

**City Council Questions**  
**June 11, 2019 Council Meeting**

**ITEM 3.1 ZERO WASTE PLAN**

1. What do you know about fabric/clothing recycling and disposal? I have heard that it is a major problem but does not show up much in our local waste stream because most people take their unwanted clothing to clothing resellers like Goodwill. Clothing resellers, though, sell only a small proportion of our clothing here. Most gets shipped to poor countries where they must deal with disposal of this increasingly synthetic and thus non-recyclable waste. Do you know if this is true?

**It is true that much of the secondhand clothing collected by both charities (like Goodwill) and for-profit companies (like USagain) is exported. What is less well documented is the resulting impact. Some countries, such as the Philippines and India, ban the import of secondhand clothes to protect the local textile industry. Others, particularly those in Africa, have no restrictions because secondhand clothing is a robust industry. Staff is not aware of any good resources summarizing or evaluating in-depth the impacts of disposal of unsold clothing on those countries that import large quantities.**

2. Does the per capita landfill disposal rate include waste from commercial sources and construction sources?

**Yes, the per capita rate is Total Landfill Tons Disposed ÷ Total Population (and then converted to pounds per day).**

3. If so, why would this be included when residents have little, if any, control over waste from these sources?

**The per capita rate is the measurement CalRecycle uses to assess the City's compliance with AB 939, which requires the City maintain a per capita disposal rate of less than 7.8 pounds per day. It is an overall measurement tool, and is not intended to be a goal or standard for the amount of waste different sectors, such as residents, businesses or construction projects, produce. A formula is used to translate the per capita rate to an equivalent diversion rate.**

4. How efficient is the SMaRT station, meaning what percent of materials that could be recycled, composted, etc. end up in the landfill? How does this compare to others that compete with the SMaRT station?

**The amount of recyclable and compostable material that is removed from the incoming waste (garbage and construction debris) as a result of sorting at the SMaRT station is measured annually and currently averages about 30%. However, to know how much material being sent to landfill (residuals) that could have been recycled or composted (in other words, for various reasons it wasn't captured during the sorting process) requires a waste characterization study, which is a fairly in-depth process that is not performed often. When such a study is performed, the residuals measured are not City specific. The last time the residuals were characterized was in 2017 for a City of Palo Alto study and the results were:**

<b>Compostable</b>	<b>40% (compostable paper 17%, inedible food 7%, edible food 5%)</b>
<b>Recyclable</b>	<b>39%</b>
<b>Potentially Recyclable</b>	<b>1%</b>
<b>Problem Materials</b>	<b>20%</b>

**The Palo Alto study characterized recyclables differently than Mountain View did; therefore, the amount of recyclable material found is overstated (perhaps by as much as 17%), but the compostable material is comparable.**

**Staff does not have information about how this compares to other facilities in Santa Clara County that sort garbage, and because the other facilities handle different incoming waste streams, direct comparisons may be difficult.**

5. On page 6 of the Zero Waste Plan the first sentence in the last paragraph appears to be missing part of the sentence. What should this say?

**It should say "The data in Figures 4 and 5 show that 61% of single family residential, and 64% of multifamily residential trash could have been recycled or composted."**

6. Resident Susanne Martinez sent an email asking about changing Item 29 to Consider Options to Increase Diversion of Food Scraps from Trash other than implementing every other week garbage collection. Does staff have any comments?

**Staff believes that Initiative 29 can be modified to be an assessment of approaches to increasing organics diversion that the City could test, including a reference to every other week garbage collection as one possible approach. A reference to the prior pilot can also be included.**

#### **ITEM 6.1 PUBLIC HEARING FOR THE FISCAL YEAR 2019-20 PROPOSED BUDGET**

1. Is the \$23 million for sharing the cost of park land with LASD a firm number now? I thought the Council appropriated **up to** \$23 million with the exact amount to be determined at a later date.

**Yes, the Funding and Joint Use Agreement was recently finalized and establishes payment up to \$23 million for a 4-acre joint use facility. The purchase amount was meant to represent a 50% sharing of the facility between the City and the School District. LASD discussed their deal with Federal last night and expect to take action on June 19. The estimated per acre cost is over \$13 million so our full \$23 million would be needed.**

2. What assumptions are included in the budget for compensation increases in the Proposed Budget?

**The five-year forecast includes some modest COLAs and other benefits beyond what was negotiated for the third year of the contracts. This issue is addressed in Pages 3-5 and 3-61 of the general operating fund forecast in the Proposed Budget. Discussions have concluded with bargaining groups and agreements were reached with two of the groups for the reopener clause that will take affect FY 2019-20. There will be a small negative impact from what is currently in the forecast but salary savings should be sufficient to cover it.**

3. Do any of the other cities providing funds to Friends of Caltrain restrict how their funds are used? If so, which cities and what are the restrictions?

**Staff made inquiries to the other four cities (Redwood City, San Mateo, Palo Alto and San Jose) currently funding Friends of Caltrain. None responded that they place special restrictions or requirements on how the funding is used. Funds from these cities are considered organizational membership fees to Friends of Caltrain in support of the outreach and education activities listed in their membership brochure.**

**ITEM 7.1 APPROVE DIRECTION FOR A SAFE PARKING PROGRAM ON CITY LOTS AND SAFE PARKING ORDINANCE PARAMETERS**

1. Why are constraints on capacity proposed in the Safe Parking Ordinance Key Provisions Outline?

**As discussed in previous Council reports on safe parking, the programs are usually kept at a moderate number for each site. The capacity recommendation is based upon a programmatic guideline for serving approximately 20 vehicles (RVs). For context, there is no existing program that is operated within the County of Santa Clara that serves more per fixed site. The Rotating Safe Park Program for shared faith sites and other cities that allows up to 30 (defined as “number of occupants does not exceed thirty”) for Saratoga a total of three months per year per location, with minimal supportive services. This was the maximum number in the guideline.**

***\*Please also see question 9 for a summary of safe parking programs and number of vehicles served.***

2. “Maximum capacity is 50% of the striped parking area or 30 vehicles, whichever is less,” seems arbitrary. Why 50% or 30 vehicles specifically?

**The maximum capacity number again is to ensure the manageability of safe parking site. The recommended guideline is taken from the example of the City of San Jose for how they approached “Incidental Safe Parking” defined, in part, as a use that occupies less than fifty (50%) percent of the paved square footage of the Site, and where the shelter is provided in vehicles located in designated paved “Safe Parking Area(s)”. This was also supported by analysis the City’s interdepartmental team (PD, FD, CDD, CSD, and CMO) reviewing this draft guideline.**

3. The Outline prohibits “temporary facilities and other structures.” What kinds of facilities and structures would be included in these categories?

**This is specific to having no one housed in tents or other temporary structures.**

4. How can restroom, water, and trash facilities be provided if “temporary facilities and other structures” are prohibited?

**Per question 3, this is specific to having no one housed in tents or other temporary structures. Restroom, water and trash are called out as required.**

5. Why has the Palo Alto Housing lot taken this long to get up and running?

**As discussed at the March meeting, the Palo Alto Housing Corporation has recently hired a contractual resource who will assist on this project. The estimate of operation was noted as April 2019, but will likely be summer. PAHC is committed to working in cooperation with MOVE and has taken longer due PAHC staff capacity, difficulties with the timeframe associated with utility providers and site demolition process.**

6. What have private property owners and business owners said about barriers to participation in the safe parking program? What incentives have they identified as potentially compelling?

**Over the last few years, our outreach to private lot owners regarding participation in the safe parking program has included engagement at the Federal level related to NASA Ames, which was determined to be not a compatible use, a State-owned lot, and multiple private properties in Mountain View that all preferred the lots to be used for market-rate uses. None, even on a temporary bases, beside PAHC, have agreed to the use of their lots. Some have expressed concerns about issues associated with liability even though the liability is subsumed by the operator, others have mentioned they are concerned about what**

media or public reverberations when the lot it is no longer able to be used for safe parking, others have not provided any information on their perspective.

- 7. Why aren't other Precise Plan areas (San Antonio, El Camino, etc.) listed in the Safe Parking Ordinance Key Provisions Outline?

Staff included a majority of the zoning districts and precise plan areas which encompasses a significant amount of the land area within the City and which there are significant sized parking lots which may be available for Safe Parking, such as the North Bayshore Area. Council may direct staff to include other zoning districts or precise plan areas as appropriate to be included in the ordinance when it returns for consideration in the fall.

- 8. Could LifeMoves be a partner to the City should MOVE and/or CSA lack capacity to serve new safe parking lots?

Yes. LifeMoves could be a partner with the City as there are now a number of qualified operators in the area. LifeMoves currently has experience providing safe parking services to passenger vehicles and is beginning to provide services to RVs as well.

- 9. How many safe parking spaces are there currently in the county? How many of these are for RVs or other oversized vehicles? What cities are they in and who operates them?

Staff will reach out to get updated info on vehicle types. The March 2019 report advised the Countywide capacity including faith-based communities was 71 vehicles, serving an average of 178 individuals in total, drilled down as follows:

<u>Program Name</u>	<u># of Vehicles</u>
MOVE Mountain View	6-8
Amigos de Guadalupe in San Jose	25
Life Moves in San Jose	17
Gilroy Compassion Center, Morgan Hill	8
Winter Faith Collaborative that rotates in Cupertino, Saratoga	15

The December 2018 Council report provided more background detail:

- *Morgan Hill FOCUS Safe Parking Program:* Operating in South County since September 2017, funded through a contract with the City of Morgan Hill, operated by Gilroy Compassion Center. The program provides case management to link clients to services and housing. It serves eight (8) vehicles at a time and is located at a church site.
- *Rotating Safe Park Program in the West Valley Region:* This program was initially launched in spring 2017 at St. Jude Episcopal Church with referral assistance of West Valley Community Services. Currently, it is being operated as a Rotating Safe Park Program in partnerships with faith sites and other organizations in Saratoga, Cupertino, and San Jose. This program is operating in collaboration with West Valley Community Services, Winter Faith Collaborative, and Amigos de Guadalupe. West Valley Community Services is one of the referral agencies. Intake and Screening for the Rotating Safe Park Program is currently handled by San Jose Amigos de Guadalupe. The City of Cupertino does not have a role or provide grant support. The rotating program serves 12 to 15 vehicles at a time.
- *Amigos de Guadalupe:* Received funding from the County in June 2018 and will start operation in the fall. It will operate a new parking program in San Jose, which aims to serve 40 cars by next fiscal year and is currently operating in two locations serving 16 vehicle households at a time.
- *East Palo Alto Project We Hope Safe Parking Pilot Program:* Launched a program in September 2018. Project We Hope (PWH) is the nonprofit operator of the program funded by the City of East Palo

Alto. The city provides a city-owned lot to serve up to 20 vehicles. The program provides case management to link clients to services and housing.

- *City of San Jose Safe Parking Pilot Program:* Recently selected a provider, nonprofit LifeMoves, for a safe parking program on city-owned property. The program intends to serve 8 to 16 vehicles and is anticipated to begin in fall 2018.
- *Mountain View Lots of Love (LoL):* The new Mountain View nonprofit operator has been in operation for just under a quarter and has been focused on startup needs such as staffing, neighborhood outreach, and coordinating operations at the faith sites. The County’s Housing and Homeless Concerns Coordinator provided overall guidance on the pilot startup and operational plan. LoL is working to establish its new operations and scale up over time.

10. Do we know how many vehicles in Mountain View currently have children (grade school, middle school and high school, not just MVWSD) living in them? How many are cars and how many are RVs?

It is difficult to obtain definitive data about the number of children that live in RVs/cars. Children tend to be camouflaged living with other family, friends, and this is compounded with parent concerns about Child Protective Services (CPS) engagement. It is important to note that CPS does not engage just because a family is homeless.

The best overall data we have is on overall homeless. According to Santa Clara County Office of Education the data for FY 2017-18 is:

<u>School District</u>	<u>Total Homeless Youth</u>	<u>Notes</u>
Mountain View Whisman	89	MVWSD has confirmed 15 families (with 24 children) known to be living in RVs (self-identified) and enrolled at MVWSD
Mountain View Los Altos*	84	LASD has one homeless youth.

\* No breakdown for the high school district.

11. I have heard that to cut regulations regarding safe parking down we would need an emergency carve-out under state law. Is this true? What advantages might such a carve out provide for setting up safe parking? Does staff think this might be worth it or cause further problems?

The City has declared a shelter crisis, which relaxes building standards during the crisis and limits liability for the provision of emergency housing. What it does not expressly provide, and which some cities/counties have in legislation that specifically applies to them, is an exemption from compliance with the Special Occupancy Parks Act, the Mobilehome Parks Act and Mobilehome Residency Law. Such an exemption would expressly exclude the City of Mountain View from compliance with these laws in the provision of a safe parking program (which is not housing), and could allow for expanded safe parking hours. Staff is already proposing to impose the minimum standards to address health and safety concerns.

12. In addition to requiring RV residents to report that they either live or work in the city before being permitted to move into a safe parking spot, can we also require that they report their income and employer(s) so that we might ask developers or tech companies to take steps to deal with their employee’s poor housing themselves?

To the extent permitted by law, the City may be able to implement a live/work preference. If this is of interest to the Council, it would need to be further studied by staff, including what information could be required or requested as part of an application process. As part of drafting the safe parking program

**ordinance, City staff could also explore eligibility requirements such as employment and income, which would include a review of other programs.**

13. Can we have RV rent control for rented RVs and charge the RV landlords a fee?

**If this is of interest to the Council, it could be studied by staff and further information on this issue brought back to Council in the future.**

14. What is the rationale for having the North Bayshore and the East Whisman Precise Plan areas allow safe parking? Would it be allowed in all areas within those two Precise Plans?

**Staff included a majority of the zoning districts and precise plan areas which encompasses a significant amount of the land area within the City and which there are significant sized parking lots which may be available for Safe Parking, such as the North Bayshore Area. Council may direct staff to include other zoning districts or precise plan areas as appropriate to be included in the ordinance when it returns for consideration in the fall.**

15. Could there be a third permit process option for a safe parking permit which would be a variation of Option 1 but with a public hearing?

**Staff could explore this if desired by Council. The proposed Option 1 is the “normal” process. The question may relate to Option 2 instead, for it to include a public hearing along with the Police Department review. Planning is better suited for a public hearing as they routinely conduct public hearings.**

16. What specifically does MOVE do to manage a site?

**MOVE, the non-profit operator, has been in operation for just under a year. They coordinate staffing, neighborhood outreach, and coordinating operations at the faith sites. The pilot program at the faith sites is modeled on the New Beginnings program and is operated according to the following processes:**

- 1. Provides safe parking on privately owned property from approximately 7 p.m. to 7 a.m.;**
- 2. Provides client case management and an available Porta-Potti with hand-wash station;**
- 3. Subcontracts with Community Services Agency (CSA) to provide case management, interview applicants, and recommend clients based on LoL admission criteria;**
- 4. LoL makes all admission decisions in accordance with site criteria;**
- 5. LoL requirements for clients include a valid driver’s license, insurance, registration, and a working vehicle along with a client assessment and ongoing engagement with case management;**
- 6. Spaces are by application/referral only;**
- 7. Given detailed guidelines and waivers, including tenancy;**
- 8. Clients receive a one-month permit, renewable each month after check-in with CSA Case Worker;**
- 9. Provides lot monitors who ensure that all clients observe program guidelines; and**
- 10. Assists with any coordination of available food or other services that might be needed (MOVE is currently looking at options to help with homework for students, etc.)**

17. Why does MOVE not require background checks at the two lots that are already in existence?

**The pilot program is by referral only. They are subject to a client assessment as part of their individual case management. Clients who take part in the program agree to a set of rules and must receive a monthly permit to stay in the lot. These individuals are assigned a Case Manager from the CSA to assist in job, housing, and other services that may be needed to help transition to a more stable living situation.**

18. Will the vehicle dwellers using city-controlled/ owned parking lots be screened via background checks? If that is not currently the plan, can we change the plan and require this?

**Please see answer above. Background checks are viewed as a barrier to services and not a best practice for any housing provider. Their use raises confidentiality issues and no shelter provider in the County administers them. Other measures are in place (operations and neighborhood plans) by all shelter providers to address various concerns.**

19. What are the criteria that will be used to allow or not allow a vehicle dweller to use a safe parking lot? In the past, people living in passenger cars had priority over people living in RVs. Will that continue?

**Acceptance of only passenger vehicles at the faith lots has been a decision by the private faith lots to host only passenger vehicles during the pilot. Criteria for any participant would include a signed program agreement and valid driver's license, insurance, registration, a working vehicle, a client assessment and ongoing case management, and agreeing not use or possess any illegal drugs or alcohol either on their person or in their vehicle, and not use or possess any weapons or firearms of any participant vehicles.**

20. Which organization will prioritize who gets to use the safe parking lots? What definition will be used to determine if someone "lives" in Mountain View? Could we require that they prove that their last physical address was in Mountain View?

**MOVE as the designated safe parking operator will prioritize based upon any required priorities set forth in the ordinance. To the extent permitted by law, the City may be able to implement a live/work preference. If this is of interest to the Council, it would need to be further studied by staff, including what information could be required or requested as part of an application process and how such a preference could be implemented.**

21. Will the Pioneer/Evelyn lot and the Shoreline lot be restricted to RVs? Why or why not?

**RVs/oversized vehicles are recommended to be prioritized to provide capacity as the existing faith lots are not yet hosting larger vehicles. It is possible that passenger vehicles could be incorporated on an as available basis.**

22. How will waste disposal services be provided? Will it be a mobile service? Or will the vehicles need to be driven to a location for servicing?

**As proposed, plans for the disposal of black/grey water would be required. For the two City lots, a voucher process has been funded to be redeemed at the private Redwood City sanitary waste facility.**

23. Does the dumping of human waste have a significant effect on the environment?

**It is a health and safety concern, as well as environmental risk.**

## **ITEM 7.2      OVERSIZED VEHICLE PARKING PROHIBITION ORDINANCE**

1. How many Santa Clara County cities currently have Oversized Vehicle Ordinances? Which cities are those?

**To staff's knowledge, no cities in Santa Clara County specifically have an oversized vehicle prohibition 24/7. East Palo Alto has an overnight prohibition from 2 a.m. to 5 a.m. The following information is provided in in Attachment 7- the Bay Area cities are in blue below:**

<u>City</u>	<u>Width</u>	<u>Height</u>	<u>Length</u>	<u>Hours</u>	<u>Notes</u>
Anaheim	7'	7'	22'	3:00 a.m. to 6:00 a.m.	
Berkeley	6'6"	—	20'	2:00 a.m. to 5:00 a.m.	Ordinance/modifications been/are being made.
East Palo Alto	7'	8'	23'	2:00 a.m. to 5:00 a.m.	Restricts parking of oversized vehicles and trailers not connected to a motor vehicle.  Connected truck and trailer combinations would be considered two separate vehicles.
Long Beach	80" (6'8")	85" (7'1")	22'	24/7 residential areas; case-by-case nonresidential.	
Malibu	80" (6'8")	82" (6'10")	23'	Noncommercial can only park for two hours 12:00 a.m. to 5:00 a.m.; Commercial vehicles limited to two hours at all times.	Excludes pick-up trucks.
Marin County	—	—	22'	Some locations 11:00 p.m. and 5:00 a.m. and some 24/7.	Specified locations.
Novato	96" (8')	—	24'	2:00 a.m. to 6:00 a.m. for more than 30 minutes	
Salinas	—	7'	20'	24/7 in residential zones.	
San Diego	—	7'	27'	2:00 a.m. to 6:00 a.m.	
San Francisco Municipal Transportation Agency	—	7'	22'	12:00 a.m. to 6:00 a.m.	Started as pilot program. Covers parts of San Francisco.
San Mateo	7'6"	7'6"	22'	24/7 in residential zones.	Notations including load, measure from the widest part of the vehicle.
San Rafael	7'	8'	22'	24/7	Prohibiting parking for longer than one hour.
Santa Barbara	80" (6'8")	82" (6'10")	Exceeds 25'	24/7	Does not include pick-up trucks less than 25' in length and 82" in height.
Santa Monica	8'	8'	20'	9:00 p.m. to 6:00 a.m.	
Torrance	7'	8'	20'	24/7	Does not include pick-up trucks or SUVs less than 25' in length and 82" in height.

2. Could we implement parking safety restrictions instead of or before an Oversized Vehicle Ordinance? For instance, could we prohibit parking oversized vehicles that impinge on bike lanes and that are too close to intersections and driveways ASAP?

**Yes. With clear direction from the Council, staff could draft a new ordinance and bring it back to the Council for consideration in fall of 2019.**

3. Has any outreach been done to the vehicle dwellers since the March 19 Council meeting to let them know that the Council directed staff to draft an oversized vehicle parking prohibition ordinance? If so, what has been the response?

**Yes, PD and CSA have conducted outreach and provided information. The outreach teams have also provided noticing for the June 11, 2019 meeting. CSA included updates as a part of case management. Concern has been expressed by CSA clients, while some client advised PD they could possibly move on with about two months' notice. CSA noted its clients observe "...a growing intolerance from City government with no alternative low income housing being offered to the poverty stricken." The CSA Outreach Case Manager encourages vehicle dwellers to keep DMV registrations current and to comply with local ordinances to move vehicles regularly or risk having their homes cited or even towed away."**

4. Can the timeline be accelerated by outsourcing making/installing the signs?

**The Streets Operation is currently focused on pavement crack sealing, some patching work and various work orders. Prioritizing installation of the parking restriction signage by staff instead of bidding and contracting out would cause some of this work to be delayed but would be faster than 12 weeks. If Council directs staff to prioritize this activity in-house, the signs can be produced and installed approximately four to six weeks after the scheduled second reading of the ordinance on June 25.**

5. Can signs start to be installed, and parking restrictions enforced, in a rolling approach so that we do not need to wait 120 days before enforcement starts?

**Adequate notice of the parking restriction needs to be provided before the ordinance can be enforced. While the City could post signs at particular locations, this location-specific approach would result in different signage being installed than a citywide approach (i.e. at entry points and along major corridors). A location-specific approach would result in additional signage being installed to define the specific areas covered by the restriction, and only those areas signed could be enforced. This is more complex than signing for a City-wide restriction, and would have to be modified as signage for the City-wide restriction is installed. Staff therefore does not recommend a rolling approach to signage and enforcement**