



City of Palo Alto

City Council Staff Report

(ID # 11917)

Report Type: Action Items

Meeting Date: 1/19/2021

Summary Title: Foothills Park Entrance Fee and Visitor Capacity Limit

Title: Adoption of an Ordinance to Amend the Municipal Fee Schedule to Add Vehicle Entrance Fees for Foothills Park, and to Amend PAMC Section 22.04.150(k) to Adjust Attendance Limits at Foothills Park

From: City Manager

Lead Department: Community Services

Recommendation

Staff recommends that Council adopt an ordinance to:

- (1) amend the Municipal Fee Schedule to add a vehicle entrance fee for Foothills Park, and
- (2) amend PAMC Section 22.04.150(k) to authorize the City Manager to adjust the attendance limits at Foothills Park, not to exceed 750 people.

Background

On [November 2, 2020](#), Council passed the following Motion (Motion Parts A, B, and C passed 5:2 and Motion Parts D and E passed 7:0):

- A. Open Foothills Park to the general public by removing limits on non-residents, while maintaining the maximum capacity of 1,000 persons and providing residents first access to reservations for all facilities.
- B. Amend or delete outdated and duplicative code language.
- C. For the first 90 days, temporarily limit the capacity to 750 people at any one time.
- D. Return to Council and the Parks and Recreation Commission with proposals for fee, capacity, and park management/environmental integrity studies; and
- E. Direct staff to use the renaming process to consider renaming Foothills Park to Foothills Nature Preserve.

Discussion

On December 17, 2020 Foothills Park opened to the general public. Since the opening, the number of visitors coming to the park has been significantly higher than in previous years. On weekends, holidays (Christmas and New Year's Day), and several weekdays, the park reached capacity (750 people) multiple times each day. The visitation during the weekend before

Christmas 2020 (4,081 visitors) was almost six times higher than the same weekend in 2019 (688 visitors). On the days the park reached capacity, an average of about 400 vehicles were turned away per day.

Staff have analyzed the impacts to the park during this brief period of very high visitation. The challenges with having 750 people (approximately 280 vehicles) in the park at one time include:

- Potentially unsafe conditions for pedestrians and bicyclists using the park roads, which are too narrow to safely accommodate them when many vehicles are traveling in both directions, and
- The majority of visitors try to park near the park entrance area, Boronda Lake, Orchard Glen Picnic Area, and Vista Hill, which results in people parking and walking in inappropriate locations causing damage to natural areas and creating potentially unsafe conditions for pedestrians and bicyclists.

Staff estimate that with current activity levels at different portions of Foothills Park, approximately 500 people/185 vehicles at one time seems to be manageable. This figure of 500 people/185 vehicles are in addition to those persons/vehicles entering with facility reservations. The reservable areas of Foothills Park (Towle Camp, Oak Grove Picnic Area, and the Interpretive Center Classroom) are areas where parking spaces are generally underutilized compared to those closer to the park entrance.

If the City Manager is authorized to adjust the attendance limits at Foothills Park below the maximum, minor adjustments to the number of visitors can be made quickly and efficiently to protect the health, safety, and welfare of park users; to protect the wildlife and natural resources in the park; and/or due to limits in parking, facilities, or staff availability.

Staff recommend an entry fee as a revenue source to help offset park maintenance costs and a way to keep visitation at a manageable level. Santa Clara County Parks charge a \$6 vehicle entry fee and have a \$95 annual pass option. San Mateo County Parks charge a \$6 vehicle entrance fee and have a \$60 annual pass option. California State Parks charge a \$10 vehicle entrance fee and have a range of different annual pass options. Staff looked at a range of pricing options for a daily vehicle entry fee and annual pass for Foothills Park:

- \$6 to \$10 daily vehicle entrance fee (applies to Palo Alto residents and non-residents)
- \$65 to \$80 annual pass for non-Palo Alto residents with a 25% discount for either seniors or low-income
- \$50 to \$60 annual pass for Palo Alto residents with a 25% discount for either seniors or low-income
- Free entry for pedestrians and bikes
- Free entry for people coming to volunteer in the park that day (City supported volunteer programs: Grassroots Ecology, Friends of Foothills Park, Environmental Volunteers, etc.)

Please note that whatever fees are selected, the resident rate cannot be more than 25% less than the corresponding non-Palo Alto resident rate.

The attached Ordinance (Attachment A) represents these proposed amendments to the Municipal Code and assumes the lower end of this price range (\$6 daily, \$50 resident annual pass and \$65 non-resident annual pass). If City Council chooses a different fee structure, the Ordinance will be revised to reflect that decision.

Due to the recent high volume of people trying to enter Foothills Park, staff will explore the possibility of using a reservation system for weekend and holiday access. The City's existing recreation software, CivicRec, can be used for this purpose at no additional cost.

Timeline

On January 26, 2021, the PRC will review and provide a recommendation to City Council on the name change from Foothills Park to Foothills Nature Preserve.

If City Council directs staff to implement an entrance fee, the fee can be implemented 31 days after the second reading of the ordinance.

Resource Impact

If Council directs staff to charge an entrance fee at Foothills Park, staff can collect payment on weekends and holidays while at the entrance booth. During weekdays, when staff is not at the entrance, park visitors would deposit their fee (cash only) using envelopes at a fee collection box at the entrance. Staff is researching automated payment machine options, which would replace the fee collection box and allow visitors to pay with credit card. The cost for an automated machine is approximately \$20,000.

Other costs include a contract with a security company to collect cash deposits and additional staff assistance may be needed to help manage the fee collection process. This could be accomplished through redeployment of staff until the City's financial situation is stable.

The revenue from a vehicle entrance fee is challenging to predict due to uncertainty about future visitation trends, the number of free pedestrian entries, and how many people would opt for a discounted annual pass.

Based on a cursory assesment of a \$6, \$8, or \$10 vehicle entry fee and a 500 person at any one time capacity limit, the apporixate annual revenue would be \$350,000, \$433,000, \$500,000 respectively. Cost recovery levels would align with a Low (0 to 30%) to Medium (30.1 to 70%) cost recovery level group per the City's User Fee Cost Recovery Level Policy ([Policy 1-57](#)). The approximate cost to maintain Foothills Park (staff, vehicles, equipment, supplies and materials, utilities, and maintenance contracts) is \$1,530,000.

Staff will evaluate the revenue collected in FY 2021, if the fees are implemented, and return at year-end to recognize the revenue and appropriate funding as needed for additional expenses. Once more data is available, additional revenue and expense appropriation recommendations

will be brought forward to Council as part of future budget cycles.

Stakeholder Engagement

The PRC discussed the Foothills Park Pilot Program at the July, September, and November 2019 Parks and Recreation Commission meetings. A panel discussion on the various perspectives of opening Foothills Park to nonresidents was held at the July 28, 2020 PRC meeting. Council discussed this opening Foothills Park at the November 2, 2020 meeting.

Staff met with the Parks and Recreation Commission (PRC) Ad Hoc Committee to discuss an entry fee and the park capacity limit. The Ad Hoc Committee supports the proposal for the entry fee and visitor limit. The Ad Hoc Committee highlighted the importance of providing underserved communities access to the preserve. On January 26, 2021, the PRC will discuss the Foothills Park name change and the policy issues as directed by Council on November 2, 2020.

Environmental Review

The City, acting as the lead agency, finds this project (as recommended above) exempt from CEQA in accordance with CEQA Guidelines Sections 15301 (Existing Facilities) and 15323 (Normal Operations of Facilities for Public Gatherings). There are no physical improvements to Foothills Park proposed as part of this project (as recommended).

Attachments:

- Attachment A – Ordinance Adding a Foothills Park Fee to the FY21 Municipal Fee Schedule and Amending Section 22.04.150(k) to Limit Maximum Park Attendance

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending the Fiscal Year 2021 Municipal Fee Schedule to Add New Entry Fees for Foothills Park and Amending PAMC Section 22.04.150(k) to Give the City Manager Authority to Adjust Attendance Limits at Foothills Park.

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. The City's Foothills Park is reserved for park, playground, recreation, or conservation purposes by Palo Alto Municipal Code (PAMC) 22.08.090 et seq.;

B. Since December 2020, Foothills Park has reached the current capacity limit of 750 persons multiple times per day on several days. On days when the park reached capacity, an average of about 400 vehicles were turned away per day;

C. The majority of visitors try to park near the park entrance area, Boronda Lake, Orchard Glen Picnic Area, and Vista Hill, which results in people parking and walking in inappropriate locations causing damage to natural areas and potentially creating unsafe conditions for pedestrians and bicyclists;

D. The City desires to add new fees to its Fiscal Year 2021 Municipal Fee Schedule to charge a daily and annual entrance fee to Foothills Park. The fees will offset some of the City's expenses to staff and maintain Foothills Park, as well as encourage carpooling and alternative means of accessing the park; and

E. The City also desires to give the City Manager or his designee the authority to limit attendance at Foothills Park to less than 1,000 persons in certain circumstances.

SECTION 2. The Council of the City of Palo Alto amends the Fiscal Year 2021 Municipal Fee Schedule by adopting the new fees for Foothills Park as set forth in Exhibit "A" and incorporated here by reference.

SECTION 3. Subsection (k) of Palo Alto Municipal Code section 22.04.150 (Foothills Park) is hereby amended as follows (new text underlined):

(k) No more than one thousand people shall be permitted in Foothills Park at any one time. The City Manager or designee may limit attendance at Foothills Park to less than one thousand people in order to protect the health, safety, and welfare of park users; to protect the natural resources in the park; and/or due to limits in parking, facilities, or staff availability. The City shall not distinguish between residents and non-residents in setting any limits under this subsection.

SECTION 4. The fee in this Ordinance is for voluntary entrance and/or use of government property. Pursuant to Art. XIII C, Section I(e)(4) of the California Constitution, this fee is not a tax.

SECTION 5. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act (“CEQA”) sections 15301 (Existing Facilities) and 15323 (Normal Operations of Facilities for Public Gatherings).

SECTION 6. This ordinance shall be effective thirty-one days after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Deputy City Attorney

City Manager

Director of Community Services

Director of Administrative
Services

NOT YET APPROVED

Attachment A

Fiscal Year 2021 Municipal Fee Schedule
Community Services Fees
Open Space, Parks, & Golf

Park Activities – Foothills Park	
Foothills Park – daily entry for vehicles	\$6 per vehicle per day
Foothills Park – annual pass for vehicles	\$65 per year for non-residents \$50 per year for Palo Alto residents (25% discount applies for seniors and low-income persons for both rates).