



CITY OF PALO ALTO CITY COUNCIL WORKING MINUTES

Special Meeting
November 4, 2013

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 6:08 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price Scharff, Schmid
Shepherd

Absent:

STUDY SESSION

1. Potential List of Topics for the Study Session with Santa Clara County Supervisor Joe Simitian.

Mallary Alcheck requested the parking reduction on Stanford Avenue be reevaluated. Reducing parking would limit use of and access to the Dish.

Jeannie Meyer stated use of the gate at Stanford Avenue resulted in increased traffic, noise, pollution and nuisance activities. Parking at Coyote Hill Road would not have the detrimental impact of Stanford Avenue parking. She requested the Council approve the proposed compromise.

Aram James invited the Council and Supervisor Simitian to attend the Stop the Ban meeting scheduled for November 9, 2013. A safe parking program could mitigate the effects of the Vehicle Habitation Ordinance.

Roland Lebrun indicated that Supervisor Simitian developed the concept of a blended system. The issue was the lack of leadership to bring the blended system forward. He requested Supervisor Simitian consider joining the Santa Clara Valley Transportation Authority and subsequently the Caltrain Board to advance the blended system.

Ruth Lowy stated moving parking away from the Dish was shortsighted. She suggested a portable toilet and signage be placed by the entry gate.

WORKING MINUTES

Jacques Adler recalled previous efforts to reduce use of the Dish. Reducing the number of parking spaces would reduce use of the Dish. The Dish was an important asset to the community.

Stuart Klein estimated 150,000 community members utilized the Dish. The proposal to move parking created safety, health and welfare issues. He urged the Council and County Supervisors to work with Stanford University to balance the needs of the community with the needs of Stanford University.

Marcia Sterling, Committee for Dish Access, was concerned that the proposal to eliminate parking would negatively impact the health, safety and welfare of the community. The congestion along Stanford Avenue resulted from people seeking too few parking places. Reducing the number of parking spaces was not a solution to the problem.

Chuck Jagoda requested the Council and Supervisor Simitian support the armory in Sunnyvale remaining open as temporary housing for the winter of 2014. He encouraged the public to attend the Stop the Ban meeting. The City could contribute the use of City parking lots for a safe parking program.

Eddie Keating encouraged the Council and the public to attend the Stop the Ban meeting. The Safe Parking Program was a win-win program for the Santa Barbara area.

Supervisor Simitian explained staff assignments in his office and hours of the district office at the North County Courthouse. Many issues such as the Dish and homelessness were returning to the forefront of discussion.

Council Member Kniss requested Supervisor Simitian comment on light synchronization on county roads.

Supervisor Simitian reported Santa Clara County (County) Staff worked with City Staff regarding lights on Oregon Expressway. The first priority was to provide for a dedicated left-hand turn arrow. In addition lights would be further synchronized to allow easier traffic flow Monday through Friday. Currently the project was scheduled to be implemented by the end of 2014.

Council Member Kniss noted those were county roads. She would not request Supervisor Simitian discuss the Stanford Avenue closure at length, but requested he comment on the hearing to be held in Palo Alto.

Supervisor Simitian reported the issue was not before the County. He recommended constituents suggest solutions rather than enumerate

WORKING MINUTES

problems. The Stanford Avenue issue was a work in progress. An earlier discussion proposed diagonal parking spaces with users backing across a bicycle lane. That proposal was discarded because of safety issues. His office could be a resource; however, the community should propose solutions. He recalled the lack of a fence and pathways around the Dish. Stanford University decided to protect the property by limiting access and having a single path. Stanford University also decided to close two parking areas and implement a new site for parking. Parking along the street adversely impacted neighbors to the Dish. Safety improvements were made to Stanford Avenue. The Dish was part of a larger trail proposal by the City and Stanford University. The County could only approve or deny the proposal. A meeting in Palo Alto could be sponsored by Stanford University, the City or the County.

Council Member Price requested Supervisor Simitian comment on three concepts to address homelessness: a motel voucher program to provide short-term emergency and modified transitional housing; San Mateo County's focus on additional programs and emergency support for children; and a meeting with San Mateo, Santa Clara and a few other counties to highlight two or three effective programs addressing homelessness.

Supervisor Simitian felt the concepts were worthy of review. A homeless policy was more complicated than the crisis of the moment. He inquired whether the issue was chronic homelessness or episodic homelessness or transitional homelessness. The County focused primarily on a housing first strategy for the chronically homeless. Focusing on the chronically homeless population caused the County to spend limited resources on a smaller number of people and to miss the opportunity to assist people on the edge. A regional effort would assist the homeless population. After the homeless issue at Cubberley Community Center arose, he worked with County Staff and homeless leaders to provide \$250,000 for housing for the homeless population dependent upon the City providing services. There was a range of strategies for a range of populations. The County and the City did not spend sufficient time and attention on people on the margin.

Vice Mayor Shepherd felt Supervisor Simitian's comments indicated more parking spaces would be removed along Stanford Avenue than was proposed a year ago. She asked if he could quantify the number of spaces.

Supervisor Simitian understood implementation of parallel spaces resulted in the loss of additional spaces. He did not know if additional spaces would be provided six-tenths of a mile away to compensate for the loss of parking spaces.

WORKING MINUTES

James Keene, City Manager, presumed an offset of parking spaces would occur. The current design maintained parallel parking on the south side of Stanford Avenue and eliminated all parking on the north side.

Vice Mayor Shepherd noted the proposal had changed since the Council reviewed it.

Council Member Schmid believed the City was committed to spending funds for the provision of services to the homeless. The homeless issue began with shelter. He reviewed facts from the survey of homelessness in counties across California. The County, through State and Federal funding, had to grapple with the shelter issue.

Supervisor Simitian reported homelessness was a common responsibility and a regional problem. The notion of matching funds from the County was a quick way to provide a solution if both parties accepted responsibility. Sequestration of Federal funds resulted in fewer resources for housing programs. A better economy could help City and County budgets to fund additional programs.

Council Member Holman inquired about the possibility of projects to correct problems with the pump station located at Oregon Expressway and Alma Street and with the configuration of the interchange.

Supervisor Simitian was not aware of a project regarding the interchange at the current time. The County was scheduled to award a contract for the pump station the following day. He welcomed comments on the pump station.

Council Member Holman reported water did not move from that underpass and the area flooded easily in heavy rains. If the contract would continue existing functionality, then it did not adequately address issues.

Supervisor Simitian committed to reviewing the matter at the meeting the following day.

Council Member Burt understood the County had a long-term plan to modify the intersection at Page Mill Road and Interstate 280 to improve pedestrian and bicycle safety. The modification of Alpine Road in San Mateo County was a nice model. He suggested the speed limit could be reduced with only a minimal impact on transit time.

Supervisor Simitian inquired whether Council Member Burt suggested the speed limit be reduced on Page Mill Road as it accessed Interstate 280.

WORKING MINUTES

Council Member Burt meant the area between Interstate 280 and Junipero Serra.

Supervisor Simitian asked if the speed limit should be reduced the length of that area or only at the intersection.

Council Member Burt responded the full length. The speed limit continued into an area of high congestion.

Supervisor Simitian inquired whether Council Member Burt was suggesting that area be designated at a lower speed limit.

Council Member Burt replied yes.

Supervisor Simitian asked if the modification at Alpine Road would be appropriate for the Page Mill Road and Interstate 280 interchange.

Council Member Burt responded yes. County Staff was discussing a long-term, comprehensive solution; however, he was searching for a short-term solution. With respect to flood control projects, the City may need to request County support regarding multiple regulatory agency permitting quagmires. He inquired whether the City could turn to Supervisor Simitian to provide the City's viewpoint and to advance the project.

Supervisor Simitian suggested the City provide him with potential solutions. Having only a list of challenges hampered his ability to prioritize efforts on behalf of the City. If the City provided a list of one or two righteous projects, he or his staff could be most helpful.

Council Member Berman was heartened to hear Supervisor Simitian's concerns regarding people on the margin of homelessness. Left-hand turn lanes on Page Mill Road blocked through traffic. Perhaps the lights along Page Mill Road could be part of the project to synchronize traffic lights.

Mayor Scharff concurred with Council Member Holman's comments regarding flooding at Alma Street and Oregon Expressway.

Supervisor Simitian related events that occurred in his early days in the State Senate and with the County Board of Supervisors. He noted prior issues with the interchange.

WORKING MINUTES

SPECIAL ORDERS OF THE DAY

2. Acknowledgement of Recipients of Mayor's "Green Leader Business Award."

Mayor Scharff reviewed the requirements to qualify for Energy Star ratings and presented Green Leader Business Awards to Union Bank, International School of the Peninsula, Hewlett-Packard, Wilson Sonsini Goodrich and Rosati, Stanford Real Estate, CM Capital, and Palo Alto Unified School District.

AGENDA CHANGES, ADDITIONS, AND DELETIONS

None

CITY MANAGER COMMENTS

James Keene, City Manager, announced Caltrain would perform work in late November or early December within the right-of-way in Palo Alto. A public safety education event was scheduled for November 14, 2013, at Avenidas Senior Center. The third phase of the Plastic Bag Ordinance began November 1, 2013.

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Price was selected to represent Group 2 on the Santa Clara Valley Transportation Authority Board effective January 2014.

Council Member Kniss visited Cubberley Community Center and received positive comments regarding the clean environment at Cubberley.

Vice Mayor Shepherd attended the Silicon Valley Leadership's Women in Leadership lunch. The prior week she visited critters at the Echo House where she learned about the importance of utilities.

Council Member Klein congratulated the City Attorney for her successful defense of the California Environmental Quality Act (CEQA) litigation with regard to California Avenue. CEQA litigation was not an appropriate weapon to delay projects.

Council Member Burt reported the Joint Power Authority met on October 24, 2013, and approved a series of contracts. Construction of one flood control phase began and a second phase continued in negotiations. Santa Clara and

WORKING MINUTES

San Mateo Counties were negotiating a funding gap, which had to be closed before full construction could begin.

Vice Mayor Shepherd noted CEQA protections would be needed for modernization of Caltrain and/or High Speed Rail. Proposed CEQA litigation could alter the protections.

ORAL COMMUNICATIONS

Debra Katz and Utilities Department presented a Public Service Announcement regarding calling before digging.

William Rosenberg thanked the Council for the Plastic Bag Ordinance. Points of sale lacked visible evidence of the Ordinance. He was concerned that the Ordinance could be regularly ignored without better publicity.

Wynn Grcich reported plastic bags were necessary to isolate meats from other food products and reusable bags. Fluoride was poison and should not be added to water. Fluoride caused cancer, kidney failure, and bone spurs.

Brianna Ferriera reported GreenWaste charged nonprofit organizations as commercial entities. She inquired whether nonprofit organizations could have another designation on utility bills to lower the amount charged by GreenWaste.

Robert Moss stated the traffic on Maybell Avenue was far worse than reported by the No on Measure D campaign. Cut-through traffic created congestion in other areas. The density of development should not be increased.

Liz Gardner supported Measure D. The demand for housing exceeded the supply of housing. Everyone should have the opportunity to live and thrive in a progressive Palo Alto.

Joe Hirsch suggested both sides of the Measure D issue meet to devise an improved plan for the Maybell Avenue site. The plan should be consistent with the character of single-family neighborhoods and should meet concerns regarding parking and traffic. He urged the community to vote against Measure D.

Stephanie Munoz felt the Council found overwhelming support for senior housing. Selling any part of the Maybell Avenue property would be a mistake, because there were no other undeveloped locations suitable for low-income housing.

WORKING MINUTES

APPROVAL OF MINUTES

MOTION: Council Member Kniss moved, seconded by Council Member Price to approve the minutes of September 30, 2013 and October 7, 2013.

MOTION PASSED: 9-0

CONSENT CALENDAR

MOTION: Vice Mayor Shepherd moved, seconded by Council Member Price to approve Agenda Item Numbers 3-8.

3. Resolution 9379 entitled "Resolution of the Council of the City of Palo Alto Repealing Resolution No. 9225 and Expanding the City Manager's Authority to Execute Transactions under the Master Renewable Energy Certificate Purchase and Sale Agreement with Thirteen Pre-qualified Suppliers in an Amount Not to Exceed \$5,000,000 per Year During Calendar Years 2013-2018."
4. Staff Recommendation to Allow Special Promotional Golf Course Fees for the Palo Alto Municipal Golf Course (Golf Course) to Include: Loyalty Cards - Play 5 Rounds And Get 1 Free, Limited Two for One Green Fee Offers, Saturday and Sunday - Kids Play Free With One Paid Adult and Good Deed Gift Certificates.
5. Approval of a Utilities Electric Capital Improvement Fund Construction Contract with Express Energy Services Inc. in the Amount of \$761,164 to Supply and Install New Light Emitting Diode Street Lighting Luminaires.
6. Resolution 9380 entitled "Resolution of the Council of the City of Palo Alto Approving the City's Revised Sanitary Sewer Management Plan and Designating Certain Employee Classifications as Legally Responsible Officials."
7. Ordinance 5213 entitled "Ordinance of the Council of the City of Palo Alto to Repeal Ordinance 5167 and Amend the Palo Alto Municipal Code to Delete Sections 18.52.060(a)(2) and 18.52.060(c) Related to Parking Assessment Districts to Eliminate the "Exempt Floor Area" Parking Exemption Which Allows for Floor Area up to a Floor Area Ratio (FAR) of 1.0 to 1.0 to be Exempt From Parking Requirements Within the Downtown Parking Assessment Area and Floor Area up to an FAR of 0.5 to 1.0 to be Exempt Within the California Avenue Area Parking

WORKING MINUTES

Assessment District;" and adoption of an Interim Ordinance 5214 entitled "Ordinance of the Council of the City of Palo Alto to Amend Chapters 18.18, Downtown Commercial (CD) District, and 18.52, (Parking and Loading Requirements) to Make the Following Changes to be Effective for a Period of Two Years: a. Delete Sections 18.18.070(a)(1), 18.18.090(b)(1)(C) and 18.52.070(a)(1)(D) to Eliminate the 200 Square Foot Minor Floor Area Bonus and Related Parking Exemption for Buildings not Eligible for Historic or Seismic Bonus. b. Delete Sections 18.18.090(b)(1)(B), 18.52.070(a)(1)(B) and 18.52.070(a)(1)(C)(i) to Eliminate the Parking Exemption for On-site Use of Historic and Seismic Bonus. c. Amend Section 18.18.080(g) to remove the On-site Parking Exemption for Historic and Seismic Transfer of Development Rights up to 5,000 Square Feet of Floor Area to a Receiver Site in the CD or PC Zoning Districts. d. Amend Section 18.52.070(a)(3) related to Remove the Sentence Allowing Square Footage to Qualify for Exemption That Was Developed or Used Previously for Nonresidential Purposes but was Vacant at the time of the Engineer's Report. These actions are exempt from the California Environmental Quality Act (CEQA) under Section 15061 and 15301 of the CEQA Guidelines" (First Reading: October 21, 2013 PASSED: 8-1 Kniss no).

8. Recommendation From the Council Appointed Officers Committee to List a Salary Range in the Brochure for the City Auditor's Recruitment.

MOTION PASSED: 9-0

ACTION ITEMS

9. Update from Rail Committee.

Richard Hackmann, Management Analyst, reported the California High Speed Rail Authority (CHSRA) identified the design build contractor for the initial construction segment in the Central Valley. No construction had occurred and construction likely would not begin in 2013. In accordance with Council direction, Staff continued to oppose High Speed Rail (HSR) because the project fundamentally contradicted the measure presented to voters under Proposition 1A. Staff continued to work with the City's legislative advocate to track legislation and to advocate on behalf of the City. Staff continued to work with Caltrain and other regional agencies to communicate City positions and remained involved in stakeholder meetings. On November 8, 2013, there would be a significant hearing on litigation. In November and December 2013, Caltrain would begin installation of the Communications Based Overlay Signal System (CBOSS) in Palo Alto. In late 2013 or early

WORKING MINUTES

2014, the Caltrain Draft Environmental Impact Report (DEIR) would be released. In late 2014, Caltrain expected to proceed with a final Environmental Impact Report (EIR). With respect to legislation, Staff was concerned that California Environmental Quality Act (CEQA) reform would negatively impact the project. CEQA reform did not occur in the 2013 legislative session. The City was successful in working with Senator Hill regarding clean-up legislation for HSR. Neither the House of Representatives nor the Senate passed transportation funding bills. Program funding for Fiscal Year (FY) 2014 would likely remain at the FY 2013 level. The City's federal legislative advocate anticipated no Federal funding for HSR in 2014. Caltrain recommended a design build contract for the electrification project. Caltrain was evaluating rolling stock options for an electrified corridor. Caltrain was also reviewing level boarding for the system. In the coming weeks within Palo Alto, Caltrain would install fiber optic cable to support the advanced signal system and install a radio communication pole. He provided updates regarding the Atherton appeal lawsuit and the case of Tos v. California High Speed Rail Authority. The CHSRA filed a lawsuit seeking to validate the issuance of \$9 billion in Proposition 1A bonds.

Vice Mayor Shepherd noted clean-up legislation regarding HSR was enacted. The Council's Guiding Principles allowed Staff to work independently of the Rail Committee (Committee) with good results. Council Member Burt attended Peninsula Cities Consortium (PCC) meetings and acted as the City's liaison to the Caltrain Policy Advisory Committee. He was working with the PCC to enhance policy conversations at the Policy Advisory Committee. The Committee would meet in December 2013 to update information and would be active in 2014 regarding the DEIR.

Stephen Rosenblum commended the Committee for recommending the grade separation study. He suggested the Council consider a covered trench rather than an open trench to gain real estate. Grade-level crossings had many liabilities.

Council Member Kniss explained that installation of CBOSS would improve safety and signalization of trains and allow the addition of trains. She requested Staff comment on CBOSS.

Mr. Hackmann indicated CBOSS was mandated by Federal regulations. CBOSS incorporated sophisticated technology to track and control trains.

Council Member Kniss stated implementation of CBOSS would allow the transportation of more passengers.

WORKING MINUTES

Council Member Holman inquired about the radio communication pole to be located at Greenmeadow.

Vice Mayor Shepherd clarified that the pole would be located at Town and Country Shopping Center.

Council Member Holman inquired about the size and configuration of the pole.

Mr. Hackmann added that an existing communication pole was located at Greenmeadow and Alma Street. An additional pole would be located near Palo Alto Medical Foundation.

Vice Mayor Shepherd indicated Staff provided the Council with a picture.

Council Member Holman suggested Staff describe acronyms in the Staff Report.

Council Member Klein reported the legal decision regarding violation of Proposition 1A was a landmark decision. The hearing regarding remedies for the violation could potentially end the HSR program as it currently existed. The validation litigation could have greater impacts than originally contemplated. The State Attorney General took unusual positions in the lawsuits.

Vice Mayor Shepherd added that the litigation could also impact Caltrain funding. She asked if further appeals could be made.

Council Member Klein stated the Judge's decision would likely be appealed. If the Judge ruled that the CHSRA could not utilize State funding, then the decision could impact Caltrain's electrification program on the Peninsula.

Vice Mayor Shepherd noted that Caltrain utilized funding as quickly as possible for modernization.

Council Member Klein felt the Attorney General's argument that Caltrain was spending only Federal funding was unusual.

Council Member Price inquired whether the Committee discussed the implications of no funding for the electrification project.

Council Member Burt explained that prior to the Legislature approving funding for HSR, one State Senator believed a significant portion of Federal

WORKING MINUTES

funding was not necessarily linked to the Central Valley project. Those funds possibly could be redirected toward Caltrain modernization.

Vice Mayor Shepherd added that many factors could change the direction of HSR at any time.

10. Rail Committee Recommendation on the Preliminary Cost Estimates for Grade Separation and Trenching Studies.

Richard Hackmann, Management Analyst, clarified that the Rail Committee (Committee) discussed a number of different scenarios. Ultimately the Committee recommended Staff work with Hatch Mott MacDonald (HMM) to proceed with one trenching scenario and one grade separation scenario. In working with HMM, Staff attempted to develop a scenario that provided a high level of detail for a limited expenditure. The trenching scenario was proposed because its scope of work provided the most detailed analysis. Staff hoped a preliminary study would begin a community discussion. The two scenarios were submerging the roadway and trenching the railway. With respect to the first scenario, Staff proposed study of the intersections at Churchill, Meadow, and Charleston based on volume. The second scenario represented an approximate 1.7-mile stretch of the Rail Corridor from Matadero Creek to San Antonio Road. HMM proposed two phases for the study. The Committee recommended the Council proceed with Phase 1, which included draft concept design exhibits, draft cost exhibits, and HMM participation in one community meeting. Phase 1 had a total cost of \$59,790, which would be paid from an open contract for on-call engineering design services with HMM. If the Council chose to proceed with Phase 2 for one or both scenarios, then the City would receive final concept design exhibits, final cost estimates, a final feasibility report, and HMM participation at two additional community meetings. The cost of Phase 2 would be \$67,760. An alternative track trenching scenario would be approximately 3.8 miles in length and would extend from Hamilton Avenue to San Antonio Road. HMM indicated a study of the alternative scenario with the same level of detail as the original scenario would cost between \$450,000 and \$550,000 because of complexities in north Palo Alto. To trench the railway under San Francisquito Creek required a longer run of trenching and increased the City's dependence on cooperation from outside agencies.

James Keene, City Manager, inquired about timeframes for the different proposals.

Mr. Hackmann reported Phase 1 would require approximately 2.5 months for completion. The alternative scenario increased not only the cost but also the timeframe by 1.5 months for each phase.

WORKING MINUTES

Vice Mayor Shepherd indicated the initial estimates for the study were in the millions of dollars. Technical engineering could be extensive if the Council proceeded with a full study. The Committee chose to vet parts of the Rail Corridor Study to determine the topics the community would be interested in. Santa Clara County and Caltrain had no dedicated funding for grade crossings. Once the Council determined the types of grade crossings that were feasible in Palo Alto, then it could discuss funding sources with the community. She requested Staff comment on the scope of work HMM would perform and on determining factors of feasibility. She requested Mr. Hackmann clarify his comments regarding scenarios for south of Hamilton Avenue and north of Hamilton Avenue.

Mr. Hackmann explained that the Hamilton Avenue to San Antonio Road scenario was an example of an area that could be studied. San Francisquito Creek and the University Avenue Station were additional obstacles that would have to be addressed if trenching extended north of Hamilton Avenue. As trenching moved north in the Corridor, more obstacles were encountered.

Vice Mayor Shepherd inquired whether the cost estimate for the alternative scenario included trenching to San Francisquito Creek.

Mr. Hackmann answered no.

Vice Mayor Shepherd requested Staff provide that type of detail.

Mr. Hackmann reported HMM would study the alternatives and provide draft concept exhibits to identify potential project impacts to roadways, rights-of-way, traffic, and the existing railway in Phase 1. In Phase 2, HMM would refine findings from Phase 1, address utility issues and construction staging, and provide a feasibility report.

Aaron Akin, Assistant Planning Director, indicated information from Phase 1 and Phase 2 could be utilized in the City's responses to Caltrain's Draft Environmental Impact Report (DEIR). Grade separations of some sort could be required as mitigation measures in the Caltrain Environmental Impact Report (EIR).

Lucas Ramirez was pleased the Council was considering options for grade separations. Council Member Burt's comments in Committee discussions addressed the need for grade separations. Perhaps cities in Santa Clara County could form a Joint Powers Authority or a special district to fund grade separations.

WORKING MINUTES

Adina Levin, Friends of Caltrain, reported a Caltrain study indicated the need for grade separations might not be urgent in the 2019 electrification timeframe. The addition of trains and/or High Speed Rail would break the at-grade crossings. The selection of a preferred approach would require in-depth community engagement. The likelihood that freight would cease in the future was almost nonexistent. The Council should consider the possibility of a short-haul freight operator that imposed fewer cost constraints.

Elizabeth Alexis, Californians Advocating Responsible Rail Design (CARRD), believed grade separations would occur with or without electrification of Caltrain. A recent Caltrain study indicated the blended system would have little impact on intersections. Traffic was clearly increasing. Grade separation would in the next 10-20 years. She urged the Council to reconsider the scope of work for HMM to understand critical assumptions as cost drivers.

Herb Borock noted that Rail Committee Guidelines indicated the lead agency should be responsible for grade separations; therefore, the lead agency should pay for any studies. Those who benefited from trenching should pay for the study. Development atop trenching in south Palo Alto could split the community. HMM helped finance Proposition 1A to increase its income. The community would support modernization of Caltrain but not electrification of Caltrain.

Robert Moss felt the study would not provide details for accomplishing grade separation. Caltrain and the California High Speed Rail Authority (CHSRA) should fund the study. A study of crossing options was premature.

Council Member Burt did not believe High Speed Rail (HSR) was likely to occur on the Peninsula prior to 2030. Caltrain ridership would be compounded by electrification and a connection to downtown San Francisco. When the number of trains increased, major problems would occur in Palo Alto. If the Council did not investigate options for grade crossings, it would not be prepared for the future or prepared to advocate for funding. The community had not determined the best design for crossings. The proposed study would inform the Council and Caltrain. The Committee discussed whether to include trenching in the evaluation. Guiding Principles and Rail Committee Guidelines stated the preferred alternative was below-grade crossings. The Council could not exclude below-grade considerations when they were the established policy. Grade separations at Churchill, East Meadow, and Charleston could necessitate the acquisition of approximately 100 homes, in which case trenching could be a feasible option. With respect to freight, the difference between a 1 percent and a 2 percent grade was a

WORKING MINUTES

major concern. South Palo Alto had no grade separations and only poor access from east to west. If the City did not evaluate alternatives soon, it would not have any options. Long-term planning was needed.

Council Member Klein did not support the proposed contract with the consultant. The project and the timing were wrong. The City had the necessary information. The Council would spend much more than \$150,000 if it proceeded with the study. The public did not understand the significant environmental impacts of constructing the proposed grade crossings. Caltrain's study indicated additional grade crossings were not needed. The Council should first determine if and when grade crossings were needed and provide an educational program for the community. Information provided by the study would not be utilized for 10-20 years and would be obsolete by then. The discussion did not account for future traffic innovations. HMM previously reported that a two-track trench would conservatively cost in the range of \$25,000-\$30,000 per linear foot. Staff previously indicated the cost of grade separations would be approximately \$50 million per separation. Funding should not be Palo Alto's responsibility. The cost of large projects typically increased before construction was complete. Furthermore, consideration of the study should be delayed until the Judge issued a decision in the pending lawsuit.

MOTION: Council Member Kniss moved, seconded by Vice Mayor Shepherd to recommend the City Manager enter into a contract with Hatch Mott MacDonald (HMM) to perform Phase 1 of the additional grade separation design services as outlined on page 3 of the report with Staff recommendation of: submerging the roadway at Churchill, Meadow, Charleston, while leaving Alma at-grade, trenching the corridor from San Antonio under Adobe Creek, Charleston, Meadow, and Barron Creek before coming back to the surface just prior to Matadero Creek.

Council Member Kniss indicated the Council needed information in order to plan for the future. The Council needed to plan for the future and to consider next steps.

Vice Mayor Shepherd concurred with Council Member Burt's comments. Caltrain was reviewing an increase in the number of trains, which would result in a train crossing Palo Alto streets every 5 minutes. She liked the idea of not making quick decisions in response to an EIR. The Council needed to know which options were not viable in order to focus on other options. The cost of the study was not much more than other studies previously recommended by the Committee. She inquired whether the study could be expanded to include the area to the north should the Council wish to utilize information from the study to respond to the Caltrain EIR.

WORKING MINUTES

Mr. Hackmann asked if Vice Mayor Shepherd wanted to know if the study of the 1.7 mile segment in the south end of Palo Alto would apply to northern Palo Alto.

Vice Mayor Shepherd answered yes.

Mr. Hackmann reported the same theoretical principles studied in the south would apply in the north. Additional existing realities of submerged roadways and Caltrain stations in the northern area would have to be layered on the information for the southern area. Moving north, grade crossings became more complicated and more expensive. If the Council could not accept costs for grade crossings in the south, then it could safely assume the cost of grade crossings in the north would be even less acceptable. If the Council could accept the cost of grade crossings in the south, then it could decide to proceed with a study north into the Corridor.

Vice Mayor Shepherd referenced information from a community member regarding reduction of traffic congestion by utilizing low-clearance underpasses, and asked if Staff could request HMM review that as an option to trenching.

Mr. Hackmann indicated Staff would inform HMM of the scope of the study and present recommendations or alternatives proposed by community members and groups.

Vice Mayor Shepherd asked if the firewall between HMM employees representing the City and HMM employees representing CHSRA remained in place.

Mr. Hackmann understood HMM employees working with the City did not represent CHSRA.

Council Member Price agreed with Council Member Burt's comments. The assumptions regarding Caltrain remaining operational throughout construction did not state that Caltrain could remain operational using shoe fly tracks or bus bridges. She inquired whether HMM would assume operational rail services included bus bridges or remained on fixed rail.

Mr. Hackmann understood HMM assumed the train would operate on fixed rail.

Council Member Price suggested Staff talk with Caltrain about that so that the Council could consider the actual experience during construction. She

WORKING MINUTES

concurred with all comments regarding the issue of grade separation related to operations and safety. In order to hold an informed discussion, the Council needed to weigh in early with additional information and not wait until the respective agencies provided information. She noted trenched railways existed in Reno, Nevada, and in the Alameda Corridor and requested HMM provide visuals to complement the study. The Council should anticipate additional costs if it chose to pursue the study.

Council Member Holman felt Council Member Klein's comments regarding public education were valid. Visuals of alternatives were needed. She questioned whether the community fully understood the implications of grade separations. The Council needed to engage the community in the proposal. In addition the Council should wait for issuance of pending legal decisions. To obtain information, the Council needed to expend some funds in the near future for this type of study. The Council should discuss feasibility and impacts with the community.

Council Member Schmid was unclear regarding the distinction between Phase 1 draft project impacts and costs and Phase 2 detailed costs. He requested Staff explain the added value of a Phase 2 study.

Mr. Hackmann reported the distinction was the reliance on comparables. HMM would review costs associated with similar projects with similar characteristics versus site-specific engineering. In Phase 2, HMM would review more detailed work.

Council Member Schmid asked if HMM would identify houses in the right-of-way for an underpass in Phase 1.

Mr. Hackmann stated HMM would identify a footprint.

Council Member Schmid felt Phase 1 would be a good investment for the City. The east-west crossing in south Palo Alto was a major issue due to increased Caltrain trips per hour and the potential for growth in the Ventura area. He was attracted to the concept of trenching and under-grade crossings. Trenching would be less expensive for the community when the cost of acquiring homes was included. Now was the time to invest in good information for good decision making.

Council Member Burt believed the purpose of the study was to provide meaningful information for a community discussion. The study performed three years previously prompted serious discussion in the community.

MOTION PASSED: 7-2 Holman, Klein no

WORKING MINUTES

11. Approval of Outreach Plan to Solicit and Encourage Input from the Community on Palo Alto's Core Values.

Claudia Keith, Chief Communications Officer, reported the Council directed Staff to present an outreach plan designed to solicit input and feedback from the community regarding Core Values. The proposed plan utilized Open City Hall, smart screens, and a video component. Since its launch, developers enhanced Open City Hall to broaden civic engagement efforts. Enhancements included additional demographic data points, review of connected comments, use by smart phones and tablets, and the ability to sort and aggregate data. Other cities utilized Open City Hall for similar exercises. This would be a good tool to engage the community regarding its perspectives on Core Values. A smart screen was a white board combined with the power of a computer to record comments, feedback, and input. A smart screen could save comments and allow retrieval via computer. Staff was exploring a public-private partnership to provide smart screens as well as the purchase of one smart screen. An option to a smart screen was a white board; however, collecting and maintaining data on a daily basis would be difficult. Staff proposed to engage students to video record short interviews with a broad spectrum of citizens. The interview would contain standardized questions. Interviews could be edited into a video to inform the Council's decision making and to articulate the final Core Values. This approach would engage young people who might not otherwise participate in the civic engagement process. Staff focused on several technology-based outreach strategies that offered a simple method to aggregate input and feedback. Once the Council determined an outreach strategy, Staff would communicate through the website, Mayor's newsletter, press releases, and social media to inform the community of methods for engaging in the discussion. Staff proposed implementing the outreach strategy during January 2014 and providing the results in advance of the 2014 Retreat. The timeline could be adjusted based upon the date of the Retreat.

James Keene, City Manager, added that Staff was exploring the acquisition of a smart screen for general City use. The concept of video interviews was proposed as a fun method to engage youth. Video interviews could provide good footage to convey the results of the Council's values discussion. The Council received emails from neighborhood groups asking to be involved in the process. Staff would attempt to channel those groups through the process. Staff did not provide a recommendation but felt these approaches were good ones. The Council might wish to clarify whether the articulated values were the Council's view of its work with the City or the community's view of the City's values as a whole. As part of outreach, Staff would provide examples of methods for expressing values.

WORKING MINUTES

Stephanie Munoz felt the Council would know the community's values if it listened to the community.

Council Member Berman felt outreach should determine the community's priorities with the Council narrowing the list to the top five priorities. Outreach was an important step in determining values. He requested Staff comment on the different outreach methods with respect to reaching a broad spectrum of the community.

Ms. Keith indicated social media and integration with community members would be utilized to reach the broadest spectrum of participation. Staff would seek as many outlets as possible.

Council Member Berman believed smart screens offered more functionality. Smart screens should be placed at different types of locations in different parts of town to reach a diverse population. He endorsed the use of video interviews conducted by youth and hoped the youth would interview themselves.

MOTION: Council Member Berman moved, seconded by Council Member Kniss to accept Staff recommendation on the proposed outreach plan to solicit and encourage input from the community on Palo Alto's core values using Open City Hall, smart screens, and video concept as outlined in the staff report.

Council Member Berman noted the Council still needed to articulate the concept of Core Values.

Council Member Kniss felt the greatest advantage of outreach was having a conversation with the community. Hopefully the community would provide substantive feedback. The community's Core Values were almost obvious.

Council Member Price inquired about the cost for technologies and labor utilized in outreach efforts.

Ms. Keith reported the City paid a minimal maintenance fee of approximately \$200 per month for Open City Hall. Smart screen costs varied depending upon size and features; however, they could be used again and again for a variety of purposes. Video interviews would be relatively inexpensive. Hopefully high school students would conduct interviews as a civic project. Editing the video would also be relatively inexpensive. The primary cost would be Staff time to manage the various portals. The advantage of Open City Hall was its ability to aggregate information and feedback.

WORKING MINUTES

Council Member Price believed traditional means of providing input would also need to be utilized. She asked which Department would hold community meetings.

Ms. Keith stated flyers could be provided for community members to write their comments. Staff could attend meetings of neighborhood groups to ask about Core Values. Staff who regularly participated in community outreach would be involved.

Mr. Keene indicated familiarity and skill in civic engagement was a quasi job requirement for all Staff. This was an opportunity to expose a range of Staff to community engagement. Staff wished to provide efficient methods for community participation while allowing all Staff to participate in community engagement.

Council Member Price agreed with the concept; however, the strategy seemed amorphous. The quality of feedback depended on the quality of interview questions. She inquired whether Staff would hold a second round of discussions to refine the experience.

Mr. Keene reported Staff discussed sharing with the Council approaches to frame the strategy. Story pieces and preambles would be necessary to achieve the best input. Ultimately, the Council would have to exert editorial control. The conversation itself would provide as much value as the end product; however, the questions should shape the conversation.

Ms. Keith noted other cities provided parameters for discussion when utilizing Open City Hall.

Council Member Holman concurred the Council did not have a foundational statement or purpose for Core Values. She questioned the intention of collecting Core Values and how to measure and evaluate input. She supported the idea of engaging the community with respect to Core Values; however, she was uncertain if the process would have meaning. If the Council did not establish a definition for Core Values, face-to-face community input and outreach should be included.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to include direct solicitation to community groups, a form on the website, and face-to-face community outreach.

Council Member Berman asked if Staff knew of a reason not to include the language.

WORKING MINUTES

Mr. Keene assured the Council that Staff would not take comments out of context. A preamble could define Core Values as enduring Guiding Principles that the Council could use to guide its decisions.

Council Member Holman stated the Council did not have a definition. The prior Motion included that.

Mr. Keene clarified that the Motion did not direct Staff to provide a preamble. In the prior Staff Report, he provided a partial preamble that addressed Council Member Holman's point.

Council Member Holman understood Staff would present a definition formed around a purpose statement.

Council Member Berman noted the Staff Report indicated Staff would provide examples from other cities. He asked if Staff preferred the Council discuss Core Values when Staff returned with examples or at the current time.

Mr. Keene understood Staff was to provide a preamble, purpose statement, and definition to clarify the purpose of the exercise. Staff was to provide examples from other organizations and to define whether the Core Values expressed the Council's or the community's values. These elements would explain to the community why the Council was requesting feedback and the meaning of Core Values. If the Council wished to provide a Motion or perspectives for Staff, he would be glad to have that information.

Council Member Holman felt Council should support Staff's context for Core Values.

Mr. Keene agreed.

Council Member Holman recommended Council Members submit suggestions to Staff. She hoped Staff would return with that discussion prior to interviewing the community. The Council Retreat was generally held in January and Council Members sometimes expressed frustration when the Retreat was held in February. She inquired about a rationale for implementing community outreach in January.

Ms. Keith planned for January because she understood the Retreat would be held in February. The timeframe for outreach could be moved forward. Open City Hall could be ready in a short time; however, smart screens and interviews would require additional time.

WORKING MINUTES

Council Member Holman requested Staff state when they could return to the Council, a deadline for Council input, and a timeline for implementing the various steps.

Council Member Klein inquired about methods to prevent the same person from repeatedly providing input.

Ms. Keith reported Staff could monitor comments posted to Open City Hall and review the times a participant posted comments.

Council Member Klein asked if Staff would publicize their efforts to limit comments to one per person.

Ms. Keith could explain the tool and the variety of methods to provide input. The objective was to broaden the number of people who provided input. Staff needed to effectively communicate regarding the tool and the variety of opportunities to provide input.

Council Member Klein asked if there was a way to prevent participants from posting multiple comments.

Mark Cohen, Open City Hall, answered yes. Software and Open City Hall staff monitored every user and their comments in four ways. In order to post a comment, the user had to register his real name, email address, and street jurisdiction. Software monitored registration, confirmed email addresses, geo coded street addresses, and monitored IP addresses and browser cookies. Those techniques prevented systematic fraud.

Council Member Klein inquired about methods to prevent multiple postings to smart screens and interviews.

Ms. Keith indicated smart screens also allowed aggregation of data for review.

Mr. Keene needed to review the ability to prevent multiple postings on smart screens.

Council Member Klein felt prevention of multiple postings was important.

Ms. Keith noted participants could submit their comments multiple times; however, Staff would have the ability to review data for duplications.

Council Member Klein did not wish for one participant to have more influence than another participant.

WORKING MINUTES

Ms. Keith could track the responses from multiple postings.

Council Member Klein concurred with Council Member Kniss' comments in that it would not be difficult to determine community values. He did not understand the distinction between Council values and community values. The Core Values should endure and not change with each Council. The Council discussion should not require hours.

Mr. Keene felt the Council/community distinction could be confusing. The topic should be promoted as the Council engaging in a conversation with the community in order to formulate values to guide Council decisions. The Council would see a pattern in the results that would determine values.

Vice Mayor Shepherd believed holding community dialogs was difficult; however, community engagement could be fun. She was interested in engaging the daytime citizenship and learning their reasons for working in Palo Alto. She supported the use of youth in engaging the community. Engaging Leadership Palo Alto's mix of residents and nonresidents would be helpful. She was most interested in reaching residents who did not routinely engage the Council and Staff and in capturing the essence of Palo Alto.

Council Member Schmid suggested the purpose of defining Core Values include the wider context of processes. The Council and Boards and Commissions could have Agenda items to discuss values and to allow public comment. Accessing communication networks of neighborhood associations and schools would be helpful. He supported gathering feedback from people who did not usually participate. Staff should ensure they had sufficient time to perform outreach and to process information.

Council Member Burt agreed the Council had a general sense of community values. The Council's diverse opinions regarding Core Values captured most of the range of community responses. The Council wanted to receive input and to frame the discussion. He questioned whether Core Values should be values of the community or values for the City government. Education was a community value, but it was not actionable by the City government. The Council did not want to capture that type of value. Community values and values for City government were aligned but not necessarily identical. As a responsibility emergency preparedness was part of the value structure. Staff had to capture that type of value. He inquired whether the Policy and Services Committee could place the item on its Agenda in the next few weeks.

Council Member Kniss reported the Agenda was busy.

WORKING MINUTES

Council Member Burt did not want to delay the item further. He inquired of the maker of the Motion whether Staff should provide recommendations in response to Council comments in addition to items in the Motion.

Council Member Berman agreed and added that the Council could hold a broader discussion of the issues at that time.

Council Member Burt felt innovation regarding outreach was great and supported youths conducting interviews. He suggested Staff contact the Media Center, teen programs and high school journalism programs for volunteers. Youth interviews would provide the opportunity for multigenerational input.

Mayor Scharff did not support referring the item to the Policy and Services Committee. If Council Members believed Core Values were community values, then the Council needed to poll on community values and determine the level of polling that would indicate a community value. Without polling Core Values would be Council values. The community had a diverse range of opinion.

MOTION PASSED: 9-0

ADJOURNMENT: The meeting was adjourned at 10:53 P.M.