



# CITY COUNCIL ACTION MINUTES

Special Meeting  
November 8, 2021

The City Council of the City of Palo Alto met on this date in virtual teleconference at 5:02 P.M.

Participating Remotely: Burt, Cormack, DuBois, Filseth, Kou, Stone, Tanaka

Absent:

## Special Orders of the Day

1. Adoption of **Resolution 10003** Expressing Appreciation to Catherine Bourquin Upon Her Retirement.
2. Adoption of **Resolution 10004** Expressing Appreciation to Hector Sanchez Upon His Retirement.
3. Adoption of **Resolution 10005** for Adrienne Moore Upon Her Retirement.

**MOTION:** Mayor DuBois moved, seconded by Council Member Kou to adopt the Resolution for Catherine Bourquin upon her retirement, the Resolution for Hector Sanchez upon his retirement, and the Resolution for Adrienne Moore upon her retirement.

**MOTION PASSED:** 7-0

- ~~4. Proclamation Honoring Law Enforcement Records and Support Personnel Day November 9, 2021 (This item was removed)~~

## Study Session

- ~~5. Safe Routes to School Presentation (This item was removed)~~

## Agenda Changes, Additions and Deletions

Mayor DuBois relayed that the City Council will hear Agenda Item AA1 at 10 P.M.

## Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 10.

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**MOTION:** Council Member Filseth moved, seconded by Council Member Cormack to approve Agenda Item Numbers 6-8, 10-11.

6. Approve Minutes from October 25, 2021.
7. Approval of a Funding Agreement with the Santa Clara Valley Transportation Authority (VTA) for City of Palo Alto On-Demand Transit Service to Provide \$2M in Funding and Requiring \$500,000 in City Matching Funds Over Two Years.
8. Approval of the Asset Capitalization Audit Activity Report.
9. ~~SECOND READING: Adoption of an Ordinance Amending the City's Fiscal Year (FY) 2022 Municipal Fee Schedule to Adjust the Affordable Housing Commercial Impact Fee (FIRST READING: October 18, 2021 PASSED: 5-2, Cormack, Tanaka no)~~ (This item was removed)
10. SECOND READING: Adoption of **Ordinance 5533** to Extend the Temporary Outdoor Encroachment Permit Program for Dining, Retail, and Other Uses, Including the Parklet Pilot Program, until June 30, 2022 (FIRST READING: October 18, 2021 PASSED: 5-2, DuBois, Kou no).
11. SECOND READING: Adoption of a Park Improvement **Ordinance 55334** for Renovations, Expansion and New Amenities at John Boulware Park as Recommended by the Parks and Recreation Commission (FIRST READING: October 18, 2021 PASSED: 7-0).

**ITEMS 6-8, 11 OF MOTION PASSED: 7-0**

**ITEM 10 OF MOTION PASSED: 6-1, Kou no**

The City Council went on break at 5:48 P.M. and returned at 6:02 P.M.

## Action Items

12. Public Hearing: Consider Adoption of Two Ordinances Implementing the Objective Standards Project, Including: 1) New Chapter 18.24, Objective Design Standards, to Replace Existing Context-Based Design Criteria; 2) Modifications to Affordable Housing (AH) and Workforce Housing (WH) Overlay Districts to Eliminate the Legislative Process; 3) Expansion of Affordable Housing (AH) and Housing Incentive Program (HIP) to PTOD-Eligible Properties; 4) Changes to Remove Inconsistencies and Redundancies, and Streamline Project Review Throughout Title 18 Chapters (6:20 - 7:20 PM) CONTINUED FROM OCTOBER 25, 2021.

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**MOTION:** Council Member Kou moved, seconded by Council Member Stone to:

- A. Take Council feedback on overlays and then take to housing element working group and return to Council for further discussion;
- B. Direct Staff to retain current Context-Based Design Criteria and Chapter 18 laws for development applications that do not fall under the State housing laws requiring objective standards;
- C. Direct Staff to return with proposed objective standards and intent statements and to provide:
  - i. A detailed side-by-side comparison of the existing Context-Based Design Criteria and the proposed new laws;
  - ii. Adoptable changes to existing and proposed laws that would provide standards for privacy and other protections for all residents, regardless of their zones. Regarding privacy, to come back with stronger protections for elevated floors looking into neighboring lots. Stronger definitions of sight lines and how this applies. Address concerns about allowing 15% windows. In RM40, retain 25' front set back;
  - iii. Refer to the S/CAP Ad Hoc Committee on the evaluation of approximate GHG impacts in construction;
- D. Prior to any rezoning of PF to workforce housing, the City Council would re-examine the affordability threshold of workforce housing;
- E. Hold at least two meetings on the proposed changes before the next Council session for free-form discussion by the general public;
- F. In Building Massing / Facades sections where there is a menu of choices, increase the number of required choices per category;
- G. Put in place a temporary height transition backstop. Initial ordinance should include objective height transition language, for example "No part of the building can be more than X' higher than the lowest adjacent building, up to the applicable height limit". Come back with a specific proposal along these lines for adoption this year and Staff can then propose additional amendments in the future; and
- H. Evaluate and return with strengthened language to use "design standards" instead of "design intents";

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- I. Evaluate whether "decision by director" option throughout objective standards puts those at risk and should be changed /remove; and
- J. On appeal, consider sending directly to Council if required to meet streamlining requirements.

**MOTION PASSED:** 5-2, Cormack, Tanaka no

The City Council continued to Item AA1 at 8:13 P.M. and returned to Item 12 at 8:42 P.M.

AA1. Selection of Applicants to Interview for the Architectural Review Board, Historic Resources Board, Parks and Recreation Commission, and Planning and Transportation Commission.

**MOTION:** Mayor DuBois moved, seconded by Council Member Cormack to propose that:

- A. Each Council Member email the City Clerk by the end of business tomorrow with selections for each Board and Commission equal to the number of openings plus two more; and
- B. The City Clerk will take the superset of all proposed candidates and schedule interviews.

**SUBSTITUTE MOTION:** Vice Mayor Burt moved, seconded by Council Member Kou to:

- A. Direct Staff to schedule interviews with all applicants for scheduled vacancies on the Architectural Review Board, the Historic Resources Board, the Parks and Recreation Commission, and the Planning and Transportation Commission.

**SUBSTITUTE MOTION PASSED:** 4-3, Cormack, DuBois, Filseth no

13. Discuss Updates and Recommend Further Refinement of Potential Revenue Generating Local Ballot Measures, and Review Draft Initial Polling Outline.

**MOTION:** Mayor DuBois moved, seconded by Council Member Kou to:

- A. Direct Staff to model a business license tax at monthly rates of \$0.05 to \$0.20 per square foot, with a preference for no sunset and an annual escalator, and with thresholds for square footage size and possible exemptions for:

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- i. Small retail, measured by square footage;
  - ii. Grocery stores;
  - iii. No exemptions;
- B. Direct Staff to model two methods to replace the General Fund Equity Transfer (GFET) at risk in the Green case:
- i. Seek voter approval in modifying the 2009 GFET formula to transfer a percentage of gas utility gross revenues;
  - ii. Distribute the change across gas and electric as an increase in the percentage of Utility Users Tax (UUT);
- C. Direct Staff to execute initial round of polling (Attachment A), delegate of review of polls to the Finance Committee, pending availability to stay on the workplan timeline, and incorporate Council's feedback of the poll, including modeling assumptions identified in parts A and B of the motion; and
- D. Remove the parcel tax as an option from the polling questions.

**MOTION PASSED:** 6-1, Tanaka no

14. Review and Recommend Renter Protection Policies for Development and Implementation. (Continued to a date uncertain)

Adjournment: The meeting was adjourned at 12:00 A.M. in honor of Veteran's Day.

ATTEST:

DocuSigned by:  
*Lesley Milton*  
E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:  
*J. D. Blair*  
DD53585CA6CB4E9...

Mayor

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

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Subject: Please DocuSign: 20211101amCCs.docx, 20211104amCCs.docx, 20211108amCCs.docx, 20211025amCCs.pdf	
Source Envelope:	
Document Pages: 16	Signatures: 8
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Danielle Kang
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	250 Hamilton Ave
	Palo Alto , CA 94301
	Danielle.Kang@cityofpaloalto.org
	IP Address: 199.33.32.254

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11/23/2021 10:56:48 AM	Danielle.Kang@cityofpaloalto.org	
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**Signer Events**

Tom DuBois  
tomforcouncil@gmail.com  
Security Level: Email, Account Authentication (None)

**Signature**

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Lesley Milton  
Lesley.Milton@CityofPaloAlto.org  
City Clerk  
Security Level: Email, Account Authentication (None)

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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	11/23/2021 11:18:17 AM

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Certified Delivered	Security Checked	11/30/2021 1:56:10 PM
Signing Complete	Security Checked	11/30/2021 1:56:33 PM
Completed	Security Checked	11/30/2021 1:56:33 PM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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