



# CITY COUNCIL RAIL COMMITTEE DRAFT MINUTES

Special Meeting  
Thursday, June 28, 2012

Chairperson Chair Klein called the meeting to order at 8:33 A.M. in the Council Conference Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Chair Klein (Chair), Vice Mayor Scharff, Council Member Shepherd

Absent: Burt

1. Oral Communications

None

2. Report from the Professional Evaluation Group, Inc.

John Garamendi Jr., Professional Evaluation Group, Inc. reported the Keep the Lights on Bill (AB 1497) appropriated approximately \$124 million for the California High Speed Rail Authority (HSRA). There was presently not a trailer bill regarding capital costs for building the train. He expected it to be out Monday or Tuesday, but more likely Thursday or Friday. There were rumors of a Plan B; although, he had not seen any language. There were articles regarding funding for the end-points with a small amount of funds for the Central Valley. Many environmental allies helped push back the California Environmental Quality Act (CEQA) discussion; however, the Governor indicated the discussion remained active. When the language was presented, there would be an interesting vote on bond appropriations. Proponents of High Speed Rail (HSR) were worried that the project was failing. There were concerns regarding the tax initiative and the consequences of HSR on that tax initiative. He did not believe the Governor would give up either project. Presentation of the bond language in the trailer bill did not mean the fight was finished. One more approval from the Public Works Board was needed before construction could begin. Presentation of the language would also enable several lawsuits to move

# DRAFT MINUTES

forward. As long as \$9 billion was available, HSR would not end. There was quite a bit of speculation without any substantiating facts.

Chair Klein asked where the education lobbyists were with regard to the \$6 billion in education funds under the Governor's tax initiative.

Mr. Garamendi indicated the education lobbyists had been quiet, because of pension reform and other items. They were becoming concerned that HSR could jeopardize the tax initiative. If the tax initiative failed, the consequences to education would be horrible.

Council Member Shepherd asked for an explanation of the delayed system.

Mr. Garamendi noted the delayed system was not clear. He hoped people would consider what they were attempting to accomplish.

Council Member Shepherd felt the mission of the Californians Advocating for Responsible Rail Design (CARRD) group was to stop the project, while the public works group's mission was to get the project built.

Mr. Garamendi believed the Governor and leadership of the Legislature were strongly advocating for the project; therefore, a pause would be difficult to accomplish.

Council Member Shepherd inquired why the Governor's Office was surprised by Palo Alto's position stated in its letter.

Mr. Garamendi did not know. He suggested the email from the Governor's office was sent in error, because there was no follow up with regard to advantages. It did not have any impact.

Council Member Shepherd believed Palo Alto's position could be a surprise if they had not heard the position previously.

Mr. Garamendi suggested the Governor's Office assumed the people they were communicating with were supporters and Palo Alto's position was damaging to achieving the project.

Council Member Shepherd said there were alarming messages in the e-mail from Rita Wespi of CARRD regarding progress reports. She asked if there was information on the blended system.

Mr. Garamendi indicated people continued to discuss it.

# DRAFT MINUTES

Council Member Shepherd noted Ms. Wespi requested information from consultant reports. CARRD was clearly organizing.

Mr. Garamendi advised he had not heard anything regarding details of the blended system.

Council Member Shepherd noted the City had not received any decision about the legality of the blended system.

Mr. Garamendi stated that was correct. The Attorney General and Legislative Counsel had not released their opinions.

Council Member Shepherd inquired if any trailer bills included language for HSR.

Mr. Garamendi had not seen any.

Vice Mayor Scharff inquired about discussions of Plan B and if it was likely to occur.

Mr. Garamendi had not seen any language for Plan B, beyond what had appeared in the press.

Vice Mayor Scharff asked whether Mr. Garamendi felt HSR was moving in the direction reported in the press.

Mr. Garamendi reported certain Senators were attempting to develop a compromise, which would be Plan B. HSR would not endorse any Plan B; however, a Plan B was a strong possibility.

Vice Mayor Scharff asked for a review of allocation of federal funds.

Mr. Garamendi reported allocation of funds was in dispute. HSR indicated it could not shift funds. CARRD and others indicated most of the funds were awarded to all four sections; therefore, through a collaborative process with the State of California, funds were allocated to certain areas. That seemed to suggest that funds could be shifted to any of the other sections as well. Apparently a certain amount of money, ranging from \$300 million to \$1 billion, was awarded strictly and exclusively to the Central Valley. There seemed to be a dispute about whether the remaining funds could be shifted. His reading indicated funds could be shifted with the cooperation of the Federal Government.

Vice Mayor Scharff inquired about a timeframe.

# DRAFT MINUTES

Mr. Garamendi felt an attempt would be made the following week with a vote as early as Friday. If Plan B was delayed, it would be re-introduced when the Legislature reconvened in August 2012. It would move quickly.

Chair Klein inquired about the attempt to place an item on the ballot to revote.

Mr. Garamendi advised it depended on what happened in the Legislature.

Chair Klein asked about the Democratic leadership response.

Mr. Garamendi indicated it was not supportive of the attempt.

Chair Klein inquired how the Democratic leadership figured into the strategy.

Mr. Garamendi felt the Governor would call a special election if his tax initiative did not pass. If the LaMalfa bill re-qualified, it could be on the same ballot as the tax initiative in the spring of 2013.

Chair Klein inquired about the date the Council was scheduled to consider that.

Steve Emslie, Deputy City Manager said it was not scheduled for the following week.

Mr. Garamendi did not know the status of collecting signatures or fundraising for the revote.

Mr. Emslie indicated he would get it scheduled before the break if it was not already scheduled.

Council Member Shepherd expressed concern about quickly learning of language that would be inserted in bills. She asked if the City should be circulating language.

Chair Klein stated that was Item Number 3 on the Agenda.

Council Member Shepherd suggested the Rail Committee (RC) should work with Mr. Garamendi on Item Number 3.

Mr. Garamendi indicated he would be present for discussion.

# DRAFT MINUTES

Council Member Shepherd felt the City should be proactive in providing language to provoke discussion.

Mr. Garamendi noted the attaching of CEQA caused great consternation.

Council Member Shepherd noted Governor Brown was intent on removing CEQA requirements.

Mr. Garamendi advised he had communicated with the federal lobbyist regarding National Environmental Policy Act (NEPA) changes and impacts.

Chair Klein asked whether Senator Radanovich and Senator LaMalfa were visible in Sacramento.

Mr. Garamendi reported Senator LaMalfa was.

Chair Klein reported receiving emails from different people indicating they were circulating petitions. He asked if Mr. Garamendi would like copies of those emails.

Mr. Garamendi answered yes. People were mostly focused on the present bond language, but the revote effort would be important.

No Action Taken

3. Follow-up Discussion on Senator Simitian's Request for Input on HSR Appropriation Language.

Chair Klein indicated the request was made more than 30 days previously, and the City had provided its letter. He asked for an update.

Richard Hackmann, Management Specialist reported he received information from Senator Simitian's office. Leadership in the Governor's Office, Senate, and Assembly was handling the matter. Input had been submitted; however, no language had been proposed. Senator Simitian submitted concepts necessary for his vote. Governor Brown signed the budget, but it did not include the High Speed Rail (HSR) appropriation language. The bond appropriation trailer language could be released on July 5 or 6, 2012. Senator Simitian's Office suspected the time from release of the language to vote would be 24 hours, 48 hours at the longest. The California High Speed Rail Authority (HSRA) and the Governor continued to advocate for the plan with an initial investment of \$6 billion in the Central Valley with bookends to follow. Plan B (significant investment in the bookends with limited investment in Central Valley) was mentioned, but no language had been

# DRAFT MINUTES

drafted to reflect that. It appeared the California Environmental Quality Act (CEQA) exemptions were no longer being considered; however, they could reappear in the future. The Senate might not have the 21 votes necessary to approve the HSR bond appropriate language, because of impact on the tax initiative.

Chair Klein was considering time constraints to respond. He asked Mr. Garamendi if there was a particular time of day when the appropriation language could be released.

John Garamendi Jr., Professional Evaluation Group, Inc. suggested 12:01 A.M. on July 4, 2012 or 11:59 P.M. on July 5, 2012.

Chair Klein noted a requirement to post a meeting notice 24 hours in advance of the meeting, and suggested scheduling a meeting for July 5, 2012.

Steve Emslie, Deputy City Manager asked if mid-day would be an acceptable time.

Chair Klein thought late afternoon would be better.

Rita Wespi, representing Californians Advocating for Responsible Rail Design speculated that several members of the Senate Budget and Fiscal Review Committee insisted they wanted 48 hours' notice. She believed the language could be written by Tuesday, July 3, 2012, and presented for a vote on Thursday, which would fulfill the 48-hour notice. She did not know how often a vote was held on Friday, but guessed it was not often.

Morris Brown advised a joint committee hearing was scheduled in Los Angeles on the July 5 or 6, 2012. He did not believe a vote would be held when the major players were in Los Angeles.

Herb Borock suggested continuing a July 5, 2012 meeting due to lack of a quorum rather than canceling it. That would allow a meeting without the 24-hour notice requirement.

No Action Taken

4. Discussion on Sending a Letter to the California Attorney General Requesting a Public Opinion on the Legality of a Blended System Relative to Proposition 1A.

Chair Klein noted this Item was a request of Mayor Yeh.

# DRAFT MINUTES

Herb Borock spoke regarding the At-Place item he presented indicating the City Council could not request an opinion. He provided copies of the letters Rolf van Ark sent to the Attorney General's Office. The Council should assert that the nature of van Ark's questions were not covered by attorney-client privilege, and the Council should issue a public records request at the same time.

**MOTION:** Chair Klein moved, seconded by Vice Mayor Scharff that the City Council Rail Committee direct Staff to draft an appropriate letter for the Mayor's signature requesting information as to the status of the opinion that had previously been requested by the High Speed Rail Authority and also requesting the information be made public at the earliest possible time.

Council Member Shepherd was concerned that language in the trailer bills would define and clarify that, and it would be part of the funding.

Chair Klein felt language in Proposition 1A could not be changed by a trailer bill. The Mayor felt the Rail Committee should request a copy of the opinion when it was issued.

**MOTION PASSED:** 3-0 Burt absent

5. Discussion of Possible Revisions and Updates to the Rail Committee Guiding Principles.

Council Member Shepherd wanted to include a Principle regarding interest in keeping the California Environmental Quality Act (CEQA) active. She suggested Staff prepare language for consideration at the next meeting.

Steve Emslie, Deputy City Manager indicated Staff would prepare a Principle.

Margaret Monroe, Management Specialist inquired if the central point was not to change the process.

Vice Mayor Scharff did not want to mention the National Environmental Policy Act (NEPA). The focus should be on CEQA.

Council Member Shepherd wanted to ensure the City's interests were contained in the Guiding Principles, and the interest in CEQA was not.

**MOTION:** Chair Klein moved, seconded by Council Member Shepherd that the City Council Rail Committee direct Staff to return with appropriate

# DRAFT MINUTES

language for consideration for possible adoption on California Environmental Quality Act.

**MOTION PASSED:** 3-0 Burt absent

6. Discussion of the Meaning of Caltrain Modernization.

Margaret Monroe, Management Specialist felt Guideline 12 related to this Item. This was also important for the update of the Comprehensive Plan.

Chair Klein indicated modernization would not happen quickly, because an Environmental Impact Report (EIR) on electrification was needed.

Steven Turner, Advanced Planning Manager reported the Planning and Transportation Commission (PTC) worked with Staff to review each element of the Comprehensive Plan individually for revision. A consultant had been hired to ensure policies and programs were up-to-date and consistent with State rules and policies. The Regional Leadership section of the Transportation Element discussed rail corridor issues; and one policy and one program discussed Caltrain itself. Existing Policy T7 supported a quiet and fast rail system encircling the Bay and trans-Bay transit systems linking Palo Alto to the remainder of Santa Clara County and adjoining counties. A program supporting that policy would support Caltrain electrification and its extension to downtown San Francisco.

Chair Klein stated the Council had not taken an official position on electrification.

Mr. Turner indicated that was in the existing Comprehensive Plan.

Chair Klein asked if the Comprehensive Plan stated support of electrification.

Mr. Turner answered yes. As Staff reviewed the Transportation Element, they wanted to ensure feedback from the Rail Committee (RC) and the Rail Task Force. The Rail Task Force recommended modifications to that policy and program to reflect the existing conditions. The RC had the ability to change policies and programs. Staff sought direction regarding that policy and program. Staff would accept feedback, draft a revised Transportation Element, present it to the PTC for review, and then present it to the Council in the fall with an overall update of progress.

Chair Klein noted in 1997 the first EIR for Caltrain had not been performed.



# DRAFT MINUTES

Steve Emslie, Deputy City Manager agreed; although, electrification had been mentioned for many years.

Mr. Turner said the report from the Rail Task Force discussed modernization, but did not specifically define it.

Chair Klein indicated modernization was a way not to take a position on electrification. Modernization meant an upgrade of diesel trains or electrification.

Vice Mayor Scharff asked Chair Klein why he felt electrification would have negative impacts.

Chair Klein did not have a position, but testimony indicated diesel was less expensive. Then there was the impact on grade crossings.

Vice Mayor Scharff asked whether diesel engines could travel into the terminal at San Francisco.

Chair Klein responded yes. That was also an issue.

Vice Mayor Scharff inquired if Staff would provide a report on the pros and cons and issues of modernization and electrification.

Chair Klein stated the RC had to wrestle with the issue at some point.

Vice Mayor Scharff did not want to wrestle with the issue without information.

Chair Klein indicated that was why they used the term modernization.

Mr. Emslie reported Staff had generated ample information and sent it to Caltrain for their analysis. He expected that report in the late summer or fall. That would provide the implications of more trains. The main issues were grade crossings and who would pay for them.

Vice Mayor Scharff asked if the issue was whether the Council supported more trains running on the tracks.

Mr. Emslie replied yes.

Chair Klein added issues of cost impacts and visual impacts.

# DRAFT MINUTES

Vice Mayor Scharff stated if the Federal Government paid for it, the State did not have to build High Speed Rail (HSR). That was not a negative.

Chair Klein asked if he had an inside information to the Federal Government paying for the project.

Vice Mayor Scharff was considering the endpoint issues. Building the endpoints and spending \$300 million in the Central Valley could change things.

Chair Klein stated that was not the position of the Federal Government. Those were reasons the Council had postponed taking a position on modernization.

Council Member Shepherd inquired with the RC had requested consideration of diesel multiple units (DMU).

Mr. Emslie answered yes.

Council Member Shepherd suggested the RC ask for Caltrain's position on DMUs before Caltrain prepared the EIR, so that Palo Alto could explain its interests.

Ms. Monroe noted Caltrain was performing a grade separation study, and Staff could ask how the study on electrification would be affected if it were diesel.

Mr. Emslie indicated Staff had also asked Caltrain to analyze the impacts of capacity by longer trains.

Council Member Shepherd felt that information would be helpful in defining modernization. She was unsure what the Comprehensive Plan should contain regarding regional leadership.

Chair Klein preferred to change electrification to modernization in the Comprehensive Plan with a footnote indicating the City would take a position on electrification in 2013

Mr. Turner stated modernization could be defined to include electrification and other types of improvements to the Caltrain system. The Caltrain report would inform the RC and the Council about specific language that could be placed into the Comprehensive Plan.

Vice Mayor Scharff would support that.

# DRAFT MINUTES

Council Member Shepherd asked Mr. Turner to read the policy regarding circling the Bay.

Mr. Turner read Policy T7.

Ms. Monroe suggested the policy should be combined.

Chair Klein indicated the concern was circling the Bay.

Vice Mayor Scharff asked for another reading of the policy.

Mr. Turner again read Policy T7.

Vice Mayor Scharff suggested the policy should be rewritten to discuss connectivity. He wanted Caltrain to travel to downtown San Francisco and connect with the Bay Area Rapid Transit (BART).

Chair Klein felt inclusion of the word quiet was interesting.

Mr. Turner reported other programs in the Transportation Element discussed train noise, because that was a concern in 1996-1998.

Vice Mayor Scharff asked if electrification eliminated train horns.

Council Member Shepherd answered no. It eliminated grade crossings.

Mr. Emslie inquired about plans to return the Transportation Element of the Comprehensive Plan to the RC prior to presenting it to the full Council.

Mr. Turner stated that had not been discussed specifically. Staff could bring the Transportation Element to the RC before or after presenting it to the PTC.

Ms. Monroe asked if the language should be modernization rather than a specific mode.

Chair Klein replied yes. It should also include an appropriate footnote indicated the Council would consider Caltrain's plans for electrification in 2013.

Ms. Monroe suggested the RC consider splitting Guideline 12.

Chair Klein agreed. It should refer to the Guiding Principles.

# DRAFT MINUTES

Richard Hackmann, Management Specialist indicated Staff would revise that.

Mr. Emslie stated Staff would return to the next meeting with new language.

No Action Taken

7. Discussion of Possible Changes in the Composition of Representation of the Peninsula Corridor Joint Powers Board.

Richard Hackmann, Management Specialist reported Palo Alto and other Peninsula cities were underrepresented on the Peninsula Corridor Joint Powers Board (PCJPB) based on ridership. There were nine seats on the PCJPB; three from San Francisco County, three from San Mateo County, and three from Santa Clara County. In San Francisco, one of the three seats was appointed by the Mayor, one appointed by the Board of Supervisors, and one by San Francisco's transportation agency. In San Mateo, one person was appointed by a City Selection Committee, one by the transit district, and one by the Board of Supervisors. In Santa Clara County, all three members were appointed by the Santa Clara Valley Transportation Authority (VTA). The Rail Committee (RC) could decide to propose having a City Selection Committee appointed representative from Santa Clara County replace one of the VTA representatives or move towards more systematic change based on ridership.

Chair Klein felt changing the selection from all by the VTA to some by the City Selection Committee was a short-term fix. He was looking for a broader fix which would be part of legislation and a vote of the people to provide a permanent funding source for Caltrain.

Council Member Shepherd asked how that was related to the composition of the PCJPB.

Chair Klein explained a measure to provide a permanent source of funding for Caltrain could include changes in its governance. That would be an appropriate time to change representation on the PCJPB. Having San Mateo County move to the same system as San Mateo County could be accomplished quickly.

Council Member Shepherd inquired how the configuration of seats was initiated.

Mr. Hackmann believed the current configuration was based on funding sources. Caltrain had admitted one of its funding problems was no

# DRAFT MINUTES

dedicated funding stream; therefore, it was at the mercy of each transportation agency and county. If costs were spread across the counties, then the representation could reflect that.

Chair Klein reported the rationale was that VTA provided all funds, so it selected all representatives. The same was true for San Mateo County; yet it dedicated one seat to be selected by the City Selection Committee.

Mr. Hackmann indicated Caltrain was at about 40 percent fare box recovery. To say VTA supplied all money was inaccurate.

Vice Mayor Scharff asked who the three VTA representatives were for Santa Clara County.

Mr. Hackmann replied Ash Kalra, Supervisor Kniss, and Ken Yeager.

Council Member Shepherd asked if the representatives held elected positions.

Steve Emslie, Deputy City Manager answered yes.

Chair Klein stated that was true for Santa Clara County, but not San Francisco County.

Mr. Emslie noted San Francisco had appointed and elected representatives.

Vice Mayor Scharff inquired about San Mateo's selection process.

Mr. Hackmann reported one person was appointed by the City Selection Committee, one appointed by the transit district, and one by the Board of Supervisors. He did not know the criteria used by VTA to appoint representatives.

Vice Mayor Scharff noted Santa Clara County representatives were two Supervisors and one city council member.

Mr. Hackmann indicated Supervisor Kniss was selected because she was a Supervisor. He did not know the limits of the VTA appointment.

Vice Mayor Scharff inquired about the length of the appointments.

Mr. Hackmann indicated three-year terms.

# DRAFT MINUTES

Vice Mayor Scharff asked if Supervisor Kniss would continue on the PCJPB beyond her term as Supervisor.

Council Member Shepherd stated she would leave the PCJPB when her term as Supervisor ended.

Chair Klein inquired who the RC would direct its proposal to.

Mr. Emslie stated the problem was VTA's bias to San Jose. The options were taking the seat from VTA's appointment or changing the representation of the north county cities. Limited representation in all VTA issues was a chronic problem for Palo Alto.

Margaret Monroe, Management Specialist suggested a member of the RC contact VTA regarding VTA's plans to replace Supervisor Kniss.

Council Member Shepherd indicated that was her reason for raising the issue.

Vice Mayor Scharff inquired who the members of the VTA Board were.

Mr. Hackmann did not know.

Mr. Emslie stated Margaret Abe-Koga was the north cities representative. That position rotated every three years among Palo Alto, Los Altos, Los Altos Hills, and Mountain View.

Vice Mayor Scharff asked if the seat rotated through the four cities.

Mr. Emslie answered yes.

Council Member Shepherd suggested Mayor Yeh contact Ms. Abe-Koga to determine if it was possible to secure that seat as a city seat for high ridership in the interim.

Mr. Emslie felt adding one seat for the north county cities would make a difference.

Vice Mayor Scharff believed increasing the size of the PCJPB made sense.

Council Member Shepherd stated losing a Palo Alto stop would be devastating for Caltrain.

# DRAFT MINUTES

Ms. Monroe said Palo Alto was instrumental in funding Caltrain through ridership, but the City could have a critical role if Caltrain was expanding service.

Council Member Shepherd advised Caltrain was expanding, and Palo Alto had requested expansion at both of its stops.

**MOTION:** Chair Klein moved, seconded by Council Member Shepherd that the City Council Rail Committee prepare a position to request the Valley Transportation Authority set one of the three seat aside for a City Council Member from the district that presently serves on the Valley Transportation Authority or a District 5 Supervisor to be one of the Santa Clara County representatives.

Mr. Emslie indicated Staff would agendaize the matter for the full Council on July 23, 2012.

Chair Klein indicated the issue was not time sensitive and could be agendaized for August 2012.

Council Member Shepherd agreed it was not time sensitive; however, lobbying for change would take time.

Vice Mayor Scharff asked if Supervisor Kniss would lose the seat when she lost her elected position.

Council Member Shepherd said a city-elected official did not qualify.

Chair Klein recalled a similar situation when he served on the City Selection Committee.

Council Member Shepherd inquired if Supervisor Kniss would be in a finished seat when she left.

Mr. Emslie did not know, but would research it.

Vice Mayor Scharff asked if VTA had a policy for this type of situation.

Mr. Hackmann would determine VTA's parameters for appointments.

**MOTION PASSED:** 3-0 Burt absent

## 8. Reports on Meetings

- California High Speed Rail Authority (CHSRA) Board

# DRAFT MINUTES

- Peninsula Cities Consortium (PCC)
- Peninsula Corridor Joint Powers Board (PCJPB)

Rita Wespi, representative for the Californians Advocating for Responsible Rail Design felt the California High Speed Rail Authority (HSRA) meetings were not conducted in public view. She suspected Bagley-King violations. HSRA was canceling meetings, holding closed sessions, and updating agendas without notification. She requested regional reports from HSRA, and received progress reports which were posted on Californians Advocating for Responsible Rail Design's (CARRD) website. She was slowly posting the regional reports.

Council Member Shepherd asked if the HSRA was subject to the Brown Act.

Mr. Emslie reported it was subject to the Bagley King Act, which was slightly different from the Brown Act.

Council Member Shepherd asked how the Bagley King Act operated.

Mr. Emslie indicated it was essentially the same as the Brown Act, but there were some subtle differences.

Council Member Shepherd inquired whether cities could allege Bagley King Act violations.

Mr. Emslie stated anyone could point out the HSRA was breaking the law.

Chair Klein felt it was more effective for the newspapers to allege violations. He asked for a report on the Peninsula Cities Consortium (PCC).

Mr. Hackmann advised the next meeting was July 13, 2012.

Chair Klein requested a report on the Peninsula Corridor Joint Powers Board (PCJPB).

Mr. Hackmann indicated the PCJPB was on break.

Margaret Monroe, Management Specialist reported a meeting of the City-County Staff Coordinating Committee regarding upgrades of the grade crossings and traffic analysis models. Jaime Rodriguez, Chief Transportation Officer, would follow-up with that. Seamus Murphy presented a legislative update.



# DRAFT MINUTES

No Action taken

## 9. Future Meetings and Agendas

- July 5, 2012

Chair Klein suggested scheduling the meeting for the morning of July 5, 2012.

Vice Mayor Scharff indicated he might not be present for a meeting on July 5, 2012.

Chair Klein stated the Mayor could appoint a substitute.

Council Member Shepherd said the Mayor could be the substitute.

Chair Klein said the meeting could be continued to the afternoon if there was no action in the Legislature.

Council Member Shepherd suggested posting a meeting for Tuesday. She was concerned the appropriation language could be presented on Tuesday with a vote on Thursday; leaving no time for the Rail Committee to act.

Steve Emslie, Deputy City Manager indicated a meeting could be scheduled for Tuesday.

Vice Mayor Scharff could attend an afternoon meeting on July 5, 2012.

Council Member Shepherd recalled a question earlier in the meeting regarding the Legislature voting on Friday.

Rita Wespi, representative for the Californians Advocating for Responsible Rail Design indicated the Legislature did not vote on Friday frequently. The Legislature usually provided language in the evening.

John Garamendi Jr., Professional Evaluation Group, Inc. did not know when language would be presented or a vote held.

Ms. Wespi suggested a late Tuesday afternoon or early Thursday morning meeting.

Chair Klein did not believe a Tuesday meeting would be worthwhile.

# DRAFT MINUTES

Council Member Shepherd noted a Finance Committee meeting Tuesday night.

Vice Mayor Scharff suggested meeting at 4:00 P.M., because the Finance Committee meeting was scheduled for 6:00 P.M.

Council Member Shepherd felt the language could be released after 4:00 P.M.

Chair Klein suggested scheduling the meeting for the morning of July 5, 2012.

Mr. Hackmann indicated the one Agenda Item would be follow-up discussion on High Speed Rail (HSR) appropriation language.

Ms. Wespi said the RC could schedule a meeting, and then cancel it.

Chair Klein indicated that was the discussion.

Ms. Wespi suggested meetings on Tuesday and Thursday.

Chair Klein stated the Tuesday meeting would be canceled, because there would be no items for discussion.

Ms. Wespi felt there could be an Item for discussion on Tuesday, and suggested canceling the Tuesday meeting if need be. Legislators had determined their vote by Thursday morning.

Mr. Emslie explained any discussion on Tuesday would be late, and any City response would have to wait until Thursday because of the July 4 holiday. The RC could review appropriation language and respond to it early Thursday before a vote.

10. Adjournment: The meeting was adjourned at 10:00 A.M.