



CITY OF SAN JOSE, CALIFORNIA

DOWNTOWN PARKING BOARD

Meeting Minutes September 5, 2007

1. Call to Order 8:05 AM

Roll Call

Board Members: Andrew Bales, Janis Gemignani, Jim Renelle, Diana Beechie

Members Absent: Troy Tibbils, Sal Saglimbeni, Elizabeth Monley

Staff: Jim Ortbal, Amit Kothari, Joe Garcia, Matt Farrell, Jessica Garcia-Kohl, Roma Dawson, Angelique Nedrow, Abi Maghamfar, Rebecca Anguiano

Guests: Sam Liccardo, Dennis Hickey, Bob Carlson, Kevin Kurimoto, Gil Candelaria, Gina Novello, Monica Armenta, Joe Celco, Becky Gile, Hermann Rehnemeyer, Chuck Griffen, Henry Cord, Scott Knies

Chair Gemignani called the meeting to order at 8:05 a.m. Abi Maghamfar reported that Board Members Tibbils, Saglimbeni and Monley were absent from the meeting. Board Member Bales moved to approve the August 1, 2007 meeting minutes. Board Renelle seconded. Motion was accepted (4-0).

2. Chairperson Report

A. Sunshine Reform Task Force Recommendations

Chair Gemignani reported that she attended one of the Sunshine Reform Task Force (SRTF) meetings and provided comments on the handout to the Task Force "Phase I Report and Recommendations Policy Body Feedback Form." She believes the task force has not heard much from Board and Commission Members, but has heard from the staff. Chair Gemignani's concern is that the additive 10-day notice requirements for each meetings will delay the process; 10 days for the Board agenda, added to 10 days to get onto a Council committee agenda, followed by 10 days needed for the Rules Committee and another 10 days to get on the Council agenda. Chair Gemignani believes it might be a burden on the process because of the length of the added time. Chair Gemignani suggests that the Board Members should read the recommendations, and add any comments.

Abi Maghamfar commented that the deadline for Boards and Commissions to provide input is by September 15, 2007. He explained that the board has voluntarily, outside of the Brown Act requirements, been distributing the packets and agenda one week before the meeting. Adding another 3 days would require further advanced planning for the staff and the members of the board. Council reports are normally distributed 10 days prior to the Council meetings, although currently not required.

Board Member Bales commented that the board has worked on shorter calendars and still progressed.

Abi Maghamfar stated that there are opportunities for urgent matters to move ahead under the 10 day rule. A supplemental memo to follow up on the original memo with additional information does not require 10 days.

Chair Gemignani believes extending the time period would be less public friendly.

Jim Ortbal believes the 10 day period would help the public to have more time to read and learn about decisions being made well in advance.

Abi Maghamfar would like the board to send its position on the recommendations it has to Sunshine Task Force, either with or without suggestions.

Board Member Bales moved to support SRTF recommendations. Board Member Renelle seconded the motion. Motion carried unanimously.

3. Operations

A. Parking Compliance Services

Gil Candelaria, On Street Parking Manager (DOT), referred to the Parking Compliance Services (PCS) memorandum which was included in the packet. The primary duty of the PCS Unit is to provide citizens with safe and accessible parking. PCS officers enforce state and city regulations through education, warnings and enforcement. The PCS Unit has grown in number of employees and service coverage. Parking compliance focus used to be mainly in Downtown San Jose, but now the focus is city wide with 24/7 service. PCS also supports vehicle abatement with 25,000 service calls/year, street maintenance support, and assist the school safety team. The Parking Compliance Unit has various shifts and teams that handle different aspects of their job.

Parking Compliance is not the only department to issue citations. The police department, Convention Center Security, Park Rangers, Planning, Building, and Code Enforcement and the Airport all issue citations. There are officers assigned to the parking meters on a daily basis. PCS issues approximately 45,000 meter violations a year in Downtown San Jose. Approximately 233,000 citations were issued city-wide in 2006-2007. It is hard to separate what area the citations are issued, but because of the deployment models, it is easier to distinguish where most violations occur.

Mr. Candelaria explained about the citation appeal process. This is mandated by state law. It has rigid timelines and is regulated through a three step process. There is a review process for the contested citations, a hearing with an independent hearing officer and then the complainant has the ability to go to civil court to have the case heard by a judge. Less than 4% of citations issued are contested (10,285 in FY 2006-07), and about 30% of those are

dismissed. Mr. Candelaria believes the numbers tell us the work is being done correctly and with minimal contesting.

	FY 2004/05	FY 2005/06	FY 2006/07
Total Citations Issued	227,564	222,114	233,357

Citations Issued by Type	FY 2004/05	FY 2005/06	FY 2006/07
Meter Violations	61,667	60,702	65,113
No Parking – Street Sweeping	31,744	35,881	41,032
Residential Permit Parking	17,250	20,010	20,756
Freight Loading	2,978	4,452	4,711

Citation Appeal and Dismissal	FY 2004/05	FY 2005/06	FY 2006/07
Appealed	11,883	10,706	10,285
Dismissed	3,842	3,580	3,096

Mr. Candelaria stated that about 3 years ago Jim Ortbal directed the unit, which was then called "Parking Control Program" to check out what other cities were doing. They found out other Cities like Capitola, San Francisco and Los Angeles, had a zero tolerance to violations. DOT then decided to encourage the officers to seek compliance, hence the name change to "Parking Compliance".

Amit Kothari, DOT Deputy Director indicated that all compliance staff receive class room and ride-along training.

Mr. Candelaria closed by saying that the Parking Compliance Services is a unit that strives to enforce the parking rules and regulations in a fair and equitable manner and to provide the education and ability for people to use the system correctly..

Board Member Bales questioned the proposal to pay a reduced fine if the person who received a citation for meter violation pays it within 30 minutes to an hour. Board Member Bales wanted to know if there are any programs in place or in the works for this type of situation.

Mr. Candelaria responded by saying there is a program in Saint Louis where you can pay one dollar if the citation is paid within one hour. Mr. Candelaria went on to say that for every citation processed there are a \$2 processing fee, \$5 goes to the State that covers jail and court fees and \$10 in officer's time and equipment. Because of these costs, a one dollar program would not be economically feasible for the City of San Jose.

Mr. Ortbal explained that all citation revenues go to a general fund, which pays for Parking Compliance Unit, Police, Fire, etc.

Chair Gemignani asked if the Parking Fund, funds any parking compliance personnel.

Mr. Ortbal said not currently, but the Parking Fund did contribute in previous years. There was a program where the parking compliance staff was responsible patrolling the garages. They did not do what the police or hired security does. It was more to observe and report what goes on in different parking garages.

Abi Maghamfar asked for clarification on the \$5 payment to the State. If a citation is not paid, the state will not get its payment. The answer was yes, but it was clarified that if any amount is paid for a citation, then the State must be paid the \$5 fee.

Councilmember Liccardo questioned how we can be exempted from State fees. He indicated that the Council can be involved to influence the process.

Board Member Renelle indicated that the State program may have expired. Need to look into it.

Dennis Hickey said PTCOs are ambassadors and asked how many citations are voided? Mr. Candelaria replied that once a citation is issued, officers cannot void them.

Scott Knies asked for information in regards to revenue collected from citations issued because there was not any information in the memo. He asked if there is a budget goal, and if there are quotas that need to be met. The answer was no to both questions. Mr. Knies indicated that the Downtown Association will bring forward a proposal for DPB consideration.

Mr. Ortbal said staff will gather additional information on exact costs for citation processing and report back to the Board at the next meeting.

B. Grand Prix Occupancy/Revenue Report

Matt Farrell referred to the report in the packet and mentioned that this year's revenue for the Grand Prix Parking was \$45,816, compared to last year which was \$51,886. He indicated that this year's figure does not include the Central Place Parking lot. The revenue from Central Place goes to the Agency. 2007 total ended up being about \$1,120 less than 2006 revenues, which is not a large difference. There was also a 6% growth in light rail usage.

Board Member Bales asks if the number of cars in garages were counted and how full to capacity were the garage.

Henry Cord asked if it would be a better to have free parking during the event. He said it might be more valuable in the bigger picture to have more people downtown parking for free because it would bring more people downtown in general.

Jim Ortbal said the reason we charge for parking is to recoup for other charges, including for the Almadaz/Woz lot lease, which is used for the grandstands.

4. Capital/Finance

A. Capital Projects

Matt Farrell distributed a handout containing the work proposed for the Convention Center pedestrian access on Market Street. An awning was installed on top of the entry to show pedestrian access. He also indicated that there are 19 new way-finding signs that will be installed in the vicinity of the convention Center by the end of September directing cars to parking garage. There will also be an exterior sign placed over the Market Street entrance of the Convention Center parking garage. Due to staff vacant position in the department, the sign specification is not complete and the sign may not be installed by December.

In regard to the Parking Guidance System, Mr. Farrell reported that the first phase is the installation of two signs, one on Almaden Blvd & Park Avenue. Close to the Adobe building, the other is on Market and Post. This should be finished by December, 07. All submittals have been approved and the first progress payment was made. He mentioned that the system has a WIFI network and a radio frequency as back up system.

B. \$5 Pilot Program

Joe Garcia distributed hard copies of a status report for Parking Security, Cleaning and \$5 Pilot Study. This is the second status report, nine weekends after implementation of the \$5 pilot study. The goals for the program were to have clean, safe and inviting parking facilities. To reach these goals various actions were taken. Late night cleaning, weekly power washing of stairwells, refurbishing of stairwells; opening of restrooms and improved landscape and signage. There is also more security and police patrolling, issuing citations for various violations including drinking and urinating in public, open containers, and providing a presence in many high traffic areas. A reasonable nightly rate helps support both maintenance and patrolling. There are less people parking in some garages. Some business owners are providing revenue data, and a sales tax "before" and "after" comparison are also will be utilized to determine impact on businesses.

Mr. Garcia said that we are making progress. The atmosphere has improved and there is a significant difference in the appearance of garages. The nightlife activity appears vibrant. There will be a 2nd status report to the Council in October or November. This will have input from various business and the effect on their revenue.

Mr. Ortbal indicated that less people are parking in the parking facilities. This is not necessarily a bad thing. The reason being, people are not just driving through the garages to check out the scene. They are actually coming in and parking. They then visit businesses or clubs in the area, spending money.

Jessica Garcia-Kohl asked if the drop in patronage from May/June 2007 to July/August 2007 has anything to do with the fact that San Jose State University Students are out of school. Mr. Ortbal responded that the downtown businesses derive the parking occupancy and that there is no way to know if the SJSU students add or take away from the parking demand.

Board Member Renelle said that current enrollment at San Jose State University is at the highest level at 31,500 students.

Chair Gemignani mentioned of a recent ridealong that she and Vice Chair Monley have taken and they noticed significant improvement.

Scott Knies commented that the Association has been opposed to the \$5 pilot program and is working with staff to roll out the \$2 fee for January, 08. He questioned the continued use of police in the garages and asked if we have broken the cycle? Is it necessary to continue the use of police?

5. Parking Management Plan

A. PMP Implementation Plan

Abi Maghamfar reported that the Agency is actively pursuing appraisal of the Greyhound Parcel. Due to staffing difficulties at the appraiser's office and with challenges of the busy market, the report is delayed and is expected to be available by the end of September.

Chair Gemignani asks if the valet parking issue has been resolved.

Jim Ortbal stated that staff is waiting to receive a proposal from Central Parking on their ability to do it. The goal is to have implementation by the holidays. There are a lot of concurrent activities and staff doing everything it can to produce projects and assignments. He believes they are making progress, even with setbacks (losing staff).

Chair Gemignani indicated that the public was promised an RFP through the approved PMP. How can we change course and do it internally? Mr. Ortbal said because there is a contract with Central Parking, we can add additional services, like valet parking.

Angelique Nedrow (City Attorney Office) clarified that the PMP did anticipate an RFP for valet parking; she will investigate what actions are necessary if it is to be completed in house.

Chair Gemignani stated that she wanted to avoid lapses of time because it is important to keep things moving in a timely manner. She does not want things changed without public notice or approval.

6. Reports/Coordination

Due to time constraints, Abi Maghamfar suggested to defer the balance of the agenda to the September 19, 2007 Meeting. Board Members requested reports on items 6.A, 6.D, and 6.E.

A. City Council Agenda Items

Jim Ortbal reported that the next update to the City Council on the \$5 pilot program will be

provided on September 11th.

B. Downtown Working Group

Deferred to September 19th.

C. Downtown Projects Construction Coordination

Deferred to September 19th.

D. Cirque Du Soleil

Abi Maghamfar reported that the proposal to move Cirque du Soleil to the Water Company site is still pursued. The Cirque is interested and is evaluating their site requirement. The San Jose Water Company parking needs is also an issue because they are still using the site. There should be an update by September 11, 2007 to the City Council/Agency Board on this subject. Cirque is interested in performing downtown because of a 95% occupancy compared to 75% at the Taylor site. Potential impact on parking is the relocation of monthly parkers from Water Company lot to the Market street garage. This move would not bring in any revenue.

E. Agency Temporary Parking Lot Development:

Mr. Maghamfar reported on three Agency projects that will provide additional temporary parking. Two are near the Diridon arena. The San Jose Redevelopment Agency has purchased three properties along Montgomery Street and Autumn Ave, south of the Diridon Stations. Each lot has its own issues that need to be resolved before parking improvements can be completed.

I. Stephen's Meat

Stephen's Meat Company building is slated for demolishing and long-term plan for the site is housing. This site is on the corner of Montgomery and San Fernando Street. The temporary surface parking lot will provide approximately 140 parking spaces. Anticipated completion is first quarter 2008.

II. Westinghouse

The Westinghouse building is a City-owned building at the corner of Julian and Stockton. It is being used as a storage facility by San Jose History Museum. The building's historic status is under review. After an alternate site is found to store the items currently in Westinghouse, the building will be demolished and a surface parking lot will be developed. This lot will have approximately 80-100 parking spaces. Completion date is unknown at this time.

III. South Hall

The area around the South Hall is being evaluated for a temporary parking facility.

This area was used for temporary parking prior to the construction of South Hall, but after the South Hall was developed parking was not incorporated. DOT and Agency staffs in coordination with Team San Jose are looking at how to create parking around the temporary facility. There could be about 165 parking spaces on this lot.

7. Future Agenda Items


Abi Maghamfar stated that September 19, 2007 will be the next Downtown Parking Board meeting. He indicated that the financial statements for year-end 2006/2007 and 4th quarter occupancy report will be presented. Items that were not discussed at today's meeting will also be discussed at that meeting.

8. Public Comment

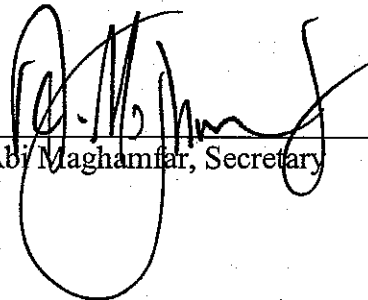
A member of the public, Hermann Rehmeyer, representing the Germania Club stated that they have been parking for several years at the St. James lot between 1st and 2nd. Mr. Rehmeyer would like to know when the construction will start on that site. Mr. Maghamfar responded that the Parkview Towers by Barry Swenson Builders is expected to start in the spring of 2008.

9. Adjournment

Meeting was adjourned at 10:10 a.m.



Janis Gemignani, Chair



Abi Maghamfar, Secretary