

**From:** [Aram James](#)  
**To:** [Roberta Ahlquist](#)  
**Cc:** [Greer Stone](#); [DuBois, Tom](#); [City Mgr](#); [Council, City](#); [Winter Dellenbach](#); [chuck jagoda](#); [Raven Malone](#); [Human Relations Commission](#); [Kaloma Smith](#); [Sunita de Turreil](#); [Joe Simitian](#); [Josh Becker](#); [rebecca](#); [Planning Commission](#); [ParkRec Commission](#); [Cecilia Taylor](#); [cindy.chavez@bos.sccgov.org](#); [supervisor.ellenberg@bos.sccgov.org](#)  
**Subject:** Re: Berkeley votes to end single-family zoning  
**Date:** Wednesday, February 24, 2021 3:27:57 PM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Hi Roberta,  
I'm in total support of ending exclusionary zoning in Palo Alto. Thanks to you and WILPF for being consistent voice of justice re this issue. Aram

Sent from my iPhone

On Feb 24, 2021, at 3:17 PM, Roberta Ahlquist <[roberta.ahlquist@sjsu.edu](mailto:roberta.ahlquist@sjsu.edu)> wrote:

Dear Council:

It's **long overdue** that we, Palo Alto, also get rid of exclusionary zoning. When will you end this?

Roberta Ahlquist--Low-income Housing Committee

Women's Int'l League for Peace & Freedom, Peninsula Branch

On Wed, Feb 24, 2021 at 2:31 PM Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:  
Berkeley votes to end single-family zoning

<https://www.kron4.com/news/bay-area/berkeley-council-votes-to-end-single-family-zoning/>

(Via KRON4 News)

Sent from my iPhone

**From:** [Annette Glanckopf](#)  
**To:** [Planning Commission](#)  
**Cc:** [Sauls, Garrett](#); [Tanner, Rachael](#)  
**Subject:** basements for ADUS  
**Date:** Wednesday, February 24, 2021 12:24:22 PM

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I am totally **opposed to adding basements to ADUs**, especially for detached ADUs close to the property line.

Please keep the current regulations  
*basement construction is currently prohibited within the rear or side property setbacks.*

This change defies the original intent of an ADU.- small dwelling unit for parent, student, disabled.

I also want you to keep the current height limits and not allow a 2 story ADU for a detached ADU.

Yes I know that a 2 story ADU is permitted This should not be allowed for an ADU located in a setback.

I believe the staff document underestimates the effect on neighboring properties on trees and groundwater. Additionally with the lack of code effective enforcement and the generous conditional use permits, I see the height of ADUs and depth of basements being abused.

*TOTALLY NEEDS TO BE CONSIDERED - FROM STAFF REPORT  
Neighbors, however, will continue to have concerns about subsidence, impacts from basement construction noise and vibration, the health of nearby trees, potential for tree removals to enable ADUs*

As far as basements: Ask any neighbor who is living next to a basement about the cracks in their floor and walls, or the stunted growth (or death) of a tree near the property line, due to a large basement being constructed next to them. With drought conditions this will emphasize the problems.

As an aside, I ask you to prohibit 2 story basements, that even more severely effect groundwater flow and construction debris into storm drains.

"Palo Alto Ground Water" committee will additionally address this concern. I associate my comments with their recommendations,

If you decide to recommend 1 story basements, I agree that  
*All basements for accessory units shall count towards the unit's gross floor area*

I do not see a problem with doorways between units, esp since one of the key objectives of the original intent was to house family.

I am opposed to any relaxation of side and rear setbacks for ADUs.

I support staff recommendations:  
*Staff do not recommend conferring the same height allowances to new, detached ADUs in flood zones as are conferred to single family dwellings.*

Annette Glanckopf

**From:** [Aram James](#)  
**To:** [Perron, Zachary](#); [Jonsen, Robert](#); [Human Relations Commission](#); [chuck jagoda](#); [rebecca@winwithrebecca.com](#); [Greer Stone](#); [Binder, Andrew](#); [Jeff Rosen](#); [David Angel](#); [Council, City](#); [Planning Commission](#); [ParkRec Commission](#); [Pat Burt](#); [Stump, Molly](#); [Molly O'Neal](#); [Kaloma Smith](#); [Jeff Moore](#); [Sunita de Turreil](#); [Raven Malone](#); [wilpf.peninsula.paloalto@gmail.com](#); [Winter Dellenbach](#); [cromero@cityofepa.org](#); [paloaltofreepress@gmail.com](#); [DuBois, Tom](#); [roberta.ahlquist@sjsu.edu](#); [raj@siliconvalleydebug.org](#); [greg@gregtanaka.org](#); [Shikada, Ed](#)  
**Subject:** NYTimes: Rochester Officers Will Not Be Charged in Killing of Daniel Prude  
**Date:** Wednesday, February 24, 2021 8:58:04 AM

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Rochester Officers Will Not Be Charged in Killing of Daniel Prude  
<https://www.nytimes.com/2021/02/23/nyregion/daniel-prude-rochester-police.html?referringSource=articleShare>

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [DuBois, Tom](#)  
**Cc:** [michael.gennaco@oirgroup.com](mailto:michael.gennaco@oirgroup.com); [Council, City](#); [Dave Price](#); [Emily Mibach](#); [city.council@menlopark.org](mailto:city.council@menlopark.org); [Human Relations Commission](#); [Palo Alto Free Press](#); [WILPF Peninsula Palo Alto](#); [Planning Commission](#); [ParkRec Commission](#); [Richard Konda](#); [Jeff Moore](#); [Raj Jayadev](#); [Lewis James](#); [Kaloma Smith](#); [Sunita de Turreil](#); [Nash, Betsy](#); [chuck.jagoda](mailto:chuck.jagoda); [cindy.chavez@bos.sccgov.org](mailto:cindy.chavez@bos.sccgov.org); [Joe Simitian](#); [Anna Griffin](#); [Roberta Ahlquist](#); [Jonsen, Robert](#); [Binder, Andrew](#); [Perron, Zachary](#); [James Pitkin](#); [Rebecca Eisenberg](#); [Mark Weiss](#); [Raven Malone](#); [Minor, Beth](#); [Pat Burt](#); [Bains, Paul](#); [Greer Stone](#); [Greg Tanaka](#); [Patrice Ventresca](#); [Kou, Lydia](#); [O'Neal, Molly](#); [Stump, Molly](#); [Rodriguez, Miquel](#); [Rosen, Jeff](#); [Winter Dellenbach](#)  
**Subject:** Re: Epidemic of police sponsored canine attacks  
**Date:** Tuesday, February 23, 2021 2:57:04 PM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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2/23/21

Hi Tom, (Mayor Tom DuBois)

At last night's city council meeting I had hoped, during oral communication, to briefly review some of the key issues raised by my letter and CPRA request below. My fault but I was having technical difficulties with accessing zoom. In any event, when your time permits, and I know you are very busy right now, including preparation for your upcoming state of the city speech, I would appreciate if you would review my letter, and more importantly the linked articles re the epidemic of police sponsored canine attacks on people of color and other vulnerable individuals across this country.

In addition, I have included, also in a link, the (CMR) City Manager Report reviewing the status of the PAPD canine unit back in 2005. I am not aware of any subsequent review of the PAPD canine unit, since that time, although there may have been a more recent review that I am unaware of.

In my concluding comments, below, I suggest that the city council consider expanding the scope of the IPA's (Independent Police Auditor) duties to include a review of the current status of the PAPD canine unit and, going forward, including complaints involving the canine unit in the twice a year reports issued by our IPA. Please let me know your thoughts.

Best regards

Aram

2/21/21

***CPRA request and cover letter re the current status of the Palo Alto Police Department's Canine unit.***

Dear City Council members, members of the Palo Alto Community, and the local press:

I am very concerned that as a community we are not as fully informed regarding the current status of the PAPD canine unit, as we should be. I'm requesting that we all do our part to obtain a full picture of the risks these canines potentially pose to the health and safety of community members attacked by these vicious dogs. My most recent concern was raised after reading a Daily Post piece, Jan, 28, 2021, "*Police dog attacks innocent man, an incident*

where a Palo Alto police dog was released on an innocent Mt. View resident, Mr. Joel Domingo Alejo, who subsequently filed a \$20 million claim against the city of Palo Alto for injuries suffered in the attack.

In addition, I have attached two recent articles, see links below, that suggest the weaponization of police dogs targeting particularly African Americans is an under recognized form of police terror and brutality resulting in life threatening injuries, life changing injuries and even death. The first article: *When Police Violence Is a Dog Bite* (First published on 10/2/2020) gives a harrowing perspective on the fact that police dogs bite thousands of Americans every year and that few ever obtain justice.

[https://www.themarshallproject.org/2020/10/02/when-police-violence-is-a-dog-bite?utm\\_medium=email&utm\\_campaign=share-tools&utm\\_source=email&utm\\_content=post-top](https://www.themarshallproject.org/2020/10/02/when-police-violence-is-a-dog-bite?utm_medium=email&utm_campaign=share-tools&utm_source=email&utm_content=post-top)

The second piece, published Feb 12, 2021 is titled: *The City Where Police Unleash Dogs On Black Teens* (In Baton Rouge, police dogs bit a teenager 17 or younger every three weeks, on average) is an equally disturbing must read.

[https://www.themarshallproject.org/2021/02/12/the-city-where-police-unleash-dogs-on-black-teens?utm\\_medium=email&utm\\_campaign=share-tools&utm\\_source=email&utm\\_content=post-top](https://www.themarshallproject.org/2021/02/12/the-city-where-police-unleash-dogs-on-black-teens?utm_medium=email&utm_campaign=share-tools&utm_source=email&utm_content=post-top)

In addition I have attached the Palo Alto City Manager report from 2005 titled: *REVIEW OF THE POLICE CANINE PROGRAM* -- a report that was responsive to a CPDA request 1 filed on 9/5/2004 to then Palo Alto Police Chief Lynne Johnson. Said CPRA request is available should you wish to read it.

Here is the link to a 2005 CMR, Palo Alto city manager report, providing a detailed review of the Palo Alto Canine Unit, as it existed in 2005. The report looks at a 36-month time frame and also breaks down the 13 dog bites, reported during the 36-month time frame in question, based on race. Of the 13 bites, analyzed, four involved whites, five involved African-Americans, three involved Hispanics and one involved a Pacific Islander. (<http://www.cityofpaloalto.org/cityagenda/publish/cmrs/4091.pdf>)

### Conclusion

During the course of 2020 and now in 2021 there have been discussions by the Palo Alto City Council regarding expanding the scope of the duties of the Palo Alto Independent Police Auditor. According to the CMR (City Manager Report) *REVIEW OF THE POLICE DEPARTMENT'S CANINE PROGRAM*, dated January 10, 2005, CMR: 113:05, the Palo Alto canine program was developed in 1982, nearly forty years ago.

During this time frame, our Independent Police Auditor (established 2006) has to my knowledge, never reviewed complaints filed by community members, regarding allegations of use of excessive force by the PAPD canine team. It is my understanding that the canine unit is primarily used during nighttime shifts under cover of darkness and most often outside of public view. Given the current national epidemic of the thousands of Americans bitten by police dogs every year it is past time Palo Alto considers adding review of dog bite incidents, perpetrated by our canine unit, to the list of police complaints reviewed by our police auditor.

Sincerely,

Aram James

Re: Palo Alto Police Department's Canine Unit (filed Feb 20, 2021)

1. Any and all City of Palo Alto and Palo Alto Police Department documents and related information re the numbers of police dogs currently in the PAPD canine unit.
2. Any and all documents related to the purchase, training, and cost of maintaining the current canine unit.
3. Any and all documents and related information re the annual cost of maintaining the Palo Alto's Canine unit. (The total annual canine budget for the Palo Alto Police Department)
4. Any and all documents re the number of times the canine unit has deployed their dogs during the last 36 months against a person. (# of times the canines have been **deployed as a weapon** as a **opposed** to the **use of the canine in a search and rescue mission.**)
5. Any and all documents reflecting the race of those who were attacked by dogs in the PAPD canine unit- during the last 36 months —from today's date back 36 months.
6. While redacting the name of the individuals for privacy purposes —the number of individuals injured by the canine unit and the extent of said injuries...and all related documents redacted for privacy concerns. Including photos of the injuries.
7. Access to viewing all body worn camera footage of canine attacks going back 36 months.
8. A list of all complaints and lawsuits growing out of attacks by dogs on the canine unit going back 36 months from receipt of this CPRA request.
9. Any and all documents, name and type of artificial teeth, —and the material used to create these artificial teeth, that are made for each dog. For example teeth made of titanium.
10. Any and all documents, and related information, regarding the vendor used by the PAPD to make teeth for each canine on the team.
11. Any and all documents, or related information, re the annual budget to pay for replacement of artificial teeth for the canine unit? Food budget? Medical budget?
12. All documents and information re the certification process each dog member of the canine unit must go through.
13. Documentation or related information re whether the necessary documentation/certification for each canine is current.
14. The name of each officer assigned to the canine unit.
15. Any and all documents related to the training officers must undergo to qualify for membership to the canine unit.
16. Any and all documents and related information re the certification process members of the canine unit (police officers) must undergo to qualify for the unit.

17. Any and all current information and documentation related to re whether each police officer currently assigned to the canine unit has up to date certification? Is not currently certified?
18. Any and all documentation re the number of times a non police officer who has been bitten/attacked by a Palo Alto police dog has been required to obtain medical treatment during the last 36 months. Dating back 36 months from receipt of this request.
19. Number of times the victim of a Palo Alto Police dog bite or attack has been required to be hospitalized. Time frame going back 36 months from the receipt of this CPRA request.
20. Area or areas of the city of Palo Alto where police have released their canines most frequently.
21. Any and all information and documentation re the frequency (the number of times) the Palo Alto Police use their canine unit to assist the East Palo Alto Police during the last 36 months?
22. To assist the Mountain View Police Department during the last 36 months?
23. The Menlo Park Police Department during the last 36 months?
24. To assist the Santa Clara County Sheriff's office?
25. The San Mateo County Sheriff's Office?
26. Monies spent on training either a police officer member of the canine unit or a dog member of the unit for out of the Palo Alto training?
27. Any and all emails, memos, written policies, and other documentation re the need to use the canine to keep or intimidate residents of East Palo Alto from traveling to Palo Alto. (last 36 months)
28. Any and all text messages (or similar electronic communications) between members of the canine unit and other members of the Palo Alto Police department, or other local law enforcement agencies reflecting racial bias, towards African Americans or other racial minorities. (Last 36 months).
28. Name of the canine supervisor and length of time that officer has occupied that role.
29. The name of the canine team manager and the length of time that officer has held this position.
30. Any and all documents or information re the number of times victims of canine bits, by the PAPD canine unit, have been transported to the Stanford Hospital or any other local hospital facility for injuries. (Last 36 months)
31. Cost of all hospital visits for canine bits inflicted by the PAPD canine unit (last 36 months)?
32. Any additional documents and information re the canine unit I have not specifically asked for but that are relevant to my current CPDA request for the current status of the PAPD canine unit.
33. Current Palo Alto Police Department policy or policies regarding the function, structure, and deployment of canines etc.



34. Name of the current computer system, i.e., Computer Aided Dispatch (CAD) used to track all activity of the Palo Alto Police Department Canine Unit?

**From:** [Rita Vrhel](#)  
**To:** [Planning Commission](#)  
**Subject:** Fw: ADU basements  
**Date:** Tuesday, February 23, 2021 12:43:53 PM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Hello PTC Commissioners:

A discussion of whether to allow Basements under ADUs will occur at your 2/24 meeting.

As a member of Save Palo Alto's Groundwater, I am concerned about additional groundwater being pumped and dumped during underground construction.

Palo Alto currently does not have sufficient groundwater pumping regulations to protect our community groundwater from being depleted or wasted. Current regulations allow for excessive pumping and dumping with minimal fines as punishment.

Keith Bennett, also of Save Palo Alto's Groundwater, will provide (you) a presentation which discusses groundwater extraction, impact to nearby homes and sea level-groundwater level rise. Save Palo Alto's Groundwater will be meeting with Phil Bobel of Public Works to discuss additional ways to strengthen PA's groundwater extraction regulations.

Once again we are facing a possible drought. It does not make sense for MOST residents to conserve water while a few Developers are allowed to pump as much as they want when constructing underground. This valuable community groundwater may soon be needed as a source of drinking or emergency water.

In many sections of Palo Alto, dewatering is not required for underground construction. But where it is, ADU basements will only add to the problem of wasted groundwater. In fact, because of the size and location of ADU's on the primary property, the use of groundwater saving cut-off walls may not be possible. This would leave only "broad-based" dewatering. The location of an ADU to adjacent property also could increase potential subsidence or vegetation/ tree loss.

The issues are very complex.

Each basement serves as a concrete dam. Add enough dams and in areas of high groundwater and the result may be sheet flooding in times of heavy rain and/ or sea level rise. The storm drains become overwhelmed and property is damaged.

Because precipitation absorbing soil is removed during underground construction, not only does underground construction act as a "dam"; it also reduces the amount of soil available to handle rain. So a double negative effect occurs.

ADUs were promoted as a "granny" unit or a "nanny" unit or a rental for a limited number of people. When you start adding basements, you re distorting the original purpose of an ADU and turning it into a much large home. Able to handle families rather than individuals. A

GREAT way to turn R-1 neighborhoods into duplexes.

I strongly urge NOT approving basements under ADUs.

Also basement square footage can no longer be a freebie; but must start being counted as part of the FAR.

Mayor DuBois asked what Palo Altans can do to reduce our carbon footprint. A great step in that direction would be to count all or at least 50% of basement/ underground construction sq. footage as part of the FAR.

Thank you.

Rita C. Vrhel  
Phone: 650-325-2298

**From:** [Jeanne Fleming](#)  
**To:** [Tanner, Rachael](#)  
**Cc:** [Clerk, City](#); [DuBois, Tom](#); [Lait, Jonathan](#); [chow\\_tina@yahoo.com](mailto:chow_tina@yahoo.com); [wross@lawross.com](mailto:wross@lawross.com); [todd@toddcollins.org](mailto:todd@toddcollins.org); [Architectural Review Board](#); [Planning Commission](#)  
**Subject:** Re: PTC consideration of Wireless Ordinance  
**Date:** Monday, February 22, 2021 10:42:28 AM  
**Attachments:** [image001.png](#)

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Dear Rachael,

Thank you for your email, letting me know that you expect to return to the Planning and Transportation Commission (PTC) with a revised Wireless Ordinance in June, 2021, and that you expect City Council to consider the revisions in August, 2021.

In that email, you write “We do intend to return June 2021 **with the adjustments the PTC directed.**” (Bolding is mine.) I would appreciate it if you could tell me if you intend to return then as well with revisions that restore subjective aesthetic standards to the Wireless Ordinance?

This is the fourth time, I believe, that either Tina Chow or I have raised this issue with Jonathan Lait and/or you, and we would very much appreciate a response.

To be clear about why we keep asking: As you know, the process of revising the Wireless Ordinance began over two years ago—began at City Staff’s urging in order to respond to a September, 2018, FCC Order which called for, in particular, replacing subjective aesthetic standards for the siting and design of cell towers with so-called objective standards. No one—not Council, not the Architectural Review Board (ARB), not the PTC and not residents—no one wanted to see objective standards replace subjective standards.

The reason Council, the ARB, the PTC and residents do not want objective standards to replace subjective aesthetic standards is because this change represents a significant dilution of Palo Alto’s authority over what cell towers in our community can look like, and where they can be located. Indeed, City Council sent a letter to the League of California Cities expressing support for the League and the dozens of municipal plaintiffs in *Portland v. FCC* in their appeal of the September, 2018, FCC Order (i.e., the Order which called for “objective” standards).

It was in that context that senior City Staff went on the record to City Council stating 1) that they were urging City Council to adopt objective aesthetic standards that they understood were not in the best interests of the City, but only because they believed the September, 2018, FCC Order required these changes, and 2) that it would be a simple matter, should the FCC Order regarding objective standards be invalidated by the Courts, to undo these changes and restore subjective aesthetic standards. Here, for example, is a portion of the April 15, 2019 Staff Report to Council:

*“The proposed [wireless] ordinance is consistent with the recently adopted FCC regulations ... . Several provisions of the ordinance have been prepared to facilitate a return to the City’s existing regulations [i.e., to*

*subjective aesthetic standards] should one or more elements of the September 2018 Order be invalidated by a court or through legislation.” (Words in brackets are mine.)*

Where things stand now is that on August 12, 2020—six months ago—the United States Court of Appeals for the Ninth Circuit invalidated the “objective standards” provision of the September, 2018, FCC Order. In other words, the League of California Cities—and Palo Alto—won. Yet subjective aesthetic standards still have not been restored to the Wireless Ordinance, while all the while new cell tower applications keep coming in. Hence my question: Are you in the process of, or planning to begin the process of, revising the Wireless Ordinance to restore subjective aesthetic standards?

As always, thank you for your help.

Sincerely,

Jeanne

Jeanne Fleming, PhD  
[JFleming@Metricus.net](mailto:JFleming@Metricus.net)  
650-325-5151

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**From:** Tanner, Rachael <[Rachael.Tanner@CityofPaloAlto.org](mailto:Rachael.Tanner@CityofPaloAlto.org)>  
**Sent:** Wednesday, February 17, 2021 2:22 PM  
**To:** Jeanne Fleming <[jfleming@metricus.net](mailto:jfleming@metricus.net)>  
**Subject:** RE: PTC consideration of Wireless Ordinance

Good afternoon Ms. Fleming,

Thank you for writing about this matter.

Returning to the PTC with the Ordinance requires the allocation of the appropriate staff resources to the project. We are fortunate, despite the challenges, to have a new member of our long range team. He is able to relieve Ms. Atkinson of some previous duties creating time for returning to this project. As you noted, we have momentum and staff with knowledge that we don't want to lose.

We do intend to return June 2021 with the adjustments the PTC directed. Then the item would be before Council in August.

Thank you,  
Rachael



Rachael A. Tanner, MCP  
Assistant Director, Planning & Development Services Department  
250 Hamilton Ave | Palo Alto, CA 94301  
D: 650.329.2167  
E: [Rachael.Tanner@cityofpaloalto.org](mailto:Rachael.Tanner@cityofpaloalto.org)  
*Quality | Courtesy | Efficiency | Integrity | Innovation*

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**From:** Jeanne Fleming <[jfleming@metricus.net](mailto:jfleming@metricus.net)>  
**Sent:** Wednesday, February 3, 2021 10:56 AM  
**To:** Tanner, Rachael <[Rachael.Tanner@CityofPaloAlto.org](mailto:Rachael.Tanner@CityofPaloAlto.org)>  
**Cc:** Planning Commission <[Planning.Commission@cityofpaloalto.org](mailto:Planning.Commission@cityofpaloalto.org)>; Clerk, City <[city.clerk@cityofpaloalto.org](mailto:city.clerk@cityofpaloalto.org)>; DuBois, Tom <[Tom.DuBois@CityofPaloAlto.org](mailto:Tom.DuBois@CityofPaloAlto.org)>; Lait, Jonathan <[Jonathan.Lait@CityofPaloAlto.org](mailto:Jonathan.Lait@CityofPaloAlto.org)>; [chow\\_tina@yahoo.com](mailto:chow_tina@yahoo.com); [wross@lawross.com](mailto:wross@lawross.com); [todd@toddcollins.org](mailto:todd@toddcollins.org)  
**Subject:** PTC consideration of Wireless Ordinance

**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

Dear Rachael,

I understand from our earlier correspondence that you and Jonathan Lait decide when consideration of revisions to the Wireless Ordinance will appear on the Planning & Transportation Commission's Agenda. I would appreciate it if you would tell me:

1. Are any members of the PTC involved in any way in this decision (for example, Commission Chair Bart Hechtman)?
2. When do you anticipate that revisions to the Wireless Ordinance will appear on the PTC's Agenda? As you may recall, on May 31, 2020, you wrote to me that the PTC was tentatively scheduled to consider the revised Wireless Ordinance on August 12, 2020. This in itself represented a delay of many months.

As I am sure you know, telecommunications companies have been continuing to submit cell tower applications to the city in the year since February 13, 2020, when the PTC directed city staff to return to them with a revised Wireless Ordinance. In short, this is a matter of considerable urgency.

Thank you for your help.

Sincerely,

Jeanne

Jeanne Fleming, PhD  
[JFleming@Metricus.net](mailto:JFleming@Metricus.net)  
650-325-5151

**From:** [Aram James](#)  
**To:** [Minor, Beth](#); [Stump, Molly](#); [Shikada, Ed](#); [Scheff, Lisa](#); [Baumb, Nelly](#)  
**Cc:** [Council, City](#); [city.council@menlopark.org](mailto:city.council@menlopark.org); [Cary Andrew Crittenden](#); [Jonsen, Robert](#); [Chuck Jagoda](#); [Rosen, Jeff](#); [Jeff Moore](#); [Raj Jayadev](#); [Raven Malone](#); [Rev. Lorrie Owens](#); [Perron, Zachary](#); [Binder, Andrew](#); [Dave Price](#); [Greer Stone](#); [Greg Tanaka](#); [alisa mallari tu](#); [Asian Law Alliance](#); [Lewis james](#); [Cormack, Alison](#); [DuBois, Tom](#); [Filseth, Eric \(Internal\)](#); [Angel, David](#); [Bill Johnson](#); [Gennady Sheyner](#); [Planning Commission](#); [ParkRec Commission](#); [Joe Simitian](#); [Anna Griffin](#); [supervisor.ellenberg@bos.sccgov.org](mailto:supervisor.ellenberg@bos.sccgov.org); [Human Relations Commission](#); [Sunita de Tourreil](#); [Kaloma Smith](#); [Taylor, Cecilia](#); [Emily Mibach](#); [Sara Tabin](#); [Palo Alto Free Press](#); [Pat Burt](#); [Bains, Paul](#); [O'Neal, Molly](#); [Nash, Betsy](#); [WILPF Peninsula Palo Alto](#); [chuck jagoda](#); [Dennis Upton](#); [Doug Fort](#); [Cari Templeton](#); [GRP-City Council](#)  
**Subject:** Fwd: CPRA request & cover letter regarding the current status of the Palo Alto Police Department's Canine unit.  
**Date:** Sunday, February 21, 2021 8:42:40 PM

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----- Forwarded message -----

**From:** **Aram James** <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)>  
**Date:** Sun, Feb 21, 2021 at 8:24 PM  
**Subject:** CPRA request & cover letter regarding the current status of the Palo Alto Police Department's Canine unit.  
**To:** aram james <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)>

2/21/21

***CPRA request & cover letter regarding the current status of the Palo Alto Police Department's Canine unit. Submitted by Aram James***

Dear City Council members, members of the Palo Alto Community, and the local press:

I am very concerned that as a community we are not as fully informed regarding the current status of the PAPD canine unit as we should be. I'm requesting that we all do our part to obtain a full picture of the risks these canines potentially pose to the health and safety of community members attacked by these vicious dogs. My most recent concern was raised after reading a Daily Post piece, Jan, 28, 2021, "*Police dog attacks innocent man, an incident where a Palo Alto police dog was released against an innocent Mt. View resident, Mr. Joel Domingo Alejo who subsequently filed a \$20 million claim against the city of Palo Alto for injuries suffered in the attack.*"

In addition, I have attached two recent articles, see links below, that suggest the weaponization of police dogs targeting particularly African Americans is an under recognized form of police terror and brutality resulting in life threatening injuries, life changing injuries and even death. The first article: *When Police Violence Is a Dog Bite ( First published on 10/2/2020) gives a harrowing perspective on the fact that thousands of American are bitten by police dogs every year and that few ever obtain justice.*

[https://www.themarshallproject.org/2020/10/02/when-police-violence-is-a-dog-bite?utm\\_medium=email&utm\\_campaign=share-tools&utm\\_source=email&utm\\_content=post-top](https://www.themarshallproject.org/2020/10/02/when-police-violence-is-a-dog-bite?utm_medium=email&utm_campaign=share-tools&utm_source=email&utm_content=post-top)



The second piece, published Feb 12, 2021 is titled: *The City Where Police Unleash Dogs On Black Teens (In Baton Rouge, police dogs bit a teenager 17 or younger every three weeks, on average)* is an equally disturbing must read.

[https://www.themarshallproject.org/2021/02/12/the-city-where-police-unleash-dogs-on-black-teens?utm\\_medium=email&utm\\_campaign=share-tools&utm\\_source=email&utm\\_content=post-top](https://www.themarshallproject.org/2021/02/12/the-city-where-police-unleash-dogs-on-black-teens?utm_medium=email&utm_campaign=share-tools&utm_source=email&utm_content=post-top)

*In addition I have attached the Palo Alto City Manager report from 2005 titled: REVIEW OF THE POLICE CANINE PROGRAM -- a report that was responsive to a CPDA request I made on 9/5/2004 to then Palo Alto Police Chief Lynne Johnson. Said CPRA request is available should you wish to read it.*

Here is the link to a 2005 CMR, Palo Alto city manager report providing a detailed review of the Palo Alto Canine Unit as it existed in 2005. The report looks at a 36-month time frame and also breaks down the 13 dog bites, reported during the 36-month time frame in question, based on race. Of the 13 bites, analyzed, four involved whites, five involved African-Americans, three involved Hispanics and one involved a Pacific Islander.

(<http://www.cityofpaloalto.org/cityagenda/publish/cmrs/4091.pdf>)

#### Conclusion

During the course of 2020 and now in 2021 there have been discussions by the Palo Alto City Council regarding expanding the scope of the duties of the Palo Alto Independent Police Auditor. According to the CMR ( City Manager Report ) REVIEW OF THE POLICE DEPARTMENT'S CANINE PROGRAM, dated January 10, 2005, CMR:113:05, the Palo Alto canine program was developed in 1982, nearly forty years ago.

During this time frame, our Independent Police Auditor ( established 2006) has to my knowledge, never reviewed complaints filed by community members, regarding allegations of the use of excessive force by the PAPD canine team. It is my understanding that the canine unit is primarily used during nighttime shifts under cover of darkness and most often outside of public view.

Given the current national epidemic of the thousands of Americans bitten by police dogs every year it is past time Palo Alto considers adding review of dog bite incidents, perpetrated by our canine unit, to the list of police complaints reviewed by our independent police auditor. ( see re this epidemic of police sponsored canine terrorism

above : (*When Police Violence Is a Dog Bite*)

Sincerely,

Aram James

## California Public Records

### Act Request

Re: Palo Alto Police Department's Canine Unit ( filed Feb 20, 2021)

1. Any and all City of Palo Alto and Palo Alto Police Department documents and related information regarding the numbers of police dogs currently in the PAPD canine unit.

2. Any and all documents related to the purchase, training, and cost of maintaining the current canine unit. (last 36 months)
3. Any and all documents and related information regarding the annual cost of maintaining the Palo Alto's Canine unit. ( The total annual canine budget for the Palo Alto Police Department)
4. Any and all documents regarding the number of times the canine unit has deployed their dogs during the last 36 months against a person. ( # of times the canines have been **deployed as a weapon** as a **opposed** to the **use of the canine in a search and rescue mission.**) (last 36 months)
5. Any and all documents reflecting the race of those who were attacked by dogs in the PAPD canine unit during the last 36 months —from today's date back 36 months. (last 36 months)
6. While redacting the name of the individuals for privacy purposes —the number of individuals injured by the canine unit and the extent of said injuries...and all related documents redacted for privacy concerns. Including photos of the injuries.
7. Access to viewing all body worn camera footage of canine attacks going back 36 months.
8. A list of all complaints and lawsuits growing out of attacks by dogs on the canine unit going back 36 months from receipt of this CPRA request. (last 36 months)
9. Any and all documents, name and type of artificial teeth, —and the material used to create these artificial teeth, that are made for each dog. For example teeth made of titanium.
10. Any and all documents, and related information re the vendor used by the PAPD to make teeth for each canine on the team.
11. Any and all documents, or related information, re the annual budget to pay for replacement of artificial teeth for the canine unit? Food budget? Medical budget? (last 36 months)
12. All documents and information regarding the certification process each canine member must go through to obtain all appropriate certifications.
13. Documentation or related information re whether the necessary documentation/certification for each canine is current.
14. The name of each officer assigned to the canine unit.
15. Any and all documents related to the training officers must undergo to qualify for membership to the canine unit.
16. Any and all documents and related information regarding the certification process members of the canine unit (police officers) must undergo to qualify for the unit.

17. Any and all current information and documentation related to re whether each police officer currently assigned to the canine unit has up to date certification? Is not currently certified?
18. Any and all documentation re the number of times a non police officer who has been bitten/attacked by a Palo Alto police dog has been required to obtain medical treatment during the last 36 months. Dating back 36 months from receipt of this request.
19. Number of times the victim of a Palo Alto Police dog bite or attack has been required to be hospitalized. Time frame going back 36 months from the receipt of this CPRA request.
20. Area or areas of the city of Palo Alto where police have released their canines most frequently.
21. Any and all information and documentation re the frequency ( the number of times) the Palo Alto Police have used their canine unit to assist the East Palo Alto Police during the last 36 months?
22. To assist the Mountain View Police Department during the last 36 months?
23. The Menlo Park Police Department during the last 36 months?
24. To assist the Santa Clara County Sheriff's office? (last 36 months)
25. The San Mateo County Sheriff's Office? (last 36 months)
26. Monies spent on training either a police officer member of the canine unit or a dog member of the unit for out of the Palo Alto training? (last 36 months\_
27. Any and all emails, memos, written policies, and other documentation regarding the need to use the canine unit to keep or intimidate residents of East Palo Alto from traveling to Palo Alto. (last 36 months)
28. Any and all text messages ( or similar electronic communications) between members of the canine unit and other members of the Palo Alto Police department, or other local law enforcement agencies reflecting racial bias, towards African Americans or other racial minorities. (last 36 months)
28. Name of the canine supervisor and length of time that officer has been in that role.
29. The name of the canine team manger and the length of time that officer has held this position.
30. Any and all documents or information re the number of times victims of canine bits, by the PAPD canine unit, have been transported to the Stanford Hospital or any other local hospital facility for injuries. (last 36 months)

31. Cost of all hospital visits for canine bites inflicted by the PAPD canine unit (last 36 months)

32. Any additional documents and information regarding the canine unit that I have not specifically asked for but are relevant to my current CPDA request to establish the current status of the PAPD canine unit.

33. Current Palo Alto Police Department policy or policies regarding the function, structure deployment of canines etc.

34. Name of the current computer system, i.e., Computer Aided Dispatch (CAD) system used to track all active of the Palo Alto Police Department Canine Unit?

**From:** [Aram James](#)  
**To:** [Joe Simitian](#); [Kou, Lydia](#); [DuBois, Tom](#)  
**Cc:** [Council, City](#); [Human Relations Commission](#); [chuck jagoda](#); [Winter Dellenbach](#); [Rebecca Eisenberg](#); [Greg Tanaka](#); [Greer Stone](#); [city.council@menlopark.org](#); [City Mgr](#); [Binder, Andrew](#); [Cary Andrew Crittenden](#); [Jonsen, Robert](#); [Perron, Zachary](#); [Kaloma Smith](#); [Sunita de Tourreil](#); [Jeff Moore](#); [citycouncil@mountainview.gov](#); [O'Neal, Molly](#); [Rosen, Jeff](#); [mark weiss](#); [Palo Alto Free Press](#); [WILPF Peninsula Palo Alto](#); [Roberta Ahlquist](#); [Planning Commission](#); [ParkRec Commission](#); [Tanner, Rachael](#); [Constantino, Mary](#); [Van Der Zwaag, Minka](#); [GRP-City Council](#)  
**Subject:** Opening of Palo Alto's 1st formal RV Park ( Congratulations)  
**Date:** Saturday, February 20, 2021 3:38:26 PM

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2/20/21

Re: Today's Daily Post piece: *Local RV parking lot now open*

Dear Mayor Tom DuBois, Councilwoman Lydia Kou, and Santa Clara County Supervisor Joe Simitian:

Congratulations to each of you for your part in making the official opening ( yesterday Nov 19, 2021 ) of Palo Alto's first 24-hour safe parking program, for up to twelve vehicle, at 2000 Geng Road, on property owned by the city of Palo Alto, happen.

I understand that Santa Clara County will be footing the bill for the services provided at the site, to include clean water, bathrooms and free showers as well as staff to assist members of the vehicle dwellers community to access additional services and eventually the ability to move from vehicle dweller status into permanent housing.

Now that each of you have gotten the ball rolling, I am hopeful the City of Palo Alto can duplicate the County's effort.

**Mayor DeBois**, from my perspective, it would be a great legacy for your last year on the council if Palo Alto could provide at least one more piece of Palo Alto property for an additional at least 12 vehicle dwellers ( in 2021) with services that match or exceed the services now being provided at the 2000 Geng Road site. Please let me know if there is anything I can do to assist you with this mission.

Again, congratulations to each of you for this outstanding effort to assist some of the most vulnerable members of our community.

Best regards,

Aram James

P. S. (**Trivia for Joe Simitian**) I missed the first portion of the Feb 10 city council meeting except for a few of Supervisor Simitian closing comments re his current Palo Alto office located at 270 Grant Street.

- My first lawyer assignment as a Deputy Public Defender ( circa 1978) was at the 270 Grant office building where the North County Branch of the Public Defenders Office was then located
- ***Supervisor Simitian*** here is a trivia question re the 270 Grant complex: *Other than yourself, who is the most famous person to ever occupy a portion of the 270 Grant Complex? What is that person currently doing.*

**From:** [Aram James](#)  
**To:** [Perron, Zachary](#); [Jonsen, Robert](#); [Binder, Andrew](#); [Human Relations Commission](#); [chuck jagoda](#); [Council, City](#); [Greer Stone](#); [Betsy Nash](#); [Cecilia Taylor](#); [roberta.ahlquist@sjsu.edu](#); [Raven Malone](#); [DuBois, Tom](#); [rebecca@winwithrebecca.com](#); [Kaloma Smith](#); [paloaltofreepress@gmail.com](#); [Planning Commission](#); [Jeff Moore](#); [ParkRec Commission](#); [wintergery@earthlink.net](#); [wilpf.peninsula.paloalto@gmail.com](#); [Joe Simitian](#); [Jeff Rosen](#); [raj@siliconvalleydebug.org](#)  
**Subject:** Amy Cooper's charges were dismissed. But white privilege isn't restorative justice.  
**Date:** Saturday, February 20, 2021 3:05:57 PM

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<https://www.nbcnews.com/think/amp/ncna1258413>

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Rebecca Eisenberg](#); [Planning Commission](#); [chuck jagoda](#); [Human Relations Commission](#); [ParkRec Commission](#); [roberta.ahluquist@sjsu.edu](#); [Council, City](#); [wilpf.peninsula.paloalto@gmail.com](#); [Raven Malone](#); [Winter Dellenbach](#); [Kaloma Smith](#); [Greer Stone](#); [Sunita de Turreil](#); [Greg Tanaka](#); [Pat Burt](#); [DuBois, Tom](#); [Filseth, Eric \(Internal\)](#); [Kou, Lydia](#)  
**Subject:** Podcast explains zoning rules in housing...San Jose's online initiative, 'Dwellings, ' dissects complex policies and proposals  
**Date:** Saturday, February 20, 2021 12:29:26 PM

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- >
- > FYI: Today's Mercury News: ( interesting idea) see link to the article belie
- >
- > Rebecca, maybe you could create a similar podcast for Palo Alto? Other experts?
- >
- >
- > Follow the link below to view the article.
- > [https://mercurynews-ca-app.newsmemory.com/?publink=183ec498c\\_1345c50](https://mercurynews-ca-app.newsmemory.com/?publink=183ec498c_1345c50)
- >
- >
- > Sent from my iPhone

**From:** [Shaila Sadrozinski](#)  
**To:** [Council, City](#); [Planning Commission](#); [Transportation](#)  
**Subject:** changes proposed to the residential parking permit program  
**Date:** Wednesday, February 17, 2021 12:26:38 PM

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According to this morning's Daily Post, City Council will soon be discussing changing the existing residential parking permit program to a system that can be managed with license plate readers. Before spending money on buying license plate readers, I hope you will take into account the following concerns about no longer having hang-tags issued to residents for temporary guests:

1. Under the existing system, a hang-tag is not tied to a specific car and can be used as and when needed
2. And the cost for a hang-tag is \$50, the same as for a sticker, and valid all year
3. If under the new proposal each temporary guest permit is linked with a specific license plate, then if one had two different guests at different times during the same day, one would have to buy two permits
4. This would be an unacceptable cost, especially for low-income or elderly residents who may have more than one caregiver coming to the house in one day
5. Some seniors are not comfortable with doing things online and may not even have good internet connection. This would be an unnecessary anxiety-causing burden on them
6. If you have an unexpected guest, you would have to remember to go online to acquire a temporary permit
7. If you have out-of-town guests visiting for a few days, would you have to remember to go online daily to renew the temporary permit?

I believe this new proposal, while possibly more cost-efficient for the city, would be a financial and bureaucratic burden on residents for whom the RPP program was created in the first place.

Shaila Sadrozinski 62 Churchill Ave



**From:** [Aram James](#)  
**To:** [Jonsen, Robert](#); [Binder, Andrew](#); [Human Relations Commission](#); [Council, City](#); [Cecilia Taylor](#); [Betsy Nash](#); [citycouncil@mountainview.gov](#); [Kaloma Smith](#); [Greer Stone](#); [chuckjagoda1@gmail.com](#); [rebecca@winwithrebecca.com](#); [Planning Commission](#); [ParkRec Commission](#); [Jeff Moore](#); [DuBois, Tom](#); [Raj](#); [Richard Konda](#); [Council, City](#); [Sunita de Turreil](#); [Roberta Ahlquist](#); [Raven Malone](#); [paloaltofreepress@gmail.com](#); [Jeff Rosen](#); [wintergery@earthlink.net](#); [mark weiss](#); [griffinam@sbcglobal.net](#); [wilpf.peninsula.paloalto@gmail.com](#); [greg@gregtanaka.org](#); [Shikada, Ed](#); [Pat Burt](#); [Cari Templeton](#); [Cormack, Alison](#); [Tanner, Rachael](#)  
**Subject:** NYTimes: Police Forces Have Long Tried to Weed Out Extremists in the Ranks. Then Came the Capitol Riot.  
**Date:** Wednesday, February 17, 2021 6:58:49 AM

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Police Forces Have Long Tried to Weed Out Extremists in the Ranks. Then Came the Capitol Riot.  
<https://www.nytimes.com/2021/02/16/us/police-extremists-capitol-riot.html?referringSource=articleShare>

Sent from my iPhone

**From:** [Rebecca Eisenberg](#)  
**To:** [Bigelow, Lauren](#)  
**Cc:** [Human Relations Commission](#); [Roberta Ahlquist](#); [Aram James](#); [Gail Price](#); [Angie Evans](#); [Greer Stone](#); [chuck jagoda](#); [Planning Commission](#); [Council, City](#)  
**Subject:** Re: Renters - public schools - legal protections  
**Date:** Tuesday, February 16, 2021 11:38:36 AM

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Hi Lauren,

Would you like me to provide you with an introduction? I am in close and positive contact with both the PTSA President at Paly High School as well as the Deputy Superintendent in charge of Equity. They are high-quality, hard working professionals, they do great work, and they always respond to my phone calls and emails. I would be pleased to put you in touch and I don't think there will be any issue with them speaking with you.

Once you give me permission, I will send introductory emails.

I appreciate your observation that I care about these issues, but of course caring is not enough. It is acting that matters. Please allow me to assist you do the best job you can serving our community.

Thank you,

Rebecca

**Rebecca L. Eisenberg Esq.**  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
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415-235-8078

On Tue, Feb 16, 2021 at 9:21 AM Bigelow, Lauren <[Lauren.Bigelow@cityofpaloalto.org](mailto:Lauren.Bigelow@cityofpaloalto.org)> wrote:

Good morning, Rebecca,

Thanks so much for your thoughtful email and your comments last Thursday. I took copious notes and can tell that this means a lot to you. Truly, thank you for caring as much as you do and consistently showing up.

I've reached out to PAUSD several times and hadn't received any responses. When I reached out to have conversations with the PTA last summer, teachers and parents alike were swamped with how to deal with COVID-19 and distance learning. I promise I've tried, but the moment we find ourselves in has made many conversations with potential partners difficult. I think it's just a case of finding the **right** person to talk to at the right time, which can be hard. That's okay, though. I'm not afraid of hard work at all, so, I'll reinvigorate my efforts and would welcome the opportunity to discuss more.

Warmly,

Lauren

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**From:** Rebecca Eisenberg <[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)>

**Sent:** Friday, February 12, 2021 12:07 AM

**To:** Bigelow, Lauren <[Lauren.Bigelow@CityofPaloAlto.org](mailto:Lauren.Bigelow@CityofPaloAlto.org)>; Human Relations Commission <[hrc@cityofpaloalto.org](mailto:hrc@cityofpaloalto.org)>

**Cc:** Roberta Ahlquist <[roberta.ahlquist@sjsu.edu](mailto:roberta.ahlquist@sjsu.edu)>; Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)>; Gail Price <[gail.price3@gmail.com](mailto:gail.price3@gmail.com)>; Angie Evans <[angiebevans@gmail.com](mailto:angiebevans@gmail.com)>; Greer Stone <[gstone22@gmail.com](mailto:gstone22@gmail.com)>; chuck jagoda <[chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com)>; Planning Commission <[Planning.Commission@cityofpaloalto.org](mailto:Planning.Commission@cityofpaloalto.org)>; Council, City <[city.council@cityofpaloalto.org](mailto:city.council@cityofpaloalto.org)>

**Subject:** Renters - public schools - legal protections

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Hi Lauren,

Thank you for your presentation tonight at the HRC meeting. I wanted to follow up with you on three matters: (1) outreach to the PAUSD; (2) demographic gaps and (3) legal protections to protect tenants. As a means of quick background, I am an attorney with 3 decades of experience in matters involving tenant/landlord relations, economic and tax policy, and social justice.

I am cc'ing some like-minded friends, neighbors, and colleagues, who also have deep experience with working on solutions for tenants in Palo Alto and similar communities. They undoubtedly have their own perspectives, and you may have spoken with them already, but in hopes of helping you move this project to launch, I thought including them again may be efficient.(also cc'ing govt bodies for record-keeping purposes)

First, as I said at the meeting, I think it would be very helpful for you to reach out to the Palo Alto Unified School District as you continue your research into how to protect tenants better in Palo Alto. The PAUSD has in the past (and presumably currently) collected data about public school families, which provides both access to the renters you described as 'hard to reach' (we're not! we're here!) as well as a possibly more complete picture as to what proportion of our community rents their homes, as I believe that the percentage is higher than you report.

According to the PAUSD's research, the last I checked, as many as 70% -80% of all Palo Alto public school students live in homes that are rented rather than owned. PAUSD has 12,000 students at its 18 public schools. Without adequate tenant protection, **as many as ten thousand Palo Alto public school students are at risk of losing their homes...** including my own.

Given this risk to our children, the need for adequate rent control is urgent. I would be happy to put you in touch with appropriate parties at the District, the PTAC and/or local PTAs. Greer Stone, cc'd, is a renter, a city council member, the city council liaison to the

HRC, and an educator (married to another educator!) in the Palo Alto School District- at the high school my son attends. I am sure he can help as well. I hope you share our perspective that the public schools are what drew so many of us to live in Palo Alto, and in many ways are the heart of our community.

The School District also can be a valuable resource for you because it operates the largest and (as far as I am aware) only government-sponsored meal delivery system in Palo Alto. Thousands of PAUSD students receive free or subsidized meals. Additionally, many public school students live in subsidized housing developments. You should be able to reach some of these families through the district, but I would be happy to assist you with introductions as well to my personal friends who live in Palo Alto's few low-income housing developments. Finally, the school district can provide insight into the large percentage of our community who are not easily reached by surveys because the adults do not speak strong English. PAUSD's students include a large number of families where the children are the strongest English speakers in the family. All of these are communities that connect through our Palo Alto public schools.

Second, I wanted to quickly mention some potential gaps with the survey numbers given by the American Community Survey. One of the biggest gray areas is the lack of consideration for vacant homes here in Palo Alto -- a number which has been steadily rising and is not tracked by our city (although it should be). If vacant homes comprise 15% of housing stock as some estimate, that means that 45% of our homes are filled with tenants; 40% are owner-occupied, and 15% are empty.

This actually is a reason that most tenants here in Palo Alto don't feel embarrassed about renting. As I told my kids after we moved back here almost 10 years ago, I am not ashamed of the fact that we do not have four million dollars to spend on a 3-4 bedroom home! For the vast majority of us, including my partner and myself--a 2-lawyer couple in our 50's--buying a home of Palo Alto is an unrealistic expectation. And that is ok, as long as renting is a viable long-term housing alternative as well, which currently in Palo Alto, it too often is not.

Armed with more complete demographic numbers, I think it may be easier to bring attention to the profound problem in Palo Alto, that we are a city composed mostly of renters, living without any meaningful tenant protection laws.

Third, legal protections. Decades of work on affordable housing have shown that the only effective way to level the playing field for tenants is to provide legal tenant protections. You said you are researching other communities for ways to protect tenants better. I think it's most important to look at the cities that do the best job of protecting tenants, as many local communities are failing their tenant communities as much or more than we are.

Below is a brief and incomplete, but possibly representative list of legal protections that Palo Alto lacks - but urgently needs - and that other cities provide:

1. Meaningful rent increase limits. The current cap of 10% is far above market, and does not protect tenants from exploitative and illegal evictions (as most high rent increases are pretextual evictions)
2. Stronger financial protections for tenants, including opportunities for tenants to partner with nonprofits and community groups to spread financial resources and reduce financial

risk for landlords.

3. Legally available means to report landlord violations, and receive fast remedial actions. Rent Boards often serve this role extremely effectively. I am very familiar with San Francisco's Rent Board if you would like to discuss. These reporting channels also must include means to appeal determinations, e.g. through an Appeals Board or even an Ombudsperson.

4. Clarifications to our Municipal Code that it is illegal to remove housing from the market. Palo Alto is the only city in the region that does not follow this ubiquitous legal requirement.

5. Enactment of a vacancy tax, or alternatively, the enforcement of existing zoning codes against empty homes. The vast majority of well-run cities do not allow homes to remain empty, either by considering them zoning code violations due to not being used for zoned residential purposes, or enforcing against them as homes removed from housing stock, or otherwise. Ghost homes harm communities.

5. Tenant unions. Many cities provide public office space and financial resources to enable tenants to share resources and work collectively to even the playing field with landlords, who almost always have greater financial resources and institutional power.

These of course are a few of many different ways that strong city governments can protect tenants to preserve community stability, and to help all residents feel safe that their home today will still be their home tomorrow.

I am grateful for your hard work and close attention to these urgent matters, and I appreciate your consideration of these ideas. I welcome an opportunity to discuss at your convenience, and can be reached at 415-235-8078.

With warm regards,

Rebecca Eisenberg

**Rebecca L. Eisenberg Esq.**  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[rle.medium.com](http://rle.medium.com)  
[www.winwithrebecca.com](http://www.winwithrebecca.com)  
[rebecca@privateclientlegal.com](mailto:rebecca@privateclientlegal.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

**From:** [Aram James](#)  
**To:** [Rebecca.Tanner@cityofpaloalto.org](mailto:Rebecca.Tanner@cityofpaloalto.org); [Rebecca Eisenberg](#); [Planning Commission](#); [ParkRec Commission](#); [Human Relations Commission](#); [chuck jagoda](#); [roberta.ahlquist@sjsu.edu](mailto:roberta.ahlquist@sjsu.edu); [Raven Malone](#); [Greer Stone](#); [Council, City](#); [wilpf.peninsula.paloalto@gmail.com](mailto:wilpf.peninsula.paloalto@gmail.com); [Greg Tanaka](#); [Joe Simitian](#); [Mark Petersen-Perez](#)  
**Subject:** San Jose may house unhoused along the Guadalupe River—some ideas Palo Alto could adopt on a smaller scale  
**Date:** Tuesday, February 16, 2021 11:36:16 AM

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Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Council, City; Human Relations Commission; rebecca@winwithrebecca.com; Planning Commission; ParkRec Commission; chuck jagoda; roberta.ahlquist@sjsu.edu; wilpf.peninsula.paloalto@gmail.com](#)  
**Subject:** AB 339 -preserving internet -remote- zoom- phone access meeting post Covid 19  
**Date:** Tuesday, February 16, 2021 11:10:02 AM

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Sent from my iPhone

**From:** [Bhatia, Ripon](#)  
**To:** [dona.tversky@gmail.com](mailto:dona.tversky@gmail.com)  
**Cc:** [Planning Commission](#)  
**Subject:** RE: Plans for intersections at El Camino and California Ave & Churchill and Alma  
**Date:** Tuesday, February 16, 2021 8:49:11 AM

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Good Morning Dr. Tversky,

This email is a follow up to your concerns at the subject intersections and provides you information on the City's projects and proceedings related to this request.

1. El Camino Real and California Avenue: El Camino Real is a state-owned facility. The intersection is under the jurisdiction of the State of California, Department of Transportation (Caltrans), therefore, signal timings are controlled by Caltrans Staff. City staff is in the process of communicating with the Caltrans to evaluate the signal timing among other intersection improvements at this intersection for improving safety at this intersection.
  
1. Alma Street & Churchill Avenue: City currently has a project in the process involving railroad crossing safety improvements at this intersection. The project is a collaboration between Caltrain, Caltrans, and the California Public Utilities Commission and funded through Section 130 Federal Funding. A community meeting was also conducted in January. Also, project information was discussed at the February PABAC meeting. Staff plans to bring the information regarding this project to the Planning Commission and the City Council in near future. The project related information and details are available on the following webpage:

[https://cityofpaloalto.org/gov/depts/trn/alma\\_churchill\\_section\\_130\\_project.asp](https://cityofpaloalto.org/gov/depts/trn/alma_churchill_section_130_project.asp)

We appreciate your input and interest. Hopefully, you find this information helpful. If you have any questions or concerns, or you'd like to be added to project mailing list to receive email updates about this project, please email [transportation@cityofpaloalto.org](mailto:transportation@cityofpaloalto.org).

Thank You,

Kind Regards,  
Ripon Bhatia

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**From:** Dona Tversky <>  
**Sent:** Tuesday, February 9, 2021 8:33 PM  
**To:** Planning Commission <[Planning.Commission@cityofpaloalto.org](mailto:Planning.Commission@cityofpaloalto.org)>  
**Subject:** Plans for intersections at El Camino and California Ave & Churchill and Alma



**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Dear Planning commission,

I am a long time Palo Alto resident and mother of two kids with concerns for pedestrian and bicycle safety in two local intersections.

1.) El Camino & California Ave: The walk sign is FAR too short for any running adult to use to cross the street, much less a mother walking with kids or kids alone. Can that please be evaluated and lengthened? Many children use that crosswalk getting to schools.

2.) Churchill & Alma: I just heard plans at the School Board meeting for changes to the crosswalks around Paly (which is great) but no mention of the dangerous Churchill crossing at Alma and the train tracks where there is poor visibility and many young bikers sharing the road with fast moving cars and the background of trains.

Can these two sites be evaluated? Are there plans in place?

Thank you,

Dona

Dona A. Tversky, MD MPH

**From:** [Aram James](#)  
**To:** [Perron, Zachary](#); [Binder, Andrew](#); [Rebecca Eisenberg](#); [Human Relations Commission](#); [Council, City](#); [chuck jagoda](#); [Planning Commission](#); [ParkRec Commission](#); [roberta.ahlquist@sjsu.edu](#); [Raven Malone](#); [Greer Stone](#); [Kaloma Smith](#); [Jonsen, Robert](#); [DuBois, Tom](#); [Jeff Moore](#); [Raj](#); [wilpf.peninsula.paloalto@gmail.com](#); [wintergery@earthlink.net](#); [Jeff Rosen](#); [mark weiss](#); [Shikada, Ed](#); [greg@gregetanaka.org](#); [Ed Lauing](#); [Cari Templeton](#); [Cormack, Alison](#); [paloaltofreepress@gmail.com](#); [griffinam@sbcglobal.net](#); [Pat Burt](#)  
**Subject:** NYTimes: George Floyd Image With the Words 'You Take My Breath Away' Prompts Internal Police Investigation  
**Date:** Monday, February 15, 2021 8:10:14 PM

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George Floyd Image With the Words 'You Take My Breath Away' Prompts Internal Police Investigation  
<https://www.nytimes.com/2021/02/14/us/lapd-george-floyd.html?referringSource=articleShare>

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Binder, Andrew](#); [Perron, Zachary](#); [Jonsen, Robert](#); [Cecilia Taylor](#); [Human Relations Commission](#); [Joe Simitian](#); [Sunita de Turrell](#); [Kaloma Smith](#); [Human Relations Commission](#); [city.council@menlopark.org](#); [citycouncil@mountainview.gov](#); [Jeff Rosen](#); [Jeff Rosen](#); [Raj](#); [Richard Konda](#); [Planning Commission](#); [Council, City](#); [ParkRec Commission](#); [wilpf.peninsula.paloalto@gmail.com](#); [Roberta Ahlquist](#); [rebecca@winwithrebecca.com](#); [chuckjagoda1@gmail.com](#); [Greer Stone](#); [Raven Malone](#); [paloaltofreepress@gmail.com](#); [DuBois, Tom](#); [wintergery@earthlink.net](#); [Shikada, Ed](#)  
**Subject:** Blue Lives Matter is over NYT's Feb 15, 2021 by Charles M. Blow  
**Date:** Monday, February 15, 2021 8:03:15 PM

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<https://www.nytimes.com/2021/02/14/opinion/blue-lives-matter-trump-impeachment.amp.html>

Sent from my iPhone

**From:** [mark.weiss](#)  
**To:** [Rebecca Eisenberg](#)  
**Cc:** [Human Relations Commission](#); [Planning Commission](#); [Council, City](#); [Aram James](#); [chuck jagoda](#); [Roberta Ahlquist](#); [Raven Malone](#); [Pastor Kaloma Smith](#); [WILPF Peninsula Palo Alto](#); [Carol Lamont](#); [ParkRec Commission](#); [Jeff Moore](#); [alisa mallari tu](#); [Lewis. james](#); [Bunny Chiba](#); [Binder, Andrew](#); [Elizabeth Collet Funk](#); [Elizabeth Collet Funk](#); [info@lifemoves.org](#)  
**Subject:** Re: First tent in front of city hall, downtown Palo Alto.  
**Date:** Monday, February 15, 2021 6:08:04 AM

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Apropos of my suggestion in a previous letter, below, Democracy's safeword in Palo Alto could be "motion-activated lights set to 'always on'"

-Mark B Weiss

Sent from my iPhone

On Feb 14, 2021, at 10:08 PM, Rebecca Eisenberg  
<[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)> wrote:

All,

I toured the new six-floor new and empty publicly-financed gigantic parking garage to see if it would be suitable for safe parking. The City needs to clean up the water flood (safe near EV chargers?) and the trash. Otherwise, it looks to be in good enough shape to host vehicle dwellers. Given that the City already is paying to keep every single of the thousands of light bulbs on, every hour of the day and night, how much more hassle can it be to let people park their cars safely there? Also, I measured the spaces and there is ample room for placement of individual shelter mobile units. As a reminder, the California Department of Housing has offered millions of dollars in funding to any city for this very purpose, so it won't even cost anything. Here is a list of some of the many state programs that are excited to give Palo Alto money to house our growing homeless population: <https://www.hcd.ca.gov/grants-funding/active-funding/index.shtml>

Here are a couple of my videos:

Parking Garage Tour Part 2 (midnight on Thursday night; all lights on)  
<https://www.facebook.com/reisenberg/videos/10158825952918497>

Parking Garage Tour Part 1 (Wednesday afternoon)  
<https://www.facebook.com/reisenberg/videos/10158826050273497>

I filed a 311 report regarding the fact that the motion-activated lights were set to "always on" and also reported the flood on the second sub-basement, but when I came back to check a week after filming these videos, the lights were still all during daylight, even on the roof (as well as on every other floor, day and night), and the flood in the sub-basement only had grown bigger rather than smaller. I

also don't think it was very safe for the smokers (whoever they were) to have left their cigarette butts on the floor of the lowest level, next to the used gloves. It is shocking but true that the same contractor who built the already-flooded parking garage was just awarded the contract for the new jail next door to this garage. Although some funds already were spent, isn't it better to avoid a larger sunk cost, and turn this ship around now?

Let's use this empty, well-lit parking garage for safe parking, and let's use the empty lot next door for temporary shelter and affordable housing! We don't need more jail cells or prisons; we need shelter beds and homes. Palo Alto is the only city in the area without \*any\* shelter beds for our large and growing unhoused population. We also have the largest vehicle dwelling population per capita in the state, if not country. Here, in the most educated and wealthy city on earth, we can and must do better. Please let me know how I can help. Together, we can save lives, restore dignity, and protect families in Palo Alto.

Best regards,  
Rebecca

**Rebecca L. Eisenberg Esq.**  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[rle.medium.com](http://rle.medium.com)  
[www.winwithrebecca.com](http://www.winwithrebecca.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

On Sat, Feb 6, 2021 at 8:30 PM mark weiss <[earwopa@yahoo.com](mailto:earwopa@yahoo.com)> wrote:

Well, as Chief Seattle said "All things are connected". Chief Seattle the indigenous proto-environmentalist. Not to be confused with Chief Adrian Diaz, the current chief of police in Seattle.

Mark Weiss

In Palo Alto

Re: tents at 250 Hamilton, shantytowns as student agit prop in Hanover, Berkeley and Stanford 35 years ago, homelessness, safe parking, Ladoris Cordell, Al Young, ..., and the trees in blue.

I think Democracy in Palo Alto needs a safe word...

Sent from my iPhone

On Feb 6, 2021, at 6:46 PM, Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:

Hi Mark,

For a day off you still talking like the great poet I know you to be.

Stay on (snip)

You the one with magic pen!! Keep it coming my brother!!

Sent from my iPhone

On Feb 6, 2021, at 4:52 PM, mark weiss  
<[earwopa@yahoo.com](mailto:earwopa@yahoo.com)> wrote:

Excuse the digression but in 1985 liberal activists interested in divestment that is to say stopping apartheid in South Africa built on the campus green at Dartmouth College a "shantytown" .. After about six months, right wing activist destroyed it in the middle of the night. Then we had a one day teach-in about racism. Then for a while at the museum, the art museum displayed part of the former Shanty as artwork per se. I wonder if they still have it in storage.

If the tent in this picture is blue maybe it has something to do with the art installation by the Australian couple whose name escapes me but they painted the trees blue so that people will look with fresh eyes at things that were not made by man i.e. nature.

Personally I was kind of tripping out and in fact had a 10 minute conversation today with Officer or agent Craig Lee a 22 year veteran of our police force who was in patrol car was parked on the third floor of the 445 Bryant garage in my neighborhood and I was wondering if he should do a welfare check on the person who was sleeping in the second basement floor still sleeping even at 11 AM on a Saturday. There were actually two homeless people sleeping there. But What sent me there is the idea that apparently we paid tesla to sell us some charging equipment rather than asking them to pay us for the use of our garage which I think of as a type of corporate welfare.

I'm sorry if my argument is all over the map today is actually my off day. Jewish Sabbath and all that.

Mark

Sent from my iPhone

On Feb 6, 2021, at 12:54 PM, chuck jagoda <[chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com)> wrote:

Yes, yes, and yes!

I would also add a guillotine.

On Sat, Feb 6, 2021 at 11:27 AM Roberta Ahlquist <[roberta.ahlquist@sjsu.edu](mailto:roberta.ahlquist@sjsu.edu)> wrote:

m


----- Forwarded message -----



View on Nextdoor



Shelly Still, Duveneck - St. Francis

What are your thoughts on this?   
What do you think the city or residents need to do here? Do we watch and let it grow into tent city?

General · Feb 5



2



14

[See 12 previous replies](#)



Shelly Still  
What is your solution?  
And what is your immediate solution to prevent tent city all over Palo alto?...



Shelly Still  
Is that the solution?  
So they are encouraging camping in Palo Alto?

[View or Reply](#)

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This message is intended for  
roberta.ahlquist@sjsu.edu. [Unsubscribe here.](#)  
Nextdoor, 420 Taylor Street, San Francisco, CA  
94102



**From:** [Aram James](#)  
**To:** [Van Der Zwaag, Minka](#); [Constantino, Mary](#); [Kaloma Smith](#); [Sunita de Tourreil](#); [Human Relations Commission Council, City](#); [City Mgr](#); [mark weiss](#); [Rebecca Eisenberg](#); [Palo Alto Free Press](#); [chuck jagoda](#); [Jonsen, Robert](#); [WILPF Peninsula Palo Alto](#); [winter dellenbach](#); [Joe Simitian](#); [Binder, Andrew](#); [Taylor, Cecilia](#); [Rev. Lorrie Owens](#); [Minor, Beth](#); [Nash, Betsy](#); [Richard Konda](#); [Raj Jayadev](#); [Jeff Moore](#); [Perron, Zachary](#); [supervisor.ellenberg@bos.sccgov.org](#); [Rosen, Jeff](#); [Angel, David](#); [city.council@menlopark.org](#); [Anna Griffin](#); [cindy.chavez@bos.sccgov.org](#); [Greer Stone](#); [Pat Burt](#); [Patrice Ventresca](#); [patthurston2@yahoo.com](#); [Lewis james](#); [Sara Tabin](#); [Dave Price](#); [Bill Johnson](#); [Gennady Sheyner](#); [Tanner, Rachael](#); [ParkRec Commission](#); [Planning Commission](#); [Raven Malone](#)  
**Subject:** Fwd: Time for a critical conversation re hate crimes in Palo Alto and the Bay Area  
**Date:** Saturday, February 13, 2021 6:30:01 PM

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-  
2/13/2021

Dear HRC members and staff,

Below is a detailed story ( in today's New York Times, 2/13/2021) outlining the recent increase in hate crimes against members of Asian American community in San Francisco, Oakland, and other parts of the Bay Area. (see link below to the full article : ***A Lunar New Year of Safety Whistles Instead of Confetti Cannons***

HRC Hate Crimes discussion

I know the HRC will be taking up the subject of hate crimes in March ( likely at a 2nd March meeting). As a community member I am very concerned about the ongoing proliferation of hate crimes here in Palo Alto.

Here is language from today's New York Times piece that I ask the HRC and staff to consider:

Language form today's NYT's

*But in 2021, some community organizers and advocacy groups, including Stop AAPI Hate, have said Asian Americans must look beyond calling for increased police presence in neighborhoods to achieve that justice. "We recognize that policing has led to the criminalization of communities of color, and mass Incarceration," Dr. Jeung said. " Why perpetuate a system that doesn't work? "The people arrested in both the Chinatown incident in Oakland and the fatal assault on Mr. Ratanpakdee are Black, which community organizers said has brought to the fore some anti-Black racism particularly as outrage about the attacks has spread on social media.*

Police spokesperson & BLM speaker

I understand that the only speaker currently slated to address the issue of hate crimes at the March HRC meeting is a member of the Palo Alto Police Department. Given the mistrust of many members of our community towards our current police department, and law enforcement generally, and to encourage a balanced discussion of the hate crimes issue, I am requesting that the HRC invite/recruit a BLM spokesperson to also address the issue. Both speakers ( BLM & Police) to be given the same time thirty minutes, as an example, to address the HRC and members of the public.

### Conclusion

Too often, in my many years of advocating for best police practices in Palo Alto, when either the HRC or City Council have action items or special studies related to our police department on their respective agenda, the conversations are dominated by members of the Palo Alto Police Department. Given the current social justice movement in Palo Alto, and across this country, it is critical that voices other than the police be given equal time to address the many civil rights issues that come before our governmental bodies. Absent equal access by speakers on both sides of police practices issues the public will continue to lack trust in our police and governmental bodies that allow such one sided conversations to occur .

Sincerely,

Aram James

A Tense Lunar New Year for the Bay Area After Attacks on Asian-Americans  
<https://www.nytimes.com/2021/02/12/us/asian-american-racism.html?referringSource=articleShare>

### Police resistance to time-sharing proposal anticipated

P.S. I would anticipate stiff, behind the scenes resistance by the PAPD command staff and the POA to sharing time with BLM spokespersons on any police practices issue, even the topic of hate crimes. In fact I would not be surprised if at least one member of the HRC might attempt to exercise undue influence over the other HRC members to prevent such a shared time agreement. I request that both the HRC and our City Council not cave to such pressures and, moving forward, insist that equal time be given to speakers who have a different perspective on police practices issues than our police.

**From:** [Angie Evans](#)  
**To:** [Rebecca Eisenberg](#)  
**Cc:** [Bigelow, Lauren](#); [Human Relations Commission](#); [Roberta Ahlquist](#); [Aram James](#); [Gail Price](#); [Greer Stone](#); [chuck jagoda](#); [Planning Commission](#); [Council, City](#)  
**Subject:** Re: Renters - public schools - legal protections  
**Date:** Friday, February 12, 2021 7:57:58 AM

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Thanks, Rebecca. I spoke to the registrar last year as well and they told me something like 65% of students were renters. I believe this may have gone up during COVID - it also could've gone down. I look forward to getting that data point again after registration for PAUSD ends today. They don't publish the datapoint or share addresses - I don't believe they can legally share addresses. They may be able to share which schools have the highest percentage but they certainly cannot provide contact info or anything to identify them.

Best,  
Angie

On Fri, Feb 12, 2021 at 12:08 AM Rebecca Eisenberg <[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)> wrote:

Hi Lauren,

Thank you for your presentation tonight at the HRC meeting. I wanted to follow up with you on three matters: (1) outreach to the PAUSD; (2) demographic gaps and (3) legal protections to protect tenants. As a means of quick background, I am an attorney with 3 decades of experience in matters involving tenant/landlord relations, economic and tax policy, and social justice.

I am cc'ing some like-minded friends, neighbors, and colleagues, who also have deep experience with working on solutions for tenants in Palo Alto and similar communities. They undoubtedly have their own perspectives, and you may have spoken with them already, but in hopes of helping you move this project to launch, I thought including them again may be efficient.(also cc'ing govt bodies for record-keeping purposes)

First, as I said at the meeting, I think it would be very helpful for you to reach out to the Palo Alto Unified School District as you continue your research into how to protect tenants better in Palo Alto. The PAUSD has in the past (and presumably currently) collected data about public school families, which provides both access to the renters you described as 'hard to reach' (we're not! we're here!) as well as a possibly more complete picture as to what proportion of our community rents their homes, as I believe that the percentage is higher than you report.

According to the PAUSD's research, the last I checked, as many as 70% -80% of all Palo Alto public school students live in homes that are rented rather than owned. PAUSD has 12,000 students at its 18 public schools. Without adequate tenant protection, **as many as ten thousand Palo Alto public school students are at risk of losing their homes...** including my own.

Given this risk to our children, the need for adequate rent control is urgent. I would be happy to put you in touch with appropriate parties at the District, the PTAC and/or local

PTSA's. Greer Stone, cc'd, is a renter, a city council member, the city council liaison to the HRC, and an educator (married to another educator!) in the Palo Alto School District- at the high school my son attends. I am sure he can help as well. I hope you share our perspective that the public schools are what drew so many of us to live in Palo Alto, and in many ways are the heart of our community.

The School District also can be a valuable resource for you because it operates the largest and (as far as I am aware) only government-sponsored meal delivery system in Palo Alto. Thousands of PAUSD students receive free or subsidized meals. Additionally, many public school students live in subsidized housing developments. You should be able to reach some of these families through the district, but I would be happy to assist you with introductions as well to my personal friends who live in Palo Alto's few low-income housing developments. Finally, the school district can provide insight into the large percentage of our community who are not easily reached by surveys because the adults do not speak strong English. PAUSD's students include a large number of families where the children are the strongest English speakers in the family. All of these are communities that connect through our Palo Alto public schools.

Second, I wanted to quickly mention some potential gaps with the survey numbers given by the American Community Survey. One of the biggest gray areas is the lack of consideration for vacant homes here in Palo Alto -- a number which has been steadily rising and is not tracked by our city (although it should be). If vacant homes comprise 15% of housing stock as some estimate, that means that 45% of our homes are filled with tenants; 40% are owner-occupied, and 15% are empty.

This actually is a reason that most tenants here in Palo Alto don't feel embarrassed about renting. As I told my kids after we moved back here almost 10 years ago, I am not ashamed of the fact that we do not have four million dollars to spend on a 3-4 bedroom home! For the vast majority of us, including my partner and myself--a 2-lawyer couple in our 50's--buying a home of Palo Alto is an unrealistic expectation. And that is ok, as long as renting is a viable long-term housing alternative as well, which currently in Palo Alto, it too often is not.

Armed with more complete demographic numbers, I think it may be easier to bring attention to the profound problem in Palo Alto, that we are a city composed mostly of renters, living without any meaningful tenant protection laws.

Third, legal protections. Decades of work on affordable housing have shown that the only effective way to level the playing field for tenants is to provide legal tenant protections. You said you are researching other communities for ways to protect tenants better. I think it's most important to look at the cities that do the best job of protecting tenants, as many local communities are failing their tenant communities as much or more than we are.

Below is a brief and incomplete, but possibly representative list of legal protections that Palo Alto lacks - but urgently needs - and that other cities provide:

1. Meaningful rent increase limits. The current cap of 10% is far above market, and does not protect tenants from exploitative and illegal evictions (as most high rent increases are pretextual evictions)
2. Stronger financial protections for tenants, including opportunities for tenants to partner

with nonprofits and community groups to spread financial resources and reduce financial risk for landlords.

3. Legally available means to report landlord violations, and receive fast remedial actions. Rent Boards often serve this role extremely effectively. I am very familiar with San Francisco's Rent Board if you would like to discuss. These reporting channels also must include means to appeal determinations, e.g. through an Appeals Board or even an Ombudsperson.

4. Clarifications to our Municipal Code that it is illegal to remove housing from the market. Palo Alto is the only city in the region that does not follow this ubiquitous legal requirement.

5. Enactment of a vacancy tax, or alternatively, the enforcement of existing zoning codes against empty homes. The vast majority of well-run cities do not allow homes to remain empty, either by considering them zoning code violations due to not being used for zoned residential purposes, or enforcing against them as homes removed from housing stock, or otherwise. Ghost homes harm communities.

5. Tenant unions. Many cities provide public office space and financial resources to enable tenants to share resources and work collectively to even the playing field with landlords, who almost always have greater financial resources and institutional power.

These of course are a few of many different ways that strong city governments can protect tenants to preserve community stability, and to help all residents feel safe that their home today will still be their home tomorrow.

I am grateful for your hard work and close attention to these urgent matters, and I appreciate your consideration of these ideas. I welcome an opportunity to discuss at your convenience, and can be reached at 415-235-8078.

With warm regards,

Rebecca Eisenberg

**Rebecca L. Eisenberg Esq.**  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[rle.medium.com](http://rle.medium.com)  
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[rebecca@privateclientlegal.com](mailto:rebecca@privateclientlegal.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

**From:** [Jeanne Fleming](#)  
**To:** [Lait, Jonathan](#)  
**Cc:** [Clerk, City](#); [DuBois, Tom](#); [Stump, Molly](#); [chow\\_tina@yahoo.com](mailto:chow_tina@yahoo.com); [wross@lawross.com](mailto:wross@lawross.com); [todd@toddcollins.org](mailto:todd@toddcollins.org); [Planning Commission](#); [Architectural Review Board](#)  
**Subject:** Please answer these questions  
**Date:** Thursday, February 11, 2021 2:07:50 PM

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Dear Jonathan,

I am writing to follow up on my emails of two weeks ago to you and to Planning & Transportation Commission (PTC) Staff liaison Rachael Tanner. (Those two emails are attached below.)

While Ms. French of your office answered one of my questions, namely, what the "Objective Standards" item in the PTC's list of "Upcoming Items" references (it's standards for housing developments), these questions have not been answered:

1. **Why do revisions to the Wireless Ordinance no longer appear even on your list of "Upcoming Items" for the PTC?**

As you know, it is now a year since the PTC preliminarily reviewed Staff's proposed revisions to the Wireless Ordinance and directed Staff to return to them with additional modifications for their final consideration.

2. **When do you anticipate that revisions to the Wireless Ordinance will appear on the PTC's Agenda?**
3. **Are any members of the PTC involved in any way in the decision about when the Wireless Ordinance will appear on the Commission's Agenda? For example, is Commission Chair Bart Hechtman involved in any way in this decision?**

You will forgive me, I trust, for pressing you to answer these questions. As you know, revising the Wireless Ordinance is a matter of considerable urgency, not least because:

1. **Telecommunications companies are not waiting for the revised Wireless Ordinance to be finalized to continue their push to install cell towers all over Palo Alto.**

Indeed, Verizon just filed yet another cell tower application on February 9<sup>th</sup>.

It is my understanding that cell tower applications your department deems complete need only meet the expressed-at-that-date standards in the Ordinance. In other words, beneficial-to-the-City revisions to the Ordinance

made after that date would not apply to them. If I am wrong about this, please tell me. (I have copied City Attorney Stump on this email.)

2. **With the Ninth Circuit's August ruling, Palo Alto once more has the authority to assert subjective aesthetic standards for the siting and design of cell towers—but for this to happen, these standards must be restored to the Wireless Ordinance.**

As you repeatedly assured City Council, the PTC, the ARB and residents when you recommended eliminating subjective aesthetic standards from the Ordinance two years ago, you stood ready to promptly restore this significant element of local authority should the FCC's September, 2018, Order calling for objective standards be overturned. And as you know, it was indeed overturned in August, when the League of California Cities *et al.* prevailed on this issue in *Portland v. FCC*.

Thank you, as always, for your help.

Sincerely,

Jeanne

Jeanne Fleming, PhD  
[JFleming@Metricus.net](mailto:JFleming@Metricus.net)  
650-325-5151

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**From:** Jeanne Fleming <jfleming@metricus.net>  
**Sent:** Friday, January 29, 2021 12:05 PM  
**To:** 'Lait, Jonathan' <Jonathan.Lait@CityofPaloAlto.org>  
**Cc:** 'Clerk, City' <city.clerk@cityofpaloalto.org>; 'DuBois, Tom' <Tom.DuBois@CityofPaloAlto.org>; chow\_tina@yahoo.com; wross@lawross.com; todd@toddcollins.org; Plannning.Commission@CityofPaloAlto.org; 'Architectural Review Board' <arb@cityofpaloalto.org>  
**Subject:** Two Questions

Dear Jonathan,

For some months now, your reports for the Planning and Transportation Commission have included the following on the list of "Upcoming Items:" "PTC Review of Objective Standards."

I would appreciate it if you would tell me:

1. To what does that item refer? Specifically, does it refer to revisions to the

Wireless Ordinance, does it refer to the new “Objective Zoning” standards consultants have prepared at the behest of City Staff, or does it refer to something else?

2. If this language does not refer to the Wireless Ordinance, why do revisions to the Wireless Ordinance no longer appear on your list of “Upcoming Items” for the PTC? As you know, the PTC preliminarily reviewed Staff’s proposed revisions to the Wireless Ordinance almost exactly one year ago, but have yet to conduct their final consideration of these revisions before the revisions go to City Council.

Thank you for your help.

Sincerely,

Jeanne

Jeanne Fleming, PhD  
[JFleming@Metricus.net](mailto:JFleming@Metricus.net)  
650-325-5151

**From:** Jeanne Fleming <jfleming@metricus.net>  
**Sent:** Wednesday, February 3, 2021 10:56 AM  
**To:** Rachael.Tanner@cityofpaloalto.org  
**Cc:** Planning.Commission@CityofPaloAlto.org; 'Clerk, City' <city.clerk@cityofpaloalto.org>; 'DuBois, Tom' <Tom.DuBois@CityofPaloAlto.org>; 'Lait, Jonathan' <Jonathan.Lait@CityofPaloAlto.org>; chow\_tina@yahoo.com; wross@lawross.com; todd@toddcollins.org  
**Subject:** PTC consideration of Wireless Ordinance

Dear Rachael,

I understand from our earlier correspondence that you and Jonathan Lait decide when consideration of revisions to the Wireless Ordinance will appear on the Planning & Transportation Commission’s Agenda. I would appreciate it if you would tell me:

1. Are any members of the PTC involved in any way in this decision (for example, Commission Chair Bart Hechtman)?
2. When do you anticipate that revisions to the Wireless Ordinance will appear on the PTC’s Agenda? As you may recall, on May 31, 2020, you wrote to me that the PTC was tentatively scheduled to consider the revised Wireless Ordinance on August 12, 2020. This in itself represented a delay of many



months.

As I am sure you know, telecommunications companies have been continuing to submit cell tower applications to the city in the year since February 13, 2020, when the PTC directed city staff to return to them with a revised Wireless Ordinance. In short, this is a matter of considerable urgency.

Thank you for your help.

Sincerely,

Jeanne

Jeanne Fleming, PhD  
[JFleming@Metricus.net](mailto:JFleming@Metricus.net)  
650-325-5151

**From:** [Rebecca Eisenberg](#)  
**To:** [Planning Commission](#); [Council, City](#)  
**Subject:** Re: Gratitude to Commissioner Alcheck, and a few more thoughts on the City's extreme proposal to change T&C  
**Date:** Wednesday, February 10, 2021 9:54:57 PM

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Quick but important TYPO correction highlighted in yellow/red below. (And one clarifying question added). I still don't know what was decided because I was writing this while they voted 3-2 (1 absent) to approve something the specifics of which I missed! Of course, whatever was decided was a recommendation for City Council's ultimate review and determination.

Thank you again for your hard work, and thank you for considering!

Best,  
Rebecca

On Wed, Feb 10, 2021 at 9:21 PM Rebecca Eisenberg <[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)> wrote:

Hi all,

Although I have criticized Commissioner Alcheck in the past, and still have questions, I wanted to take the time to call out Michael Alcheck for his courage and integrity in going against what I previously thought would be his script. In particular, I am grateful to be proven wrong, watching Commission Alcheck stand up to the over-reaching demands of Town & Country's landlord, and instead propose less extreme measures.

Also, I wanted to amplify two observations and thoughts that Commissioner Alcheck mentioned, that I was disappointed to see was missing from the Staff Report:

1. Commissioner Alcheck argued that interfering with the markets by changing the law to accommodate one specific party is usually an inappropriate course correction in the context of a larger shift. (I think I heard him correct to say that -- I had hopped back on after my PTC interview!) The general point made here is that it is generally unwise to correct a problem for one party that is certain to impact many parties. The Staff Report failed to mention this, instead acting on the unproven assumption that Town & Country's downward rental pressure was unique.

2. Commissioner Alcheck pointed out that a permanent zoning change is far from the only remedy to this (temporary) problem. For example, because the City has declared a State of Emergency due to the pandemic, Commission Alcheck said, the City has the ability to pass emergency ordinances that will have short-term impact (please refer to the email I sent last month listing and describing legal authority for cities to use States of Emergency to pass emergency resolutions, which I asked either body to run past the City Attorney's Office). Also, Commissioner Alcheck pointed out that if temporary changes are not permitted by the Municipal Code, that the City Council has the authority to make changes to the Municipal Code to allow for temporary changes. (The fact that the Planning Depart failed to propose a change to the Muni Code to enable temporary changes, but instead proposed an extremely impactful permanent change, demonstrated, in my mind, a lack of judgment & critical

reasoning on the part of the Planning Department.)

I think and hope that Commissioner Alcheck's points are important, even though the City Staff appeared to reject them, and unfortunately they may not change this outcome.

As of time of writing, both Chair Hechtman and Commissioner Templeton stated support for the City's recommendation to permanently alter Town & Country by removing a full one-quarter of its retail establishments. Both the Chair and Commissioner Templeton agreed that this drastic permanent change was warranted by current conditions -- even though all 50,000 Stanford students & employees are very likely to return within a year, and the closures of Paly & Castilleja, as well as the lockdowns and quarantining of residents and local employers will end eventually as well.

I also am grateful to Commissioner Alcheck to have the courage and creativity to propose a compromise that allows Town & Country to sign medical offices, but only if those leases are signed this calendar year, 2021.

But given the incomplete report, the failure to publicize this potential huge shift to any impacted groups or stakeholders, including Stanford, PAUSD, local residents, and in particular small businesses... I cannot for the life of me understand why the Commission would do anything other than continue this matter to see how the market shakes out, and to enable input from any of the numerous impacted parties.

The owners of Town and Country claim that Town & Country cannot survive if this permanent change is not made to expand their market. Yet, that owner, Ellis Partners boasts that it is worth more than \$2.5 billion dollars -- and it has **not** revealed whether or not it has applied for and/or received any of the trillions of dollars of CARES relief money that has been provided to other companies in the real estate industry. It also did not state whether how much the landlord has raised rent over the past 10 years, and how low would Ellis have to lower the rent now in order to fill the vacancies-- specifically whether the rent now would have to be lowered to a point less than what rent was charged 10 years ago.

At very least, shouldn't the Commission demand that the City speak with small businesses, ask the applicant more questions, and seek input from the community before recommending such an extreme and detrimental impact to our community?

Or at very least, isn't reasonable to require a landlord to endure the downside risk that makes its industry so uniquely lucrative? Why do all other landlords (like my husband and myself!) have to lower our rents to adjust to declining rental markets, but this particular landlord (worth \$2.5 billion by its own website) needs to be protected from the well-documented, ever-present swings in the Silicon Valley real estate market?

Without knowing yet the results of this meeting, at very least I appreciate the appropriate critical eye that Commissioners Alcheck, Summa, and Laung gave to this flawed staff report.

Thank you to the Commissioners who stood up to the city, and thank you for all reading this long note. No matter the result, I know that we share an interest in acting on behalf of Palo Alto's community.

And to PACC, thank you for interviewing me tonight.... again!

Best regards,

Rebecca

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February 10, 2021

**Via Email: [Planning.Commission@CityofPaloAlto.org](mailto:Planning.Commission@CityofPaloAlto.org)**

Honorable Bart Hechtman, Chair  
Honorable Giselle Roohparvar, Vice Chair  
Honorable Planning and Transportation Commissioners  
City of Palo Alto  
250 Hamilton Avenue  
Palo Alto, CA 94301

**Re: February 10, 2021, Action Item 2, “ADU Code Changes to PAMC Chapter 18.09”<sup>1</sup>**

Dear Chair Hechtman, Vice Chair Roohparvar, and Planning and Transportation Commissioners,

I write for two reasons:

1. At tonight’s meeting, I urge you:
  - a. to pay particular attention to the expected presentations by Randy Popp, Architect, and other speakers who have been members of the Palo Alto ADU Task Force; and
  - b. to consider in greater detail the proposals detailed in the letter to the City Council from Jessica Resmini, Architect, and Randy Popp, Architect, dated October 5, 2020 (“October 5, 2020 Letter”), a copy of which is attached to the Staff Report, at Packet Pgs. 66-71.

While the Staff Report begins to address some of the issues discussed in the October 5, 2020 letter, much greater consideration should be given to the specific proposals set forth in that letter.

2. The fundamental question that the PTC and our entire community should be addressing is: What kind of community do we want to live in? At the highest level, facilitating actual construction of greater numbers of ADUs and JADUs of different sizes can fundamentally reinvigorate and enhance the Palo Alto community by expanding housing opportunities across a much wider range of income levels. While it is important to change particular zoning rules to enable more and better ADUs and JADUs to be built quickly, other changes must be made as well. Such changes will require considerably greater cooperation between the PTC and other branches of our municipal government.
  - a. To fulfill the state mandate for 60-day approval of ADUs, staffing levels must be increased within the Planning & Development Services Department. This will require recommendations to and consultation with the Finance Committee.

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<sup>1</sup> See the [agenda](#) and [Staff Report \(ID # 11756\)](#) (“Staff Report”).

- b. In addition to increasing staffing levels, respecting state law will also likely require changing workflows within the Planning & Development Services Department. Repeated delays in evaluating permit applications act to discourage construction of new housing, and that is simply not acceptable given the present housing crisis. In principle, it should be possible to approve a reasonable ADU or JADU application within a week. Other cities appear to have solved this problem; Palo Alto needs to solve it as well. Members of our community seeking to build more homes deserve much quicker responses to permit applications for ADUs and JADUs. If there are specific requirements that form the basis for review of ADU and JADU permit applications, they should be detailed in ADU- and JADU-specific checklists to which all applicants can be directed. Furthermore, permit applications should be reviewed by a select, specially trained group of planning and building reviewers. These may well be issues that require consultation with the Policy and Services Committee.
- c. Palo Alto has specific goals for housing and for addressing global warming, but, in many respects, different parts of our municipal government are working at cross-purposes in meeting those goals. For example, policies and rates established by the City of Palo Alto Utilities, especially those that were designed to encourage conservation for single dwelling units on a parcel, become completely inappropriate when more than one dwelling unit is built on a parcel. Such policies and rates may be well intentioned, but they operate to discourage production of more ADUs and JADUs. To resolve these issues, consultation with the Utilities Advisory Commission is also likely required.
- d. Obtaining reasonable financing for building additional ADUs and JADUs is another critical issue that requires attention. On-bill payment systems and using municipal assets to make it easier for homeowners and others building ADUs and JADUs to obtain financing quickly and easily are two alternatives that require greater investigation. For example, Palo Alto could become one of the first cities to utilize a portion of its reserve portfolio to provide, guarantee, or backstop ADU and JADU construction loans. Similarly, Palo Alto could help create means for allowing ADU and JADU financing payments to be made through utilities or property tax bills. Creatively exploring such alternatives would probably require cooperation with both the Finance Committee and the Utilities Advisory Commission.

To become a better, more diverse, and more resilient community, we should make it easier to build more ADUs and JADUs. This requires that the PTC work diligently with other parts of Palo Alto's government. The PTC could begin this process by encouraging City Staff to require what types of coordinated consultation and cooperation could be undertaken immediately, and making appropriate recommendations to the City Council.

Thank you for your kind consideration of these concerns.

Respectfully submitted,

John Kelley

**From:** [Jeanne Fleming](#)  
**To:** [French, Amy](#)  
**Cc:** [Clerk, City](#); [DuBois, Tom](#); [Lait, Jonathan](#); [chow\\_tina@yahoo.com](mailto:chow_tina@yahoo.com); [wross@lawross.com](mailto:wross@lawross.com); [todd@toddcollins.org](mailto:todd@toddcollins.org); [Planning Commission](#); [Architectural Review Board](#)  
**Subject:** New Cell towers  
**Date:** Wednesday, February 10, 2021 5:31:10 PM

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Dear Amy,

Thank you for letting me know that:

1. Verizon/Vinculum's Cluster 4 (20PLN-00118) resubmitted application to install new cell towers in the Downtown North, Crescent Park, University South and Community Center neighborhoods has been deemed incomplete by the Planning Department; and
2. Verizon/Vinculums has submitted an application (Cluster 5, 21PLN-00056) to install new cell towers in the vicinity of Stanford Shopping Center.

I would appreciate it if you would let me know what action the Planning Department takes in its initial review of 21PLN-00056 (e.g., whether it deems this application complete).

I am happy to report that I have received from Building Eye, for the first time ever, a cell tower application notification. (Specifically, this notification was for 21PLN-00056.) Thank you for your help in making this happen.

Sincerely,

Jeanne

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