



CITY COUNCIL MINUTES

Special Meeting
October 3, 2013

The City Council of the City of Palo Alto met on this date in the Council Chambers at 4:30 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price, Scharff, Schmid, Shepherd

Absent:

ORAL COMMUNICATIONS

None

ACTION ITEMS

1. Continued Discussion of Palo Alto Transportation Demand Management Plan (Continued from September 16, 2013).

Mayor Scharff reported that he and Council Member Klein discussed the topic as directed in the Motion made on September 16, 2013.

Council Member Klein recalled that the Council continued the prior Motion and Substitute Motion to allow the Mayor and him to propose a compromise of the two. The current proposed Motion included elements of both the Motion and Substitute Motion. The Mayor and he wanted the City Attorney's opinion as to the legality of Transportation Demand Management (TDM) Districts and the process for creating them.

MOTION: Council Member Klein moved, seconded by Mayor Scharff that: In order for the City Council to determine whether one or more Transportation Demand Management (TDM) Districts as proposed on the Colleagues' memorandum or as reasonably modified would be legal, effective, practical and economic for any or all of the University Avenue, California Avenue, East Meadow Circle and Stanford Research Park Business District, the City Council hereby directs the City Manager and the City Attorney as follows:

MINUTES

City Attorney – Advise the Council whether such TDM Districts would be legal and if so what laws and legal procedures and processes would apply to them;

City Manager – 1) Prepare a preliminary report on the proposed TDM Districts, at a cost of not more than \$100,000 in staff time, (a) setting forth staff's initial views on TDM Districts, (b) outlining the steps necessary for an in-depth study of TDM Districts and its timeline, (c) identifying any local or regional governments that have TDM Districts comparable to that proposed in the Colleagues' memorandum and (d) advising whether the services of a consultant would be needed for a more detailed, in-depth study of such proposed TDM Districts and if so what the consultant would be expected to do and his/her expected cost.

2) Organize one or more Study Sessions on TDM Districts with (a) appropriate speakers with relevant experience in TDM programs such as Stanford's and Contra Costa County's and (b) outreach to various stakeholders including but not limited to adjacent residential neighborhoods and potentially effected business interests to attend and participate in such Study Session(s)

3) Advise the Council on other possible solutions to the City's traffic and parking problems

Schedule – The reports from the City Attorney and the City Manager shall be due not later than January 20, 2014 and the initial Study Session shall take place not later than February 03, 2014

Mayor Scharff felt Council Members should clarify the language as needed. The Council should discuss TDM in general. Building parking garages and implementing Residential Parking Permit (RPP) Programs would not solve the traffic and parking problems.

Council Member Klein added that Item Number 3 was an invitation for Staff to suggest additional ideas. One such idea was a City parking lot on East Highway 101 with a robust shuttle service to Downtown.

Council Member Kniss suggested the Council discuss the meaning of TDM and how one might operate in Palo Alto.

James Keene, City Manager, noted the Colleague's Memorandum focused on TDM Districts. The concept was to provide alternative means of transportation in order to reduce the number of car trips. Other solutions

MINUTES

could include TDM programs or TDM requirements. The intent was to advance TDM with a district model being one component. Staff would need to analyze the district model and its applicability to Palo Alto. The Council could institute policies that required cash contributions as part of the public benefit of a Planned Community (PC) Zone to fund a shuttle system. That was an example of a TDM solution that did not utilize districts. He inquired whether the Council wanted Staff to analyze TDM in general with districts being one component or TDM Districts.

Council Member Kniss believed that some components of TDM existed in the City through public transportation. This was an opportunity to consider other methods for resolving parking and traffic problems. Possible solutions could become part of a TDM District as a long-term plan.

Mr. Keene believed the advantage of a district concept was the ability to encompass many different properties under one policy. A district seemed to offer a systems-based framework for establishing policies. A district also established a management framework to channel members of a district into TDM programs.

Council Member Kniss inquired whether the Contra Costa County TDM model was based on districts.

Vice Mayor Shepherd answered yes. In Contra Costa County, some businesses outside a district paid into the district in order for their employees to participate.

Mr. Keene believed the direction to the City Attorney was important, because models from around the country could be precluded under California law.

Council Member Berman agreed that a TDM program was part of a comprehensive solution to parking problems. He suggested Staff consider employing technology with respect to parking garages.

Amy French, Chief Planning Official, indicated Jaime Rodriguez, Chief Transportation Official, supported use of high-tech solutions. With the employment of a Parking Manager, Staff would have resources to work on this.

Council Member Price recalled that the original Colleague's Memorandum discussed a TDM Plan with various elements. A district as an operational concept was part of a TDM plan. Parking management strategies could occur in parallel with other TDM programs or policies. She inquired whether

MINUTES

the purpose of the \$100,000 amount as outlined in the Colleague's Memorandum was to support Staff performing research.

Council Member Klein responded yes. The concept was for Staff to conduct preliminary, high-level research on these issues. Time and dollar amounts were included to indicate to Staff the type of research the Council wanted. The next step in considering TDM would be comprehensive.

Council Member Price asked when details related to a Request for Proposal (RFP) would be appropriate.

Council Member Klein indicated Staff would return with information regarding the content of an RFP.

Council Member Price expressed concerns regarding the Council efficiently obtaining needed information in order to move forward. Staff was not TDM specialists.

Council Member Klein felt the language of Item Number 1(d) under City Manager intended an RFP. The items mentioned in Item Number 1(d) were essential to drafting an RFP.

Council Member Price was concerned that a lack of specific direction to Staff would result in the Council not receiving sufficient information. She appreciated the inclusion of a specific timeframe. The original Colleague's Memorandum contained an attachment listing references and resources that would be helpful. She asked if Staff felt the Motion provided sufficient direction for them to return with information that would allow the Council to create a comprehensive TDM program and policy.

Mr. Keene indicated the original Colleague's Memorandum was much more comprehensive in its objectives. The second Colleague's Memorandum attempted to stage an analysis and conversation for additional discussion. Item Number 3 would allow Staff to include other TDM Programs or Policies for consideration. After a review of Staff's analysis, the Council could provide additional direction for more in-depth analysis of a particular aspect of TDM. He did not find any incongruity between the two Colleague's Memoranda.

Council Member Price believed there were many examples of TDM programs that could inform the Council.

MINUTES

Council Member Schmid stated TDM programs were not new to Palo Alto. Problems with TDM programs were methods to measure it, monitor it and enforce it.

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER: to add at the end of "City Manager" Section B "including the monitoring and enforcing of any TDM program."

Council Member Schmid noted the Council earlier adopted a Vision Statement for the Comprehensive Plan which included mixed use development. Neither of the TDM program examples in the Colleague's Memorandum were mixed-use areas.

AMENDMENT: Council Member Schmid moved, seconded by Council Member Holman to add at the end of "City Manager" Section B "any special characteristics that may be relevant for a mixed-use district."

Council Member Schmid commented that the Council discussed the Downtown and California Avenue Districts as vibrant and attractive mixed-use districts. A TDM program for a district had to engage with the varied uses and patterns of transportation in the district. It was appropriate to include the special characteristics of a mixed use area.

Council Member Holman felt the language was relevant in order to include mixed-use districts and to demonstrate how a TDM program might be different in those areas.

Council Member Klein commented that consideration of mixed-use areas would be appropriate in a later discussion. The Motion was designed to provide a high-level analysis considering many possibilities, with the Council moving toward a more detailed position. The language implied that the Council would not study other forms of districts. The Motion deliberately did not suggest geographical boundaries for districts. This was not the time for that level of detail.

Vice Mayor Shepherd indicated the Council would discuss uses as it determined how to transition into transit management. To tie the Motion to mixed-use districts meant the Council was reviewing zoning and Zoning Codes. A discussion of uses would be appropriate once the Council was more knowledgeable about the topic.

Council Member Burt believed the Amendment did not make the Motion too specific as long as it did not state only mixed-use districts.

MINUTES

AMENDMENT FAILED: 4-5 Klein, Berman, Shepherd, Scharff, Price no

Council Member Burt felt the City Attorney's analysis would be quite important as TDM programs were constrained by shifting legal limitations. The concept of including TDM programs was correct.

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER: to add "and/or programs" after TDM Districts throughout the Motion.

Council Member Burt stated that the Council had to associate the number of employees at a given workplace with existing programs in order to implement any TDM measures. Requirements of existing parking programs tied the anticipated number of employees to a given use. The community's perception was that greater densification existed than zoning anticipated. He did not understand how the Council could address TDM without linking it to the number of employees. The Council would need a much deeper discussion regarding linking the two.

Vice Mayor Shepherd expressed concern regarding traffic and parking generated by commuters into Palo Alto. Public transit was not friendly or easy to access. She was concerned that Staff would stop work once the cost reached \$100,000 or Staff would exceed \$100,000 in order to provide a thorough report. She asked how Staff would handle that concern.

Mr. Keene suggested the amount was designed to set parameters. The amount provided a discipline for Staff, and Staff would check-in with the Council if it needed authorization for additional Staff time.

Vice Mayor Shepherd felt the Council was micromanaging Staff by setting a limit. New policy discussions required time.

Council Member Holman stated the methods to quantify, measure and analyze traffic trips as part of development projects were important. Staff should make clear whether information focused on growth or on existing development. The Council should clarify whether TDM Districts would have an assessment similar to the Parking Assessment District. If so, she asked who would pay for the districts. She inquired whether business interests under Item Number 2(b) included business owners and property owners.

Council Member Klein responded yes.

Council Member Holman noted other means to address parking issues such as technology. She asked why the Motion did not address RPP.

MINUTES

Council Member Klein wanted the information to be at a high level. Under Item Number 3, Staff could provide alternative or additional recommendations. The intent was to have a focused, high-level report to allow the Council to focus on particular items.

Council Member Holman explained that Staff would need to know what the Council was thinking in order to address those issues in their report.

Mayor Scharff noted an RPP was included in the tentative Agenda for November 9, 2013.

Council Member Holman inquired whether the RPP encompassed the larger area or University North and South.

Mayor Scharff understood the discussion would pertain to the larger area.

Council Member Holman reported Certificates of Occupancy was another method for consideration. The City did not utilize Certificates of Occupancy as a trigger to address changed conditions. She agreed with the public suggestion to engage transit authorities in the discussion. She asked why referral to the Planning and Transportation Commission (PTC) was not included in the Motion.

Mayor Scharff stated that after the Council reviewed information at the end of 90 days, the topic could be referred to the PTC.

Council Member Holman requested Staff consider technology at parking lots, Certificates of Occupancy, engaging transit authorities, shared parking lots and shared permits.

MOTION AS AMENDED PASSED: 9-0

ADJOURNMENT: The meeting was adjourned at 5:32 P.M.