retail**  
**Service Uses Obtain a Conditional Use Permit      (PDF)**



The City of  
Palo Alto



Firearms Business Siting  
Municipal Code Analysis  
Scenario 2: Flexible Residential

This map is a product of  
City of Palo Alto GIS



0 0.425 0.85  
Miles

\*NOT YET APPROVED\*

Ordinance No. \_\_\_\_\_

Ordinance of the Council of the City of Palo Alto Adopting a Requirement that  
Firearms Retail Service Uses Obtain a Conditional Use Permit

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

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. Firearm injuries have a significant adverse impact on public health and safety nationally, in the State of California, and locally.

B. Each year more than twenty-three thousand (23,000) United States residents die by firearm suicide, fourteen thousand (14,000) die by firearm homicide, and nearly five hundred (500) die from unintentional firearm injuries. In California, between 2005 and 2015, nearly four thousand (4,000) children and teenagers were killed or injured with firearms, and five hundred thirty-three (533) children and teenagers committed suicide with firearms, according to data from the Center for Disease Control and Prevention. Between 2010 and 2014 in Santa Clara County, thirty-one percent (31%) of emergency department visits and sixteen percent (16%) of hospitalizations from firearm injuries were due to unintentional shootings.

C. Between 2002 and 2015, over 350,000 firearms were sold in Santa Clara County. Total gun sales have increased nationally since then. In 2020, the number of firearm sales across the United States exceeded the previous year by nearly 64%.

D. Access to firearms has a significant impact on public peace, health and safety. A 2014 review in the Annals of Internal Medicine suggests that access to firearms within the home doubles the risk that family members will become a victim of homicide, and triples the risk of suicide. A study in the New England Journal of Medicine in 2020 found that handgun ownership is associated with eight (8) times greater likelihood for firearm suicide among men, and thirty-five (35) times greater likelihood of firearm suicide among women.

E. Firearm retailers provide a valuable service to individuals who wish to legally purchase and possess firearms. At the same time, a firearm retailer increases access to firearms around their retail location.

\*NOT YET APPROVED\*

F. Because increased access to firearms is associated with great risk to public peace, health and safety, the City should carefully consider the impacts of any firearm retail use. Requiring a firearm retailer to acquire a Conditional Use Permit, as defined in Section 18.17.010 of the Palo Alto Municipal Code (Conditional Use Permit), would allow the City to analyze the possible effect a firearm retail use may have on public facilities or surrounding uses.

G. The City Council declares that this emergency ordinance is necessary as an emergency measure to preserve the public peace, health and safety in order to ensure that the City can thoroughly evaluate the effect that a new firearm retail service land use would have on the public peace, health or safety in surrounding areas.

H. Through this Ordinance, the City Council desires to require entities wishing to provide firearm retail services in the City of Palo Alto to obtain a Conditional Use Permit.

#### SECTION 2. City Manager Authorization

The City Manager or his or her designee(s) may promulgate guidelines and implement regulations regarding permits described in this Ordinance as long as such regulations do not conflict with this Ordinance or the Palo Alto Municipal Code.

#### SECTION 3. Conditional Use Permits for Firearm Retail Service Uses

A. In addition to a Firearms Dealer permit pursuant to Chapter 4.57 of the Palo Alto Municipal Code (Firearms Dealers), a Conditional Use Permit (CUP) is required for the establishment or modification of any firearm retail service use in the City of Palo Alto. Proposals to change the nature of a use to include firearm retail service shall be subject to issuance of a CUP.

B. Section 18.17.010 (Conditional Use Permit (CUP)) and Chapter 18.76 (Processing of Permits and Approvals) shall govern the application process for CUPs sought pursuant to this Ordinance.

SECTION 4. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the



\*NOT YET APPROVED\*

fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 6. This ordinance shall be effective immediately upon adoption by a four-fifths vote of the City Council and shall expire on the 45<sup>th</sup> day after its adoption unless extended by the City Council.

SECTION 7. This Ordinance shall not be codified.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Planning and  
Development Services



## City of Palo Alto City Council Staff Report

(ID # 14507)

**Report Type: Action Items**

**Meeting Date: 6/21/2022**

**Summary Title: Hazardous Materials (Tier 2) Emergency Ordinance**

**Title: Urgency Ordinance of the Council of the City of Palo Alto Imposing a Temporary Moratorium on the Approval of Development Entitlements or Building Permits that Entail the Storage, Use, or Handling of Hazardous Materials Within the General Manufacturing (GM) District, Research, Office and Limited Manufacturing (ROLM) District, and Research Park (RP) District**

**From: City Manager**

**Lead Department: Planning and Development Services**

### **Recommendation:**

Staff recommends that Council adopt an urgency ordinance imposing a temporary moratorium on the approval of development entitlements or building permits that entail the storage, use, or handling of hazardous materials within the General Manufacturing (GM) District, Research, Office and Limited Manufacturing (ROLM) District, and Research Park (RP) District.

### **Background:**

On March 21, 2022, as part of the City's Housing Element update, the City Council reviewed and endorsed a recommended list of housing opportunity sites identified by staff, the housing element working group and planning and transportation commission. This list of housing sites are areas where the City anticipates planning for over 6,600 housing units over the next eight year housing cycle and includes locations within the Stanford Research Park and other industrial areas of the City.

Through a regular departmental coordination meeting between the City's planning and building programs, management staff connected the Council's housing policy interests to an increase in tenant improvement applications to establish lab space in various locations in the City. These facilities typically contain hazardous materials that are regulated locally and by the State. The zoning code prohibits certain quantities of hazardous materials from being located within 300 feet of a residentially zoned property; a conditional use permit is required to handle, store, or

use hazardous materials if there is a residential zone between 300 and 600 feet.

Staff has since obtained more information about the pending applications and reviewed the City's regulatory framework and procedures for processing applications with hazardous materials. Based on this review, staff recommends the City pause certain development activity that uses hazardous materials in certain zoning districts while the City considers the policy implications of these land uses and to clarify municipal code regulations.

### **Discussion:**

What started as an observation of increased lab space applications in the City and a policy exploration as to how this may impact future housing production in the City revealed other concerns related to the City's standards regulating hazardous materials.

To give time to sort through these policy and regulatory issues, staff recommends the City Council adopt an urgency ordinance imposing a temporary moratorium on the issuance of a building permit or planning entitlement that involves the handling, storage or use of Tier 2 hazardous materials in the Stanford Research Park and two other industrial zoning districts, General Manufacturing (GM) and Research, Office and Limited Manufacturing (ROLM).<sup>1</sup> These districts permit the type of land uses that would be subject to the City's hazardous materials regulations, but are also areas where the City Council has expressed an interest in creating future housing opportunities.

An interim urgency ordinance requires a four-fifths vote from City Council members present at the hearing for passage and would take effect immediately upon adoption. The urgency ordinance would automatically expire after 45 days, unless extended by the Council. The effective term of the urgency ordinance may be extended by the Council for a total period not to exceed 2 years. With the upcoming summer recess, staff anticipates requesting an extension in August 2022.

### **Policy Issue: Research and Laboratory Uses as Potential Constraints on Housing Opportunity Sites**

Through the Housing Element update, the City identified several housing opportunity sites in the Stanford Research Park and two industrial/manufacturing districts where certain hazardous materials are permissible. Hazardous materials are defined in the zoning code based on a tiered classification.<sup>2</sup> New Tier 2 hazardous materials facilities must be located 300 feet away from

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<sup>1</sup> Under current zoning, GM and ROLM zones are primarily located along the southern (San Antonio Road) and eastern (East Bayshore and West Bayshore Roads) edges of the City.

<sup>2</sup> Tier 1 means uses with quantities of hazardous materials that are not defined as Toxic or Highly Toxic hazardous materials and that are both above the threshold quantities in Health and Safety Code Division 20, Chapter 6.95 and below the Title 19 thresholds of the California Code of Regulations.

residential land uses and sensitive receptors.

There are seven pending applications involving hazardous materials on file with the City, including four applications within the Stanford Research Park. Staff understands from Stanford University representatives that, as landowner, the University does not permit new Tier 2 hazardous materials from being handled, stored or used within the Research Park. Accordingly, staff does not anticipate the subject moratorium will have a significant impact on pending applications in the Research Park.

The three other pending applications are in the GM and ROLM districts; it is unknown at this time if those proposed facilities intend to use hazardous materials that may qualify as Tier 2. Staff working on the Housing Element have already removed some housing sites from the housing opportunity list due to its proximity to existing Tier 2 facilities. New Tier 2 facilities in these districts could undermine the City's interest in placing more housing units in this part of the City.

#### Regulatory Issue: Ambiguity and Potential Inconsistencies in the City's Hazardous Materials Ordinances

In addition to the housing policy considerations, staff's review of the different tiered hazardous materials definitions in the zoning code are potentially problematic and may require revision. For example, a Tier 2 use is one that achieves two requirements: first the quantity of the toxic or highly toxic hazardous material must be above a certain threshold as set forth in the Health and Safety Code, and below other thresholds in the California Code of Regulations.

In conversation with City staff and consultants, the referenced codes in the tiered definitions do not always align. A toxic material listed in the Health and Safety Code may not be listed in the California Code of Regulations making it difficult to correctly classify the proposed facility into the appropriate tier. Moreover, in some instances, the California Code of Regulations threshold may be below the Health and Safety Code standard, further complicating the proper categorization. A significant amount of staff and consultant time is spent reviewing these applications and the consequence of making an error is too great a concern to leave these standards in place without further clarity. The proposed temporary moratorium would allow staff time to study and prepare possible revisions the City's fire and zoning regulations related

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Tier 2 means uses with quantities of Toxic or Highly Toxic hazardous materials that are both above the threshold quantities in Health and Safety Code Division 20, Chapter 6.95 and below the Title 19 thresholds of the California Code of Regulations.

Tier 3 means uses with quantities of hazardous materials above the Title 19 thresholds of the California Code of Regulations.

to hazardous materials.

#### Regulatory Issue: Hazardous Material Control Areas

Another potential regulatory concern involves the State-authorized use of control areas in B-occupancy buildings. Typically, a facility that handles, stores or uses hazardous materials is in an H-occupancy building as defined in the building and fire code. Such buildings have certain seismic, ventilation and other requirements to safely store and contain hazardous materials. The State also allows business or B-Occupancy buildings, which are typical commercial buildings, to include control areas within the building designed to meet certain building and fire code standards. The amount of materials stored within a control room can be increased if there are fire sprinklers and other safety measures incorporated into the design. Depending on the size and number of stories of the building, there may be several control areas within a building on each floor. At present, staff is reviewing these projects for compliance with applicable codes.

If the moratorium on Tier 2 hazardous materials is approved by Council, staff would also like to further explore whether it would be feasible and appropriate to impose stricter standards at a local level to limit the overall quantity of hazardous materials within a building. Many of the City's zoning districts that permit hazardous materials are also in proximity to sensitive land uses and residentially zoned properties.

#### **Summary of Key Issues:**

Staff is seeing an increase in building permit applications for the handling, storage and use of hazardous materials. Depending on the type and quantity of materials being used, establishment of these land uses may frustrate the City's interest to place housing in certain areas of the City. Staff recommends a temporary moratorium on Tier 2 hazardous materials to allow time to explore this policy concern and make recommended changes to the hazardous materials municipal code regulations to improve clarity and administration of these requirements.

#### **Policy Implications:**

If the moratorium is approved, some pending applications requesting to handle, store and use hazardous materials may be prevented from obtaining a building permit. At this time staff is unable to determine specifically which projects may be impacted as it is still working with applicants to properly classify the proposed hazardous materials facility into the property tiered category.

Beyond the pending applications, there are two other policy considerations, one involving the use of control areas and whether the City can or wants to enact stricter standards than State code due to the proximity of these uses to sensitive receptors. Another policy consideration relates to future housing sites in Palo Alto. Specifically, does the City want to limit the

expansion of Tier 2 hazardous materials to potentially preserve more housing opportunity sites – or does the City want to explore other housing strategies through the Housing Element process to make up for the potential forgone opportunity of some previously identified sites.

### **Resource Impact:**

The recommendation in this report does not initially have any fiscal impacts. To provide a more timely review and response to the key issues, consultant services may be necessary to augment staff work. Staff has not identified a funding source at this time but it is anticipated any costs can be absorbed through department budgets.

### **Timeline:**

The interim ordinance would take place immediately upon adoption and last for 45 days. Before this deadline expires staff would return with an extension for additional time to complete the task, initially estimated to be about 4 months.

### **Stakeholder Engagement:**

Staff reached out to representatives of the Stanford Research Park to advise the University of the proposed temporary moratorium. Additional outreach to the broader community would follow after adoption of the moratorium and for the drafting of potentially new, clarifying regulations.

### **Environmental Review:**

Council action on the proposed ordinance is statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 20180(b)(4) (specific actions necessary to mitigate or prevent an emergency) and is categorically exempt from CEQA under CEQA Guidelines Sections 15301 (existing facilities) and 15304(e) (minor temporary use of land having negligible or no permanent effects on the environment).

### **Attachments:**

**Attachment 3.a:      Attachment A: Hazardous Materials (Tier 2) Urgency Ordinance      (PDF)**

NOT YET APPROVED

Ordinance No. \_\_\_\_

Urgency Ordinance of the Council of the City of Palo Alto Imposing a Temporary  
Moratorium on the Approval of Development Entitlements or Building Permits that  
Entail the Storage, Use, or Handling of Hazardous Materials Within the General  
Manufacturing (GM) District, Research, Office and Limited Manufacturing (ROLM)  
District, and Research Park (RP) District

The Council of the City of Palo Alto does ORDAIN as follows:

**SECTION 1.** The Council of the City of Palo Alto finds and determines as follows:

- A. The Council, pursuant to its police powers, has broad authority to maintain public peace, health, and safety of its community and preserving the quality of life for its residents.
- B. Palo Alto Municipal Code Section 2.04.270 authorizes the adoption of an urgency ordinance to protect the public peace, health or safety, where there is a declaration of the facts constituting the urgency and the ordinance is adopted by four-fifths of Council Members present.
- C. Section 65858 of the California Government Code authorizes the Council to adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City is considering or studying or intends to study within a reasonable time; such a measure must be adopted by four-fifths vote of the Council.
- D. Palo Alto Municipal Code Section 18.80.080 authorizes the Council, on its own initiative, to make changes to provision of Title 18 Zoning, which shall then be forwarded to the Planning Commission for review and recommendation.
- E. Palo Alto Municipal Code Title 15 (Fire Code) and Title 17 (Hazardous Materials Storage) regulate the storage, use, and handling of hazardous materials, as that term is defined therein, for purpose of protecting health, life, resources, and property.
- F. Palo Alto Municipal Code Title 18 (Zoning) regulates the development of sites in multi-family, commercial, industrial, and planned community zoning districts that will entail the storage, use, or handling of hazardous materials, as that term is defined therein, for the purpose of minimizing hazards and balancing the needs of such developments with the need to minimize impacts to surrounding neighborhoods and businesses.
- G. Palo Alto Municipal Code Section 18.23.100 classifies hazardous materials uses into tiers based on whether the use involves “toxic” or “highly toxic” hazardous materials, and



NOT YET APPROVED

whether the hazardous materials are present in quantities above thresholds contained in certain state and federal regulations.

- H. City of Palo Alto staff has identified ambiguous and uncertain criteria within the municipal code that could result in a hazardous material use being misclassified into the incorrect tier.
- I. An urgency ordinance that is effective immediately is necessary to avoid the immediate threat to public peace, health, and safety that could result from a potential misclassification of a hazardous material use.
- J. Palo Alto Municipal Code Section 18.23.100 requires a minimum 300 foot buffer between Hazardous Materials Tier 2 uses and sensitive receptors or residential zones, and requires that Hazardous Materials Tier 2 uses within 600 feet of sensitive receptors or residential zones submit an emergency response plan to the City of Palo Alto Fire Department and obtain a Conditional Use Permit.
- K. An urgency ordinance that is effective immediately is necessary to avoid the immediate threat to public peace, health, and safety that could result in the establishment of Hazardous Materials Tier 2 uses in close proximity to housing opportunity sites, thereby frustrating the City's goals, policies, programs for additional housing development.

**SECTION 2.** During the effective term of this Ordinance, and notwithstanding subsection vi of paragraph B of Section 18.23.100 of the Municipal Code, no development entitlements shall be approved or building permits issued for "Hazardous Materials Tier 2" uses located within the zoning districts designated General Manufacturing (GM), Research, Office and Limited Manufacturing (ROLM), or Research Park (RP).

**SECTION 3.** Notwithstanding any provision contained in the Municipal Code to the contrary, the time to act on any application for development entitlement or building permit affected by this urgency ordinance shall be extended for a period equal to the effective term of this urgency ordinance.

**SECTION 4.** Consistent with Section 18.80.080 of the Municipal Code, a copy of this Ordinance and the accompanying staff report shall be forwarded to the Planning and Transportation Commission to facilitate its review and recommendation.

**SECTION 5. Severability.**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City

NOT YET APPROVED

Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6. CEQA.**

The Council finds that the Ordinance is statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 20180(b)(4) (specific actions necessary to mitigate or prevent an emergency) and is categorically exempt from CEQA under CEQA Guidelines Sections 15301 (existing facilities) and 15304(e) (minor temporary use of land having negligible or no permanent effects on the environment).

**SECTION 7. Uncodified.**

This ordinance shall not be codified.

**SECTION 8. Effective Date and Term.**

This ordinance shall be effective immediately upon its adoption by four-fifths of the City Council and shall expire 45 days thereafter unless extended by four-fifths of the City Council.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

APPROVED:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Planning and Community Environment



# City of Palo Alto

## City Council Staff Report

(ID # 14517)

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**Meeting Date: 6/21/2022**

**Report Type: Action Items**

**Title: 1237 San Antonio Road (22PLN-0114 and 22PLN-00113) Project**  
**Homekey: Staff and the Applicant (LifeMoves) Update to City Council on This Project and Request for Consideration of a Third Story Design Option. Zoning District: PF (Public Facilities)**

**From: City Manager**

This report will be a late packet report and will be made available on June 16, 2022.



## City of Palo Alto

### COLLEAGUES MEMO

**DATE:** June 21, 2022

**TO:** City Council Members

**FROM:** Council Member Stone, Council Member Burt, Council Member Kou

**SUBJECT:** COLLEAGUES MEMO: ADOPT A RESOLUTION REGARDING  
REPRODUCTIVE RIGHTS FOR PALO ALTO RESIDENTS

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#### Issue:

On May 2, 2022, Politico published a story revealing a leaked draft opinion in the case *Dobbs v. Jackson Women's Health Organization*.<sup>1</sup> This decision, although not final, reveals the intention of the United States Supreme Court to overturn the well-established precedent of *Roe v. Wade* and *Casey v. Planned Parenthood*, stating in part, "We hold that *Roe* and *Casey* must be overruled. The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision." The draft opinion goes on to delegate the authority of legislating on abortion to the states, "The Constitution does not prohibit the citizens of each State from regulating or prohibiting abortion . . . *Roe* and *Casey* arrogated that authority. We now overrule those decisions and return that authority to the people and their elected representatives."

About half of the states have already indicated they will swiftly impose laws banning abortion immediately upon the termination of the *Roe* and *Casey* precedents. At that time, millions of women across the country will have their right to bodily autonomy eliminated by this decision. Several states have gone even further by proposing dubious legislation that would prohibit women from seeking abortions outside their state.

#### Background and Discussion:

One of the City Council's priorities for 2022 is Community Health and Safety. The right to reproductive healthcare is critical, and the constitutional guarantee of bodily autonomy has been protected since the *Roe* decision in 1973. With these rights set to be eliminated at the end of June when the *Dobbs* decision is likely to be published, millions of women across the nation will lose their right to choose what to do with their own bodies.

A longstanding priority of this Council has been social justice and equity, which is implicit in this

year's Council priorities. The Court's decision is a direct assault on the equal treatment of women in our country as targeting laws at a portion of the population is nothing less than

discrimination. This decision will be an attack on all women's rights, but will most profoundly impact women of color, impoverished women, immigrants, and our youth.

Amnesty International has advocated for access to safe abortions as a human right<sup>2</sup>, and the World Health Organization (WHO) has confirmed the importance of preserving access to high quality reproductive healthcare, "Making health for all a reality, and moving towards the progressive realization of human rights, requires that all individuals have access to quality health care, including comprehensive abortion care services – which includes information, management of abortion, and post-abortion care."<sup>3</sup> Palo Alto Municipal Code section 9.73.010 codifies the City's commitment to, "affirm, support and protect the human rights of every person within its jurisdiction . . . [and] to protect and safeguard the right and opportunity of every person to be free from arbitrary discrimination on the basis of their . . . gender, age".<sup>4</sup> Under the Council's Procedures and Protocols, Council may take action on a Colleague Memo on the same night it is introduced when the proposed action has no staff or budget impacts. Adoption of the Resolution attached satisfies that criteria.

#### **Recommendation:**

We recommend the City Council adopt the attached Resolution affirming the City's belief in a woman's right to bodily autonomy and to welcome all who seek reproductive freedom within our City's boundaries.

#### **Staff Impact:**

There is no impact to staff resources to approve this resolution; resources were used as staff collaborated with Council for the drafting of this document.

#### **Attachments:**

- **Attachment5.a:** Colleague's memo reproductive rights

Resolution No. XXXX

Resolution of the Council of the City of Palo Alto Expressing Support for  
Women's Reproductive Rights

R E C I T A L S

**WHEREAS**, the United States Supreme Court opinion in the case *Dobbs v. Jackson Women's Health Organization* was recently leaked by Politico on May 2, 2022, revealing the Court's impending decision to overturn the seminal decisions in *Roe v. Wade* and *Casey v. Planned Parenthood*; and

**WHEREAS**, the constitutional guarantee to reproductive health care decisions will likely end for millions of women across the nation at the end of June 2022, when the Supreme Court officially publishes the *Dobbs* opinion; and

**WHEREAS**, this decision will negatively impact the lives of countless women who will no longer have a constitutional right to seek an abortion and may be denied in their home states the right to bodily autonomy; and

**WHEREAS**, more than half the states have already expressed their desire to abolish or severely restrict access to abortion services. Several states, like Missouri, have already indicated they will immediately abolish abortion in their states upon reversal of *Roe v. Wade* and will seek to criminalize women who cross state lines in order to seek abortions in other states; and

**WHEREAS**, one in four women will obtain an abortion at least once in their lifetime, and denial of basic healthcare services for a select portion of the population is a form of discrimination; and

**WHEREAS**, according to the Center for Disease Control, women of color have higher abortion rates than white women. Minority women are also less likely to have access to good quality healthcare, with Black women being three times more likely to die in childbirth than white women; and

**WHEREAS**, Amnesty International and the World Health Organization recognizes the right to seek a safe abortion and exercise one's right to bodily autonomy free from encroachment by others as a human right; and

**WHEREAS**, the City of Palo Alto recognizes that a woman's right to choose is a human right and the decision to control one's own reproductive care should be hers alone to make; and  
**WHEREAS**, Palo Alto Municipal Code section 9.73.010 codifies the City's commitment to, "affirm, support and protect the human rights of every person within its jurisdiction . . . [and] to protect and safeguard the right and opportunity of every person to be free from arbitrary discrimination on the basis of their . . . gender, age"; and

**WHEREAS**, the City of Palo Alto recognizes that any restrictions on the access to abortions will disproportionately impact people of color, lower socio-economic classes, immigrants, and our youth; and

**WHEREAS**, the City of Palo Alto has named Community Health and Safety as a City Council priority for 2022 and is committed to ensuring all people have access to safe reproductive care.

The Council of the City of Palo Alto does hereby RESOLVE as follows:

**NOW, THEREFORE BE IT RESOLVED**, The Palo Alto City Council, on behalf of the City and all its residents, affirms our belief in a woman's right to bodily autonomy and their choice to terminate an unwanted pregnancy. The City welcomes all who seek reproductive freedom within our jurisdiction and will do all we can within the limits of the law to protect and defend those who wish to exercise those rights.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Manager





# City of Palo Alto

## City Council Late Packet

### Staff Report

(ID # 14389)

Meeting Date: 6/21/2022

Report Type: Consent Calendar

**Title: Approval of Amendment Number 2 to Contract #C21180324 with Canopy to Add to the Scope of Services, Extend the Term through June 30, 2024, and Increase the Not-to-Exceed Amount of the Contract by \$742,210, for a New Not to Exceed Amount of \$967,720; and Approval of a Budget Amendment in the General Fund in FY 2023**

**From: City Manager**

**Lead Department: Public Works**

#### Recommendation

Staff recommends that Council:

1. Approve and authorize the City Manager or their designee to execute [Amendment No. 2](#) to contract Number C21180324 with Canopy, to add to the scope of services, extend the contract term through June 30, 2024, and increase the not-to-exceed amount of the contract by \$742,210, for a new total not-to-exceed amount of \$967,720, for the provision of services to support the implementation of Urban Forest Master Plan programs; and
2. Amend the Fiscal Year 2023 Budget Appropriation for the General Fund (2/3 vote needed) by:
  - a. Increasing the Public Works Department Public Services Division Operating Budget by \$85,000; and
  - b. Decreasing the Tree Preservation Deposits Account by \$85,000.

#### Background

Canopy was created in 1996 to support Palo Alto's Urban Forestry Section and engage residents through its tree and tree care education activities. Since becoming an independent 501(c)(3) non-profit corporation in 2002, Canopy has greatly expanded its programs of tree planning and planting, stewardship, hands-on learning, and environmental education. Since the early 2000s, the City has contracted with Canopy, with a primary focus on assisting the City with projects and outreach to support and expand a healthy and sustainable urban forest.

In 2020, City Council approved a one-year, sole source contract with Canopy ([CMR #10882](#)) to support Palo Alto's urban forestry programs by serving as a comprehensive information source on trees, educating and motivating Palo Alto residents to plant, care for, and celebrate trees, and assisting the City with special projects associated with the [Urban Forest Master Plan](#)

(UFMP). The contract's term expiration was extended via Amendment No. 1<sup>1</sup> to June 7, 2022 at no additional cost to the City.

### Discussion

The proposed Amendment No. 2 will add to the scope of services, extend the term through June 30, 2024, and increase the not-to-exceed amount of the contract by \$742,210, for a new not to exceed amount of \$967,720. The existing contract was structured initially as a one-year contract and maintained the hourly contract rates from the previous contract. This was agreed to by both parties as a way to respond to the uncertainty around the COVID-19 pandemic and the budget concerns the City was facing at the time. Previous contracts with Canopy for similar services have all been structured as multi-year contracts. It should also be noted that the hourly rates have not increased for these services for the last five years. Amendment No. 2 includes a 4.2 percent average annual price escalation for basic services in Fiscal Years 2023 and 2024..

Fiscal Year 2023 marks the eighth (8) year of the UFMP implementation. The Great Oak Count and the Preferred and Restricted Species List are scheduled to be completed in year eight and these two programs complete or support the completion of 11 total UFMP programs.<sup>2</sup> Additional project scope and funding are also included in this amendment for continued work on the South Palo Alto Tree Initiative. Important new UFMP projects in this amendment include a targeted marketing and outreach campaign for the updated Tree Protection Ordinance (UFMP programs 6.D.iii, 6.C.i, 4.A.vii, 6.B.viii) and a new digital tree health survey for the South Palo Alto Tree Initiative (UFMP programs 5.B.i, 6.D.ii).

The marketing and outreach campaign will be focused on updating the public, local arborists, and the development community about the new rules and requirements contained in the updated Tree Protection Ordinance and the new Tree and Landscape Technical manual. This outreach and education component is critical to the success of the updated ordinance.

The new digital tree health survey for the South Palo Alto Tree Initiative is a two-year pilot program intended to gather tree health data for recently planted trees. If successful, the program model could be expanded in future contracts to cover a larger portion of the City. The information collected will be used to analyze the effectiveness of various components of the South Palo Alto Tree Initiative and inform future decision making.

Contract Item	Original Contract Amount (for December 2020-June 2022)	Amendment #2 Amount (July 2022-June 2024)	Totals
Great Oak Count	\$ 30,000	\$ 87,000	\$ 117,000
P&R Species List	\$ 25,000	\$ 15,000	\$ 40,000
SPA Tree planting & young tree care activities	\$112,300	\$245,000	\$ 357,300

<sup>1</sup> [https://www.cityofpaloalto.org/files/assets/public/public-works/tree-section/new-folder/contracts/c21180324-canopy\\_amendment-1\\_fully-executed.pdf](https://www.cityofpaloalto.org/files/assets/public/public-works/tree-section/new-folder/contracts/c21180324-canopy_amendment-1_fully-executed.pdf)

<sup>2</sup> The UFMP programs referenced are: 1.A.ii, 1.A.iii, 1.A.iv, 1.B.i, 2.A.i, 2.A.ii, 2.A.vii, 3.A.i, 4.A.xi, 6.B.iv, 6.J.vii

Ordinance Outreach & Education	N/A	\$ 80,000	\$ 80,000
SPA Digital Tree Health Survey	N/A	\$ 34,000	\$ 34,000
Basic Services	\$ 58,210	\$281,210	\$ 339,420
<b>Totals</b>	<b>\$225,510</b>	<b>\$742,210</b>	<b>\$967,720</b>

Canopy is well established with the residents of Palo Alto and has the expertise, experience, professional stature, and key personnel to provide these services. Canopy is uniquely qualified as a non-profit organization to connect projects and programs with cooperating agencies and organizations to leverage funding and increase the effectiveness of projects and outreach. During the previous three-year contract period (FY 2017-FY 2019), Canopy leveraged \$981,088 in funding (predominantly through donation of volunteer hours). While there are other Bay Area environmental nonprofit groups, none have Canopy's combination of deep arboricultural background, robust educational framework, and strong local volunteer base. For these reasons, staff believes there is no adequate substitute or equivalent provider for the services required. Alternatively, a Request for Proposal (RFP) process could be completed to solicit proposals from any agency in this space, however, staff does not recommend this based on the reasons noted above.

This contract is on the City's professional services template, which permits the City to terminate without cause/for convenience by providing written notice to the contractor. In the event the City finds itself facing a challenging budget situation, and it is determined that City resources need to be refocused elsewhere, the City can terminate for convenience. Other options include termination due to non-appropriation of funds or amending the contract to reduce the cost, for example, by reducing the scope of work.

### Resource Impact

Funding for a majority of this contract will be available in the Fiscal Year 2023 Operating Budget for the Public Works, Community Services, and Utilities Departments, based upon Council's adoption of the Fiscal Year 2023 Budget on June 20, 2022.

Department	Original Contract Funding	FY22 Funding	FY23 Funding	FY24 Funding		Updated Contract Total
Public Works Department	\$129,510	\$231,710	\$198,400	\$ 79,100		<b>\$638,720</b>
Forestry Fund	\$ 75,000	\$ 0	\$ 85,000	\$ 85,000		<b>\$245,000</b>
Community Services Department	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000		<b>\$24,000</b>
Utilities Department	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000		<b>\$60,000</b>
<b>Totals</b>	<b>\$225,510</b>	<b>\$252,710</b>	<b>\$304,400</b>	<b>\$185,100</b>		<b>\$967,720</b>

Funding in this amendment for Goal D.3 (Program 1.D.i), South Palo Alto Tree Planting, will be funded by a withdrawal of \$85,000 from the Tree Preservation Deposits Account (#62660) in Fiscal Year 2023. This would leave a balance of approximately \$185,126 in the Tree Preservation Deposits Account. Subsequent years of the contract are subject to appropriation of funds through the annual budget process.

### **Policy Implications**

This recommendation does not represent any change to existing City policies. Projects contained in this amendment help support goals and programs included in the Urban Forest Master Plan, the updated Tree Protection Ordinance (Title 8 of PAMC), the 2030 Comprehensive Plan and the Sustainability and Climate Action Plan. It should be noted that in parallel with this contract amendment, the Policy & Services Committee recently reviewed an audit of the City's nonprofit partnership agreements. The recommended extension term will enable future agreements to conform to future policy changes recommended by the audit.

### **Stakeholder Engagement**

Stakeholder engagement is an ongoing component of this contract. Many programs included in the contract (South Palo Alto Tree Planting, Great Oak Count, general Urban Forestry Education and Outreach) have an outreach/engagement component included as part of the implementation process. This allows Canopy and the City to inform stakeholders of projects and programs, incorporate stakeholder feedback into implementation plans, and engage stakeholders directly as volunteers and participants in growing and maintaining our Urban Forest.

### **Environmental Review**

The recommended action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(h) (maintenance of existing landscape).

### **Attachments:**

- **Attachmenta:** C21180324 Canopy\_Amendment 2\_Partially Executed\_REV1

**AMENDMENT NO. 2 TO CONTRACT NO. C21180324  
BETWEEN THE CITY OF PALO ALTO AND CANOPY  
FOR PROFESSIONAL SERVICES**

This Amendment No. 2 (this "Amendment") to Contract No. C21180324 (the "Contract" as defined below) is entered into as of June 21, 2022, by and between the **CITY OF PALO ALTO**, a California chartered municipal corporation ("CITY"), and **CANOPY**, a California corporation, located at 3921 East Bayshore Road, Palo Alto, CA 94303 ("CONSULTANT"). CITY and CONSULTANT are referred to collectively as the "Parties" in this Amendment.

**RECITALS**

A. The Contract (as defined below) was entered into by and between the Parties hereto for the provision of helping support Palo Alto's urban forestry programs by implementing programs of the Urban Forest Master Plan, improving canopy equity between north and south Palo Alto, and educating the public about trees in connection with the Project (the "Services"), as detailed therein.

B. The Parties entered into Amendment No. 1 to extend the contract term by six (6) additional months, through June 6, 2022, with no additional cost to the CITY.

C. The Parties now wish to amend the Contract in order to extend the contract term through June 30, 2024, add to the scope of services, and increase not-to-exceed compensation by Seven Hundred Forty-Two Thousand Two Hundred Ten Dollars (\$742,210), from Two Hundred Twenty-Five Thousand Five Hundred Ten Dollars (\$225,510) to a new total not-to-exceed compensation of Nine Hundred Sixty-Seven Thousand Seven Hundred Twenty Dollars (\$967,720), as detailed herein.

NOW, THEREFORE, in consideration of the covenants, terms, conditions, and provisions of this Amendment, the Parties agree:

**SECTION 1. Definitions.** The following definitions shall apply to this Amendment:

- a. **Contract.** The term "Contract" shall mean Contract No. C21180324 between CONSULTANT and CITY, dated December 7, 2020, as amended by:

Amendment No. 1, dated December 6, 2021.

- b. **Other Terms.** Capitalized terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Contract.

**SECTION 2.** Section 2, "TERM," of the Contract is hereby amended to read as follows:

*Vers.: Aug. 5, 2019*

“The term of this Agreement shall be from the date of its full execution through June 30, 2024 unless terminated earlier pursuant to Section 19 of this Agreement.”

SECTION 3. Section 4, “NOT TO EXCEED COMPENSATION,” of the Contract is hereby amended to read as follows:

“The compensation to be paid to CONSULTANT for performance of the Services described in Exhibit “A” (also referred to herein as the “Basic Services”), and any specified reimbursable expenses, shall not exceed Nine Hundred Sixty-Seven Thousand Seven Hundred Twenty Dollars (\$967,720), as detailed in Exhibit “C”. CONSULTANT agrees to complete all Basic Services, including any specified reimbursable expenses, within this amount. The applicable rate schedule is set out at Exhibit “C-1”, entitled “HOURLY RATE SCHEDULE,” which is attached to and made a part of this Agreement. Any work performed or expenses incurred for which payment would result in a total exceeding the maximum amount of compensation set forth herein shall be at no cost to the CITY.

Additional Services, if any, shall be authorized in accordance with and subject to the provisions of Section 27.4 regarding amendments to this Agreement. CONSULTANT shall not receive any compensation for Additional Services performed without the prior written authorization of CITY per Section 27.4. “Additional Services” shall mean any work that is determined by CITY to be necessary for the proper completion of the Project, but which is not included within the Scope of Services described at Exhibit “A”. “

SECTION 4. The following exhibits to the Contract are hereby amended or added, as indicated below, to read as set forth in the attachments to this Amendment, which are hereby incorporated in full into this Amendment and into the Contract by this reference:

- a. Exhibit “A” entitled “SCOPE OF SERVICES, AMENDMENT NO. 2”, AMENDED, REPLACES PREVIOUS.
- b. Exhibit “B” entitled “SCHEDULE OF PERFORMANCE, AMENDMENT NO. 2”, AMENDED, REPLACES PREVIOUS.
- c. Exhibit “C” entitled “COMPENSATION, AMENDMENT NO. 2”, AMENDED, REPLACES PREVIOUS.
- d. Exhibit “C-1” entitled “SCHEDULE OF RATES, AMENDMENT NO. 2”, AMENDED, REPLACES PREVIOUS.

SECTION 5. Legal Effect. Except as modified by this Amendment, all other provisions of the Contract, including any exhibits thereto, shall remain in full force and effect.

SECTION 6. Incorporation of Recitals. The recitals set forth above are terms of this Amendment and are fully incorporated herein by this reference.

*(SIGNATURE BLOCK FOLLOWS ON THE NEXT PAGE.)*



**SIGNATURES OF THE PARTIES**

IN WITNESS WHEREOF, the Parties have by their duly authorized representatives executed this Amendment effective as of the date first above written.


**CITY OF PALO ALTO**

\_\_\_\_\_  
City Manager

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney or Designee

**CANOPY****Officer 1**

By:   
A94C74E3B890461  
Name: Kammy Lo, Board of Directors Chair  
Title: Chair, Board of Directors

**Officer 2**

By:   
B35C891DD7F14E5...  
Name: Catherine Martineau, Executive Director  
Title: Executive Director

**Attachments:**

Exhibit "A" entitled "SCOPE OF SERVICES, AMENDMENT NO. 2" (AMENDED, REPLACES PREVIOUS)

Exhibit "B" entitled "SCHEDULE OF PERFORMANCE, AMENDMENT NO.2" (AMENDED, REPLACES PREVIOUS)

Exhibit "C" entitled "COMPENSATION, AMENDMENT NO. 2" (AMENDED, REPLACES PREVIOUS)

Exhibit "C-1" entitled "SCHEDULE OF RATES, AMENDMENT NO. 2" (AMENDED, REPLACES PREVIOUS)

**EXHIBIT "A"**  
**SCOPE OF SERVICES, AMENDMENT NO. 2**  
**(AMENDED, REPLACES PREVIOUS)**

CONSULTANT will provide the Services detailed in this Exhibit A (Scope of Services) in accordance with the provisions of this Agreement.

1.1 The responsibilities of the CITY will include the following:

CITY Arborists, Urban Forestry and Community Services Department staff will coordinate and cooperate with CONSULTANT to facilitate special events such as the annual Mayor's tree planting, Arbor Day event(s) public right-of-way plantings, Young Tree Care Survey, Right Tree Right Place program and CITY-wide educational events. CITY staff will be responsible for locating and preparing planting sites for these events.

1.2 CONSULTANT's Responsibilities. CONSULTANT shall perform the following Services, as further detailed in the Action Plans below:

- A. Serve as a comprehensive information source about Palo Alto's trees.
- B. Educate and motivate Palo Alto residents to plant, steward, and celebrate trees.
- C. Maintain an organization with a credible, professional identity and high public visibility in support of the Palo Alto urban forest.
- D. Assist the City of Palo Alto in its planning and performance of routine urban forestry programs on an ongoing basis and special projects associated with the Urban Forest Master Plan (UFMP), specified herein.
- E. Advocate for Palo Alto's urban forest, within certain limitations as detailed below at "Goal E."
- F. Conduct an assessment of recently planted street trees and assist with a locally-sourced carbon credit project.
- G. Administer Palo Alto Utility Department's Right Tree in the Right Place Program (RTRP).

Action Plans

CONSULTANT shall perform the Services as follows:

Goal A: Serve as a comprehensive information source about Palo Alto's trees.

- 1. Provide, and perform timely updates to, comprehensive information on Palo Alto's trees on the CONSULTANT's website [www.canopy.org](http://www.canopy.org). Report quarterly on the number of visits to the website, total number of page views, and traffic numbers by page title. Provide the percentage of traffic generated through key word searches.

2. Operate and publicize CONSULTANT's information and referral "Tree Hotline" where people can phone in or email to ask specific questions about trees. Report quarterly on the number of calls fielded by CONSULTANT's staff.
3. Maintain an online, searchable arborist list of ISA Certified Arborists for distribution to the community
4. Maintain and enhance the CONSULTANT's online Tree Library.
5. Develop the "Preferred and Restricted Species List" (Program 1.A.ii of the UFMP).
6. Develop site specific species selection protocols to complement the "Preferred and Restricted Species List" such as including a list of tree species acceptable for use in areas where recycled water is or may be used for irrigation (Program 1.A.iii, and 2.C.iii of the UFMP).

Goal B: Educate and motivate Palo Alto residents to plant, care for, and celebrate trees.

1. Prepare, plan and schedule at least ten educational tree walks over the contract term, including a quarterly 'themed' tree walk in various neighborhoods led by knowledgeable arborists. Update guideline materials for lead arborists and CONSULTANT representatives. Report quarterly on the number of walks conducted, walk locations, and number of attendees.
2. Prepare and schedule at least two public educational programs about trees and/or tree care each year including Arbor Day, Planting Leader Training, Tree Care Training and current relevant topics.
3. Partner with the City of Palo Alto Utilities Department (CPAU) to provide educational materials at area community fairs and events and produce new material on subjects such as tree maintenance, mistakes to avoid, and watering guidelines as needed.
4. Assist the CITY's Public Works, Urban Forestry Section by distributing CONSULTANT's "Young Tree Care" pamphlet to residents and businesses where new trees were planted.
5. Mail the "Save Our Water and Our Trees" reminder postcard at least once during each summer to each resident with a street tree planted in the last five years. Post the "Save Our Water and Our Trees" banner in a prominent area of the CITY.
6. Publish and distribute an annual report to the community. Publish monthly TreNews electronic newsletters. Report quarterly on the number of issues published and types of social media utilized to host TreNews.
7. Use community events in the field as opportunities to educate participants in proper tree planting and maintenance techniques. Provide volunteer field services for up to 100 public trees. These services may include coordination of community events for planting new trees and care for young trees.
8. Serve as a liaison to the Palo Alto School District (PAUSD) to increase awareness of the value of the trees on school district land, which could include educational events for students.
9. Organize the annual Mayor's Tree Planting event.

10. Comply with all applicable legal and regulatory requirements regarding working with minors, where applicable (including, for example, but not limited to, conducting all required background checks and health screenings).
11. Conduct at least two community plantings per year with trees funded by the CITY. Regularly inspect and report problems or concerns about the trees in a format compatible with Tree Plotter, the CITY's urban forestry crowdsourcing data platform.
12. Assist the CITY in developing open portals for data entry as a way of engaging the community as partners in stewardship and improving data currency and accuracy; UFMP Program 4.G.iii.
13. Report quarterly on programs including but not limited to tree planting, tree care and education. Provide details on activities, volunteer numbers and hours, educational materials, youth and adult education and outreach.

Goal C: Maintain an organization with a credible, professional identity and high visibility in support of the Palo Alto urban forest. Leverage CITY funding to CONSULTANT with funding from other sources.

1. Conduct donor and membership recruitment to leverage this Agreement and help ensure a broad base of support for the activities relating to the Palo Alto urban forest.
2. Seek participation and support from the commercial and industrial community.
3. Maintain and implement communications strategies.
4. Seek other financial support (e.g., grants) outside of CITY government to provide increased services to the community and to increase public involvement.
5. Report quarterly on the governance, operations and capacity building to engage new member and increase efficiency.

Goal D: Assist the City of Palo Alto in its planning and performance of routine urban forestry programs on an ongoing basis and with special projects associated with the UFMP.

1. Distribute timely updates about UFMP programs and initiatives to the public via CONSULTANT media sites; Programs 3.A.i. and 3.A.iii of the UFMP.
2. Implement a strategy to increase the number of trees in south Palo Alto by 1,000 over the term of the contract, including at least three community tree plantings a year. This contract includes funding for the planting of 530 trees; Program 1.D.i. of the UFMP. CONSULTANT's responsibilities will include:
  - a. Conducting at least 3 community tree planting events annually.
    - Identifying all planting sites
    - Contacting property owners
    - Creating species lists
    - Securing trees at nurseries and coordinating their delivery to Palo Alto
    - Field verifying planting sites and notifying Underground Service Alert (USA) prior to excavation\*
    - Purchasing trees and associated planting materials (stakes and ties)

- Creating and distributing outreach and/or marketing materials to property owners
  - Educating property owners about tree planting including species selection, proper planting techniques, post-planting care, and entering the tree information into the crowdsourced software system.
  - Coordinating the planting of trees
  - Collecting all refuse materials from planting sites and delivering them to a CITY-designated pickup site
  - Caring for the newly planted trees through the establishment period
- b. Administering the CITY's crowdsource software platform, Tree Plotter, to encourage private property owners to enter information about newly planted trees and catalog trees not planted through community tree planting events.

The CITY's responsibilities will include:

- Compiling south Palo Alto right-of-way planting site information and distributing it to CONSULTANT's Project Coordinator in a timely fashion
  - Staging and watering nursery trees from nursery delivery until planting day
  - Delivering 'No Parking' signs and mulch to a pre-designated staging area, and trees to planting sites
  - Picking up refuse materials (nursery stakes, buckets, extra soil, turf and grass) at a pre-designated site post-planting
  - Assisting with information about trees planted on private property submitted as part of required landscape plans
3. The Great Oak Count: Urban Forest Master Plan Programs 2.A.i, 2.A.ii, 2.A.vii, 4.A.xi. The primary goal of the Great Oak Count is to update the Oakwell Survey in order to assess changes in Palo Alto's native oak population since 1997, evaluate their health, recommend actions to improve conditions, and evaluate gaps and opportunities. The analysis of the oak population's evolution combined with the historical oak removal permit data, conducted in partnership with the San Francisco Estuary Institute (SFEI), will help understand patterns and evaluate the effectiveness of the Palo Alto native oak tree protection ordinance adopted in 1996 and provide a basis for developing a plan to re-oak Palo Alto.

Additional goals include:

1. Engaging Palo Alto residents, property owners, landscaping firms, real estate agents, and other audiences, in the appreciation and care for the precious resource resilient and climate-adapted native oaks represent;
  2. Addressing scientific questions about how native trees provide ecological and ecosystem services in urban areas and how native oaks, in particular, can combat climate change through long term carbon sequestration at a relatively low water cost.
- a. STRATEGY and METHODOLOGY

- Engage the public through interactions with volunteers, the Native Oak Tree Care door hanger, and online educational resources.
- Provide fun and valuable experiences to volunteers with the goal of obtaining high-quality data and fostering an understanding and appreciation for native oaks and their care, and inspire participation in re-oaking efforts.
- Train “Oak Spotters” and “Tree Plotters” in group events where youth and adults use their skills to contribute to data collection.
- Partner with SFEI to perform sophisticated analysis of data collected in real-time.
- Partner with Acterra, Audubon, and California Native Plant Society to develop educational materials and workshops on native oak woodland ecosystems and tree species in the urban landscape for the public and urban forestry staff.
- Use equipment such as mobile devices and measuring tapes to produce accurate data collection.
- Record data in the Tree-Plotter open data platform.

b. DELIVERABLES

- Engage 250 volunteers, and provide training for the “Surveyor” and “Survey Leader” positions.
  - Survey 6,750 oaks, which is 75 percent of the estimated total number of oaks (assuming there are still about 9,000 oaks to survey, based on OakWell Survey data)
  - Tree Plotter enhancement to share the Great Oak Count data with community members, students, decision-makers, City of Palo Alto Staff, and researchers.
  - Integration of the oak-related tree removal permit historical data into the Great Oak Count (and in Tree Plotter), and analysis of permit patterns to inform the assessment of the effectiveness of the tree protection ordinance.
  - Interim results and outreach material to share them with stakeholders.
  - Quarterly report on activities.
4. Preferred and Restricted Species List: Urban Forest Master Plan Programs 1.A.ii, 6.J.vii, 3.A.i, 1.A.iii, 6.B.iv, 1.B.i, 1.A.iv. A Preferred and Restricted Species List will be a helpful tool for staff and property owners, and will benefit South Palo Alto properties. The list will acknowledge differing priorities for public and private trees on different property types, and will consider many tree characteristics in order to create a dynamic and long-lasting tool. Following the creation of this list, site-specific species selection protocols will be developed and shaped into a tool for practical use. Prioritizing species diversity and compatibility with the CITY Sustainability Plan, and then sharing

these tree lists with local commercial tree providers in order to encourage stocking of appropriate tree species. In collaboration with CITY staff and stakeholders CONTRACTOR will develop a “Preferred and Restricted Species List”. It will consist of two components: 1. a criteria-based filtering tool and 2. actual lists, current instances obtained by applying the filters. Stakeholders will include various CITY departments and teams such as the Office of Sustainability and the List will include consideration for the golf course, parks, preserves, open space, and other sites, to encourage the use of appropriate species for these sites.

a. STRATEGY and METHODOLOGY

- Take advantage of currently available tools such as the Canopy Tree Library
- In partnership with CITY staff, define the specs of the preferred and restricted tree species list, including the type of publication
- Devise a plan and timeline for the creation of the list
- Following the creation of this list, site-specific species selection protocols will be developed and shaped into a tool for practical use, prioritizing species diversity and compatibility with the CITY Sustainability Plan
- Outreach: The outreach component of this program is incorporated in Goal D.6.

b. DELIVERABLES

- List of trees that are “preferred” and “restricted”
- Species selection protocols, displayed in an online tool, and including rating of query results along the “best fit for specific site” criterion.
- Outreach materials
- Quarterly report on activities.

5. Education, Outreach, and Marketing Campaign - Urban Forest Master Plan Programs 1.B.i, 2.A.vii, 2.A.viii and augmenting program delivery already occurring for 6.D.ii,, 6.D.iii

Several UFMP programs address the City Council priority of correcting the disparity in tree canopy cover between North and South Palo Alto. Following the assessment and analysis of the disparity (Programs 6.D.i), the South Palo Alto Tree Initiative was launched to plant new trees in Palo Alto (Programs 6.D.ii). Program 6.D.iii is complementary to the planting effort and aims to “ensure that staff and contractors performing maintenance tasks in South Palo Alto know that preserving and increasing canopy - and focus on native and introduced climate-adaptive species - in South Palo Alto is a CITY priority.”

CONTRACTOR will design, plan, and implement a communication campaign to educate the public, tree service companies, nurseries, realtors, and developers on

Vers.: Aug. 5, 2019

Palo Alto's focus on urban tree canopy sustainability and current and/or updated regulations and guidelines.

a. STRATEGY and METHODOLOGY

- Take advantage of the current heightened level of interest in trees and their role in combating and mitigating climate change and associated urban heat island, to raise awareness in the community.
- Use the occasion of the update of the tree protection ordinance (Title 8), the publication of the new Landscape and Tree Technical Manual, and the launch of the Preferred and Restricted Tree Species list, to inform target audiences of the updated regulations and guidelines in Palo Alto.
- Use a variety of outreach means, such as emails, electronic newsletters, mailings, social media, printed media, and live events to reach out and educate targeted audiences.

b. DELIVERABLES

- Outreach materials and Ads (including design and printing)
- Presentation development
- Coordination with stakeholder groups, program planning, and public engagement
- Blog posts, communications and promotional materials about Urban Forest Master Plan to public
- Update vendors, tree care companies, and Hire and Arborist search engine on Canopy's website
- Updated tree care brochure
- Quarterly report on activities.

6. Digital South Palo Alto Tree Initiative Tree Health Survey - Develop and conduct a south Palo Alto residential tree health survey to better and more quickly respond to tree care needs in Palo Alto. If the resulting survey data proves useful to city staff in prioritizing tree care efforts, the survey could be implemented city wide in future years, reaching more residents and targeting tree care more effectively. (Funding for this item is spread over FY 23 and FY 24 with the intention that it will take two fiscal years to create, launch and assess results of this pilot survey. Any further work on this item would require an additional contract amendment per Section 27.4 of this Agreement or could be included in a subsequent contract.)

a. STRATEGY and METHODOLOGY

- Pilot a digital residential tree health survey. The survey will prompt tree stewards to answer a questionnaire about their tree health and request a site visit for tree care through the survey, if needed.



- Develop the survey in FY 2022/23 and pilot with Palo Alto's current tree stewards.
- In early FY 2023, send pilot survey to tree stewards.
- In FY 2023, Canopy will assess the effectiveness of the survey by analyzing response rate and accuracy of reporting by tree stewards.
- In FY 2023, draft a technical report to share with the City of Palo Alto which summarizes our findings.

b. DELIVERABLES

- FY 2022/23: A digital survey for residents of Palo Alto who planted trees in the last 3 years.
- FY 2023: Surveys sent to current 3-year tree stewards
- FY 2023: Analysis of the effectiveness of the survey
- FY 2023: Technical report summarizing our findings of the pilot survey.

Goal E: Advocate for Palo Alto's Urban Forest, *provided that CONSULTANT will not advocate for any CITY contract, funding, initiative, or other CITY action, that may constitute a prohibited financial or other interest by CONSULTANT, in conformity with State and Local laws and regulations regarding conflicts of interest.*

1. Provide comment to CITY departments, City Council and the public upon review of policies, ordinances, and manuals that may affect the urban forest.
2. Issue letters of support or concern on behalf of CITY, at CITY's request, for projects that positively or negatively impact the CITY's trees.
3. Attend Council meetings and provide comments for projects involving practices that may impact the CITY's urban forest.
4. Provide comments to news organizations and/or media outlets about trees in Palo Alto when appropriate, with CITY Project Manager approval.
5. Submit quarterly reports to CITY on CONSULTANT's consulting and advocacy activities related to projects involving the CITY's urban forest.

Goal F: Conduct an assessment of the health of recently planted CITY trees and assist with a locally-sourced carbon credit project.

1. Conduct an annual CITY-wide survey of newly planted street trees and report this information to the Public Works Department and residents.
2. Organize and train a cadre of volunteers to monitor the condition of young trees, and perform simple tasks on site (such as adjusting tree ties or moving mounded mulch away from base of a tree trunk, provided that any such task is not in conflict with Section 26 of this Agreement).
3. Work with the CITY to integrate survey data into the crowdsourced data platform.

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4. Estimate costs, determine co-benefits, identify partnership opportunities, leverage funding and quantify carbon sequestration for a locally-sourced carbon credit project within the Urban Forest Registry framework.

Goal G: Administer the CITY Utilities Department's ("CITY Utilities") Right Tree in the Right Place (RTRP) Program.

1. Advertise, respond to, and screen inquiries about the RTRP program before forwarding requests to the Public Works Department ("PW") for inspection.
2. Administer the process for applicants accepted by the Department of Public Works to participate in the RTRP program, including acceptance notification, removal confirmation, and stump grinding and replanting information at each location. Promote replanting where suitable.
3. Review applications and forward paperwork to CITY Utilities for applicant reimbursement.
4. Partner with CITY Utilities and PW Tree Division to extend the RTRP program to businesses.
5. Work with CITY Utilities to explore growth opportunities for the RTRP program such as exploring greenhouse gas and energy efficiency initiatives, local tree ordinances, and solar access requirements.
6. Provide quarterly summary spreadsheet reports of RTRP activities to CITY Utilities, and report on information distributed during the CITY Utility Department's sponsored events or programs.

**EXHIBIT "B"**  
**SCHEDULE OF PERFORMANCE, AMENDMENT NO. 2**  
**(AMENDED, REPLACES PREVIOUS)**

CONSULTANT shall perform the Services so as to complete each milestone within the number of days/weeks specified below. The time to complete each milestone may be increased or decreased by mutual written agreement of the project managers for CONSULTANT and CITY so long as all work is completed within the term of the Agreement.

<b>Goals/Milestones</b>	<b>Completion Date</b>
<b>Goal A:</b> Serve as a comprehensive information source about Palo Alto trees	Ongoing
<b>Goal B:</b> Educate and motivate Palo Alto residents to plant, care for, and celebrate trees.	Ongoing
<b>Goal C:</b> Maintain an organization with a credible, professional identity and high public visibility in support of the Palo Alto urban forest.	Ongoing
<b>Goal D.1.:</b> Assist the City of Palo Alto in its planning and performance of routine urban forestry programs on an ongoing basis.	Ongoing
<b>Goal D.2.:</b> South Palo Alto Tree Initiative. Implement a strategy to increase the number of trees in south Palo Alto by 1,000 over the contract term, including at least three community tree plantings. This contract includes funding for 530 CONSULTANT-planted trees.	Contract Term
<b>Goal D.3.:</b> Great Oak Count. Update the Oakwell Survey to assess changes in Palo Alto's native oak population, evaluate tree health, recommend actions to improve conditions, and evaluate gaps and opportunities. Engage 250 volunteers, provide training for the Surveyor" and "Survey Leader" positions to survey 6,750 oaks, which is 75 percent of the estimated total number of oaks	Contract Term
<b>Goal D.4.:</b> Preferred and Restricted Species List. Create a list of trees that are "preferred" and "restricted". Create species selection protocols, displayed in an online tool, and including rating of query results along the "best fit for specific site" criterion. Create and distribute outreach materials.	Contract Term
<b>Goal D.5.:</b> Education, Outreach, and Marketing Campaign. design, plan, and implement a communication campaign to educate the public, tree service companies, nurseries, realtors, and developers on Palo Alto's focus on urban tree canopy sustainability and current and/or updated regulations and guidelines	Contract Term
<b>Goal D.6.:</b> Digital South Palo Alto Tree Initiative Tree Health Survey	Contract Term
<b>Goal E:</b> Advocate for Palo Alto's urban forest.	Ongoing
<b>Goal F:</b> Conduct an assessment of the health of recently planted street trees and assist with a locally-sourced carbon credit project.	Ongoing
<b>Goal G:</b> Administer the Utilities Department's Right Tree in the Right Place Program (RTRP).	Ongoing

**EXHIBIT "C"**  
**COMPENSATION, AMENDMENT NO. 2**  
**(AMENDED, REPLACES PREVIOUS)**

The CITY agrees to compensate the CONSULTANT for professional services performed in accordance with the terms and conditions of this Agreement, and as set forth in the budget schedule below. Compensation shall be calculated based on the hourly rate schedule attached as Exhibit C-1 up to the not to exceed budget amount for each task set forth below.

CONSULTANT shall perform the tasks and categories of work as outlined and budgeted below. The CITY's Project Manager may approve in writing the transfer of budget amounts between any of the tasks or categories listed below provided the total compensation for Basic Services, including reimbursable expenses, and the total compensation for Additional Services do not exceed the amounts set forth in Section 4 of this Agreement.

**BUDGET SCHEDULE**

<b>TASK DESCRIPTION – FULL DESCRIPTIONS IN EXHIBIT A</b>	<b>NOT TO EXCEED</b>
Goals A, B, C, D.1, E, F and G	\$ 339,420
Goal D.2: South Palo Alto Tree Planting	\$ 357,300
Goal D.3: The Great Oak Count	\$ 117,000
Goal D.4: Preferred and Restricted Species List	\$ 40,000
Goal D.5: Education, Outreach, and Marketing Campaign	\$ 80,000
Goal D.6: Digital South Palo Alto Tree Survey	\$ 34,000
<b>Total Contract All Tasks Not to Exceed:</b>	<b>\$ 967,720</b>

<b>SUB-TOTAL BASIC SERVICES:</b>	<b>\$967,720</b>
<b>REIMBURSABLE EXPENSES (IF ANY)</b>	<b>\$0</b>
<b>TOTAL BASIC SERVICES AND REIMBURSABLE EXPENSES</b>	<b>\$967,720</b>
<b>ADDITIONAL SERVICES (IF ANY) (NOT TO EXCEED)</b>	<b>\$0</b>

<b>MAXIMUM TOTAL COMPENSATION</b>	<b>\$967,720</b>
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**REIMBURSABLE EXPENSES**

The administrative, overhead, secretarial time or secretarial overtime, word processing, photocopying, in-house printing, insurance and other ordinary business expenses are included within the scope of payment for services and are not reimbursable expenses. CITY shall reimburse CONSULTANT for the following reimbursable expenses at cost. Expenses for which CONSULTANT shall be reimbursed are: **None**

**EXHIBIT "C-1"**  
**SCHEDULE OF RATES**  
**(AMENDED, REPLACES PREVIOUS)**

CONSULTANT's schedule of rates is as follows:

**SCHEDULE OF RATES 2017-2022 and 2023-2025**

<b>Hourly Rates</b>	<b>FY 2017-2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
Executive Director	\$135	\$159	\$162
Senior Director of Programs	n/a	\$142	\$146
Program Director	\$80	n/a	n/a
Development Director	n/a	\$142	\$146
Senior Development Specialist	\$80	n/a	n/a
Development Manager	\$55	n/a	n/a
Education Manager	\$55	n/a	n/a
Education Director	n/a	\$72	\$74
Community Forestry Coordinator	\$55	\$65	\$66
Tree Care Coordinator	n/a	\$65	\$66
Program Operations Manager	\$55	n/a	n/a
Operations Director	n/a	\$89	\$91
Youth Program Coordinator	n/a	\$65	\$66
Interns/ Youth Staff	\$25	\$29	\$30



# City of Palo Alto

## City Council Late Packet

### Staff Report

(ID # 14282)

Meeting Date: 6/21/2022

Report Type: Action Items

**Title:** 1237 San Antonio Road (22PLN-0113 and 22PLN-00114) Project  
**Homekey:** Staff and Applicant (LifeMoves) Update to City Council as to  
**Project Status and Request for Direction on a Third Story Design Option.**  
**Zoning District:** PF (Public Facilities)

**From:** City Manager**Lead Department:** City Manager**Recommendation**

Staff recommends that City Council receive this project update on Palo Alto Homekey (a partnership with LifeMoves for an 88-unit emergency shelter (also known as interim supportive housing)) on a portion of the Los Altos Treatment Plant (LATP) site (1237 North San Antonio Road); and provide direction regarding a proposed third story site design.

**Report Summary**

LifeMoves, a nonprofit partner, has teamed up with the City to apply for State grant funding to construct interim supportive housing on a portion of the former LATP site at 1237 North San Antonio Road.<sup>1</sup> LifeMoves has taken the lead on the architectural drawings and submitted the applications necessary to officially start the planning process. LifeMoves is considered the project applicant.

In addition to providing a project update, one of the key purposes of this June 21, 2022, City Council discussion is to receive direction on a possible 3-story design concept. The concept enhances site functional space for residents and the associated wrap around services. The design also reduces operational constraints for GreenWaste, the adjacent land user and City's refuse disposal service provider. City Council's feedback on this design option will influence the project and is required to refine and complete the project plans.

**Background**

Project Homekey is a program of the State of California Department of Housing and Community Development (HCD) that funds eligible applicants (such as municipalities) and facilitates partnerships with the State to quickly acquire, rehabilitate, or master lease a variety of housing

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<sup>1</sup> "Interim supportive housing" is a State term that is defined as an "emergency shelter" by the City's Municipal Code, meaning it provides temporary housing for a maximum of six (6) months (PAMC 18.04.030(a)(50)).

types. Once developed, these projects provide interim or permanent housing for persons experiencing homelessness and at risk of health concerns. To get people housed, Project Homekey provides many exemptions and requires adherence to rapid deadlines with the project reviewed, approved, and built within one year or less.

On September 27, 2021, the City Council took a series of actions enabling staff to prepare necessary materials with LifeMoves to submit an application to HCD for Homekey 2.0 funds. These actions<sup>2</sup> included:

- A. Adopt Resolution 9992 declaring an emergency shelter crisis with a one-year deadline and return to City Council for discussion on renewal;
- B. Adopt a resolution authorizing the City Manager to apply for California Project Homekey funds in conjunction with LifeMoves for an 88-unit emergency shelter project at a portion of the LATP site (1237 North San Antonio Road);
- C. Direct Staff to complete due diligence necessary for the application;
- D. Direct Staff to return with necessary actions related to capital and operating costs for the project and include the City's portion of the operating expenses as part of the City's Long Range Financial Forecasting, taking into account the funding from LifeMoves as a partner as well as financial support from other agencies (e.g., the State, and Santa Clara County);
- E. Direct Staff to identify the costs associated with moving GreenWaste operations within LATP Area C and to work with LifeMoves to identify funding sources for the relocation; and
- F. Direct Staff to continue to partner with Valley Water to identify a staging area in preparation for a purified water plant.

On November 1, 2021, the City Council amended the resolution authorizing the City Manager to apply for Project Homekey to reflect updated capital and estimated operating expenses ([CMR 13702](#); [Minutes](#)).

In December 2021, the City and LifeMoves officially applied for the Project Homekey grant with HCD for an 88-unit, 2-story interim supportive housing project. The City Council approved the 2-story design and unit count in September 2021.

The Palo Alto Homekey application included notation of the need to reorganize the LATP Area C site to accommodate the continued operations of the City's GreenWaste sorting operation in order to build Palo Alto Homekey.

The application has been reviewed by the State. The City and LifeMoves are awaiting official response and should hear back by early-mid July 2022. The project is referred to as "Palo Alto Homekey."

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<sup>2</sup> September 27, 2021 Council Action Minutes: <https://bit.ly/3mNX9ez>

### Requested Entitlements, Findings and Purview

Typically, Site and Design review is required for a new use or a new building within the PF(D) Zone District and the project would be evaluated for consistency with the zoning code as part of that process. These discretionary acts, legislative amendment and design review, would also require analysis in accordance with the California Environmental Quality Act (CEQA).

However, projects funded under AB 140 (Homekey) are automatically deemed consistent with all local planning and zoning requirements and no discretionary approvals can be required. This is outlined in Health and Safety Code section 50675.1.3. Therefore, Site and Design review is not required; under State law the project must be ministerially approved. In addition, because there are no discretionary approvals, CEQA does not apply to approval of the proposed development. The City nonetheless must complete a Comprehensive Plan (Comp Plan) amendment to use the Conservation Land portion of the GreenWaste site (which is currently used for construction staging and truck parking).

In previous City Council discussions about the Palo Alto Homekey project, the City Council agreed that, though not required, the project will be heard by the ARB. The ARB's discussion would be a courtesy review and provide the public a forum to offer comments on the design. Accordingly, there will be no review of the project for adherence to the Architectural Review Findings in PAMC 18.76.020 since they do not apply.

### **Discussion**

#### Project Update

On April 7, 2022, LifeMoves submitted two Planning applications. The first application (22PLN-00113) is a request for staff level architectural review to allow for relocation of the GreenWaste operation in conjunction with a Publicly Funded Interim Supportive Housing Facility (Palo Alto Homekey). Site improvements include a new transformer, pad, electric vehicle chargers, and electric service.

The second application (22PLN-00114) is a request for architectural review to allow construction of a new facility (Palo Alto Homekey) to provide support services and 88 units (64 single/couples units and 24 family units) of temporary housing for formerly unhoused individuals. On average, individuals will stay in these units for 90 to 120 days, but no more than 180 days. The new facility will be an assembly of modular units certified by HCD and will incorporate solar panels on the roofs. The modular units include the shelter units, as well as support structures for programming, case management, storage, and LifeMoves offices. The project also includes two site-built structures for additional communal space and dining facilities, and site-built elevator control rooms.

As the designs continue to progress, LifeMoves approached the City with the request for the consideration of adjusting the project from 2-story buildings to 3-story buildings while



maintaining the same unit count. The 3-story buildings achieve two critical goals. First, the arrangement will better serve future residents within the Homekey site. Second, the configuration will allow more harmonious coexistence of the GreenWaste facility and operations with the shelter, ultimately serving the needs of Palo Alto in ways superior to the 2-story configuration.

LifeMoves approached City staff with this proposal in response to the realization that the GreenWaste site was being constrained operationally by the driveway locations and Homekey site. City staff requested LifeMoves to consider a modified site design that best accommodated the City sorting operation in addition to the Palo Alto Homekey proposal. The information that follows is an overview of the 3-story option, with images from LifeMoves.

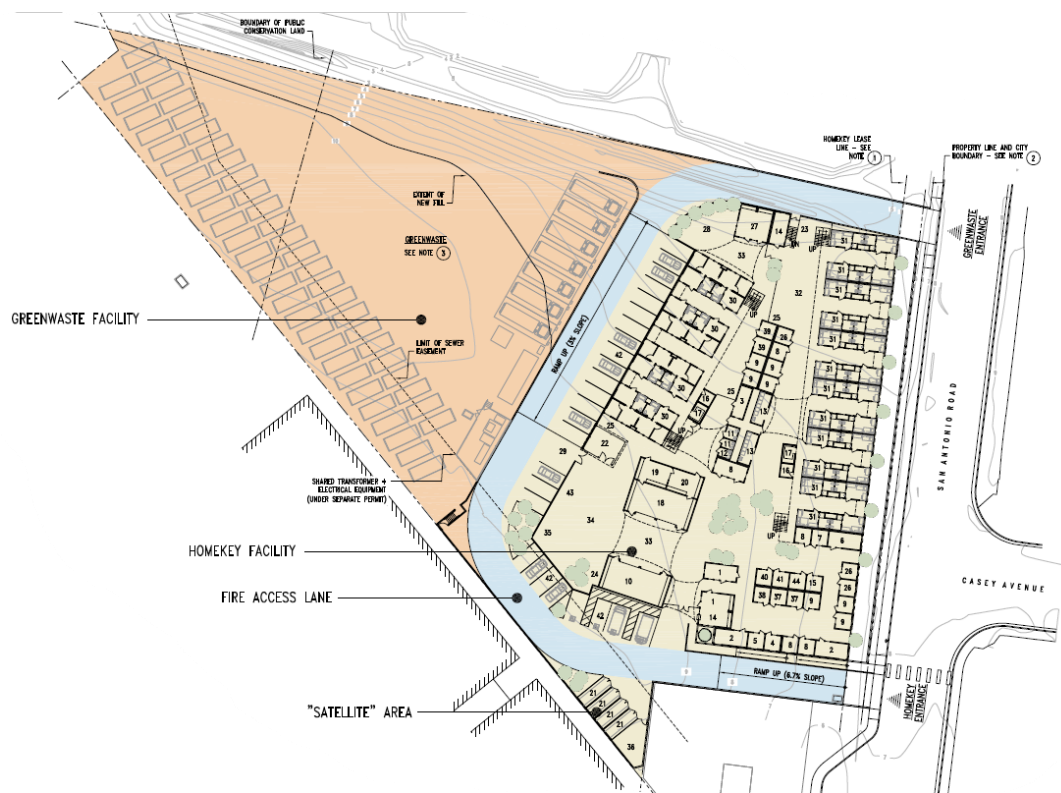
The 3-story buildings allow the Palo Alto Homekey site the ability to organize the communal spaces in a way that better serves the programming needs for future residents. Particularly, it allows the dining and multi-use buildings to face one another which gives a better flow for flexible, ongoing programming at the site (such as trainings).

#### Overview of the 3-Story Option

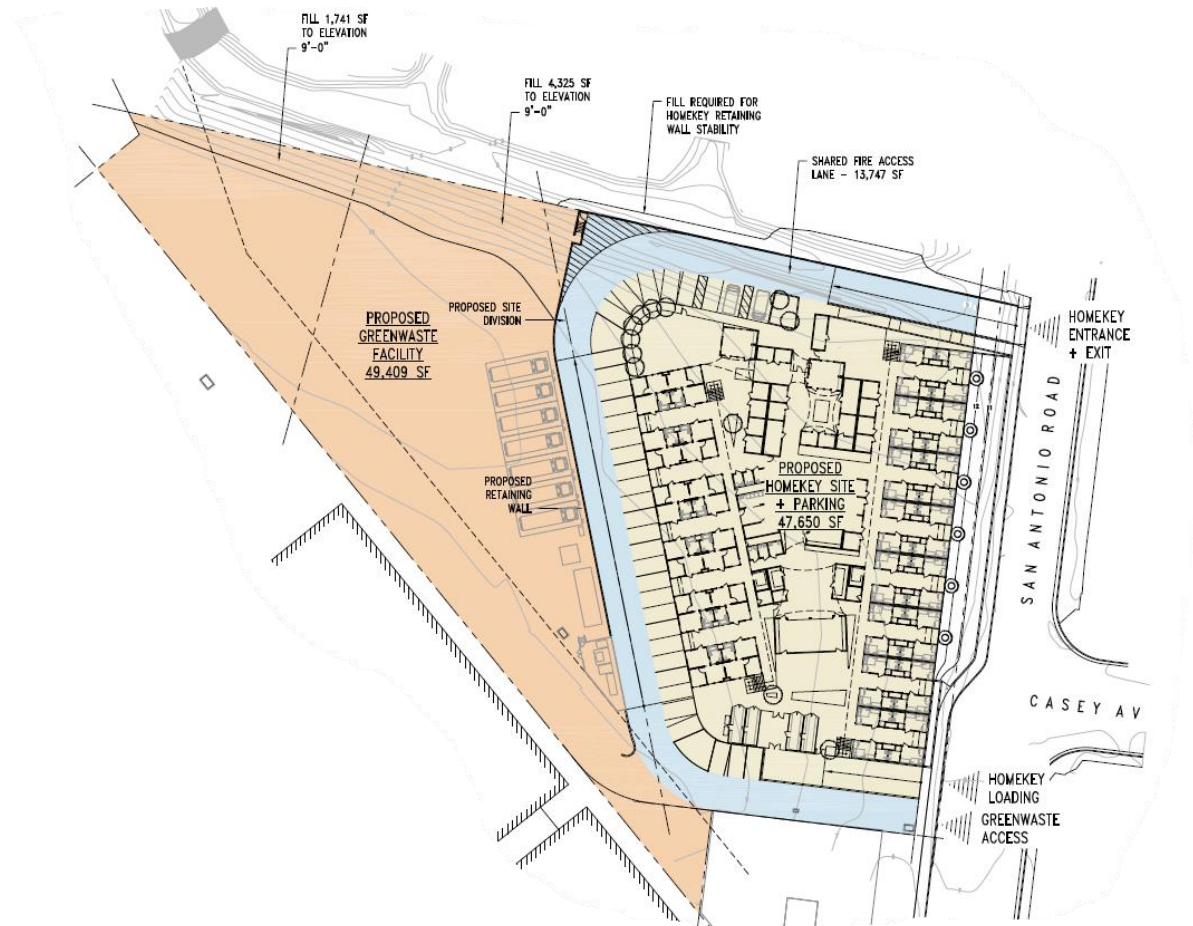
**Attachment A** includes a larger version of the 3-story site plan shown below. The 3-story option reconfigures the family units and the couples/singles units from 2-stories to 3-stories. It changes the driveway of the GreenWaste facility to the opposite side of the site and changes it from being a shared driveway with the Homekey site to a dedicated driveway; further distinguishing and separating the refuse facilities from the sheltering facilities. It also gives GreenWaste more contiguous open space to use for their sorting operations. **Attachment D** includes a larger version of the 2-story option for comparison purposes.

The 3-story design is 11-feet higher than the 2-story option. Height analysis of nearby buildings is provided further below. The 3-story option proposes 27 parking spaces which is fewer than the 2-story option but comparable to the Mountain View Homekey site (which has a 100-unit capacity). Other elements of the 3-story option are the same as the 2-story option, such as on-site programming and services, and most proposed building materials.

3-Story Option Proposed Site Plan



## 2-Story Option Site Plan (as of June 2022)



**Attachment B** provides rendering images of the 3-story option from San Antonio view as well as from the Baylands view.

### Considerations of the 3-Story Option

One of the primary drivers for considering the 3-story design is circulation. To meet City standards, the parking circulation path must be increased in width from 20 feet to 23 feet for Homekey. One solution to this is reconfiguration of the units, including a third level. If the 2-story option is preferred over the 3-story option, one or more of the following may be incorporated into the design:

- Reconfiguration of parking or changes to circulation. The parking back up may be reduced to 20 feet (minimum required for Fire Access) with a change to angled parking. Angled parking could reduce total parking spaces by 15-40% of spaces. Angled spaces would cause circulation for parking to be one-way, with Palo Alto Homekey needing to access both proposed driveways for regular circulation. The current 2-story option anticipates Palo Alto Homekey would primarily use one driveway and GreenWaste would use the other (though there is nothing in the design that signals for Homekey to *only* use one driveway in the current 2-story configuration).

- Loss of parking spaces. Parking could be reconfigured to parallel spaces along the perimeter of the Palo Alto Homekey site, at a loss of approximately 50% of parking spaces.
- Changes to building configuration. To maintain a 2-story massing, Homekey would have to either change the layout of the support facilities or reduce the total unit count. If they reduce the unit count, that impacts the state application and could reduce the grant amount (the grant amount is based on number of doors/units). Changing the support facility layout does not have a financial consequence but may change how LifeMoves as the operator would operate at the site, including a potential reduction of useable open space.
- Changes to overall site configuration. Another option would be to increase the leased area of Palo Alto Homekey and thus further reducing the area available to GreenWaste. Staff does not recommend this option as it would drastically impact the GreenWaste operation to a constrained space and it would likely result in the General Fund compensating the Refuse Fund for the lost space as there is joint ownership of this site. It would also be counterproductive to the City's sustainability goals by eliminating the ability to consolidate materials locally resulting in increased long-range truck trips in smaller trucks in and out of the City.

#### Benefits to the GreenWaste Operation of the 3-Story Option

In comparison to the 2-story option, the 3-story option provides GreenWaste with its own distinct entrance and exit that offers them a more direct path into their side of the yard without sharing a driveway with HomeKey. It also increases the usable and functional space available for actual operations. Additionally, with more contiguous space in this option, it provides GreenWaste with enough room for large collection vehicles to maneuver with ease. Similar to the 2-story option, it provides space for the entire inventory of debris boxes, a modular office, charging stations, a scale for weighting smaller containers from deconstruction sites, and the space for the new electrical connections, and infrastructure for the entire site.

#### Site Location and Surrounding Uses

The Palo Alto Homekey site is located adjacent to the Baylands. To the north are other portions of the former LATP site (Areas A and B). Area C of the LATP site is where GreenWaste, under contract with the City, has a sorting operation. Palo Alto Homekey is proposed for the front half of the LATP Area C site at 1237 North San Antonio. There is one remaining tank structure in Area B and the exact height of this structure is unknown, but it is estimated to be approximately 20 feet tall based on Google Maps images. To the south are tall one-story office buildings currently occupied by Google. The existing grade of these sites are low, approximately 2.5 to 4 feet lower than the adjacent San Antonio Road. Across the street from the project site, in the City of Mountain View, are additional tall one-story office buildings that are elevated a couple of feet above the grade of San Antonio Road and separated from San Antonio Road by landscaped berms.

Palo Alto Homekey is required by flood zone guidelines to elevate the finished floor by 5 feet, which brings the grade slightly higher than the height of the existing road, similar to the buildings across the street, but higher than the neighboring sites on the same side of San Antonio. The buildings on these sites pre-date the requirement to raise the finished floor above the base flood elevation.

### Land Use Analysis

As previously stated, Homekey projects are deemed compliant with a jurisdiction's comprehensive plan and zoning ordinance in order to facilitate a streamlined review process and ensure units are built within one-year of award. While deemed compliant, staff has prepared the following analysis to inform the public and decision makers where the project complies or deviates from policies or standards – if they were applied to the project.

#### *Comprehensive Plan*

The MISP land use designation allows for government uses and lands that are either publicly owned or operated as non-profit organizations. Therefore, the proposed use (Palo Alto Homekey) is consistent with that land use designation.

There is a 12,065 square feet portion of the LATP Area C land that is designated as Conservation Land in the Comp Plan. This portion is currently used for construction staging and truck parking. This area is part of where the relocated GreenWaste operations will be. The relocated GreenWaste use will not be consistent with the Conservation Land designation, which only allows for “resource management, recreation and educational activities compatible with resource conservation.” Therefore, relocation of the GreenWaste operation to this area would require an amendment to the Comprehensive Plan Land Use Map (Map L-6) as a formality to make the Comp Plan align with existing and proposed land uses.

This does not change between the 3-story and 2-story options. In addition, because this relocation is necessary to facilitate the use of the LATP site for Palo Alto Homekey, the Comp Plan amendment will be exempt from CEQA. Regardless of the 2- or 3-story design, the Comp Plan amendment will be brought forward for Council consideration.

#### *Zoning*

The project's proposed use is consistent with the allowed uses for the Public Facility (PF) zoning designation, which includes uses on land owned or leased by a public agency to another party. The project's compliance with development standards within the PF Zone, as listed in PAMC 18.28.050 is analyzed below; as explained earlier, this analysis is for informational purposes only since the project is automatically deemed consistent by virtue of state law.

#### *Height/Massing*

The development standards in the PF zone district restrict height to a maximum of 35 feet within 150 feet of a residential zone district and otherwise allow for a maximum height of 50 feet (PAMC 18.28.050). The site is not within 150 feet of a residential property, therefore, a 50-

foot height limit is allowed.

The height of the proposed 3-story design is 38 feet 1.5 inches; the structure is 33 feet 0.5 inches and the site would be raised 5 feet 1 inch for flood plane purposes. The 33 feet is well within the allowed height limit, however, many of the surrounding buildings are tall 1-story structures and approximately 20 feet in height. **Attachment C** contains a contextual analysis of the nearby building heights.

Staff requests City Council advise if the proposed 3-story height is appropriate and consistent within the context of the surrounding environment of this site, the City's housing goals, and the City's need to provide ongoing and unimpeded refuse operations.

### *Setbacks*

Under typical zoning, structures in the PF zoning district would be required to have a front setback equivalent to the most restrictive adjacent zone. In this case, the neighboring property is ROLM, which requires a 20-foot front setback. The proposed project does not conform to this standard, proposing no setback from the lease line. However, the landscaped berm is not considered part of the lease area and will separate the buildings from the sidewalk below by approximately 20 feet for the majority of the site width, though in the 2-story project the setback decreases to approximately 5 feet for the last two module pods. So, in effect, though there is not a setback from the lease line, there is a 20-foot setback from the sidewalk.

### *Parking and Circulation*

The proposed project would provide 35 spaces in the 2-story configuration and 27 spaces in the 3-story configuration for 88 units. This is more than the parking ratio that is provided in the Mountain View Homekey project, which provides 19 spaces for 100 units. The project will also include some U-shaped bike racks. The site is served by the Valley Transportation Authority (VTA) ACE Orange and the Mountain View GO shuttle, which operate along the project frontage, providing bus service during the commute hours. Based on parking use at the Mountain View site, the parking is used by staff during the day (when many clients are offsite). In the evenings, those clients with an automobile park either in the parking lot or along the street on Leghorn. Many of the singles clients ride bicycles instead of using automobiles.

The LATP site access is currently from a frontage road off San Antonio Road. The proposed design would include direct access to/from San Antonio. A driveway with parking would be located along the perimeter of the leased area. Access to the GreenWaste site would be provided by a separate driveway off of San Antonio, though fire access is shared between the two sites. This access for GreenWaste looks different in the 3-story option than the 2-story option as described above. Access for GreenWaste is not combined with the Homekey driveway in the 3-story option.

In both the 2-story and 3-story options, the designs propose eliminating the frontage road currently on site. The elimination of this frontage road necessitates the need for the creation of

an additional driveway off San Antonio that can be used to access the northern portion of LATP (Areas B and A). The 3-story option also extends the distance San Antonio Road is narrowed down, past the Casey Avenue intersection.

One of the primary drivers for considering the 3-story design is circulation. The proposed fire lane/parking circulation path must be increased in width by at least 3 feet to meet City standards. To accommodate that, the architect proposed to remove two family unit module pods (8 flex units), and one single unit pod (8 units). To preserve the unit count, a third floor with 22 single units is proposed.

High Quality Design

With private development, the ARB would ensure the project meets the following finding: “design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.” While not required, the City endeavors to hold public projects to this same standard. Staff believes there is some room for improvement of the look of the buildings for the 3-story option before sharing it with the ARB.

Staff provided the following feedback to LifeMoves in a June meeting, and as noted below, they have collaboratively incorporated many of the changes to enhance the project aesthetic. Staff requests feedback from the City Council on the appearance of the buildings in the 3-story design if it is pursued. These could be enhancements to the 2-story design as well but are most relevant for the 3-story option. The table below provides the ideas and the responses to date.

Staff’s Comments/Direction	Applicant Response
<ul style="list-style-type: none"><li>• Use various colors on the buildings to break up the massing</li></ul>	<p>A darker color has been added to the lower floors of the 3-story structures. An accent color is provided at each floor and around the doors and windows</p>
<ul style="list-style-type: none"><li>• Paint the proposed building muntins a darker color to break up the façade. Make the muntin a wider material to give more of a Baylands feel.</li></ul>	<p>No change proposed at this time</p>
<ul style="list-style-type: none"><li>• Provide a greater setback for some of the buildings to break up the flat project façade along San Antonio Road</li></ul>	<p>The security fencing has been setback from the front building facades by 4 feet to break up the street façade</p>
<ul style="list-style-type: none"><li>• Use balconies/decks to break up flat facades</li></ul>	<p>No change proposed at this time</p>
<ul style="list-style-type: none"><li>• Add roof eaves to all sides of the building to create additional shadows and visually reduce the massing of the buildings</li></ul>	<p>1.5-foot roof eaves have been added to all sides of the buildings</p>
<ul style="list-style-type: none"><li>• Change the roof style from a hipped roof to a shed roof, in keeping with the more</li></ul>	<p>No change proposed at this time</p>

natural surroundings	
• Ensure all windows are recessed from the façade to create interest/shadow lines	All windows are recessed 5 inches back from the front façade
• Enhance the proposed security fencing by using decorative metal panels or similar.	No change proposed at this time
• Other ideas discussed by Council	

Another design consideration is the proximity to the Baylands, and visibility from the Baylands trails. The Palo Alto Baylands Nature Preserve Design Guidelines (2005) primarily provide guidance for the trails and parklands. However, the following design principles are relevant and encouraged for this project:

- Use only muted, natural colors. Choose materials and finishes that will weather without degrading. Avoid bright, reflective colors, including white.
- Preserve the horizon line with low and horizontal elements. The dominant landscape feature of the Baylands is the horizon line of the open, treeless landscape and the flat water of the bay. Vertical elements that puncture this line have a large impact on the view. Therefore, keep elements low and horizontal.

It should be noted, however, that the Guidelines encourage gray paint, and allowing materials including wood and metal to naturally weather. For this project, a slightly wider, possibly darker, natural color palette is encouraged, as well as durable materials that will not degrade substantially over time. **Attachment B** shows the rendering of the 3-story design option with a view from the Baylands as well as from San Antonio.

Timeline/ Next Steps

Following this review, the HomeKey project team will revise their plans as necessary, and are tentatively scheduled for a courtesy review before the ARB on July 21. The lease agreement is estimated to be heard by the City Council in early August. When approving the lease, the City Council will also be accepting the final site design layout, circulation and modular building design elements.

Staff will continue to review the necessary changes to the GreenWaste site and process this staff level architectural review concurrently with the HomeKey project. Lastly, staff will work with the applicant to ensure a driveway is permitted and constructed for access to the northern portion of LAMP.

Staff will also prepare a Comp Plan Amendment, as described earlier, that removes the small portion of the LAMP from conservation land designation (consistent with existing site use). This will be heard first by the Planning and Transportation Commission and then City Council. This amendment is necessary to facilitate relocation of Greenwaste facilities, thus creating the area for the Homekey housing facilities.

Resource Impact



There has been significant staff time dedicated to this project to date from both the City and LifeMoves. LifeMoves has secured contractors to perform design and other relevant work to keep this project moving. The City has funded studies and reports to ensure the site is ready to build upon (Phase I, Phase II, and soil studies and reports). There is not yet a cost analysis for the 3-story design. Any changes in the design will not result in additional funding from the State once the grant award is presented to the City.

### **Stakeholder Engagement**

Per standard practice, a sign has been posted at the site stating that an application for development has been filed.

### **Environmental Review**

Numerous state laws, including but not limited to AB 140 (2021) and AB 2553 (2020) have exempted emergency shelter projects, and specifically projects funded by the Project Homekey program, from the requirements of the California Environmental Quality Act. To the extent any of the actions contemplated by the City Council in relation to this project are not covered by these statutory exemptions, they are exempt pursuant to CEQA Guidelines Section 15269 as actions to mitigate an emergency related to the unhoused population in Palo Alto.

#### **Attachments:**

- **Attachmenta:** Attachment A: 3-Story Option Site Plan
- **Attachmentb:** Attachment B: Architectural Renderings of 3-Story Option
- **Attachmentc:** Attachment C: Height and Context Snapshot of Existing Nearby Buildings
- **Attachmentd:** Attachment D: Existing Conditions and 2-Story Site Plan Design

**Attachment A: 3-Story Option Site Plan**

WORK CONSISTS OF INSTALLATION OF HOMEKEY PALO ALTO, A SUPPORTIVE INTERIM HOUSING PROJECT SERVING PEOPLE EXPERIENCING HOMELESSNESS. THE FACILITY INCLUDES SLEEPING UNITS (FOR INDIVIDUALS, COUPLES, AND FAMILIES), COMMUNAL DINING HALL, AND SUPPORT SERVICES ARRANGED AS SHOWN ON THIS SHEET. DINING HALL (KEY NUMBERS 18, 19, 20), COMMUNITY ROOM (KEY NUMBER 10), AND ELEVATOR CONTROL ROOMS (KEY NUMBER 16) WILL BE SITE-BUILT STRUCTURES; ALL OTHERS WILL BE PREFABRICATED MODULAR UNITS.

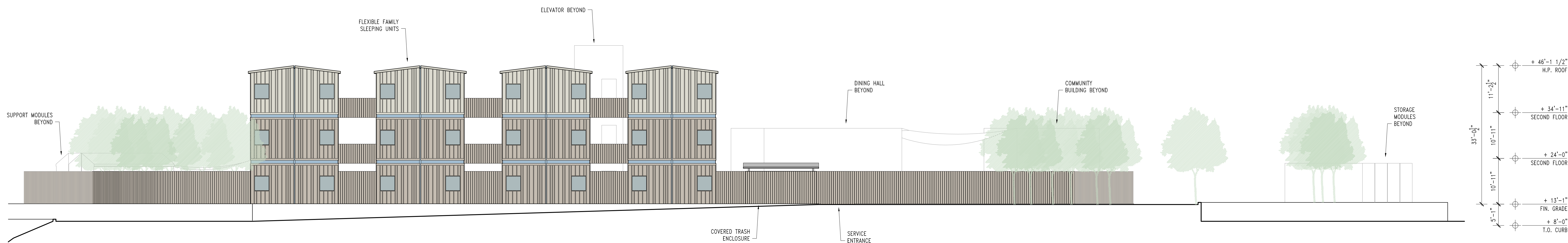
- 1 INTAKE
- 2 CONFERENCE ROOM
- 3 START BREAK
- 4 ASSISTANT PROGRAM DIRECTOR
- 5 PROGRAM DIRECTOR
- 6 CLINIC
- 7 THERAPY ROOM
- 8 FLEX
- 9 CASE MANAGER OFFICE
- 10 COMMUNITY ROOM
- 11 RESTROOM
- 12 JANITOR CLOSET
- 13 LAUNDRY
- 14 SECURITY
- 15 LINEN CLOSET
- 16 ELEVATOR CONTROL ROOM
- 17 ELEVATOR
- 18 DINING HALL
- 19 FOOD STORAGE + PREP
- 20 PANTRY
- 21 CLIENT STORAGE
- 22 TRASH AREA
- 23 PET AREA
- 24 UTILITY AREA
- 25 BIKE PARKING
- 26 STORAGE
- 27 FAMILY LOUNGE
- 28 PLAY AREA
- 29 LOADING AREA
- 30 FAMILY SLEEPING MODULE (1, 2, 3, or 4 UNITS)
- 31 INDIVIDUALS or COUPLES SLEEPING MODULE (2 UNITS)
- 32 CHILDREN'S SUPPORT MODULE
- 33 OUTDOOR GATHERING AREA
- 34 OUTDOOR DINING AREA
- 35 GARDEN
- 36 SMOKING AREA
- 37 HOUSING + EMPLOYMENT OFFICE
- 38 CASE MANAGER (VOLUNTEER FOCUS)
- 39 CHILDREN'S SUPPORT COORDINATOR
- 40 BED BUG ZAPPER
- 41 EMERGENCY SUPPLY CLOSET
- 42 PARKING (26 SPACES)
- 43 OUTDOOR BARBECUE AREA
- 44 I.T. CLOSET

- 1 REFER TO CIVIL DRAWINGS FOR EXACT LOCATION OF THE BOUNDARY AND LEASE LINES DEFINING EXTENT OF HOMEKEY SITE.
- 2 BOUNDARY BETWEEN CITY OF PALO ALTO AND CITY OF MOUNTAIN VIEW IS ASSUMED TO BE PARCEL'S PROPERTY LINE PARALLEL TO SAN ANTONIO ROAD.
- 3 GREENWASTE FACILITY WORK IS UNDER SEPARATE PERMITS.









2 WEST ELEVATION

3/32" = 1'-0"

A-EE-SITE.dwg



1 EAST ELEVATION

3/32" = 1'-0"

A-EE-SITE.dwg



**Attachment B: Architectural Renderings of 3-Story Option**

Rendering View of Palo Alto Homekey 3-Story Option from Baylands Trail





Rendering View from San Antonio of Palo Alto Homekey 3-Story Option (no trees shown)





Rendering View from San Antonio of Palo Alto Homekey 3-Story Option (with trees shown)





Rendering Aerial View of Palo Alto Homekey 3-Story Option *(note, building colors not shown in this view)*











View of existing grade difference between access road  
and San Antonio Road

**Attachment D: Existing Conditions and 2-Story Site Plan Design**





EXCERPT FROM RIGHT OF ENTRY AGREEMENT,  
LOS ALTOS TREATMENT PLANT (LATP) SITE,  
MAY 3, 2021, DEVELOPMENT MAP (P. 5)

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