

From: [mary hodder](#)
To: [Ramirez, Lucas](#); [Matichak, Lisa](#); [Kamei, Ellen](#); [Hicks, Alison](#); [Showalter, Pat](#); [Abe-Koga, Margaret](#); [REDACTED]
Cc: [City Council](#)
Subject: 2/14/23 Agenda Item 6.2 Amendments to Mountain View City Code Section XYZ (Part II)
Date: Tuesday, February 14, 2023 11:02:55 AM
Attachments: [City of MV ticket 72 hour parking violation 10182023.png](#)
[City of MV warning 72 hour parking 10142022.png](#)

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Mayor Hicks and City Council Members:

Regarding Agenda item 6.2 that you will address this evening, on the 72 hour rules around parking, I wanted to share my own experiences and recommend that you consider overhauling parking more generally.

Specifically, we have had our cars called in by a neighbor (Community officers tell us, when we intercept them, that they cannot tell us who but they have told me over the dozen years of this issue that this is the same neighbor). We have as recently as October received about \$3600 in tickets, for our three cars, we well as visitors to our house, over this period of time. Attached is a copy of the warning and ticket, so that you can see what information they share. Our vehicles, are registered at our house at Fairmont and View. The Community officers know that, and know this is just a cranky neighbor invoking the 72 hour rule, when they see us leave with a suitcase to the airport, or that we are not coming out (we once got 3 tickets, x2 for a total of 6, over a 7 day period, when Ed and I had a bad flu for about 9 days and didn't leave the house).

She calls in the cars immediately as she notices our behaviors and appears to watch us closely, and so she doesn't wait 72 hours. That causes the cars to be marked (a dozen years ago that is how they did it) or photographed (more recently). And 72 hours after the officer comes by, we are ticketed, unless we happen to go out.

It begs the question: if climate change is causing the city to want people to drive less, are we not going to leave our cars at our curb more, and walk more? To conserve carbons by producing less? How does that goal mesh with the current 72 hour rule?

Or, and this has also happened, I repeatedly park generally to same spot (under shady tree on View Street) and if the officer takes photos and posts a warning that I don't notice (sometimes they fold it up and put it on my rear bumper between sections of the metal, instead of using my windshield) and I drive to the store, run errands and repark, I'm then getting a ticket a day or two after driving miles and miles beyond the 1000' rule. Because my car generally matches the spot it was photographed in and the folded up notice is still wedged between the metal of my rear bumper, they don't see any difference in the photo. My odometer is digital.. and not on unless my car is on. How do they tell if I've moved?

One community officer, when I ran out while on a Zoom meeting for work, told us that we park across the street instead of 1000' down (4 blocks away) to show we had moved. This prompted the neighbor to send us letters through the post office (yes!) asking that we not park at her house across the street.

We work at home. We feel that randomly expending carbons is a negative, so just driving around every 3 days for no reason feels really bad and also, a waste of our time.

Why not instead do a street sweeping measure, so that every 2 weeks all cars must be off the street, and then 3 hours after the street sweeping time, we move them back? Many other cities (NYC, SF, Berkeley, etc) do this.

I get it doesn't mitigate the problem of abandoned bodies.. as baddies will abandon a car with body in it.. and so the 72 hour rule will cause a body to be found much quicker than the 2 week interval for street sweeping. This is an actual problem in SF and Berkeley, but I doubt Mountain View has this issue very much.

Based upon my own anecdotal experience, the 72 hour rule is often just used by cranks to irritate people, not to serve any great purpose. Others on the OMVNA and Balanced Mountain View list have expressed similar.

One thing that could help mitigate this problem for us is if you considered putting a center divide with trees down View Street, in the first two blocks. There are not large trees anyway on the West side of the street, but plantings in the middle of the street would help to keep our neighbor from surveilling us, and other neighbors on the east side of the street, so closely.

We all could really use a break from that, and center divider trees there would shade the West side of the street, slow down the often 50 MPH traffic that roars up the street right through the stop sign (due to Waze directing people on View instead of Castro at "rush hour"), and every tree planted in the center would help mitigate climate change.

That solution could be 3 wins for the city, and 1 for the east side of View neighbors, with our personal neighborhood crank.

Another solution might be to issue residents a sticker, so that officers know the car is registered in MV and is not a problem, and make rules that residents follow, and different rules for other cars (we do have people who drive here, park for a week and take an uber to the airport) because we have "free street parking", as well as construction vehicles and other service providers who park here for days at a time instead of bringing their vehicles home. We have observed just last few months repeatedly with a cleaning crew, parking here nights and weekends, and using their vehicle in the day time. Then they all pile into one car, leaving 2 others, and head to wherever they live. It's not terrible but eventually not scalable to fill the streets with non-residents cars endlessly.

Thanks for considering these examples of the challenges. Generally I would not support the specific change tonight, but a larger solution to the issue of longer term parking that could mitigate these issues.

Regards,
Mary Hodder



From: [Tim MacKenzie](#)
To: [City Council](#); [Hicks, Alison](#); [Showalter, Pat](#); [Ramirez, Lucas](#); [Kamei, Ellen](#); [Abe-Koga, Margaret](#); [Matichak, Lisa](#); emily.ann.ramos@mountainview.gov
Subject: Comments on Agenda Item 6.2 Amendments to Mountain View City Code Section 19.72
Date: Tuesday, February 14, 2023 12:18:55 PM

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Greetings Councilors,

I will not be able to attend the council meeting tonight in person or virtually so I wanted to send comments on the upcoming agenda item. The short version is that I request that the proposed changes to the 72 hour parking ordinance are rejected.

There are several lines of reasoning that lead me to the conclusion that the proposed changes should not be adopted, some of which I have stated publicly before at council or PSAB meetings. However, one of the main reasons is the framing of the proposed changes. In the staff report, the changes are introduced as a clarification of language with no major change in policy. However, the addition of a 24 hour no rule to the ordinance is a drastic shift in policy. Obviously it is well within the purview and powers of council to make those sorts of policy changes and decisions. Unfortunately, the implications of the changes and what they would mean are not described, given any background or context, or given specific scenarios where the policy would apply. This is a substantive policy discussion that is being disguised as a minor shift in language.

The specific language of the proposed changes is very troublesome. The requirement that a car cannot park in the same spot for an additional 24 hours is very burdensome to residents of the city. If someone parks their car in front of their home and then takes their car to the grocery store, they would be unable to return to the spot next to their house. This is one of the specific scenarios I referenced above that should have been included within the staff report.

The amount of resources we spend on enforcement for this topic is disproportionate compared to the impact on the community. As currently enforced by MVPD, an officer gives a warning and chalk marks vehicles across an entire block when a complaint comes in. Then 72 hours later that officer returns to see if vehicles have moved. Chalking the vehicles along an entire block (which is done based on my understanding from a discussion at PSAB) is a huge investment of person hours that could be better utilized elsewhere. If there is going to be a substantive discussion around changing policy, the full scope of the policy should be included in both the background of the staff report and discussion by council. As noticed for tonight's meeting, there is no discussion of what enforcement looks like or the cost to our city - a glaring oversight.

I also worry about selective and discriminatory enforcement of the 72 hour ordinance against our unstably housed neighbors who live in vehicles. Enforcement is complaint driven, and MVPD does try to prevent discriminatory enforcement by chalking all vehicles on a block when a call comes in. However, there are some fellow Mountain Viewers who take it upon themselves to consistently complain about RVs throughout the city in an

attempt to remove lower income residents struggling to find stable housing under the guise of traffic safety. Even if the intent is not to discriminate in our neighbors living in vehicles, in practice that may be what occurs. The city or MVPD should include a dashboard that allows residents to see the number of complaints that are submitted as well as the number of people submitting complaints (anonymized of course). If there are specific people who consistently make complaints all over the city and not just in their neighborhood, that could be useful information and also evidence of possible discrimination. I know neither the city nor MVPD wants to be involved in discriminatory enforcement, so having public facing data for everyone to see can help us understand enforcement dynamics.

If there is going to be a substantive policy discussion on the 72 hour traffic enforcement ordinance, I request that the city suspend enforcement. The city and MVPD have discretion in how to enforce specific laws and ordinances. I would like to see the city step back on 72 hour enforcement. It was suspended during the pandemic and only reinstated when Measure C went into effect after the settlement. The 72 hour ordinance and Measure C are completely separate issues, but I worry that returning to enforcement of the 72 hour rule may substantively change the conditions worked out through the legal settlement to Measure C and open us back up to a lawsuit. The city has already demonstrated that it can choose to suspend enforcement of this ordinance - I ask that we return to that policy. If there is no decision to return to the non-enforcement policy, I ask at the very least to reject the proposed changes.

Tim MacKenzie | he/him/his

Postdoctoral Researcher

Snyder Lab | Stanford University Department of Genetics

From: [Dianne Gershuny](#)
To: [City Council](#)
Subject: Proposed change to 72 hour parking rule
Date: Tuesday, February 14, 2023 3:49:16 PM

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Please do not approve the proposed change to City Code Section 19.72. I suspect it will create more frustration than it eliminates.

I always thought the purpose of the 72 hour parking limit was to provide legal means to remove abandoned vehicles. If that is the case, it really doesn't matter if the car is immediately driven back to the same spot after 72 hours- only that the car is capable of being driven.

When I had out-of-town guests leave their rental car parked on the street for their whole visit as we took public transit to San Francisco, walked downtown for dinner, etc. Under the proposed code change, when I tell them they will have to move their car after 72 hours, will I have to tell them to park in front of a neighbor's house? Neither my neighbor, my guest, nor I would be happy with that! Similarly, when any driveway was dug up to replace a sewer lateral, I had to park on the street for over a week. Since I used it regularly, I didn't worry about the 72 hour rule, but if I hadn't, it would seem inconsiderate to park in front of my neighbor's house after 72 hours when there was a space right in front of my own house.

Some people may be trying to use the 72 hour limit to try to keep a neighbor from habitually parking in front of their house. I have seen the limit used in another community when a car enthusiast used the street as a storage place for his multiple cars. If you are trying to address these kinds of issues, address them directly, not via a law that was written to do something else.

Thank you for your consideration.

Sincerely,
Dianne Gershuny
Old Mountain View