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City of San José Transportation and Environment Committee meeting.
>> Councilmember Liccardo: Good afternoon. We'll call to meeting to order. It would be a good time to have roll.
>> Chair Liccardo, here. Vice chair Campos, here, committee member Chirco, and committee member Herrera. Here.
>> Councilmember Liccardo: Work plan, section B of the agenda, items recommended to be added dropped or deferred and there are three deferrals there. Entertain a motion.
>> Councilmember Chirco: Move to defer the items as requested.
>> Councilmember Campos: Second.
>> Councilmember Liccardo: All in favor, opposed, so that moves forward. We're now on the consent calendar. The special events program requirements and evaluation of smart grid. Would anyone like to pull an item off? I'd like to pull one off the calendar.
>> Councilmember Herrera: Motion to approve balance.
>> Second.
>> Councilmember Liccardo: All in favor. Aye, that is approved. So if we can just move to item C-1 on the consent calendar, the special events program requirements. First I wanted to commend John and everybody on your team. I know Jo Zienteck was down in L.A., receiving an award from the governor. That's not something we get every day. I think that's fantastic. There were people from all onever the world there to commend us for what we've been doing on the zero waste program with special events. The one concern I have is this: Being in the downtown, I get complaints pretty much once every week or two from someone who is organizing a major special event who has expressed frustration about fees and challenges in dealing with the city. And I would certainly love to see these recommendations go forward in conjunction with what I know OED is currently working on, which is a plan to see how we can do something about the extraordinary fees that some of these folks are dealing with. I know we all -- many of us saw what happened yesterday which was a great event, the rock 'n' roll half marathon. Somewhere between 12,000, 15,000 participants and tens of thousands of other participants, and we may not have them back after 2010 because of the frustrations they've had in dealing with city fees and so forth. So I'm hoping that we can time this in such a way that we can actually be -- if we're going to be imposing additional requirements, which are very well intended, we can do it in an approach that says here's a way to use city staff and just so there are no more onerous burdens. I guess by way of saying all that what I was hoping is whoever might be moving this might ask for some coordination with OED so when this does come forward to council it will be along with whatever OED is working on to reduce some of those fees and burdens.
>> Councilmember Herrera: I'll make that motion.
>> Councilmember Liccardo: Great thank you, Rose.
>> Councilmember Herrera: Motion to approve this, and then direct staff to work with OED to see what we can do about the fees and charges.
>> Councilmember Campos: I'll second.
>> Councilmember Liccardo: Thank you. All in favor? [ayes]
>> Councilmember Liccardo: No one opposed. So now we're on to report to committee. The trail program update. Welcome, gentlemen.
>> Albert Balagso: Good afternoon. Albert Balagso, Director of Parks, Recreation, and Neighborhood Services, and I'm here with Hans Larsen, deputy director of the Department of Transportation, and our trails manager, Yves Zsutty. I wanted to start off, before I hand off the presentation to Yves, about the conversations we have had regarding the Greenprint and the General Plan update. I'm talking about an interconnected city and how our trail system helps connect our neighborhoods and our parks and parks to parks and really it's about our surface connections such as our bike ways and bicycle network and proposed network of 450 miles that will connect the neighborhoods to this elaborate system as well. I think they go hand in hand. And what we're here today is to talk about the coordination between the two projects and how they work hand in hand and how we're going to advance in the future. So with that I'd like to hand over the presentation to Yves Zsutty.
>> Yves Zsutty: Good afternoon, Yves Zsutty, from Parks and Recreation, and Hans Larsen from DOT is going to support the presentation today as we work together carefully on this integration. In the report to council, we talk about how San José is trying to distinguish itself from all the other cities in the country that are going after grant sources. And we've won a number of awards this past fiscal year. We've designated our trails as part of national recreational trail system, and we've named part of the Coyote

Creek trail as part of the Bay Area Ridge trail, and we're recognized by Prevention Magazine as having the largest urban trail network in the country already. So we're starting from a very good place, and we just want to make that system better and better. In working with the Department of Transportation, we're looking to make sure that our offstreet trails and our onstreet bike ways form one cohesive unit with cross-town connectors.
>> Hans Larsen: Let me just speak a little bit to it. We've been to this committee and will be back next month with an update on our draft bicycle master plan, and this master plan will reinforce the integration of the trails and onstreet network as part of a comprehensive bikeway master plan. And what we're envisioning is an onstreet system as well as the trail system that would create a system of over 500 miles in San José. We currently have about 200 miles of facilities. We want to take some bold direction in terms of increasing the amount of bicycle transportation from 1% to 5%. We want to have a safer system. And we want to be acknowledged as really one of the best bicycling cities in America. And so we look forward to a further discussion on this topic. We're going to focus on trails this time and we'll take a look at how trails and the onstreet system come together to form a comprehensive bicycle master plan for the city. Yves.
>> Yves Zsutty: So currently where we stand today, if you look at all the onstreet bike trails and the offnstreet trails, we've got 247 miles of infrastruture out there. In terms of trails we're almost at 53 miles of trails, and 194 miles of those bike ways. Over the last fiscal year we delivered 1.7 miles of trails and we restored one trail system. The image on this site is part of that restoration work that we did at Albertson Parkway. In terms of the Green Vision, we're supposed to deliver this 100 mile trail network by 2022. We're doing pretty good at this point. We're beating the rate at 3.3 miles which is what we knew we needed to do over the next 12 years or 13 years. Where this number is going to really become challenging is that a lot of our open trails are gravel and need to be paved, so put lots of time and resources into getting them paved but we won't have changed the number of open miles. And here's a couple of pictures of those types of trails. The interim trails are the gravel levees, the paved trails are striped and hard-surfaced. And you can see from the green bar that we've got a lot of paving to do but that contributes to the overall size of our network which is good for our city's reputation at this point. This just reinforces that we're ahead of schedule on delivering towards the Green Vision. But I would say that we can expect that blue line to dip below the average over the next few years as we end up paving the interim trails. A lot of people ask why do trails take so long and cost so much to deliver? Part of it is in the planning of these projects. We have to work with alot of different government agencies. If we have funds coming through the federal government, we work through CalTrans and we work through that whole bureaucracy. In terms of working in an urban environment, like San José, which is fully developed, working within some very tight narrow right of ways, we are following flood control work. There's no point in building a trail if it's going to be ripped out in a few years. And often we're looking at land acquisition. So all of these things add to the complexity that you don't see in more rural or in county like systems where you're working with open space. So what we've done to minimize the amount of time and cost is to form technical advisory committees for our trail projects where we invite all the different permitting agencies that we are going to have to get buy in from later on in the process to buy in to the alignment up front. We preview those alignments online and with those agencies in meetings and we work to build consensus and trust. Since we've been at it so long now, the agencies are really understanding what we're trying to do and we're finding more support as we start each new project. On Coyote Creek Trail, I'll just highlight. We're looking at planning nine miles of trail out there right now. This is through north San José. We have got 10 undercrossing structures. When we did airport parkway it was $2.5 million, so ten times that now at this location. We're doing it while the Army Corps and Water District are designing flood control, and we're coordinating with 15 agencies and 5 departments. So there's a lot of coordination in each project. Last year we submitted six grant applications and got $1.37 million in new funding and we have $900,000 pending with the state. A lot of the grant programs we have with the state are still active, they're receiving applications but they're not telling us we have the money so the whole Sacramento issue is impacting us this that way. So far this year we've submitted two grant applications. We've got three that are just about done. We'll be submitting those in the next few weeks and then we've got ten grant applications as part of prop 84 and an EEMP state program that will be prepared, and they'll be delivered with prop 84 in March 2010, and EEMP will be delivered in November. So there will be more grants submitted this year than there have been in the past six years over each of those years. And then since 2005 we've tapped the park trust fund for $7 million to help support or front these grant programs. To sustain the Green Vision, we're going to need about $20 million

in the next fiscal year. If we don't get that amount of money we table some projects and our rate of development slows down. But the big picture is, by 2019-20 we need to be looking at almost $100 million. So all this grant writing is really an important part of that and seeking local and other funding sources is also critical. We've been doing some lobbying through the council's list of top lobbying priorities. We're advancing proposals as part of the federal transportation bill for Coyote creek trail, the Guadalupe river trail and thement but it's a collection of grants that they pull together and they divvy it up to the region's priorities so we're on that list, we're ready to write grants when the funds are available and then we track 30 different grant sources throughout the year. The council should also be looking at options to do some funding internal to the city so that we can support matching funds and front money for grants and that could be through a dedicated tax, a bond measure which helped deliver a lot of trail projects in the last few years and really focusing on making sure that there's always a dependable source of money that we can go to for that advance money on the grants.
>> Hans Larsen: I just want to highlight a little bit more in terms of the funding for trails in the transportation area. Bicycling and trails are I would say a hot item in terms of funding as we're trying to do with environmental issues, Public Health issues, getting more people to ride bikes is an important community objective and the sources of funding that are available from transportation sources is increased. The Bay Area's Metropolitan Transportation Commission has adopted a policy to increase the amount of moneys that are available to the Bay Area from federal sources, five times from what they had in their plan four years ago. So there's some very good opportunities. Some of the things that we're specifically looking at, you can see some big dollars there, almost $14 million from the federal transportation reauthorization. We have draft earmarks, earmarks in the draft legislation that covers projects on Coyote Creek, Guadalupe Creek and Bay Trail. There are new programs like safe routes to transit in which our trail projects fit into, there's some recreation programs and as Yves mentioned, there's the environmental enhancement and mitigation program which is an annual source of funding that the CTC has available to them that we're looking to tap into as well. So lots of opportunities there. We have $100 million worth of needs, but the transportation grants seem to be supporting our goals in terms of developing a better bikeway system.
>> Yves Zsutty: I'll add to that. On the safe routes to transit we submitted two grants about two weeks ago for the million dollars, and last week we submitted the $1.8 million grant for Coyote Creek. Prop 84 is a state granting source. It's due in March and we're going to be submitting, we'll come to council to get your buy-in, but we plan to submit for some projects that will align well with that grant program on Guadalupe Creek, Bay Trail, Willow Glen Spur, the Guadalupe River, Lower Silver Creek and Coyote Creek. We'll be going for $17.3 million. And then we're preparing some grant paperwork. We'll go to council on this one, as well, but to look for $1.5 million to elevate the Tasman undercrossing along the lower Guadalupe, which is under flooding from high water, as well as tidal flows, on a regular basis. And it really impacts the ability to commute on that popular trail system. And with that we'd be glad to answer any questions you might have.
>> Councilmember Liccardo: Great, thanks Yves. Any questions, Vice Mayor?
>> Councilmember Chirco: On one of your slides you talked about on these trails dealing with 15 different agencies. And I know we've been working on the HCP NCCCP, which is the collaboration dealing with the state and federal government. I'm not sure when that is supposed to be finalized but I'm guessing it's not in the too-distant future. Would that, one, reduce some costs because you've got the preapprovals from those agencies, and would it expedite any of it because of the preapprovals, that that would give to the trails program?
>> It has the potential. This is a program to create one large mitigation bank that projects can tap into. And I worked early on with Planning on that. There was some potential there but with the trail projects a lot of them are in these unique riparian corridors where if you take out a shaded riverine environment you need to replace it. And so we don't have that much of that environment within the bank to make that possible. So it helps to a degree, but doesn't solve the problem, though.
>> Councilmember Chirco: There are no solutions. We need lots of help.
>> We need more rivers.
>> Councilmember Chirco: Thank you, Yves for a fine report.
>> Councilmember Liccardo: Councilmember Campos.
>> Councilmember Campos: Thank you, chair. I guess the only question or comment that I have is, first of all, very informative of report so thank you for that. A lot of funding and time lines that we have to meet, well, when we're asking for grants. So the only thing that I would ask is, because this is such a crucial

item and time-sensitive, I think it would be helpful for council to hear this, to check in mid-year, so that we have an opportunity to be able to hear firsthand where you are and if those milestones are being met or if we have to re-think about where we're going to prioritize something else. Because there has been an opportunity for something else to go to the front line. So I would make that suggestion, so when the report's ready to be accepted I think it's important for this committee and the full council to be able to hear this or at least be able to review it twice a year.
>> Councilmember Liccardo: Sure, did you want to make that motion now?
>> Councilmember Campos: Absolutely. I make a motion to accept the report with my comments.
>> Councilmember Herrera: Second.
>> Councilmember Liccardo: Councilmember Herrera, did you have any questions?
>> Councilmember Herrera: Yes, I just wanted to know if you could elaborate on Thompson Creek? I didn't see it called out here so I'd like to hear anything you have to say about Thompson Creek and I'm aware, too, that the Water District has funds that are going to be available. And I didn't know if that was in there or not. I might have missed it. But it was a very interesting opportunity there to apply for some grants for trail completion as well.
>> Yves Zsutty: I didn't have the water district funds in the report, because the details aren't quite known yet, but I've talked to various staff, and they expect another round coming up. So we'll line up projects for that as well. Thompson Creek is funded through local funds, so it's not a grant effort at this point. But the Public Works department has prepared a conceptual alignment for that trail which includes a stone gateway like we've seen at Coyote Creek and Los Gatos Creek, at Tully Road, it goes all the way out to Aborn Road, and so that plan now is being reviewed by the Water District to make sure we haven't done anything to compromise their access, and they'll continue designing those documents until they're ready to be bid and award, and we'll be pursuing funds to build that project.
>> Councilmember Herrera: All right, thank you.
>> Councilmember Liccardo: Yves, thank you for the presentation which was really thorough. I had a question about paving, I may be projecting because I'm runner who's getting older and my knees and Achilles don't take the pavement as well as the dirt. I certainly can understand the emphasis on converting those dirt trails to pavement or the gravel trails to pavement where you've got a lot of jobs like I know you're focusing now on the Guadalupe up in Kansen's district which makes a lot of sense. But it seems like to a lot of us recreational trail users that a gravel trail or dirt trail is often perfectly fine and sometimes preferred. And so I'm wondering, are we taking the approach as a matter of policy that every trail needs to be paved, or are we really focusing the pavement in those areas where we know we will see a lot of commuters who will need bicycles?
>> Yves Zsutty: I don't know that it's a policy so much as the Green Vision envisions a network of trails of integrated trails for recreation and commuting, so pavement is a big part of that. Part of the design standard that we use is to keep two-foot gravel shoulders on the edges for the runners, and so we have that opportunity there.
>> Councilmember Liccardo: Okay.
>> Yves Zsutty: And that's General the case in all the new trails. But in terms of using a road bike on a gravel trail, it limits a large number of trail users.
>> Councilmember Liccardo: Sure, I can appreciate that. I just wonder if maybe there are some parts of the city where we just don't expect to see many commuters, and we would see a lot of recreational core users, and we would maybe rather use that money to extend that trail rather than necessarily pave it first, you know what I mean? In any event I know those are item-specific kinds of considerations that are pretty far in the weeds and I don't want to get too far there now. I was really surprised to see the ranking from prevention magazine, that's fantastic that we are the city with more hiking and walking trails than any of the cities which they reviewed, which is fantastic. It's apparent that the public perception hasn't really caught up with that and part of that has to do with the connections issue, how we're connecting our trails. I hope we're really able to work on that. The funding mechanisms I know are difficult to figure out at this point. We've got a bond measure that's toward its waning days at this point, and it's not a lot of money left in that. And I wonder to what extent are we getting involved in the issue which has been pushed repeatedly in front of Sacramento regarding the gas tax, as potentially a source of revenue for these kinds of opportunities for alternative modes of transportation. Is that something that Roxann in Sacramento is involved in at all, or are we likely to go to the council in any way to get engaged in that battle?
>> Yves Zsutty: I don't know, but does someone here know?

>> Hans Larsen: We can certainly use as much money as we can for all our transportation needs, whether it's transit, bikeway trails, highway improvements. So increasing the gas tax is on the radar screen. I think we've had past reports to the committee looking at a variety of different ways in which we can increase revenue for transportation. Gas tax is on the list. Certainly our position has been is that we prefer to have, from state and federal sources, give us the money and then let us decide locally how we want to allocate it amongst our different transportation modes. So there isn't anything out there at the state level that's actively being considered, but certainly on the radar screen.
>> Councilmember Liccardo: Okay, I appreciate that. I know there's no bill in the hopper, but I also know that a commissioned report I think back to the governor last week, perhaps it was the week before, and there have been a lot of folks advocating to do something along those lines to make up for our huge deficits in infrastructure. Councilmember Herrera.
>> Councilmember Herrera: Yes, Sam your question has caused me to think of another question. In terms of paving the trails and creating this infrastructure potentially for commuters as well as recreational users, is there a thought to create the critical pathway, paving some of the areas that would be the most heavily traveled for commuter purposes so we had sort of priorities on that? Kind of going to Sam's point then not all areas are equal in terms of commuting? Have we designated some that if we know these are going to be paved, they're going to be used for commuting kinds of things?
>> Hans Larsen: Well, I think, yeah, for bicycle commuting, those corridors compete very well for transportation dollars that are allocated to bikeways. We generally, sort of the big three trails that we have that are very competitive and attractive for bicycle commuting are the Guadalupe Trail, Coyote Creek Trail and Los Gatos Creek Trail. And I think it's from a priorities perspective, and you saw those and many of those on the list that we're trying to get federal funds, if we can get those three as part of the backbone of the system connected, we think we can significantly boost the amount of people that ride their bike for commuting, and then work off of that network and pick up Penitencia Creek Trail and Lower Silver Creek and Thompson Creek, start building out the community and connecting to the main bicycle sort of freeway we sometimes call it. But certainly, yeah, those commuter bicycle corridors are the ones that are most compelling for regional grants.
>> Councilmember Herrera: So once we have those in place, we will be able to -- we want to make sure that we have connections to all parts of the city from those main highway points, right?
>> Hans Larsen: And that's what we're looking for for the bicycle plan, and we'll talk about this further at next month's meeting. But it's looking at having a core network of trails, and then an enhanced network of onstreet facilities that really serve all of the San José community, and then add on top of that more local bikeways. So we'll -- I think the 500 mile network we have is very comprehensive in serving the community.
>> Councilmember Herrera: So in terms of the backbone, I understand we have the backbone and there's lots of federal opportunities for funding on that. As we move into the neighborhoods, will we then also have priority projects for commuting and tying into those major structures? Can we look at that and say, what's the priority going out into the community?
>> Hans Larsen: Yeah, I think that will come up. I think there are certainly tens of millions of dollars. We need to complete really the priority network. And once we're successful in doing that, then looking at the next step will be a policy discussion we'd raise with the committee and the council.
>> Councilmember Herrera: Again back to Sam's point there may be some connecting up to that main infrastructure others that may not be as critical or might not be as important to have part of that, that highway. That's it, thank you.
>> I'll add to that point, I pulled up a picture up on the upper right. That's a paved trail, it's a half-mile long, it's in a neighborhood but it leads you to a light rail station, it leads you to 1500 acres of county park. So it doesn't lead you to a job but it leads you to other places so these are the types of projects we pave those even though they're in a neighborhood. There's lots of justifications beyond just the regular commuter.
>> Councilmember Herrera: Yeah I would think when I mean commuter I mean transit commuting to a job, getting somewhere, you know to connect up. So thank you.
>> Councilmember Liccardo: Great and you know last question, do we have results yet from the trail count? I heard rumors they were out there counting on the Guadalupe.
>> We counted two Wednesdays ago. I've got some preliminary numbers posted on the Website. There will be a formal report out in the next few days.
>> Councilmember Liccardo: Great. Are the numbers going up?

>> Yeah, the numbers went up a lot. On the Guadalupe river trail we saw 26% increase in usage and we had six count stations around the city. A couple on the Guadalupe, Coyote, highway 237, Los Gatos creek acknowledge 9.6% increase on those stations.
>> Councilmember Liccardo: Great to hear.
>> Pretty impressive numbers. Especially since we were looking at $4 a gallon gas last year.
>> Hans Larsen: We recently received news from the American community survey, this is sort of the annual census. They keep track of commute-to-work percentages. Two years ago buys cam commuting in San José was .4% and then last year it moved to .7%. And this year for 2008, it jumped to 1.2%. So we're from .4 to 1.2 over a two-year period which is a threefold increase over the number of people that bike to work. The national average is .5% so we're significantly above the average so that's also a very positive trend.
>> Councilmember Liccardo: That's great news. Certainly tells us something about the importance of your work. Okay any questions or comments? If not, then, I see no cards for public comment. So we'll vote on the motion. All in favor? [ayes]
>> Councilmember Liccardo: Any opposed? Okay, that passes unanimously. Thanks, gentlemen. Moving on now to item D-2, transportation innovations to support high density transit oriented development. You know, I doubt I have enough copies. Let me distribute some copies of the original Rules Committee referral to members of the committee and some folks on the side here, as well. Good morning, Jim or good afternoon, Jim, I'm sorry, I'm still stuck in the morning.
>> Jim Helmer: Good afternoon. Jim Helmer, Director of Transportation, and Susan Walton from the Planning Department, and Hans Larsen supporting me from D.O.T. I think it's important to note before we get started even on this referral, it's a report that was conducted jointly by the transportation department, Planning Department, housing department and redevelopment agency. There are four signatures on this rot which speaks to its significance. Absolutely, every opportunity that we have going forward we have to make sure that not only our investments that we make as a city team, affordable in nature, reliable and sustainable, but we also have to look at every opportunity to help our development community do the same. Times are very, very tough for the development community as we know. And here is an opportunity for us to take a look at more innovations and support for them to allow them to submit permits, get their buildings up and get those units occupied, where at the same time, we are seeking more sustainable practices. The item before you today is actually a referral that was submitted by Mayor Reed, councilmembers Liccardo and Chirco, one year ago. In October. And due to staff work loads, it took quite a bit of time for the departments to gear up to respond to the referral. But in essence, the report that Councilmember Liccardo has passed around really asks staff to look for more ways to fund ecopass opportunities in high density and transit oriented development, and to look for opportunities to launch car sharing programs in San José from where we have been. I'll turn it over to Hans in a minute but before doing so it's very important as we hear this satisfy report that we are thinking of the economic development strategy, our Green Vision, and our envision 2040. Because essentially everything that we're talking about today has to align to those three visions going forward. We need to be looking at putting more density near our transit centers, our central business districts and our neighborhood business districts. We need to look at ways of reducing parking through shared parking and other creative parking opportunities. So in essence today after we give our staff report we're going to ask for your input and then we are also planning on reaching out to the 2040 task force. We'll be reaching out to the development community and also to the downtown parking board to discuss these opportunities further. And we plan to come back to you in the spring of 2010 with a more comprehensive report on our next steps. So I'll turn it over to Hans Larsen.
>> Hans Larsen: Thank you, Jim. Just to touch on one other point, one of the overriding messages from the memo from Mayor Reed, Councilmembers Liccardo and Chirco, what was to support the goals that have been proposed as part of the General Plan update, how do we develop a city where we plan for people, not for cars. And one of the objectives of the looking at innovations is to make density more multimodal and affordable. And one of the key affordability efforts is to look at ways in which we can reduce the need for parking and the cost of parking. As we know, the cost of a parking space, particularly in a downtown residential high rise, is quite expensive. It runs $30,000, $40,000 a space. And so if we can avoid having to bring so many cars for the people who choose to live downtown, we can save a lot of the cost of development. This next slide just kind of recaps what Jim mentioned, so we're seeking input here today on the innovation ideas. We plan to do some further coordination and outreach with key stakeholders and then we would look to reschedule this for further review, as part of the committee's

spring work plan. So to provide a little bit of perspective in terms of what our current zoning regulations are, particularly as they relate to parking, Susan Walton from Planning will go over that for you here.
>> Susan Walton: Good afternoon. I believe we have reviewed our zoning regulations up on the slide particularly with respect to downtown. There is a significant amount of flexibility on those zoning requirements. We have already in place the requirement that you can have a single parking space for every residential unit, but in addition to that there is an ability to reduce that for TDM measures by 15%, and also, if there's other rationale that is sound in its basis, the planning director can make appropriate findings to reduce that additionally by 50%. And if you have a project that's located with available public parking or pays into the fee, it's potentially able to have 100% reduction of onsite parking with a residential project. So the flexibility in the zoning rules is really already existing. What we have found over several recent years is the development community and perhaps sometimes the neighborhood surrounding some of tease projects is not able or not at this time ready to take full advantage of those possible reductions. So we find that, through the financing mechanisms for housing projects, that I think lenders are often looking for a higher rate of parking than one per unit, and members of the public or people looking to buy or rent in downtown. So at the moment the current average of parking that's provided is coming in at about 1.5 spaces per unit which is 50% more than you'll see at the very top of that list of flexibility options, already half again as many. So I think part of what planning has been seeing is a way to bridge the gap until we have BART and high speed rail and more use of those modes to try to make the market comfortable and future homeowners or renters in Downtown San Jose comfortable. So I think a recent example of working on how to bring a bunch of different aspects together was the Planning Director took to hearing the Donner Lofts Project up here at the corner by the City's parking garage, and that project is only going to provide a half-space per unit on that site and some of the additional parking demand to provide for additional parking areas is going to be happening in some of the city's parking garages through a lease arrangement. And that lease arrangement sets up now and then can be looked at again in several years to see if the transit situation is improved or when BART eventually does come into downtown. So it's just -- I believe we have a lot of flexibility, and it's really how do we make use of some of the other things that Hans will be talking about car sharing to make that work.
>> Hans Larsen: Thank you, Susan. The next set of slides, we're going to highlight some of the items that were written up in the report as some of the key innovations we have available to us. And we have a group of experts here to address any questions the committee has, or to have a conversation about these. So the first one is transit ecopasses and this one was specifically mentioned in the Rules Committee referral. And the VTA has had an ecopass program for more than a decade. It's generally viewed as very successful on the employer side. The City of San José is a participant in the program, Cisco, many other companies. But we've had sort of mixed success on the residential side. And some of the reasons with that is you often have property management changes or the handoff from the developer to the property manager or homeowners association doesn't always provide sort of the continuity for an ongoing program. In terms of incentives, there are incentives that the VTA has with -- by going with a larger pool of participants, whether you have a larger developer, development, the cost goes down, or if you could pool many residential projects together, you could also get some cost efficiencies. And so one of the ideas is to potentially create, say, for the downtown, a residential homeowners group or so, where they could pool their participation into the program. We have Ray Salvano here who has earned his master's degree from San José State and one of the research projects he did was on the ecopass program, so he's here available to help in the discussion of this topic. The next topic area is look at residential parking within our downtown garages. And we've got a tremendous resource in the downtown with the garages that we have that primarily are used during the day for office development. That's where we have the maximum activity. And they sit largely vacant at nighttime. And so we have this as a resource where we could potentially make our public garages more available for residential parking. And that would avoid new developments having to provide residential parking within their buildings. We do have programs, now, that allow for all-day parking or a reduced-cost program for residential permit parking. And as was mentioned, the recent Donner lofts project is a real good example where we have allowed that development to use 20 spaces within city parking structures, and that has reduced the amount of parking that they provide offsite. So to also support this topic we have Abi Magamfar, and Kristin Clemons from housing who worked ton Donner lofts project is here for any questions. The next topic is how do we get more people to rely on bicycle travel, we do have in our Muni code requirements that new developments accommodate bicycle facilities. And some of the key things that are important are to have showers, lockers, convenient parking, and this has come out as an area where we could provide

some improvements. This is one of the recommendations you'll see next month with our bicycle master plan, is to enhance or expand the requirements for new development to accommodate bicycle facilities. Our sense is, we have some general requirements that we do it, but we could enhance that with specific design standards that really make bicycling easy and convenient with new development. Okay, the next one is car share. And this was mentioned in the referral. And there has been a past interest in trying to bring car share companies in to San José. I believe it was Zip Car that came in for a little bit, around then when the economy went south, they went away. But there is an increased interest. We're in conversation with four car share companies, and looking to try to facilitate a program, particularly in Downtown San Jose and around San José State University. And so some of the key things are finding a way to make this work financially. And one of the models that other cities are doing is, actually mixing a car share program with the City's fleet vehicle program. So the idea would be to have the City's pool vehicles, that city employees use for their work business during the day, those same vehicles could be available for downtown residents for evening and weekend travel. And so we think there's probably something there to try to make this come together in the near term. Laura Sichenski who has been lead for us on this program, I might add, John Brazil is here on the bicycle program that we mentioned earlier. Another idea is to look at building into new developments electric vehicle charging infrastructure. And we know that there is going to be more and more electric vehicles produced. And we need to provide infrastructure to support people making that choice to drive an electric vehicle. And this is a little bit of a chicken and the egg issue. You put in the infrastructure first, and then in order to prepare it for the electric vehicles, or do you wait 'til there's enough electric vehicles to then justify the infrastructure. So there's some timing issues here as well as coming up with the financing resources to support this. There are, as we mentioned in the staff report, some cities that are taking a lead role from a policy perspective and requiring new development to include some level of infrastructure for electric vehicles as part of new development. Our staff report mentions the sort of groundbreaking work that Vancouver, Canada is doing in this area. And then just to close out, there are a handful of other ideas on this topic area. I mentioned earlier creating transportation demand management organizations such as pooling together the residents in the downtown area that they could put together a program that creates a larger pool of participants in ecopass or car share, and that may be a way to drive some action. There is increased attention on the topic of unbundled parking, and that's an idea where, if you buy into a high rise residential development, you buy your parking separately. And that way, the parking doesn't just sort of come with the unit or two parkings per unit, but you can then decide, you know, if you want no cars, one car or two cars, and that helps, if people know that it's going to cost, you know, 40, $50,000 for a parking space, they may choose to use other programs or ways to get around. Another topic is, congestion pricing. And obviously the more expensive it is to drive, the more incentives people have to find other ways to get around. This is probably a topic, I'm not sure if San José's ready to jump into. We know New York City and San Francisco have tried playing with this. And they found challenges with those big urban centers. So we may wait for other jurisdictions to take a little bit more of a lead role on that. So again, that's kind of a quick snapshot of some exciting innovations that are out there. Again, we are seeing this as a little bit of a brainstorming with the committee, which of these seem the most compelling, which you think you know most important to work on. We want to do some more outreach with key stakeholders, and then hopeful come back as part of the spring work plan with taking further steps on this in terms of direction. So open it up to questions and comments. Thank you.
>> Councilmember Liccardo: Thank you Staff. Vice Mayor.
>> Councilmember Chirco: I had a couple of questions, you mentioned it several times like on the ecopasses, getting a consistency with delivery system. Like with the city we have our own central delivery system. But is there some sort of organization say within downtown that could take on that role so you don't get into the homeowners associations or the property management but you could have that consistency in the pool purchasing power? And the only one that comes to my mind right now is like the downtown association. I think there is an interest while it is a business organization, part of their business are these high rise developments. Because I think -- I think there's a lot of opportunity for that. I know I was over at one of the -- I think it was the -- well, it's not Ohlone-Chenoweth, but it is the same company, and they give people passes, and they talk about how successful this program is, but they get the passes from where they live, and then it's very usable for them. So that was one thought that came to mind. And also then there's also the consistency. I just had a question. I remember when I first got on council, there was a small building complex called the Tule lofts, I think it is. And Tona took me over to show me

around, and there was zero parking. I've never heard anything about how's that doing, how are their residents doing? It was a for-sale project. [Laughter]
>> Councilmember Liccardo: Abi, by default.
>> Abi Magamfar: Call of duty. Abi Magamfar, Redevelopment Agency. The Twohy Building on the Pasada San Antonio has 36 units. They're all rental. It was a project that redevelopment agency built and originally was owned by the agency, sold to CIM, converted it to a housing project. Although there is no parking directly associated with the Twohy Lofts, there is an agreement between the owner of of the building and the city to provide up to 36 parking spaces at the second San Carlos garage if tenants want to. I do not know currently how many tenants are signed up to take advantage of those spaces.
>> Councilmember Chirco: I think that would be kind of a good point of reference because that's been around probably six years.
>> Councilmember Liccardo: Yes.
>> Councilmember Chirco: And you were talking about this new improvement that was just approved zero parking and use the city parking lot. Thank you, Abi and I know one of the things you talked about is, I had a sense of needing almost a critical mass of resources whether it's bicycles, plug-ins, ecopasses, I'm trying to think if there were other things. But just having enough of a baseline that this becomes something that is workable. Because if people move into these units that have zero -- there's no -- it's a disincentive to move into those units, if the other alternatives are not immediately available. You know, when I move into a new place, and I mean new, I don't expect to have to paint the walls, put in the plumbing, oh, and by the way, go find a parking spot. These are new construction. So I like everything I hear. And I think it's pretty exciting. And I look forward to next steps. Believe me, this is from a farm gal. [Laughter]
>> Councilmember Chirco: There was no parking problem where I grew up. But it's great work, and thank you very much.
>> Councilmember Liccardo: Thank you. Councilmember Herrera.
>> Councilmember Herrera: Thank you. Oh, I just -- I want to thank you, Sam, and Mayor Reed, and Vice Mayor, for putting the memo together. I just -- I think the goal of trying -- of moving forward and developing our city going forward around human beings and not cars is just so -- it's just so right. I think everyone agrees with it, it's how we get there. I guess I had a couple of questions. I'm envisioning somebody who might be using a wheelchair or have some disability. How would they function in this zero parking lot scenario of zero parking spaces? Is there allowance for folks that have different kinds of needs? I want to hear about that. And second, how do we extend this concept out to the suburbs, where we're building now? So it fits really nicely when we're talking about high rises, but I want to see this go out to our whole community so we can start to see better utilization of our transportation services so we really fill up our buses and have people really want to use them, start thinking about that. Our ecopass is going to be part of new development wherever it is in San José. And programs like that that would get people out of their cars and using other kinds of transit and -- or using biking, you know, just looking at alternatives trying to move that throughout. So thank you.
>> Jim Helmer: Councilmember Herrera, I'll take a shot at the latter question regarding single family resident suburb outlining areas. I think the trail program, the bike program are right on track there. But also, our Green Vision has some very challenging goals in terms of alternative energy programs. The mayor has mentioned many times how many existing homes that we could actually put solar on. And every new home we'd like to incentivize or find ways where they could go into sharing agreements for solar. The same thing, the same principal could apply on these types of innovations, in our outlying areas. And I would give you an example. A lot of cities have recently streamlined the permitting process for solar panels on their roofs. We need to develop a streamlined permitting process for a solar charging station in a garage. And that could be an existing house, or a brand-new residential home that could be required to put the charging station in. Nearly 30 million electric bicycles were sold around the world last year, although we haven't seen that many. In our city, they are coming. And charging stations for those types of vehicles in the public, at bicycle, high density bicycle parking areas is another example. So the area I think that we could make a big immediate impact on would be looking at streamlining permitting process for charging stations of the 220 volt nature, not just the 110 volt nature. The reason I say that is the ones we put around City Hall were the first generation charging stations. They run off of 120 volts of power, like most of your light circuits in your home would. But they can take 24 to 36 hours to fully charge a car that somebody might buy from a San José dealer. And that's not going to be acceptable for people to go out and shell out that kind of money and then expect to plug in all night in their garage, if they have

a garage, and not have a full charge to commute the next day. So the 220 volts could do that in three hours. But we need to find a way to streamline that and work with our legislators to actually allow that kind of activity to happen as there are some restrictions at that time Public Utilities Commission right now in terms of charging stations, I think along those lines in residential homes for vehicles.
>> Councilmember Herrera: And you said single-family dwellings in some of the areas where we have higher density in the suburbs, would you modify that or pretty much the same including that?
>> Jim Helmer: Inclusive, yes, absolutely.
>> Councilmember Herrera: And then somebody can answer about disability and folks that maybe you know would be more difficult to go to another lot several blocks away or, you know --
>> Susan Walton: Susan Walton with Planning, Building, and Code Enforcement. We do have staff here from the actual Building Department on the actual ADA type requirement. But firstly, not all new development, even if we're trying to minimize onsite parking, would have no onsite parking. So the project that I mentioned, the Donner Lofts project, still has a half a space per unit. And so clearly there could be something about how those are allocated and which household might have more of a need of having an onsite space. I think another thing that's been happening in the downtown over the years is the completion of handicapped ramping at the crossroads, and so one of the things that staff planners look at and review with the proposal or the development proposal is the path of travel to wherever the alternate parking or the additional parking is proposed to be located. So firstly, you wouldn't want that to be half a mile away in a parking garage with a lot of space, but quite distant. We want people to be able to get there easily and safely. And clearly, if they're in a wheelchair or they're with a walker or they're pushing a stroller, you know, all of those are ways that staff is working to analyze as we sort of look for what's a good fit. And I think the looking for more options around Zip Car and car sharing will provide additional options. It won't just be where the fixed city garages might be. It could be some curbside areas, and I think to the extent future residents or homeowners are comfortable if there's a way for them to have vehicle, if they only have one, and it's in use, that they have a need to go somewhere, that there is a way for them to get to a car for that nature of trip, there will be more comfort in not making sure not each household has two. It's like the one they're using and the one that's on call. I think it's a little like the car pooling for city employees. If you can have a way to know in an emergency you could get access to a car and get home, you're more comfortable then about saying 95% of the time one works for me. I just need this 5% to be handled, and I need to be comfortable. So I think it's all around how many other ways, and the Donner Lofts project was exciting about piecing together some existing availability in these garages. And if we can get Zip Car and the private industry to also work with us on that, that's going to give us another avenue. I don't know if you need more on the ADA specifics. We do have staff here.
>> Councilmember Herrera: It just came to my mind here, are we -- thank you, that's very helpful. I guess the other thing is just having enough amenities and things nearby, who could be centered to, you know, minimizing the need to get in a car and go somewhere.
>> Minimizing the need for a trip.
>> Councilmember Herrera: Thank you.
>> Councilmember Liccardo: Susan, you mentioned the Donner lofts project. I want to thank you and jim, I think Joe was involved and Leslye also, in making those work. We were spending a lot of RDA money on parking and then we all took a step back and said, wait a minute, that doesn't make sense, especially when we had parking very close by. It is a testament to the fact that we can be innovative, and the attempt of this memo is to see how we can do that mower globally at least in high density areas. That was an impetus for me in pushing that in 2008. Those are outside the core areas but we were expecting these neighborhoods to take on very high densities and it seems to me we're going to be Beatleing ourselves against this wall of the challenge of a community that is understandably concerned about traffic, understandably concerned about parking. We're seeing it now along West San Carlos. We've got several projects in the hopper there. I'm hoping that we can get ahead of some of those very painful battles by putting some policies in place that will give us some ability to build the deferencity we know we need. Everybody in the general plan task force is pretty well convinced, there's unanimity around the concept of building density around transit. It's the only way we can do it environmentally to continue to grow, without all these very painful battles. And so that was one concern, I think, driving this. The other was really the issue around the transportation costs as drivers of affordability, something that the Brookings Institute was starting to study in '07 and '08, and they were putting out maps of cities showing where affordable housing was, when you included both the housing costs and the transportation costs. And those maps looked very, very different than what people typically think of when they look at

affordability in cities. We are finally starting to see after '04, as gas prices were increasing, really changes in how those prices were making out in the real world. The reason why I brought that up is, the one concern I had is, I know this is very well done, I appreciate all the response. The one concern I had came on page 2 of the memo, top sentence, it said, the referral requested that staff explore transportation innovations that could reduce the need to build parking spaces. And I really want to emphasize, the reducing the need to build parking was certainly a means that we all anticipated I think as one potential way of getting potentially to the end. But that by no means was the end, because I think our communities don't want to hear that we're just looking for ways to have less parking. What they want to see is, how do we make these projects have less of an impact? I'm sorry, Jim, you want to respond?
>> Jim Helmer: When you were done.
>> Councilmember Liccardo: Oh, no. I guess all I'd say on that point you know, the recommendations focus on ecopasses and car sharing, because they seem to be two innovations that seem most apparent, to me certainly. But I didn't want anyone to believe we were stuck on simply reducing parking ratios. If you'll look at page 4 of the original memo, that was the first of what were several proposed incentives that we could explore. I'm sure there are others out there that we still have to explore. And I just didn't want to get stuck on the notion of oh, well, parking ratio reductions don't work so our goal is somehow undermined. Jim, I know you wanted to respond.
>> Jim Helmer: Thank you. I just wanted to touch on the Donner lofts as an example. Stakeholders that are around these existing and future developments that have different viewpoint about reducing parking as you just so stated. The -- I think the objective would be, if we can save a developerrer and eventually the renter or buyer significant amount of funds by reducing certain amount of parking spaces or other savings that go into the project, how can we reinvest as partners some of those savings into a solution that makes the surrounding stakeholders feel positive about the development? And when you mentioned San Los or Japantown or even Donner lofts, for example, if we could take a percentage of those savings and buy 50 years worth of ecopass, and those would not be an issue from that point forward. And that is, if you do the math, that is a very, very small number when compared to just one parking space. So it's really how can we convince all parties that the savings could be reinvested in into a solution that benefits the surrounding community.
>> Councilmember Liccardo: And I know this is a difficult conversation with the community but it may mean that we move to a cap rather than a minimum standard on parking in certain high-density, transit-oriented areas. And I know obviously that's a long conversation with the community, but I think ultimately we probably have to get there. I wanted to emphasize one point that was made, and I think it was -- I'm not sure who made it, maybe it was Susan. But it related to unbundling. I know we experienced in the energy markets statewide, unbundling was sort of the key to moving PG&E and everyone else along. Seems to me that's really the key here, if we can unbundle parking from housing, and actually -- so that everyone actually recognizes the price of whatever parking it is that they're utilizing will have an enormously more efficient use of parking, but also all these innovations will start to make a lot more economic sense. So I hope we can get there. And what I hope is when we do come back in the spring that some of these other potential incentives that are listed on page 4 of the original memo might be explored and among many others that I'm sure you've already looked at at least just to say we've looked at it, it's not viable, okay, we get it, that would be really helpful. Anyway, thank you very much. Judy.
>> Councilmember Chirco: I just -- I was at a -- about a week ago a transit oriented development over at the Hilton, Senator Pruesis was there, and their speaker was from the Brookings Institute. And he had a wonderful PowerPoint presentation. And out of that PowerPoint presentation one of the things I took away was, the personal wind, if you could get by on one car. Which is not something I've heard in the discussion. Everything is about, you know, reducing cars on the road, reducing need for parking. Well, that can be somebody else's interest. I gave Shirley Lewis his business card. We were wrestling for it. We wanted to get his PowerPoint for the general plan. But I thought there's a whole different approach to this argument, how it is a personal advantage to you, if you are able to get by on just one car, and how that affects your income! It was like 10%. Because I said I think it was like 19% of your income, if you're a two-car family, goes to car cost. If you can get down to 1, it's like 9%. So I thought, I like that argument. Because that becomes your self-interest. Anyway, we'll be hearing from Shirley.
>> Councilmember Liccardo: Yeah, makes a good point, definitely. With that, I guess -- oh, no, we have public comment this time. David Wall.
>> David Wall: I would like to thank the committee for its -- it's always looking out for the environment. I mean you folks are always doing an outstanding job and should be glorified at every juncture. Innovation

too should be thanked even though it's incredibly stupid and won't ever work. I don't mean this in a disrespective tone or format. You can't legislate people out of their cars. It has not worked in the past, it will not work in the future. The future is water. All these high density living projects you have two functions often them, one is an unsustainable water supply and two, they're not sustainable from an economic standpoint. They're collapsing as we stand here today. Also, what we see currently, every high density living projects that's been built with the exception of this little Donner thing, relates on the public street to park. This will affect the economy. But also what is not talked by these glorious people who signed there memo is the chronic end point of nonsource issues. The streets are not cleaned, the amount of garbage getting into the rivers is just astronomical. And with all these charging stations that a proponent of this memo has signed, we have an oxymoron. We want charging stations, but we want no places to park. All these other grandiose aspects are going to fail. What you should be focusing in on is the economy and the direct application to the environment. Other than that you should invest in teleportation pads for any real success.
>> Councilmember Liccardo: Okay, thank you, David, with that I think that's the only card I have. We'll entertain a motion.
>> Councilmember Chirco: Move to accept the report.
>> Councilmember Herrera: Second.
>> Councilmember Liccardo: Okay, all in favor? [ayes]
>> Councilmember Liccardo: None opposed, that passes unanimously. We will move on to D-3, verbal report on energy efficiency and renewable energy activities. Welcome, Kerrie.
>> Kerrie Romanow, environmental services. I have with me Mary Ellen Dick, manager, office of sustainability, and Mary Tucker, energy program manager. So in under five minutes we'll give you the energy report for the past month. Per your request, we have a double-sided handout, we have four topics in each of the categories, city facilities and then community energy efficiency and renewable energy. Start out by saying welcome to the first Monday of solar energy awareness month. So it's a good way to start out our month reporting on some nice efforts in our department across the city. So the energy efficiency and conservation block grants have been revised a little bit. We got some unfortunate feedback from the Department of Energy where they denied our request for funding for the community solar financing and property tax assessment districts. The silver lining to that is we have taken and redirected the money towards energy efficiency projects at city facilities, and those additional projects will result in ongoing savings of $60,000 a year, which has a six-year pay back period. That's the good news there. And then we'll continue to focus on the property tax assessment districts. We've added that request into two grants, one that's already been submitted in July through DOE, and another through the California energy efficiency -- state energy program. So we're still hopeful we can move forward on those projects. Number 2, the city energy audits for the EECBG funding in the month of September, we spent a lot of time planning, and in the month of October we're going to spend a lot of time doing. So we have 19 audits of city facilities planned for the period, and where those are in partnership with PG&E and the Silicon Valley energy watch program. And you see pictured up there some of the folks that participate in the audits. Each audit takes three to six hours to complete a facility and there's five to six folks from PG&E, general services, environmental services. So it takes quite a bit of accordance to get those audits completed. Number 3, the pyre safety and photovoltaics, our fire department, led by captain Matt pace, distributed over 500 DVDs that they created on fire safety related to solar photovoltaics. As you might imagine, firefighters are used to jumping up on a roof, taking an ax and making a big hole. Well, that's a little more challenging when there's a bunch of solar panels up there. So we've distributed, as I said, 500 copies of these DVDs, so we're definitely a leader in sharing this information. And the California Public Utilities Commission is interested in posting it to their Website. So that we can stop mailing out all these DVDs and we'll send you the link to youtube if that's up and posted and you have access to that you can check that out. Number 4, the service yard solar RFP we've got four submittals received, we are still receiving those? We are hopeful that that will have a negotiated contract to bring forward in December. We move on to the community section, we hosted an electric vehicle stakeholder meeting where we, charging stations that was in September. And really some the focus it drew the stakeholders from across the market and the focus was on how to standardize the application so that we're readily able to deploy charging stations throughout the community. This is my favorite slide. The community solar celebration, we talked about this last month. We had a celebration at the Alviso library, and as you can see, the mayor led the event. But my favorite slide is actually on the right there. Jessie Denver led a little session on how to build those pizza box solar cookers.

>> Councilmember Liccardo: Who is that remarkable looking child?
>> That remarkably beautiful girl is my daughter. We learned how to cook cookies in a pizza box. So we of course had to stop and get a couple of tubes of cookie dough on our way home. It was so well received, the librarians came out and asked, could we do these sessions at libraries across San Jose. So I imagine there's going to be lots of parents stopping off at the grocery story on their way from the library. And couple more cookies right in time for Halloween. So then we move on to number 3 energy efficiency reduction tools for San José residents. The bottom right corner is the picture of a kilowatt. Those are being checked out in libraries. They were checked out 34 times at three libraries and the libraries where they're available are listed there. You know our hope is through communication on energy use at your home the residents will be able to make the best choices for their home on how to save energy and how to use their investment dollars wisely. And that will get us to our 50% per capita decrease over time. We have a list down at the bottom of upcoming classes but then we also had an -- and I'll let you guys, if you can hand these ones out. On October 1st we co-sponsored a solar America city program and Silicon Valley energy watch program which engaged energy leaders and schools and local government as well as economic experts on how to develop a workforce that can support these activities and then an innovative program you're getting a handout on is solar options for city employees. So this is something that our staffer did a great job of being innovative and figuring out how we could get our own employees to walk the talk and through working with our San José credit union if we can get 100 participants we can get some bulk pricing for city employees to get energy solar on their homes at no cost to the city obviously it's through the credit union. That's the news for today.
>> Councilmember Liccardo: Okay, thank you, Mary. Any questions?
>> Councilmember Chirco: I have a question. On the solar ovens for pizza boxes, is there a way to keep the dog from eating the cookies?
>> Well, there is.
>> Councilmember Chirco: I remember doing a science project, the dog ate the cookies.
>> Councilmember Liccardo: Don't tell her.
>> Councilmember Chirco: He ate the cookies. That was a smart dog.
>> Councilmember Herrera: That's why the dog was cooking.
>> Councilmember Chirco: Smart dog.
>> Councilmember Liccardo: We were hopeful we'd be out there in front. If I'm not mistaken there were four cities that were out there pushing. What are our options at this point, can we do this without a DOE grant or charge ahead or what are our limitations?
>> Funding is a part of it, there are external parties that maybe have a vested interest in it that we could leverage that could front some money that might result in better product sales for them, there's a lot of options that we're looking at. We're still hopeful that these grants are going to come through but we're certainly not just relying on that.
>> Councilmember Liccardo: My understanding this is self-financing once you get them up and running. Is this just really to do the outreach, is that what you want the money from?
>> There's really no value to having a program that nobody knows about and all those associated costs. So outreach is a lot of it.
>> Councilmember Liccardo: Okay. And I also know ABAG is working on somethine regionally that's similar. It seems to await some kind of state legislation to make happen. I'm guessing that we're moving forward because we don't feel that is going to move fast enough.
>> The California first project through the California state community development authority, that's moving ahead quicker, that will probably be early in 2010. The abag project that you talk about probably won't happen for another year yet, because they're still looking at it, but those are -- again, once that's up and running that's another option for financing.
>> Councilmember Liccardo: Thanks, Mary. Okay. Seeing no comments from the public, and we don't need a motion on this, do we? Great, thank you very much for the presentation. Moving on, then, to green building ordinance for new private sector construction follow-up on formaldehyde issues. Welcome. Susan's back.
>> Multitopic.
>> I'm Rich Bucuma from the planning department, with me is Susan Walton from Planning and Katherine Sedgewick from our building division. The report that was prepared was a follow-up item in response to a council referral that was made in conjunction with the city council's adoption of the green building orange on October 4th, 2009. This ordinance established the USGBC's LEED and Build It Green's Green Point

rated building rating systems as the mandatory building standards for the City of San José. This ordinance went into effect on September 8th. The report staff prepared includes information about formaldehyde emissions and the evolving regulations and incentives that currently exist to reduce formaldehyde emissions. The report acknowledges that formaldehyde emissions are a concern but concludes that it does not need to specifically addressed by the city's green building ordinance. The staff's position that there are adequate regulatory and voluntary factors currently existing that we anticipate will play a significant role in reducing formaldehyde emissions within the state of California. That concludes our report.
>> Mayor Reed: Okay, thanks Rich. I know we have many folks who would like to speak on this. Should we take public comment on this first?
>> Councilmember Chirco: Yes.
>> Councilmember Liccardo: Anyone from the public has two minutes to speak. Let's begin with, oh, Marshall and Mark Richmond. I see both names listed here here. Can speak individually or tandem.
>> We can speak together.
>> Councilmember Liccardo: Okay, great.
>> My name is Katherine Ruchell, this is Mark Richmond. We are both from Build It Green. We have submitted a letter to you in response to the staff report and so we're just here available to you for questions or comments.
>> Councilmember Liccardo: Okay, thank you. And Mark, did you want to say anything or -- just to respond, okay, wonderful. Thank you. Tell what you, why don't we take up comments and questions at the very end. We appreciate you staying here and members of the committee would like to ask more, we'll go forward. Linda Kincaid. I see Linda, there she is. And after Linda is Richard Calhoun.
>> Thank you. The staff report did not include data that we've submitted, so now we're going to look over the data that you have in front of you. This draft here which is in your packet, is data from Bud Offerman's study. He's the one that went in front of me, I'm sort of riding on his coat tails. Bud Offerman's data has a line drawn across the page. This horizontal dark line shows the air resources board recommendation of no more than 33 micrograms per cubic meter of formaldehyde, that value is equal to the 27 parts per billion formaldehyde that we hear mentioned. Now, if we look at the dark vertical line in the middle of the page, that line represents the California title 24 .3 air changes per hour ventilation. And if you look at the intervention of those two lines you will see that at .3 air changes per hour which will be required by title 24 starting next year we still have over half of the homes with more formaldehyde that would be appropriate according to the air resources board. With Bud Offerman's data, we need to go all the way across to the right, all the way over to one air change per hour before we finally start getting most of the homes below that 27 PPB line. Bud's data was built on homes built in 2002. I've been doing testing on homes that are more recent, built in 2008-2009. There have been some changes in the energy code, homes have been tightened up since Bud offerman's data. My data is on this data here which you also have in front of you. Look at that time top two lines of numbers. We're looking in the top section, homes with more than 100 parts per billion formaldehyde. This is a level where most adults would get sick. So most of the people living in these homes are going to have adverse health effects related to formaldehyde exposure. If we look at the homes with more than 100 parts per billion, this is in my own data done in the last 5 months, 9 of 11 of those homes are greenpoint rated. If we go down to the bottom of the page and this bottom line of less than 50 parts per billion formaldehyde, this is a level where most adults will be okay, some children will have adverse health effects. Of these homes with less than 50 parts per billion formaldelyde, only 1 out of 12 was green point rated. My findings in green point rated homes are showing formaldehyde levels that are somewhat higher than Bud Offerman's study, I suspect this is because of increased use of engineered wood, which can be a source of formaldehyde, and also because of decreased ventilation in those homes which allows formaldehyde to concentrate. Testing is the only way to know what the concentration of formaldehyde is inside a home.
>> Councilmember Liccardo: Thank you, Linda. Richard Calhoun.
>> Good afternoon, Richard Calhoun speaking as an individual. I would recommend this: Doubt is their product by David Michaels, very good reading. And I'll summarize this in three word: Delay, deny, discredit. Moving on to the issue at hand, we actually agree with Build It Green. They claim in their memo most homes built today make use of products with higher than ideal formaldehyde levels. Unfortunately, staff was given this information, staff's report doesn't address that issue. Their assignment was to address the adequacy of the green building ordinance on protect indoor air quality given this statement. There's nothing in there. They're saying everything's fine. How can it be fine if most of the products being used

have higher formaldehyde than is ideal? Moving on, staff reports rely heavily on carb. Carb has been passed now. Carb, when fully enforced with phase 2, will not even reduce formaldehyde by a factor of 2. If you assume the formaldehyde is cut in half the homes in the Bay Area will have five to 25 times more formaldehyde in them than is recommended by the new continue OHEA standard of only seven parts per billion. They lowered it in December of 2008. That's almost a year ago. We're using outdated standards. Moving on going right to the California Website, in homes, air change rate is generally far lower and occupancy longer than in offices and school environments for which the standard was designed. Therefore actual concentration of VOCs which is also formaldehyde admitted from materials are likely to be much higher than predicted than 1350 model. 1350 should not repeat should not be used for certifying materials in residential use until a residential protocol established. There's still no residential model established. You're using a standard that the state is telling you not use for residential homes. You're asking for trouble.
>> Councilmember Liccardo: I'm sorry, you're right up against two minutes here.
>> Okay.
>> Councilmember Liccardo: Thank you for the materials that were submitted. Tim Rohm. Good afternoon.
>> Good afternoon. Thanks for having me. First, I'd like to address the last topic if I could just sneak in a word. I put solar panels on my roof four and a half years ago, have not paid PG&E one penny for electric.
>> Councilmember Liccardo: Congratulations.
>> One-third of the cost came from federal and state things or else I couldn't have afforded it. I'm Tim Rohm, I'm a poor chemist, and I've been around for a while. And this issue of formaldehyde in homes, reminiscent of past issues, particularly indoor air quality in office buildings and other facilities. The same problem. Formaldehyde is an insidious material. It can cause cancer. It's an irritant. At very low levels it can cause subtle health changes which are hard to diagnose. The answer to it is ventilation. The more fresh air you have brought in, the better things are. The tighter you wrap a house, the less air from outside can leak in and the levels of all contaminants goes up. So ventilation is the answer. However, the ventilation that is currently proposed is insufficient to dilute formaldehyde and other materials to levels where we can feel safe that people will be okay. Thank you.
>> Councilmember Liccardo: Thank you. Bob raymer. Good afternoon.
>> Thank you Mr. Chairman, and committee members. I'm Bob Raymer, technical director and staff engineer with the California Building Industry Association. Represents residential and commercial builders at the state level. In my capacity as technical director I deal with the code adoption process at the state level and deal primarily with about a dozen state agencies, including the energy commission, Department of Housing, building standards commission, and in this particular case, the air resources board. I would like to say that in my capacity as technical director and working with the energy commission as the staff has noted in their report starting in January 1st of 2010, new energy efficiency requirement will cook in that require mechanical ventilation. Although there's three alternative ways to comply with the mechanical ventilation requirement the most likely initially will be the forced exhaust and that will be done through enhanced versions of the bathroom fans that you see now. These will kick on automatically. For moisture control if you have got the shower on and all that, they do a very good job of modulating indoor air quality as well. That's a side effect. I would like to say in conclusion that we strongly support the very thorough staff report that was submitted, their recommendations and we also support the documents that have been provided to you in the August 7th letter from Build It Green. Thank you very much.
>> Councilmember Liccardo: Thank you sir. David Wall.
>> David Wall: I'm only on open forum.
>> Councilmember Liccardo: Okay, thank you, David. That's the conclusion of public comment. Any questions or comments from the committee? Rose.
>> Councilmember Herrera: I just want staff to comment on the engineered building materials, any thoughts on that. And just talk about ventilation again. It sounds like ventilation is the big issue.
>> And I think we may be able to look to our Build It Green staff here, as well. I think the move toward engineered materials has been good, from the green perspective, in that it's allowing us to use less fresh lumber, and so we've had to move in that direction. And I think because we have been using more of that kind of engineered material, the formaldehyde issue on balance is now likelier to be common in our housing as in formaldehyde is also used in some of the end to our finishes that go on later in the building process, or indeed even in carpets and linoleum products and other things that homeowners introduce

later on in the series of just living there or remodeling. So I think staff in the report is trying to acknowledge that the process for working to improve the or reduce actually the amount of formaldehyde are looking for ways to have formaldehyde free products which the staff has already identified is starting to happen in the industry, that that's the preferred way of dealing with the formaldehyde problem rather than testing when you have variables that are ongoing variables that are not just around building construction. So our staff premise here is that the air resources board and the Build It Green and the LEED groups that are work together with lots and lots of the industries are the better way to go after reducing it out of the products altogether, as opposed to testing being the requirement, when the testing has got a little bit of debate about how reliable the tests are, and when new factors can be introduced into a home so a home that tested great last week if they've installed carpeting of the wrong time could today have a high formaldehyde level. And perhaps somebody from Build It Green can talk about how the discussion is going with the folks working on the products, the wood products.
>> If I may, my name is Mark Richmond, I'm a consultant to built it green. I've been a green building educator and promoter since 1992, working on this issue and many other issues in the green building realm. One, there are no more engineered wood products in a green point rated home than in any other home. This is a standard practice and pattern in the industry. So that's one thing I'd like to make sure I dispel. Number 2, the two regulations that have now been passed here by the state, one reducing the formaldehyde emissions out of engineered only interior wood products and the ventilation rate requirement starting in January 1st are two of the most monumental things that I've actually been working for is, for the last 18 years of my career. And no other state or no other country has requirements such as this. It is unbelievable to me that these things even got passed, and I cannot imagine anything that would be doing more to help us in our indoor air quality that these two things that have have already been passed. So my whole question about what should this committee be doing and what should be going on is, I can't imagine what more you could be doing. My issue on testing is I know from my own personal experience and within the industry, the testing protocols are not fully standardized and the testing methodologies are very, very painfully, almost impossible to comply without in the field to get them to be regular on every house, if you ever wanted to check them. Any of those tests can be messed with and changed one way or the other to get even handed conditions in your test environment, absolutely impossible out in the real world, trying to get things done. And then the fact that it would be up to the City of San José and their building department to try and regulate and enact these things to me seems like an absurdly impossible deal. In addition to the fact that we've already gone so absurdly far on the regulations that are out here that are international, that are -- excuse me, statewide, I'm trying to find a harder way to say how much better could we be at this point. And that we need to give that some time to make those things change. I also agree with everything that the staff has written in their reports and they have done a good job in educating themselves on the topic as well for sure.
>> Councilmember Herrera: Thank you very much. That's very helpful.
>> Councilmember Liccardo: Mark, while you're at the mic, while you're not at the mic, just to be clear, my understanding air quality criteria are the score for Build It Green.
>> Absolutely this is an option that anybody can choose to do for sure. And we have been using the same standards and the testing protocols that CARB uses. We have no other better place to take from. We use what the experts in the field use.
>> Councilmember Liccardo: And the air resources board is studying this issue, and we expect the study results shortly, do we know how shortly?
>> It's been postponed, postponed because they're doing ever deeper depths of research because they're finding this is a difficult thinkg to research and it's not an easy thing to come up with, to try and get a standard pattern so they can be comfortable with what they put out in their final report and as recommendations to all of us.
>> Councilmember Liccardo: Thank you.
>> You're welcome.
>> Councilmember Herrera: I did have one.
>> Councilmember Liccardo: Sorry, Rose to cut you off.
>> Councilmember Herrera: Just one last question. Just thinking in terms of it sounds like the direction is eventually to move formaldehyde out of some of these materials and your point is well taken if there are many differently sources these could be coming from I'm just thinking here is there any need then for any warning to consumers on any of these products where there would be large amounts of formaldehyde? Is

that something that is -- is there any thought to that or sort of like a label that did say the content of the formaldehyde to sort of warn consumers?
>> There are already label requirements and if I remember correctly they're being beefed up at the first of the year. I know myself I was just assembling a made out of recycled plastic garden box just yesterday, and two of the sets didn't have a sticker on them that said less than 1% formaldehyde and the other two as I was opening boxes, somebody had to go and I guess retrofit these boxes with this information. So I think it's an ongoing process of making sure consumers are aware while working with the industry to try to get it out of as many of particularly as many of the interior use products as possible. So I think we're right on it. Its our program through our green building ordinance allows you to LEED or green building rating so it's a choice. It's an option is one of the way to make points. I think staff is just presenting that it's one of you know a pallet of options and at this time we don't have enough better more definitive information to make it compulsory as a testing requirement for our own purposes and we will continue to be working very closely with Mark in Build It Green and with the LEED program.
>> Councilmember Herrera: Well, I absolutely support what staff's saying about testing. I guess I'm just trying to gain a little more insight in terms of the issue of formaldehyde as it relates to consumers. And also I'm thinking in terms of how we're building now and how we're looking at energy efficiency do we have any more concern about you know ventilation since we're doing a lot more to insulate and keep our homes sealed up hopefully and I'm not trying to take off on a different subject but I guess I'm just thinking the average consumer how can they protect themselves from unhealthy formaldehyde levels, make sure that they know about it, because if they are bringing it into their homes unknowingly, I mean, that could be an issue.
>> And I believe staff will be coming back as we get into the first of the year as we move in our retrofit green building ordinance that staff has begun to work on, so to the extent you start having folks come in to do better windows and some other things I think as part of that program would be a time to be educating home remodelers that's only worried about their own living room or adding their own recreation room that wouldn't be following this formaldehyde discussion that we have here. So I think that would be an opportunity to have an educational situation as people come in to do the one thing they've heard about the windows, and then you could broaden that discussion. So I think we will be able to come back to the committee as we work through that process and give you an update of the status coming from the air resources board.
>> Mayor Reed: Yes, ma'am.
>> Councilmember Chirco: This sounds like nothing is ever set in concrete, it sounds like based on the state-of-the-art and the monitoring that's going on that it's an evolving, it's not a fixed target, is that correct? So it sounds like at this time, this is the best point, but it's just a point, and that will be something that will continue to evolve, with one evolution you talked about in January. So with that, and based on the staff report, I'd like to move for approval.
>> Second.
>> Councilmember Liccardo: We have a motion and second. I just have one question I'd like the ask Ms. Kincaid, if you have a moment to come forward. From the letter submitted from Build It Green, clearly there are challenges to the methodology of your study, for instance, placing the monitors inside a kitchen cabinet. The apparent confusion between parts per million, parts per billion, what I see here is certainly very low sample size, but there is a significant correlation. And so that has me concerned. And so what I wanted to hear is, do you have any response to the concerns that have been expressed about the methodology of your study?
>> I gave you a seven page document responding to those issues that were raised in the staff report. As for my only qualifications, I'm a certified industrial hygienist. I have a master of public health from U.C. Berkeley. Timothy Rohm, who spoke a few months ago, has a Ph.D. in chemistry, and he's also been my boss for the last 20 years. So I only have 20 years experience working in this field. Tim has 30 or 35. So between the two of us we do have a fair amount of experience taking measurements much toxic gases. In fact Tim's area of expertise is measurement of toxic gasses in air. Tim trained me to do what he knows how to do best. Tim was one of the people who developed the toxic gas ordinance for Santa Clara County. This is his area of expertise. He knows it as no one else in this area does and he's been my mentor for 20 years.
>> Councilmember Liccardo: I'm not questioning anyone's qualifications and maybe we can have this discussion offline. But we received this seven page letter two minutes before the committee hearing so as you can imagine I haven't digested it. I wanted to give you the opportunity to at least put those issues out

there. We can certainly discuss at another time. I'm not trying to attack anybody's credibility but I want to you understand should we or shouldn't we --
>> These formaldehyde concentration in room air. I have taken measurements inside cabinets. I do that to confirm that the cabinet is a formaldehyde source in that home. I do not measure inside a cabinet and then call that the concentration in the room air. Usually I take my measurements in room air standing out in the middle of the room. I don't even want to get close to a source because if I move toward a cabinet or I move toward an MDF door or I move toward MDF paneling on a wall that number will go up. The peter I use can detect gradients across the room. If the air conditioning is on that will circulate things pretty well so the formaldehyde will be pretty well distributed throughout the home. And to validate my meter, I've tested with two other methodologies, side-by-side samples, and they've come in so close, it's almost scary.
>> Councilmember Liccardo: Okay, thank you, Lynn. All right, there's a motion on the floor. All in favor? [ayes]
>> Councilmember Liccardo: Okay, no one opposed, that will move forward. We have reached time for open forum. I see a card from David Wall. Thank you very much, Rich and Susan, for the lengthy report.
>> David Wall: I think you better hire the doctor of chemistry and that last speaker on city payroll. In any case, I think, because of the chronic toxicity failures of the final effluent water pollution control, that this committee should be made apprised at every juncture that this failure happens so you would be aware of it and find out why that it afails. Second, on sustainable agriculture, Councilmember Campos eclipses any other councilmember on this issue. Outstanding effort in this regard, Councilmember Campos. This is the future, is sustainable agriculture. I've tried in vain to put this forward but you have succeed and accolades will be forthcoming on the public record as well. This gets back to environmental services again. The land of infinite number of deputy directors. Let's just talk one issue. Storm drains. For some reason, our D.O.T. guy that was just here and left, they don't seem to get about storm drain maintenance before the rain hits. In other words there will be photographs for you Councilmember Liccardo of a district 3 issue after our first rain this year. But the storm drains are just conduits to our rivers and creeks. And it's one good thing and a very good thing to have a city tree policy. But with no type of thought processes for watershed protection for these storm drains, when you have an incredible infrastructure of high-salaried and benefited employees, there's a disconnect. A very big disconnect. Especially when you're hiring a bunch of new inspectors for regulatory issues on the storm drains, this should have been the building inspectors that were let off. Because the storm drains are a construction issue. In any case, focus on the storm drains, if you care to. I consider them an abhorrence, a failure of the environmental services department. Thank you.
>> Councilmember Liccardo: Thank you, David. All right, with that -- oh, we do. I'm sorry. I must have missed your card. Please come forward.
>> Don't want to take too much of your time. I actually meant to speak with the green building portion but I didn't realize the cards were over there. But I just wanted to introduce myself. My name is Chris Lepe, and I'm the South Bay representative for Transform. We're a regional coalition working on land use and transportation issues. And we build diverse coalitions, influence policy, and develop innovative programs to improve the lives of and the quality of life of all people and the environment as well. I just wanted to introduce a few key topics for you. You earlier spoke about increasing the amount of transit funding and we have definitely been involved at the regional level in trying to increase the amount of funding for walkable communities, you know, affordable housing and transit including a regional gas tax. We've worked on that in the past and we'll be working on that in the future as proposals go forward for that. But locally I just wanted to mention again I have an office over here on 7th Street and we'll be working on the bus rapt transit with VTA and we see that as a very key way of moving people from point A to point B in the most cost effective manner as well as spurring transit oriented development and walkable communities. So we definitely look forward to working with you on that, and I'll be contacting your offices. I'll be sending you a letter on our strategic plan, with regard to our organization, we are relative new in the South Bay even though we've been active for about ten years in the Bay Area and finally you mentioned also parking. We have a program that we're going to be piloting all over the Bay Area, including the South Bay and it's called green trip, which is a LEED style certification program for new development, new residential development related to parking and transportation. So Green Trip stands for TRIP, transportation -- transportation reduction and innovative parking certification program. Sorry, that was very long winded, but basically it's all about giving certification to development projects that are doing the right thing in terms of reducing parking and having things like PDM, reducing the amount of

vehicles on the road and that kind of thing. So that should help with the whole community support aspect that you were referring to earlier. So anyway just wanted to introduce myself and I'll be in contact with you.
>> Councilmember Liccardo: Thank you, Chris.
>> Thank you.
>> Councilmember Liccardo: And thanks for your work on our BRT. It is along the highest ridership corridor in the entire valley and we need a lot of work there, so thank you. Okay, with that, we move to adjourn, okay.