



## 2020 City Council Candidate Questions

### Lydia Kou Responses

#### EXPERIENCE

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

- Co-authored emergency colleagues' memo to protect and preserve tenants being evicted from the President's Hotel and also during a time gap between the passing of AB 14—and its start date.
- Co-authored colleagues' memo to address RVs and to find a safe location for their parking.
- Initiated and advocated for noise monitors to be installed in Palo Alto to track airplane noise.
- Initiated getting a BLM mural.
- Guided the Palo Alto Youth Council to be more policy-oriented.

#### GOALS

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

1. First and foremost, my obligation is to the residents of Palo Alto; I will continue to provide a voice for their concerns.
2. Regaining trust, transparency, and honesty in our city government (that takes a Council majority willing to clearly provide firm direction). In the process continue providing a strong voice for constituents, including expanding meaningful outreach.
3. Vigorously protect and preserve Palo Alto's family-oriented community with its unique neighborhoods, beautiful parks, and open space. Increase and care for our tree canopy, public safety, community health, and well-being. Provide high-quality community services and programs for all residents.
4. Invest in a Business Specialist to develop a comprehensive strategic plan to rebuild Palo Alto's community-serving businesses based on community needs. Work with individual property owners to help them understand that a strong retail community increases their property values. Enforce the ground floor retail preservation ordinance.
5. Continue providing a strong voice and leadership in resisting the 'takeover' of local zoning authority by regional and state bodies. Work with other Peninsula communities sharing the same concerns and goals.
6. Work towards conversion of office space (emptied by the COVID pandemic) to housing; reversing the impacts of excessive office space on traffic and the jobs to housing imbalance.
7. Encourage the City Council to restore and preserve basic community services as the city and residents recover from the financial and emotional impacts of COVID.

#### PUBLIC SAFETY

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

PAPD collected data but stopped due to budget cuts, I believe, a decade ago. And that is too bad because collecting data and analyzing it consistently provides information to address racial profiling and excessive force. The question to ask is when budget cuts are made, does the Council have input? If not, why not? All

information should be analyzed by the Independent Auditor and presented directly to the City Council, not the City Manager. Mental health professionals should be on call for our police officers as we seek to de-escalation and a reduction in

**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?**

On “defunding”, I have to ask, “Can you really live and feel safe without police?” and don’t flippantly answer this question. Would you replace police with residents? How will they be trained? Do they report to anyone?

I will not pretend to know what a police officer encounters day in and day out on the job, not knowing what to expect from a person they stop or encounter. Furthermore, I am not the person to reorganize the department. I would like for Council to direct staff to network with other cities and advocate our Assembly and Senate representative to sponsor the recently failed legislation: SB 776 (open police conduct records to public scrutiny) and SB 731 (lift the state-issued licenses, called certification of police convicted of crimes).

Council has already cut the police budget for FY20-21. Palo Alto no longer has a traffic enforcement team. We constantly hear that traffic violations are serious safety problems. Cutting more budget from the Police Department will reduce services and will increase overtime.

In my opinion, society has lumped the good and the bad police together and crucified them. Society demands police to do a lot. If there is not enough drug addiction funding, let the police handle it. Not enough mental health funding, let the police handle it. Underaged truancy, let the police handle it. School fails, let the police handle it. An alarm goes off, let the police handle it. Hey, dog on the loose, let the police handle it.

Council is working on the “8 Can’t Wait” reforms at this time. We can investigate moving some of the services from the police, such as drug-induced mental health to service providers who are professionals.

I would also recommend the [CAHOOTS program \(Crisis Assistance Helping Out On The Streets\)](#) and for the Independent Police Auditor to audit the police manual and MOU (Memorandum of Understanding).

## **CITY GOVERNANCE**

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

For the FY 20-21 budget, because of the pandemic, public safety should not have been cut and definitely not services to our community. Cutting public safety is cutting personnel, which will lead to the need for “browning out” and increases in overtime. Community service cuts were mostly in youth programs, which, during the pandemic, are needed for stress relief.

I released a Budget Survey; most residents who responded did not want city services cut. Unfortunately, I was in the minority when voting. City services, not Capital Improvement Projects were cut. This made no sense to me. Some Capital Improvement Projects could have been delayed until after the pandemic.

**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 have not completed my research and analysis of Proposition 15. I support ending the abusive property transfer loophole and I support having a “split tax roll”. Since Prop13, the burden of property taxes has dramatically shifted from commercial properties to residential properties. But I worry about unintended consequences. I have concerns about Prop15 harming small businesses, many of which are community-serving. The proposition claims to exempt small businesses but defines them as having property worth less than \$3 million. At today’s real estate prices, that is not much. And it provides no protection for even tiny businesses that rent space in larger buildings: The owner of that building won’t be exempted and will pass on the tax increases to the tenants. One of the big beneficiaries of Prop13 has been owners of apartment buildings because they tend to be rarely sold. I haven’t seen an analysis of how much of a tax increase the profit margins of owners of apartment buildings could absorb without forcing rent increases. However, I reject some of the

claims made by the prominent Prop15 opponents and am very suspicious of the others – they seem to be slogans not backed by credible analysis.

### **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?**

Palo Alto has what is called a "Strong City Manager" form of government. Basically, the City Manager is responsible for the day-to-day running of the city. The Council sets policy, including the budget, and makes other significant decisions. The Council's role is to set policy; it is not the City Manager's or City Staff's role. This seems to have been forgotten lately.

The staff – directed by the City Manager – assembles data, analysis, alternatives, and recommendations for the Council. Residents involved in various issues provide valuable analysis and alternatives to Councilmembers who will listen.

Restoring a healthy relationship between Council and the City Manager depends upon Councilmembers demanding and enforcing a principled process. Too often the City Manager presents to Council a recommendation that he expects will get majority support, undercutting Council's duty to hear from the public and assess the various alternatives. This creates circumstances where Council can appear to be little more than a rubber-stamp for the City Manager.

### **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?**

The city's processes require staff do "community outreach". I see residents attend meeting after meeting. They educate staff and the consultants and improve their proposals. Staff then discards residents' ideas and their ideas are never presented to Council.

Here are a couple of examples:

Cubberley design and planning – the City engaged a consultant, Concordia, to lead with the community engagement process. Over 175 community members participated in the outreach and attended these meetings. Presentation after presentation occurred with drawings of the site and directions as to what to be considering. Then, at the last meeting, the city directed Concordia to throw in housing. Why was this not part of the discussion from the very beginning?

North Ventura Coordinated Area Plan (NVCAP) – Palo Alto has a very successful Coordinated Plan in place already, the SOFA project. Inviting SOFA project stakeholders with the institutional knowledge to guide the North Ventura Coordinated Area Plan would have helped avoid the debacle it is today. The NVCAP has one proposal that calls for 1,600 housing units in 8 story buildings and, as always, not enough parking.

These examples of planning led by City Hall leaves the impression of not dealing in good faith.

## **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?**

RHNA = Regional Housing Needs Allocation, set by the Association of Bay Area Government (ABAG) and the Metropolitan Transportation Commission (MTC).

Up to 80% of AMI is classified as "low income".

Getting low-income housing built has long been a problem because the high costs of land and construction require substantial subsidies. Because of the magnitude of these subsidies, Palo Alto has difficulty competing for grants from county, state, and federal agencies.

While government policy statements are to balance job and housing growth, the long-term policy practices of MTC/ABAG has been to push job growth into areas that already have large housing deficits.

The construction costs for low-income housing is currently \$700K-800K per unit (excluding costs of the land). I support a business tax as the best alternative to provide funding for these subsidies.

We must recognize the need for all housing is driven by new office development. If office space keeps growing so will the jobs: housing imbalance. We can not build our way out of this imbalance and still retain Palo Alto's unique character.

**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?**

"BMR" is Below-Market-Rate Housing. See the above answer. Subsidies will be required to provide BMR units. I would support a business and development tax to fund the construction of these units.

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

To protect residential renters from very rapid increases in rents, I wrote a "Colleagues' Memo" with Councilmember Tom DuBois to cap annual increases. Such memos instruct City Staff to draft a proposed ordinance and provide the intent and requirements. Subsequently, State Assembly Bill (AB) 1482 of 2019 ("The Tenant Protection Act") enacted similar protections ([Summary of Key Provisions](#)): a cap of 5% plus local inflation and no unjust evictions.

When the expiration of existing COVID-related protections are announced, the City must be ready to determine what protections for renters – both residential and small-businesses – are needed.

Regional housing policy is supposed to be based on "the 3 P": protect, preserve, and produce. However, the implementation of that policy is heavily focused on "produce", neglecting the other aspects. Pushing back on regional government (MTC/ABAG) to honor their own policies is something I have done and is something that needs to be done more by Palo Alto in cooperation with similar cities.

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

NO! We need to preserve single-family residential (R-1) zoning.

In this pandemic, there are numerous articles, backed up by loan data, about large numbers of people moving out of metro areas. When surveyed, more than 90% of buyers want more space to work, a bigger yard, more recreational space, more home learning space, more space period, and a less expensive home.

Eliminating single-family zoning will only increase speculation and investors who will purchase, demolish, and build high density. Do you want your next-door neighbor to be a 5-story apartment house with insufficient parking?

A city determines it's land use. It zones different areas for different densities and uses and provides the necessary infrastructure and amenities to complement to ensure a balanced community. However, regional and state forces are working hard to strip local municipalities from their land use and zoning controls and give that power to developers to plan our cities and communities.

Our Assembly Member Marc Berman recently votes "YES" to pass Senate Bill 1120 (SB1120). This allows a city's bureaucrats to overturn single-family residential zoning on requests to have two units on the property. Input from the neighbors and other members of the community? Optional. Oversight by our elected representatives? Prohibited.

We need to learn from this pandemic and ensure that your elected officials are working and enacting laws in the best interest of their constituents, not the special interests.

"The government closest to the people serves the people best" ~Thomas Jefferson

## **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?**

TDM: Traffic/Travel Demand Management

TDA: Traffic/Travel Demand Association/Agency

Absolutely. This pandemic has indicated that working at home for certain industries and jobs works. As a councilmember, I would work to create an ordinance as part of conditions of approval for TDMs that requires a certain percentage of employees to telecommute and for TMAs to require the same. However, I am concerned about how such an ordinance would be enforced, especially with Palo Alto's history of poor enforcement. A strong Code Enforcement Department is essential.

As a councilmember, I would also petition our State Assembly and State representatives asking that they sponsor telecommuting legislation. Separately, I would also petition for sponsorship of dispersing and providing incentives for jobs in areas where housing is already readily available, for example, Mountain House, CA.

**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?**

The first part of this question involves an outrageous number of unknowns and changing circumstances.

As to the second, rezoning office properties to residential is complicated. First, there is typically an amortization period of up to 30 years for the current use of the property. Second, many of the industrial buildings are areas that are poor choices for residences. For example, would you want children on their way to school having to walk or bicycle through long stretches of office buildings when commuters are arriving? Of course not. Similarly for an office building located far from services and transportation.

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

Place a moratorium of any NEW office construction and increase inclusionary rental units by providing certain types of subsidies.

## **TRANSPORTATION/TRAFFIC**

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

The basic problem is that our streets are overloaded. This creates safety problems on those streets and the residential streets that are used to bypass the congestion. Vehicles idling in the congestion also increase Green House Gases. Congestion also narrows people's lives by increasing to unacceptable levels the time spent traveling to an activity or to see friends. I have heard from seniors that they stopped going to recuperative exercise classes because those classes were scheduled during the ever longer peak traffic hours. And one neighbor was told by a physical therapist that he was dropping most at-home visits in Palo Alto because of the unpaid extra travel time.

How to fix them? When you find you have dug yourself deep into a hole, the first thing to do is stop digging!

**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?**

These questions illustrate a repeated failure in Palo Alto's approach to business, that is, it has failed to consider the range and complexity of businesses. We saw this in the (failed) Business License Fee, the attempts to have a Business Tax, the TDAs and TDMs, and the city required merchant associations.

Consider some extreme examples: A psychologist who needs personal contact with clients. Similarly for a physical therapist. Or a retail store where clerks are needed not just to ring up the sales, but help customers find what they need. These are very different from a software company where some/many of the employees can do much of their work remotely.

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

RPP: Residential Preferred Parking Permit Program

We need to stop allowing, if not encouraging, the underparking of new buildings, both commercial and residential.

The current RPPs need better management and enforcement. Palo Alto should use the current decline in parking in neighborhoods to take back that parking for the residents by substantially reducing the amount of overflow parking from commercial districts. The City needs to address long-standing observations about the poor management of the parking structures.

## **COMMUNITY LIFE**

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

Based on my Budget Survey, the majority of residents responding wanted city services rather than Capital Improvement Projects to continue. Unfortunately, the City Manager and Staff recommended, and the majority of the City Council agreed, to slash city services and fund Capital Improvement Projects.

The City Manager's staff and the City's Organization Chart need to be carefully examined. It is, in my opinion, top-heavy. Jobs need to be evaluated and reduced.

Once we are through COVID, the Business Community, especially large employers, must start paying their fair share. Allowing developers to under-park their buildings passes the cost to residents. This means funds that could be used for City services go to Capital Improvement Projects, i.e. garages.

Palo Alto will be different post-COVID. We will need to proceed cautiously and make sensible changes where possible while adjusting to a new reality. Flexibility and "out of the box" thinking will be required. We must involve our residents at each step of the way.

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

Without enforcement of City policy decisions and ordinances, they are meaningless and breed only dissatisfaction and disrespect for government.

With only one employee, I am not sure we actually have a working Code Enforcement Department. Anything we do would be an improvement. I am sure by reducing the City Manager's staff, asking each Department to again look at reducing waste. Any savings found and used to improve staffing in the vitally important Code Enforcement Department.

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

I believe the Community spoke as to what they wanted. We should respect their time and input. Cubberley, as it is, offers a wide range of Community serving activities. We should renegotiate our lease with the School District. Land is best saved for open space and much-needed recreation.

### **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?**

I believe we need to make selection to the City Commissions more transparent. Several years ago, even though the City Council had several applicants for different Commissions, the application process was re-opened and I believe the current applicants discarded. Why was that? The City Council needs to accept all applications and follow the process in place. I have trouble believing none of the applicants were qualified. Changing the rules discourages applicants from applying. Also, the demeanor and verbal attacks of some Commissioners can scare qualified applicants away. We need to establish "ground rules for civil behavior" and remove those Commissioners who choose not to be respectful to both Staff, residents, and fellow Commissioners. We also need to educate the public as to the value of public service.

**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?**

Unfortunately, the City Manager, Staff, and pro-growth City Council majority allowed this to happen. It is one more developer "perk" to doing business in Palo Alto. These fines, if collected, could have gone towards saving some valuable City services.

All applicable fines must be collected. Otherwise, bad behavior is encouraged and will occur again and again. It starts at the top, with the City Manager; but the City Council majority can change the way business is done in Palo Alto. Residents, and not developers, must be placed first.

**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?**

Unelected regional bodies and Sacramento have no business, in my opinion, usurping local zoning and housing decisions. City governments and residents need to fight against this takeover. We, on the local level, should not be left to react to poor, top-down, one-size-fits-all decisions.

## **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?**

This is a difficult question to answer as information is still being received and evaluated. More community outreach needs to occur and input received. My preferred solution would be a solution that is sustainable, reliable, and usable for over 50 years. Safety, groundwater, and climate change issues must be factored into the "costs" of all grade separation designs.

Project costs are always important, but the lowest cost option may not be acceptable given the long term effects on so many. However, we have learned that too often cost estimates are overly optimistic.

**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?**

I cannot support eminent domain. No amount of money can justify property acquisitions when a homeowner is not ready to part with their home. A home contains priceless memories of children growing up, events that have taken place at the home, loving pieces of art, and landscaping that the homeowner has done through the years. I would encourage careful planning which does not seize private property.

## **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?**

So much has changed with COVID-19. Will employees continue to work at home? Will additional large employers leave Palo Alto? Will residents return to dine-in restaurants? Will fear of job loss reduce residents' spending?

We do not know whether the changes we are observing are short- or long-term.

I have recommended retaining an Economic Development Specialist whose job would be to work with downtown property owners, community-serving retail businesses, residents, and all levels of government to revitalize our downtown. A multi-pronged, cooperative approach will be required.

Life and business will not be the same; can we make it better?