



2020 City Council Candidate Questions

Rebecca Eisenberg Responses

EXPERIENCE

What experience with Palo Alto community issues would you bring to the council?

Over the past 8 years, I have spoken on behalf of community groups including the PTSA, PTAC, BLM, Vote16, PNQL, Palo Alto Dog Owners, neighborhood groups, parent groups, and climate action groups. I usually spoke at meetings, but also often emailed: City Council, PTC, ARB, HRC, Park & Rec, SCC Board of Supervisors, SCC Planning Commission.

Issues include:

- **Transparency & Integrity** of City Council Meetings & Processes (e.g. conflicts of interest, limiting closed session; allowing community members to speak with video, giving equal time at meetings to community interest)
- **Elimination of policies that further racism**, including police reform, and opening Foothills Park.
- **Fiscal responsibility to residents** (e.g. diversifying the tax base to include largest businesses).
- Against budget cuts to **services for seniors, children, the disabled, vulnerable populations, and public school students.**
- In favor of **environmental protection**, including green energy and transit.
- In favor of **affordable housing** creation and **tenant protection.**
- **Against overreaching by wealthy private interests**, including use of residential land for commercial purposes, and abuse of goodwill by commercial developers, private schools, & telecom companies.
- On behalf of **public safety**, e.g anti-vaping, for protected bike lanes & pedestrian bridges, against traffic that creates risk to seniors on foot and children on bikes.
- On behalf of protections for **workers and working families**, including a living wage, childcare, transit, better-funded education, better transit, and protection against discrimination on the basis of race, sex, gender identity, sexual orientation, familial status, religion, ethnicity, national origin, language, age, and disability.

GOALS

What are the top three goals you want to achieve in the next four years on the city council?

1. **Eliminate corruption and bias** in local government and law enforcement: hold leaders accountable; make decisions transparent and representative; involve community.
2. Make Palo Alto a **model city on climate action** and green initiatives.
3. **Invest in our community** and working families by prioritizing low-income housing near jobs, tenant protections, transit, and childcare.

PUBLIC SAFETY

How would you help set policies for PAPD to address racial profiling and use of excessive force?

First, I would work to clarify that the PAPD works for the City, and not the reverse.

1. Then, I would make it clear that racial profiling and excessive force are illegal, without exception.
2. I would ensure that officers who violate these policies (and/or 8 Can't Wait and other demilitarization and de-escalation policies we must implement) will face consequences that will include immediate termination and criminal prosecution if appropriate - the PAPD must not be above the laws it purports to enforce.
3. I would do what I could to revoke the "police bill of rights" as well as other unfair policies that allow police officers to be above the law.
4. I would require that the PAPD terminate all officers with an existing record of racial violence.
5. I would require that the PAPD hand over all evidence related to claims of inappropriate conduct without exception.

What are your thoughts on "defunding" and/or reorganizing the police department? What changes do you want to see in our police department? If you would cut its budget, where would you apply the savings?

I support defunding and reorganizing the police department. By defunding, I mean moving some of its budget to other programs, similar to how the City Council recently defunded Palo Alto Children's Theatre by cutting half of its budget. And, as the City Council told Children's Theatre it can achieve its goals with half its budget, we must tell the PAPD the same.

With the cost savings from reducing the PAPD budget, I would seek to invest in the following:

1. Restore the funding for the community services cut by the City Council this spring, including rehiring the Firefighters and SEIU service workers it fired, reinstating Library hours (and librarian compensation), rehousing the nonprofit tenants it evicted from Cubberley, restoring the Cubberley lease with the PAUSD and reimbursing the \$4 million it withheld from the public schools, reinstating services for teens it slashed, and of course reimbursing and reinstating full funding of Palo Alto's remarkable and wholly essential Children's Theatre.
2. Instead of the militarized police force, Palo Alto can invest in more effective means of peace-keeping, including: (a) invest heavily in mental health services -- for example, it is not appropriate that peace officers currently handle suicide prevention calls from teens; (b) supporting non-profit organizations that empower communities; (c) use neighborhood mediators trained in de-escalation to address situations that police officers notoriously are worst fit to handle, especially domestic violence.
3. With the rest of the money we gain, I support the following, according to triaged need: (a) emergency housing for the newly unhoused; (b) permanent affordable housing for the lowest income workers and working families; (c) childcare for teachers, city workers, and residents to help reboot the economy by enabling parents to reenter the workforce given children at home due to the pandemic; (d) ramping up our delivery of free covid testing, to get people back to work.

With the \$150 million (or so) set aside for the new police station, I support reallocation of those funds toward more urgent capital projects at that location, such as emergency housing for transitional homeless, housing for lowest-income workers, and affordable housing for city workers and teachers.

CITY GOVERNANCE

Do you agree with how the City recently cut its budget? If not, what would you have done differently?

I strongly disagree with how the City recently slashed its budget. These cuts were entirely avoidable had the city council thought to diversify its revenue base beyond property tax, sales tax and hotel tax.

In particular, Palo Alto is the only city in the state (if not country) with a business presence that gives a full ride to our businesses. Although there are good reasons not to tax small and mid-sized businesses, as well as retail and restaurants, Palo Alto has zero reasons not to tax our largest businesses and employers. Palo Alto's major employers include Tesla, Palantir, Amazon, Facebook, and Alphabet -- all of whom have profited from the pandemic. These huge, extremely profitable multi-billion-dollar international corporations owe their success in part to their reliance on Palo Alto public services -- paid for entirely by residents -- and these huge companies easily would pay tax in Palo Alto, as they do in all of their other office locations -- if Palo Alto merely would have asked them to contribute.

But Palo Alto City Council consistently refused to tax our largest and most profitable businesses, including as recently as March, where the City Council voted 7 to 0 against including a business tax on the November ballot. By doing so, they refused to give Palo Alto residents a say in the matter of whether Palantir and Tesla should help pay for the recovery.

Rather, our current City Council decided that the residents must pay for the recovery. In slashing more than \$40 million of essential public services upon which residents rely, the City Council intentionally chose to subsidize Tesla and Palantir, while depriving our community's most vulnerable residents of services they relied on, and often even, their jobs.

Given Palo Alto's historic crisis-level jobs-to-employees ratio of 4-1, right now residents comprise 20% of the users of city services, but residents pay the entire tab. This is due to the intentional policies of the City Council.

On behalf of the residents, we need urgent change!

What is your position on Proposition 15, the constitutional amendment to require commercial and industrial properties to be taxed based on their market value, rather than their purchase price?

I am an official, trained spokesperson for Schools & Communities First, now known as Prop 15! I have been a supporter of this measure for years that it was in the making, and you can find my name on its official list of endorsers. (yes15.org)

Prop 15 will close commercial property tax loopholes and end shady schemes that big corporations and the wealthiest few have used to avoid paying their fair share of property tax. It will reclaim \$12 billion for public schools, and local communities, with iron-clad protections for renters, residential homeowners, agricultural land, and landlords. It also exempts small businesses from reassessment, and even provides badly-needed tax relief to small businesses, who are hit so hard by this pandemic. With the \$23 million Palo Alto will receive from Prop 15, we can invest in affordable housing, and help repair the damage done this year to our city services.

Prop 15 is badly needed to conform Prop 13 to voter expectations when they enacted Prop 13. Studies make clear that the majority of voters who enacted Prop 13 did so to protect residents, and had no idea that the property tax exemptions designed to allow people to age in their homes, also would apply to corporations! Voters did not intend to give businesses, which have no natural life, exemptions from property tax. Rather, most voters expect businesses who own valuable property to share the burden of paying for city services with the residents.

Before this loophole, corporations used to contribute 70-80% of property tax revenues to fund public schools and community services. Now it is residents that pay the vast majority of property tax, while billionaire commercial real estate investors -- many of whom are located outside the state and even outside the country! -- pay virtually nothing. This injustice is bankrupting our public schools, harming our communities, and lowering the quality of life and even property values for residents.

I hope you will join me in voting for this extraordinarily important California Proposition in November: Prop 15.

Would you make any changes to the balance of power between the city manager and staff and the elected City Council entrusted to do the will of the people?

Yes. The City Manager reports to the City Council, and it is the legal responsibility of the City Council to manage the City Manager. Although the City Council always has had the obligation to manage the City Manager, it has failed to do so effectively.

Management is a skill, and PA City Council has lacked that skill for years.

In my 25 years working in executive and management roles for private companies, I developed strong people management skills. I have managed teams as large as 20, including recruiting, training, and evaluating performance. I understand how to give direct reports clear instructions, and arm them with goals, values, and priorities to optimize their deliverables according to need. I know how to prioritize projects, always emphasizing larger values and goals. When a project is returned lacking data, I return it for completion.

Being a manager requires an ability to give constructive feedback, and to disagree. Some current city council members -- and some of my opponents -- point to a counterproduct need for "civility" and to "avoid conflict." In truth, it is a refusal to disagree that ultimately harms our community's interests.

This is particularly the case when wealthy private interests hire expensive lawyers to make scary threats. As an attorney with almost 30 years of experience, I am not scared by the fancy threats of expensive lawyers. I have negotiated thousands of successful outcomes on behalf of clients with expensive lawyers.

Also, I, unlike all sitting council members and all of my opponents, have decades of experience managing lawyers. This is important because the City Attorney also appears not to be managed effectively. Nor is, obviously, the Police Department, most of all Chief of Police Jonsen.

Having spent my career in tech, I am well-versed at working with difficult and strong personalities. I was hired by Peter Thiel at PayPal in 2001, and took the company public with him the following year. I joined Reddit as employee 18, and successfully spun it off from its corporate parent, negotiated a successful recapitalization, and launched it as an independent startup, alongside employees with whom I had little in common. Being able to collaborate with different personalities is a skill successful leaders must acquire. My accomplishments demonstrate that I have that skill.

I am the antidote to the city council's inability to manage its staff. I bring decades of management experience, negotiation skills, courage, and integrity...as well as thick skin and never-give-up-ness. I work extremely hard, and generate results.

Palo Alto has a wealth of talent and knowledge in its residents, but often hires consultants with little expert knowledge of the city. Should the city utilize the talent and knowledge of its residents differently, and if so, how?

Yes. Palo Alto's biggest asset is its community. There are literally hundreds of highly educated, extremely knowledgeable, expert residents who are pleading for the opportunity to volunteer their services to the city, but city council shuts them out. Their refusal to include community experts is interfering with their ability to succeed. Their refusal to hear community perspectives is eroding public trust.

I zoom into virtually every city council meeting, and stay the entire duration. During these meetings, I have heard thousands of articulate appeals from community members, begging for racial justice, economic fairness, the preservation of their beloved community services (like Children's Theatre), and even asking for their jobs to be spared. Not once has the city council ever responded to these appeals, except occasionally (by the mayor) to "correct" them.

Often, the city council loses a quorum the moment it's time for the community to speak. And, even though the city council gives each speaker a tiny two minutes to state their feedback, we still hear the council members complain about "long meetings" and "tedious proceedings" that are potentially infringing on their "vacations." (Vacations.) If being forced to hear the real life concerns of community members is tiresome, then the city council member is not well suited for the position. This exhaustion with city government work is particularly ironic given the dozens of residents who would be thrilled to be delegated some functions.

Palo Alto used to be a city known for innovation and an entrepreneurial spirit. It felt that way to me when I attended Stanford in the 1980s. Now we are a city whose leaders fear change, and who take pride in their unwillingness to try anything new. We need to return to our innovative roots!

I propose forming a volunteer corps of community members who are interested in rolling up their sleeves and helping solve many of our problems. This corps also can include a committee dedicated to exploring the many ways in which community members can assist.

If other city council members are too busy to coordinate with these volunteer corps, I will be happy to take on that role. It is the least I can do, in the context of a community that seeks to serve.

HOUSING

RHNA states that Palo Alto's greatest housing need is for units affordable by those earning 80% and below Area Median Income. Do you support this goal and, if so, how would you accomplish it?

Yes. I fully support ABAG's RHNA calculation, and I point out to the city council that no matter how our share of housing is calculated, we must agree that we are inexcusably behind under any calculation. Wasting time fighting with ABAG over how much housing we should create is akin to arguing over what fire extinguisher to use while our house burns down. We have no time to spare.

Despite the fact that Palo Alto is one of the wealthiest cities in California, it ranks at the bottom in terms of affordable housing production. In the past 6 years, Palo Alto has produced only 43 units of housing in the "very low" category, 60 in the "low" income category, and 42 in the "moderate" income category. With one year to go, Palo Alto has a lot of housing to produce:

2014-2022 Regional Housing Needs Allocation

PALO ALTO PERMIT PROGRESS AS OF 2019			
Affordability Level	RHNA Goal	Permits as of 2019	Percent Progress
Very Low Income	691	43	6%
Low Income	432	60	14%
Moderate Income	278	42	15%
Above Moderate	587	409	70%
TOTAL	1,988	554	28%

Permitting progress as of December 2019. Source: HCD 2019 Housing Element Annual Progress Report Permit Summary.

In fact, the only housing project recently considered for approval is a 102 unit development at 788 San Antonio Road. This development does little. The units will average 400-500 square feet, of arguable appeal to the 86 prospective tenants who will be charged Palo Alto's galactic market rents. Although 16 of these 450 square foot units are designated "affordable," they will be priced for moderate income, contributing zero to our huge shortfall in very low and low income housing. These units are better than nothing, but not by much.

Yet, many cities, even those with much smaller budgets, and large business presences are creating housing by changing their policies. Mountain View is a great example. Mountain View recently enacted a business tax, with the majority of funds coming from Google. Although opponents claimed that this business tax would be a job killer, Google did not oppose the tax, even knowing it was the primary taxpayer. As a result of this tax, Google was not harmed, but Mountain View was helped. With this extra tax revenue, Mountain View was able to invest in a more robust office of affordable housing -- which in turn has led to more funding. For example, just last week, Mountain View received a \$12.3 million grant from CARES (via the State), to invest in emergency housing. Mountain View's funding was part of a \$600 million incentive package that Palo Alto could have applied to as well, but did not.

In addition to business taxes (which now every similar city has except Palo Alto), neighboring communities also are having success funding housing by raising developer impact fees for commercial development and lowering fees for residential development. They are also working hard to create a planning department system that

enables the prioritization and expediting of housing projects through notoriously slow approval processes - a goal supported by the State.

Palo Alto needs only look to other cities to find ample alternative approaches to funding housing, including business and commercial developer taxes, recalculated fees to incentivize housing over office projects, local bonds, and taking advantage of government grants. Let's do what they do!

PAN has officially endorsed Alternative M, which was brought to the NVCAP working group by several PAN members. What innovative ways might you explore to pay for low income housing and BMR housing in North Ventura and other sites in Palo Alto?

I passionately support Alternative M. Its advantages perfectly align with my campaign's values, goals, interests, and objectives (winwithrebecca.com). Here are some of my favorite things about Alternative M:

1. It preserves the existing stock of housing, which is essential, fair, and just.
2. It protects tenants and allows them to stay in the neighborhood, rather than displacing them. (My family of 4 is a tenant ourselves.)
3. It focuses on housing, adding 770 new homes while preserving all existing homes.
4. It prioritizes low income housing over market rate housing, in recognition that everyone benefits when we provide housing for seniors, teachers, low wage workers, first responders, people with disabilities, and other community members who increasingly are priced out of Palo Alto. It recognizes that housing production allows us to retain true neighborhood character: the character that is protected when residents are not displaced.
5. It recognizes the huge negative impact that office development has on the community, as opposed to the huge positive impact that housing production has on the community. (The persistent false belief that office production has the same impact as housing has led to our 4-to-1 jobs to housing ratio -- the highest in the country!)
6. It relies *zero* on commercial developers, debunking the other persistent false belief -- that we need commercial developers more than they need us.
7. It involves the City of Palo Alto acquiring property! Of course Palo Alto should acquire attractive parcels whenever it has the opportunity. Take it from Stanford -- acquiring real estate is a winning strategy. Plus, no more negotiating with private investors over serving the community. Public land has no conflict of interest: it exists to serve the people.
8. It relies on funding from a business tax and lease-backed muni bonds: zero of the cost will be paid by residents!
9. It preserves a historic building, honoring its past and strengthening local pride.
10. It involves repurposing office buildings for residences. (See, this is possible!)
11. It involves putting a moratorium on office development in the neighborhood, to make room for housing, retail, restaurants, healthcare, and other businesses that serve local residents. (See, this is possible too!)
12. It includes reviving the beautiful Matadero creekside land for public enjoyment.
13. It includes the creation of safe bike lanes, enabling cyclists and children to travel down Park Ave and other streets with less risk of harm.
14. It recognizes that Palo Alto has enough land to house everyone without significantly increasing density! If we repurpose commercial property for housing, reclaim commercial land for public use, and make better use of our existing real estate assets, while also preserving existing housing inventory and protecting tenants, we can house Palo Alto. This Ventura proposal demonstrates a path forward.

To me, the only things missing from this plan are additions that are not possible currently, because Palo Alto is behind on its infrastructure deliverables. (I want to fix that problem!) Specifically:

1. Consistent with our comprehensive plan, and our commitment to create a green city, Palo Alto needs to provide a robust, convenient, affordable, and safe system of electric shuttles and/or other local transit. With that in place, we can enable the following:

- a. Relaxed parking requirements, when transit is available, convenient, affordable and safe. Reducing our need for parking frees up land for parks, community services, restaurants, and housing.
 - b. Closing as many streets as possible to cars, creating a restaurant- and retail-friendly pedestrian neighborhood. Also, possible only when transit options are in place. #GOALS
2. Also consistent with Palo Alto's green initiatives, North Ventura's new and repurposed developments are an ideal place to use solar power, once Palo Alto's utilities infrastructure can support a neighborhood's strong reliance on solar (and/or other renewable energy forms).

What would you do to protect existing rental housing and its tenants?

I am a tenant (also a landlord), and I strongly support tenant protections.

Having tried unsuccessfully for more than a decade to be able to afford to buy a house in Palo Alto, my husband and I ultimately recognized that the only way we could afford to live here is to rent. So we rent. Even though my husband and I both are licensed successful attorneys with more than half a century of experience between us, we are not embarrassed that we do not have several million dollars to purchase a home in the assignment area of the public schools we selected for our children. Approximately half of all Palo Alto residents are renters, and that number is higher (approximately 60-70%) for families with children in the public schools, like us.

With two adults whose incomes are essential to the family, two children, a rescue dog and a rescue cat, who rent our home, I represent a typical Palo Alto working family. I do not believe that is common for the city council, but it is a voice that deserves representation.

Even if I did not rent, I still would - and do - support the following tenant protections:

1. Eviction protection, allowing eviction only for "just cause."
2. Enforcement and extension of anti-discrimination laws, ensuring that tenants are not harassed, discriminated against, or evicted on the basis of race, ethnicity, national origin, religion, language, age, familial status, sex, gender, gender identity, disability, and membership in other protected class.
3. Production of more rental units, to lower prices as a result of supply and demand.
4. Protection of existing rental units in order to enable residents to stay in their communities, and to avoid gentrification and displacement.
5. Support of state and county rental protections.

Do you support ending single-family residential (R-1) zoning? Why or why not?

I support the end of exclusionary zoning, in the context of the 3 P's: Production (of housing), Preservation (of existing housing stock), and Protection (of tenants as well as owners facing financial challenges who need liquidity or income to stay in the neighborhood). A couple illustrations:

1. R-1 zoning is not a singular concept: sometimes it allows additional units as long as they meet certain lot size minimums. Also, sometimes it allows automatic conversion to RH-2. Those R1s are great.
2. Although R1 designations can create challenges for neighborhoods, I think that the more nefarious zoning limitation is minimum lot sizes and/or the inability to subdivide extremely large lots, even for the surrounding neighborhood. In my neighborhood -- Old Palo Alto -- lot sizes run up to an acre (or more). If the owners of these lots were able to subdivide the lots, our quality of life would be so much improved! There are hardly any children in our entire neighborhood, and half of our nearby homes are empty most of the year (a couple of them empty always). I grew up in a town where every house had a family or grandparent in it, and people looked out for each other. I remember Palo Alto being that way in the 1980s. Ghost towns are not 'neighborhood characters' worth preserving.
3. Although Palo Alto needs to build more housing, it really needs to start by addressing the ghost house problem first. Our city council has done a terrible job preserving housing stock. Many cities are exploring vacancy taxes, and I believe we should look into that as well. Alternatively, we have a potential option of enforcing our zoning code against owners of empty homes: if a home is being used as a passive investment, it is not being used for its zoned purpose - residential - and thus in violation of the zoning codes. Penalties for code breaches under our muni code are \$500 per violation per day.

4. Arguments against loosening density restrictions and height restrictions are often silly. I have been an attorney for the majority of my life. I know how to draft a code ordinance that allows a duplex to be three stories but does not allow the same for a MacMansion.
5. Finally, for clarification, laws like California's proposed SB 1120 do not ban R-1 housing. Rather, it would have given property owners the right to subdivide once and/or convert to a duplex. This is a popular approach that enables homeowners to stay in their homes despite poor economic conditions. I think our residents would have benefited from having this option, especially homeowners who purchased their homes within the past 10 years, who are shouldering far more than their fair share of the property tax burden due to Prop 13.

OFFICE DEVELOPMENT

Would you as a councilmember encourage more working at home to reduce commuting, traffic, pollution, and climate change? If so, what specific steps would you take?

Palo Alto needs to provide fiber internet service to residents and public schools, as well as to child care sites (that it still needs to create, especially for public school children who lack quiet stable places to access remote learning at home).

Not only would fiber to home help our remote workforce, it also would help our many public school students whose connectivity problems are impeding their right to access equitable education. We must fix this.

That is how we can empower workers who have gained permission from their employers to work from home. Unfortunately, this won't be enough for the vast majority of workers. In most cases, it is the employer who grants (or withholds from) its employees the right to work from home, regardless of employee interest.

Palo Alto should create incentives for employers to allow their workforce to work from home. This is important not only from a covid point of view, but also from a traffic, environmental, and residential costs point of view. One reason that residents' utilities bills are so expensive is because energy becomes more expensive as more of it is consumed, and corporate use of energy drives up costs for all of us. (This is something we must fix, especially given that businesses pay no tax.)

That said, Palo Alto's intentional policies have made it very difficult to incentivize our local employers to allow their workers to work from home. For one thing, because we don't tax these employers, we have not collected information about who these employers are, and how many employees they have. Even more importantly, because we don't tax these employers, we lack the most common tool to incentivize employers to change their behavior: tax credits. Every other city has these tools, given that Palo Alto is alone in choosing not to tax our employers.

This is yet another reason to put a business tax on our largest employers and most profitable businesses on the ballot as soon as possible. Without taxing the huge international corporations who have profited from the pandemic, and relying only on small businesses and residents, how can we recover?

Regarding the Jobs/Housing Imbalance, how much, where and what kind of new office space can Palo Alto sustain? Should Palo Alto consider rezoning office properties to reduce the amount of future office development?

Our jobs to housing ratio is unprecedented and utterly out of control, particularly when it comes to low-income earners. Jobs to housing generally is almost 4 to 1, and when it comes to low income earners, it's almost 7 to 1. This is a state of emergency. How could previous city council members allow it to get so bad? (Please don't give them another chance to mess things up again.)

If we taxed commercial developers, large employers, and huge profitable businesses a remotely reasonable amount, our city potentially could sustain some office development, because at very least office development could generate revenue for the city. Similarly, if we raised impact fees for commercial developers so that they covered the actual costs of their development, including externalities, that would be a different situation as well.

As it stands, given Palo Alto's solitary position as the only city that refuses to tax businesses and commercial developers, and that lowered rather than raised impact fees in the face of an extraordinarily catastrophic jobs-to-housing ratio, I do not think we can afford to sustain any additional office space without clear, demonstrable incontrovertible evidence of public benefit.

For example, if Tesla wants to build a bigger headquarters on El Camino, we can approve that project if Tesla also pays for the cost of undergrounding Caltrain -- which it can afford. Or, that may work if Tesla agrees to build two housing units for each employee it invites to work in its Palo Alto office.

These deals sound unrealistic only to individuals who never have negotiated with billionaires. I have negotiated with billionaires. I even have negotiated with Elon Musk. The wealthier that the party is with whom you are negotiating, the better deal you will get.

It is baffling that no previous city council member -- not even the ones who are so proud of their "experience" -- even tried to negotiate a deal with Tesla or Palantir on behalf of our residents. Both of these multi-billion-dollar giants have wanted things from Palo Alto, and our city council gave them whatever they wanted without asking for even one measly **Tesla electric shuttle** in exchange.

There are so many ways that Palo Alto could be extracting value for our community from these huge companies. For the companies, everything they give is tax deductible, and it often even is good for marketing and recruiting. What is good for us is not necessarily bad for them.

Our city has been stymied by a local government lacking in creativity and unable to see opportunity right in front of its face. Our community deserves better.

Regarding rezoning: Yes, I support an emergency rezoning of all properties that can be rezoned to "Residential, unless there is a compelling public interest otherwise."

What other ideas do you have for incentivizing housing construction over office construction?

A couple thoughts:

Zoning Changes to Enable Housing:

1. Work towards elimination of exclusionary zoning, including unduly large minimum lot sizes, overuse of RH1 zoning, limits on height for housing (not office), and density caps -- especially in neighborhoods like Old Palo Alto where ghost houses occupy a growing percentage of homes.
2. Take action to eliminate ghost houses, e.g. through a vacancy tax. All residences should be occupied by residents.
3. End the conversion of residential lots for commercial use: e.g. Hotel President, private school Castilleja's proposed doubling in size on 55 residentially-zoned lots (including the tearing down of houses and the removal of 140 trees).
4. Work to transition all unused or underutilized lots to be residential unless public interest proves otherwise.
5. Immediately enable expedited approvals of housing development, with minimal design interference, and allowance of immaterial variance -- e.g. setback changes required in order to minimize environmental destruction, and to preserve trees. (As an attorney, along with other interest groups, I have some model expediting ordinances to propose for consideration and discussion.)
6. Enable immediate conversion of commercial to residential upon request (and subject to environmental remediation if necessary of course).
7. Place a complete moratorium on office development, except to the extent that the office development can be shown to be in the public interest.

Fiscal Changes to Enable Housing:

1. Enact business tax including on commercial developers, because Palo Alto is the only city in the state (if not country) with a material business presence that lacks any business tax ... and so that the federal and state tax incentives for housing development have at least **some** appeal to developers.
2. Raise developer fees for office development; lower developer fees for residential development in order to incentivize residential development by making it more profitable for developers.
3. Work towards full elimination of in-lieu fees.
4. Revival of Palo Alto's Office of Inspections and Enforcement, which has been almost eliminated due to budget cuts, despite the fact that it is revenue-producing. Use this office to enforce non-compliant commercial developers, e.g. near Stanford Research Park (where many large sites have sat abandoned

mid-construction for years, even prior to the coronavirus) and to collect code-defined penalties when due. Use the office to bring revocation hearings for non-compliant projects that have received sufficient notice.

5. Require polluters to clean up their toxic waste -- e.g. HP Superfund Site, on the EPA list for decades, and industrial businesses located near the creek, e.g. in Ventura.
6. Reclaim private land for public use whenever possible; prioritize housing.
7. Invest in under-grounding Caltrain in order to create as much as 50 acres of public land for housing purposes.
8. To the extent that Palo Alto's current primary method of housing creation is continued — a method with a proven record of failure — then at very least, housing mandates tied to commercial development must also include the following: (a) double in size from 15%; (b) must specify that low-income housing must be the majority of housing created (right now the only recent project with this mandate is delivering only below-market rate 'homes' and these are approx 400-500 square feet in size); (c) mandate size minimums for affordable housing.
9. Explore bond measures, ideally linked to commercial rather than residential. Bond measures that attach to residential real estate taxes deepen Prop 13's regressive impact.
10. Dive deep into partnerships with nonprofits and similar housing organizations. There is a lot of opportunity and funding available! Dignity Moves and LifeMoves are my favorites, but there are many fantastic nonprofits ready and eager to help Palo Alto.
11. Take advantage of state funding that is being offered through the CARES program; there have been hundreds of millions of dollars available for housing, some of which Palo Alto may qualify for. We should explore those options as much as possible.

WHY has our city council not dropped everything to do this work? I promise I will work day and night to solve this problem. We must start!

TRANSPORTATION/TRAFFIC

What do you see as our most serious traffic issues and how would you fix them?

Our most serious traffic issues are:

1. Too many cars on the road, creating risk of personal safety to human beings, especially children and seniors.
2. The avoidable terrible-ness of the several loud, smelly, dangerous freeways that cut through our beautiful tree-lined residential neighborhoods (built originally to serve the convenience of Palo Alto's largest employers such as HP, which is not taxed, and still has yet to be forced to clean up its pollution -- one of our country's worst Superfund Sites: the **HP Superfund Site**.)
3. The risk to life that is created when Palo Alto continues to allow commercial construction in residential neighborhoods. It was a truck from a construction site in a residential neighborhood that struck and killed my son's classmate's younger brother at Greene Middle School in March. This child's parents begged the city to do something about the dangers caused by drivers -- especially construction truck drivers -- who are not paying attention, and in this case, who do not slow down when making right turns. This risk of death by right-turning truck drivers is so common that the ARB mentioned it as a possible risk that could be generated by Castilleja's proposed commercial development in a residential neighborhood. We cannot put our children's lives at risk. So that is a big problem related to traffic.
4. Traffic creates noise and air pollution, and also harms our natural environment. We cannot afford to continue our reliance on single use vehicles.

I would work to fix these problems by considering the following:

1. Most of transit is taken by residents, not workers, so we need to recognize that we always will need transit.
2. Re transit: Re-opening the idea of undergrounding the train, given that moving the train underground would clear up virtually every congested intersection in Palo Alto, opening a wide variety of ways to travel between

Palo Alto's eastern and western neighborhoods...and potentially creating 50 acres of land that Palo Alto can use for housing.

3. Investing heavily in affordable housing near jobs so that workers don't have to commute.
4. Investing heavily in regional transit, so that workers who have no choice but to commute at very least don't have to drive.
5. Investing in a local transit, ideally connected to parking lots near freeways, to give drivers of single-occupancy-vehicles non-car options.
6. Explore reserving best routes for shuttle and carpool only.
7. Invest in protected bike lanes and pedestrian bike bridges.
8. Limit office construction generally, and outright ban commercial construction in residential neighborhoods. No potential harm to our children or seniors is an acceptable risk.

Should businesses be responsible for reducing traffic and parking impacts? Should the businesses pay for the remedies and how? What is the City's role?

Yes, businesses should be responsible for reducing traffic and parking impacts. The city can and should require large employers to require that their employees work from home, take public transit, and/or park in lots near the freeway, brought to their offices and back by shuttles. Those are common solutions in other cities that face similar problems.

Businesses also should be taxed and/or pay impact fees that cover their externalities including parking, to pay their fair share like residents do. Right now businesses contribute **zero** to our budget.

That said, all businesses should not be treated the same. We should follow the model set by other cities and tax only our largest and most profitable businesses, exempting: all small and medium businesses, restaurants, retail, community-serving services, and health providers. For example, we potentially could limit our new business tax only to companies with more than 500 employees and/or \$500 million in revenue, and we could create a fund to invest in transit and housing.

What changes, if any, would you make to our city's parking requirements and residential parking programs?

I support the RPP. Given the lack of transit options, and our city's refusal to require employers to require employees to park off site or take public transit, we need to protect local parking for residents. This will continue to be an avoidable problem as long as we invite office space into our residential neighborhoods.

COMMUNITY LIFE

How would you improve our city services and how would these improvements be funded?

We are amongst the wealthiest cities in the world, and should have world class city services. Yet, each year our community services degrade rather than improve, even while the very wealthiest businesses and individuals grow wealthier (the rest of us, sadly, are more often stagnating or growing poorer).

I strongly believe that Palo Alto has the capacity to be a model city in terms of equity, inclusion, and climate action. All of these goals are related, given that climate change, and divestments in community services -- like the community services that our city council chose to defund rather than to tax our billionaire businesses -- disparately impact communities of color and other marginalized groups. One of the most proven methods of anti-racism involves investing in a safety net. Providing a strong safety net for our community also brings the advantage of transforming our neighborhoods into the genuinely best possible places to live.

In addition to restoring all the community services defunded by the City Council in spring (plus providing some extra to hire back the employees whom the Council fired with their decisions), I would improve our city services by investing heavily in the following:

1. affordable housing
2. healthcare for residents and workers

3. child care
4. better funded public schools
5. transit

How would I fund these things? I would explore the following possibilities, in no particular order:

1. Enact a business tax including on our largest companies and biggest employers, as well as on commercial developers, because Palo Alto is the only city in the state (if not country) with a material business presence that lacks any business tax ... and given that businesses make up 80% of daily users of city services, that is literally insane.
2. Raise commercial developer impact fees for office construction projects.
3. Revive Palo Alto's Office of Inspections and Enforcement, which has been almost eliminated due to budget cuts, despite the fact that it is revenue-producing. Use this office to enforce non-compliant commercial developers, e.g. near Stanford Research Park (where many large sites have sat abandoned mid-construction for years, even prior to the coronavirus) and to collect code-defined penalties when due. At \$500 per violation per day, these penalties add up, which is why some cities collect tens and even hundreds of dollars year for city services by their enforcement offices. We must do that.
4. Potentially claim a billion dollars of city-owned real estate by undergrounding the train.

How would you improve the city's code enforcement department?

Thank you for asking! First, I would revive it from the dead. Palo Alto City Council has been on a tear to defund our city's inspections and enforcement office, even though Inspections and Enforcement is one of the few offices that has the potential to be profitable to the city. Other cities derive as much as several hundred million dollars a year for their general funds merely through enforcement of their zoning code and permits against the largest development projects -- who by the way were harming the public by their noncompliance.

Active enforcement departments are one of the few defenses with teeth that a city government can use to protect itself from wealthy private interests who take a mile when offered an inch -- a problem familiar to Palo Altans.

By abandoning our office of enforcement and inspection, Palo Alto City Council has ensured that the wealthiest businesses and entities face little or no opposition in their ever-greater demands to expand their presence and power at the cost of our residential neighborhoods.

Why do we stand for this?

What should the City do with its 8 acres of Cubberley?

Cubberley is a tremendous opportunity!

I was extremely excited about the opportunity for teacher housing, which would have delivered invaluable benefit for public school families. Teachers were thrilled about this possibility too, but then – astonishingly – the school board concluded that teacher housing “served no benefit.” I'm still in love with the idea of using Cubberley for housing – teacher housing, city worker housing, lowest income, low income, and moderate income housing. Housing is what we need, and Cubberley provides an incredible opportunity to provide housing, along with green space, a community center, and other services that could benefit our community.

Without knowing all of the details, I believe that our potential to optimize Cubberley Center for our community is limited by two factors, both of which we can address:

1. The City of Palo Alto should acquire the other 35 acres of land from the PAUSD. This will not be difficult – I have handled far larger and more complicated real estate transactions. Also, funding won't be a problem. This is real estate, and both parties have excellent credit. PAUSD needs the money but does not need the land (or, at least, may need the land but does not have current capacity to design a plan for the land). We need the land. If PAUSD needs more land, it has a few other options, and always will have the opportunity to discuss renting from Palo Alto. There never has been a logistical or rational reason for this parcel to be shared by the school district and the City. The fact that is shared in this way is an avoidable complicating factor. Fortunately, this is a complicating factor that experienced lawyers are fully equipped to resolve. Let's resolve it.

2. Let's send out an RFP (general Request for Proposals) and see what comes back. Too often the City of Palo Alto appears to choose a service provider before making that service provider do the work of showing us that they are the best firm for the job.

In the business world, RFPs are standard (as seen in: "Mad Men," for example) and Cubberley is a large enough project to attract the interests of dozens, maybe hundreds, of design firms. Assuming that we control the 43 acres (which we can and should do), we can send it all out to bid.

Before sending out the RFP, however, city leadership should set certain guidelines, such as: (A) maximize affordable housing; (B) provide sufficient housing for teachers and all city workers if they choose to live there; (C) ensure that there is capacity for a child care center and health center; and (D) make sure the building is LEED-certified and otherwise green. (For example.) These factors (with the preceding used for illustrative purposes) should be baked into the specs, in order to set expectations and not put housing up to a vote. In other words, the world will not be the limit; but rather: the project must further the public interest as delineated (generally or specifically) by the City.

Within those parameters – whatever they are – we can compare multiple – maybe dozens! -- of visions for Cubberley.

In my mind, the opportunity to view an array of visions is important, because Concordia's vision did not sell. That was not necessarily Concordia's fault, or the fault of the individuals managing that project – but it is the reality. The vision was not sold.

Cubberley is the last remaining large site that (potentially) belongs to the City of Palo Alto (which the exception, potentially, of the land where the railroad tracks lie, if that is the case). It is wholly reasonable that Palo Altans will want to feel ownership in the design of its future, and I believe that community buy-in **MUST** be a part of whatever is determined.

That said: there are many ways to obtain community support without dragging the initial design stage on indefinitely, as often happens in Palo Alto. We can set deadlines, for example: (1) initial bids due February 1; (2) community initial vote by March 15; (3) finalists notified for second turnaround due April 15; (4) Community feedback due May 15; (5) project and firm greenlighted on June 1. Or whatever other schedule fits.

Given the economy, and the general economic transition to remote work, and the numerous capital projects that have been scrapped as a consequence of both, there will be a lot of firms eager to showcase their visions to be considered for this exciting, worthy project.

A well-run Cubberley redesign **process** presents an ideal opportunity for a new Palo Alto City Council to introduce itself. This new Palo Alto City Council will be a Council that takes the process of decision-making as seriously as the results, with the understanding that optimal results never can be achieved without a well-thought out system of decision-making, and mindful, responsible approach to project management.

It's impossible to predict (but exciting to imagine) what could come from such a new way of conducting city business. That said, the new City Council, new system of decision-making, and new Cubberley Center itself must share one non-negotiable ingredient:

It must be true, at all times, to its primary objective: that of serving the community's best interest.

Many organizations are having a difficult time recruiting volunteers, including many Palo Alto commissions. What would you do as a council member to encourage more people to participate in city government and civic organizations?

As a person who applied to serve on a commission several times, and whose spouse did the same, and who reads all the applications every recruiting cycle, I am not sure I agree with the statement that Palo Alto has trouble recruiting applicants for the commissions. There always are far more applicants than there are seats to fill, and the only time that there was only one applicant for one role, the City Council decided to re-open the application period, when they appeared to have hand-picked an applicant they wanted, and appointed that one.

To the extent that the City Council may have trouble recruiting volunteers to serve on commissions, perhaps it is due to the accurate perception that these appointments often are made for political purposes that have nothing to do with the appointment of commissioners most qualified to serve in their appointed roles.

For example, it is an unacceptable tradition for new elected or re-elected city council members to appoint their campaign managers to the Planning Commission. It also is common for city council members to reward large

donors with these prestigious and powerful volunteer appointments -- appointments that often open doors to opportunities for even greater political power.

Also these types of political appointments may be common in many or most cities, that does not make the practice right, nor does it justify it here in Palo Alto.

Neighbors who were following the two supermarkets, first at Edgewood Plaza and then at College Terrace were dismayed that the City did not enforce the promises made by developers to provide for a grocery store. The City then did not fully collect the penalties that were due the City when the developers failed to provide the grocery stores. How the City should handle such matters?

The City's municipal code, which was drafted by the City Council and which should be familiar to them, explains very clearly what the City Council should have done but did not do:

1. The City Council should have enforced its own municipal code.
2. The City Council should have collected penalties.

It's not too late for the City Council to apply these 2 steps to developers and wealthy private interests that currently are not interested in complying with the law or their permits.

I recognize that it can be unpleasant (and/or bad for business or social reasons) to tell rich people that they can't do everything that they want to do. But if you are seeking to serve as a member of the City Council in Palo Alto, you have to be able and willing to stand up to wealthy interests. It's part of the job.

I can do that.

Given that some neighborhoods are closer to the train stations and to services than others, how would you balance the recommendation by housing agencies to concentrate growth in those areas with the livability of those neighborhoods?

I am not able to parse this question. I have tried.

I think what it might be asking is how to mitigate harmful effects of placing housing near transit? I do not think that there are harmful effects of putting housing near transit?

Or, does this question ask whether it's nicer to give new residents an opportunity to live in houses or townhouses with yards, away from busy streets? Yes, I do think it is nice to provide that option.

I also do not understand the reference to housing agencies here -- HUD?

Here is what I can say: putting housing near transit is a fantastic way to help wean our communities from reliance on single-occupancy vehicles. We need to wean our culture from single occupancy cars in order to save this planet. A saved planet is definitely a more livable planet!

GRADE SEPARATION

Palo Alto is considering grade-separation designs with a wide range of price tags. What are your preferred solutions? How important is project cost in selecting grade-separation designs?

I think that project cost is relevant, but it is impossible to evaluate actual costs without investigations into costs. In this case, the City dismissed the whole tunnel option without any research into what exactly the tunnel would have cost.

In particular, when the tunnel idea was proposed 10 years ago, officials said it could create 50 acres of land for housing and community services – which would be invaluable given our housing crisis and recent cuts to community services.

The tunnel option would unify a community currently divided in half, replacing noisy, hazardous train tracks with green parks and homes. The tunnel option also could ease our budget crisis, given the potential value of these 50 acres at a billion dollars or more – not including the increased value to neighboring homes who would benefit by no longer bordering train tracks.

I spent a while looking into the reports filed regarding all of the initial options for the grade separation, and I could not find any analysis of the financial value of the land that would be uncovered through tunneling. Nor could I find support for the belief that the tunnel would cause homes to be lost. Nowhere could I find an analysis of who exactly owns the land on which the train tracks lie, especially given that in most cases, a city still owns the land, but the train owns an easement (right to use the land), which can be diverted below ground instead.

Perhaps most frustrating was the absence of analysis of what it would take to offload the costs of undergrounding to Caltrain or regional authorities, or whether any CARES Act stimulus money could be obtained through applications (similar to how Mountain View received \$12.3 million for emergency housing). There are many unanswered questions.

Meanwhile, the tunnel option positively would transform our city for the better. Imagine Palo Alto without the ugly, noisy, pollution-y, dangerous train tracks to which too many people in our community lose their lives every year! Imagine if Stanford and Professorville/downtown, Southgate and Old Palo Alto, Ventura and Midtown, and Barron Park and South Palo Alto finally could be joined by tree-lined streets. Imagine if we did not have to worry about the consequence of closing one street, diverting traffic to another, because all streets were open?

Imagine if we actually could have 50 acres of land for housing, for free!

Given how bad all the existing options are, and how potentially amazing the option of undergrounding the train could be, I believe it does our community a huge disservice to write off this possibility without actually looking into what it could mean.

If buying residential properties allows the City to improve a grade-separation design and/or reduce its cost, should the City acquire these properties? Or should the City only consider designs that require no property acquisitions?

The latter -- the city should not consider designs that resort to forced acquisition of residential properties -- aka, eminent domain -- as a cost-saving method. I am not even convinced that using eminent domain to save money, when you are one of the wealthiest cities in the world, is constitutional.

Regardless, legal or not, eminent domain only should be used if there is no other option. Forcing our neighbors to live in fear that the city may take their homes is a horrible way to treat members of our community! If there is anyone who lives near the train that is experiencing the anxiety of possibly losing their homes, I think we owe it to them to remove that option from consideration. Of course it's worth the money.

We can afford to do better. Which is the very least that our community deserves. The very existence of this question concerns me -- and I think it should concern all of us. Here in Palo Alto, taking a person's home to save a dime is not something we should be considering.

LOCAL ECONOMY

As economic impacts from the pandemic increase, what are your ideas to help local small businesses, especially those that serve neighborhoods, to survive and thrive?

Other cities are exploring the following strategies that we should strongly consider as well:

1. Working to enact an emergency tax measure on our biggest, most wealthy local businesses, as well as other local special interests including landlords, many of whom have received PPP loans for millions of dollars, and already had those loans forgiven. In our midst are many wealthy corporate interests that are profiting from the pandemic, and that can afford to pay their fair share. In Mountain View's case, it's Google. In Palo Alto's case, it's Palantir and Tesla, in addition to Amazon.com, Facebook, and Alphabet -- all of whom have large offices in Palo Alto as well.
2. Turn (back) on our office of inspections and enforcement, and collect penalties from the wealthy special interests and commercial interests who have been breaking our municipal codes and their use permits without consequence for years, sometimes decades. As a reminder, penalty fees under the Palo Alto Municipal Code amount to \$500 per day per violation. The law provides that large companies with multiple violations must be fined for each violation every day, to clarify.
3. Do all we can to enact Prop 15, which explicitly protects small businesses from reassessment, and provides new tax relief just for small businesses.

4. Research state and federal initiatives, e.g. through CARES, that is intended to help small businesses survive.
5. With the money from 1-4, we can invest in our small businesses in some of the following ways: providing financial subsidies and no-interests loans (that can be forgiven just as easily as wealthy companies' loans were forgiven), investing in infrastructure projects that benefit our small business community, and responding directly to what they (not their landlords) tell us they need.
6. While also, we should: extend eviction moratoriums and rent relief for small businesses for as long as it takes, even if it takes a long time.

Palo Alto already has lost too many of our best small businesses, retail, and restaurants. I am heartbroken about the loss of Mayfield Cafe.

Many of these losses were avoidable. It was terrible saying goodbye to Antonio's Nut House -- a dive bar where I shared so many amazing memories with my Stanford friends in the 1980s. In explaining why they had to shut down the Nut House, Antonio's owners did not blame the pandemic as the primary cause.

Rather, the owners of Antonio's Nut House pointed mostly to the disruption caused by the nonstop extremely loud, pollution-creating, air-ruining, street-obstructing, light-blocking never-ending, wholly unnecessary, ugly, wasteful construction of the five-story parking garage a block away from the former restaurant -- a parking garage that until last week was on display, with the former restaurant as well, in our mayor's Zoom virtual background photo. What a cruel sight to be beholden to during city council meetings.

In conclusion:

This November, Palo Alto voters have a clear choice: they can vote to keep things the way they are -- to continue with housing strategies that have created a lot of office parks but virtually zero affordable housing, to continue to protect a police department actually puts our African American and Latinx community members at risk of racial violence, and that refuses to follow the laws that govern its own actions, and to continue to allow wealthy private interests, huge landlords, and commercial developers to have outsized airtime with city leadership, while community members continue to be silenced.

If you like things as they are, you have current and former city council members and commissioners to vote for.

If you were mad about the \$42 million of budget cuts, defunding Children's Theatre, library hours, firefighters, the small number of city programs that the city used to have for teenagers, and even KZSU, if you think that the city council should have given residents a say in whether or not Tesla and Palantir should be asked to pay at least as much in taxes as our residents pay, and if you are tired of having to condense your passionate plea to save ancient trees, or your local library branch, or the lowest-paying service jobs in the city, or the right of all people regardless of race to enter Foothills Park ...

If you are ready for a change, vote for me.

I appreciate your consideration.