



CITY OF PALO ALTO CITY COUNCIL MINUTES

Special Meeting
November 13, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:38 P.M.

Present: Burt, Espinosa, Holman, Klein, Price, Scharff, Schmid, Shepherd, Yeh

Absent:

SPECIAL ORDERS OF THE DAY

1. Community Celebration and City Council Resolution 9297 entitled "Resolution of the Council of the City of Palo Alto Honoring Former Mayor Gary Fazzino".

Mayor Yeh reported the Council wished to acknowledge and honor Former Mayor Gary Fazzino and his many contributions to the community.

Council Member Espinosa indicated video clips of Former Mayor Fazzino would be shown, and asked the public to share stories and remembrances of him.

Richard Brand spoke for his brother-in-law, Curt Comstock. He recalled Mr. Fazzino was interested in politics while in high school. Mr. Fazzino did wonderful work in the community.

Sylvia Smitham met Mr. Fazzino many years ago and remembered him fondly. She hoped the Council would name something within the City after him.

Jack Kidder recalled the young age at which Mr. Fazzino was first elected to the Council. Mr. Fazzino was a sports fanatic and a man of peace and calm. He encouraged the Council to name a sports field or something in Mr. Fazzino's honor.

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Carol Harrington stated Mr. Fazzino's contributions to public policy and public communications was unequalled. She read a statement which would appear in the Chamber of Commerce's electronic newsletter. She would create a memorial on Ever Talk, a Facebook application, for Mr. Fazzino.

Jay Thorwaldson related stories of Mr. Fazzino becoming a lead vote on the Council and filing paperwork declaring his first candidacy for the City Council. Mr. Fazzino's convictions and love of the community grew over the years.

Vince Larkin recalled Mr. Fazzino's early service for education. He sang a tribute to Mr. Fazzino. Mr. Fazzino loved baseball, soccer, his family, and his world.

Betsy Bechtel learned many things from him during their service on the Council. She recalled his pride in his Italian heritage. She would remember him fondly and agreed with naming something in the City in his honor.

Bob Moss recalled Mr. Fazzino's vast knowledge of City Council history and his long-running debate with Mr. Fazzino regarding term limits.

Ann Ream recalled Mr. Fazzino's kind nature during campaigns. Mr. Fazzino traveled to all meetings by foot or bicycle.

Council Member Espinosa introduced a second video of Mr. Fazzino's election commentary. He read the Resolution into the record.

MOTION: Council Member Espinosa moved, seconded by Council Member Shepherd to approve the Resolution honoring Former Mayor Gary Fazzino.

Council Member Price was thankful for Mr. Fazzino. He was always available to comment and encourage all City Council Members.

Council Member Shepherd recalled Mr. Fazzino's donation of Hewlett Packard funds to the football game between Palo Alto High School and Gunn High School.

Council Member Klein served on the City Council with Mr. Fazzino from 1981 through 1983. Mr. Fazzino's enthusiasm was contagious. He recalled their conversations regarding baseball. Mr. Fazzino was writing a book about Palo Alto's political history at his death. His devotion to detail was legendary.

Council Member Schmid recalled Mr. Fazzino's statement that they should

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remember they were campaigning and serving because it was fun.

Vice Mayor Scharff stated Mr. Fazzino's kindness was extraordinary. He would miss him deeply.

Council Member Burt indicated Mr. Fazzino's career as student, leader, advocate, and mentor spanned 45 years. Mr. Fazzino was a policy entrepreneur in the convergence of technology and public policy.

Council Member Holman felt Mr. Fazzino was remarkable in that he was approachable and inclusive. His love of sports and history were central to his character.

Mayor Yeh related a story regarding Mr. Fazzino's to-do list for a new Mayor. He appreciated Mr. Fazzino's endless passion for Palo Alto.

Council Member Espinosa recalled several stories regarding working with Mr. Fazzino, Mr. Fazzino's encouragement for him to run for the City Council, and Mr. Fazzino's love of Palo Alto.

Mayor Yeh noted the City had flown its flag at half staff in honor of Former Mayor Gary Fazzino.

MOTION PASSED: 9-0

Council took a break from 6:53 P.M until 7:15 P.M.

CITY MANAGER COMMENTS

James Keene, City Manager, spoke regarding, 1) Cowper-Webster garage was open after construction work, and 2) annual street maintenance project on Sand Hill Road would begin November 14, 2012 and November 20, 2012.

ORAL COMMUNICATIONS

Lynn Krug suggested the City make unemployed and returning veterans aware of employment and training opportunities. Actively recruiting veterans made Palo Alto a better community and was a civic responsibility.

Jamie Burg, Inspire Real Estate Holdings, understood the City was expanding its electric vehicle charging stations, and wished to be considered for the expansion program or a partnership.

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Jared Bernstein noted the *Palo Alto Weekly* did not report an automobile/bicycle accident, and questioned the Police Department's policy of reporting accidents.

Stephanie Munoz was proud of the fact that Americans could own homes. Palo Alto did not allow people to own small lots for small homes. The residents of Buena Vista Mobile Home Park had no place to take their homes if evicted.

CONSENT CALENDAR

MOTION: Council Member Espinosa moved, seconded by Council Member Price to approve Agenda Item Nos. 2-4.

Council Member Klein advised he would not be participating in Agenda Item No. 3 as his wife is on staff at Stanford University.

Mayor Yeh advised he would not be participating in Agenda Item No. 3 as his wife was a Stanford University student.

2. Approval of Assistance to Firefighters Grant to Purchase Multi-Band Portable Radios, With Matching City Funds of 20 Percent for an amount Not to Exceed of \$46,000.
3. Approval of Stanford University Medical Center Annual Report and Compliance with the Development Agreement.
4. Acceptance of a Final Map Street Dedication at 382 and 384 Curtner Avenue.

MOTION PASSED for Agenda Item Nos. 2 and 4: 9-0

MOTION PASSED for Agenda Item No. 3: 7-0 Klein, Yeh not participating

AGENDA CHANGES, ADDITIONS AND DELETIONS

7. Adoption of a Budget Amendment Ordinance and Approval of a Loan Request From Palo Alto Housing Corporation in the Amount of \$5,820,220 for the Acquisition of 567-595 Maybell Avenue (continued from November 5, 2012-staff request item be continued to November 19, 2012).

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MOTION: Mayor Yeh moved, seconded by Council Member Espinosa to continue Agenda Item Number 7 to November 19, 2012.

MOTION PASSED: 9-0

ACTION ITEMS

5. Public Hearing: Approval of a Record of Land Use Action for a Site and Design Application for the San Francisquito Creek Joint Powers Authority's (JPA) Initial Flood Protection Project (Highway 101 to San Francisco Bay), Adoption of a Park Improvement Ordinance for Modifications to the Palo Alto Municipal Golf Course and the John Fletcher Byxbee Recreation Area, and Adoption of a Resolution 9296 entitled "Resolution of the Council of the City of Palo Alto Authorizing an Exception to Palo Alto Municipal Code Chapter 10.48 to Allow Transfer of Soil from the Stanford University Medical Center Construction Project to the Palo Alto Golf Course and Adjacent Areas".

Mayor Yeh advised he would separate any Motions relating to Stanford University as he and Council Member Klein could not participate in a Motion with respect to Stanford University. His wife was a student at Stanford and Council Member Klein's wife is a faculty member at Stanford University.

Curtis Williams, Director of Planning and Community Environment asked for Council approval of the Site and Design Review Permit for the Project, for approval of a Park Improvement Ordinance, and for a Resolution allowing the trucking of soil across Oregon Expressway. The Staff recommendation suggested the Council consider the Environmental Impact Report (EIR) in its determination. The San Francisquito Creek Joint Powers Authority (JPA) was the lead agency on the EIR and had certified the EIR. The Planning and Transportation Commission (P&TC) had reviewed the EIR and public comments were taken. The City Council did not typically review EIRs; therefore, this EIR was not included in the Council Packet. Staff did not provide a link to or a hard copy of the draft EIR at the time it was presented to the P&TC. However, it was prominently displayed on the home page of the City's website and advertised for public review by the P&TC.

Len Materman, Executive Director of San Francisquito Creek Joint Powers Authority sought Council approval of the Beta 101 Project. The Project would achieve 100-year Creek flow protection with 100-year tide and sea level rise. In order to achieve protection upstream of Highway 101, the JPA

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had to work with four bridges: the Newell Road Bridge, the University Avenue Bridge, the Pope-Chaucer Bridge, and the Middlefield Road Bridge. In addition to bridges, the JPA was considering some in-channel work to provide 50-year protection and a series of projects to increase the 50-year protection to 100-year protection. The objectives of this Project were to contain a 100-year Creek flow within the channel at the same time there was a 100-year tide and 50 years of sea level rise. The JPA assumed a sea level rise of 2.2 feet so that the Cities of Palo Alto and East Palo Alto would not have to revisit the issue for the next 50 years. The Project would create approximately 14 acres of new marshland habitat within the channel; enhance recreational opportunities; remove bottlenecks in the channel between Highway 101 and El Camino Real; allow PG&E to update a gas line underneath the Creek and electrical transmission lines in the area; and allow Palo Alto to improve the Golf Course and create athletic fields. The JPA would mitigate impacts to the Palo Alto Golf Course caused by the Creek moving eastward. Degrading the levee north of the channel would allow high flows to flow into the Faber Tract. The JPA would also excavate sediment from the channel, secure needed private property close to Highway 101 and East Bayshore Road, and build flood walls. Flood walls would be constructed, because there was not enough room to construct levees. The Project would connect to a California Department of Transportation (Caltrans) project to rebuild Highway 101 and East and West Bayshore Roads to accommodate design criteria. The footing to Friendship Bridge, on the Palo Alto side, would become an island with a boardwalk connecting it to the new levee. At the landing of the boardwalk on the Friendship Bridge side, there would be an area with interpretative signage to connect people to the Bay and the Creek. At the daily high tide, water would reach the vegetation along the marsh plain. At the 100-year Creek flow plus 100-year tide plus sea level rise, water would still be contained within the channel 3 feet below the top of the levee. Three feet was required by the National Flood Insurance Program to remove properties from that program. In the flood wall area at the daily high tide level, water would reach the marsh plain. At the 100-year flow plus 100-year tide plus sea level rise, water would still be 3 feet below the top of the flood walls. The probability of achieving a 100-year Creek flow at the same time as a 100-year tide was extremely remote. Construction access would be along Embarcadero Road past the Baylands Athletic Center. Construction hours would be Monday through Friday, from 8:00 A.M. to 6:00 P.M. The JPA hoped to begin construction activities in late spring 2013, and anticipated completion in the fall of 2014. Some visual impacts would be a much wider marsh plain and flood walls. The JPA attempted to retain the natural environment as much as possible. The JPA would perform community outreach prior to and during construction. Thirty days prior to beginning construction, the JPA planned to notice trail closures and hold a public meeting to inform residents about the

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status of the project and construction schedule. The JPA would provide written notice deposited at all residences and businesses within 750 feet of construction, a prominent project page on its website, and a phone hotline for trail users to call with questions and concerns. The P&TC and Architectural Review Board (ARB) recommended the project unanimously in October 2012. The final EIR was certified on October 25, 2012.

Arthur Keller, Planning and Transportation Commissioner reported the P&TC reviewed the Project and recommended approval. The P&TC discussed outreach and noted construction impacts would be felt along the corridor where the trucks would flow. The P&TC suggested signage be placed along that route to inform people of traffic impacts. The P&TC did not discuss the transport of trucks along Oregon Expressway. He was unsure whether that topic fell under the P&TC's purview. He noted some students at Palo Alto High School would need to cross the Oregon Expressway boundary. He expressed concern about construction at Oregon Expressway and the transport trucks containing soil traveling along Oregon Expressway.

Mr. Williams reported the construction project for Oregon Expressway was scheduled to begin in 2013. He hoped trucking would occur before the project began. The primary alternative to Oregon Expressway was San Antonio Road, which was under construction. Once trucking began, Staff would review the San Antonio Road construction and determine whether that route was available.

Council Member Burt stated the vision for the Project was consistent with other national projects. This Project was funded through a variety of sources, primarily the Santa Clara Valley Water District (Water District). Passage of Measure B from the Water District provided a program of 100-year flood protection from tidal rise downstream of Highway 101 and 50-year protection upstream of Highway 101. Hopefully the program would be cost effective and allow participants to opt into additional measures to remove the requirement for flood insurance. The Project had the potential to address important emergency preparedness needs and a disaster prevention need.

Council Member Holman supported the overall Project. She expressed concern that the Council did not receive the Project EIR. She referenced JPA certification of the EIR and City review and consideration of the EIR. She wanted to review the EIR personally before voting on it. She expressed concern about the timing and language in Attachment C affecting the Council's ability to negotiate fees. She supported the Project; however, she

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was uncomfortable voting for a Project which she had not personally reviewed. The route for accepting fill was out of sequence. The Council would be approving a project for which it had not reviewed an EIR.

MOTION: Council Member Holman moved, seconded by Mayor Yeh to continue this item to a date to be determined by Staff to allow: 1) Staff time to discuss with JPA and determine means of discussion regarding the EIR; 2) consider the timing, staging, and the route of the fill; and 3) negotiations of any fees collected as a result of the fill.

Council Member Holman supported the Project, but was concerned that the lack of process would set a precedent.

Mayor Yeh asked for Staff's thoughts on the Council's role and responsibility in reviewing environmental documents.

Mr. Williams explained each city has its own process for EIRs. If the Council directed Staff to present an EIR, Staff would do that. It was unusual for any EIR to be reviewed by the City Council as a whole. The P&TC typically served as the City's process for vetting EIRs. The P&TC reviewed the EIR and entertained public comments at the meeting.

Molly Stump, City Attorney reported there was no legal requirement that the Council review or formally comment during the draft stage of an EIR. The process was generally open to invite comment during the draft stage. The City had a special role, because it was a member of the JPA and had a direct dialog with the JPA to provide input.

James Keene, City Manager felt the Motion had two prongs. The first was additional time for Council Members to review the EIR. The second was additional time to obtain answers to Council Member Holman's questions. He was unsure whether Mr. Materman could answer her questions at the current time. The Council could have other questions engendered by its review of the EIR.

Mr. Materman stated the EIR had been certified. The JPA would file its Notice of Determination in December to move the Project forward. At that point, the public could contest the EIR and the Project. The JPA met all requirements for noticing and worked with Staff and the City's Commissions.

Mayor Yeh withdrew his second for the Motion.

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MOTION FAILED DUE TO THE LACK OF SECOND

Council Member Holman understood the EIR had been certified. Following legal requirements for noticing was different from the practical matter of informing interested persons of a document's availability. For example, the Staff Report for the Newell Street Bridge seemed to indicate the EIR had been certified, when the EIR had not been certified.

Mr. Williams reported there was no Staff Report for the Newell Street Bridge. That was presented as a Study Session to the ARB. This Project was on the same Agenda and the Staff Report indicated this Project's EIR had been certified.

Council Member Holman stated there was a difference between notification and legal requirements. In this instance, she was certain the JPA had met all legal requirements, but was disappointed that notification and availability was not made to all interested parties.

Council Member Burt requested details of the review process for the EIR.

Mr. Williams reported the City placed a link to the EIR on the City's website and issued a required public hearing notice. The EIR was publicly noticed for P&TC review and ARB review. He did not know the extent of the ARB's comments with regard to the EIR. The P&TC review was a Study Session of the entire Project as well as a public hearing of the draft EIR.

Council Member Burt recalled the Project being prominently displayed on the City's website.

Mr. Williams indicated the Project remained on the home page of the City's website.

Council Member Burt clarified that it was located on the home page.

Mr. Williams answered yes. The final EIR incorporated responses to P&TC comments. The P&TC had the responses when it considered the Project for recommendation to the Council.

Council Member Burt noted the JPA received comments on the EIR at hearings, and would continue to receive comments from some environmental groups subsequent to certification of the EIR. He inquired

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whether certification of the EIR or approval of the Project would preclude the City from having substantive input on the Project in the upcoming months.

Mr. Materman stated certification would not preclude the City from further input, as it was one of the five agencies of the JPA. Details of truck routes, timing, and notifications would be developed before the initiation of construction. The JPA was required to hold one public hearing; it held two public hearings. Outside of discussions with the ARB in August 2012 and the P&TC in September 2012, the JPA was required to provide 45 days for comment; it accepted comments two weeks past the 45-day deadline. The JPA went beyond the letter of the law.

Vice Mayor Scharff was excited by the opportunity to fund and build the Project. He referenced Packet Page 85, Number 8, regarding standard bicycle wayfaring signage, and inquired if there was a reason the Council should consider signage rather than making it a Condition of Approval.

Jaime Rodriguez, Chief Transportation Official reported signage could be a requirement. The language indicated the Council would consider signage, because Staff had not designed the bicycle paths along the San Francisquito Creek trail route. Once design was complete, Staff planned to request approval.

Vice Mayor Scharff noted Mr. Materman was agreeable to changing the language.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Price to: 1) approve a Record of Land Use Action approving the Site and Design application for the San Francisquito Creek Joint Powers Authority (JPA) initial flood protection project (Highway 101 to San Francisco Bay) based upon the findings and conditions in the Record of Land Use Action; 2) adopt the attached Park Improvement Ordinance for modifications to the Palo Alto Municipal Golf Course and the John Fletcher Byxbee Recreation Area, and 3) alter language in the Record of Land Use, Section 7-Conditions of Approval, Item 8 to delete the word "consider" and change "adding" to "add".

Vice Mayor Scharff noted the Project had been in process for many years. The Project would decrease the City's liability, increase protection for residents, and remove requirements for flood insurance.

Council Member Price was comfortable with the JPA's certification of the EIR and Staff's response regarding the adequacy of EIR and Project review. The

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Project met several critical goals, and demonstrated the importance of partnership.

Council Member Schmid felt Council Member Holman's point regarding procedure was worthwhile. The Council should be made aware of the EIR. He inquired whether the Highway 101 bypass construction by Caltrans had been completed.

Mr. Materman indicated Caltrans was in the design and environmental review phase. Caltrans planned to begin construction in 2014.

Council Member Schmid asked if the Project would be the first construction project and begin prior to opening the two bores under Highway 101.

Mr. Materman replied yes. The JPA was working with Caltrans on the timing of construction completion. The goal was for both projects to occur simultaneously.

Council Member Schmid noted high tide on a daily basis would fill the Creek and the marshlands at Friendship Bridge, and inquired whether it would also fill the wetlands under the boardwalk.

Kevin Murray, JPA Project Manager reported the average high tide would fill the wetlands, but not on a daily basis. Some days, the area could be filled more than once.

Council Member Schmid asked how far westward the tide flowed.

Mr. Murray indicated the tide flowed approximately 1,500 feet upstream or west of Highway 101.

Council Member Schmid asked if tides would frequently overflow the boardwalk.

Mr. Murray stated the wetlands underneath the boardwalk would be subject to tidal waters almost daily.

Council Member Schmid inquired if flooding of the boardwalk would be prominent during the winter.

Mr. Murray replied yes.

Council Member Schmid noted the map did not indicate the breakthrough to the Faber Tract, and inquired about the width of the breakthrough.

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Mr. Materman stated the breakthrough would be approximately 200 feet, and the levee would be degraded 2-3 feet from its current height. The current levee provided no flood protection, and would be degraded from 11 feet to 8-9 feet.

Council Member Schmid clarified the height would be 8 feet.

Mr. Materman answered yes.

Council Member Schmid inquired whether a great inflow would cause water to spill over the levee.

Mr. Materman responded yes. The Creek currently flowed into the Faber Tract if the flood was more than a 5-year event. Construction would change that to a 2 1/2-year event. The amount of water flowing into the Faber Tract would not increase; however, the incidence of flooding would increase.

Council Member Schmid noted new levees would extend to the Bay and no new levees would be constructed on the Faber Tract, and asked whether water flooding into the Faber Tract would break through the existing levees.

Mr. Materman indicated a levee ran north-south between the Faber Tract and the properties in East Palo Alto. In the scenario of a 100-year flow of water down the Creek with a 100-year tide and with sea level rise, the water level in the Faber Tract would rise 2 inches. The impact on the levee would be insignificant. After the Project was constructed, that area would not receive that flow ever, because Pope-Chaucer would release water.

Council Member Schmid noted the new levee would not extend as far as the existing levee, and inquired whether that would result in regular flooding of that portion of Palo Alto.

Mr. Murray reported water surface elevation would be low enough that elevation of the downstream levees would not need to change.

Council Member Schmid asked if that were true in a high tide event as well.

Mr. Murray stated the Project was not designed to prevent tidal inundation, but the Creek would not flood in that area due to other portions of the Project.

Mr. Materman reported the goal was to prevent water from exiting the channel in a certain scenario. The Golf Course was subject to a 100-year

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tide and was located within the 100-year flood plain of tides. Addressing tidal concerns was a different project. The Water District was in the design phase of a project for the south side of the channel.

Council Member Schmid asked if the Water District was responsible for the south side of the channel.

Mr. Materman stated the Water District asked to assume that responsibility. In planning and designing projects, the JPA wanted to remove property from all flood risk and flood insurance premiums while satisfactorily completing construction.

Council Member Holman supported the Project as a whole, but did not support the process. She objected to not being informed.

Council Member Shepherd supported the Motion. She inquired about the impact to the flow station in the Creek.

Mr. Murray asked if she meant the storm water pump station.

Council Member Shepherd answered yes.

Joe Teresi, Senior Engineer reported the pump station collected water from Palo Alto and pumped it into the Creek. Under an agreement with the City of East Palo Alto, the pumps had to be shut off when the water level reached a certain point to prevent the Creek from overflowing. After this Project was implemented, that agreement would cease to exist, because the Creek would have adequate capacity.

Mayor Yeh inquired about the number of parcels that would be removed from flood insurance requirements once the Project was complete.

Mr. Materman reported the Project would remove parcels from the Creek flood plain; however, those parcels would remain in the tidal flood plain and flood insurance requirements would remain in effect. The parcels would not be removed from flood insurance requirements until tidal concerns were addressed.

Mayor Yeh stated one threat would be removed.

Mr. Materman suggested Creek flooding was the most significant threat. Tidal flooding had occurred in the area, but was not as severe as Creek flooding.

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Mayor Yeh indicated 1,500-2,000 parcels would be positively impacted by the Project. The Project also provided an opportunity for education about the Creek and marshlands. He asked if the JPA considered the educational interface of infrastructure improvements.

Mr. Materman reported the JPA had discussed the changing face of the area with environmental groups. This Project could be used to discuss the history, the environment, and the risks of the area.

Mayor Yeh stated the 1998 flood highlighted the necessity for infrastructure investment. He hoped the JPA considered the many opportunities for education.

MOTION PASSED: 8-1 Holman no

Mayor Yeh and Council Member Klein left the meeting at 8:40 P.M. due to the previously stated conflicts.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Price to adopt the resolution authorizing an exception to Chapter 10.48 [Trucks and Truck Routes] of the Palo Alto Municipal Code for the limited purpose of allowing a transfer of soil from the Stanford University Medical Center construction project along Oregon Expressway to the Palo Alto Golf Course and adjacent areas.

Council Member Holman was not opposed to the route or the Recommendation, but rather she opposed what was not in the Recommendation. Timing, phasing, and negotiation of potential fees were not addressed. The Recommendation addressed fill for the levee project as well as fill for the Golf Course and potential playing fields without limiting how much fill the Council could accept. She expressed concerns about stockpiling fill and the potential limits placed on negotiations for fees. The Recommendation also referenced projects for which the Council did not have environmental analyses. While the City was not paying for the Project, it should be able to negotiate fees for the fill. She asked Staff to comment on that.

Ms. Stump stated the Resolution's legal effect was limited to authorizing use of the road. It did not provide project approval or permitting authority to move dirt.

Council Member Holman asked why it was presented now.

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Mr. Williams understood the timing was necessary primarily because fill was available. It was an opportunity to receive free fill and stockpile it. Minimizing start-up time and costs would be beneficial. The Site and Design Permit approved the location for the stockpile and the work to be done on the levees. He suggested the Council separately consider limiting the quantity of soil to what was necessary for the levees only. If Staff determined a need for fill for the Golf Course before approval of the Golf Course plan, Staff would return to the Council with that. He had not been involved in discussions of fees for fill.

Council Member Holman asked if accepting dirt now would impact play on the Golf Course. The area outlined in the scope of the Project for accepting fill was quite large.

Rob De Geus, Recreation Manager reported stockpiling dirt on the 13-acre site on the Golf Course would impact the Golf Course. Staff had considered rerouting the Golf Course around the stockpile to keep the Golf Course open. More than likely fill would not be brought onto the Golf Course until spring.

Mr. Keene stated there could be some fill available before the spring for which the City could charge a fee.

Mr. De Geus indicated Staff felt it was not advantageous to accept soil before spring, because it would disrupt play on the Golf Course. Staff was attempting to bring in soil close to the beginning of construction to minimize impacts to the Golf Course.

Council Member Holman reiterated her question regarding timing.

Mr. Williams felt fill was currently available that might not be available in sufficient quantities later. There were two areas where fill could be stockpiled: a 13.3-acre site and a parking lot. It would be useful for Staff to have a route for trucking the fill.

AMENDMENT: Council Member Holman moved, seconded by Council Member Schmid that acceptance of fill prior to necessary need for construction project should not interfere with playability of the Golf Course.

Council Member Holman believed Staff comments indicated some soil was currently available. Impacting the playability of the Golf Course would result in loss of revenue.

Council Member Schmid felt the request was premature, because the Council had not studied the impacts. The Amendment suggested Staff consider

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impacts to the Golf Course.

Mr. Keene asked the Council to proceed with the Motion, because Staff needed approval of the route along Oregon Expressway. He understood the concern about accepting fill. The Council was actually interested in the cost-benefit of accepting fill. He suggested Staff return to the Council with a separate report stating the reasons for accepting fill early and a cost-benefit analysis.

Vice Mayor Scharff understood Staff would weigh the cost-benefits and be aware of potential impacts to the Golf Course.

Council Member Shepherd indicated use of Oregon Expressway would allow flexibility. The recommendation was not to approve acceptance and stockpiling of fill. She assumed Staff would return for approval of timing and sequencing of fill, and inquired whether Staff would do that if the Council approved the Motion.

Mr. Keene stated Staff could not provide a recommendation on accepting fill without returning to the Council at a later time.

Council Member Shepherd would not support the Amendment.

Council Member Burt understood Staff would return to the Council for approval of the fill agreement prior to accepting fill necessary for construction. The Amendment provided that clarification.

Mr. De Geus reported some stockpile areas would have little impact on the Golf Course. He understood Council Member Holman's concern to be the impact to the Golf Course of stockpiling fill.

Council Member Holman inquired whether the cost-benefit analysis would be presented to the Council for approval.

Mr. Keene felt the Staff's intention was to provide the financial factors.

AMENDMENT WITHDRAWN BY THE MAKER

AMENDMENT: Council Member Burt moved, seconded by Council Member Holman that prior to accepting fill that would impact Golf Course play, Staff would bring a cost-benefit analysis back to Council for approval prior to accepting a fill contract.

Council Member Price did not favor the Amendment. She trusted Staff would

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provide an analysis.

Council Member Burt felt the Amendment clarified Staff's stated intention. He inquired if the Amendment would encumber the JPA's moving forward with the Project.

Mr. Materman did not believe so. He was comfortable with the Amendment if it kept options open. Presenting an analysis to the Council would not affect the JPA's ability to implement the Project.

Council Member Burt stated the Amendment did not prescribe the source, cost, or benefit of the fill material.

Mr. Keene inquired whether the Amendment precluded Staff from potentially accepting some fill that did not impact Golf Course play.

Vice Mayor Scharff responded no.

Council Member Espinosa indicated the Amendment added Staff's intention and was not a burden for Staff.

Vice Mayor Scharff wanted to ensure the Council could respond quickly if the JPA located a different source for fill.

Mr. Materman stated there was not a two-week period for the Council to approve a new source for fill.

AMENDMENT PASSED: 5-2 Price, Shepherd no, Klein and Yeh not participating

MOTION AS AMENDED PASSED: 7-0 Klein, Yeh not participating

Mayor Yeh and Council Member Klein returned to the meeting at 9:06 P.M.

6. Update of Parking Program and Review and Direction on Parking Policy Strategies (continued from November 5, 2012).

Curtis Williams, Director of Planning and Community Environment reported Staff wished to discuss an extensive program to address Downtown parking issues. The parking situation affected neighbors and employers. Mr. Rodriguez and his staff had documented current parking conditions, determined solutions, and enhanced features to create additional parking spaces and to enhance efficient use of existing parking spaces. Staff believed it was important to consider a comprehensive and holistic approach

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to the parking issue. The approach needed to balance supply with demand and to balance neighborhood incursions with the vitality of Downtown businesses. The purpose of the discussion was to outline a work program for the Council. Staff did not seek direction regarding specific measures to be taken, but rather wished to discuss topic areas Staff expected to explore. Staff requested Council input regarding areas not to consider and additional areas to consider. Staff expected to return to the Council on most of the topics within the next 3-6 months. Staff wanted to return to the Council regarding the Downtown Cap Study sooner than 3-6 months, because many issues fell under zoning regulations and development proposals. Staff wanted to return to the Council with a scope of work for that Study before placing it for bids. Some items could be referred to the Policy and Services Committee or returned to the Council as a whole.

Jaime Rodriguez, Chief Transportation Official stated Council's direction in July 2012 was to review five or six key areas, to identify technology to manage parking supply, to evaluate zoning and transportation demand management (TDM) solutions, and to determine methods to limit neighborhood concerns. During the past year and a half, Staff focused primarily on permit management. Staff developed an online permit management system to manage and distribute permits to the community and to provide automatic renewal opportunities. He anticipated the system would be live in December 2012. The program would allow monthly renewals, monthly and quarterly permits, and weekly distribution of permits. Staff focused on managing permit supply and wait lists and reforming the day permit program. As a result, wait lists decreased by 66 percent in the Downtown area. Because changes had not been made in the California Avenue Business District, wait lists increased by 20 percent in that area. Staff completed a Request for Proposal (RFP) process for the parking garage study for Lots D, E, G, O, and P. As part of the study, Staff wanted to determine methods to better use existing garages. An RFP for the Downtown Cap Study was under development. Technology solutions included gate controls and counting cars. Staff recommended the Council consider gate controls after completion of the garage study. Charging stations for electric vehicles (EV) were located around the City. Staff received many requests for more EV parking. Staff recommended installing a maximum of six additional EV charging stations in Downtown and a maximum of five EV charging stations in the California Avenue Business District. Staff wanted to deploy more bicycle parking. Staff had determined a few policy considerations for residences located near Downtown, specifically Professorville, and requested Council guidance on those. One policy would allow installation of on-street accessible or disabled parking spaces within residential neighborhoods. To provide parking relief for residential neighborhoods, Staff suggested providing short-term and

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commercial loading zones around the residential neighborhoods. Another policy option would allow parking spaces in front of homes without on-site or rear-access parking and allowing that as a permitted use for that residence only. Those policy changes would require additional public outreach. Staff originally recommended in the Staff Report a trial parking attendant program at one of the Downtown garages. Those programs were extremely expensive and would result in significant increases to the Downtown permit program. Staff discussed delaying implementation of a trial program until completion of the parking study. Staff would return through the Policy and Services Committee or to the Council directly with development of an RFP work scope for the Downtown Cap Study and TDM program. He recommended delaying the RFP for gate controls and revenue controls in order to find other technologies. Staff discussed returning to the Utilities Advisory Commission (UAC) with EV charging stations, because the UAC previously directed Staff to develop privatized networks. Staff continued to pursue additional bicycle parking. The policy options could be presented to the Policy and Services Committee or the Planning and Transportation Commission (P&TC). The short-term and commercial loading zone option should not be implemented with the option regarding homes without driveways. Staff needed to focus on the California Avenue Business District, because of the significant increase in the permit wait list.

Mr. Williams indicated Staff wanted to learn the Council's priorities. He expected the parking garage study would be on the Agenda the following week to hire a consultant. Staff expected to present the scope of work for the Downtown Cap Study in 1-2 months. Policies for neighborhoods would require discussion with neighborhood groups.

Ben Cintz owned residential and commercial property near Professorville. Staff attempted to balance interests. He asked that small property owners be involved in further study.

Russ Cohen, Executive Director of Palo Alto Downtown Business and Professional Association thanked the Public Works Department for the rehabilitation work on tunnels at University Avenue. The Palo Alto Downtown Business and Professional Association supported the parking study, and hoped data and public input would result in more efficient and effective parking. They looked forward to partnering with the City to provide additional parking supply.

Randy Popp understood drivers parked their vehicles on High Street rather than in the Caltrain parking lot to avoid the parking fee. He often could not park within blocks of his office. Staff's recommendations did not address this parking problem. He suggested six-hour parking limits in the area.

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Richard Brand felt the recommendations did not address the South of Forest Area (SOFA). The problem was approval of too many developments with too few parking spaces. The Council had to force developers to provide parking. He asked the Council to direct Staff to consider development in their recommendations.

Neilson Buchanan agreed with Staff conducting periodic vehicle counts twice per year. The Council should consider the point at which a neighborhood was no longer a good residential neighborhood because of traffic and parking. Downtown vehicle counts should be expanded to some neighborhoods on the other side of Middlefield Road.

Ken Alzman stated Staff had not determined the number of cars and employees in Downtown or the number of cars affected by proposed measures. There was no viable data in any of the information.

Arthur Keller felt Recommendation Number 2 "Direct staff to pursue the RFP for the Downtown Cap study, and report back to Council in six months regarding results and recommendations" (Recommendation 2), Recommendation Number 3 "Direct staff to develop zoning ordinance revisions to address parking impacts from development, including: a) parking ratios, b) parking exemptions, c) requirements for both TDM programs for new development; and to work with the Downtown businesses to develop a coordinated downtown area TDM effort." (Recommendation 3), and Recommendation Number 6 "Direct staff to pursue the installation of 6 additional electric vehicle charging stations in Downtown and up to 5 electric vehicle charging stations around California Avenue." (Recommendation 6) were in the purview of the P&TC.

Karen Dreyfuss noted bicycle-automobile accidents on Bryant. Parking problems were a public safety crisis. She urged the Council to remember that residents had contributed and compromised when agreeing to a parking permit plan.

Mr. Williams stated that Staff felt Mr. Alzman's analysis overstated parking deficiencies in the community. The best way to analyze the problem was to perform a thorough analysis through the Downtown Cap Study.

Council Member Schmid felt parking was a critical issue, and the Council grappled with parking on single applications. He named several projects the Council had considered. The Council lacked the base idea of a systemic parking deficit being exacerbated by each project. He noted problems with Mr. Alzman's data; however, Mr. Alzman provided information the Council

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could use. The Council needed to know the scale of the problem when approving recommendations. Staff should provide a response to the parking issue as quickly as possible. Staff resources should be spent on the issue. The Council could not make decisions on applications without knowing the deficit and its meaning to all interests. He urged Staff to focus on the issue and return to the Council in 4-6 months.

Council Member Klein inquired whether Staff had any interim information regarding use of existing spaces.

Mr. Rodriguez reported during the peak noon time, as of fall 2011, some garages had 90-95% occupancy. Staff collected data twice per year; however, they did not collect data in the spring of 2012 because of the Residential Parking Permit (RPP) program.

Council Member Klein stated the data was a year old.

Mr. Rodriguez indicated Staff would have more data beginning the following week.

Council Member Klein asked if parking was better or worse.

Mr. Rodriguez felt parking was better, because more permits had been released.

Council Member Klein inquired about the availability of 2012 data.

Mr. Rodriguez reported Staff would be counting the following two days and would have data the following week.

Council Member Klein recalled comments from the business community regarding the history of the Parking Assessment District. The business community felt the free parking in garages was a condition of the agreement between the City and the Parking Assessment District. He inquired whether the City could institute a charge without the approval of the Parking Assessment District members.

Mr. Williams felt the City could change fees; however, parking spaces had to be made available to the public. Some business owners would probably state the City needed approval before changing fees. Staff would want to work with the business community in changing fees.

Molly Stump, City Attorney wanted to review the documents before providing a sound legal opinion.

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Council Member Klein indicated the agreement was created to equalize Downtown with the Stanford Shopping Center. He asked if approval was obtained before increasing the time limit from two hours to three hours.

Mr. Williams was sure the proposal was presented to the Parking Committee; however, the City implemented the change.

Council Member Klein inquired whether Staff had any information regarding the value of a house without on-site parking increasing by \$300,000-\$600,000 if an RPP program were instituted. He also asked if there was a method for the City to recapture the value, and whether there were any precedents around the country

Mr. Williams did not have specific information about real estate valuations. He had heard the same information from property owners.

Council Member Klein was attempting to evaluate the increase in value and to learn how other cities handled the issue. He inquired whether people were exceeding the three-hour limit at charging stations.

Mr. Rodriguez reported typical charges at Downtown charging stations were approximately three hours. Most people complied with the three-hour limit.

Council Member Klein asked if the study would include an analysis of the amount to charge at charging stations.

Mr. Rodriguez indicated that had been discussed at the UAC. Staff operated under the previous direction to move to a privatized network.

Council Member Klein asked Mr. Rodriguez to assume the City would not privatize.

Mr. Rodriguez stated Staff could provide trends of other agencies around the country.

Council Member Klein asked Staff to comment on methods to encourage or require occupants of new projects to purchase permits for their employees to prevent parking in neighborhoods.

Mr. Rodriguez indicated Staff had more work to do to develop a comprehensive plan. The Downtown Cap Study would provide more options. The primary alternative was the TDM program, which would be part of the Downtown Cap Study. One option was the purchase of permits. A second

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option was encouraging people to use alternative modes of transportation. Staff had discussed with Caltrain new pilot programs for Go Passes. If the City built supply, it had to ensure people used it. An RPP program would probably be the final piece in the Downtown parking program to eliminate parking in neighborhoods. There were many ways to estimate the true deficit of parking spaces. As Staff developed the RFP and scope of work for the Downtown Cap Study, they would need to define the method for determining the parking deficit.

Council Member Klein stated that when he looked at the minutes of Mayor Fazzino's farewell meeting in 1983 he was surprised to see that one item on the agenda was Downtown Parking.

Council Member Shepherd inquired about the method for addressing each of the 11 Recommendations.

Mayor Yeh indicated the last matrix was presented to allow Council Members to review specific Recommendations. Staff was open to a discussion of topics as well as Recommendations.

Council Member Shepherd inquired if she should discuss topics at the current time.

Mayor Yeh stated Staff wanted to receive Council feedback of whether they would direct some items to the different next steps. Each of the 11 Recommendations could be separate Agenda Items.

Council Member Shepherd asked if the Council would discuss each Recommendation individually or move for Staff to return with each Recommendation individually.

Mayor Yeh reported the matrix had an embedded work plan for Staff. Recommendations 9 and 10 were open to Council discussion.

Council Member Shepherd inquired whether the Council would vote on the Recommendations for action or whether Staff would return with the Recommendations as they were completed.

Mr. Williams suggested the Council vote to move forward with the 11 items outlined with suggested changes. Staff needed a sense of the full list and the process to follow.

Council Member Shepherd asked if she could move for Staff to proceed with the 11 items.

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Council Member Burt did not understand why the focus was not on referring the items to the P&TC, because the items were in the P&TC's purview. The Council's role was to provide input on the scope of consideration. The Council could choose to narrow or broaden the scope or to prioritize items. Fundamentally, the bulk of the items should be referred to the P&TC.

Council Member Shepherd felt the Council could quickly discuss and vote on the items individually. She asked if the Mayor intended for the Council to vote on the Recommendations en masse.

Mayor Yeh noted the Council would have subsequent opportunities to discuss the items in depth. He asked if Council Members wished to discuss each item individually. He stated Council Member Burt's question regarding referral to the P&TC was separate from Council Member Shepherd's question.

Council Member Burt felt discussing the items individually preempted the process question.

Mayor Yeh stated the Council had to make the determination of which Recommendations would be referred to the P&TC. The Council had to have some discussion to make that determination.

Council Member Burt recommended the Council refer all items to the P&TC for full vetting.

Mayor Yeh indicated Staff proposed the full matrix for follow-up steps.

Council Member Shepherd felt the Recommendations could be stand alone Motions; however, Staff's Recommendation was to move forward as presented.

MOTION: Council Member Shepherd moved, seconded by Council Member XXXX to direct Staff to handle the parking policy strategies as presented.

MOTION FAILED DUE TO THE LACK OF A SECOND

Mayor Yeh suggested the Council generate a list of questions to inform each topic. He then asked for comment regarding process from the City Manager.

James Keene, City Manager reported all 11 items needed to be pursued regardless of the next steps. In addition, other things needed to be done. The parking issue was important enough to warrant a general direction that

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the Recommendations should be part of Staff's strategy. The Council would need to refer discussion to other bodies. Staff suggested referral to the Policy and Services Committee rather than creating a new ad hoc committee. Staff was agreeable to referring the Recommendations to the P&TC; however, some items did not need referral. Direction on the process in the general areas would be helpful.

Mr. Williams agreed with presenting the complete work program to P&TC in order to determine details. He suggested the parking garage study and the neighborhood items not be referred to the P&TC. Staff requested direction on those items, because they were beneficial to neighborhoods and would require a great deal of outreach and time.

Council Member Shepherd asked if the Council should move all 11 items.

Mayor Yeh indicated a Motion was not appropriate at the current time, because Staff requested input on Recommendations 9 and 10. Later in the discussion, a Motion on all 11 Recommendations would be appropriate.

Council Member Shepherd inquired whether Staff could work with the community concerning methodology for collection of data and sharing of data.

Mr. Rodriguez reported Staff did not collect data to ensure independent and accurate information. If the community collected data only in certain areas, then it would not add value to the analysis.

Council Member Shepherd felt this was a means for civic engagement, and asked Staff to find a way to partner with the community.

Mr. Keene indicated Staff had a responsibility regarding the methodology used. Staff could engage with community members regarding the approach and methodology to receive input. Engaging the community could reconcile differences in methodology.

Council Member Shepherd wanted outreach to the community. She requested Staff return with an analysis of the cost of building a parking garage, and suggested Staff consider parking permits for private garages that were not fully utilized. A TDM program should incorporate transportation of users in the event of an emergency. She suggested a shuttle service from parking areas outside of Downtown to Downtown. Parking on surface streets during construction periods was further depleted, and alternatives should be considered.

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Council Member Holman did not understand the delay in implementing accessible parking, and asked Staff to comment on the complexity of accessible parking.

Mr. Williams indicated Staff wanted to ensure placards were not abused, to gauge neighborhood impacts, and to review possible unintended consequences.

Mr. Rodriguez stated Staff wanted to give the public an opportunity to provide additional input on the policy. Accessible parking could move forward the fastest of all items on the list, because Staff had performed the preliminary work. Staff suggested three months to allow additional public input before the Council adopted a policy.

Council Member Holman inquired whether permits could be shared among part-time employees to eliminate unused parking spaces.

Mr. Williams explained the use of public bonds restricted the City from selling permits to businesses and from transferring permits between individuals. Staff would explore options for employees sharing a permit. In some instances, businesses purchased batches of permits on a daily basis to provide to employees.

Council Member Holman asked if the bond language could be changed.

Ms. Stump reported the bonds were sold and refinanced as tax-exempt bonds, resulting in the restriction. If the bonds were taxable, the rules would be different and more flexible.

Mr. Keene indicated Staff had explored the restriction in-depth earlier in the year.

Council Member Holman asked Staff to explain the mixed-use parking concession.

Mr. Williams stated mixed use allowed up to a 20 percent reduction in parking spaces; however, a study had to provide the time of day each were used, and parking spaces had to be available to everyone at all times. Staff needed the study to review concessions, reductions, and exemptions and to determine their effects. He felt the mixed-use reduction had hardly been used in Downtown. Other reductions had been used much more frequently.

Council Member Holman presumed the mixed-use reduction had been used Downtown. She understood the City granted up to a 30 percent concession

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in parking for Transit Oriented Developments (TOD), and asked whether reducing the percentage until the study was completed was feasible.

Mr. Williams did not believe the level of gain would be worth the effort and time to change zoning criteria. The Council would have to follow the zoning process to make those changes. Changing zoning regulations would probably take as long as completing the study. Following Staff's Recommendation would be better than temporarily halting reductions and exemptions.

Council Member Holman recalled the Casa Olga Project received an allowance to eliminate existing parking places, and inquired whether that allowance was used often.

Mr. Williams noted the Casa Olga Project paid an in-lieu fee to compensate for the loss of those parking spaces.

Council Member Holman stated the in-lieu fee did not move the City closer to constructing a parking garage.

Mr. Williams reported that particular allowance was not used often. Most projects generally kept on-site parking, because they did not want to pay in-lieu fees. A few projects did eliminate a small number of parking spaces. One project requested a one-to-one exemption, which was not preferable.

Council Member Holman referenced Staff's comments regarding private parking garages being fully occupied or having security issues. She asked Staff to obtain more information on possible cooperative relationships with private parking garages. She inquired whether the Council could make TDM agreements enforceable after the fact.

Mr. Rodriguez reported changing conditions of approval for a project after approval was difficult, unless the project requested an additional permit. Staff had placed conditions of approval regarding enforcement of TDM programs on the last few large projects. Staff could not reopen an approved project.

Council Member Holman inquired whether the Council could enact an overarching Ordinance to govern those projects.

Ms. Stump understood Council Member Holman to be addressing a general police powers Ordinance that would apply to all businesses.

Council Member Holman clarified that the Ordinance would apply to existing

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projects holding TDM programs.

Ms. Stump underlined Mr. Rodriguez's comments in terms of specific conditions for those particular projects. She was unsure whether there was any additional general Ordinance that would apply only to TDM holders

Mayor Yeh suggested Council Members not expect answers to their questions in the current discussion. The topics and questions would be noted and included in future discussions.

Council Member Holman requested Staff's comments on the possibility of combining entities to purchase Go Passes.

Mr. Rodriguez noted Go Passes were not specifically discussed as a topic within the Staff Report. Staff envisioned a program being developed as part of the zoning evaluation, TDM program, or the Downtown Cap Study. Staff initiated discussions with Caltrain to develop concept programs.

Council Member Holman requested Staff comment on the viability of an RPP program given the length of time needed to review and possibly implement Staff's Recommendations.

Mr. Williams indicated Staff followed the Council's direction in July 2012 not to proceed with an RPP program. As Staff developed these strategies, an RPP program could return as a bookend to other strategies. Staff would not include an RPP program per Council direction, unless the Council directed it be included.

Council Member Holman asked Staff to explain the timeline provided in the prior week's Staff Report, and whether Staff could adhere to that timeline.

Mr. Rodriguez clarified that the timeline covered the period of Fiscal Year 2013-2014. The parking garage study was on that track. The schedule for the Downtown Cap Study would likely change, because the scope of work would be much larger and require more review.

Council Member Holman inquired if Staff anticipated changes to zoning issues occurring once the Downtown Cap Study was completed.

Mr. Williams felt Staff needed to assess the items it could implement quickly and those it could not implement quickly. Not all analysis had to be completed before changes could occur. Staff would return to the Council with a report within the 3-6 month timeframe, and that report could contain specific recommendations for changes.

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MOTION: Council Member Klein moved, seconded by Council Member Schmid that this item would end no later than 11:30 P.M.

Council Member Holman asked Staff to indicate when the Item could return to the Council.

Mr. Williams assumed, based on prior discussion, the Item would be presented to the P&TC before returning to the Council. The RFP for the parking study was on the Council's Agenda for the following week. Remaining Recommendations would be referred to the P&TC, if the Council directed that. As the Recommendations developed, parts could be presented to the Council for additional input and detail.

Council Member Holman was unsure whether the Council could sufficiently discuss the topic and provide that direction before 11:30 P.M.

MOTION PASSED: 7-2 Holman, Scharff no

Council Member Price felt the parking strategies were ambitious. She inquired whether Staff anticipated one team of consultants working on more than one element as several elements were closely aligned.

Mr. Rodriguez stated one of the major focus areas for consultants would likely be the parking garage study. A separate consultant team would perform the Downtown Cap Study. One consultant team would not perform both studies.

Council Member Price asked for the percentage of work Staff would handle, and whether consultants would work on elements not requiring an RFP.

Mr. Rodriguez indicated almost all of the work would be performed by Staff in terms of managing the program and developing concepts. Consultants would be utilized for the design-focused efforts. With regard to technology, Staff would develop the RFPs for vendors to propose solutions.

Council Member Price inquired whether Staff had reviewed RFPs developed by other cities.

Mr. Rodriguez answered yes. Staff had a draft RFP for gate technology and revenue controls, and had based it on another city's RFP.

Council Member Price asked if Staff was seeking Council guidance to pursue

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Recommendation Number 8 "Direct staff to return to the City Council for consideration of an On-Street Accessible Parking Space Policy" (Recommendation 8)., Recommendation Number 9 "Direct staff to initiate outreach to residents in Professorville and Downtown North to develop short-term parking space strategies" (Recommendation 9)., and Recommendation Number 10 "Discuss and provide direction for On-Street Parking Permits for homes in the Professorville area without parking or driveways" (Recommendation 10) related to residential parking strategies.

Mr. Rodriguez responded yes. Staff provided the Recommendations in response to the Council request in July 2012 to develop solutions to relieve parking problems in residential neighborhoods. Staff would likely pursue Recommendation 8 and Recommendations 9 or 10, but not Recommendations 8, 9, and 10. Staff requested Council direction to perform one of those two Recommendations or neither.

Council Member Price shared Council Member Schmid's concerns regarding methodology of the parking study. She requested Staff provide more detail in that regard. She inquired whether examination of the TDM program would include the possibilities Mr. Rodriguez mentioned in his presentation. She requested Staff clarify Caltrain's short- and long-term plans for potential structured parking on Urban Lane.

Mr. Rodriguez reported Caltrain did not have any immediate short-term or long-term goals for the use of Urban Lane. It was an overflow lot. Staff initiated discussions with Caltrain to determine whether the site was a good location for a garage to meet transit and parking needs.

Vice Mayor Scharff inquired whether Staff would begin outreach to determine additional possibilities if the Council directed Staff to perform Recommendation 9.

Mr. Rodriguez indicated Staff would work with residents to develop a specific plan for each neighborhood under Recommendation 9.

Vice Mayor Scharff asked if Staff would work with Downtown North and Professorville.

Mr. Rodriguez replied yes.

Vice Mayor Scharff inquired whether Recommendation 9 would focus on loading zones.

Mr. Rodriguez reported Recommendation 9 would focus on short-term

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parking and commercial loading zones. If the community was interested, Staff could include passenger loading zones.

Vice Mayor Scharff asked if Recommendation 10 would affect only 11 homes.

Mr. Rodriguez stated Recommendation 10 would affect homes that met the criteria. Other homes could meet the criteria; however, Staff had not located them.

Vice Mayor Scharff inquired whether Staff would perform outreach to determine additional homes that met the criteria.

Mr. Rodriguez answered yes.

Vice Mayor Scharff requested Staff's preference between Recommendations 9 and 10.

Mr. Rodriguez reported Recommendation 9 was the more equitable solution for everyone in all neighborhoods. Recommendation 10 was exclusive to specific homes.

Vice Mayor Scharff asked if Staff would prefer Recommendation 9 to no action.

Mr. Rodriguez responded yes.

Mr. Williams suggested no action would be preferable if community discussions revealed a large number of concerns.

Vice Mayor Scharff requested clarification that Recommendation 9 would include Staff's discretion to cease actions.

Mr. Keene indicated the goal was short-term quick return.

Vice Mayor Scharff recalled that attendant parking was more expensive than originally thought. He noted the Gateway Project would have attendant project, and asked if the Project would be ready in a year.

Mr. Rodriguez responded yes. Attendant parking at the Gateway Project would be privately funded.

Vice Mayor Scharff felt the City not having to pay for attendant parking would be beneficial. He supported using the \$250,000 to fund the studies. He expressed concern with respect to EV charging stations. The number of

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charging stations in Downtown was not an issue. Level 2 charging stations were the wrong technology. Future technology would need Level 3 charging stations. If the City privatized charging stations, it should not build additional Level 2 charging stations. California Avenue needed charging stations; however, he did not want to privatize all stations to provide stations on California Avenue.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Shepherd to accept Staff recommendations to: 1) Complete parking study and then come back to Council for determination of Trial Parking Attendant Program in report to Council in 6 months, 2) Refer the Development of an RFP for Downtown Cap Study to the Planning & Transportation Commission to review the scope of work, 3) Refer the zoning evaluation and TDM program to the Planning & Transportation Commission to review scope of work, 4) RFP for Garage Access/Revenue Controls, focus on parking monitoring below and report to Council in 6 months, 5) Technology: parking monitoring, develop RFP through PTC, 6) Refer Electric Vehicle charging stations to the Planning & Transportation Commission and they are to provide a report to Council in 3 months, 7) Bicycle Parking Stations continue to pursue opportunities, 8) Policy: on street accessible parking to PTC and report to Council in 3 months, 9) Refer short term residential parking strategies, to the Planning & Transportation Commission and then report to Council, 10) Delete the recommendation regarding Professorville Permits-No Driveway Home, and 11) California Avenue permit Management work with Cal Ave Merchants, report to Council in 6 months.

Vice Mayor Scharff felt the strategies were a good preliminary approach. The P&TC could provide details for some strategies, and some strategies should return to the Council for additional discussion.

Council Member Shepherd asked the Mayor to continue general comments before discussion of the Motion.

Mayor Yeh reminded colleagues they could comment in the context of the Motion.

Council Member Burt said he could not correlate Recommendations 8, 9, and 10 to the Residential Parking Policy approaches Staff suggested: 1) On-Street "Disabled Accessible" Parking Spaces, 2) "Neighborhood Short-Term and Commercial Loading Zones, and 3) On-Street Parking Spaces in the Professorville Area.

Mr. Williams suggested Council Members work from the matrix.

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Council Member Burt felt the items in the matrix were not self-explanatory.

Mayor Yeh indicated Numbers 1, 2, and 3 should correlate with Recommendations 8, 9, and 10 on Slide 10.

Vice Mayor Scharff explained Recommendation 9 was reaching out and developing parking strategies. Number 2 would be part of Recommendation 9.

Mayor Yeh stated the information on Slide 9 for Number 2 would be the details for Recommendation 9 on Slide 10. Number 2 on Slide 9 discussed commercial loading zones, and that would be the extent to which Staff would follow up on Number 9 on Slide 10.

Mr. Williams explained Numbers 1, 2, and 3 were Recommendations 8, 9, and 10. The confusion could result from the use of residential in the matrix and the use of commercial in Number 2 on Slide 9.

Council Member Burt asked if that was within a residential neighborhood.

Mr. Williams answered yes.

Mr. Keene stated it was both short-term neighborhood and commercial loading zone strategies.

Council Member Burt asked if the Motion indicated the RFP for garage access would return to the Council.

Vice Mayor Scharff indicated it should be included in the Motion.

Mr. Williams said the contract for the complete parking study would be presented to the Council the following week.

Council Member Burt asked Staff to clarify the topic being presented to the Council the following week.

Mr. Williams indicated the parking garage study contract would be presented.

Council Member Burt inquired which Recommendation included that topic.

Mr. Williams answered Number 1, the attendant parking study. Number 1 should state the parking garage analysis. The next step was to complete the parking study, and not the attendant component.

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Vice Mayor Scharff believed the intention was to return to the Council after completion of the parking study to consider a trial parking attendant program.

Mr. Rodriguez indicated that was correct.

Vice Mayor Scharff suggested language to reflect completion of the parking study before consideration of a trial attendant parking program.

Council Member Burt stated the parking study RFP would return directly to the Council, and the Motion should reflect that. The Council needed to supply a TDM program to the community. He recommended that bike corrals be prioritized for locations that did not reduce parking, and that the Council enhance the program that paid for bike racks on private property. He inquired whether Caltrain lots were not fully utilized.

Mr. Rodriguez indicated the Urban Lane lot was an overflow lot.

Council Member Burt suggested Staff provide input to the P&TC on the relationship between the parking issue and traffic safety. He inquired whether parking problems exacerbated traffic hazards and hazards to pedestrians.

Council Member Espinosa asked why Recommendation 10 was deleted from the Motion.

Vice Mayor Scharff explained Staff preferred Recommendation 9, because it was more equitable for the community. Staff also indicated they would return to the Council if outreach became unmanageable.

Council Member Espinosa felt Recommendations 9 and 10 addressed different problems, and asked if they addressed the same issue.

Mr. Rodriguez indicated short-term parking offered a benefit to everyone on the street or within the neighborhoods. Reservation of parking spaces locked the spaces to only a few homes.

Council Member Espinosa felt those were different issues. The Council should address residences with no access to on-site parking as it considered comprehensive programs. Certain areas needed loading zones. He was unclear regarding the need for resources, both funds and Staff time, to study and implement strategies. He was disappointed to learn that Staff did not feel there was an option for technology. It would be helpful to

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understand the cost-benefit of oversight and enforcement of TDM programs. The Council needed to be responsive to parking issues in commercial areas. A timeline for conversations with all neighborhoods was important and would engage the community in the broader issue.

Mayor Yeh correlated Recommendations with Guiding Principles. He asked Staff to consider stacked parking and Caltrain parking. It was incumbent to develop short-, medium-, and long-term strategies for parking. He agreed with Council Member Schmid regarding engaging the community in data collection. Determining or quantifying the magnitude of impacts from solutions would be helpful. He supported the Motion.

Council Member Schmid asked Mr. Williams if Staff could present major, substantive findings for Recommendation 2 in 3-6 months.

Mr. Williams was hopeful Staff would have some information for action within 3-6 months. The first phase was to collect good data. In 3-6 months, he hoped to have a good data set and be able to identify any deficiency. The substance of the study would not be complete in that time.

Council Member Schmid inquired if the goal would be to share some data in that time period.

Mr. Williams answered yes.

Council Member Holman stated Recommendation 9 should incorporate a three-month timeline.

AMENDMENT: Council Member Holman moved, seconded by Council Member Burt to include Recommendation Number 10- Professorville Permits-No Driveway Home to Planning and Transportation Commission and report to City Council.

Vice Mayor Scharff felt Staff did not want to include both Recommendations 9 and 10.

Mr. Keene stated Staff did not include a three-month timeline for Recommendation 9, because a number of different approaches could be modified by engagement with the community.

Council Member Holman indicated Recommendation 10 addressed different points from Recommendation 9.

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Council Member Burt recalled discussion at a prior Council meeting identified a lack of on-site parking as an egregious problem. It could be solved without a severe impact.

AMENDMENT PASSED: 5-4 Klein, Price, Scharff, Shepherd no

Council Member Holman could not support the Motion without timelines for the program. The strategies needed to include an RPP program.

MOTION PASSED: 8-1 Holman no

COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Price reported out on the November 1, 2012 Santa Clara Valley Transportation Authority Board meeting, the Board approved the optimal solution for the Bus Rapid Transit program.

Council Member Holman spoke about the passing of former Council Member Ellen Fletcher and requested the meeting to be adjourned in her honor.

Mayor Yeh stated that the Council would also be honoring Ms. Fletcher at the next City Council meeting with a Resolution.

Council Member Burt stated the service for Ms. Fletcher would be held on Sunday, November 18, 2012 at the Center for Jewish Life.

Adjournment: The meeting was adjourned the meeting in memory of Ellen Fletcher at 11:35 P.M.