



CITY OF PALO ALTO CITY COUNCIL ITEM 16 EXCERPT MINUTES

Special Meeting
August 19, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:02 P.M.

Present: Cormack, DuBois; Filseth arrived at 5:20 P.M., Fine, Kniss, Kou, Tanaka

Absent:

Action Items

16. Recommendation for City Council Direction on Establishment of a Rail Blue Ribbon Committee to Advise the City Council on the Selection, Funding, and Support for Grade Separation Projects.

Ed Shikada, City Manager reported the Council expressed interest in obtaining deeper community engagement, particularly community support around grade separations. Given the positive impressions of the Infrastructure Blue Ribbon Commission (IBRC), Staff proposed a Rail Blue Ribbon Commission (RBRC) similar to the IBRC. The evaluation of and conclusions related to grade separation was not the final work. The City was dependent on the Santa Clara Valley Transportation Authority (VTA) and Caltrain for permitting and funding because rail was a regional system. Given the need for some type of funding from the private sector, the City had to engage Stanford University and the business community. The City had to compete with other cities for funding from regional, State and Federal agencies. The City Attorney provided an update regarding guidance from the Fair Political Practices Commission (FPPC). A number of Expanded Community Advisory Panel (XCAP) meetings were already scheduled, and Staff was going to proceed with the XCAP's Work Plan if the Council continued a discussion of the RBRC.

Herb Borock opposed formation of the RBRC. Organizations that needed to pay for grade separation included Caltrain, Stanford University, Stanford Hospital, Stanford Research Park and organizations represented by the Silicon Valley Leadership Group. None of those groups needed to participate in the RBRC due to the potential for conflicts of interest. Stanford University was working with Caltrain to determine funding sources for Caltrain's Business Plan. Informal advice from the FPPC did not protect Council Members from civil and criminal liability.

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Nadia Naik questioned whether the Council altering the Staff Report would affect Council Member Kniss' and Mayor Filseth's participation in the Agenda Item. The IBRC was not composed entirely of former elected officials. Few former elected officials were able to participate in the RBRC. Many former elected officials had conflicts of interest due to ownership of real property, but they were allowed to participate in the RBRC. Perhaps the Council was able to request FPPC's advice regarding their participation in the RBRC.

Robert Moss did not believe two groups were needed to discuss grade separations. The Staff Report was not clear as to how the two would interact or be different advisory bodies.

Adina Levin commented that a ballot measure would not address grade separations only. Needs were to possibly arise that would warrant an increase in the technical review of grade separations and the laying of a groundwork for a successful ballot measure. The proposal was not clear that the two groups were able to fulfill the needs.

Larry Klein remarked that the timing of a ballot measure would affect many other Council decisions, such as selection of members for a RBRC. There were advantages and disadvantages to preparing a ballot measure for 2020 and 2022.

Judy Kleinberg believed the two groups would be duplicative and overlapping. The XCAP was able to be rolled into an advisory body with a blue ribbon aspect. Most former elected officials were older persons and they were not concerned with current issues facing the City. As proposed, the RBRC omitted the younger generation. She had not had a chance to discuss the RBRC with the business community in order to provide feedback to the Council.

Council Member DuBois suggested the Council email their questions to Staff so that Staff was able to prepare a revised Staff Report for the next Council discussion and the forming of an RBRC.

Mr. Shikada advised that Staff could publish Council Member questions and Staff responses. If the questions led to a revised recommendation, Staff was able to publish a revised Staff Report.

Molly Stump, City Attorney clarified that Council Members should prepare their questions independently. The City Manager notified Council Members of a deadline for submitting their questions so that they could be published at the same time.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to continue this item to a date in September 2019.

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Vice Mayor Fine asked if Council Members could submit their requests or preferences regarding the RBRC along with questions.

Mr. Shikada indicated Staff would present options for composition of the RBRC. Council Members needed to submit their questions by August 26, 2019.

Council Member Cormack requested the rationale for continuing the item.

Council Member DuBois explained that the discussion would probably be quite lengthy and two Council Members needed time to review all the information.

Mayor Filseth concurred that the discussion could extend to midnight.

Council Member Cormack requested the item be placed early in the Agenda when Staff rescheduled it.

Council Member Kniss believed former elected officials were going to have difficulty reviewing the vast amount of information in a short time. Members of the community probably wanted to serve on the RBRC and had the skillset needed for the RBRC.

MOTION PASSED: 7-0

Adjournment: The meeting was adjourned at 10:29 P.M.