



CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
June 06, 2022

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:00 P.M.

Present in person: Burt, Cormack, DuBois, Filseth, Kou, Stone, Tanaka

Present virtually: None

Absent: None

SPECIAL ORDERS OF THE DAY (5:00 -5:10 PM)

1. Adoption of Resolution for Sascha Priess Upon His Retirement

MOTION: Council Member Cormack moved, seconded by Mayor Burt to adopt a resolution celebrating Sascha Priess on his retirement.

MOTION PASSED: 7-0

Agenda Changes, Additions and Deletions

None.

Public Comment

Consent Calendar

Council Member Cormack registered a no vote on Agenda Item Number 3.

Council Member Tanaka registered a no vote on Agenda Item Number 4.

MOTION: Council Member DuBois moved, seconded by Council Member Cormack to approve Agenda Item Numbers 2-9.

2. Approve Minutes from the May 16, 2022 City Council Meeting

3. Adoption of **Resolution 10044** Authorizing Use of Teleconferencing for Council Meetings During Covid-19 State of Emergency

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4. Approval of the Second Amended and Restated Purchase Order Number 4521000199 with Altec Industries, Inc., to Increase the Purchase Order Amount by \$40,024 to a New Not-to-Exceed Amount of \$707,092, for the Purchase of Two Peterbilt Crane Trucks through a Cooperative Contract, in the Scheduled Vehicle and Equipment Replacement -Fiscal Year 2020 Capital Improvement Project (VR-20000), with the Not-to-Exceed Amount Including \$687,222 for the Two Trucks and a Contingency Amount of \$19,870.
5. Adoption of **Resolution 10045** Calling for a General Municipal Election to be held November 8, 2022
6. Approval of Amendment No. 4 to Contract Number C18171717 With Perkins + Will for Preparation of the North Ventura Coordinated Area Plan (NVCAP) for a Term Through December 31, 2023.
7. Adoption of the first reading of an Ordinance Amending the City's Surveillance and Privacy Protection Ordinance to Exempt the Foothills Fire Early Warning System (PAMC 2.30.680).
8. Adoption of Side Letter of Agreement and Salary Schedule for the Service Employees International Union (SEIU) -Hourly Unit and Adoption of Salary Schedule for Limited Hourlies
9. Approve a Fiscal Year 2023 Program for Domestic Recycling of Mixed Paper and Mixed Rigid Plastics; Authorize Staff to Negotiate a Corresponding Contract Amendment with GreenWaste of Palo Alto for Program Costs in an Amount Not to Exceed \$1.2M

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PASSED for Items 2, 5-9: 7-0

MOTION PASSED for Items 3: 6-1, Cormack no

MOTION PASSED for Item 4: 6-1, Tanaka No

City Manager Comments

Action Items

10. PUBLIC HEARING: Adoption of an Ordinance Amending Palo Alto Municipal Code Section 18.52.070 (Parking Regulations for CD Assessment District) to Continue a Temporary Ban on Eligibility of Commercial Office Uses Above the Ground Floor to Participate in the Downtown Parking In-Lieu Program

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and Making Clerical Amendments to PAMC Section 16.57.010 (Applicability) in Chapter 16.57 (In-Lieu Parking Fee for New Nonresidential Development in the Commercial Downtown (CD) Zoning District)

MOTION: Mayor Burt moved, seconded by Council Member Cormack to adopt an ordinance amending:

- A. Palo Alto Municipal Code (PAMC) Section 18.52.070 (Parking Regulations for CD Assessment District) to continue a temporary ban for three years on the eligibility of commercial office uses above the ground floor to participate in the Downtown Parking In-Lieu Program; and
- B. PAMC Section 16.57.010 (Applicability) in Chapter 16.57 (In-Lieu Parking Fee for New Nonresidential Development in the Commercial Downtown (CD) Zoning District) in Title 16 (Building Regulations) to be consistent with PAMC Section 18.52.070.

MOTION PASSED: 6-1, Tanaka no

- 11. PUBLIC HEARING: Adoption of a Resolution Providing that the City will Not Levy Assessments for the Downtown Business Improvement District for FY2023

MOTION: Council Member Filseth moved, seconded by Council Member DuBois to adopt **Resolution 10046** declining to levy assessments for Fiscal Year 2023 for the Downtown Business Improvement District (BID).

MOTION PASSED: 7-0

- 12. 1310 Bryant Street (Castilleja School Project) PUBLIC HEARING/QUASI JUDICIAL/LEGISLATIVE: Certification of an Environmental Impact Report (EIR) and Approval of Applications for (1) a Conditional Use Permit (CUP) Amendment to Increase Student Enrollment Initially to 450 Students Followed by Phased Conditional Increases to 540 Students; (2) a Parking Adjustment to Enable On-Site Parking Reduction; (3) a Variance to Replace Campus Gross Floor Area; (4) Architectural Review of Campus Redevelopment. Additionally, (5) Adoption of a Zoning Text Amendment Exempting Some Below-Grade Parking Facilities from Gross Floor Area. Zone District: R-1(10,000). Environmental Review: Final Environmental Impact Report (EIR) Published July 30, 2020; Draft EIR Published July 15, 2019 (Item Continued from May 23, 2022 Meeting)

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MOTION: Council Member Tanaka moved, seconded by Council Member Cormack to adopt **Resolution 10047** certifying the subject project's environmental impact report (Attachment B).

MOTION PASSED: 6-1, Kou no

FINAL ADOPTED MOTION: Council Member DuBois moved, seconded by Council Member Filseth to incorporate the staff motion to approve the project, approve the CUP, approve the variance, approve the parking adjustment and approve the ARB findings and adopt a record of land use action subject to the following conditions/modifications:

1. Adopt zoning text amendment - C1 for parcels six acres or greater
2. Direct staff to amend the ordinance to state the square footage of below grade parking structures is excluded from gross floor area for purposes of development standards under Title 18 but included for purposes of calculating development impact fees under Title 16.
3. Construction - If students are on the Castilleja campus during construction, maintain enrollment at 416 until construction is completed, then go to 450. If students are moved off site during construction, then can go to 450 immediately.
4. Establish a 3-person Neighborhood Committee (in place of the TDM committee), appointed by council. Committee's role will be to:
 - a. Review TDM reports, events, noise complaints, and organize twice annual community meetings with the school.
 - b. Make recommendations to the Planning Director regarding the school's compliance with community conditions of approval.
 - c. Recommend to the Planning Director whether Castilleja has met the conditions that will trigger increases or decreases in enrollment.
 - d. The Planning Director will approve changes in events, enrollment, and TDM changes.
5. Authorize 50 events (50+ attendees) and 5 major events (500+ attendees), the school can request additional events and the Neighborhood Committee can review and make recommendations adjusting if the school demonstrates ability to manage these events well.
6. Approve Alternative E for the garage.

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7. Staff to draft detailed TDM and return for a public session with Council, ideally within 6 months. This item can be placed on consent. TDM to be approved before issuing occupancy permit. TDM should include details on measurement and enforcement including but not limited to:
 - a. Applicant agrees to only use onsite and street parking along the perimeter of school building for all parking.
 - b. Requirements for satellite parking.
 - c. Impose conditions that generally no juniors drive to school, school has ability to make up to 5 exceptions for individual cases.
 - d. The school shall be responsible for traffic control, enforcing no parking/drop-offs in unauthorized streets / areas and monitoring of streets around school for student parking or drop-offs. The TDM Firm will provide information on student parking and drop off compliance as part of their reports 3 times per year.
 - e. Impose condition that applicant agrees they will be excluded from any possible future RPP.
 - f. Increase the percentage of students within 5-mile radius to 40%, +/- 2%, prior to exceeding 450 students.
8. Clarify conditions of approval to include:
 - a. No use of pile drivers or exceptionally loud equipment during construction -
 - b. Use of secant walls if hit groundwater - Conditional of approval.
 - c. Avoid buzzer/ noise when cars exit the garage and use non audio safety measures
9. Record land use action that 540 is the max number of students permitted, and no further increase in enrollment shall occur at this property. Staff will work with school leadership to draft a joint statement of intention around a maximum enrollment of students.

MOTION PASSED: 6-1, Kou no

13. Adoption of an Ordinance Amending Title 8 of the PAMC to Expand Tree Protection to Include Additional Protected Tree Species, Revise Grounds for Tree Removal, and Make Clarifying Changes and Amending Titles 2, 9, and 18 to make Clerical Updates

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FINAL MOTION: Vice Mayor Kou moved, seconded by Council Member Stone to:

- A. Adopt the proposed changes to Palo Alto Municipal Code amending Chapter 8.04 (Street Trees, Shrubs, and Plants); Chapter 8.08 (Weed Abatement); Chapter 8.10 (Tree Preservation and Management Regulations); and Chapter 2.25 (Parks and Recreation Commission); and Making Clerical Changes to Chapter 9.56 (Abatement of Nuisances) and Title 18 (Zoning) of the Palo Alto Municipal Code and
- B. Directs staff to evaluate prospective modifications to the ordinance that will come to light over the next year, as well as planning implications to be reviewed by the Planning and Transportation Commission and Parks and Recreation Commission in the following months.

MOTION PASSED: 5-2, Cormack, Tanaka no

Council Member Questions, Comments and Announcements

Adjournment: The meeting was adjourned at 11:17 P.M.

ATTEST:

APPROVED:

City Clerk

Mayor

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