



Policy and Services Committee

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Regular Meeting
Tuesday, May 14, 2013

The Chair Kniss called the Policy and Services Committee to order at 7:16 P.M. in the Council Chambers at 250 Hamilton Avenue, Palo Alto, California.

Present: Klein, Kniss (Chair), Price

Absent: Holman

Agenda Items

1. Consideration of Approaches to Address Concerns Related to Human Habitation of Vehicles

Curtis Williams, Director of Planning and Community Environment reported the vehicle habitation issue began approximately two years ago when the City received complaints of disturbances by individuals who were living in their vehicles. In July 2011 Staff drafted an Ordinance; however, the City Manager directed Staff to perform additional community outreach. Staff organized a working group and held community meetings. Staff considered a pilot vehicle dwelling program located on church sites, worked with social service providers to enhance social service outreach, and considered parking restrictions and an Ordinance prohibiting vehicle dwelling. The primary difficulty with an Ordinance was enforcement. Most cities in Santa Clara and San Mateo Counties had Ordinances prohibiting sleeping in vehicles and enforced the Ordinances on a complaint basis. Most vehicle dwellers were aware of the 72-hour parking restriction and moved vehicles to avoid citations. The Policy and Services Committee (Committee) was updated about the issue in November 2012. Staff recommended: 1) initiation of an Ordinance prohibiting living in vehicles and deferring implementation for six months to allow time to develop a pilot program, or 2) recognize the isolated nature of complaints and to increase social services outreach to individuals. The Committee recommended Staff pursue a pilot program without an Ordinance to identify partners for a pilot program, administer the pilot program, and identify City sites as potential sites for the program. Since November 2012, Staff noticed a significant increase in homeless people dwelling at Cubberley Community Center. He mentioned that approximately 20-30 homeless persons per evening could be found at Cubberley, and five-ten of those dwelled in vehicles. Some homeless activities drew police

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attention and required police presence at Cubberley. Staff continued to reach out to the faith-based community; however, only the University Lutheran and College Terrace congregation made a commitment to participate in a pilot program. He was unaware of whether University Lutheran had performed any neighborhood outreach.

Chair Kniss inquired whether University Lutheran agreed to participate.

Mr. Williams responded yes. It was a small site, and Staff had not communicated with neighbors about possible issues. The City imposed parking restrictions in College Terrace and some parking near Boulware Park. This helped for a while, but the problems were recurring. With the lack of community interest, Staff felt the choices were to abandon the effort and work with Downtown Streets Team and social service organizations. Staff recommended that the Committee initiate an Ordinance; however, Staff suggested an Ordinance prohibiting sleeping in vehicles be implemented gradually on a complaint basis. The other alternative was delaying implementation of an Ordinance.

Chair Kniss clarified that the discussion Item was living, not sleeping in vehicles.

Mr. Williams added that the draft Ordinance specifically cited examples of sleeping in a vehicle.

Council Member Klein asked why Staff did not present the Committee recommendations to the Council in January 2013.

James Keene, City Manager did not review policy to determine whether the recommendation had to be presented to the Council. Since an Ordinance tracked with the period for outreach, he saw no harm in the Item remaining with the Committee.

Council Member Klein indicated the Committee's action should have been reported to the Council automatically. He requested Staff provide details concerning incidents at Cubberley.

Mr. Keene felt the change in scale and circumstances of the homeless population resulted in incidents occurring at Cubberley.

Chair Kniss said she would note Staff's recommendations.

Minka Van Der Zwaag, Manager for Community Services explained that the

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situation at Cubberley fluctuated. Over the past few years, the number of homeless people, both vehicle dwellers and unsheltered homeless persons had increased.

Chair Kniss asked where the unsheltered homeless were sleeping.

Ms. Van Der Zwaag reported they were sleeping in doorways, on benches, and under bushes.

Chair Kniss inquired whether they slept in vehicles.

Ms. Van Der Zwaag stated 5-10 vehicles were occupied overnight and perhaps 18-25 people slept at various locations around the campus; most dispersed during the day.

Chair Kniss asked if there were facilities available for the homeless people to use.

Ms. Van Der Zwaag understood the homeless arrived when the facility was in night operation and remained after the facility was closed for the evening. The three main social services partners were the Downtown Streets Team, Momentum for Mental Health, and InnVision Shelter Network. Staff opened the showers at Cubberley for the homeless to use from 6:00 to 8:00 A.M. There were some issues of cooking in the showers, washing pots and pans in the showers, and fighting. The Downtown Streets Team provided outreach once a week.

Mr. Keene mentioned that the mental health and social service experts indicated the City was operating a de facto homeless shelter. Staff attempted to understand the scale and history of the issue in order to identify possible remedies or alternatives.

Chair Kniss wanted to make note of the early morning and evening classes that were held on the Cubberley campus. The public encountered the homeless population at Cubberley a number of times during the day.

Ms. Van Der Zwaag reported Staff met with Cubberley tenants to determine if the tenants had concerns about the homeless. Whether or not a tenant had concerns appeared to be dependent on the time of day the tenant's programs were held.

Council Member Klein attempted to gauge the change that occurred over the previous six months, and inquired whether the five or six vehicles per night

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were new.

Ms. Van Der Zwaag said she was not able to make that determination. After the vehicle dwelling issue was discussed by the Committee and reported in the newspaper, more homeless people appeared at Cubberley because they understood overnight parking was allowed. As more homeless people used Cubberley, the number of issues increased.

Council Member Klein stated the unsheltered homeless were not an agenda item, and suggested the Committee not discuss that topic. He inquired whether the vehicle occupants caused any particular problems.

Ms. Van Der Zwaag did not know if issues were caused by vehicle dwellers or unsheltered homeless. Some vehicle dwellers blocked entrances or caused problems in the showers.

Council Member Klein wanted to know specific problems vehicle dwellers caused at Cubberley.

Ms. Van Der Zwaag reported some of the older ones left their possessions outside the vehicle, creating an encampment. Staff worked with the Police Department to resolve that issue; however, those people simply moved to the parking lot at the Art Center.

Mr. Keene mentioned that construction in the area displaced some homeless people to the Cubberley parking lot.

Council Member Klein requested the Police Chief comment on incidents at Cubberley.

Dennis Burns, Police Chief reported police were called to Cubberley relating to vehicle dwellers on 10 occasions in 2010, 16 occasions in 2011, 39 occasions in 2012, and 9 occasions thus far in 2013.

Chair Kniss asked Mr. Beacom to comment on the sociology of vehicle dwelling.

Bob Beacom, Acting Assistant Police Chief identified 30-50 vehicle dwellers in Palo Alto, most of whom understood the 72-hour Ordinance. The Ordinance mandated moving the vehicle at least a half mile every 72 hours. This Ordinance and parking restrictions displaced vehicle dwellers to other parts of the City.

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Council Member Klein asked if Staff could compare the number of vehicle dwellers in Palo Alto with Mountain View, Sunnyvale, or Menlo Park.

Mr. Beacom did not have that information.

Chair Kniss understood Mountain View and Menlo Park both had vehicle habitation Ordinances.

Council Member Price inquired whether Staff tracked the number of repeat offenders among the vehicle dwellers.

Mr. Beacom reported the increase in 2012 incidents revealed some repeat offenders. Of the 39 incidents in 2012, perhaps four or five vehicle dwellers had four or five complaints each. A certain group of people appeared to cause most of the problems at Cubberley.

Council Member Price asked if Staff continued to explore options that were not contained in the Staff Report.

Mr. Williams indicated Staff continued to assess solutions for Cubberley, but had not reached any specific conclusions.

Molly Stump, City Attorney reported Staff met a number of times to explore the situation and discussed various methods to assist the situation. Social service referrals were the basis of any action. She said other options could include a period of night time closure for Cubberley that included other facilities.

Council Member Price inquired whether that option was separate from the alternative recommendations in the Staff Report.

Ms. Stump replied yes. The Item before the Committee grew from an initial concern regarding vehicle habitation. The Cubberley issue was related but had other elements. Those larger elements were not specifically agendaized, but Staff needed Council direction on those Items.

Mr. Keene stated the Ordinance as drafted would prohibit habitation of vehicles. If the Ordinance was enacted, it was going to cover the parking lot at Cubberley and other City property.

Council Member Price asked if the Ordinance applied to all civic buildings and properties.

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Mr. Keene did not think the Ordinance covered civic buildings. He added that it did apply to public parking lots and City streets.

Ms. Stump said streets, parks, alleys, public parking lots or other public ways were included.

Mr. Keene commented on complaint-based enforcement and said the obvious inference was that the City would not proactively enforce habitation of vehicles.

Council Member Price inquired whether any of the vehicle dwellers were families.

Mr. Williams understood there were some couples and women, but was unsure if children were present.

Ms. Van Der Zwaag knew of a couple of families.

Council Member Price asked if Staff experienced any success with referrals for services or assistance.

Ms. Van Der Zwaag reported the City's three partners worked daily with the un-housed and experienced some success.

Council Member Price assumed partners had the expertise to provide assistance.

Ms. Van Der Zwaag indicated partners did have expertise and capacity to assist the un-housed. Vehicle dwellers suffering from mental health issues often required multiple contacts before accepting assistance.

Council Member Price inquired whether Staff experienced success through implementation of parking restrictions.

Mr. Williams reported restricted parking seemed to address the issue in College Terrace, as a majority of the vehicles were no longer seen in the area.

Chair Kniss asked the City Attorney to read the draft Ordinance.

Ms. Stump explained the draft Ordinance was modeled on similar Ordinances in surrounding communities. It was unlawful for a person to use, occupy or

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permit the use or occupancy for human habitation of a vehicle in any street, park, alley, parking lot, or other public way. Exceptions included temporary use of a vehicle for someone who was ill or physically unable to operate the vehicle; a mobile living unit; and guests of City residents were able to locate a vehicle adjacent to a residence for up to 48 hours.

Chair Kniss asked who devised, approved, and implemented a schedule for use of facilities at Cubberley by the homeless population.

Ms. Van Der Zwaag reported showers were specifically open to the homeless from 6:00 to 8:00 A.M., and 10-15 people used them Monday through Friday. The facility itself closed most evenings around 11:00 P.M.

Ms. Stump clarified that bathrooms and showers were closed at 11:00 P.M., as the facility itself did not officially have a closing time.

Mr. Keene added that classrooms could be closed, but the campus was open.

Chair Kniss asked who approved and implemented the use of showers for the homeless.

Greg Betts, Director of Community Services explained the program began approximately ten years ago. The program was not presented to or approved by the City Council. It was intended to be helpful to the public; but it was never created as an official program and never funded as a homeless program. The program was a de facto homeless accommodation.

Chair Kniss inquired about other programs available for the homeless at Cubberley.

Mr. Betts reported the Opportunity Center was specifically designed to provide showers, meals, social service programs, and housing opportunities. The Opportunity Center was the main alternative program in the community.

Elisabeth Seaman attended some of the community meetings as a representative of the Christian Science Church in Palo Alto. The church was interested in hosting vehicle dwellers but the discussion seemed to stop. The executive board of the church requested a meeting with City Staff.

Brent Barker, College Terrace Residents Association President felt residents did not report all incidents, such that the scale, trend, frequency, and location of the homeless problem were not accurate. The Downtown Streets Team served the community well but needed additional resources.

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George Mills, Palo Alto Friends Meeting contacted neighbors of the church about the possibility of hosting vehicle dwellers. As a result of opposition, the church held two public meetings where residents felt the church location was not suitable for vehicle dwellers. Public fears regarding safety led to the church opting out of the pilot program.

Chair Kniss asked if the church planned to have facilities open to vehicle dwellers during the night.

Mr. Mills indicated the church planned to have a portable toilet available.

Heiri Schuppisser, homeless outreach specialist with Momentum Mental Health worked to build a rapport with homeless people and to educate the community. In conducting a census of the homeless population, he counted 58 cars in a four-hour period. The Police Department was not aware of these vehicles because the dwellers did not call attention to themselves. A few families with children lived in recreational vehicles.

Chair Kniss inquired whether Mr. Schuppisser assisted homeless people with obtaining housing.

Mr. Schuppisser reported that the waiting lists for housing were long. The challenge was solving the problems that initiated homelessness. The homeless needed intensive case management to maintain their housing.

Chris Richardson, Downtown Streets Team was willing to implement a model of roving security and case management for a pilot program. The estimated cost for the pilot program was approximately \$5,000. They worked with the Police Department and Mr. Schuppisser to assist the homeless in the Downtown area, and were now working at Cubberley. The Downtown Streets Team was willing to work with vehicle dwellers throughout Palo Alto to obtain housing and employment.

Mary Klein hoped residents continued to explore creative solutions for working with the homeless. She suggested that the City set examples with model policies.

Nick Selby wanted to see car dwelling be further explored as an option. Rather than adopting an Ordinance, he suggested the Committee direct Staff and the Downtown Streets Team to work with residents for other solutions and locations.

Aram James indicated that criminalizing homelessness would wreak further

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havoc on the criminal justice system. Trying to create solutions without an Ordinance was preferable.

Council Member Price asked if Staff would continue to refer and coordinate services if the Committee supported the first Staff recommendation.

Mr. Williams envisioned a more active and formalized process of social service referrals when complaints were made. He said the process involved the Police Department and Community Services Department on a case-by-case basis.

Council Member Price inquired whether continued exploration of possible approaches was under the purview of community organizations rather than City Staff.

Mr. Keene answered yes.

Chair Kniss understood that this discussion involved two topics: habitation in vehicles and programs available for the homeless. The Opportunity Center was designed as a partial solution. The public did not have accurate information regarding the number of vehicle dwellers. The Police Chief indicated they had no ability to track homeless people. Having an Ordinance did not criminalize homelessness, but provided an additional tool for social services. She favored drafting an Ordinance while continuing referral and enforcement. She questioned the City's involvement at Cubberley as a de facto homeless shelter, and hoped residents were not dissuaded from visiting Cubberley in the evenings because of the homeless population.

MOTION: Chair Kniss moved, seconded by Council Member Klein to direct Staff to prepare an Ordinance prohibiting vehicle habitation, but including gradual outreach, referral, and enforcement procedures.

Council Member Klein did not support the Ordinance when the Committee discussed it in 2012 but this was another method to cope with the problem, and another tool for police officers to utilize.

Council Member Price did not support the Motion because it raised issues relating to social inequities. She appreciated the community continuing to explore solutions. She thought the Ordinance would not provide additional leverage. The City and community needed to support community organizations through donations and volunteers to provide a safety net for the homeless. The data presented was better, but still not precise.

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Chair Kniss reiterated the Motion was to prepare an Ordinance prohibiting vehicle habitation and to continue outreach and work with community-based organizations.

Ms. Stump said she would draft an Ordinance along the parameters that the Committee discussed and said she would work with the Police Department and interested groups to incorporate other elements.

Mr. Keene believed aspects of the Motion would not be incorporated into an Ordinance, but would be part of the process.

Chair Kniss stated social programs would not be discontinued even though an Ordinance was proposed for adoption. An Ordinance was another tool for the Police Department's benefit.

Council Member Klein suggested Staff discontinue outreach to the faith-based community because the pilot program looked like it was not going to be implemented. Staff needed to focus its resources on other programs with a better chance of success.

Chair Kniss expressed concerned about the homeless population at Cubberley, but wanted to address that issue at a later time. She inquired whether Staff had the direction they needed to begin drafting an Ordinance.

Ms. Stump replied yes.

Council Member Klein suggested Staff return to the Committee with a draft of the proposed Ordinance.

Chair Kniss agreed.

Council Member Klein inquired whether the Committee should recommend to the Council to direct Staff to prepare an Ordinance.

Mr. Keene felt Staff had sufficient direction and capacity to prepare an Ordinance. Any draft Ordinance prepared for the Committee would be presented to the Council and the public for approval.

MOTION PASSED: 2-1, Holman absent, Price no

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2. Update on the Proposed Remodeling of the First Floor of City Hall (CIP PE 12017)

Chair Kniss asked if the first floor of City Hall had been remodeled since it was constructed in the 1960s.

James Keene, City Manager replied no.

Mike Sartor, Public Works Director reported the project was presented to the Council in June 2012; Staff expected to expand and renovate the Council Conference Room (CCR) and the Human Resources (HR) Conference Room. After meeting with a design firm, Staff realized there was an opportunity to create a first floor that was open and engaging to the public. The plan was to move the HR Department from the first floor, and to move the Utility Customer Service Department to the first floor.

Mr. Keene explained that the building was constructed during a period of civil unrest, and the design reflected those concerns. Staff felt the proposed design allowed for space to better serve the public.

Matt Raschke, Senior Engineer for Public Works Department stated the first floor was the entrance to City Hall and it gave the first impression to the public of City government. The proposed design demonstrated a theme of transparency and open government.

Chair Kniss asked if walls were being moved as part of the construction.

Mr. Sartor reported the outside perimeters remained the same and that the Council Chambers would not be affected. The interior walls within the tower on the first floor were on the plans to be modified.

Mr. Raschke explained that Revenue Collections Department would remain in the lobby, and a new Utility Customer Service Desk would be located near Revenue Collections; this was for the convenience to the customer. The current Council conference room was to be converted into a training room and the existing HR conference room would be expanded; restrooms would be reconfigured and a kitchen was to be added. The part of the HR Department that was currently on the first floor would be relocated to the mezzanine with the rest of the HR Department. The Information Technology (IT) Staff located on the mezzanine were to be relocated to the second floor. The HR space on the first floor was to be renovated for a public meeting room, with the possibility of a moveable wall to utilize the lobby for large gatherings.

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Mr. Keene noted City functions were split on different floors, and the renovation would locate all HR Staff together on one floor.

Mr. Sartor added IT Staff would be located on the second floor.

Mr. Raschke indicated the second floor would be reconfigured for an open floor plan. The IT Department considered moving nine Staff from the Elwell Court office to reduce long-term operating costs

Mr. Keene explained that Elwell Court was located on Bayshore Road. If City Staff vacated that space, then the City saved the cost of rent.

Mr. Sartor felt that various departments were pleased with the plans.

Mr. Raschke noted that the contract with WMB Architects included a wayfinding element, and the subconsultant was world renowned for its designs.

Mr. Sartor explained that Staff was considering wayfinding digital technology, to provide information to the public.

Mr. Raschke reported other improvements included public art displays.

Mr. Keene worked closely with Art Center Staff to ensure there was a display space for art on the first floor and ways to program more art displays in the Council Chambers.

Council Member Price was delighted to hear that public art would be displayed in City Hall.

Mr. Raschke reported the elevator cabs were not old but were damaged. Cab redesigns were funded through the Interior Finishes Capital Improvement Program (CIP), along with the second floor reconfiguration for the IT and Utility Departments. A CIP existed for re-carpeting the Council Chambers and improvements for the hearing impaired. Colors for the carpet were to be synchronized with colors for the entire first floor.

Chair Kniss asked who would choose the color scheme.

Mr. Raschke indicated the Mayor and City Manager looked at the carpet tiles.

Chair Kniss inquired whether carpet tiles were installed similar to porcelain

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tiles.

Mr. Raschke explained that the carpet design looked like individual squares laid close together, which gave the appearance of a seamless carpet.

Mr. Sartor noted carpet tiles were used on the seventh floor.

Chair Kniss hoped the Council would be asked to provide input on color.

Mr. Keene remarked that he could accommodate that request with some sensitivity to schedule.

Chair Kniss expressed that she was interested because she spent a great deal of time at City Hall.

Mr. Raschke reported the Proposed Budget for Fiscal Year 2014 included a \$900,000 appropriation to help fund the expanded project.

Council Member Klein asked how much of the \$900,000 amount was funded through the General Fund.

Mr. Sartor indicated the full amount was funded through the General Fund.

Mr. Keene added that Staff would calculate the charge back to the Enterprise Fund and provide a net cost impact.

Mr. Sartor worked with Lalo Perez, Director of Administrative Services Department/Chief Financial Officer to calculate the amounts needed to reimburse expenses.

Council Member Price inquired whether Staff used a value engineering approach and considered green options for materials.

Mr. Sartor stated Staff typically used value engineering for projects, and said Staff would consider green materials, along with types of finishes.

Council Member Price asked if seating would be changed as part of the renovations.

Mr. Keene replied no.

Mr. Sartor relayed that the IT Department and the Clerk's Office discussed

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technology improvements for the Council Chambers, such as digital technology for the voting board.

Mr. Keene added that the project addressed the deficiency of sound and lack of technology to record and broadcast meetings in the conference rooms.

Mr. Raschke indicated that the green purchasing policy of the City would be followed. The bulk of estimated cost was the renovation of the first floor. Staff expected the design concept to be completed by the end of June 2013, construction plans to be completed by the end of October 2013, bidding and contract awards to be completed by mid-December 2013, and construction to begin in early 2014.

Council Member Klein was thrilled that the first floor would be renovated. Converting the HR Department space to a meeting room was a great idea. The information desk was installed on the first floor approximately ten years ago. He requested details about the cost of \$370,000 for wayfinding.

Mr. Raschke explained that wayfinding included signs for the Civic Center as well as City Hall. The project required new signs for the front of the building and a better system for the parking garages.

Mr. Keene stated Staff wanted to use digital boards to provide public information and considered digital technology to program conference rooms and spaces.

Chair Kniss was fascinated by the moveable wall and the ability to have large gatherings. The intent of the renovation was to have a receptive and friendly first floor.

Mr. Keene indicated that the main conference room could be reconfigured into many arrangements. Staff thought of the idea of moveable walls to enlarge the space as needed.

Mr. Sartor explained that the glass wall, tables, and chairs could be moved to have one large meeting space if needed.

Council Member Price inquired about the acoustics of the space once the walls were moved.

Mr. Raschke stated the architect would consider acoustics as part of the design. He noted that the architect would ensure that the wall isolated the room from the lobby when the wall was in place.

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Chair Kniss inquired whether the plant containers would be incorporated into plans.

Mr. Sartor indicated they held plastic plants approximately a year ago.

Chair Kniss noted in the 1990's that the containers held live plants.

Mr. Keene considered live plants in relation to cost and time requirements.

Chair Kniss requested Staff attempt to learn the history of the planters and whether they could be used for live plants. She remarked that she was concerned about the color scheme.

Mr. Keene understood Chair Kniss' concerns and welcomed her opinions.

Chair Kniss asked when the project would begin.

Mr. Sartor expected to have the concept plans completed by the end of June 2013. Construction documents were expected to be completed in October 2013, with construction beginning in the winter.

Mr. Keene said he would provide a detailed phasing plan.

Mr. Sartor added that construction would be phased to avoid disruptions.

Council Member Price inquired whether the Council would meet in Mitchell Park Library when the carpet was installed.

Mr. Raschke indicated that was a possibility.

FUTURE MEETINGS AND AGENDAS

Chair Kniss announced one Agenda Item for the meeting on June 11, 2013 was Stanford University Medical Center Fund allocations.

Sheila Tucker, Assistant to the City Manager reported the Cubberley Needs Assessment and the Ordinance Prohibiting Vehicle Habitation were Agenda Items for the June meeting. Staff planned three Agenda Items for the City Auditor for the August 2013 meeting.

Council Member Price inquired whether any of the proposed topics were time sensitive.

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Chair Kniss felt the Vehicle Habitation Ordinance was and said the Policy and Services Committee could begin a discussion of the Cubberley Needs Assessment in June.

Chair Klein suggested holding two meetings in June.

Jim Keene, City Manager supported staffing two meetings in June to complete those three Items.

Ms. Tucker asked if Staff should poll for a second meeting time in June.

Chair Kniss responded yes.

Ms. Tucker inquired whether the Committee was interested in changing the meeting start time to 6:00 P.M.

Chair Kniss replied yes.

ADJOURNMENT: The meeting was adjourned at 9:37 P.M.