



CITY OF PALO ALTO CITY COUNCIL MINUTES

Special Meeting
July 16, 2012

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 5:35 P.M.

Present: Burt, Espinosa, Holman, Klein arrived @ 7:12 P.M., Price, Scharff, Shepherd, Yeh

Absent: Schmid

1. Interview of Henry Wong for the Planning and Transportation Commission for One Unexpired Term Ending on July 31, 2013.

The City Council interviewed Henry Wong for the one unexpired term on the Planning and Transportation Commission ending on July 31, 2013.

SPECIAL ORDERS OF THE DAY

2. Bay Area Council Yangpu District Presentation.

Bing Wei, Vice President of Initiatives gave a presentation on the potential partnership between Palo Alto and the Yangpu District. She said that the Bay Area Council was established in 1945 by Earl Warren. The Bay Area Council's goal was to advocate for a strong economy and a better quality of life. Shanghai was the most prominent business city in China, second to Beijing. Yangpu had a population of 1.3 million with 14 universities, two of which were ranked in the top five universities in China. Yangpu aspired to be the Silicon Valley of China and was in the process of building its ecosystem around the vision. She explained there were five core strengths of Yangpu's industry, including innovations in technology. Ms. Wei said they presented the same idea to the Yangpu District. If both sides agreed to move forward with the project a Letter of Intent (LOI) could be signed and they could determine how they would collaborate with each other. VMware was a new member and was headquartered in the Yangpu District and the largest employer in Palo Alto. After the LOI was signed they wanted agreement about how they could do other events on an annual basis, or cross border trade collaboration into different vehicles. Commissioner Yin developed the partnership idea because it was more related to economic

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development rather than cultural exchange. She said they were looking at sending host delegations back and forth to create cross border investments and trades. Palo Alto was understood to be the capital of Silicon Valley in China and could share best practices. Yangpu had many investors looking to California projects. She said that Yangpu strived to be one of the greenest cities in the country as well as one of the smartest cities. Sustainable development was part and parcel of a smart city. That could be put specifically into the LOI or the agreement in the future. Bay Area Council would facilitate the agreement.

3. Project Safety Net Community Presentation.

Project Safety Net Director, Christina Llerena explained that she was honored and excited to be on board as the Project Safety Net (PSN) Director and has been in the position for three months. She stated she has conducted an internal and external audit including PSN Steering Committee members and members at large as well as community members. The three findings were general themes to work on this year: 1) strengthen the partnership and collaborative relationship with PAUSD at all levels—administrative and site; 2) engage and empower youth in PSN; 3) balance and maintain the dual but related efforts of the suicide prevention and Developmental asset work of PSN. Council Member Burt asked about upcoming actions and Ms. Llerena stated they were creating a youth-focused QPR/Suicide Prevention training and hoping to do a joint youth and adult event for the community. The date was to be determined. Council Member Price commended on the efforts of PSN and stressed how important suicide prevention work is.

STUDY SESSION

4. Cool Cities Challenge Study Session.

David Gershon explained the “Cool Cities Challenge” to Council and indicated that he would like to see Palo Alto submit a “Letter of Intent” and later apply to become part of the Program. Once a Letter of Intent (LOI) was submitted, David would spend approximately one year fund raising for implementation. If funds are raised from the private sector and grants, Palo Alto would then make a final decision on whether to apply to be one of the US cities participating. The Program would establish neighborhood Green Teams to work on Greenhouse Gas reduction on a household-by-household basis. No action was taken by Council. Staff will return to Council with a Draft LOI for consideration.

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CITY MANAGER COMMENTS

City Manager, James Keene reported on the launch of the City's new website at midnight, July 16, 2012. He explained it was a hard launch which followed a two month beta test period. During that time nearly 5,000 users tried the new website and the City received useful feedback from the community. He acknowledged the many participants in the collaborative efforts of the volunteer experts on the Website Advisory Committee and Staff.

APPROVAL OF MINUTES

MOTION: Council Member Espinosa moved, seconded by Council Member Shepherd to approve the minutes of April 9, 2012.

MOTION PASSED: 8-0 Schmid absent

ORAL COMMUNICATIONS

Wynn Grcich spoke regarding the spraying of aluminum oxide. Stanford had a document regarding aerial spraying. She said aerial spraying was a concern because aluminum in the brain caused Alzheimer's. The aluminum oxide was sprayed continuously and was in the reservoirs and lakes. She said that barium and strontium were radioactive. She stated that there was aluminum, mercury, formaldehyde, and MSG in vaccinations. Aluminum was sprayed from above into our water and they used aluminum phosphate fertilizer waste, what Jackie Speier called medicine and fluoridated the rest of the state with.

Mark Petersen-Perez discussed City Attorney Molly Stump's performance over the past 12 months. Ms. Stump pledged open government and transparency and promised to improve the office's website to make more legal documents available. The website was no different under Ms. Stump then it was under the previous City Attorney. As an accountant, when he looked at the City Attorney's budget for salaries it was \$1.3 million. He said that Ms. Stump also promised excellent customer service. He had made numerous calls to Ms. Stump and her office that were never returned. The customer service promised did not exist.

Aram James said that approximately six weeks prior he came to a Council meeting to commend the Palo Alto Police Department for the fact they had not had a taser deployment in approximately two years. That ended on Friday, July 13, 2012, at Mitchell Park. He discussed a Public Records Request he would make on the subject. He was concerned that a 17 year

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old was tasered justifiably according to the policy. He said that there was subjective discretion and did not believe that a 17 year old should have been tased. According to Truth Not Tasers they had the 739th taser death in North America since 2001. He also requested a meeting with the Chief of Police to look at the Mobile Audio Video (MAV) tape to see if there was something that could have been done by the City or Police Department to use something potentially less lethal than the taser.

Edward (Ted) Kai of the Green Party discussed the concept of city bikes in Palo Alto. He used bikes in Berlin, Germany in 2009. He said that most people used bikes for transportation in Europe. He saw several people's bikes badly vandalized in the public areas. A City sponsored bike rental could be compared to rental cars. If the rental bike was damaged it could be replaced from the pool, compared to one's own bicycle which had to be repaired. Many bicycle stores he spoke to were enthusiastic about the concept of City owned bikes. He asked the City Council to give the concept its blessing and indicated he would follow up with a formal letter.

Mike Francois brought an article written by Rahasya Poe regarding the chemical trails discussed by Ms. Grcich. He said that they were not contrails. Contrails were the trails that were 60 to 90 seconds long behind airplanes when they flew over. Chemtrails were about three miles long and constantly spread out. Those had aluminum in them and went into the ground and water supply. He compared the spraying to chlorine in water, which was a disinfectant. He said that 90% of cancers were caused by disinfectants. They could not put faith in what they were told by the agencies, but those agencies admitted to geoengineering and wanted to control the weather.

CONSENT CALENDAR

MOTION: Council Member Shepherd moved, seconded by Council Member Espinosa to approve Agenda Item Nos. 5-12.

5. Approval of an Electric Enterprise Fund Contract with Golden State Utility Company for Trenching and Substructure Installation Services in the Amount of \$2,677,800.
6. Approval of Contract Amendment with Baker & Taylor to Add \$40,000.00 for Digital Format Books for a Total Amount Not to Exceed \$1,290,000.
7. Approval of a Contract with Con-Quest Contractors, Inc. in the Amount of \$518,400 for the Relocation of a 96-Inch Diameter Storm Drain

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Pipeline on East Bayshore Road Near San Francisquito Creek, Capital Improvement Program Project SD-06101.

8. Approval of Change Order Number One to Contract C12142966 with Par Electric, Inc. in the amount of \$85,000 to Rebuild the 60 Kilovolt Electric System for a Total Contract Amount Not to Exceed \$1,748,900.
9. Approval and Authorization of the City Manager to Execute a Contract with Canus Corporation in a Total Amount of \$7,673,000 for Electric, Water, Gas, Wastewater, Storm Drain and Public Works Construction Inspection Services.
10. Resolution 9274 Placing an Initiative Measure on November 2012 Ballot to Permit Three Medical Marijuana Dispensaries to Operate in Palo Alto.
11. Approval of Contract for Goods (Purchase Order) for the Acquisition of Toshiba Laptops.
12. Approval of Fiscal Year 2012 Re-appropriation Requests to be Carried Forward into Fiscal Year 2013.

MOTION PASSED: 5-0 Burt, Klein, Scharff, Schmid absent

AGENDA CHANGES, ADDITIONS, AND DELETIONS

MOTION: Mayor Yeh moved, seconded by Council Member Shepherd to not hear Agenda Item No. 15.

~~15. CONFERENCE WITH LABOR NEGOTIATORS~~

~~City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray)~~
~~Employee Organization: Palo Alto Police Officers Association (PAPOA)~~
~~Authority: Government Code Section 54957.6(a)~~

MOTION PASSED: 7-0 Burt and Schmid absent

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ACTION ITEMS

13. Direction on Downtown Parking Strategies and Approval of Trial Residential Permit Parking Program In and Around the Professorville Neighborhood.

Curtis Williams, Director of Planning and Community Environment, said one of the main points he wanted to make was that while they would probably spend most of the time that evening discussing the trial permit program in the Professorville area that it was a small but important part of a more comprehensive look at the downtown parking situation. There were a number of efforts related to parking management, supply, and demand that the City had worked on. There was an active permit management system they recently put into place to distribute permits. Staff was beginning a parking garage study to look at the supply issue as well as more efficient ways to use the garages and parking lots. They were looking at a number of technologies and parking enhancements to more efficiently use the spaces and publicize and provide mobile technology for information purposes. They were before Council to discuss the trial program for a portion of Professorville but would then go into a larger look at areas of downtown including Downtown North. They also had a bicycle share program parking efforts that they were undertaking to study bike parking as well as vehicular parking. In terms of the parking garage study the Staff was looking at using some of the funding provided by the Lytton Gateway project to complete a feasibility study of three or four parking lot sites in the downtown area. The study would determine the feasibility of construction of additional garages at those locations and the capacity and construction costs. Staff was also looking at a trial of attendant parking in some of the garages to see if there was a way to provide more spaces and increase the use of the garage space the City had more efficiently. He said they would continue to evaluate the balance of permit and hourly spaces in those garages. They had already converted some hourly spaces to permit spaces which had helped create more parking supply for permits. On the technology side they looked at parking guidance systems which let people know how many spaces were available. They also looked at evaluating gate controls to allow for metered parking and longer stays downtown. Specifically related to the proposed residential parking permit trial program in Professorville, Staff visited with the Council in fall 2011 regarding the broad parking program efforts. Many people attended the meeting who were concerned about the parking impacts from downtown on the Professorville area. He said they convened a Staff generated group to discuss those issues further and included a handful of active residents and representatives from downtown businesses. There were also Staff members and one Council Member and one Planning and Transportation Commissioner in the group. They met monthly for

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approximately the past six months with the aim of looking at trial parking programs and how the City monitored the effects of the other parking strategies on the neighborhood. He said they also tried to evaluate why people parked on the street as opposed to in garages and parking lots. From there they outlined potential opportunities for residential permit parking programs. Some of the concerns they heard were how parking impacted the quality of life in residential neighborhoods and the parking availability for residents. He stressed the need to balance those concerns with the needs of employee parking in the downtown area because the streets were also public resources. He recognized that they worked with a group they invited to meet with them and not the broader neighborhood of Professorville or the entire downtown residential community. He said that they were looking at a fairly small area, but it was Staff's feeling that it was extremely important to put together something that could be looked at to ascertain the balance of how much residential protection was necessary versus how much employee parking could be allowed without creating an extreme impact one way or the other. They thought a localized program allowed them to beta test the approach. Staff recognized there would be a broader effort following the three to six month trial period.

Jaime Rodriguez, Chief Transportation Officer, said it was important to look at the effort Staff made over the last year with the parking issues. He showed a slide of available parking spaces within the downtown corridor. Staff used that data to educate itself about the supply and to try to find ways to maximize on-street spaces. As an example, through analysis, Staff added 32 on-street spaces, reduced red zones, and converted inefficient parking allocations. Staff also measured the occupancy of on-street throughout the greater downtown area from Palo Alto Avenue down to Embarcadero to Alma to Middlefield because they needed it for the permit parking process. on-street Staff used data in conjunction with research from the residents to determine the correct corridor to look at a potential residential permit parking (RPP) study project. The downtown core of Lytton, University, and Hamilton had about 1,100 parking spaces on-street. He said that Staff took the data and guided the discussions held by the working group. They recommended a framework of four specific items to the working group as they developed the RPP program. One was to provide a buffer of at least one block between commercial uses and residential use to allow for transition and change in use. When they considered RPP streets they focused on the streets that were local and not arterial. For example, Alma or Middlefield were not appropriate streets for a RPP. At the same time, residential arterials such as Homer and Channing also moved traffic in and out of the downtown so those were streets that were not appropriate for consideration of RPP. Staff suggested that RPP's should focus on-streets that were more single family home based versus multifamily unit based.

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When the land uses were majority multifamily use it automatically generated a high demand for parking. Streets with those uses did not lend themselves to programs such as the RPP. Staff also wanted to make sure that whatever program was recommended in an RPP form was cost neutral and sustained itself without impacting or drawing from existing City resources. Thinking more globally, Staff tried to pool all of the RPP districts into one fund to help maintain costs for RPP permits around the City, rather than try to manage several RPP funds. Different tiers of RPP only created inequity in the community. He showed the proposed boundary for the proposed RPP district that the working group reached consensus on. It was south of Channing, Addison, Lincoln, Ramona, and Emerson and represented approximately 190 on-street parking spaces. The working group discussed details on how the RPP would work and they came to consensus on several factors. One was that offering one permit to residents was a way to demonstrate what the long term benefit of RPP was because if the program were implemented long term those residents would want to purchase the permits long term. They also wanted to ensure that there were permits available to residents beyond the one free permit. They recommended a cost of \$50.00 for each additional specific vehicle or every additional permit that could be hung from a rear view mirror for guests. They recommended random enforcement to help measure the type of compliance they received through changes in regulatory signage as well as citation revenue for future long term operation and sustainability. One of the unique elements of the program was that they wanted to make sure there was a balance between the resident uses and the existing next door commercial uses. One of the items the working group reached consensus on was making a small portion of on-street spaces available for neighboring uses through the sale of non-resident permits at the same cost of \$50.00 throughout the trial period. Multi-guest or day passes were also available at the cost of \$1.00 per permit. They also discussed the length of the program and decided the trial program should be a minimum of three months and should last up to six months. Because they had collected strong baseline data for the program, it was simple for Staff to measure any impact from people moving from one street onto a street that was outside the RPP area. Once the working group built a consensus on the boundaries and elements of the RPP program it surveyed the people that lived within the area. They sent out approximately 103 surveys and received back about 68 responses. Of the 68 responses, 82 percent supported the implementation of a trial project. He showed the survey that the residents were asked to respond to and noted that a follow up survey was sent, which helped them get to the 68 responses they received. There was much conversation about how to measure the success of a trial. The first and foremost way to measure the success was the parking occupancy on the street. They had the baseline data and they needed a measure to determine if the program provided a benefit or caused an impact to the

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adjacent streets. They recommended trying to achieve a goal of a maximum of 80 percent occupancy by implementing the RPP trial. He explained that would create more yellow zones within the area. Yellow zones meant that a motorist should be able to find a parking space on the street they wanted to park on. Staff would study what happened to the adjacent streets and see if there were adverse effects. Staff also wanted to measure demand for permit sales not just for the residents but also for the non-residents. They talked about making 51 permits available, but they needed to know if there was demand by the neighboring community for those permits. With respect to measuring parking compliance he said that many times simple regulatory signage went a long way in implementing behavioral change. However, if that was not followed up by enforcement the City would not realize a long term benefit in permanent change. He said that measuring parking compliance helped them measure whether or not they saw cars adhering to the proposed two hour parking restriction which was available for anyone to park in the area, and whether or not they were forced to issue citations as a community to those who did not adhere to the rules. He said that many residents discussed quality of life. The only way to measure that was quality versus quantity based. Staff wanted to survey residents and invite them to participate in community outreach meetings as they contemplated the longer term vision of the RPP. The last thing the working group looked at was the operations cost. There were several factors related to parking compliance which fed into the measure, but the largest piece was the permit sales. If the City had an RPP area but was not selling permits it was not going to be a successful area. The objective was not to simply push people out. The RPP program's purpose was to provide parking to residents. He said that the community received a \$250,000 contribution from the Lytton Gateway project for downtown parking preservation projects. Staff discussed dedicating \$125,000 of the contribution for projects for the area south of Forest Avenue. Professorville was one option. Another option was to dedicate \$125,000 towards projects in Downtown North. He said a pilot Professorville RPP program could cost up to \$50,000. That covered the cost of signage, of Revenue Collection Staff to purchase and administer the distribution of permits, of random enforcement by the parking compliance Staff, and allowed the City to measure the long term cost of a RPP in the community.

Mr. Williams said the Council was very aware that the parking zoning issues meshed with the recent permit activity, the development downtown and the discussions that went on over some of the projects. Some of the issues relative to those projects were exemptions laid out in the ordinance and parking reductions that were allowed as well as transfer development rights which were used in several projects over the past few years. He thought that had been a successful program in getting historic rehabilitation and

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seismic upgrades in the downtown area. However, they were 2,500 or 5,000 square foot buildings that did not require the parking that went along with the square footage. He said that as Staff reported with the Lytton Gateway project there was a development cap in the zoning code downtown of 350,000 square feet of nonresidential space which was established in 1985 as part of the downtown study. That study also indicated that when the City reached a total of 235,000 square feet that it should study the appropriate total nonresidential square footage and the associated parking issues. Staff reported during the Lytton Gateway project that the City was at about 220,000 square feet and Staff knew there were one to two other projects that would soon put the City beyond the 235,000 study threshold. Staff wanted to start that analysis immediately regarding the potential and how to better match the parking with the amount of development and the exemptions that were allowed. He said that the zoning regulations in general had parking ratios for office use that deserved to be reevaluated. The City saw office occupancies that were considerably more than one person per 250 square feet. The old model had not held up and it was appropriate to reevaluate those ratios and how the City treated nonconforming parking uses. Finally, Staff thought it was appropriate to look at a downtown transportation demand management program. The City had several downtown employers that did a good job and were on the cutting edge. He thought Lytton Gateway was a building like that, but noted that there were many others including smaller businesses that could not put together their own programs. He thought it was incumbent on the City to help coordinate that effort and provide opportunities for everyone to participate in programs that would enhance transit use, bicycling, walking, and bike shares. That was part of the program Staff intended to flesh out over the next six months along with the parking garage study. Staff's recommendation to Council was to authorize Staff to proceed with the trial program for three to six months. They wanted to run the program for three months and then meet with the working group and report to the Council as to how things were going and see if another three months would be worthwhile or if there was a reason to immediately shift gears. Staff also wanted input and direction related to the studies. If Council was ok with Staff looking at the zoning issues then they wanted approval for that in order to get started on that work.

Ray Dempsey spoke on behalf of residents that participated in the study group. He said that the RPP was not the solution but a test case for a broader solution. There were four issues that were brought up by the residents with respect to the RPP: 1) private parking on a public street; 2) size and length of time of the RPP; 3) forcing parking into adjacent areas; and 4) cost and accessibility of permits. With regard to the private parking on a public street the United States Supreme Court ruled in *Arlington vs.*

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Richards that the character and safety of neighborhoods trumped intrusive parking. There was a right there and numerous lower courts upheld that ruling. He said that as far as the size and length of the time of the RPP it was determined by the City and not by the business people or residents. It was based on available assets, including financial assets. The City would monitor results and could modify the pilot program. He said that forcing parkers into other areas was another major problem. As mentioned the pilot was not a solution, it was a test for a solution. Many residents noted that there were packed streets and wondered where the relocated cars would park. He said it would obviously move the parked cars out somewhat, but it was temporary and the six months was better than the six years the residents had experienced with the problem. After the RPP, the next step was to apply what was learned to the larger region. The cost and accessibility of permits after the first free permit, the \$50.00 charge per permit, was a charge only to users. He said that if a person did not need the permit, they did not have to pay for it. Many people had driveways and garages, some did not. He said that at least the cost was borne by the users and not by all residents of the City as would be the case if the City absorbed the cost. The nonresident permits were negotiated to help bridge long term solutions. He said that if residents wanted an RPP program it would not happen without the pilot program as it was presented.

Barbara Gross said that she and Chop Keenan were representing the Palo Alto Downtown Business Association. Chop Keenan, Russ Cohen, and herself were seated on the City sponsored Parking Committee that discussed the public/private parking interests of the downtown commercial district and the neighborhood of Professorville. She said parking was a complicated issue that had a direct influence on the success of the business district and had overflow impacts on surrounding residential areas. She said that there was always a parking deficit in the downtown and there was always a mixed use of space which spilled over into the residential area. There was also always a parking deficit in Professorville as garages were converted to other uses, driveways were eliminated to expand gardens, and garages in the back alleys were too small for modern vehicles or had been converted to other uses. She said that office space changed over the past years to accommodate more Staff. She said that families had increased the number of cars per household and most could no longer self-park on their own property. Representatives of the Professorville neighborhood communicated multiple messages. They said the streets were filled with nonresidential parked cars that remained there throughout the business day. That created a crowding on the streets which did not allow residents the ability to park near their homes or re-park their cars during the day. She said that created a safety issue with drivers behaving poorly while looking for parking spaces and parking too close together causing vehicle damage and blocking

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driveways. Equally as important it had changed the feeling of the neighborhood, making it look and feel less residential and negatively impacting housing values. Representatives of the business community began conversation with the fact that three public parking garages had been built to accommodate more customers and downtown employees in the last 10 years. Parking permits for employees were oversold by a minimum of 25 percent for all garages at a cost of \$420.00 annually. Employee spillover to the surrounding neighborhoods had always been a reality and there were ongoing parking improvements in the downtown district. She said that the City was investigating electronic signage to direct cars to available spaces. The parking assessment district suggested stacking cars in select areas of the garages to further increase the number of permit spaces in each garage. That required the use of a valet attendant. She said that all day parking ticket machines were being added to all garages to offer more options. She said that there was not a way to make things perfect for everyone and there was not going to be one single solution. Professorville was not a walled community situated in a rural setting; it was and always had been adjacent to the downtown. She said they were talking about public streets and who had the rights to access them. The business community could not force everyone working in the downtown to purchase a permit if that was their means of transportation. The negative impacts to the viability of the business district could change the attractive nature of the downtown as a place to do business which could have financial ramifications. It was said that if everyone walked away from a mediation not getting everything they asked for the settlement was successful. She said that everyone was moderately happy with the proposed RPP. The RPP addressed offering residents a guarantee that not all parking spaces would be filled with parked cars and therefore opened the congested feeling of the streets. The proposed RPP also guaranteed that not all parking spaces would be filled with nonresidential cars and offered the opportunity for traffic control. Opening the RPP door in one community was a gateway for other communities to expect the same program and that became a vast and complicated problem.

Chop Keenan said he wanted to fill in data points regarding the self-help of the downtown parking district. The downtown parking district met once a month for the last twelve years. It was a 90 minute meeting with a packed agenda and did not work on autopilot. They successfully built two parking structures with 900 spaces over that 12 year period. There were two costs associated with the structures. One was the cost to build them, which was financed by the property owners in the assessment district. That was \$0.18 per foot per month, so a 2,000 square foot store paid \$360.00 per month for the capital cost of servicing the bond. He said those funds did not guarantee the store a parking space. Spaces were on a first come first served basis

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and downtown employees paid an incremental \$420.00 per year for the operation and maintenance of the district. That was for things such as sweeping and security and totaled \$1.2 million per year. He said that it took approximately 90 to 270 days to clear a waiting list. All the garages had waiting lists except for Cowper/Webster. He stated that with stacked parking they might add 300 to 400 more spaces, which was more effective than the \$65,000 per space cost of building another structure. He said that parking equaled prosperity and that it was a fragile parking ecosystem that could not take radical disruption. They supported the Staff report. It was a long process and they did not know how it was going to turn out but they anticipated knowing more in six months. He said they would probably return to Council to discuss course correction at that time.

Ethan Atwood spoke against the RPP. He said he lived in Palo Alto for 20 years, mostly in Barron Park, but had moved to Downtown North three years ago so he could take the train to work. He loved the vibrant downtown, but paid for that with drunken students and a fair amount of noise and difficulty parking. He said that was part of the deal when he moved to the area and thought that everyone who lived in Professorville near the downtown also understood that was part of the deal. He was annoyed and unhappy about people who tried to keep others from parking in their neighborhood. When he lived in Barron Park he drove to Professorville, parked, and walked downtown. What the RPP did was take away a right from other Palo Alto residents who lived in other neighborhoods and wanted to get downtown and park. The permits went to people of wealth, people who were professionals that lived downtown, and the people who were nurses at Lytton Gardens, Webster House, and Channing House, but the stock men and women at Whole Foods would not get permits and would be hurt by the RPP. He said those people would simply walk four more blocks. He said that RPP hurt the little people and to the rest of Palo Alto. He urged the Council to vote against the RPP.

Richard Brand recommended that the Council take a serious look at how the plan would be implemented as it dealt with longer term issues. He supported residential parking permits but did not believe the RPP was ready. One of the issues was that if one did the math they would see that 103 residences ended up with 101 spaces available for one permit. He asked where he would go to purchase an additional permit. People had asked Staff how they measured the success of the program. He did not understand that either and believed it needed to be well delineated in writing so that everyone understood how the RPP was judged. He supported the idea in principle, but thought the program needed further review.

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Beth Bunnenberg said she was speaking as an individual. She said that there was a time when the Stanford Shopping Center had opened and the big stores moved out there and only the banks and a few stalwarts remained downtown. She said that there were boarded up store fronts and empty lots that stayed that way for some time. After David Packard restored the Stanford Theatre people went downtown to the movies and parked close to the theatre because deserted streets were creepy. Little by little Palo Alto put together a mix of old and new structures and created a unique downtown. The City's transfer of development rights was probably the strongest support for the historic restorations that had occurred. The architects came in and said that transfer of development rights made it financially possible to redo the buildings and that was how Palo Alto got its historical buildings renovated. She said that it was a balancing act and asked that they understand that in terms of the historic downtown buildings transfer of development rights was very important and Professorville was a very important district.

Rob Steinberg said he was an Urban Designer and Architect who lived on Bryant Street. He concurred with everyone that there was a parking problem in Professorville that needed to be addressed and appreciated the City's willingness to take the issue on. He was concerned that the displaced parked cars from the RPP program would gravitate to adjacent blocks and neighborhoods that were not part of the RPP program. He asked what assurances the City could offer the neighbors that were not part of the RPP program that their streets would not be the recipient of the displaced cars. He hoped there was consensus among the Council that simply moving the problem was not a satisfactory solution.

Dena Mossar said she had heard that Palo Alto used to be a peaceful place to live but had changed and parking permits would not stop inevitable change. She also heard that some people wanted to park in front of their homes, but permits would not provide that certainty. She heard that Palo Alto High School students were a problem, but parking permits were not a substitute for a conversation with the School District about their parking policies. She heard that the biggest parking problem that neighbors faced was that nonresidents carelessly blocked driveways. She suggested signage and enforcement to solve that problem. She heard that the proposed trial area was not large enough, but there were no stated criteria that helped her decide where the boundaries should be. She heard that it was technology employees or Sirius employees or developers, the City's own policies, or even the neighbors themselves who had caused the problem. She said that issuing parking permits did not get to the root causes. She heard that residents should have free parking permits, Staff said that the cost of permits in a permanent system would be based on cost recovery, but there

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was no information about those costs and therefore no consensus about the worth of the parking permit. Professorville was not the only neighborhood that wanted permits. She asked if it was the appropriate time to ask if Palo Alto wanted to be a parking permitted community and if so then the community dialogue should come first to establish appropriate policies and set the rules for implementation. She asked how they got to the place where the area south of Forest Avenue was converted to a test tube. Staff had asked Council to approve a program that had no specified goals, no problem statement, no established criteria that defined success, and would negatively affect residents that lived outside of the trial boundaries. She said the trial had negative consequences for service employees who worked for local retailers, restaurants, coffee shops, and markets. Those services enhanced the livability of Professorville. She said that if the Council decided that parking permits were necessary she asked that they make sure to establish a process that would ensure an open public dialogue that represented the community's broad interests.

Mark Alguard said he opposed the proposal. He lived on Waverley Street 50 feet from Addison. He anticipated that all of the cars displaced from the Addison and Scott blocks would find his house to be the best place to park. He was not being provided a residential parking permit so that he could park around the corner on Addison, which would probably be the only parking that was available. He suffered the consequences and did not get any of the benefits of the trial and that had been expressed by other people as well. He was also concerned about the survey that was done because he was not surveyed. The only people that were surveyed were in the proposed area. He acknowledged there were parking problems but stated that they bought that when they bought their houses. He did not have much sympathy for people who converted their garages or turned their driveways into gardens. He felt that the City should not reward those people; it should have programs that encouraged homeowners to restore their garages and driveways and move toward off street parking. He said that Menlo Park did not allow overnight on-street parking and asked what would happen if Palo Alto had a program like that.

Don Barr spoke against the proposal, not because he was against permits but because he was disappointed in the process. He said that he spent significant time working on Palo Alto issues. The RPP program process was neither open nor representative. He said that he lived in a house on the historic registry across the street from the district and the first he heard of the RPP was a letter posted July 3, 2012, which he received on July 5, 2012. The letter indicated the program was a done deal and that it was being discussed at Council. He asked why there were not announced, publicized, noticed, open meetings. He asked why it was not a representative process.

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He said that the self-appointed representatives on the study group were not representative of the community. Professorville was 15 square blocks; the proposed area was two and a half square blocks, not all of which was in Professorville. He said that most of the homes in the residential parking district had garages and many of them had been converted. Parking in the City streets was a social good that belonged to all the people of Palo Alto, residents and employees alike. In his opinion residents had no more right to a parking space than a worker. He said that there also needed to be a conversation about the difference between a \$12.00 an hour worker and someone who made \$120,000 per year.

David Epstein said he lived on the one block of Emerson just beyond the proposed trial area toward Embarcadero. One of his problems was not just the downtown area, but the high school students that parked there during the school year. Many high school students did not want to pay for parking so they parked on his block. He said that the trial was a severe burden on his block because residents could not park a street over due to the trial and the displaced cars would park on his block. He said that it pushed both the downtown workers and the high school students to his block. He found it interesting that the RPP provided no solution. He asked where the cars would go. The RPP pushing them out of one area and all that happened was they were moving to another area. He was also disturbed by the process and did not hear about it until several people showed him the completed survey which did not take into account those that were negatively affected by the trial. He found it unfortunately cavalier to say that it was simply a trial and not to worry about it. It was dealing with people's lives over the next six months. He suggested they use computer simulations rather than experimenting on real people. He wanted a more global solution and urged Council not to pass the proposal.

Steven Cohen lived on Addison and was between the pilot area and the downtown. He would not receive any benefits from the pilot program or any permanent program. He was against permit parking and was happy living in a vibrant and diverse area where people from downtown could park. After he found out by accident about the implementation of the program he did a casual survey with his neighbors, which looked at the available spaces for the residents. When he walked around at 1:00 p.m. on several occasions he noticed that out of the 66 driveways with 125 spaces there were about 37 cars parked. He said that many of the garages were repurposed and that in that area there were only about 4 homes that had no garage or driveway. From his perspective the City was subsidizing the bad behavior of those with underutilized driveways and garages at the expense of the public.

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Ben Cintz said he lived on Kipling Street with his family. Before that for about 15 years he lived on Alma Street in the affected area. He owned residential property in that area as well as some commercial property. What made Palo Alto and the downtown vibrant was that it was a changing area with many uses for that area. There were many changes over the years. He wasn't sure a parking permit program in the absence of additional parking was going to create a solution that could be addressed in six months. He said that 66 percent of the people surveyed responded and of that 80 percent approved. For part of the time he lived on Alma he commuted to San Francisco and took his bike to the train station, and then rode to San Francisco and back. He saw people doing that in the reverse direction now and was concerned that unless the City had solutions the pilot program was not going to give them many answers.

Alan Petersen lived in on High Street where there were 12 cars parked on the street at 9:00 a.m. on Sunday morning and 27 parked on the street at 9:00 a.m. Monday morning, which was basically total capacity. On his block the lifetime of an empty parking space was best measured in seconds. He said that he was sure many people were familiar with that problem. He found it surprising that his block was specifically excluded from not only the pilot program but the entire test region. It was perhaps because there were several duplexes on the block and therefore they were second class citizens in a single family discussion. Nevertheless, parking was clearly a persistent and difficult problem. He was personally ambivalent about parking permits. He enjoyed the vibrant downtown and realized he did not own the City streets. However, he endured aggravation daily. What bothered him most about the RPP program was expressed very well by previous speakers and that was the lack of transparency, fairness, and measurable objectives in the process. He urged the Council to defer the implementation of the RPP until there was a better plan.

Justin Birnbaum said that it was striking to him that so many people were present so late in the game expressing concerns about the RPP. It was painfully apparent to him that the process was flawed. People were there to speak to Council because they had not been part of the discussion. The group surveyed was not representative of the broader spectrum of views in Professorville. He was not surprised that the people surveyed lived in the pilot area. He said that the folks who were the loudest about the problem, placed cones in front of their homes, and did not use their garages for parking got what they wanted in part because of some bad behavior. He looked at the data with Mr. Rodriguez and at the very worst time of day people only had to park a block and a half from their home. He did not feel that was so bad.

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Michelle Arden lived on Lincoln Avenue in Professorville. Unusually her home was newly built. She said that many people who chose to live in the area did so because of the proximity to downtown and downtown services. It was because of the urban amenities, which were a huge benefit to the neighborhoods that surrounded the core of Palo Alto. The benefit had consequences, which were that the streets were more urban because they needed to support the workers that provided those urban services. She thought that the City could reward people for using their garages and their Floor Area Ratio (FAR) space to build two car garages, as she had. She suggested Planning could think about that while also considering some of the other initiatives that offered a great deal of promise.

Michael Havern lived about six blocks down the street on Ramona and had for 26 years. He had a garage that was not converted with a driveway and used both every day because he could not use the spaces in front of his house. He did not suffer as much as the people in his neighborhood that did not have those things. The historic character of the neighborhood that he bought into 26 years earlier was substantially marred and that only alluded to the visual pollution, not to the day to day hassles of the out of control parking situation. He did not think there was a pilot required for the permit program; he thought it was something that should be instituted immediately. He said the City was trying to encourage heavier development near transit hubs, but continued to provide free all day parking. He thought that they should go to no all-day parking anywhere close to the areas where they were trying to encourage transit heavy development and do away with the pilot, which causing several problems by itself.

Paul Goldstein lived on Emerson Street in the trial area. He said that the plan before Council was developed by a few self-appointed residents and had not been discussed with the community. He had seen more public outreach around moving a stop sign than there was on the RPP. He was not aware of a single community meeting about the RPP. The Staff report stated there was a downtown community issue in March, but he did not remember receiving a mailing and he looked back at the archives on the Palo Alto Weekly and did not see notification there either. Most of his neighbors had no knowledge of the meeting. In June 2012 letters announcing the trial were sent to the trial residents only. Adjacent residents were notified first through the July 2, 2012 mailing. Some details of the plan were first disclosed in the Staff report. Additionally, he thought the summer was a poor time to survey the neighborhood as many community members were away. He understood that the City was in a difficult position because some vocal residents demanded immediate relief and there was pressure to do something fast, however the only solution to the problem was a comprehensive program developed through an open and inclusive public

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process. Given sufficient time and community meetings the impacted groups including businesses and employees could likely come up with a workable solution. He recognized that would take time and City resources, but the people of the neighborhood had lived with the issues for years and they had the time. He urged the Council to reject the trial and if they wished to proceed with it to they create a legitimate, inclusive process moving forward.

Irvin Dawid said a residential parking permit was an effective tool used to manage parking, reduce driving and car ownership, promote affordable housing, and to reduce a city's carbon footprint. His apartment building was a great example. They had 107 units and the parking ratio was .5, so there were approximately 53 parking spaces for 107 people. He did not know much about what happened when his building went in in 1993, but the neighbors could have complained and asked what was to prevent the residents from parking in the adjacent neighborhood. That became a reason why one used an RPP. A previous speaker asked where the cars would go. The way he saw it the RPP was not being presented as an effective tool to manage parking. Another speaker used the term parking deficit, which was a term that made no sense anymore. There was no parking deficit; the City had mismanaged parking and parking in garages that went unused as well as a segregated system of permitted parking and free parking. The City needed to use the parking it had effectively, which meant pricing it. They needed to eliminate the permit and have long and short term parking using meters like other cities. The City had people currently buying parking permits and not using them so the spaces went empty. He asked that they use permit parking as a tool and not as a solution.

Sandra Martignetti said she lived on Cowper Street and everyone had garages and driveways. Most people used those spaces to park. She said that in the last nine months they were invaded by people who parked and walked downtown. Her neighborhood was different. She said that if they were wondering if cars would be displaced to adjacent streets, it had already happened. She was ambivalent about parking permits. It was a strange concept to her that she would have to pay to park her extra car. What she wanted to have the City do was move forward with innovative ideas such as the ones discussed by Mr. Keenan. She would rather see money spent on stacked parking, additional garages, and innovation downtown.

Adia Levin said she worked in downtown Palo Alto for six years and utilized the permits and was painfully familiar with the permit parking garage system that induced employees to park on the street. She currently lived in Menlo Park and visited Palo Alto often, almost always on her bicycle. She was glad that the Professorville residents raised the parking issue but did not

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believe that the proposed RPP would solve the problem. She was happy that Staff was working on a set of comprehensive solutions for optimizing downtown parking including allowing businesses to purchase and subsidize permits, using permits for multiple workers, enabling online and kiosk purchases of permits, day passes, digital signs, open data, but she thought there was still a parking management problem. Several people said that the reason they did not pay for parking was that on-street parking was free. She suggested they set the prices so that there was an incentive for people that wanted to park to park at a garage and a disincentive to park on the street.

Doria Summa said she lived on Yale Street in College Terrace. She thanked the Council for approving their permit parking program which had been a huge success. She served on the committee that worked with Staff to design that program and continued to serve on another group that worked with Staff to keep the program running smoothly. She supported a similar residential parking program for Downtown North and South. The program allowed anyone to park for two hours during business days. What she did not support about what the City proposed was a program that discriminated against residents that lived in multiunit dwellings and their neighbors. For example Attachment H of the Staff report had the program guidelines for the general RPP going forward. She said that if the City attempted to apply that in College Terrace it would literally exempt all of the parts of College Terrace that had been formerly the most impacted by parking problems from being in any RPP. Additionally, the experience in College Terrace showed that a comprehensive RPP supported the needs of both businesses and residents. Living on Yale Street at the edge of the mixed use zone she could tell the Council that in addition to employee parking businesses needed short term parking. When employees parked everything up, businesses did not have the short term parking either. Residents needed parking spots sufficiently close for themselves and their visitors to their houses. She thought that a RPP in Downtown North and South would support the long term transportation goals of the City, which were to get people to come to the City through alternate modes of transportation.

Herb Borock said the main reason there was a parking problem was that the Council kept supporting more intensified development for proposals that exceeded the zoning. The second problem was the intensification of existing development. He stated that for those who were concerned about how to get residents to use their driveways and garages the way to do it was to prohibit parking in residential zones between 2:00 a.m. and 6:00 a.m. He said that was how the system used to work and that back then you could get a hardship permit, but someone would have come out to check to see how long your driveway was and what it accommodated. He stated that the

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particular proposal was not Professorville; it included the 1000 block of Emerson Street, and the other side of Addison which were not in Professorville. He said that Ken Alzman was the main advocate of intensive development. For example when 800 High Street was on the ballot Mr. Alzman said it would provide enough parking to eliminate business and customers from four or five blocks. Mr. Alzman had also supported 355 Alma. He said that Mr. Alzman thought he was going to get a permit for a spot in front of his house. The Staff report did not say if the permit was for individual spaces or for the whole neighborhood. He hoped they were for the whole neighborhood. The program should not be done for the reasons mentioned by quite a few speakers.

John Woodfill said he was a resident of Downtown North where they had a parking issue as well. He was not as worried about the parking issue as he was about the frantic drivers going around looking for spaces in the neighborhood. He felt that the Professorville trial was treating a symptom, not the overall problem. He agreed with those who proposed trying to simultaneously control parking outside of downtown and manage the parking structures that existed better. He understood that the Bryant Street garage was often half full during the day, so if the garages were managed better there would be more reason for people to park elsewhere and if they had a RPP or meters in the outside neighborhoods then the parking might move inward and reduce the traffic.

Martin Bernstein said he was the Chair of the Palo Alto Historic Resources Board (HRB). He said that Ms. Gross mentioned a parking deficit in downtown Palo Alto. They had one in 1924 and that was why the underground parking underneath University was built when the Cardinal Hotel was constructed. Mr. Williams mentioned historic preservation and a very successful program of transfer development rights. He suggested that program remain intact and unchanged as it had been very successful. The HRB had seen many applications that benefited from that program. In addition to historic preservation itself as a benefit, two other direct benefits of that program were the seismic retrofitting which aided public safety, and contributing to the economic vitality of downtown Palo Alto. The most specific example was the historic Ramona district where there had been several successful projects and the economics of downtown Palo Alto and Ramona Street in particular had been very important for the vitality of the City.

Vice Mayor Scharff thanked the people who served on the committee. He said it was important to note that it was a very contentious committee and there was a lot of tension and difficulty at times between the two groups and certain members of the groups. It was one of those processes where the

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groups wanted to come together and finally agreed on what they wanted. He thought the agreement was driven significantly by what each group wanted. Downtown parking interests wanted to have parking spaces and permits, whereas the residential group wanted not to have cars in front of their houses. That was something for Council to keep in mind as it reviewed the proposal. Staff had a different proposal at the time, which was to make one side of the street RPP and the other side of the street 4 hour parking. There were concerns amongst the residential group that the 4 hour parking would be in front of their house. He thought that was why Staff's proposal was defeated. He was not sure that was what should drive the discussion. He thought the Council needed a more comprehensive view so he thought it was important for his colleagues to get a sense of what the meetings were like.

Council Member Burt said they were calling it a trial, but it was not clear to him if it was being tried whether or not they would have a permitted program, the form of a permitted program if they were to have one, or the area covered by a permitted program if they were to have one.

Mr. Williams said they were looking at a broader area than the trial but from a management standpoint the pilot area was manageable and did not have many cost issues. They were trying to determine what the balance was between the residential component of the use of the streets and the nonresidential component. In other words, assuming there was a restriction on the nonresidential component, they needed to determine if residential component was such that it would take up most of the parking spaces on the street by itself, or would there be empty streets that could accommodate a better balance of resident and nonresident type of parking. That was the number one thing tested. Secondly they were testing if there was an impact on the neighboring areas and to what direction it went and again, keeping the area fairly focused they thought would minimize the impacts rather than doing it on a larger scale. After the trial was completed Staff would return with a program that better addressed the overall impacts.

Council Member Burt said that it sounded like the intention had some elements of a trial and some of a pilot. The pilot being a reduced scale of something that was anticipated would most likely ultimately be a larger geographic area than what was piloted. The trial was both about the formula that was used and also of spillover impacts, which intersected with the pilot. He thought that laid out for Council what they were talking about even if it did not provide solutions. He saw that Staff recommendation number one in the third line said that within six months Staff would return to Council with the recommendations for a permanent program. He asked if

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that was really the intention of what Council would be directing that evening based on Staff recommendations.

Mr. Williams thought that was a better way to word it because Staff might return with a completely different direction.

Council Member Burt said Vice Mayor Scharff mentioned that initially Staff had a different concept of where one side of the street was permitted and the other was not and then there was an agreement between the neighborhood representative subgroup and the downtown business interest to go to the formula proposed. He was interested in what would happen if the City's trial included both forms. He thought there were enough blocks to try separate formulas and asked if there was any reason why they could not do a hybrid trial.

Mr. Williams said there was nothing prohibiting a hybrid trial but it might not be advisable because the pilot was a pretty small area and they would only get one or two streets one way and one or two the other which could be confusing for people. What he thought would work better was for the pilot area to take one approach and a second small area take another approach so that they were physically distinctive from each other.

Council Member Burt said he saw the downside to having two options tried at once and that those were tradeoffs that needed to be considered. He said there were a number of comments about the representation of the group. He knew the neighborhood well, and when they had the initial South of Forrest Avenue project they had very extensive public participation and it was very open. There were committees and subcommittees and meetings that were neighborhood based meetings, some of which were City sponsored and others were neighborhood sponsored in a very open, inclusive process. He said that for a variety of reasons that did not happen in this scenario. He asked what the thought process was for having the representation solely by those who were in the trial area and advocating a RPP rather than a mixture of options. It seemed from the survey that most people in the trial area favored the trial. He noted that the people outside the trial area who would potentially be in the spillover group were not surveyed. Those people maybe had a moderate parking problem which could become an acute problem as a result of the trial. He explained that those people may not favor a permit program at all because the status quo was better for them than the cure.

Mr. Williams said Staff had started with a much larger study area and focused it down. He did not know that he realized as they focused it down that everyone in the group still was within the focused area, but it did go

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there and Staff relied on them to get the word out to the much larger group. There were discussions along the way about getting broader input and even including Downtown North. However they focused it down and Staff should have been more forceful about having broader community knowledge of what was going on even if there was not more participation on the committee.

Council Member Burt asked for a rough estimate of the cost of the future program. He saw the cost for the temporary program and asked if the future program would be comparable.

Mr. Williams said the cost of the future program depended on how many participants there were and how many bought permits, what the level of enforcement was, and other factors. Assuming they did not have the funding from the Lytton Gateway project they were estimating permit costs of \$200 to \$300 per year per household.

Council Member Burt said that begged another question because they could get one response level to the program based on pricing. One could imagine the higher pricing, but it could skew responses. If people paid \$50 or \$100 per year they may favor the program while if they had to pay \$200 or \$300 they may not. He said that it favored the neighborhood if there were fewer business permits bought because they were more expensive than in the trial. Since Staff was trying to dial the parking to 80 percent occupancy that could be skewed as well if they changed the economic forces.

Mr. Williams said they were aware of that and the major goal was to get a sense of how the residential/nonresidential balance was and then assuming they could better equate that then take the next step of what the price sensitivity was.

Council Member Burt said he remained concerned that they were adopting a broader policy on a de facto basis. He said it was not a certainty; they had a Downtown North street closure that was repealed after a year and a half or two years. Things were not necessarily permanent, but that was significant wasted time and effort and he did not want to see a repeat of that. He was not saying that he was convinced that the City should not consider a RPP but he was worried about making a broader policy decision and convincing themselves that they were just making a trial decision.

Council Member Klein asked if Staff believed the City had a problem, and if so how it was defined.

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Mr. Williams said they had defined a problem based on occupancy maps. There were substantial areas with close to 100 percent parking occupancy during at a good portion of the day.

Council Member Klein reframed his question and asked if the residents had a problem. Council heard testimony both ways. Some residents said that they did not have a problem and that they lived in the area and only had to park a block and a half away. Others described it as intolerable. He asked if there was a standard that defined a problem if he had to park more than a certain number of blocks away and it took more than a certain amount of time to find a space.

Mr. Rodriguez said that they did not use that type of a measure when they went through the process. What Staff typically used when they looked at transit oriented development type of standards was that a half a mile was a comfortable radius for people to walk.

Council Member Klein asked how many blocks a half mile was.

Mr. Williams said they did not have that kind of criteria. He thought it was a perception issue and Staff felt there was a strong perception among a number of the residents that there was an issue. It was ultimately subjective as to whether it was a problem. There was no traffic problem or traffic hazard in the City. It was a personal convenience issue.

Council Member Klein said that he was torn because he heard conflicting testimony as some people said there was a problem.

James Keene, City Manager, agreed with Mr. Williams that they did not have any existing quantifiable standard that said if it was the distance, density, or experience that defined it was a problem. People had different reactions. Staff had performed counts and there were locations that were more impacted than others and it was not just a perception issue based on imagined changes. There certainly appeared to be more parking and more impact in the neighborhood. Two blocks was a real problem if someone needed to unload groceries. He said that the way the process unfolded was that a group of neighbors came together and said they had a real problem that they wanted to bring to the City's attention. The City responded to a particular complaint and had a different perspective from the business community so the Staff put those groups together. As difficult as that was he did not know how they would have expanded it to a much larger conversation which possibly involved people that had not expressed any concerns. He thought it made sense for the Staff to try to keep meeting and resolve the issue. Given the testimony that evening this was not just a

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neighbor to the City issue, this was a neighbor to neighbor issue, and a neighbor to the business community issue.

Council Member Klein said that was why it was a difficult issue. He did not understand the reference to 500 feet. He assumed that the usual block was a tenth of a mile and therefore he was talking about a five block radius.

Mr. Rodriguez said he used 500 feet as an example.

Council Member Klein heard that neighbors had placed their own orange cones out to indicate that people should not take a parking space in front of their house. He asked if that was true.

Mr. Rodriguez said that happened.

Council Member Klein said that was a vigilante act and that the Police ought to prevent people from doing that. He asked if they had any instructions to that effect.

Mr. Williams said that he was not aware that they had reports, but they certainly would send the Police out if they had.

Council Member Klein said that he did not want to encourage people taking the law into their own hands. He said that there were various comments about how everyone had equal access to the streets and he agreed with that, but did not think that the question was one of Constitutional law. He accepted the idea that the US Supreme Court told cities they could restrict parking in one area of town compared to others. He said there needed to be a compelling reason for different rules from one neighborhood to another. That was why he asked the questions about if there was really a problem. He asked why residents were not charged under the pilot project.

Mr. Williams said that they were charging for more than one vehicle, but were not charging for the first vehicle. Staff wanted to see if residents had unlimited access to the streets what kind of load that meant for the street. Staff kept hearing comments about the nonresidential vehicles occupying all the streets and residents not having places to park their cars. Making it easy for the residents for at least the first vehicle in the trial was something that allowed Staff to better visualize the potential balance between the residential and nonresidential use of the street.

Council Member Klein said he read that, but he still did not understand. It seemed that it would be a better test if they charged for the first car because presumably that was what would happen if they adopted a

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permanent project. For example he could see someone who had a driveway and a garage taking advantage of the permit if it was free, but if they had to pay for it they would not. He was not persuaded by the free first vehicle at all. He had not heard any mention of the experience of other communities and he knew there were many residential permit programs around the country. He asked if Staff looked at and learned from any of those programs.

Mr. Rodriguez thought that the specific elements they recommended within the program took advantage of the lessons learned from other communities. That was one of the reasons they did the first two elements of the program. They wanted to define a buffer zone to allow the transition from land use that generated parking to a residential community. The buffer transition was their method of ensuring that they were following a best practice determined by other communities as well as making sure they were protecting arterial streets which served multiple uses. One of the other major successful elements of a RPP program within many communities was that they pulled funds together to help reduce the long term cost of permits for the whole city. Those were the limits or restrictions. The rest were things that they needed to consider and discuss such as single family homes versus multiuse homes. Those were things that they needed to look at when they worked with the community. The attachment that was in the Staff report that talked about the framework really was geared toward trying to define the process that the community needed to follow but was limited to a couple of factors to help define the pattern of a RPP.

Council Member Klein thought it was useful to see programs from several other cities that seemed as similar as possible to the Professorville area.

Mr. Williams said he did not think they needed to look at if any other cities had done that kind of residential and nonresidential permit combinations. He said it was pretty standard to focus on the residential and then have two hour parking for everyone else. They started with a discussion of that in the group and that was a major impact on the employers so they backed off.

Mr. Keene said that Staff would conduct more research. He said that he was previously the City Manager of Berkeley and had lived in Rockridge for quite some time and he did not recall any neighborhood moving to secede from RPP because it was a problem. In general people felt RPP's were essential to living in their neighborhood. He thought Berkeley brought in about \$7 million in metered parking revenue and probably about \$7 million in parking fines at the same time. So it was a fairly comprehensive program.

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Council Member Shepherd knew there was good work on the RPP, but was very hesitant to move forward on the pilot. She asked if Council moved forward on the second half of the Staff recommendation would that get Staff closer to answering Council Member Klein's question about if there was a problem. She asked if Staff needed the information from the outcome of the pilot.

Mr. Williams said the programs would get them closer to the answers, but they also would take quite a bit of time to get implementation that gave a sense of how much relief was provided. The question was if Staff should try to do something immediately to provide relief in the residential areas or should they hold off and wait to see how some of the things came along. Staff already captured 50 new spaces in downtown, changed parking garage levels from hourly to permit, and did new signage to get people to the garage. Some of those things helped to some extent, but there was still concern in the neighborhood.

Council Member Shepherd confirmed the pilot took them out of anecdotal information and into real information. She asked if Staff planned to return to Council after three months to see if there needed to be any course correction in the pilot.

Mr. Williams said they planned to report back to the Council in three months. Staff told the working study group that it would meet again and check in at that point. If there did not seem to be major problems, they might just let Council know that but otherwise they would report problems and suggest changes or whether to abandon the program.

Council Member Shepherd said she knew there were apartment complexes between the pilot area and downtown that were probably not fully parked. She asked what happened to those cars.

Mr. Williams said right now those streets were not part of the program. Apartment complexes were more complicated with respect to a RPP because there was a concentration that could be from under parking or that people used the streets because it was more convenient.

Council Member Shepherd said that either the apartment dwellers would park in the unpiloted area or would have to park on the other side of the piloted area. She said Staff had not checked to see if the apartments had garages, so that could be a parking option.

Mr. Rodriguez said it could be a combination of all the things Council Member Shepherd mentioned, but Staff did not know.

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Council Member Shepherd was concerned about some of the comments from the public. Her concern focused on the comments relating to circumventing the permit area and parking somewhere else. She saw both sides of the argument. She asked how impacted Downtown North was because the pilot would shift employees over there. They were already fully parked and impacted so it was the other areas that were in question. She confirmed that was what Staff was trying to look at.

Mr. Williams said yes. He said Downtown North was already heavily impacted. Secondly he thought the distance from the trial area to Downtown North was such that people would find spaces closer than Downtown North to park.

Council Member Shepherd stated people who work in downtown have to park one way or the other. If they had to walk further they would.

Mr. Williams said the trial area was just a small part of the area south of downtown. There were other blocks and that was what the neighbors were talking about that people would park in some place that did not have the RPP restriction rather than going up to the Downtown North.

Council Member Shepherd said that was already impacted, so it looked like the only thing Staff would be able to find out was if people went one more block closer to Embarcadero Road. If they did that and the City released the parking permits to the residents and 20 percent of businesses, she asked if the trial area would still be parked up with the two hour parking in front of people's homes in addition to impacting the blocks further out. She questioned if the information was really useful. Dividing the neighborhood concerned her.

Mr. Keene thought Staff acknowledged from the beginning preference for the other model, but both groups preferred the current model so Staff went with it. Staff understood that it was imperfect. At the same time, there was a core group of citizens that said parking was a real problem that needed alternatives. Staff found very often in other areas that there was a challenge getting behavior change. There was the challenge of behavior change for businesses and their employees as to how they would have more uptake on Transportation Demand Management (TDM) or how they would maximize use of garages. Staff would have to deal with issues of if RPP programs in a more expanded version if it was something that people wanted. He said that Council Member Klein's points were valid. If they did not price the pilot properly then they might not collect the data they needed. From the beginning Staff understood that it was going to displace parking

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further down the road and require neighbors to come forward and ask for something specific in their neighborhoods as well. He guessed that the situation would probably improve for the six blocks in the pilot. He said that the problem ultimately was the fact that they did not want to ruin the vibrant downtown. The timeframe to plan for new parking or TDM programs were long term issues. They had a dilemma and there were always consequences in a dilemma that were unsatisfactory. He said the Council meeting was transparent and part of the process. Things were often elevated and people paid more attention at the Council level than the outreach that Staff could do. The Council was free to send Staff back, to put qualifications on the program, or whatever they needed to do. It was not a done deal just because Staff presented an option to the Council.

Council Member Shepherd asked if the program went away when the trial ended or if Staff intended that it become an entitlement for that particular configuration of Professorville. She did not mind gathering data for a time period but she thought it was important for it to revert to see if trends went back to the way they were before. She felt that would be informative.

Mr. Williams agreed. He said Staff was comfortable saying that the trial ended in six months and it was incumbent on Staff to return to Council with a recommendation to extend set parameters for how to move forward with the community on a broader program. If that did not happen then the program ended at that point.

Council Member Shepherd asked if they would put up temporary signs.

Mr. Williams said they were temporary and the sign would be removed pending a determination of what the ultimate program was if there was one.

Vice Mayor Scharff said he wanted to follow up on what Council Member Klein and Council Member Burt said about pricing. One of the things that Staff continually reiterated during the meetings was that if there was a full RPP it had to be cost neutral. He had the sense that the committee did not listen to that part. He thought they could do a disservice to the neighborhood because they were surveyed based on the notion of a free permit for one car and then only \$50 for a second permit. The reality of the situation was more in the \$200-300 range for a permit. He thought they should survey people with a realistic version of the cost. If they said \$250 and they received feedback from 40 percent saying they were interested with 60 percent saying no, that was different information. People would be angry if the cost difference was so great. He thought they should return and complete surveys with realistic numbers. He knew there was a push to get an RPP done as soon as possible and that Staff was under significant

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pressure, but people needed a sense of what would really happen or the whole notion of a trial did not make sense. He also agreed with Council Member Shepherd that if it was a trial then it should have a specific end date. He thought it was better if they said that it ended no matter what and that the City would use the information to design a broader program. He said Staff did a good comprehensive job on the recommendation involving additional studies and actions related to parking in downtown. He wanted Staff to return with funding options for the public parking garage sites. One of the things he realized when sitting on the committee was that there was agreement that some workers should be able to park in the neighborhoods. That was one of the worthwhile things that came from the meetings. He thought people were saying that employees should be allowed to park in the neighborhoods but at a level that did not make life uncomfortable. That was what the City should strive to achieve, making life not uncomfortable. People bought homes in that neighborhood and area knowing that there were many impacts with downtown. They just did not want to feel that the impacts were extreme and he believed some people felt it had gotten extreme. That went back to Council Member Klein's question. He thought that was what people wanted to know; how many cars could be removed from the neighborhoods and how could the City get that done.

Mr. Keene heard a difference between Council Member Klein's point of having a no cost first car parking permit and if the price should be closer to what the expected the ultimate was. His understanding was that this was a pilot that would not have the full level of enforcement. If they charged the \$200-300 fee than the City risked having residents demand the same level of enforcement that was concomitant with that pricing. The issue of paying for at least every car so there was truly a litmus test was different. Staff wanted to price it in some way that people felt the trial was working into what it would be like based upon the price if it was a permanent program. He thought the sense was the City was not offering a program that mirrored what it would be if it were a permanent program.

Vice Mayor Scharff said he thought they should get the trial as close as possible to what it would be like for people and survey them. He thought people were more price sensitive than enforcement sensitive and that Staff would receive pushback at the \$200-300 mark. If the City was not going to charge \$200-300 because it was not going to have that level of enforcement then they should price the program according to the appropriate level. If they did not use the right information they would not receive the right data and they would leave the wrong impression with the community.

Mr. Williams said the \$200-300 figure assumed a full level of enforcement. It also included all the upfront costs which the City had the potential to

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cover with the Lytton Gateway project. The figures also depended on the level of participation. He thought that if they did a survey they ought to lay out the options and not assume the highest case. They discussed some of those issues in the group. He also pointed out that if it was a three month program, \$50 equaled \$200 per year. Again, they were not charging for the first permit so that sounded like an appropriate way to go.

Council Member Holman said she used to live in the neighborhood and she could support those who said the situation had gotten worse and the neighborhood was more impacted. She said that it was a quality of life issue, a neighborhood character issue, and a business vitality issue. Part of the quality of life in the neighborhood was that it was near the business district. That said there were property value impacts and basic disruption. It was not as clean; the streets were not swept as well. There were all kinds of negative impacts on the streets the way there were now. She said that the 900 block of Ramona and the 1100 block of Emerson were full during the midday peak period yet were not included in the study area and asked why that was.

Mr. Rodriguez said that when they started they looked at a larger area but worked it down to a symmetrical shape. It was a boundary that was put together with both Staff and resident input. They looked at parking occupancy of the street. If they were at 85 percent there was still open parking on that street so that was another factor.

Council Member Holman said that she understood that if there was some space on the street that meant there was available parking but it was tight with 85 to 100 percent occupancy. She said that the pilot used \$50,000 of the \$100,000 allocated from the Lytton project. She asked if the City was better off using some of the money on the objectives for the recommendation to proceed with additional studies. She was not 100 percent clear on what they were doing. Attachment H, page 301 said "parking program guidelines." The word guidelines threw her because guidelines were not really defining a program they were parameters that could be implemented. There was also not a good description of what the program would be in the document that was the draft proposed RPP. She was not sure that everyone knew what was being proposed.

Mr. Rodriguez said the survey focused on the one issue of a potential RPP pilot program. There were many good comments about additional information that could have been included in the survey including the costs of an ongoing long term program. He said that they were in the infancy of developing the RPP and there was significant positive change on the permit sales side and the distribution of permits. It would take more time to try

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things. Mr. Keene and Mr. Williams both asked if it was the right time to try a RPP and if it should be done under the process Staff defined or in some other form, or if they should accelerate the other programs first and revisit the RPP another day.

Mr. Williams thought Council Member Holman's questions went to the specifics of the RPP. He agreed that the information was dispersed. The question she had about the use of the money going toward the other programs concerned him because he thought there was a commitment at the time of the approval of the Lytton Gateway project that the money was segregated and used specifically for residential protection or parking intrusion. He was not sure it was appropriate to move the money to another type of parking program.

Council Member Holman said it seemed to her that without answers to some of these questions they would not have good enough information to deploy. She shared the concerns that this was not an open process. Council could not make changes that evening based on information it just learned. The process could have been improved. There were some things that were added more appropriately or more clearly described in the presentation than were listed in the Staff report. Someone told her that Palo Alto High School was charging for parking which was causing more parking in the neighborhood. She asked if that was correct. She said that Council Member Shepherd just told her that they had always charged for parking. She said that they might want to work with the School District and Stanford on that. She listed off modes of transportation that were added and asked how those items would be funded or if they could be funded.

Mr. Rodriguez thought the concept was a Staff developed toolkit of downtown transportation management tools to be taken advantage of by existing or future development. One of the elements they thought of was a future expansion program participation into a shuttle program which would allow the City to provide new service to the area and help connect it with other residences within the community. He said that participating in a shuttle program could be a way to provide more connections through transit use that did not currently exist through the Santa Clara Valley Transit Authority (VTA) or other resources.

Mr. Williams said Staff was not ready to tell Council how it planned to fund anything listed under that option.

Council Member Holman said she would add opportunities with underutilized and over parked buildings in the downtown area. She said that other communities managed liability issues and that seemed to never get

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addressed in Palo Alto. She wanted Staff to look at that as part of the solution. She asked why the overnight parking restriction was no longer in effect. When she moved to the City in 1975 you could not park on the street overnight. She wondered if it was imposed again if it would force people to use their driveways.

Mr. Williams said he did not know the background, but he knew as far as the RPP that was not a problem.

Council Member Holman said she understood, but it was a little piece because people said that others had converted their driveways as well as their garages to other uses. That was a way to perhaps make people use their driveways again for the intended purpose. She did not have any evidence that there was outreach to the business community to see what the workers behavior was as a response to a RPP if the City moved forward. That was important. She asked if Staff could return in six months with a new and improved pilot that was better informed.

Mr. Williams said that if that was Council's request Staff would accommodate. He felt the recommendation would be more informed in six months' time.

Council Member Holman was interested in moving forward with something but what the Council had before them currently was ill defined and did not contain broad enough input. She thought six months was a good time frame to ask Staff to return with a plan.

Mr. Keene said that Council's directive needed to be clear about what additional information Council wanted so that Staff was able to respond.

Council Member Price was inclined to go ahead with the trial on the RPP because she thought they needed additional information regarding the parameters that were laid out. She thought if they said after all the months of work that further study was needed she was not sure that would move the City forward in addressing the stated problem. She appreciated Staff's comments and the discourse on the additional studies and hoped that when those came back that there was some sense of the cost and the relative priority. She was not asking for an answer immediately but based on what other communities had done she wanted to know which elements could yield information that could be used in concert with a potential RPP. She appreciated the comments regarding best practices and asked if the draft in Attachment H which had preliminary guidelines was based on an extension of what was in the Staff report, or if Staff looked at guidelines or equivalents that were used successfully in other communities.

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Mr. Rodriguez said it was the latter.

Council Member Price was inclined to go along with the comments about how if they proceeded with the pilot program that it should have some fee structure associated with it. Issuing free permits was a false or inaccurate litmus test. She said that people who did not need the permit might use it simply because it was free. It made sense to charge some reasonable fee for the parking permits. She said that the price could be scaled or less than what the potential long term would be, but it needed to be recognized in further communication with residents in the trial area about what the likely range of costs were if the program was implemented. With the discussion of under zoning and planning there was a reference to TDM and other options. Within that language it said other options would be examined and she wanted to clarify if Staff was thinking about auto restricted zones or on-street metered parking.

Mr. Williams had not thought about auto restricted zones but they would at least look at pricing issues to see if that was something the community and Council wanted to look at. He said that it could be brought forward as part of the menu.

Council Member Price said there were many hybrid programs used in different places and every community was different. She encouraged everyone to read the book "The High Cost of Free Parking" by Donald Shoup. Mr. Shoup made the case that free parking inflated parking demand and played into issues related to parking requirements and the zoning code. She clarified that on the College Terrace program there was an opt-out scenario.

Mr. Williams clarified that there were two ways. One was not buying a permit, and the second was that whole blocks could opt out if more than 50 percent wanted to opt out. If that happened they would not have the signage on the street.

Mr. Rodriguez said that when the College Terrace program was initiated the blocks voted to opt in or out. Afterward they had the opportunity to vote per block and opt out again.

Council Member Price said she concurred with all the comments made about the noticing of the public. She thought the City needed to be very mindful of that at every stage. If there was a trial or a post-trial or any discussion of the strategies the public should be noticed. She knew the Staff observed that as well but she thought it was extremely important.

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Mayor Yeh knew that there were many considerations and iterations of the RPP. Ultimately he did not support the pilot program or really even the development of a RPP because he thought conducting additional studies was the smartest approach. He asked Staff to define what they meant by long term. He discussed the amount of Staff who would have to work on the various options.

Mr. Rodriguez said that over the next six months there were many things Staff could move forward on. Some of the initial things were studying the existing surface laws to determine where they could build more garages and if attendant parking made sense in the existing garages. There were many factors including if the structures would support the weight of additional cars. Staff could advance those studies because of a separate contribution from the Lytton Gateway project. Staff also committed to advancing within the next six months the development of some sort of RFP to help them collect data about what they could do with technology deployment within the garages. They also wanted to share more information with the Parking Committee. There was a strong interest within the business community and they had formed the assessment district to help advance many of the solutions that were already in place and the City needed to respect that process and solicit that input before they came back and made a strong recommendation to Council.

Mr. Williams thought that some of the things that could be implemented in the next six months were attendant parking, or at least a trial of that somewhere, and some technology efforts. He said that building a parking garage took longer, but in six months Staff would have good study information on that. Mr. Keene had also discussed a public/private garage that would be a faster track than the City building a structure on its own.

Mayor Yeh appreciated the thought that went into the pilot, but his greatest concern was that it moved the problem and did not really address or create a systemic solution. He said he favored a systemic solution.

MOTION: Mayor Yeh moved, seconded by Council Member Holman to not move forward with the trial Residential Permit Parking Program, however to:

1. Direct Staff to proceed with additional studies and actions related to parking in downtown, including but not limited to:
 - a. Study of potential new public parking garage sites, capacities and costs;
 - b. Methods to increase capacity in existing garages, such as attendant parking and adjustments to the permit/public distribution of spaces;

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- c. Technology enhancements, such as gate controls, parking space identification systems, and parking permit processing improvements, etc.;
- d. Zoning studies and revisions, including study of the downtown cap on nonresidential space, the use of bonuses and transfer rights, variable parking ratios for office uses, and how to treat non-conforming parking sites; and
- e. Evaluate paid parking options.

Mayor Yeh said he met with residents that were the strongest proponents of the RPP program and shared with them that he could not support an RPP program in isolation. He felt it was moving a problem around and his greatest concern was that the neighbors not in the trial zone would be negatively impacted for the duration of the pilot. He thought the energy could be more positively channeled to maintain the urgency that was identified in the problem and focus on a systemic and comprehensive solution and to move forward as quickly as possible. He acknowledged that there was a problem and he lived in the Evergreen neighborhood where they looked to College Terrace for having created a problem across El Camino Real in Evergreen. That was the kind of issue that he did not like. He wanted to focus more on a great set of solutions and evaluations.

Council Member Holman said that she was supportive of finding relief for the neighborhood but was not comfortable with what was brought to Council. She said that Staff's time was not a wasted effort, but the RPP was not ready for trial.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER TO INCLUDE: 1) parking exemptions, 2) a Transportation Demand Management Program, and 3) to direct Staff to look at underutilized private parking garages.

Council Member Holman said that there were parking garages in the downtown area that were underutilized during both the daytime and in the evening. She suggested Staff speak to the property owners to see how the garages could be better utilized.

Mayor Yeh agreed with Council Member Holman's additions.

Council Member Holman believed that the intention was for Staff to report back in six months. She did not want the business community or residents to feel that this was something that would continue for an unlimited amount of time. She wanted a report in six months.

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Mr. Rodriguez thought that six months was feasible. Staff started many things and wanted to involve the downtown merchants and allow the community to participate in what the content of the RFP would be so that when Staff solicited cost information for projects or programs they knew they were inquiring about things that were of interest to the community. He thought that within six months Staff could develop the RFP's. Six months gave Staff the opportunity to meet Council's expectations.

Mr. Keene agreed with the six month timeframe with the understanding that Staff would return before then with more of a detailed scope of what it was they were asked to do. He said that even though Mr. Rodriguez responded to some of the initial requests he did not believe it gave them a good measure of what the outcomes or percentage of the perceived problem it addressed in whatever period of time. It could be a multiyear effort that Staff would make progress on, but that progress would still be unseen. He suggested returning in the fall with a more detailed report on what Staff thought the timeframe was on the different components and what they thought the yield was in relation to the problem. If they had to build multiple parking structures that was a different issue than installing some technology to update the existing capacity. He requested that they add something to return to Council in three months. He wanted it to say something about an assessment report. That was very different than having implemented everything. Then Staff would return in six months.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER TO INCLUDE to direct Staff to return to Council in three months with check in and return with an update before the end of the year

Council Member Holman said that she hoped that within six months Staff would return with a progress update and identified a better program for a RPP.

Mayor Yeh said that his Motion was to remove the consideration of an RPP.

Council Member Holman confirmed that Mayor Yeh meant that none of the exercises were intended to lead to a RPP.

Mayor Yeh said yes, that the Motion did not include the Staff Recommendation to evaluate an RPP.

Council Member Holman said that related to Downtown North.

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Mayor Yeh said his Motion was to not move forward with the Professorville RPP. Everything in the remaining Motion could reset the baseline for what downtown parking would look like.

Council Member Holman said her hope and understanding was that going through this process would lead the City toward what it should do with an RPP.

Mayor Yeh was not open to that and asked if she did not want to second the Motion.

Mr. Keene said that there was always the possibility that the report would have an impact on how the Council looked at an RPP. The Motion began with not wanting Staff to work on an RPP and supporting any RPP process, partly because it could be in conflict with the effort invested in the alternatives.

Council Member Holman asked Mr. Williams if the information Staff provided in three to six months would include what advancements had been made and what Staff anticipated to see in terms of relief for Professorville so at that point in time Council could look at if they wanted to move forward with an RPP.

Mr. Williams said Staff would provide Council with an assessment of which components of the work they were doing that would provide or had provided relief to Professorville. At that point Council could revisit whether to try the RPP. He thought Staff would have a real concern trying to retool a whole new RPP program while they were looking at the other things.

Council Member Holman said she would maintain her second to the Motion but with the intention that RPP was still on the horizon.

Mayor Yeh confirmed he was not open to that.

Vice Mayor Scharff said he would support the Motion and suggested language additions to the Motion. He said they change the verbiage to reflect zoning studies and revisions as a concern from the public. He wanted the City to evaluate that issue.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to: 1) return with funding options for new public parking garage sites, and 2) include that the zoning studies would evaluate disincentives to having two car garages.

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Council Member Holman was hesitant because the neighborhood was built up and much of it was Professorville she did not believe it would have much of an impact.

Vice Mayor Scharff said they were looking at more than Professorville. The Council was basically doing a comprehensive for Downtown North and South. He thought they were looking at it on a comprehensive basis and was not suggesting that there should be an outcome, just that it be evaluated as one of the concerns.

Council Member Holman said she was comfortable as the seconder of Motion now that it included the Incorporation.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to evaluate the use of \$250k currently budgeted in the Lytton Gateway Project.

Vice Mayor Scharff said that the other comment that Council Member Holman made was related to the \$250,000. He was not suggesting they use it immediately, but the Council never agreed to do an RPP so they could not have placed the funds aside for that. He thought the question was should that money be used and could it be used to get relief. If Staff had that money to use, he asked if they would make faster and better progress. He stressed that he simply wanted to evaluate how to use the money. He thought the Council was taking a good approach and trying to solve the problem on a comprehensive basis. Staff's efforts needed to be focused on the comprehensive basis because they did not have time to do both. It was not saying no to an RPP permanently, it was focusing on the comprehensive basis for six months.

Mr. Keene said the intent of the Motion was that unless the Council redirected Staff in the six month time frame that they were taking work on and assessments of RPP as a part of the solution off the table and shifting the attention to see if Staff could identify solutions that may not require an RPP program. Staff would look at ways to solve the problem though TDM, additional parking, and other means knowing that at the end of the six month period Staff would have enough information presented to Council that Council would know what it would take to move forward on that front or if it wanted to bring back up RPP.

Council Member Holman clarified the language by adding the phrase "at this time." She felt that made Council's intentions more clearly stated.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to include "Professorville at this time" after "Residential Permit Parking Program" in the first part of the Motion.

Council Member Burt agreed with the Motion and thought that if Council looked at an RPP in the future that it should be more comprehensive. As they looked at what prompted the problem he thought the most legitimate one was that there were 11 homes in the broader study area that had no driveways or garages. He stated that as the spillover grew the problem became more acute. He asked if the City ever looked at simply giving relief to those 11 homes through curb striping.

Mr. Williams said that was not evaluated.

Council Member Burt asked if Mr. Williams saw any problems if the City went in the direction of a spot program that provided relief to homes without a driveway. He said that those spots could be either the resident's permit or two hour parking.

Mr. Williams said Staff had to discuss that and see if it was feasible. He thought one of the issues was that he did not know if those were the people that were complaining about not having spaces.

Council Member Burt offered the language to be incorporated into the Motion. He thought that would not be disruptive to the downtown parking district and would address the most acute problem. He thought that was the most legitimate complaint.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to evaluate selective parking for those homes without a driveway or garage.

Council Member Price said she would not support the Motion although she appreciated the modifications because clearly a more aggressive comprehensive plan was important. She thought they needed to have the RPP trial as one element of a comprehensive approach. The other approaches were important, but based on comments from both sides residential parking was a concern to a sufficient number of people. She felt that if a pilot program were done that charging a fee for it made more sense. She said that if the Council really wanted to be comprehensive it would retain the RPP as part of the ambitious list. She said that the RPP was not a panacea, none of the options discussed were a panacea, but the question was if the City was looking at the whole picture comprehensively.

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Council Member Holman said that they were doing this because there were concerns from the neighborhood about spill over parking. Council indicated that perhaps addressing some of the issues might alleviate the parking in the neighborhoods but there were many comments that evening about the lack of transparency. She asked about the process moving forward and if it was going to be an open process with public input.

Mr. Williams said it depended on the item, but he thought most of them would be put together and a community meeting would be noticed before Staff returned to Council. That would probably not happen before Staff returned with the programmatic information, but it would be before the end of the year session.

Council Member Holman confirmed that the community meeting would include more than the pilot area.

Mr. Keene said that they did not know the parameters of it at that point, but the emergent neighborhood complaints alerted Staff that there was a large challenge. Whatever was mitigated ten years ago when PAMF moved had reemerged and Council was asking Staff to look at the parking challenge accommodation of the 2010-2020 decade. There were many issues that would touch many stakeholders. That required engagement and outreach.

Council Member Holman suggested more than one community meeting. The reason she suggested not just the area that was included in the pilot was because some of the people in that area were the most invested in the dialogue. She wanted to make sure that it was not a self-selected group again.

MOTION: Council Member Klein moved, seconded by Vice Mayor Scharff to call the question.

MOTION PASSED: 5-3 Espinosa, Price, Shepherd no, Schmid absent

MOTION PASSED: 6-2 Espinosa, Price no, Schmid absent

Council Member Shepherd asked a question about the downtown cap and the boundaries of the downtown cap. She said that the Arrillaga project could be coming forward and she wanted to know how that was going to be handled. She knew it was outside the boundary of the downtown cap and asked if Staff would bring that analysis when they returned with the item.

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Mr. Williams said they probably would, but that he thought Council would see some of the Arrillaga project before that came back. He said they would see the extent to which it was parked.

Council Member Shepherd said she was concerned about traffic and parking. She said it was tangential and important for Council to review at the same time.

Mr. Williams said they indicated in the Staff report that they would be embodying that but whether it was actually part of the number on the cap was to be determined.

14. Utilities Advisory Commission Recommendation that Council Approve a Definition of Carbon Neutrality in Anticipation of Achieving a Carbon Neutral Electric Supply Portfolio by 2015.

James Keene, City Manager, said the Staff was ready to answer questions and that the Chair of the Utilities Advisory Commission (UAC) was present.

James Cook, Chair UAC said the item was about the definition. They were not debating the pros and cons or items about carbon neutrality, but the definition. Staff confirmed that this was the industry standard definition, so for the UAC it was a short item and they felt the definition was good. The definition did not preclude a later discussion about how to achieve carbon neutrality or when to do it. This was the framework to start with and the UAC passed it unanimously. He urged the Council to pass the definition.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Klein to approve the following definition as the basis for the City's pursuit of a carbon neutral supply portfolio: A carbon neutral electric supply portfolio will demonstrate annual net zero greenhouse gas (GHG) emissions, measured at the citygate, in accordance with The Climate Registry's Electric Power Sector protocol for GHG emissions measurement and reporting.

Vice Mayor Scharff said that Staff represented that the definition was achievable, credible, transparent and measurable as well as consistent with current industry standards for GHG accounting and reporting protocols and taking that representation to be true he thought it was the right definition.

Council Member Klein asked where the citygate was.

Monica Padilla, Senior Resource Planner, said citygate was where they interconnected with Pacific Gas & Electric (PG&E).

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Council Member Burt asked if the definition included landfill natural gas.

Jane Ratchye, Assistant Director of Utilities, said the definition included counting all resources.

Council Member Burt said that landfill natural gas was currently a renewable energy source. He asked if it was counted as a net zero greenhouse gas emission under the definition.

Ms. Ratchye said no. She told the Council to look at Attachment A to the Staff report, which was a more detailed definition of the protocol they proposed. It showed what could be used under the protocol as default emissions. She stated it was page 5 of 10 of Attachment A, Table 3. She said that hydra had zero, wind had zero, the landfill gas to energy contracts they had would use the 38 pounds per megawatt hour, and the geothermal used 235 pounds per megawatt hour. That was the carbon intensity of those different resources.

Council Member Burt said during the initial discussion they asked about the impact of the renewable portfolio. He thought the assumption at the time was that the renewable portfolio would count for the objective. That was why they had the discussion about if carbon neutrality was what they were looking for. He wanted to make sure everyone understood the consequence of that. He asked what percentage of the portfolio was either landfill or geothermal.

Ms. Ratchye thought the landfill was probably 8 percent.

Council Member Burt said that by using the definition they were less close to carbon neutral than they had thought during the prior discussion. He wanted everyone to be aware of that. What they discussed before was something that would take the City's current hydra and current renewables into account. He questioned what would happen with Palo Alto Green, because that was renewable energy credits that had another estimated 15 percent to get to 100 percent clean energy. He said that they were using a new term and that changed everything.

SUBSTITUTE MOTION: Council Member Burt moved, seconded by Vice Mayor Scharff to refer the item to the Finance Committee.

Council Member Burt asked if Staff made a presentation to the UAC about the issue he raised.

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Ms. Ratchye said there was a question about the landfill gas to energy. They knew it was not carbon free. In this definition if they tried to get to carbon neutrality they would have to neutralize the carbon emissions from the landfill. She stated they would have to buy some offsets for the carbon produced by the resources. Even though they counted toward the City's portfolio and were renewable they still had to follow protocol.

Council Member Burt stated his question was a little bit different. He asked if there was a discussion and recognition that as a result of the definition that Palo Alto was not within a relatively small distance toward 100 percent carbon neutrality.

Ms. Ratchye said that they always knew they were close but they always knew that there were some countable carbon emissions from some of the City's resources.

Council Member Burt said the last discussion with the Finance Committee before they referred it to the UAC was about using a definition of 100 percent clean energy. They had the discussion and the record would show it. They discussed combining the hydro and renewables. There was also a discussion about whether they would have to exclude the Palo Alto Green or include it. Staff was to look at that issue. He said this was something different from what was discussed at the Finance Committee and referred to the UAC.

Vice Mayor Scharff said Council Member Burt was correct. He said this was completely different than what was discussed.

Council Member Burt thought the Finance Committee would want to look at the options and understand and think through the ramifications.

Mr. Keene thought it was assumed in the definition of carbon neutral, but he heard that it might be that the City did not want to use the carbon neutral definition and that there could be an alternate definition that the City would look at. He asked what objectives the City was trying to achieve and how the definitions matched or did not match those objectives.

Council Member Burt said that was correct and that was part of the discussion at the Finance Committee when it was referred to the UAC.

Mayor Yeh said that Staff shared that landfill gas was about eight percent. He asked if there was a ballpark range.

MINUTES

Ms. Ratchye said that Table 3 on page five of the Attachment showed a chart for 2015. It was currently eight percent, but the table included the two power purchase agreements that had not yet become operational. When they did then the landfill gas would comprise 12 percent of the total portfolio. She said that the right hand column of the chart showed the total carbon content of the entire portfolio. The landfill gas was a small amount of the total. The bulk was the market purchases.

Mayor Yeh said he was looking for a percentage of what Palo Alto's current carbon neutrality number was compared to what it would be with the landfill. They had referred to it in a renewable definition as opposed to a carbon neutral definition. He wanted to know what the delta was between renewable and carbon neutral.

Ms. Ratchye said it was hard to say what percent carbon neutral the City was because they could have coal, which had a carbon intensity of approximately 2,000 pounds per megawatt hour. She said landfill gas was small carbon intensity. It was hard to say what carbon neutral was. Anything could be neutralized. The definition ensured that they counted it. It also still counted as renewable, but the carbon emissions had to be accounted for.

SUBSTITUTE MOTION PASSED: 8-0 Schmid absent

Val Fong, Utilities Director said they would not make the December deadline to return to Council because they would lose a few months to return to the Finance Committee.

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

None

The City Council convened into the closed session at 12:44 A.M.

16. CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray)

Employee Organization: Palo Alto Police Manager's Association (PAPMA)

Authority: Government Code Section 54957.6(a)

MINUTES

The City Council reconvened from the closed session at 1:00 A.M. and Mayor Yeh announced no reportable action.

ADJOURNMENT: The meeting was adjourned at 1:00 A.M.