



**CITY OF PALO ALTO
CITY COUNCIL
Special Meeting
Monday, February 12, 2024
Council Chambers & Hybrid
5:30 PM**

Agenda Item

5. Adoption of Resolution to Authorize Stanford University to Enforce Unauthorized Parking in Several of Its Parking Facilities under Vehicle Code § 21107.8; CEQA Status – Not a Project



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Police

Meeting Date: February 12, 2024

Report #:2311-2300

TITLE

Adoption of Resolution to Authorize Stanford University to Enforce Unauthorized Parking in Several of Its Parking Facilities under Vehicle Code § 21107.8; CEQA Status – Not a Project

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution to authorize Stanford University to enforce parking regulations in several of its privately-owned parking facilities in the jurisdiction of the City of Palo Alto.

EXECUTIVE SUMMARY

The City of Palo Alto (City), having jurisdictional California Vehicle Code (CVC) and Palo Alto Municipal Code (PAMC) authority over parking enforcement of Stanford University's (Stanford) parking lots within the City, considers granting Stanford expanded license to conduct parking enforcement on designated parking facilities under Stanford control including all Stanford medical facilities and some residences. Stanford can conduct private parking enforcement on privately owned off-street parking areas in the City of Palo Alto if the City authorizes such activity by resolution in accordance with CVC 21107.8. This action will expand Stanford's parking program in Palo Alto beyond the current limited scope of Hoover Pavilion and Stanford Cancer Center to include all properties operating under the brand "Stanford Health Care" as well as certain multi-unit residences along Sand Hill Road, commonly referred to as Stanford West Apartments and Oak Creek Apartments. This action would "catch-up" or "catch-all" most additional health properties constructed and controlled by Stanford and some multi-unit residence complexes that have not already been authorized for enforcement by Stanford. The City will maintain traditional police response for calls for service at these locations.

BACKGROUND

In 2018, after a similar request from Stanford, the City Council passed resolution 9738 (see staff report 8775¹), which authorized Stanford to conduct permit enforcement in parking lots in and around the Hoover Pavilion and the Stanford Cancer Center. As a result, since that time, Stanford has managed permit parking in these areas, with Palo Alto Police Department (PAPD) personnel conducting enforcement of CVC violations (e.g. disabled parking violations, fire lane violations, loading zone violations, etc.) on a complaint basis only. This arrangement has worked well.

ANALYSIS

Stanford Transportation staff approached City staff to discuss changes to parking enforcement services in their privately-owned parking facilities in the City. Stanford Transportation procured a permit management system that utilized virtual permits which would expand capacity in Stanford's private civil parking permits programs. Subsequent discussions with Stanford Transportation resulted in a mutual agreement to expand Stanford's ability to conduct civil parking enforcement in the specified locations.

Stanford Health Care and Lucile Salter Packard Children's Hospital at Stanford have begun charging for parking in the parking structures and lots on the medical campus between Quarry Road and Sand Hill Road. Virtual and physical permits as well as gate arms are used to regulate parking.

Historically, the City of Palo Alto has provided, at City expense, CVC parking enforcement at Stanford property within the City of Palo Alto. These costs are a small portion of the overall PAPD parking enforcement budget which includes patrol vehicles, parking citation hardware and software, and staff. The City also pays for the cost of processing parking citations and citation collection efforts. In return, the City of Palo Alto retained the modest revenue received from parking citation payments but received no other cost recovery. Revenue is estimated at less than \$5,000 a year while the estimated annual cost to conduct patrol in this area is approximately \$28,000.

With this resolution, Stanford will be responsible for processing any parking citations issued and collection of parking fees and must follow all requirements of CVC 40215, regarding due process of parking violation notices. Stanford will retain all revenue collected from a parking program. Stanford will continue to summon PAPD to enforce CVC parking violations.

Palo Alto Police staff will continue to have the authority to issue CVC parking violations as warranted, as the locations listed remain under the jurisdiction of the City of Palo Alto. Public

¹ City Council, February 5, 2018, Item 3, SR# 8775

<https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=2551&compileOutputType=1>

calls for service related to permit parking issues in the subject area will be routed to Stanford Transportation while police calls for service will continue to be serviced by PAPD.

TIMELINE

Parking enforcement will be relinquished shortly after the approval of the attached resolution on a date mutually agreeable to both Stanford and the City of Palo Alto but no later than 90 days.

FISCAL/RESOURCE IMPACT

There are no material changes to the costs and operations of the City's parking program services by the Police Department, related to this Stanford enforcement. This analysis and reporting were prepared using existing City staff. No additional staff or operating budget resources are necessary to accept the resolution.

STAKEHOLDER ENGAGEMENT

Stanford University, Stanford Health Care, and Lucile Salter Packard Children's Hospital at Stanford.

ENVIRONMENTAL REVIEW

The California Public Resources Code § 21065 includes a definition of a "project" as subject to the California Environmental Quality Act (CEQA) if it is an activity directly undertaken by a public agency which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. This project is exempt from the provisions of the CEQA, pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

ATTACHMENTS

Attachment A: Resolution Authorizing Stanford University to Enforce Unauthorized Parking in Several of Its Parking Facilities

APPROVED BY:

Andrew Binder, Police Chief

Resolution No.
Resolution of the Council of the City of Palo Alto Authorizing
Private Enforcement of Unauthorized Parking at Several Stanford Parking Facilities

The Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Findings and Declarations.

- a. The off-street parking facilities described in **Exhibit A** to this Resolution (collectively, the “Stanford Public Parking Facilities”) are generally held open for public vehicular parking and are privately-owned and -maintained by Stanford University, through its Office of Parking and Transportation Services.
- b. California Vehicle Code section 21107.8 authorizes the private enforcement of unauthorized parking in such privately owned parking facilities.
- c. Stanford University has requested the ability to enforce parking regulations in the Stanford Public Parking Facilities.

SECTION 2. Authorization for Private Enforcement.

- a. Stanford University is hereby authorized to regulate unauthorized parking in the Stanford Public Parking Facilities and shall be responsible for issuing and processing parking violations, subject to the provisions Vehicle Code section 21107.8. Specifically, and without limitation:
 1. Stanford University shall provide all notices and instructions required under Vehicle Code section 21107.8.
 2. It shall be unlawful to offer incentives based on the number of invoices issued or the number or percent of disputed invoices adjudicated that uphold parking charges.
 3. Penalties for parking violations in the Stanford Public Parking Facilities shall not exceed the penalties applicable to similar violations in City-regulated parking areas, as provided in the most recently adopted Palo Alto Administrative and Civil Penalty Schedule, including, without limitation, the penalties applicable to overtime parking in a City lot and unpermitted parking in a City permit area.
 4. Parking fee invoices shall include a conspicuous statement to the effect that “This parking invoice fee notice is not issued by the City of Palo Alto.” It shall be unlawful for Stanford University or its agents to represent itself as a government enforcement agency or to use terminology that is restricted to governmental law enforcement.
- b. Stanford University as the enforcement entity is the beneficiary of monies collected from parking invoice fees.

SECTION 3. Dispute Resolution.

- a. Stanford University shall adopt and publish dispute resolution procedures for parking penalties consistent with Vehicle Code section 40215 and that shall include, at a minimum:
 1. Specified time periods for notifications, review, and appeal.
 2. The ability to request an administrative review.
 3. The ability to request an administrative hearing, in person or by mail, before a third-party examiner who has been adequately trained and who provides an independent, objective, fair, and impartial review.
 - i. The examiner shall be empowered to allow payment of the parking invoice fee in installments for persons showing evidence of inability to pay the parking invoice fee in full.
 - ii. The examiner's decision shall be delivered by personal delivery or by first-class mail.
- b. In the event Stanford University fails to adopt a policy as required by subsection (a), the following procedures shall apply:
 1. Within twenty-one calendar days of the issuance of a notice of parking violation or within fourteen calendar days from the mailing of a notice of delinquent parking violation (whichever is later), a person may request (by telephone, in writing, or in person) an initial review by Stanford University. Upon this review, the notice of parking violation or notice of delinquent parking violation and all penalties and fees based thereon may be canceled by Stanford University if a determination is made that either the violation did not occur, that extenuating circumstances make dismissal of the citation appropriate in the interest of justice, or that the registered owner was not responsible for the violation; however, under no circumstances shall a personal relationship with Stanford University or any of its agents be grounds for cancellation.
 - i. There shall be no charge for this review.
 - ii. The decision of Stanford University shall be mailed to the person requesting review.
 - iii. If the review does not result in cancellation, the decision shall include a reason for that denial, notification of the ability to request an administrative hearing, and notice of the procedure for waiving prepayment of the parking penalty based upon an inability to pay.
 2. If the person is dissatisfied with the results of the initial review, the person may request an administrative hearing of the violation no later than 21 calendar days following the mailing of the results of the initial review.
 - i. The request may be made by telephone (or virtually), in writing, or in person.
 - ii. The person requesting an administrative hearing shall deposit the amount of the parking penalty with the processing agency. If the person provides proof of financial inability to deposit the full amount of the parking violation (according to standards developed and included in the

Stanford University's notice of decision upon initial review), the requirement for payment of the parking penalty as a prerequisite to contesting it shall be waived.

- iii. The person requesting a hearing shall have the choice of a hearing by mail or in person. An in-person hearing shall be conducted within Stanford University's main campus.
- iv. The hearing shall be held before a third-party examiner who has been adequately trained and who provides an independent, objective, fair, and impartial review in accordance with Vehicle Code section 40215(c)(4).
- v. The examiner's decision following the administrative hearing may be personally delivered to the person by the examiner or sent by first-class mail, and, if the notice is not cancelled, include a written reason for that denial.
- vi. The examiner may allow deferred payment of the parking penalty, payment in installments, or the performance of community service in lieu of payment, if the person produces satisfactory evidence of inability to pay the penalty in full.

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SECTION 4. Environmental Review. The Council finds that the adoption of this resolution is exempt from review under the California Environmental Quality Act because it can be seen with certainty that there is no possibility of a significant effect on the environment as a result of the transfer of enforcement parking authority from the City to Stanford University.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

Mayor

APPROVED:

City Manager

Chief of Police

Stanford Lands on Sand Hill, Pasteur, Welch and Quarry Roads

Address	Description	City	State	ZIP
875-900 Blake Wilbur	Advanced Medicine Center & Clinic	Palo Alto	CA	94305
625 Clark Way	Stanford West Child Care Center	Palo Alto	CA	94305
700 Clark Way	Stanford West Apartments	Palo Alto	CA	94304
200 Pasteur Drive	Parking Garage	Palo Alto	CA	94304
300 Pasteur Drive	Lane Building	Palo Alto	CA	94305
500 Pasteur Drive	Stanford Hospital	Palo Alto	CA	94305
213 Quarry Road	Hoover Pavilion	Palo Alto	CA	94304
900 Quarry Road Ext.	Stanford Hospital	Palo Alto	CA	94305
700 Welch Road	Old Winery	Palo Alto	CA	94305
725 Welch Road	LPCH Main & West Garages	Palo Alto	CA	94304
730 Welch Road	Pediatric Ambulatory Care Center	Palo Alto	CA	94304
750 Welch Road	Office Building	Palo Alto	CA	94304
770 Welch Road	Clinical & Office Building	Palo Alto	CA	94304
777 Welch Road	Office Building	Palo Alto	CA	94304
801 Welch Road	Office Building	Palo Alto	CA	94304
900 Welch Road	Office Building	Palo Alto	CA	94304
1000 Welch Road	Office Building	Palo Alto	CA	94304
1059 Welch Road	Parking lot	Palo Alto	CA	94304
1100 Welch Road	Welch Road Apartments	Palo Alto	CA	94304
1180 Welch Road	Parking Lot	Palo Alto	CA	94304
1189 Welch Road	Stanford Hospital Parking Structure	Palo Alto	CA	94304
1190 Welch Road	Parking Lot	Palo Alto	CA	94304
1199 Welch Road	Parking Lot	Palo Alto	CA	94304
1600 Sand Hill Road	Oak Creek Apartments	Palo Alto	CA	94305

Legend

- Stanford University Boundary
- Area proposed for Stanford coordinated parking enforcement

