

The following transcript is provided for your convenience, but does not represent the official record of this meeting. The transcript is provided by the firm that provides closed captioning services to the City. Because this service is created in real-time as the meeting progresses, it may contain errors and gaps, but is nevertheless very helpful in determining the gist of what occurred during this meeting.

>> Councilmember Liccardo: The meeting can be called to order. It's October 1st. And we'll call an extemporaneous roll here. Councilmember Rocha, here, Councilmember Campos, here. Councilmember Herrera appears to be not here yet. And I'm Sam Liccardo, I'm here, we have a quorum. Review of the work plan. There is one item to be dropped, is that right? Ashwini?

>> Yes, we are asking for the report on the odor study to be dropped. We had been asked to do a regional odor study, at this point, participation by the regional partners doesn't seem likely. But we have been doing work on some of the odors from the plant and believe we have sufficient information to work towards the time line that we committed to, and we'll be keeping the committee updated through various reports on the plant.

>> Councilmember Rocha: I did have a question. As opposed to a deferral until a later date where those parties probably were in a position to talk as opposed to drop, if you wouldn't mind sharing what that approach was made.

>> I'll let Renee Irely respond to that from ESD.

>> Councilmember Rocha: And I'm assuming it's probably the statement you made in terms of we feel we have enough information at this point, but if there was something else other than that, that would be helpful.

>> That's correct. Renee Irely, Environmental Services. And yes, at this point, given the complexity of some of the interactions with our regional partners, and given how far along our engineering staff is, and already doing their own analyses, we felt that we could go ahead and fold this into our CIP process and still be able to move and make reasonable recommendations for options for the plant.

>> Councilmember Rocha: Thank you.

>> Mayor Reed: Okay. I don't see any items from members of the public so if there's a motion.

>> Councilmember Campos: Move approval.

>> Councilmember Rocha: Second.

>> Councilmember Liccardo: All right, that passes, we'll begin with the trail and bike way network development report. Hello Yves, hi Steve.

>> Good afternoon, councilmembers, my name is Steve Hammock, I'm deputy director of the parks division, PRNS, and with me, Yves Zsutty. We love talking about this subject, so we're glad to be here and give the annual report on our trails. San José's trails are being used more than ever. As we noted through the data we've been collecting, on September 19th we've had a trail count which demonstrated a 35% increase along our trail network which we're very happy about. The Guadalupe River Trail is really being used extensively by the commuting public and as well as recreational use. We have 6.4 miles that are being paved at this time along the lower Guadalupe, and again, it's really going to increase that commutability of that trail network. And we're also finding really innovative ways to share the trail data through apps. Just like we're using our graffiti app to allow people to report graffiti, we're also using a transit and trails app to not only get data, but then deliver data out, as well. And so in today's presentation Yves will really delve into some of these details. And with that, I'd like to introduce Yves.

>> Thank you, Steve. And as I get started, I wanted to report to the committee that we have have had a planner vacancy in the group for a number of months, maybe up to six months, and Sarah Fleming's in the audience. She's joining me to work on trails. She's here with past experience from Chicago and Detroit. And it's really nice to work with somebody who brings in our fresh perspective, who can tell us how amazing our weather and climate is but also, help us explore trails in a new way. I'm glad to have her on board.

>> Councilmember Liccardo: Welcome, Sarah.

>> I'll give you a little more information about what Steve was covering. Since we were last here, we received four awards. We received awards from the California parks and recreation society, and I'm joined by John Brazil of the Department of Transportation for any bikeway questions. We received some awards: The California parks and recreation society and the California trails and greenways society both recognized the Coyote creek trail master plan, which was six miles through Central San José, and now we can report that the entire Coyote creek trail alignment from the bay to Morgan Hill is fully master planned. And we have a federal environmental document for large parts of it, so we're really in a position now to be ready to design and build those remaining sections. The Guadalupe reach 6 project has been open for quite a while. But we've gotten some recent awards on it. This was a half-mile project that was full of challenges. We went underneath CalTrans structures, we were bounded by highway 87 and flood control along the Guadalupe river, and from this picture you wouldn't notice that you were in such a constrained area, but this is a great way to get the Washington area and Gardner area neighborhoods into downtown. John and I meet regularly to talk about how we bring together our offstreet trails and on street bike ways that forms a 500 mile bike way network and we're both making advances on that work. In terms of the trail network, I mentioned we recently completed our national environmental protection act document for Coyote creek trail. Which puts us in a good position to design that. We completed construction on highway 237 bike way. We're in the midst of constructing 6.4 miles of paved trail from downtown to the bay along the Guadalupe river trail. We're designing 1.1 miles of trail in the Evergreen area along Thompson creek and designing 2.1 miles in East San José along the Lower Silver Creek trail. Right now when I submitted this mileage was at 52. I've taken some miles off the inventory because of construction on lower Guadalupe, so we've got about 49 miles right now currently open. I mentioned the highway 237 bikeway project. These are before and after images. This was a temporary construction road built by CalTrans when they built the freeway. The bicycling community didn't know any different. They just knew this appeared to be a trail that was poorly managed and in really bad shape. And so over the years we worked to get an environmental enhancement mitigation program grant. We got some money from Calpine for some damage they caused to the structure and we pulled together resources from local city funds. We worked with environmental services to get access near the plant. We got an easement from CalTrans to cross over a portion of their land and once we were ready to build this we did the first South Bay installation of warm mix asphalt which is a means to produce less pollution and make use for recycled asphalt which we used on site. We used our highly reflective or thized striping, which you can see at night. We

bollards and we deployed our first smaller construction sign saving several hundred dollars. We were paying \$1500 for a temporary construction sign. We put it on a diet and now we pay \$850. So we looked at this project as a place to throw every idea we had at. On the lower Guadalupe river trail this is the portion near the airport. This is now paved, the asphalt's in good shape there. We're doing a did decorative seating area because San José has really an interesting statistic, is that we have the closest proximity to a landing strip that the public can have anywhere in the nation. So along the Guadalupe river trail you would be able to stop and watch planes in closer proximity than you could in any other airport. So we're paving that station right now. That should be done in a couple of weeks, and we are looking at reopening this at the end of the month. And then we've paved all the way down to Montague at this point and continuing surface treatments out there grading and working our way to gold street by April. We secured \$1.6 million in grants over the past 12 months. We did this from a variety of sources including regional sources like environmental enhancement mitigation program. The Water District had a program, the state had a program and again in the region we got a grant from the association of Bay Area governments. At the last update there was some questions about how we prioritize work and I'll just review a couple council items. These were info memos in the past. We looked at the distributed network throughout the city with ten counsel districts championing projects, gaps in the systems, and money that was targeted towards some efforts and maybe not others. And so we developed a system where at the beginning of each budget cycle we go through all 250 or so potential projects and rate them against seven measures. And then those projects that rate the highest are those projects that usually close the gap or extend the trail. And so we put those in the budget proposals and seek support from the council. Those projects that are still highly ranked and are very strategic if not funded fall into a grant priority, prioritization process. So that we'll align those projects with state or federal grants, where there's a really good fit. And so we continue building out the network and filling out gaps in a very strategic manner. We avoid building dead ends or trail that don't have that kind of connectivity. We're looking for ways to share information with the public and innovative ways that may not be subject to graffiti or vandalism as signs or other means. We've been very successful in working with transit and trails which is an organization in Berkeley and they have developed an app that has allowed us to mark all of our trail heads throughout the city on their map, and so in the image to the right there you see the walking man, on that map those are all our trail heads and now the effort is to draw lines through all those points, and calling those trips. So that the application now can guide people to the most popular trips in the region. And people can make comments much like they

would about like on yelp to report which trails they like the best. So working with them on that. And luckily their colleagues nearby at bay nature have an arrangement with them to take all of that data. So as staff we are not having to duplicate all the data entries. We just have more and more people now looking at this data set finding ways to manipulate it.

>> Councilmember Liccardo: Is that available now?

>> Both of those applications -- actually, transit and trails is free now on the iTunes store and also available for android, and bay nature is in the works right now.

>> Councilmember Liccardo: Great, thanks.

>> September 19th, couple Wednesdays ago, we conducted trail count. This was our sixth annual trail count. I'll be getting some reports out to your offices, but I can report some really great findings. We saw a 34.5% increase in traffic at San Fernando Street on the Guadalupe River Trail. That was a huge bump, and since we've been counting for six years, it's not an anomaly. It's what we're seeing in terms of the growth of the network. We've seen 3.4% at Coleman and that number is reduced likely because the lower Guadalupe river trail has been closed for construction. We're seeing more use because of that. The Los Gatos creek trail had a 13% increase. Each year we think we've seen huge numbers, we don't think they're going to increase they continue to increase. That's all good. We saw a higher share of women this year traveling on the trails. Used to be 75-25 trip looks more like 60-40 now so that could be a good indicator for people feeling more safe and comfortable out there. We have a full analysis of the survey we'll get that over to your offices. With that I'll be glad to answer questions or John Brazil can help me with bike quake questions.

>> Councilmember Liccardo: Thank you Yves for a great presentation. Councilmember Rocha. Campos?

>> Councilmember Campos: Just a quick question regarding the usage. How much of -- I know there's a lower increase on the Coleman strip and that actually, I mean that's a pretty nice trail, it's long, it's open. But I was

wondering if you could give me feedback, any feedback you might have on the issue of some of the homeless population that's out there and folks not feeling comfortable, you know with some of the messes that they leave.

>> Yeah, one of the issues I commonly hear at community meetings is we love the trails, we don't like the homeless out there. So it's a common concern. And we did not in this year's survey but last year, we asked about the perception of safety and comfort out there. And so this is looking entirely the population that we found on trails. 99% of them said they felt safe, which makes sense, because they've decided to be out there. We don't know how many people are deciding not to use trails because of that perception. But even at that population, many were saying that they wish the vagrancy that they see and the litter would go away, because it does make them feel uncomfortable.

>> Councilmember Campos: So are you seeing more usage on the weekend or the weekdays? The weekend you would hope that more recreational joggers or walkers or bikers would be out there.

>> From earlier counts we used to do weekdays and Saturdays. So we did see higher share of recreation on Saturdays. This year we did one Wednesday. And really, the honest answer to that is it's just a logistical nightmare to try and get together 35 volunteers to all agree to be there one day, so we do what we can with that single workday.

>> Councilmember Liccardo: Councilmember Rocha.

>> Councilmember Rocha: Thank you. I understand you're going to get that report to all of us. Can I ask a quick question before you send that out, the total universe, what was the total count for that day?

>> So I'm glad I brought the report. I can tell you that in 2011 the 35 people that counted that day counted 3122. So that was at six different count stations. And then this year we counted 3501. So that was a 12% increase in trail usage across those six stations.

>> Councilmember Rocha: And at any point have you looked at that time street counts, beyond just the trail counts?

>> John Brazil from D.O.T. We do conduct bike and ped counts when we conduct vehicle counts on street, and while that's in limited situations, we do have some on-street counts, and for example related to the recent downtown bikeway implementation, we have conducted some counts. So depending on the location, I'd be happy to provide specific counts for you. We are seeing some increases in locations, preliminarily. Usually we try to wait 12 months after a project is complete to do the after count, so we don't have a hard number yet.

>> Councilmember Rocha: Is there an annual time of the year you do this, or is it just as you get through the process and the network?

>> It is project-by-project specific. We prefer not to do it in summer because lot of folks are out of school and such. But we try and consistently do it the same time of year, same time of day, for the before and after, for any given location, so it's consistent there, usually fall or spring.

>> Councilmember Rocha: And that's the entire street network, you try and do it on one day similar to what we just did on the trail?

>> The counts that are in tandem with the motor vehicle counts kind of are spread randomly. But when we have a project-specific count we do just for a bike project, then we try and focus it on specific times of the year, times of the day.

>> Councilmember Rocha: As far as the trail one, is that exclusive to the bikes, or is that pedestrians, that overall count?

>> We are counting pedestrians and bicyclists.

>> Councilmember Rocha: Thank you. I'm interested in seeing the street one, especially with the new conversions on third and fourth, and as you may know someone in my office doesn't own a car, he travels by bike. So he and I go back and forth oftentimes on this issue. And I'd ride in, in my car and mention to him how many folks I saw on the bike lane quite often, and he reports out on his way home. I'm interested in getting a hard issue as opposed to he and I going back and forth on the item. There was an issue we had with the Guadalupe section and the Army Corps of Engineers. I think you had had a chance to have a meeting. Is there any update on that?

>> This was by -- this is north of Coleman by the Target store?

>> Councilmember Rocha: I think so.

>> So the Army Corps of Engineers was required to take out the old trestle structure over the river. They put in a free span structure for the railroad tracks. In doing so they built the railroad tracks a little bit higher to meet their flood goals. That caused there to be an elevation mismatch between the existing Coleman Road and the new railroad tracks. The Army Corps, as part of their project, improved the roadway, the sidewalk, and the portion of the trail that meets the railroad tracks at the southern end -- at the northern end, sorry. And it is my understanding the Department of Transportation is looking for funding sources to include the improvements to the southern end as part of the Autumn Street parkway. And I'll turn that over to D.O.T. in case I'm mistaken. I believe that's accurate.

>> Councilmember Rocha: All right thanks, no more questions.

>> Councilmember Liccardo: Councilmember Herrera.

>> Councilmember Herrera: Thank you, apologize for coming in late to this. I wanted to first of all thank you for the report and appreciate the fact that Thompson creek trail in my district is moving forward with the design couple hundred thousand for the section Tully to Quimby. Can you give me a little bit of update on that one?

>> Yes, the section from Tully to Quimby now is at 95%. Which means if you picked up the plans, they'd look like they would be ready to go. At 95% now we're in the middle of getting permits, so now we're working on permits with the water district, PG&E, to make sure we have their permission before we proceed in finalizing packaging it for bid and construction.

>> Councilmember Herrera: Great. And came in on the end of your trail count findings. Are we using trail count in any way in terms of our prioritization of projects, or does that factor in? Counts always seem to factor in in transit projects, ridership and that sort of thing. How do we use folks using the trails, or do we see chicken and egg, that we put it there and they use them?

>> Actually, with lower Guadalupe we found that if you were in the middle of construction and you tell people not to enter, they'll still come.

>> Councilmember Herrera: Sort of an incentive, then, you tell them not to, is that what you're saying?

>> Yes. But on the grants we use the trail count data to respond to all granting agencies that say what do you perceive the usage to be? And so we have a very reliable source of data to make some guesses on which puts us in a better admonition than many agencies. In terms of prioritization we don't look at the data because the way our city's distributed across ten council agencies, we are lucky to have ten champions and we are lucky to distribute that information across the city.

>> Councilmember Herrera: Up appreciated by the way.

>> I think internally we would like to seize Guadalupe and Coyote done because they're our major roadways and moving forward on those. But those secondary trails, I think those numbers will improve once they connect. But it's hard to see those as high use trails until they have those connections.

>> Councilmember Herrera: Speaking of that we are just about to cut a ribbon on some improvements along Capitol Expressway with some nice ten foot wide bike and pedestrian lanes and all of that. And that's close to Thompson creek. What do we expect that will do in terms of increasing usage on Thompson creek? Do we see things that are adjacent to roadway bike lanes improving the ones that are not on the roadways, the off road bike lanes?

>> Yes, I think there's a correlation. In studies you can see that if people feel safer on bike lanes and there's more infrastructure they will use them. I think on Thompson creek we will see traffic increases on that trail with the reasons you mentioned with the adjacency of other projects but also the paving so it becomes a recognized trail which may not be as clear to people now as a gravel surface.

>> Councilmember Herrera: Thank you. The application, I love having technology play a role. As we see in the parks and rec with graffiti program, et cetera. Another new application I'm sure everyone is going to like. Is there anything else that this app can do to connect with other services, other ways of reporting things? I see some things listed here. That sound great but do we foresee other applications that will come to flay in these trails.

>> It is up to us to propose details that they may want to consider. They have a vested interest in making these as popular as possible. So educating them about our mileage markers and those systems to get to 911 could be something we can talk to them about.

>> Councilmember Herrera: Exactly. I was thinking safety, public safety in terms of 911, even reporting debris if it's near a creek, can they report trash. Of course that again I guess would be the Water District, and so our graffiti app is limited to what we can do here. But we're also looking at how can we expand the ability to work together with these other agencies. So I'd be very interested in moving that forward, and whoever's going to make this motion to approve the report I'd like to move that on as a suggestion.

>> Councilmember Liccardo: Thanks for great report. I had a question about the construction on lower Guadalupe. If someone were allegedly to go around the barricades and run along the trail, they might also

allegedly see a lot of other cyclists and runners on the trail. And it occurred to various observers that on the weekend there's really no construction being done, and it seems like it's pretty much kind of done anyway, they're still painting stripes. Is there some reason why we still have it shut down?

>> It's -- I hate -- I don't want to say policy, because I -- it's a cautious approach that when you close a project for construction, you put the licensed contractor to assume liability, for anyone who's injured, which could be because there's equipment stored there, or the facility just has not been accepted as a city facility meeting all requirements. And so we're working with the contractor to get the work done as quickly as possible. But if someone were to be injured there, there's a very real situation where people would be pointing fingers, is the city responsible for not enforcing it, you know, is the contractor liable for any graffiti that occurs? And at this point they're responsible for everything.

>> Councilmember Liccardo: Okay.

>> That puts us in a more fiscally safe position.

>> Councilmember Liccardo: Okay. One person who is not me who observed what was going on out there suggested, I swear it wasn't me, suggested they had you know gone around the barriers several times and actually never seeing any construction getting done but just always was always closed was really puzzled because they used it to get to work. Anyway, okay, fair enough. I just wonder if maybe the gates can be moved a little bit. It seems like the construction is really limited and the construction for miles is pretty much done.

>> I'm going to talk to public works, because they are the experts on these construction contracts.

>> Councilmember Liccardo: Okay, fair enough, thanks. The scope of the NEPA clearance, the nine miles along Coyote, does that cover everything we're looking to build out?

>> It covers the area from Montague to Story Road. That's the majority of the central section. It doesn't include the section through Kelly park from Story Road to Tully so that's still work to the done but on that project we could work at state sources. If we looked at federal we would go through that process as well but that could be cumbersome and time consuming.

>> Councilmember Liccardo: The warm mix asphalt process you described, is that the same as close in place recycling, or is that different?

>> I'm not familiar with the latter. It's when you pave a roadway, you heat thick oils at a high temperature so that it can bind and set. Warm mix lets you heat that oil at a lower temperature because you're using an oil that is more viscous, thinner. And it works well on trails because it's not going to take the high demands and repeated pounding of a heavy truckload. You won't get deformation. We're used to use our recycled matter and we produce less carbon dioxide and other pollutants in the process.

>> Councilmember Liccardo: It's great, well, thank you for your innovation in that area. I assume we are early adopters of that technology.

>> San José trails was the first test case of this product in the south Bay.

>> Councilmember Liccardo: Exciting, that's great. And finally, on the page where you talked about all the different grants, we have been doing pretty well on the EMP, I wanted to give a special thanks to SVLG. I know Carl Guardino was up in Sacramento for a day last year lobbying on those, and I appreciate their support. Do we have candidate projects for this year's cycle of EMP grants already selected?

>> We are still considering projects, but we think that Coyote creek between Tasman and Montague would be a very strong candidate with the same association of highway 880 that's worked well for us for the past few years. And we're looking at potentially an extension to Thompson creek trail if the VTA projects out there have sufficient impacts that are already mitigated but we could mitigate further for.

>> Councilmember Liccardo: Great, okay, so those are the two then. Okay, wonderful. Councilmember Herrera.

>> Councilmember Herrera: Could you expand a little bit on the Thompson creek portion that you were thinking?

>> Okay, so VTA is working on bus rapid transit in the area. And last year we pursued this project with that -- we pursued Thompson creek with the VTA rapid transit in mind. It wasn't successful, and it's not entirely clear whether that was because there was a lot of competition from other agencies, or the addition of rapid transit buses is really minor in terms of environmental impacts. And so those may be some bigger gain projects were proposed. So we're going to explore that application again to see if we can strengthen it.

>> Councilmember Herrera: I guess we can take it offline but I'd like to know a little bit more where the improvements you're making whether they could connect with the VTA project, but we can talk more about that offline.

>> Certainly.

>> Councilmember Liccardo: Yeah, I think it's in that meeting at natural resource, and then we talked about the three projects, and it was clear that there were -- I think city staff did a great job getting two grants in that cycle. Because I'm guessing no other cities got that many. I'd be surprised if they did. I think they're definitely pushing as hard as they can. Okay, I see no cards from the members of the public. Is there a motion?

>> Councilmember Herrera: Motion to approve, accept the report with direction to look into expansion of the apps, Public Safety.

>> Councilmember Liccardo: All right, all in favor? None opposed, that passes unanimously. Thank you very much, gentlemen. Move on to item number 2, transportation system safety report. Good afternoon, Hans.

>> Hans Larsen: Good afternoon, Mr. Chair, members of the committee, I'm Hans Larsen director of transportation. Joining me in this report is our deputy director Laura Wells. And I'm very pleased to provide this report to the committee. That's focused on the safety of our transportation system. I think in all my years and in working with the committee, I think this is the first time that we've had a focused look at the topic of safety. And I think for all of us, safety is really our top priority and guides everything that we do. And I think we do a very good job of it. And -- but I think this is probably a good opportunity to work with our policy leaders and staff, and take a look at how we think about these programs, identify projects, and I think we're in a kind of an interesting time in which we have very clear direction from the council to shift how people travel in San José, with an increased focus on walking and biking. And so one of the things we'll highlight in this report are things that we're doing particularly to focus on safety for pedestrians and bicyclists as we're wanting to encourage more people to travel that way in San José. I think this is the time of this report is also very opportune. Tomorrow, at council, Councilmember Herrera and the mayor will be presenting a proclamation declaring the following day, October 3rd, as international walk-to-school day. And as part of our walk and roll San José program, we have 25 schools in San José that are signed up for this program, and we hope to have many thousands of schoolchildren around San José, walking and biking to school this coming Wednesday. And so this is a habit that we want particularly kids in our community, and as they grow up, you know, we have a lot more people walking and biking around our city. So it's very important particularly for our children that we provide a safe community now, and into the future. As we also work with council this last year we're fortunate to have some opportunity to increase investments in the area of transportation safety due to increased development activity. We have some funds available in the traffic CIP and we made some fairly significant new investments focused on transportation safety that are primarily based on encouraging more safe walking for pedestrians across our busy streets. And we wanted to share with the committee really the basis of our recommendations that we made last year, that is really based on the data that we're collecting that indicates that that's probably the area that we have the biggest need, is getting people safely across our major streets. So I'd like to share with you some of the data that we collect on a regular basis in terms of transportation safety. So what we wanted to do is, this is really the first report of its kind that we've done. We wanted to just introduce the topic. You have the written report. We'll supplement that with the data that we'll share with you here in a minute. But this happen we wanted to take any questions that you have,

and ideas that we may consider as we continue to improve our efforts in terms of providing safe transportation for the San José community. We do have council direction to come back in about six months, particularly to report on the 15 mile an hour pilot program that we started approximately six months ago. And so there's direction to come back in a year to the T&E committee to report on that program. So we thought we'd use that opportunity, say six months from now, to address that, and then any other input that you have for us here today. Okay? Left. You've seen this slide before. We've highlighted it in many of our budget presentations. I think we should be proud on San José's safety record for our transportation system. And I think the notable thing is that for the last 20 years, you can see a steady continuous improvement in terms of the safety of our city, as expressed by injury crash rate. And if you look back 20 years, you can see the lines dropping steadily, every few years, to the point at where we are today that we have an injury crash rate that is about half of the national average. So we feel very good about the success that we've had over many decades. One of the things, though, that do notice in the last few years is that there's been a flattening of the improvement, and generally we attribute that to, because of budget reasons, we've really had to cut back on our specific safety programs. But we're hoping that with this past year's council actions we're actually on a course of continuing our improvement. Overall, on a national basis, you know, transportation safety has improved. San José has improved faster than the national average but there are things like with vehicles are more safe, laws require safety in terms of seat belt use, we've got air bags as standard equipment in new vehicles. There's increased sort of penalties with drinking and driving, increase enforcement in those things. There's been some adjustments in terms of limiting the driving from kids at a younger age. And so there's a number of things from a policy level that contribute to an overall safety improvement. But I think what we do here in San José that's special is, really, a very rigorous focus on the data, and managing our system, and understanding where the problems are. One of the things that Laura and her team do on an annual basis, working with the police department and others, is looking at where we have all the crashes in San José, and looking for trends, issues, hot spots, problem areas, and then making conscious decisions in terms of how we allocate our resources, whether it's engineering, improvements, or it's aligning our enforcement activities so the police department has a top ten crash locations where they will specifically target their enforcement efforts. And San José has been a leader in the area of education. We have a nationally award winning street smarts program that is much more robust than most communities have. And so those are some of the elements of why we feel we're special, and especially, safe as a city in terms of transportation. But if you look at these, we're a city of almost a

million people so we got 2.8 crashes per thousand. So that does translate into about 2700 injury crashes that happen on San José streets each year. And certainly that's a lot of crashes, lots of injuries. And we want to continue to commit ourselves to driving those numbers down. So little bit on the data. The first slide here, if you look at, this is a multi-year history in terms of where the crashes are. So the vast majority of the crashes are vehicle-to-vehicle crashes. 12% are bike-vehicle. 11% are pedestrian-vehicle. But if you look at how people travel, is you know, over 90% of the travel in our community is by driving. We've got a couple of percentages each walking and biking. And so certainly if a bicyclist or a pedestrian gets hit with a vehicle it's more likely to result in an injury or worse. And so pedestrians and bicyclists really are our most sensitive users and we need to pay special attention to keeping them safe. Next slide. Wanted to highlight one of the key reasons are for collisions. And usually it is a combination of two things. Almost every collision has some element of a behavioral issue, that the driver or the motorist is doing something they shouldn't be doing that's a factor in the collision and then in some way they're also violating one of the rules of the road or safe practices. So the top 3 behavioral issues, this is national, national data, but we don't -- it's generally similar here in San José, is you get speeding, is the number 1 issue, in terms of a behavioral problem, where people are going faster than the speed limit. We have, you know, continue to have issues with people that are under the influence of alcohol or drugs or prescription medications and they're not supposed to be driving. And the third item that I wanted to highlight is becoming an increasing issue distracted driving that almost to the point that it's similar to driving under the influence is a growing concern and some have viewed this as an epidemic in terms of increase in distracted driving. And what we're finding and the reason why we recently partnered with AT&T, on a national campaign to stop texting and driving, is that texting while driving is becoming an increasing safety problem across the country. And is an area of significant concern. In term of violations, so the top one is failure to stay in your lane or on the road. Number 2, failure to obey signs or signals. Third one is failure to yield or an improper turn. So this is more at a kind of stop signs or turning in and out of a driveway and not watching for traffic. For something reason we've got the bottom there cut off. The other factors that contribute are weather, or environment. Certainly snow is not an issue here in San José, but on a heavy rain day when the roads get slippery or you have glare or lack of lighting, these are some of the other factors that can lead to collisions. So I bring this up as just something to be aware of, the type of issues or problems that people have that creates collisions. The next area, little difficult to talk about, but the reality is, we do have anywhere in the order of 25 to 40 fatalities on our roadways here in San

José. And you can see over the last five years how these numbers have varied. This chart shows in yellow fatalities that are vehicle to vehicle, green bicyclists, and we typically get one, two or three a year, and then the red bar is our pedestrian fatalities. I think one thing of concern as you look at last year's data, in 2011, is that we're now seeing the majority of our fatalities are pedestrians getting hit by vehicles on our roadways. So wanted to dig a little more deeply in terms of you know what are the key issues related to our most sensitive users, the pedestrians and bicyclists. I got a few slides here that help illustrate that. Clearly, most of the problems are happening on our major streets. These are our -- one-third of our street system generally are our major two but typically it's our four and six lane arterials that have higher speeds open them. They make up over a third of our street system, carry more traffic and have higher speeds. The neighborhood streets or our local roads are about two-thirds of our street system, but they represent only about 5% on where we have fatalities on pedestrians and bicyclists. Looking a little bit more on some of the other factors: Age and this is something that is an increased concern to us. If you look at the majority, vast majority of fatalities, it is more of an issue for the most senior members of our city population. Granted, there's a lot of concern and interest with schoolchildren, and the younger folks. You can see the distribution of their, generally, the younger members of our population, because they're a bit more healthy and if they get hit, they have more ability to recover. But again, it's generally an issue of adults, ages 30 and over. And particularly with a higher percentage of folks over 60, that are you know where we're having the biggest concern with fatalities. So one thing that we have a lot of programs and we'll talk about them in terms of safety at schools. And I think the reason why we have such good numbers for school age kids is because we have a very robust level of investment and keeping our kids safe as they come to and from school. But I think as a trend for us to think about is for the senior members of our population, do we have safe routes to seniors, are we focusing around senior centers and making sure that seniors in our community have safe places to walk and travel. The other slide I wanted to share with you in terms of looking at the data is the time of day. And clearly, you know, a majority of the fatalities that we have occur at the nighttime, and so that's probably not surprising. You've got lesser visibility and that is one of the reasons why, you know, the council and staff are focused on programs like relighting our city streets with whiter, brighter LED lights so that we have improved safety in our streets at nighttime. So just to -- if you took a look at what's sort of the typical case is in terms of fatalities what you would see most often is kind of the typical case. It's a senior citizen walking across you know one of our busy streets, four, six-lane arterial at night. And unfortunately many of them are jay walking

across these streets. That on our larger arterials there aren't even convenient places to cross between major signals. And so folks are choosing to cross middle of the block in order to get to where they want to go. And that is what we'll do is highlight as some of the programs that we have. And that's the primary driving factor around the investments that we recommended and council approved is that with the new moneys that we have that we're focusing our new programs on creating more safer pedestrian crossings on our major streets. And so we have a multiple year investment in that regard, I'll highlight that a little bit more on some of our other slides as well as some of our other programs. Let's start with our school safety programs and I think we should all feel very good in what we are doing in school safety. I think the data is showing that we do a very good job in keeping our kids safe at schools. We've got the adult crossing program managed by the police department, we have those at 115 locations. We supplement that with D.O.T.'s parking and traffic control officers. We have a ten-member staff that go out on a rotating basis that help enforce safe practices and proper parking arounds the schools. We have safety education. One of the new investments that we have is replacing the radar speed signs. So you can see the photo on the bottom left. One of the things that we find is, people don't realize how fast they're driving, particularly in a school zone. And if we can provide them radar feedback reminder that they're exceeding the limit, that often has been very effective in getting traffic to slow down. We are replacing the current signs that we have with the new generation of technology that allows us to actually collect data at the signs. And we can also adjust the timing of it. So if the school is not in session, or they start summer, we can activate or take down the signs or deactivate them, based on the timing. And we can do these remotely from our offices here at City Hall. But one of the cool things is that these signs actually have cameras in them and can collect speed data. So we can know, the level of compliance at the signs, so we can target enforcement efforts by the particularly if we're finding that we're getting exceedences at some locations. Part of the ability to get intelligence out there on our streets and being able to target our limited enforcement resources. As I mentioned we're piloting a 15 mile-an-hour school zone program at 3 schools and we'll be coming back in six months to report on the results of that. And then we're very pleased to have a \$1 million Bay Area grant to encourage safe travel by schoolchildren by walking and biking to school. And over the couple of years of this program we'll be working with a total of 35 schools that is both targeted towards improving safety at school, but increasing the amount of walking and biking. And so all the schools that have signed up to this are committed to a 20% mode shift, 20% increase in the amount of walking and biking, from where they are now to where they're going to be. And so this is not a one-time event once a year,

everybody walked to school. But it's really encouraging an everyday practice for more walking and biking. I think one of our last slides here is some of our new programs or ongoing programs. So we continue to have a basic level of service in dealing with collecting data, evaluating safety issues on our major streets, and some degree in our neighborhoods. There's three new investments that we are making. One is, some increased radar signs, not just focused at schools. But at locations where we have speed compliance issues. So we're deploying some more of those. After many years, of cutting programs for new and modified traffic signals, this year we have new investments that allows us to do I think about three traffic safety modifications or new signals at warranted locations. And then really our big program as I mentioned is enhanced crosswalks. We've allocated \$1 million a year targeted towards trying to improve pedestrian safety on our major streets. And we are identifying projects, working with each council office, to get sort of what, from the council offices or what they're hearing in terms of our safety concerns and crossing major streets, and then we're also looking at what our data is showing in terms of where we have problem areas. And then we're working with each council office on a district safety plan to develop a multiple year program to address the biggest safety concerns. So I think that's kind of an overview. Again I think you should all feel good about where we are in terms of safety. But safety is an area where you know, it's not something you rest on your laurels. There is a lot of improvement we can continue to do and through kind of a close working relationship with our policy makers and using data, we think that we can sort of get back on track in terms of having a deep positive improvement curve in terms of providing safety in our community. So appreciate the opportunity to provide a report on this and be happy to take any questions you have.

>> Councilmember Liccardo: Thank you very much Hans. I'd like to go to members of the public, if madam clerk would be nice enough to help us with the microphone. You have it already David, thank you, David Wall about.

>> Thank you for your kindness of in light of my disability today. First of all I think a new category should be added to this is that sidewalks are not mentioned as a transportation system. Way too often including Your Honor's memo for rules this week concerning sidewalk safety with reference to a child that could not using the sidewalk and went out on his bicycle and became a paraplegic, the other side of the issue is adults use these sidewalks, at warp 9, they could care less who is on the sidewalk and therefore it becomes problematic to create a permit to obstruct the sidewalk. For example, I use safety cones and my chair when I'm pruning my

roses. Bicyclists go past it and they have no regard for me sitting in a chair. I think that needs to be looked at. The \$61,000 for Cambrian 36, it reminds me of a little humorous rebellion that went on with Cambrian 36 with their exodus from San José. And I kind of find it hard that we have to pay money to Campbell for this road work and safety work. The mention too about traffic safety on our streets. It's time that council use its powers with our friend Roxann in Sacramento to poignantly tell the Sacramento folks that we need to dramatically increase the bail schedules for all traffic fines on our roadways. I mean we have to make it hurt to speed. We have to make it hurt to do a variety of distractions. One of which that doesn't make any sense: Governor Brown refused to increase the bail schedule for using cell phones for driving a car. That was just a few days ago. The other issue that I'd like to make is that I'm always saying about these grants that we get and we're thankful for these grants. But the grants usually have obligations that far exceed the amount of money that's required for staff to include over a period of time.

>> Councilmember Liccardo: Thank you, Mr. Wall. Okay we'll return to the committee for comments or questions. Councilmember Campos.

>> Councilmember Campos: Thank you. So let me start from the report. What you have up here, if you can go to the second slide, I'm reading my notes if I was looking at them. Because I will at the end of my questions have one major theme and I know Hans you and I have talked about it before. You attributed our vehicles from 1988 until now, have gotten much safer. We have had a lot of laws that have been enacted to improve the safety of you know, of vehicles, you know those occupants in vehicles. But how much of -- how much of that would you attribute really to our vehicles have gotten safer but how have our roads gotten safer from '88 to now?

>> Hans Larsen: That is a good question. I would probably go research that, but given that we're half of the national average today, if you look at the improvement lines there, probably half of it is associated with overall improvements to vehicle safety. The other half is associated with the special efforts that San José is taking. Above and beyond what, you know, is happening at a state and national level, that are special things that we're doing.

>> Councilmember Campos: So then on the -- let's see, I'm trying to make sense on how this -- I think it would be the sixth slide, the bike pedestrian fatalities side. 5% of the fatalities were on local roads. Would those be unfortunately the child that darted out in between cars, are we seeing that on local roads, as opposed to you know, other people running stop signs and you know, running someone over crossing a local road, what kind of incidences are we seeing on our neighborhood streets? Is the it more of those types?

>> Hans Larsen: I would say just kind of generally, usually, there -- it's probably a mix of a combination of things. If you look at sort of who's at fault, is it the motorist or is it the pedestrian or bicyclist, it's probably an even split where you have a motorist that perhaps was violating a traffic law or distracted in some way. And didn't see somebody that they should have seen. The other half of the cases is where, unfortunately, you may have a child or somebody else. Again, many of these are not children. So it's more adults that are popping out, surprising motorists or places where somebody wouldn't expect them to be. So it's probably a 50-50 mix if you were to assign fault, is it the pedestrian or the motorcyclist or bicyclist.

>> Councilmember Campos: A lot of things I'm sure my colleagues are hearing the same thing is people are zipping through streets where the posted speed limit might be 25 or 30 and people are just going ten to 15 miles an hour faster. And the common request are speed bumps. You know we know where that program is, it's nonexistent anymore. And still, I don't know if there's been a study on those streets that did get speed bumps and has that alleviated some of the initial concerns on those? I mean are speed bumps actually effective for calming traffic?

>> Hans Larsen: Yes, you're correct, yeah, we don't have a neighborhood traffic calming program. That was a service that was cut I think three years ago. So speed bumps, you know, the way that we manage the traffic calming devices like speed bumps or chokers or things like that is that usually there's some pros and cons associated with them. So for example speed bumps is that some people prefer not to be on a street with speed bumps because everyone has to go over them. There's the public safety concerns in terms of the accessibility. And so really, what it takes is, working with the community, looking at a range of solutions for the particular issue they have, and then coming to a consensus on the best solution is. So we do have speed bumps

in some parts of San José, and they've gone through the process and found to be what's most effective. So they do slow down traffic. But they have some other you know issues that need to be looked at at the same time.

>> Councilmember Campos: But do we have any studies that have shown, okay before speed bumps, these were the incidences of you know injuries or in some cases fatalities to now, are we seeing a huge change on those streets or we have not studied them?

>> Hans Larsen: Yeah, I don't think we have that kind of data on them. But if you look at our 1600 miles of local streets, it's probably very difficult for one particular neighborhood, before and after speed bumps, the number of incidents that's occurring in that area is so small, it would be very difficult to be able to ascertain, before or after, is it more safe less safe, determining what could be done if you have the resources to make it more safe.

>> Councilmember Campos: Okay, and I guess the last comment that I have or just something I would like to note, to me the most important variable that isn't here that we haven't even paid attention to are the drivers. People over the last 20 to 30 years have gotten to be worse drivers, you know, people, you know, blowing through stop signs, not making complete stops, most of these neighborhood streets that they connect into major arterials that have stop lights or stop signs. People just do not respect making that complete stop. And yes, we can -- we can educate the pedestrian to, well, you know, even at a stoplight, that gives you the right-of-way, as you're crossing the street, you still have to look both ways. We can do that. But if we don't do anything to also educate the driver, then, you know, we're probably going to stay at that level of you know 2.8, 2.7, 2.7 incident rate. We really, as a city I think, in my opinion, could go to the next level, we have to make a concerted effort to start telling the public, you got to be better drivers. And I don't know how -- other way to put it, but you know we have a couple of generations that have become worse drivers. And I'm sure there's factors, you know, driver's Ed have been reduced in schools and so forth. But you know [No audio]

>> Hans Larsen: Citywide state wide, national campaign in terms of helping correct behavior issues would certainly go a long way, I agree with that. I just need to go back to this slide you pointed out the concerns, or issues with speed bumps or neighborhood traffic safety. I think one of the perspectives we want to share with you,

that is if we are looking to improve safety statistically within the city it's really on our major roads where we have the most serious issues. I think it's often I'm a parent too and my kids go to school and there's a very strong feeling that you want to make sure your kids are protected when they're going to their neighborhood school. And clearly, there's a lot of interest and passion on that topic. And I think we've responded very well. But I think we're - - you know there's more that we can do out on the major streets to provide safe crossing locations. And again, we -- that's sort of what's guiding you know our recommendations in terms of new investments and I think we've got a lot more improvement we can make in those areas.

>> Councilmember Liccardo: Okay, Councilmember Herrera.

>> Councilmember Herrera: Thank you and thanks for the report, Hans, it's chock-full of all kinds of important things. I'll just start with something I was just thinking about. And that's if we're looking at where seniors cross, and you say that some of these issues are around somebody elderly or older crossing at night or crossing across the major roadway, do we know, do we have that identified which of these roads are the most dangerous in San José? Are we applying those resources? I think I'm hearing you say that, we're going to be applying resources to those areas.

>> Hans Larsen: Yes, as to what we have in the traffic capital improvement program, is \$1 million a year for five years. So we've got a multiyear effort in which we can do things like pedestrian activated flashing beacons, enhanced crosswalks, median refuge islands, so those are the type of things that we can put on our major streets that create a safe crossing location outside of the major signalized intersections. So we're working with each council office on a major street, pedestrian safety plan. And seeking your input, looking at our data, and coming up with a multi-year plan on where we can do these improvements.

>> Councilmember Herrera: So because we all hear from our constituents where they think the biggest problems are. And everybody's got their favorite street of where they think the problems are. And there probably are problems at all those streets. But I would also like if you guys had the hard data, that we merge those too because I think it's really critical and we need to hear the data that you bring to the table. In terms of again back to

the seniors. And we're looking forward to development in our city as development happens and we see these senior facilities being built, I'm wondering if we can take into account some kind of responsibility for those folks that live there, how they're going to cross major intersections. My point is that if we put a senior facility, assisted living facility say, where we know we have seniors that some may be ambulatory, some may have wheelchairs, some may have memory issues, many of them come and go but maybe have difficulty in ambulation, in being able to walk a long distance. That's partly what you're seeing when people are trying to cross highways, because it is a little bit more difficult for them to get to a light than it is for somebody who's more able bodied, right? So can we -- is it possible, or what do you think of the idea of having some responsibility then for those developers to help contribute to a safe crossing, if it's near any of these major -- if it's not near enough to the major intersection. I just want your thoughts on that.

>> Hans Larsen: Yes, that's certainly a factor as we look at projects that go through the development process. I think both we want to get more people walking and biking and to the infrastructure that's needed and the surroundings of the development I think we are taking a much more proactive look at you know where people say that are living in a senior housing project, where are they going to walk to?

>> Councilmember Herrera: Exactly.

>> Hans Larsen: Where is the library, where is the retail center that they can walk to? What are their walking routes and are there safe places for it? Then it's a negotiation process with the developer, and the community to try to get those things included. I think there's you know there's recent example of some projects on Jackson avenue where we've had some unfortunate incidents but we've had developer funding for two pedestrian activated crosswalks that are I think -- that are now installed, just been in, in the last couple of weeks. So we are making those connections with the development process.

>> Councilmember Herrera: Great, I guess I'm suggesting we do that on the front end so we have some more requirements to have that at least part of the process when someone is wanting to put a senior living facility there, because trying to rectify it later is a lot more problematic. I can think of some that are even in my district that I see

people that are trying to take the most natural cut-across path but it's not the safest. I think if we can avoid those things in the future by creating safe passages when we're considering having those built I think is the right way to go. I just wanted to bring that up. In terms of the pedestrian and bike injuries that we see, and I'm looking at your slide, the injury crashes. Are those numbers going up or down over time? I guess we're seeing more pedestrians, we're seeing 11% pedestrians out of the injury from 2007 to 2011, are these going up then the pedestrian, I think you showed that then that were.

>> Hans Larsen: On injury crashes or fatalities?

>> Councilmember Herrera: The fatalities.

>> Hans Larsen: Go tobacco this one here?

>> Councilmember Herrera: Yes, you showed that already.

>> Hans Larsen: On -- of all crashes in San José I mean these, the fatalities represent about 1%.

>> Councilmember Herrera: I meant injuries really. The injuries.

>> Hans Larsen: I think Laura you have a perspective?

>> Over the years, the number of pedestrians and bicyclists that have been injured, it's been holding steady about 630, 650. So as Hans mentioned we've improved significantly on the vehicles. But we need to address the safety for pedestrians and bicyclists.

>> Councilmember Liccardo: 650 a year? I'm sorry.

>> It's been varying about 630 to 650 injuries a year. And that includes fatalities.

>> Councilmember Liccardo: Sorry.

>> Councilmember Herrera: So the fatalities, we're having more fatalities, I think we're identifying these are folks crossing in the big -- I think we're identify the target area or target population that's having the fatalities but in general the numbers kind of stay in constant?

>> Correct.

>> Councilmember Herrera: I'm wondering we're trying to implement nor biking and walking programs. You would want to now how is that affecting --

>> Hans Larsen: I think we're seeing that while we're -- there is an increase in population and there is as we want it an increase in walking and biking that's occurring. So we have more people that are doing that, while other overall crashes are -- injury crashes are going down many the bike-ped area is staying fairly flat because we're getting more people walking and biking.

>> Councilmember Herrera: So we would -- it's maybe not as bad as we think, it's staying at least flat, even though we're having increase in population and more people biking and walking, and we obviously want to improve it, but at least we know we've done something right in creating our bicycle lanes and our ability for people to walk. Back on the speed limit. I know that I was very -- I was pushing back on the idea of raising the speed limit on capitol expressway when folks were wanting to do that and part of the reason I was not wanting to do that was because of the fatalities that could occur when a bike or a pedestrian encounters a car, and I felt like the faster speeding -- the speeding up is going to encourage even more speeding. Can you comment on that?

>> Hans Larsen: Well, certainly there's an association between the rate of speed and the severity of a crash, or injury, or fatality. One of the things, though, with -- I would just -- the way California speed law is structured, is that you know, it's based on -- based on the 85th percentile speed. So in order for it to be enforceable we need to

follow the rules we have in California. But there is I guess a safety argument for having that. And that, if you have a speed limit that is say artificially low, what you tend to do is get a greater variation in the speed on the facility. So some people will go the speed limit, some people will feel like it's comfortable to go faster. And you get a wide variety of different speeds on the facility. So if you set the speed limit at the 85th percentile, cars are traveling in a more consistent, predictable manner. And there's a case to be made that that's a safer condition, it's probably safer in the motorist perspective. But if you've got a pedestrian that's trying to cross a 50 mile-an-hour facility crossing mid block, that's not a good environment for pedestrians to be in. So I think really the focus is on the high speed facilities, is to create more safe crossing locations that -- where people can cross in a predictable, highly visible way, that you'll get greater safety on your facility.

>> Councilmember Herrera: I support that and I thank you for supporting me on not raising the speed limit on the area where we were trying to increase the walking and biking along capitol expressway where we have brand-new improvements.

>> Hans Larsen: Yeah, I think -- and that's an area where we were purposely trying to change the character of the street to be more multimodal and slower. And so to comply with the state laws based on high speed expressway was really counter to the direction that we wanted to take.

>> Councilmember Herrera: I appreciate that. I want to talk about humps and bumps and lumps and speed bumps to slow people down. I agree with Councilmember Campos, I hear that all the time from people wanting speed bumps ways to slow traffic down. Do we know from other cities since we don't have a study on those and I understand it's a small sample size here. And so the statistics on a small street are not going to be able to translate into whether that really works, the numbers aren't high enough to really give us a statistical relevance. But are there other cities that we know where they have used these? Does it -- because it is the most frequent -- the two frequent things I hear most is can you put speed bumps in or a new stop sign, those are the most frequent things I think on streets.

>> Councilmember Herrera, we have installed road bumps, speed bumps, speed lumps on several streets in the city. And generally, how they work is, they bring the average speed down to about 25 miles per hour. So where they have been effective are on the 25 mile-per-hour streets where the average may be 29 and 30 which is too high for a local neighborhood street, so they can be effective where speeds are abnormally high.

>> Councilmember Herrera: And I know that we no longer have traffic calming, and as you said, we haven't had it for three years, and that was as a result of the budget necessity of reducing our budget. Because we had over \$100 million in deficits for at least three years there, is that right, Hans?

>> Hans Larsen: That's correct.

>> Councilmember Herrera: It wasn't like we just wanted to get rid of it. We were forced to trim back, right?

>> Hans Larsen: Right.

>> Councilmember Herrera: To have to choose certain priorities. And so I know in your department you had to pick other priorities, and so there were things that you picked that -- where this got reduced. It's not because we wanted to reduce it, but it was a necessity, so that the city could get through its budget process. Just wanted to clarify that. Would you recommend in the future that we bring that back, or how would you see traffic calming coming back, would you comment on that?

>> Hans Larsen: Yes. I think we had a highly successful neighborhood traffic calming program. It does -- it is fairly labor-intensive to work with the neighborhoods, to collect the data, understand what the problems are, look at the alternatives and reach consensus. We had you know five years ago, an additional ten people that worked on neighborhood traffic calming. You know as -- if resources improve in the city I'm not sure that we would need to go sort of back to 10. But I'm getting sort of the feedback from my meetings with individual council offices. There seems to be certain hot spots or extreme issues within the neighborhoods that we could probably restore a modest neighborhood traffic calming program, to get to the most significant issues you know without

having to fully restore it to we were five and ten years ago when we had a very robust program. But that's something that we'll you know need to look at as part of the budget process you know for the next year or years as we kind of work through the citywide budget issues.

>> Councilmember Herrera: Five, ten years before my time but I do think there's value in the traffic program and I am interested because when so many residents want speed bumps I do think we need to explore ways to slow people down in some of these streets. And we also have problems with side shows and that's the skidding and the deliberately doing these things at night. It goes on all over my district. I'm sure it happens in other council districts, too. Would speed bumps -- because I've heard people ask you could you put dots or spots and would that stop the side show or would someone hit the dots and go careens into a house. I don't know about that issue have you looked for solutions to that issue?

>> Hans Larsen: Probably have to take a look at it on a case-by-case basis, whether it's something that can be corrected with some enforcement actions, if there's just a couple of individuals in the neighborhood that are doing it, or if we need to redesign the street in a way to prevent that. I think we'd have to look at that on a case-by-case basis.

>> Councilmember Herrera: Lighting along the streets, how is that playing a role in the pedestrian deaths along these major intersections, or is it at all? Is lighting an issue at all?

>> Hans Larsen: Yes, so one of the slides we have indicates that of the bike and ped fatalities, 62% of them are at night. So we do, the visibility of pedestrians or bicyclists we do feel is a factor. And our program to as I mentioned to relamp the city with whiter, brighter, lower-costing LED street lights, we think is a program we definitely want to continue with and implementing that Green Vision goal. And as we have moneys available for lighting, safety is certainly one of the priority factors that we look at.

>> Councilmember Herrera: I had one question on Montgomery elementary consume. This is one that we supported 15 mile-an-hour feed limit program. It's one of those radar schools. The radar system has a bag over it

or something some issue with it and I think it was disrupted by maybe some vandalism or something. Do we have any idea when that's going to be turned back on?

>> It should be activated soon. The purpose of that radar sign was to allow us to assess the effectiveness of just the 15 mile per hour static sign and the benefit of adding a radar sign. And so in the middle of collecting data, I think it was a week or so ago, one of the industrious high school students decided this is the time for the bag to come off. It basically made the data -- it was biased. The data should have already been recollected and it should be if it's not already activated it should be activated soon.

>> Councilmember Herrera: Great, thanks for that explanation, I appreciate that. And finally, I just want to say thank you to MTC, thank you to our staff for getting this walk and roll program. I know that I've been getting phone calls directly from students at schools in my neighborhood calling up and asking about the event on Wednesday. So people are really -- Carolyn Clark students, a shout out to them. They've been calling me asking if we're going to be out there, so they're very excited about it. And I think it's really great. I remember walking to school when I was a kid, and I think that walking to school is really great, when you create that safe passage for our kids to be able to walk. I think it will help parents, too, who drive in those neighborhoods realize that there are kids walking to school, and maybe it will help drivers pay a little bit more attention when they're driving through those areas. And I'm really glad that we've moved these things forward. I know that Councilmember Rocha and I put one time funding in on the Mayor's Budget Message back then for these radar feedback signs and I'm glad those are -- that's being done so that we can get those things replaced. Thank you.

>> Councilmember Liccardo: Thank you very much. Councilmember Rocha.

>> Councilmember Rocha: Thank you. I had a question on -- let me start with the report, thank you very much. Curious to ask you if you are interested, you did mention there was the first bun you'd done I guess. Are you interested in doing this as an annual?

>> Hans Larsen: Certainly if there's -- yes. I mean, we get you reports twice a year on bike improvements, and energy programs, and I think we all agree safety is a top priority in the community. So I think in the past we incorporated in the budget process, we felt compelled to bring this forward to the committee particularly to just seek guidance in terms of the direction we're going with the new investments that we have. And so I think as we're trying to kind of figure out how to apply our limited resources in the best way possible, I think staff having to check in with you our policy makers is valuable to us and as long as it's valuable to you, we think it's probably an appropriate thing to do at least annually.

>> Councilmember Rocha: Thank you. That's what I was hoping you'd say. The value for me is great, traffic improvements brought this to your attention for your department to do this. So as part of the recommendation for accepting the report I'd like to include direction to do that. Do you have any interest in this being referred to the council agenda and heard by the full council, or do you think this is appropriate or not?

>> Hans Larsen: As I mentioned, we do have council direction to review the 15 mile-an-hour program with the T&E committee. And perhaps, I know a particular councilmember who is interested in that program, not on this committee but would probably like to see that come forward to the full council. I could see perhaps March or April we come back with that report to the committee and if there's any questions you have or additional information you want, we'll be coming back in six months of this committee and we could roll that forward to council. That would be my suggestion.

>> Councilmember Rocha: Think it's a great idea, thank you. I this a question on make 2 of the memo analysis number 1 the traffic safety data. And we know this is across city departments in terms of the lack of staffing. Is there a backlog here in the reporting for you that you were getting from the police department? Or have they been providing it up to date?

>> We have been receiving the information timely. The backlog for us, and the challenge some is in entering that data. It's very labor-intensive to take the reports and enter it. So we do have a backlog that we're catching up on for calendar year 2012.

>> Councilmember Rocha: So it's more on your side not on the PD?

>> Correct.

>> Councilmember Rocha: Thank you. The school radar display signs, I'm trying to get a sense of which ones are the mobile ones and which ones are the permanent ones when you reference them in the report, whether it's the radar display signs, the new ones, or the radar speed display signs? Which ones are the mobile ones you can move around or which ones are the posted -- or are they all one or if other?

>> In the report it's mentioned twice. So some of the signs, the 20 signs will be replaced, they're permanent in school zones. And then the one-time special funding that was provided in the budget will provide permanent signs, about five of them, on the major roadways. Not necessarily in school zones. So both -- all of them are permanent scenes.

>> Councilmember Rocha: What about the mobile ones that you move from neighborhood to neighborhood and road to road?

>> Those are deployed by the police department. As a part of our elimination of our staffing a few years back, we don't have the capacity to deploy the mobile trailers anymore.

>> Councilmember Rocha: Okay so the funding side goes through PD for those?

>> Correct.

>> Councilmember Rocha: As far as this being efficient, is there any interest in pulling that back into D.O.T? Let's just say hypothetically funding is there, or do you think is still more valuable on PD side?

>> When we had our program, they also had their program. So they have staff that goes out into neighborhoods, that goes out to do enforcement, and they deploy these trailers as part of that effort.

>> Councilmember Rocha: But those don't track, correct? Or maybe I'm wrong.

>> I believe the new ones that they have do track.

>> Councilmember Rocha: But the old ones that they have don't track, they just show the speed limit, right?

>> Probably would be best for the police department to respond to that --

>> Councilmember Rocha: Gotcha, okay, I was curious on how we're tracking that.

>> But my understanding is, their new ones do track data.

>> Councilmember Rocha: Great, thank you. Page 4, number 3, other programs and projects, the reference to -- and you spoke to it a couple of times -- finalizing locations, staff will begin design activities including -- when do you expect all this will be finalized in terms of input from council?

>> Staff in our department have met with each of the council offices and have come up with the priority for this fiscal year as well as the priorities moving forward for next fiscal year. What we're currently doing right now is putting together the specifications for the flashing beacons which will be an integral aspect of most enhanced crosswalks, and our plan is to start implementing or start installing the enhanced crosswalks in the spring of 2013.

>> Councilmember Rocha: Okay, thank you. And as far as the PowerPoint, I had just a couple of comments.

And Councilmember Herrera raised one of them already, and that was my concern for the traffic or the pedestrian fatalities. The day and night one, the one you have listed here, and how us reducing street lights and

eliminating some are turning them off to reduce our cost has affect they had? I know there's been a couple of incidents in District 9 that we had even of evening pedestrian fatalities, very unfortunate. I guess I'm asking the question about you going forward in terms of your department. Are you looking maybe to turn them all back on eventually assuming the funding is there or are you going to continue with this, and I don't know how you -- what the term is for eliminating or turning something off.

>> Hans Larsen: So in termination of restoring lights where they were shut off, couple years back due to budget cuts, as we are relamping the city as part of the LED street light program, if we're in a corridor that has lights that are previously shut off, we're turning those back on as part of the LED installation program. We'll be coming back to this city for the program for hopefully more funding strategies to expand the LA service program. If we don't have the money to do it all at once, we would certainly set priorities for locating the new LED lights in areas particularly where we have safety concerns, and some of them are in the corridors where there have been lights shut off.

>> Councilmember Rocha: So we're only going to turn the ones back on where we do LED projects, not anywhere else?

>> Hans Larsen: That's kind of our thinking right now, to try to focus on the LED conversion. It is certain council discretion as a budget add, to look at restoring the lights that were shut off. I think it was about 800 lights a couple of years back. But you know we have restored, turned some of those lights on with the I think there's about 3,000 street lights that we have converted to LED, so some of them have been restored if they were part of these recent projection.

>> Councilmember Rocha: So if I'm hearing you correctly, that decision is based exclusively on budget issues, not some policy issue, that you think it's effective for us to turn them off in certain instances?

>> Hans Larsen: That's correct. Generally when we did look at strategically turning lights off it was done with the intent to not be a safety issue. And so you know there are parts of our street light system as it's developed over

time with individual develops that there's an area of redundancy in terms of lighting in some areas. We looked at areas where there was say a commercial development that had lots of lights and that the need for the public street lights wasn't as significant or considered somewhat redundant, so those are areas that we targeted. And then areas where we didn't feel like there was any pedestrian activity crossing the streets. That's some of the areas we looked at for the shut-off. It was a purposeful effort to not create a safety issue in areas where lights were turned off. But I think where we, particularly in your district, you know, we've had concerns with a couple of lights turned off because they were felt to be redundant. And then you get a copper wire theft that takes out some other lights and then pretty soon you have a dark spot that can create suspicion-bike fatalities, I'm cures that the number of crashes is similar to this graph. And that's probably something you don't have off the top of your head, or the research on, but I'm looking, this is exclusive the fatalities, not the actual crash.

>> Hans Larsen: These are fatalities. I would say certain if somebody is a senior citizen and they're hit, I mean, the likelihood of that being a fatality more than an injury certainly is you know for elderly people within our population, there's probably more of a tendency that a crash with somebody that's over 65, 60 is more likely to result in a failedddy than just ash injury, as opposed to somebody in, you know, a child or somebody under the age of 30. So I mean that would be probably some interesting information you could share with you if you're interested in that.

>> Councilmember Rocha: Thank you, I know that's not an analysis answer, more anecdotal than anything. But then I also look at the other slide that we were just talking about, and the day versus night, and more often than not the nightly fatalities I'm assuming are probably older folks, because the children are probably in bed or doing homework or in bed or whatever the case might be. I want to thank you for your work and your attention to this matter. It's been great working with your department on these issues from the Good Samaritan project to the Cherry Road, the new Almaden Ranch Project, that's going to hopefully come online. Potrero and Lee, and the Woodard, thank you very much, these are all great. And looking at these, I mean Good Sam's senior-oriented, Cherry is just a residential areay, and the Potrero and the Woodard are more focused on the school age crossing. So I appreciate your efforts very much on this. So I'd like to move to accept the report and recommend this as an annual report to the T&E Committee.

>> Councilmember Herrera: Second.

>> Councilmember Liccardo: Okay, there's been a motion and second. I just wanted to pick up where Don left off, I want to make a something, which you can take or disregard if you like. I really think that these three pie charts concerning fatalities 2700 injuries and just nothing that the nature of that small number is going to be highly skewed by anecdotal episodic events, you know, in the criminal justice context we tend to know more about crime trends, when we look at assaults rather than homicides, I think there's a similar kind of situation here. And I do think that because it's focused on fatalities, it may in fact skew the data a bit towards for instance major roads where you've got people driving 45 miles an hour as opposed to 25 miles an hour. So I just wonder if the numbers would be the same, and if they are, that's obviously very important information. If they're not I guess it is also. So I just think that the insight that Don had is a really important one for us to see the injury data. Seeing both would be fine, but really seeing the injury data would be helpful for me to understand what's driving the lack of safety. Because the data I see here is very surprising and very informative. And I think it's great when you guys are bringing out trends that are not so obvious, that 95% of the fatalities are on the major arterials, 87% are for folks over 30, I mean, this is clearly not what the public would read in the headlines, because the headlines would say just the opposite. They'd be saying spend all your money you know focusing on kids in neighborhoods. And there's good reason to do that, obviously, but that's not where the fatalities are. It would really be helpful to know where those injuries are.

>> Hans Larsen: Yeah, I think that's a very good point, and when we come back in the spring we would be happy to provide that to the committee. I think that's a good piece of information to have, to kind of understand the whole picture.

>> Councilmember Liccardo: Cool.

>> Hans Larsen: So I'd be happy to do that.

>> Councilmember Liccardo: Good, thank you. As we look at the injury crash rate, the bar chart, I think Councilmember Campos brought out some interesting points. I'm just wondering, I mean nationally, I'm sorry, the earlier bar chart where we look at the bars from 1988 to the present, that's it. Nationally we saw significant drops, right? I mean, I know that our rate is half the national average, but the sort of the slope of the line roughly is similar to what you would see in other cities, isn't it, in terms of just the declining rate of injury crashes from improvements in you know air bags and antilock brakes and all that. And the reason why I'm raising this is, is that fair to say?

>> Hans Larsen: Yes, yes. There is a trend of improvement on safety nationally, yeah, primarily because of improvements in vehicle safety.

>> Councilmember Liccardo: So I guess what I'm raising is is, I know we've flattened out and we have blipped upward a bit, but I raise the question, are there really just larger trends here that we are not going to have much effect over, in terms of how we spend dollars? And certainly we all know that in an individual intersection there are things we can do to make that intersection safer. But over 200 square miles, recognizing that really broad trends like demographics of the age of the drivers, for instance, which I know drives an enormous amount of the safety data that we see, or the availability of antilock brakes, that maybe those trends are just really much more controlling as we look at these bar charts, and the fact is that maybe the marginal gain is simply declining because we're at a point where we just don't have the newest innovation that's going to make us safer yet. Do you feel that way at all or --

>> Hans Larsen: Well, I think that there's two things. One is, I think we'll continue to see safety improvements because of technology with vehicles. If you look at sort of the autonomous google car.

>> Councilmember Liccardo: Yes, it terrifies me.

>> Hans Larsen: And the hundreds of sensors that are around them. I mean, that car can sense issues better than any human can. And so whether it's a cat crossing the road or a kid on a bicycle, vehicles are going to have

more sensing data on them that will hopefully make everybody safer. I think the area that -- we are we are better than the national average and I think it's because a focus on putting traffic signals in the right location, having protected turn pockets, upgrading standards to a larger signal head, is that there is a design standard that we apply in San José that is better than the national average. We are a newer city, too, so a lot of our infrastructure is built at a time you know where there are more modern standards. But I think that you know one of the things -- I was at a national conference last year and a person from the New York City Department of Transportation came up to me. And they were doing benchmarking work in terms of safety. And we were on the radar screen of New York City because of our tremendous safety numbers. And I say I'd love to buy you a cup of coffee and find out what you're doing. And really what is I think unfortunately maybe unique is that we take a very serious and rigorous approach to safety. Not every jurisdiction every year looks at their data, finds out where the problem spots are, and makes recommendations to attack those. Probably the more typical thing is anecdotal, oh, there's a crash here, let's do something there. So we feel good about the rigorous approach we've taken with safety. And by continuing to do that, I think we're really pleased with the resources we have and being able to target, you know, it's the four and six lane arterials that we need to make safer for pedestrians. I think that's an issue for San José. We built wide, fast roads, we built an auto-oriented community, and we want more people walking and biking. We're using the latest standards on bike design. We want to use more friendly standards for pedestrian crossings of our busy streets. And so I think we can see some improvements in the areas where we're getting the biggest problems by focusing on good pedestrian street design on the major roads.

>> Councilmember Liccardo: Hans, I appreciate that, and I know that for instance you're leading the effort on road diets which I know will be very important to accomplishing those goals on major thoroughfares. I think I'm trying to say something different. I'm not trying to take credit away from the Department of Transportation and the good work they're doing. What I'm doing is I'm looking at the slope of the line and I see it's clearly declining and it's flattening. And really what I'm wondering is are we seeing that across the country? In other words, the sharply declining line and then the flattening. I recognize the altitude is different. We're clearly doing much better than other cities in the fact that we have half as many injuries, that's a great thing. But what I'm worried is that we're getting a little bit wrapped into this notion that it's flattening because of budgetary considerations, for instance. It may be or it may not be. It could be the fact that we don't yet have on line the google car sensors that are going to

radically change you know car, auto behavior out there. And so I just raise the question because since 2008 we see it's clearly been flat. We also know there's a lot of smart phone use out there on the streets over that time. And we also know that changes in demographics may not be favoring safety over that time. It just seems to me there are reality large trend factors here in the fact that we don't have another \$500,000 to spend in three or four intersections isn't probably driving that number as much as those macro factors.

>> Hans Larsen: I hear what you're saying. I think that's another reason to continue to look at this closely and where those trends, I think to the point that Councilmember Campos made, look at Europe, they have safety rates half of what we have. And I think there are cultural factors there, in terms of how people drive in their cities and their awareness of pedestrians and bicyclists, automated enforcement on all of their facilities, there are things being done in other places outside the United States that you know are showing the ability to even be much more safer than we are. And so I think the education and cultural areas are certainly an area where you know as a country and as a city we could improve.

>> Councilmember Liccardo: Thank you. Okay, so there is a motion and second on the floor. All in favor? Any opposed? That passes unanimously. Thank you. Thanks Laura thanks Hans. We're now on the progress report on energy efficiency, D-3. Welcome mike, hello Matt, welcome.

>> Good afternoon, members of the committee, my name is Mike foster, publication and environmental services. I'm joined by Matt Morley from Public Works and Renee Irely from environmental services department. We're going to provide an update to you today on the third quarter activities for energy activities throughout the city including our municipal operations. I don't believe you have a presentation, maybe you do. I realize that we may not have provided the handouts and that was in an effort to save some trees and actually it's an oversight on our part so we can give you a copy of the handouts --

>> Councilmember Liccardo: I think that's type. We're fine.

>> But today we wanted to provide you an update of our municipal activities and our community activities and the earth of pace and community aggregation. July starting July 1st the municipal energy and green building program moved from environmental services department into Public Works. With an effort to streamline communication and our activities around energy efficiency on our municipal operations. So as such I wear two hats. I'm in Public Works and environmental services overseeing activities in both departments. It's been a great change, the same work is getting done by the same people. This just provides a more streamlined approach to communication and getting the work started and implemented. On our municipal efforts, this past quarter five energy audits and ten projects have been completed saving an estimated \$58,000 annually. To date we've completed 50 EECBG projects which are estimated to save about \$330,000 per year. All identified energy efficiency projects are on track to be completed by the end of the calendar year which is when our EECBG grant runs out. And during the next reporting period we will be beginning a major lighting retrofit projects on our police building and police parking garage. Changing out T-12s down to T-8s and we'll be changing out the lights in the parking structure to LEDs. We're expecting to see somewhere between a 7 to 10% reduction on energy use on that facility and the police building annex is one of the largest energy users in the city. So we expect to see some good savings as a result of this project being completed. On the LED street light Hans mentioned a little bit of this in his earlier presentation. As of yesterday, we had installed 1227 under our EECBG program. And we are currently saving about \$70,000 a year and have received \$135,000 in rebates from PG&E for this effort. On our municipal solar side, earlier this year we completed installations on four sites, at Kelly Park, our municipal water system, police athletic league and our south services yard. And we installed about 700 kilowatts of solar. And we've initiated the notice to proceed with design at four additional sites, including Tully library, pearl library, Willow Glen community center and the Alum Rock library and that will total just under 500 kilowatts of solar installed. We anticipate the construction will start later this month and be completed the end of this calendar year so we're very excited about that. In the works we also have our notice to proceed with design on the Almaden community center, Camden community center, lake Cunningham skate park, Mabury service yard, and three parking garages in downtown San José. So folks working on the solar side of things are busy. We have a lot of work in the pipeline and we are hoping to get that underway very, very soon. We expect that the projects in downtown and the pearl library will be completed by the first quarter of -- excuse me in the first quarter of 2013, and will total about 1.2 megawatts of solar installation. I'd also like to let you know that we've had the opportunity to apply for an extension for our

EECBG grant and so we've taken DOE up on that offer to apply for an extension. It would be a time-only extension for six months so that would take us to June of 2013 and this would allow us to complete a number of pipeline projects many of which I just talked about in the energy efficiency space LED street light space and solar installation. So again a time-only extension and we are optimistic that we will receive a favorable response by DOE later this month. Continuing along the lines on our municipal efforts, earlier this year the mayor and Councilmember Liccardo and Rocha directed staff to develop an RFP-RFQ process to select an energy service company to help the city achieve the following objectives. Replace all street lights with programmable controllable energy efficient LEDs, retrofit city buildings to improve energy efficiency and reduce operational costs, and finance the entire package of improvements solely from energy savings that have been guaranteed by the partner. This summer we've issued an RFQ and have received six proposals. We've evaluated those proposals and have a top candidate right now which is Chevron energy solutions. We are going to be starting negotiations with Chevron very, very soon, probably within the next week, and hope to return to council this fall with a recommendation. At the top three scores were very, very close, so if we're not able to come to an agreement with Chevron we have two strong candidates that we can start discussions with. So look for that recommendation coming to council later this year. On our community side, we've had, again, a very busy summer. Our better buildings program has been working very diligently in the Hillview Tockna neighborhood and on July 19th we held our first solarthon, installing solar systems on 13 homes in the neighborhood which will save those families \$450,000 over the life of the systems. So volunteer from environmental services, OED, district 8 and housing came out on the grid alternatives put solar out on the houses in the community. We are continuing to work with grid to install some additional systems in that neighborhood through the calendar year. Once completely we will have had 22 PV systems installed in the Hillview Tockna neighborhood through this program. The better buildings program grant was originally set to expire in September. We have been given an time-only extension by the Department of Energy to complete some of the work we've started in that neighborhood. The extension runs through the calendar year and so we are continuing to work with housing to implement their whole house rehab program and bring some energy efficiency improvements to the community there. So we're very excited about that extension as well. Our Silicon Valley energy watch our program cycle runs until 2012, at which point the Silicon Valley energy watch program will end. However, the California Public Utilities Commission is expected to decide next Tuesday the funding for the 2013-2014 program. Once the CPUC initiates that decision a final

hearing will be held in November and at that point the city will enter into negotiations with the PG&E for a 2013-2014 project. We are anticipating that the funding levels will be consistent with what they are now and there will be some new programming elements around the community side of things. So once the CPUC issues its decision we'll know what all those details look like. We have wrapped up our moderate income direct installation program which is part of the Silicon Valley energy watch serving almost 1700 homes and charging them over \$75,000 on their utility bills. Again once the CPUC issues its decision we expect new funding to begin in 2013. We are also launching a pilot program for in-home businesses throughout the county. We won't be targeting all formulate,000 in-home businesses but we'll be looking to focus our efforts on hot spots or high concentrations of in-home businesses. There's approximately 20,000 of those in-home businesses here in San José. So we've got a lot of work to do and we're very excited to partner with ecology action and QCS to rapidly enable the startup of this pilot in Q4 of this year. Once we get that program up and running we can certainly come back to T&E early next year with an update through the Green Vision annual update on projects to date. Our community energy champions grant which is a program that provided \$332,000 to a number of nonprofits throughout the county to really enable targeted energy efficiency efforts in hard to reach communities, we have a statewide conference on November 9th, hosted here at City Hall. We're very excited about that. Utility leaders, government officials, nonprofit leaders from across the state are going to be descending upon City Hall to listen to all the best practices our grantees have learned and embraced over the last year of their grant. And we hope that we can then replicate these efforts throughout the state. We have about 75 people registered so far and we're still about a month out and we are optimistic that we can achieve our goal of getting over 100 people at the conference. The community - - excuse me -- the green energy match is a program we've talked about the last couple of times we've been to T&E. It is an awards program for incentivizing energy efficiency in the home. By doing so residents can save energy and get coupons to local merchants in their neighborhood. And this program has been very, very effective. It was initially piloted in three neighborhoods in San José and July 1st, 2012 it expanded citywide one, due to the positive response that we received and also we realized we needed a larger data set to get really good analysis. So it's now citywide and we have enrolled 21 merchants in the program and have awarded 350 coupons to 318 households in the city. We're still seeing some really good results. Those folks that enroll in the program are still seeing an average of 20 to 24% reduction on their energy bill and saving about \$42 a month. In the world of pace, property assessed clean energy, there's been a tremendous amount of effort and work going on in this

space throughout the state. Since March, the city has been in discussions with the county of Santa Clara on the development of a pace program. And a pace program would essentially allow property owners to finance energy efficiency or solar work through their property tax bill. Since March, the industry is starting to see that more banks are starting to get involved in financing these types of projects. As banks are becoming much more familiar with how energy efficiency works they're able to monetize this and offer financing packages to commercial property owners so they can begin the work of energy efficiency. I think a note to mention here. On September 18th, California first which is a local pace provider launched its program in Santa Clara County under the California first program, property owners into an assessment project with the California statewide communities development authority to finance the installation of the eligible projects. In the assessment project property owners agreed to pay the cost of the improvements through a line item on their tax bill and that line-item obligation received seniority over first liens and subsequently the mortgage owner needs to provide written consent and acknowledgment to participate in the program. California first has been coordinating with the county of Santa Clara on the administrative aspects of getting this up and running but at this point in time because of the pending California Public Utilities commission action next week the pause button has been pressed. Once we get a full understanding of what the CPUC is going to direct the local utilities to do that will allow us to better understand how that impacts local pace programming or funding that could come to local jurisdictions that could cover pace funding. The pause button is probably going to be pressed for I would say another four to six weeks until we've had an opportunity to digest that information and get an understanding of what that will look like in Santa Clara County. so our next steps, again, continue to monitor pace development and monitor the CPUC's decision. We will be finalizing our escrow procurement this fall and coming back to council with recommendation and again continue to monitor community choice aggregation activity. With that there's been some activity up in San Francisco last week. San Francisco launched its community choice aggregation program called Clean power SF, which is administered by the San Francisco Public Utilities Commission which provides water and sewer and power to all of San Francisco's municipal operations. The SF PUC already generates about 20% of the City's energy needs through renewable sources like solar and hydro. San Francisco began their work on developing a community choice aggregation method in 2003, and in December of 2004 the SF Board of Supervisors appointed a CCA committee, and for the past eight years their staff has been going through program development to get to the point where they were last year where they launched the program. So it's been a tough row to hoe for San

Francisco, this has to get approved by the California Public Utilities Commission, and there's been a number of stakeholder meetings but they have been able to launch this program. The city is initially rolling the program out to less than a third of the residents and are anticipating less than 90,000 people to be enrolled in the program once it's up and running. Rates for Clean Power SF customers will be going up but unfortunately that information is not yet publicly available on their Website so we don't know by how much. So again that's something that we will continue to monitor as this program up in San Francisco gets rolled out. And folks you know, start to hear about the program and make a choice whether or not to opt-in. And then lastly on our next steps, once the CPUC issues its final ruling we'll begin negotiation with PG&E on a new contract for 2013-2014, and we would expect to bring an agreement before council in 2013, 2014 once we're able to hammer out an agreement. And with that open for questions.

>> Councilmember Liccardo: Questions, Councilmember Herrera.

>> Councilmember Herrera: So in terms of community choice aggregation for San Francisco, and I guess doesn't Marin have that program too?

>> They do.

>> Councilmember Herrera: Is San Francisco's goal, are they going to look at saving ratepayers any money, commercial ratepayers or is it basically the choice to be able to purchase clean energy? Can you help me with the motivation and what they think the results might be?

>> I think their goals are to provide 100% renewable sources of electricity for their ratepayers. Again clean power SF have acknowledged that their rates are going to go up for the customers that are part of that program. We just don't know by how much just yet.

>> Councilmember Herrera: So obviously then if that's the desire then you need to have ratepayers that are going to be able to pay that premium and have those kind of environmental values. So you can see why Marin was maybe one of the places -- I don't know how successful Marin is --

>> Marin is probably population that's a couple hundred thousand fewer than San José. And that's why their expectations are around 90,000 people participating in the program. So roughly not quite a third of their city. But they do expect that those folks that place a high value on receiving clean, renewable energy, will be willing to pay that premium.

>> Councilmember Herrera: Obviously if you could have, that would help if we could have a higher percentage able to do that, that would help us achieve our Green Vision goals. But I also have another goal and that's to be able to provide a lower-cost energy and especially some of our commercial users. I look at cities nearby us who have a little more control over their energy source like Santa Clara and how they've had a competitive advantage with companies who really demand clean power and I mean interference -- I'm not saying in clean in the terms of source but the kind of interference you would have in the general power grid they have been able to do that better. And I was hoping CCA might provide some of that opportunity for us. Do you see anything in the future, with it moving in that direction or do you see any possibility of that?

>> I think there's a number of factors that are all -- that would -- we would have to take into consideration. If we were to embrace this CCA model in something. Currently PG&E pays a tax to the city, a franchise fee. And under a CCA the city may lose that. And that's around six to \$8 million a year right now to the General Fund. I think we would want to make sure that our program is whole for the city and we don't create a hole in the General Fund just to offer clean power to the residents. So it's something that we are looking at, and I think is more large scale solar comes online throughout the Western Hemisphere or excuse me the western U.S., we may see some of those rates for renewable energy come down. I don't think that that's a short term occurrence, though.

>> Councilmember Herrera: So it's a longer term proposition.

>> Yes.

>> Councilmember Herrera: And what about direct feed-in tariffs or direct access, any of those items, is there a I forget which one it is one of them allows the onlier of the solar to sell back more to PG&E more than they use and so --

>> And that continues to be an opportunity that we can look at.

>> Councilmember Herrera: So I know there had to be some state changes on that right? I'm hoping that as we get more commercial solar that we're going to have a little bit more discretion on how providers can utilize that so there's more incentive to produce more.

>> Councilmember Rocha: I think just one question, really, and that was on page 2, the municipal energy and solar program, second paragraph in that section. In anticipation of energy proficient for three city facilities conditioned and then the indicator of limitations in the scope of this effort. So who did those audits, we did them internally through our own staff?

>> Yeah, councilmember, Matt Morley, deputy director of Public Works. We did have a company that's on contract with us that did the audits for us. They were professional investment grade audits that were done.

>> Councilmember Rocha: So then that references the scope of procurement in terms of the indicator?

>> Yes.

>> Councilmember Rocha: So how did that -- how did this assumption I guess affect the RFQ that we did? Did it affect the scope so to speak?

>> We left the RFQ very broad, and with the understanding that the company Chevron or whoever it ends up being in the end would need to actually get in there themselves and do some audits. We did want to get a taste of where we're headed and when we're seeing. In terms of the audits themselves, those audits combined with energy usage should hone us in on where and the big bang .

>> Councilmember Rocha: Gotcha, can you share with me the three --

>> One off the top of my head that was pearl library and we did a fire station and we did Berryessa community center.

>> Councilmember Rocha: What was the cost to us to do those with that contract?

>> We used EECBG numbers, in other words, other people's money. I don't remember off the top of my head.

>> We can provide the number for you.

>> Councilmember Rocha: I'm curious the cost of something like that. Other than that, appreciate your work. I guess one general question long term and maybe I'm.

>> Mayor Reed: Correct in this assumption but I'm getting the impression that some of these grants just may be -- grant opportunities might be there as often as they have been in the past just the nature of funding and sources and governments reductions et cetera. As far as our strategy lock term outside of that horizon what are we thinking in terms of moving towards our Green Vision?

>> You are correct, there are -- the federal grants that we have received around energy efficiency are, assuming we get our six months' extension will go away June 30th of 2013. And all the tea leaves in Washington are indicating there will be no more federal money for this type of work. The city is somewhat uniquely situated in the fact that we have an energy fund energy upgrades on our municipal buildings. We also have the opportunity with

whatever ESCO provider we eventually select. So I think there are still opportunities ahead of us to make energy efficiency goal though is really on the community side since our residents and our businesses are really using the lion's share of energy and electricity in the City of San José. On municipal operations we have been really successful, citywide we've reduced our energy usage by about 12%, we have been investments on our municipal facilities and programs like the Silicon Valley energy watch and working with PG&E are there to activate the community side of things.

>> And would you have any idea purpose how many -- thank you for the answer, it's very helpful, how many employees we have that are funded entirely by grant funds?

>> All of our energy staff so that's currently four people.

>> Councilmember Rocha: Four people, okay, thank you.

>> It's in the memo as well.

>> Councilmember Liccardo: Councilmember, the last --

>> Councilmember Rocha: I didn't know if there was anything beyond, okay, thank you.

>> Councilmember Liccardo: Councilmember Campos.

>> Councilmember Campos: Use this opportunity to bring forward my broken record. The status, the work plan, it would be under the connection that lasts the fourth quarter projects or the four city properties, Alum Rock library, pearl library, Tully and Willow Glen, those will be done in the fourth quarter?

>> Yes, we are starting construction.

>> Councilmember Campos: Building has not begun?

>> Correct.

>> I'm assuming those are solar structures on the parking lot?

>> The majority are going to be solar structures on the rooftop.

>> The not the parking lot of the library.

>> Councilmember Campos: So given that again, that's a very -- the architectural design is very rural, you know, it's next to the creek, what will those structures look like? I mean are they going to enhance or detract from those existing projects?

>> The structure will look something like what's on the screen now. We are working with our provider, solar city, to meet council direction around having cash flow positive in year 1. And we have certain restrictions on architectural elements that we can or can't include, based on that direction. But --

>> Councilmember Campos: So in other words as you walk to the trail head, you know, you're going to get onto the trail or you're going to be at the ballpark knowing that you are in a sort of urban country type environment, that's what you will see, you will see something that really has taken away from, you know, this semi rural feel. Which I think is a shame. Again, as long as we start doing these, and you know, if all we're looking at is dollars and cents, I will continue to play that broken record. Because I really think that we are doing our community a disservice, since that's probably going to be there for a couple of decades. And I just think it's a shame that kids, Eastside kids when they go play baseball, the backdrop on one end is a beautiful riparian setback. You know, with you know the creek going through, a nice trail and on the other end is something that just is not appealing next to their library, where the architectural design was to enhance the area given that it's next to that rural-urban setting. Anyway those are my comments.

>> Councilmember Liccardo: Okay, we have one card from member of the public, David Wall.

>> This report fails to discuss water pollution control plant's energy with reference to first of all the digester rehabilitation program that creates methane gas that's used by our engines to create energy. But it's specific reference by a very boondoggled city council of City of San José to create the fuel cell out at the water pollution control plant. Now because of the incompetent decision to appoint a have allowed the digester gases not to be used. Which means that you're paying PG&E gas rates, natural gas rates, for the fuel cell to create electricity that is sold back to the city at a higher rate than PG&E electricity. That's just one grossly incompetent aspect of what's going on at the water pollution control plant. Second of all there is no really discussion about how much the solar project costs over the term. We see all this grandiose savings over today but how much has it cost over the life of the program with reference to the snawtle of the program? Two, we don't see the long term obligations that the city is going to have to pick up to have employees maintain these programs. And above all we don't see any discussion about cap in trade that's going to kick in, in 2013, with the reference to the sell back of PG&E electricity. For example, the solar power, can you sell it back to get credits or not? So we don't really have a complete report from a department, the third largest department, the most well funded department in the city. And I find that to be very unacceptable. Because that doesn't give the decision-makers any real ability to make a decision. And that's why I see, and the city sees, unfortunately, the support of incompetency,s where you are not well served.

>> Councilmember Liccardo: Thank you, Mr. Wall. Okay.

>> I have one question.

>> Councilmember Liccardo: Yes, Councilmember Herrera you'll have to be brief because we have --

>> Councilmember Herrera: The skate park.

>> Lake Cunningham skate park.

>> Councilmember Herrera: Alake Cunningham skate park, I didn't see that on the list, when is that planned? Or maybe I just missed it. That is on the list for solar?

>> It is. Notice for intent to proceed with design, I'll want to say this month, we'll say November to be safe with construction to be completed in the first quarter of 2013.

>> Councilmember Herrera: And that would be in the parking lot?

>> Yes.

>> Councilmember Herrera: And I want to say the parking lot and I certainly hear what Councilmember Campos is saying, what I think shade it provides because otherwise in the summer you've got the sun beeten down on their cars. so people have thank you.

>> Councilmember Liccardo: Use a quick question about the commercial pace, the RFQ is on commercial pace only is that right?

>> Yes.

>> Councilmember Liccardo: Is there going to be independent opportunity for us to review that decision have any input into that decision?

>> Which decision, the county's decision or CPUC's decision. Mr. I know the CPUC is going to do what it's going to do, the county understanding making sure we're the vendor, what we're comfortable with, I know the county is making regional decision and they're the ones going to be far nor.

>> County on the development of that RFQ, and the approach that the county was taking back in March is a little bit different than they're taking now. The approach that they're taking now is to select a number of pace providers to offer a pace program in the county. It would be very similar to the energy upgrade California model where the company basically vets four or five providers and choose any one of those vendors and there's a level of insurance that they've gone through proper vetting and they've got funding tied to their program. .

>> Councilmember Liccardo: So we don't have locked into one vendor?

>> Right.

>> Councilmember Liccardo: That great. I just wanted to pass along kudos for the fantastic I think it's a great way to really address you know trying to bring these kinds of savings from energy efficiency into small businesses, particularly a lot of struggling home tax preparers in our area, that's a great reason we are thank you.

>> I'll make a quick comment in home support services is aiming or geared towards in-home to the needs about the makeup of small business, in-home businesses as well as the energy profile. So I think Silicon Valley energy watch is going to benefit and the utility is going to benefit by getting some really good detail. Councilmember Campos.

>> Councilmember Campos: I just wanted to be very clear that I'm not saying either/or, we have panels or we don't. I'm just saying we need to respect the integrity of the environment. And I keep pointing to the Water District. Go to their parking lot. Puff parking structure provides a lot of shade and it respects that it's next to a lake and it's next to again a rural-urban environment. That's all I'm saying. Thank you.

>> Councilmember Liccardo: All right we just need a motion to accept the report.

>> So move.

>> Councilmember Herrera: Second.

>> Councilmember Liccardo: All in favor, that passes unanimously. Move on to transportation innovations, item D-4. Hi, Laurel.

>> Laurel Prevetti: Good afternoon, I'm Laurel Prevetti, assistant director of Planning, Building, and Code Enforcement and with me this afternoon is our director of transportation, Hans Larsen. We're here to give you an update as to where we are with transportation innovations, particularly for high density developments in San José. A little bit of background. We've been discussing this since 2008. Based on a memorandum that came to our rules committee from councilmembers Liccardo, Chirco and others. And we have been talking about specifically ecopass and car share and how we can create incentives to ask private development to essentially provide these mechanisms to our population. We did an update back to this committee, in 2009 and 2010, to explain our existing parking regulations. And how they related to ecopasses and car share. A key milestone was reached in November of 2011 when the council adopted the new general plan with its very ambitious goals to reduce vehicle miles traveled in the City of San José. That essentially set a new goal for us, which put into perspective the importance of car share, ecopasses, bicycling as well as other modes to really create a wide variety of ways for our population to move throughout our city. In February of this calendar year council raised these incentives as one of the priority ordinances, and again, council mentioned it in May of 2012 when it adopted the downtown incentive. So this has been with us, so as a result now, we are really looking hard at how do we move these initiatives forward? So let's first talk about ecopasses. We are currently doing research right now, that really evaluates how this program is working. VTA in particular is working with its -- through its committee structure and ultimately the board, to provide key updates in terms of how well this program is working for residential clients as well as for employers. They're looking at how to enhance its marketing. They're also looking at the price structure with the possibility of prices increasing. As well as how to gather data on the actual ecopass use. Which is the second point on our slide. As we have been thinking about I.T. as staff we realize how great it would be to give out the ecopasses, but under the current program there is no way to monitor the frequency or use of the actual ecopass. There is some debate in the literature about whether it's more effective to provide the

passes to residents versus employees. There's some data that may suggest that we can actually drive higher ridership if it's the destination or the office park that's actually distributing the ecopass as opposed to the residential. There's also discussion about how ecopasses may become a disincentive for construction. So if it's perceived as one more cost of business here in San José, that may actually create a disincentive for construction in the city. So we're a little bit cautious about highway we move forward and let me ask Hans to add a few additional points on this.

>> Hans Larsen: Yes, Laurel. Briefly, the VTA is underway with evaluation of their program. My understanding is they'll have an informational report to VTA board next month with progress of what they've done. Some of the key issues, they believe the ecopass is currently underpriced and as a pass policy they're trying to achieve a program that's revenue neutral. And as laurel indicated, the indications that we hear from VTA is that the cost of the program will likely increase if they're to comply with the revenue neutral goal. They are looking at evolving the ecopass into something like the clipper card where you can have electronic data collection, so that you can have realtime information in terms of the use of it. They are wanting to increase the availability of it, and so by providing some I guess more robust marketing of the program to a variety of different users, so whether it's -- if it's on the job site or offers are residential universities, other transit agencies that have these programs also make them available as part of the student busing program. So where they're reaching middle schools and high schools. So those are some of the things we're looking at. Their goal is to have the updated ecopass program completed by spring of 2013. And so that I think aligns very well with some of the evaluations that we're doing on the city side in this regard.

>> Laurel Prevetti: Thank you. The next item we want to update you on is car share. As you know the city council has accomplished quite a bit in this regard. In terms of creating car share opportunities on our public streets, here in San José, we will be evaluating that in about six months to look at some additional expansion opportunities within our city. For purposes of the incentive package however, we also need to start turning our attention to private development and what are the opportunities to require developers to provide car share spaces within their own garages. So again we are looking at the pros and cons of how car share can actually drive some change in behavior and we're looking at this, we want to be sure again that we are not creating a disincentive for

high density construction in our city. We're also in our discussions talking about the pluses and minuses of putting car share spaces in less visible location. People who are living in a high density project or working in a high density situation certainly would know that car share was available but the general population might not be aware of those additional car share spaces so that's another thing that we are currently evaluating. Hans did you have comments?

>> Hans Larsen: Yes to give the committee an update on the actions the council took last month to expand car share services in San José we currently have, let me back up president when the effort was initiated in this regard back in 2008, you know how do we create incentives for developers to include car share, really, the first step was how can we just get a car share service here? And that was really -- did we needed to establish the presence of car share service before we could then expand on the use of it through the development process. So I think that we've gotten to the point where we've gotten that over the goal line. Zip car is here. They have 13 vehicles in the downtown. Last month the council approved an incentive package that allows up to 40 spaces available for free parking on city streets, as well as in city parking facilities. And the direction based on the motion of Councilmember Liccardo, was to break that up into two phases. Initially, allow 20 spaces to be allocated, and then, do a -- in six months come back to the T&E committee, review how the program's going and then consider another 20 spaces, that could be considered at citywide locations. So we have put out a request for interest in the first 20 spaces. There's only one vendor that expressed an interest and that is city car share. We are in negotiations with them on the particular locations. We are working with the downtown --

>> Councilmember Liccardo: Did you mean zip car?

>> Hans Larsen: What did I say?

>> Councilmember Liccardo: I think you set city car share.

>> Hans Larsen: Sorry the meeting with the downtown association tomorrow in looking at the particular locations that are being requested and if everything goes well we hope to have an agreement with zip car by the end of this

month for the 20 additional spots. So we'll be coming back to this committee as council directed in six months. So that would be an opportune time to review the status of car share program and also could be a time for some follow-up work on this particular topic if that's of interest to the committee.

>> Laurel Prevetti: Thank you. As we have been considering ecopasses and car share we have been recognizing that drive behavior. One of the things we have been studying and has been mentioned in prior reports is it's probably time to look seriously at reducing our parking requirements. We're thinking that it might be wise to start as a pilot and perhaps the downtown is the best place to do that. And there are several things that we're looking at. Unbundling parking. Which means that when a resident purchases a condominium in the downtown area there won't be an automatic parking space or two that goes with it. Instead the resident would need to pay for the privilege of that parking space. So that's what unbundling means. We're also looking at lowering the minimums in downtown. Of course we've got our lowest parking requirements. We may even drive those lower or go to zero which is really where staff is coming from. We're thinking why don't we just say there's no parking requirement, that way developers won't have the expense of building those garages, and hopefully that could be an incentive in and of itself. We're also looking at the location of parking. If we can encourage developers to put the parking either underground or wrap the parking with active retail uses, that that may also be a way of encouraging less parking. We're thinking a combined strategy might be one way to go for San José. And again perhaps starting with the downtown. And what we're thinking is that if we reduce our parking minimums to zero, or significantly lower, but the developer comes back and says you know my financing agent still wants me to provide huge amounts of parking we'll say okay but for every extra parking space beyond that minimum you'll need to provide an offset. And maybe it's in that framework, then, that we say you must then provide ecopasses or certain number of car share spaces for every parking space or every five parking spaces that exceed the minimum. And in that way, we're creating an incentive to put in place these new programs within our city. In terms of next steps, we're going to continue to monitor VTA's work on the ecopass. As Hans mentioned we've got a car share program status report coming to you in spring. We need to do outreach to our development community, as well as our neighborhoods, on these proposed requirements. As you can imagine there are a lot of views on both sides of parking reductions. We do want to come back to committee with a draft ordinance, and one question we have for you this afternoon is whether we should come back to committee with those proposals, or we should go directly to

city council with any changes to the municipal code. And then we're going to continue our efforts working on enhancing and building out our bicycle master plan as well as increasing transit choices. Because we really need all modes to be in place to drive the vehicle miles traveled that we're hoping to achieve in the city. And with that, Hans and I are available for questions and comments in any other direction you wish to provide to us. Thank you.

>> Councilmember Liccardo: Councilmember Rocha.

>> Councilmember Rocha: Only one comment, thank you for your work. Just biting my tongue here but I think I come from a different space than you on page 2, the administration can explore different directions to parking reduction again overly aggressive, this is made of a lot of policy work and general plan and a lot of the direction people are going. Sorry I'm struggling because I'm not sure I'm there yet. I'm sure after a couple of years I'm sure I'll get closer to that, thank you.

>> Councilmember Liccardo: This is not every part of the city that we're going to be pushing these incentives, it's.

>> Laurel Prevetti: Downtown San José and future urban villages might be other location but other places such as our neighborhood business districts, et cetera. I think we would like to start slow and see success and adapt it to other subareas of San José as appropriate.

>> Councilmember Rocha: That sounds like a lot more than just the high density high rise.

>> Councilmember Liccardo: Councilmember Herrera.

>> Councilmember Herrera: Thank you Laurel for your report, I want to thank Councilmember Liccardo for his leadership on the car share and other committee, I'd recommend that and also working with the development committee and getting their input is very critical so I'm sure they've got a few thoughts on this and I would think moving in a pilot project, in making sure that we're not having fleeing consequences in terms of I think we're still at

the point of selling or you know the high rises aren't a resounding success so pulling the parking out from under them in a haphazard manner I know you're not suggest that, but we ought to be careful and not create a disincentive there. I would support it but I think we have to be careful how vats and their capability to support you know transportation alternatives to cars, needs to be there too. It needs to be matching what we're trying to do in terms of reducing the cars. And there are folks that have trouble walking several blocks away from their car. If we're putting parking away from the structures and I think we just need to make sure we're taking care of all the residents' needs we have as we're moving forward on this. Thank you.

>> Councilmember Liccardo: Okay. I was actually -- I wanted to take a look at that slide again where you had the combination of incentives. And I know originally when this was being formulated several years ago there was a slightly different actually the converse approach, which was that we would require contributions to things like ecopass and car share in exchange for reducing the parking minimum. And I see you guys have been thinking about, I think it's an interesting wrinkle. What I'm concerned about is that this really saddles a developer with more cost and more parking than they'd otherwise want. And you've got the parking and really no incentive for a resident to want to use car share ecopass if they're required by the bank to have the parking anyway. And so I guess I guess my concern is when the conversation happens between the lender or whoever is providing the equity to the developer this formulation isn't likely as I see it isn't likely to get us home in terms of really incentivizing the incorporation of these alternative modes as much as maybe a more straight forward approach which is hey we'll shave some parking requirements on you if you guys just use this.

>> Laurel Prevetti: Well we've been working with downtown builders since the '80s and we've told them we already don't offer or require as much parking as developers would like to provide. And they've always said, no, we want to provide the parking. So I think it's really how do we create a situation where people, where the builders don't build all that parking. But I think through -- I think you're raising an excellent point. And as we have the conversations and do the outreach, we'll figure out where that sweet spot is, so that we're getting both what we need in terms of creating more opportunities for ecopasses and car share, without overly burdening our development community with parking requirement. So I think you know, I can see your point. And it's one of the reasons why we want to start doing the outreach.

>> Councilmember Liccardo: Okay, well I guess maybe one thing I just suggest as something to think about is how we also use the public spaces available to us. I know we're going out now to look at more onstreet spaces where we can identify car share opportunities. But you know maybe actually telling developers we'll dedicate a couple on street spaces in front of your development in exchange for your commitment to unbundle parking and maybe kick in some money for clipper card usage for your residents. Anything like that. I just wonder if we can maybe use the tools we have beyond parking requirements to be able to incentivize good behavior.

>> Laurel Prevetti: Okay, we'll take a look at that at west. Thank you.

>> Councilmember Liccardo: Okay well thank you and I appreciate your willingness to actually Councilmember Herrera's suggestion to bring this back to T&E committee I think that would be a good approach. One member of the public David Wall would like to speak.

>> Thank you. The ecopass program within the City of San José has been nothing but a legendary case study in hypocrisy. with reference to high density living these high density living projects in the city, spent tens of hundreds of millions of has been nothing but a failure the on street parking requirements have reduced neighborhoods into blight. In addition you're going to have increased possible enforcement of the municipal regional storm drain permit. These parks don't move. You don't have parking enforcement to force those cars to move. Trash is building up all over the place. So when I hear staff give such a report, I think staff needs to get a pair of bib overalls and perhaps pick up some trash when it comes reference to parking in addition spur having any dealing with traffic enforcement ordinances most people don't understand that spur lobbied the metropolitan transportation committee to have a couple of extra positions for San José on it. Whether or not that is a good idea or not, that is not an issue. That happened, now spur, for its reward, gets to come in with unknown stakeholders to start writing San José transportation ordinances that favor the urbanist community which wants to just basically get rid of cars. We have seen this throughout the United States. Nobody is going to give up their cars, but a few handful of people. Cars are developing further and furl to they're not using gas, they're cheaper, they're not going to be gotten away with. Focusing on high density living is just a losing proposition no matter where you go. So

therefore your report is just riddled with flaws and there is no discussion about the insane habitat conservation plan with reference to nitrogen deposition fee referencing these car-shares. And how you going to deal with the disabled issue? Disabled people going to have to have their own placards to use these cars?

>> Councilmember Liccardo: Thank you, Mr. Wall. I think we just need a motion to receive the report.

>> Councilmember Herrera: Motion to approve with bringing it back to the committee. T&E committee.

>> Councilmember Liccardo: All in favor? That passes unanimously. Thank you very much. And finally we're on supermitigations. Laurel.

>> Laurel Prevetti: Thank you, Laurel Prevetti, assistant director for Planning, Building, and Code Enforcement. Very briefly and mindful of the time, the report you have before you is an update on our mitigation monitoring reporting requirements as required by the California state law California Environmental Quality Act. This report is distinguished from other reports in that we actually provide to you some monitoring charts for your consideration. Attachment A lists the project that are currently going through they have gone through all the public grating permit stage or the building permit stage what's important with that is typically all the mitigations that are required have to be fulfilled at this point in the development process. So you'll see, we've got a number of activities going on for different developments throughout the city residential projects, Cisco parking structures, et cetera. And we are in fact using those development programs to make sure that they are doing all of the preconstruction and tree protection mitigations that are listed in the chart. Attachment B for your consideration, I apologize for the small print size, is really divided into two components. One are those projects that have successfully done their mitigation monitoring, those are what we call have a green light. That means they're current with all their mitigations which includes projects such as the Guadalupe landfill, the Los Gatos creek trail, happy hollow creek private development but also our city projects. And then at the very last page of the staff report are those projects that have not successfully done their mitigations. And these are projects we consider have the red light. And again, it's a mixture of city public projects as well as private development. Some of these projects have resulted in enforcement, so for example, with valley Christian schools there were a number of

mitigation measures that were not implemented with their last permit and so now they are taking advantage of the rezoning process to essentially reset their clock, get rid of mitigation measures that were previously required of them, and then, that zoning will be coming back before the city council for its final adoption. So again, it provides the public an opportunity to comment on this. So we're -- this is something that we've talked about with the committee that we really wanted to identify our builders that are doing well, as well as those that could be doing a little bit better, hoping that this will incentivize everyone to get into the green light column. And again in the interest of time, that's really all I wanted to say, in terms of a verbal report. But certainly happy to answer any questions or comments that the committee may have.

>> Councilmember Liccardo: Great, I know we have three members of the public who have been extremely patient so let me ask them to speak first. Thank you Laurel. David cook followed by Joshua McCluskey.

>> I had a question I'd like to ask, Laurel, who is in charge of mitigation monitoring, if I would go to someone and say, who is in charge of mitigation monitoring who would that be?

>> Laurel Prevetti: John Davidson, of my staff.

>> (inaudible) interest in mitigation monitoring over the years starting with the work of Greg Brione we are excited about the report and we are looking forward to the progress in the monitoring of that and helping as we can. Thank you.

>> Councilmember Liccardo: Thank you, Mr. Cook. Joshua McCluskey.

>> Good afternoon. I have more of a question, as far as previous (inaudible) mitigations go especially over time, is there any -- other than enforcement, as far as the environment's concerned, is it supposed to be wet land mitigation that was supposed to happen that didn't for a number of years? Is there any additional specimen that the go into the mitigation or is it still based on the original mitigated neg dec or the EIR, going forward how do we make sure we still have those environmental resources in your community.

>> Councilmember Liccardo: Thank you very much, for the public comment. Typically we don't have question an answer but would you answer the question?

>> Laurel Prevetti: I think what I would do if I may is consult with the individual after the meeting so I can give him the specifics.

>> Councilmember Liccardo: David Wall.

>> With reference to Your Honor's becoming St. Francis of Assisi's representative water pollution control they get environmental and they run sheep out there before. And the sheep just stomp the hell out of the little owls. And so that's something that I'd like you to look at. Well I like the little creatures myself. And then we have the issue of flaring the methane gas at water pollution control with reference to CEQA and environmental issues. Now with reference to the report, and all the construction projects referenced and contained therein, how much of this business about reducing the car parks, or parking on the street, reduces in an increase in nonpoint source pollution? Mainly because of the fact that the environmental services department has failed miserably to protect the over 30,000 storm drain inlets, currently there's only 130 storm drain inlets protected and yet the municipal storm drain since 2009. In consideration of all the high salaries and management responsibilities how do you then cross-reference all these construction projects throughout the city, with CEQA and an increase in nonpoint source pollution to the creeks and rivers in our city due to the fact of either inaction by council, or not enough information by the office of the City Manager to council, or more importantly, and more reasonably the gross incompetency of the City Manager with everything that I've just given testimony to. Thank you.

>> Councilmember Liccardo: Any questions or comments? Councilmember Campos.

>> Councilmember Campos: Sort of along the lines that Mr. Wall was bringing up Laurel, what happens with operators such as if -- the concrete recycler, that's on Alma in between 7th and 10th street that I know has been a problem, I know the community has had a lot of concerns about them, they've got a mound, probably two and a

half stories tall, of crushed concrete, that, on a windy day that's seeping out to the environment. When it starts to rain, the slurry from that is going into the drain. And from what I understand, their permitting is not up to par right now. What -- how do we deal with that? And you know, what are they going to do to fix the problems that they've already caused?

>> Laurel Prevetti: Right, thank you, councilmember. Assuming the business is operating with all the appropriate land use permits, the other option that we have is to work with our colleagues in the environmental enforcement unit. We do have through our storm drain permit with the regional water quality board, staff who do do environmental inspections, and if there's runoff that's coming off of the site, that is not legal, essentially, we work with that property owner to make sure that they put in place the proper controls. The best tool we have is to address it at the land use permitting stage, so that way the business knows what the requirements are. It's our older businesses that may have predated some of those requirements, where it's a lot harder. Also we have other agencies that also have their own permitting requirements. Some of them need permits from the air district or the regional air quality board and if we need we can bring it up to those agencies' attention.

>> Councilmember Campos: Thank you.

>> Councilmember Liccardo: If there are no further questions or comments is there a motion?

>> Councilmember Herrera: Move approval.

>> Councilmember Liccardo: All in favor? Thank you very much Laurel. We have one member of the public would would like to speak, David Wall.

>> This is in reference to tomorrow's meeting on which on the consent calendar there's an issue concerning the environmental innovation center. I'm on the record as stating that the environmental innovation center and its funding is a gross misuse of public money and a great boondoggle. But nevertheless the environmental innovation center because of the inexperience of the City Manager, with regard to the contract neck and negligent

management by the office of the City Manager gave rise of \$440,000 of liquidated damages that had to be waived for the same contractor, Alabama gait Johnson, that had to be waived due to flagrant predicated the loan for the environmental invocation center. Now, tomorrow you're requesting to have to look at shifting money around to pay for asbestos and lead mitigation on a 1958-year-old building that's part of the environmental innovation center project. Now it's my opinion asbestos in lead paint monitoring is so foreseeable as the sunrising in the morning for that year old of the building. And once again it's Applegate Johnson incorporated that is prime contractor here, once again it's the office of the City Manager that put you into this mess. And once again I'm stating as a citizen taxpayer, why in the heck are you retaining this office of the City Manager where they routinely screw up costing the city all sorts of money. Then they can't even maintain employed people at the water pollution control plant, and the only third choice which is no choice at all and at some point in time it has to stop. You have to get better management to serve the public and also, to serve your own leadership qualities, because you keep authorizing and supporting these substandard decision. Now tomorrow it's on the consent calendar. So thank you for today.

>> Councilmember Liccardo: Thank you, Mr. Wall, thank you. Meeting's adjourned.