



CITY OF SAN JOSE, CALIFORNIA

DOWNTOWN PARKING BOARD

Meeting Minutes
May 16, 2007

1. Call to Order 8:15 AM

Roll Call

Board Members Janis Gemignani (8:20am), Elizabeth Monley, Jim Renelle, Sal Saglimbeni, Andrew Bales, Troy Tibbils, Diana Beechie (tele-conferenced at 8:15am)

Members Absent: None

Staff: Jim Ortbal, Amit Kothari, Joe Garcia, Matt Farrell, Frank Hernandez, Pamela McAnally, Angelique Nedrow, Dan Katz, Abi Maghamfar, DeAnna Stuth

Guests: Scott Knies, Louis Fresquez, Jay Slotnick, Peter Cogan, David Powell, Alisha Stanfield, Hermann Rehmeyer, David Bird, Sal Pizarro

Vice Chair Monley called the meeting to order at 8:15am. Abi Maghamfar (SJRA) stated that Board Member Beechie is teleconferencing this meeting and an amended agenda has been distributed with her location in Bakersfield, CA.

2. Chairperson Report

None

3. Enhanced Security & Maintenance Plans – Rates & Funding Alternatives

Jim Ortbal (DOT) reported that the Enhanced Security and Maintenance Plans were presented to the Board at the May 2nd meeting by Amit Kothari (DOT), and Deputy Chief Dan Katz (SJPD). Mr. Ortbal mentioned that the Downtown Parking Garage Security Assessment Report was presented to the Downtown Working Group (DWG) by him and Chief Charles Younis (SJPD) on Monday, May 14th. DWG was informed that the DPB would be taking action on this item Wednesday, May 16th.

Board Member Bales asked if the Security Capital Improvements can be implemented in one or two years instead of \$200,000 a year for 5 years, recognizing the total price is \$1 million. Mr. Ortbal stated that during fiscal year 2007-08 staff will report back to the Board on the progress of the tasks and an accelerated version may be implemented if it is determined to be the best course of action.

Board Member Saglimbeni is concerned about the impact of the late night charge to the late night businesses. He suggested implementing a \$2 rate after 10pm in the four garages proposed in the plan, on a trial basis for a few months.

Vice Chair Monley believes that the Parking Management Plan (PMP) is being updated as a result of the downtown shifting to a more residential focus versus business. She suggested

implementing a \$5 rate after 10pm beginning in July 2007 in all City-owned parking facilities for a three month trial basis while reserving the right to discontinue the fee if it does not produce desired results. She also believes that the PMP and the Security Plan are two separate documents, but should be presented to the Council simultaneously.

Board Member Bales stated that if the intent is to discourage people from coming downtown at a certain time, you might as well close the garages at 10pm. He does not agree with different pricing structures at different times. He recommended implementing the \$5 rate at 6pm beginning July 2007. He feels that timing is more critical than rate, and that swift intervention could be the solution to the security issues. He also suggested unbundling the security issues and the potential revenue.

Chair Gemignani agreed with Vice Chair Monley about implementing a \$5 rate after 10pm on a trial basis, but for the Market Street and 3rd Street Garages only instead of all the City-owned parking facilities.

Deputy Katz said that if the late night rate is not implemented at all the garages then the negative behavior will likely shift to the garages that do not have the rate. He believes that implementing the \$5 rate after 10pm beginning in July 2007 will deter some negative behavior. He mentioned that the SJPD overtime budget is limited and does not have the funding to provide coverage in the parking garages.

Scott Knies (SJDA) stated that the Board voted 4-3 on the PMP and he feels that it should be presented to the Council. Mr. Knies suggested not focusing on the late night inhibitors that would deter the clientele that we are trying to attract downtown. He would like the Downtown Association to meet with staff, SJPD and the community to better understand the Proposed Security Plan together, which has not been reviewed at public meetings. He indicated the last time this issue was discussed at a public forum in March, members of the community rejected the proposal.

Board Member Bales asked what the restaurant and night club owners think about the \$5 rate after 10pm. David Powell (San Jose Restaurant and Entertainment Association) answered that he feels the community is surprised that the \$5 rate is re-surfacing and he thinks the rate will deter a broader range of customers, not only the problematic customers. He believes the \$2 rate after 6pm is sufficient to address the clean and safe issues in the parking facilities.

Board Member Tibbils feels the Board is rushing to make a decision without proper public input. He suggested approving the Enhanced Security and Maintenance Plans and monitoring them for a possible fee-based system if necessary. He thinks the money should be spent from the current fund to implement the plans.

Board Member Saglimbeni feels the PMP is independent from the Security Plan. He moved to approve the items in the report except instead of the \$5 rate, use a \$2 rate in four garages after 10pm beginning July 2007 on a trial basis, report monthly on the progress, and expedite the implementation of all other items. The motion failed due to lack of a second.

Vice Chair Monley believes that the \$2 rate is not enough to deter the negative behavior in the garages but will only aggravate visitors who want to park in a garage, pay the \$2 rate and then cannot find a parking space and/or do not see improvements in the garages.

Board Member Renelle moved to approve the Enhanced Security and Maintenance Plans for a six-month pilot program to charge a \$5 rate after 10pm on Thursday, Friday, & Saturday effective July 1, 2007 at four parking garages. This motion also included reviewing the impact to the parking facilities and the business community on a monthly basis with public input at the Board meetings with the ability to reduce the rates if necessary. Vice Chair Monley seconded. Board Member Saglimbeni does not support this motion because he is concerned of the impact that the \$5 rate might have on the business community.

David Powell asked how staff would receive public input from businesses about how many good customers that would be turned away because of the late night parking rate. He suggested implementing the plans without charging the fee, and if that does not deter the negative behavior in the garages, the next step would be to implement a fee-based system.

Jim Ortbal commented that any information from a pilot program may not be available before September 2007. By October, staff may have an objective assessment to present to the Board so that the Board may determine if the \$5 rate is having a positive or negative impact on the parking facilities and the business community, and to make adjustments to the rate if necessary.

Angelique Nedrow spoke as a member of the DWG and said that the committee's main focus is safety and security and that she thinks customers may be willing to pay for parking if they feel safe, secure, and have clean parking facilities.

David Powell said that the downtown has changed for the positive in the past two years because of SJPD's new strategies in decreasing cruising, sideshow activities, curfew issues etc.; however, these actions have impacted businesses by deterring customers, which has reduced business by 30%. He suggested that the Board ask the Council to enhance police support rather than charging for parking after 10pm. Deputy Katz agrees that those strategies have decreased the unwanted behavior, but the garages are still uncontrollable.

Scott Knies referred to the incident report page and suggested that the SJPD has overstated the incidents in the garages. He feels that the Board should not accept all elements of the Security Plan and that the Parking Fund should not be responsible to address SJPD's funding shortfalls.

Board Member Bales stated that the security issues have increased rapidly in the recent months. He asked staff if the budget allotted for the Security Plan would just keep it at the same level or if it would provide security enhancements. Mr. Ortbal said that he and Deputy Chief are working out the details, but the plan provides for an enhanced security team between the hours of 10pm – 3am.

The Board voted on the motion by Board Member Renelle. The motion passed

(4-0-3). Noes: Board Member Saglimbeni, Board Member Tibbils, and Board Member Beechie.

Chair Gemignani suggested reorganizing the agenda so that item 5, the PMP, and then item 8, the Extension of the Hybrid Program, could be discussed in the interest of time. The remaining items will be deferred to the June 6th meeting.

4. Proposed FY 2007 – 08 Operating/Capital & 5 – Year Capital Budget

Deferred to the June 6th DPB meeting.

5. Parking Management Plan – Ratification or modification of prior actions

The Board and staff agreed that the PMP Update and the Security Plan will remain as separate documents, but will be presented to the Council at the same time.

The Board voted on ratifying the PMP Update. The motion passed (6-0-1). Noes: Board Member Bales.

6. FY 2006-07, 3rd Quarter Financial Statement

Deferred to the June 6th DPB meeting.

7. 3rd Quarter Parking Occupancy Report

Deferred to the June 6th DPB meeting.

8. Extension of Hybrid Program

Joe Garcia (DOT) referred to the memo in the packet and reported that the recommendation is to extend the Clean Air Vehicle Parking Validation Program through June 30, 2009 with the following modifications:

1. Match the program requirements to meet those for the State of California, Carpool Lane sticker requirements for a Single Occupancy vehicle, with the exception of including Neighborhood Electric Vehicles.
2. Limit participation of City parking facilities to the Third Street Garage, Fourth Street Garage, Market Street Garage, 2nd/San Carlos Garage, 2nd/St. James Lot, San Pedro/Bassett Lot, and San Jose Regional Parks.
3. Add an administrative fee of \$30 for a new or replacement permit to cover the administrative costs of the program.

Vice Chair Monley asked if the incentive to purchase clean-air vehicles from licensed San Jose Auto Dealerships still remains as part of the program. Mr. Garcia answered yes, and stated that a small number of Hybrid vehicles are not considered eligible for the State Program because they do not meet the 45 miles per gallon criteria and strict emissions standards. There are a total of 96 of the 1,590 vehicles in the Hybrid Parking Program that would not meet the eligibility requirements of the proposed Clean Air Vehicle Validations Parking Program. He added that in order to apply for a permit, customers do not need to have a State of California High Occupancy Vehicle (HOV) sticker issued from the state.

Chair Gemignani asked why the Master Parking Rate Resolution needs to be revised. Mr.

Garcia said that the need to change the Rate Resolution is because of the extension of the program to July 2009 as well as the eligibility modification.

Vice Chair Monley asked why the program was limited to certain parking facilities. Mr. Ortbal said that some of the parking facilities were excluded because of the high demand for parking, therefore only parking facilities that could support this program were included.

The Board voted on approving the Extension of the Hybrid Program. The motion passed (7-0-0).

Abi Maghamfar congratulated Vice Chair Monley, Board Member Beechie, and Board Member Tibbils on their reappointment to the DPB for four years by the City Council on May 1st.

Mr. Maghamfar mentioned that there were handouts distributed this morning which includes:

- Four letters from members of the public sent to the City Clerk's office regarding the ending of the Free Parking Program.
- Parking Capital Program report that Chair Gemignani requested for review.
- A memo from the Deputy City Manager going to the Rules Committee for the Transportation/Environmental Committee to schedule a meeting to hear the PMP Update. This meeting is scheduled for May 29th at 1:30pm in the West Wing room 119. Mr. Maghamfar encouraged members to attend this meeting.

9. PGS Phase 1 – Amendment to S&B Contract

Joe Garcia stated that staff is working with the Finance and Purchasing departments to modify the agreement with Scheidt and Bauchmann and it is expected to be presented to the Council on June 12th. He will forward the final report to the Board as soon as it is finalized.

Mr. Garcia added that there were two handouts distributed this morning. One memo was requested by Chair Gemignani which provides the basis for calculating the percentage for the Public Art Program Allocation. The second memo is an evening and weekend rate survey of other cities which was provided by Central Parking as a reference for the Board.

10. Future Agenda Items

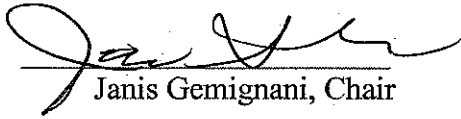
- Board action on election of Chair and Vice Chair for FY 2007-08 – June 2007
- Customer Satisfaction Survey – June 2007
- Proposed FY 2007-08 Operating/Capital & 5-Year Capital Budget – June 2007
- FY 2006-07, 3rd Quarter Financial Statement – June 2007
- 3rd Quarter Parking Occupancy Report – June 2007
- Semiannual Work Plan – June 2007

11. Pubic Comment

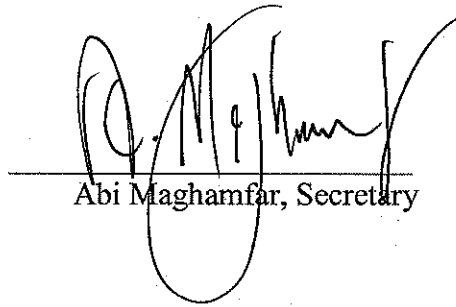
None

12. Adjournment

Meeting adjourned at 10:12 a.m.



Janis Gemignani, Chair



Abi Maghamfar, Secretary