



POLICY AND SERVICES COMMITTEE FINAL TRANSCRIPT MINUTES

Special Meeting
December 12, 2017

Chairperson Wolbach called the meeting to order at 6:07 P.M. in the Community Meeting Room, 250 Hamilton Avenue, Palo Alto, California.

Present: DuBois, Kniss, Kou, Wolbach (Chair)

Absent:

Oral Communications

Chair Wolbach: Alright, the first Item is, before Action Items, Oral Communications. We have one speaker, Jennifer Laudesmann.

Jennifer Laudesmann: Thank you.

Chair Wolbach: You'll have 3-minutes.

Ms. Laudesmann: Hello, I don't know if this is working. Thank you, Happy Hanukkah. I am here tonight – first I understand that Staff is going to be running a meeting on jet noise at this is more about your Agenda for the early part of the year. It's very good but I'm concerned about enough time from Council and enough time from you to address this issue that is very dynamic and a lot of things are happening. I want – because of that timing, I want to make sure that everything is covered and you get this information. I'm here to ask you to please add to your Agenda for your first meeting of the year the Item for jet noise and as regards legal conversations about this topic. The second reason that I am here it so ask you to please, Commission, a legal analysis of airspace procedures which impact the City of Palo Alto. To document briefly history before Next Gen., with Next Gen., the statues of environmental reviews, admin – current status of the administrative record of the federal agency, review where and how cumulative impacts are being considered and very importantly, consider new information that we have obtained in the last 6 months. I'll give you an example, (inaudible) which is the northern arrivals, is a very big route that impacts the City and there has been a shift from the eastern leg to the western leg. That, for example, was not comprised in the environmental

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review done in 2014 because that decision had to do with something else related to the Asiana accident. So, what it's not part of the review, it means that it's still required to have a review because the impacts are major. A legal analysis is conducted by an attorney would be able to point that out to you so that when you're asked how you feel about laws being obverse in this process, you would be able to answer. I've brought four documents for your consideration. One is a sample of what an investigation of procedures done by a law firm is done when City Attorney Molly Stump hosted a meeting with an Aviation Attorney. He taught us about the importance of Environmental Reviews. It's the only way we can address impacts and mitigations so this is a sample. It could be done for each of the three routes that impact Palo Alto. The other one is an example of an inquiry into an EA that was never done in the mid-2000s. I strongly encourage you to do some holiday reading with this but really it should be the attorney that does that so that he can write a Report. Another example of when an environmental review was not done and lastly, open question from a citizen in Palo Alto. You may know Professor Robert Finn. He attended the meeting with the City Attorney and the Aviation Attorney recently and he has some really, really great questions and I think they reflect what a lot of Palo Alto citizens are wondering about. Thank you very much and I've sent a cover to that as well. Have a very happy holiday season, thank you.

Chair Wolbach: Thank you.

Agenda Items

1. Review and Recommendation to the City Council of an Ordinance Amending Sections 4.42.190 (Taxi Meters) and 4.42.200 (Schedule of Rates, Display) of Chapter 4.42 of Title 4 (Business and License Regulations) of the Palo Alto Municipal Code to Allow Taxicab Service to be Prearranged by Mobile Device Application and Internet Online Service. This Action is Exempt Under Section 15061(b)(3) of the California Environmental Quality Act.

Chair Wolbach: Alright, let's move onto our first Action Item. A review and recommendation to the City Council of an Ordinance amending Section 4.42.190 (taxi meters). Also – actually, I'm not going to read all the numbers but a schedule of rates and display. Also, business and license regulations of the Palo Alto Municipal Code to allow taxicab service to be prearranged by mobile device application and internet online service. Staff, do you want to make a presentation.

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Rob de Geus, Deputy City Manager: I'll introduce Deputy Director of Technical Services, is that right Charlie?

Charles Cullen, Deputy Director of Technical Services: Yes, it's a mouth full (inaudible).

Mr. de Geus: Charlie Cullen.

Mr. Cullen: Thank you, Rob and distinguished Council Members. This is the – the intention of this revision to the Municipal Code (Muni Code) is to level the playing field for the cab companies. We regulate the cab companies that operate here in Palo Alto. We've had a number of requests over the years with the emergent of Lyft and Uber, that are not regulated by the City and are regulated by the California Public Utilities Commission (CPUC), to change the way that the cabs do business and allow them to offer an online service with a pre-set fair. We've had a considerable discussion with the City's Attorney's Office, we came up with some minor revisions to the existing Ordinance. There is legislation in – statewide legislation that was signed by Governor Brown that goes into effect in January of 2019 that will require corporation within all the county municipalities to come up with a consistent policy. In the interim of this year, at least this will allow the taxi cabs to have an online app where people can order a cab similar to how they use Uber or Lyft. It levels the playing field and I think it allows for a more competitive environment for the citizens of Palo Alto who want a cab.

Vice Mayor Kniss: Did you say what the app was going to be called?

Mr. Cullen: We don't know what the app is going to be called.

Vice Mayor Kniss: They'll have something that is similar to Lyft.

Mr. Cullen: Right and be something you download onto your phone and you can order a cab just like you do a Lyft or an Uber vehicle. This is our – Heather Johnson has done a great deal of work with the taxicab companies. She does the permitting, she actually does the inspections of the taxi cabs and it's very familiar with what other municipalities have done here both in Santa Clara County and San Mateo County and what some of the pending legislation. So, if you have any pending questions, she knows the minutiae of the taxicab rules here in Santa Clara County.

Chair Wolbach: Did you want to add anything before we go to Council Member questions or comments?

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Heather Johnson, Code Enforcement Officer: I don't have anything to add.

Chair Wolbach: Alright, I'll turn to my Colleagues for question, comments, and Motions. Tom, you raised your hand first.

Council Member DuBois: I mean the Ordinance looks pretty straightforward, I'm just curious so this is for taxicab companies. Are Uber and Lyft regulated under these Ordinances?

Ms. Johnson: They are regulated by the CPUC.

Mr. Cullen: So, municipalities do not have any authority over Uber or Lyft because they are considered an internet company and/or similar to limousines. They are only regulated by the CPUC, we do not have the authority to regulate (inaudible).

Council Member DuBois: So, a taxi company mostly uses the app, would they become no regulated by the City anymore?

Mr. Cullen: No, they still fall under the regulations of a taxi because they operate as a taxi cab, they have a meter in their vehicle etc. So, they would still remain – they would still require a permit from us to operate in the City of Palo Alto. It just allows them to add an app feature that they didn't have in the past and provide a pre-set fair, correct?

Ms. Johnson: Correct.

Mr. Cullen: Similar to what when you ask for Uber, they tell you how much it's going to cost you before you get into the vehicle.

Ms. Johnson: There are still rates that have to be posted on the taxis for any hailed taxis or someone who's called but this way there's an opportunity if the demand is low for them to use an app and actually charge less. So, anyone who uses the app to hail a taxi will never pay more, they will actually pay less depending on demand.

Mr. Cullen: Some of the advantages that taxi cabs have that you don't get with Uber and Lyft is they do have requirements to have a certain amount of cabs that are handicap equipped. There are some people, believe it or not, who don't use the internet and still call cabs on the phone so having that

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service provides something that you don't necessarily get because they are regulated.

Council Member DuBois: I mean the change to the Ordinance looked very simple so thanks for bringing it to us.

Chair Wolbach: Lydia, go ahead.

Council Member Kou: Just continuing with Tom's question about Uber and Lyft not being regulated. Are taxicabs regulated by the CPUC?

Ms. Johnson: No, they are regulated by individual Cities...

Council Member Kou: Individual Cities.

Ms. Johnson: ...that choose to regulate. Not every single City chooses to regulate. In Santa Clara County, as far as the northern part of the County, only Santa Clara, San Jose, Sunnyvale and Palo Alto. Mountain View has an Ordinance but it's really just a business permit that is operated through the Finance Department.

Council Member Kou: I see.

Mr. Cullen: So, it's up to the individual City whether or not.

Council Member Kou: Uber and Lyft have the carpool, right? They do carpooling also so would taxi cabs be allowed to? I noticed in the Staff Report it says that their little thing in their meter when somebody is in there cannot be up but would there an app that would allow them to also to ride share – I mean, wait, rideshare is different from carpool, right?

Ms. Johnson: Correct, yeah, no I understand what you're asking us so no, they would not be allowed to pick up more than one passenger at a time.

Council Member Kou: They get tips, right?

Ms. Johnson: They can accept tips.

Council Member Kou: Is it handled the same way on the internet at the Uber and Lyft is handled? How does Uber and Lyft handle tips?

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Mr. Cullen: No, I think there's an option on the application itself that you can add a tip to the fare if you want to. How they develop their app, we're not sure if they would have that feature as part of it. I assume they would since they do rely on tips.

Ms. Johnson: Santa Clara and San Jose have been allowing this – has been allowing them to use their app for depending – San Jose since 2015 and Santa Clara since 2016 and both of them have been happy with it. They have not had any challenges with it. I don't know in regards to the tipping but I would assume.

Council Member Kou: Ok and then I think I have something here, just a minute because I think Tom just asked this. Ok, yeah, I guess you've answered everything that I have here and it looks pretty straightforward and will be more fair, right?

Mr. Cullen: We think so, yeah.

Ms. Johnson: Yeah, I don't see any disadvantage.

Council Member Kou: Even with how they drive on the road and when they park to pick up people, that's regulated by the Police Department also, right?

Mr. Cullen: Yes, they need to obey the regulations and we have set up a cab stand here by Lytton Plaza on the weekend nights which has worked fairly well for people coming out of the bars and restaurants.

Ms. Johnson: They are just required to legally park. We all know that they don't but that is the regulation.

Mr. Cullen: So, are Lyft and Uber although...

Council Member Kou: Yeah, Uber, I am noticing more and more Uber and Lyft just kind of pulling in. Sometimes the back end is sticking out on the road so it causes from traffic issues also. I haven't seen so many taxis doing it anymore. It's more the Lyft and Uber but it is – taxis would be regulated by the City but Uber and Lyft would be...

Ms. Johnson: Correct.

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Mr. Cullen: But if Uber and Lyft were violating traffic regulations or parking regulations, they could be cited just like any other vehicle or enforcement.

Council Member Kou: The fines are not hire or is it even the same for...

Mr. Cullen: The violation fines are the same. It's based on the violation, not the person who it's issued too.

Council Member Kou: How would we complain to CPUC if we see – I mean no, I guess it would calling the Police Department if they violated?

Mr. Cullen: If you see a parking or traffic violation, absolutely you can call us and if we have an officer in the area, we'll send them outright a way.

Council Member Kou: Ok, well thank you. Are you with the Police Department?

Council Member Kou: Are you with the Police Department?

Ms. Johnson: I am, yes.

Mr. Cullen: She's a Commuty Service Officer and handles a lot of our other permitting and regulations. Including alarms, block parties and...

Ms. Johnson: Solicitation...

Mr. Cullen: ...solicitation.

Ms. Johnson: ...helicopter lifts.

Mr. Cullen: A lot of things so very busy person.

Ms. Johnson: It's fun.

Chair Wolbach: Thank you. Liz, yes, Liz go ahead.

Vice Mayor Kniss: Some of the other things that have come to mind are there's a taxi stand – ah, thanks. I have a hard time remembering that. Taxis have a place where you could – I mean if you want a cab, you know where this cab stand or usually in front of a hotel...

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Mr. Cullen: Hotel, yes.

Vice Mayor Kniss: Right. Would be pretty common so Uber and Lyft don't use those as I recall.

Ms. Johnson: They don't.

Vice Mayor Kniss: So, it's – I don't know if that's illegal or if that just doesn't happen but I noticed they don't use those.

Ms. Johnson: Yes, it would be illegal but like our taxi stand that we have on Lytton Plaza is only available for limited hours; Thursday, Friday, and Saturday evening. I'm not exactly on the hours but I think it's like 8-2 and if anyone else is in there, we will tow and we do. We tow every month cars that are parked there, they went to dinner and didn't pay attention to the sign but no, Lyft drivers could not.

Vice Mayor Kniss: Wow, that must surprise some people when they come out, doesn't it? So, because these are really quite different in a way, what you're saying is here's a new way to call a cab essentially. You're right, many people still call a cab. They don't on an app especially because there isn't an app yet but it would – it's interesting because they are such different services whereas Lyft and Uber both use surge and things like that to control the fare. Do you think cabs are going to do the same because they pretty much have a set price?

Ms. Johnson: Correct.

Mr. Cullen: They do. I think there will be some surge pricing.

Ms. Johnson: Never higher than our...

Mr. Cullen: Than what their...

Ms. Johnson: ...what their rates are.

Mr. Cullen: ...meter grade is. Yes, so it's a little -- actually a little bit more competitive.

Vice Mayor Kniss: That's quite a bit different.

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Ms. Johnson: It is different.

Chair Wolbach: If I could hop in so that means they could go – sorry to interrupt, I just want to ask. That means they could go below their standard but unlike Uber or Lyft, they couldn't go above their standard?

Ms. Johnson: Correct.

Chair Wolbach: Forgive me for jumping in, go ahead.

Vice Mayor Kniss: No but that's interesting because I think there's some distinct difference and I'm delighted that there'll be an app but I think lots of people that use cabs are either older or have handicaps or they are just in town and they walk out of their hotel and there's a cab. So, I think this is good and I'm delighted but I wouldn't want people to think these – they are not one in the same. Whereas Lyft and Uber far fairly close including Lyft Line and so forth.

Ms. Johnson: Correct.

Vice Mayor Kniss: This is quite different, especially if they can't carry more than one passenger.

Ms. Johnson: Correct.

Mr. Cullen: Well, they can carry more than one passenger.

Ms. Johnson: Yes, just one fare.

Mr. Cullen: They wouldn't do the rideshare where they stop pick up one person, pick up the next person and yes, essentially a carpool.

Vice Mayor Kniss: If two people walk out of the same time and realize they are going to the same place, they could share the cab...

Ms. Johnson: Sure, right.

Vice Mayor Kniss: ...and split the fare.

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Ms. Johnson: I just wanted to clarify that the app actually does exist and it's being utilized. It's just that it isn't permitted in our City so they haven't been able to use it.

Vice Mayor Kniss: Yes, I'm sorry, I misspoke on that, that it doesn't exist. So, after night and after it goes back through Council, it will exist?

Ms. Johnson: Yes.

Vice Mayor Kniss: How will we publicize that if we are going to?

Mr. Cullen: Well, I think the cab companies will certainly publicize it and that is because it's to their benefit. Absolutely to let people know that...

Vice Mayor Kniss: There must be times when you are in a situation where you think somebody needs a cab or needs Lyft. How do you decide?

Mr. Cullen: I think our officers in the field do that quite a bit. Particularly, on Friday and Saturday nights and they'll hail a cab here or they'll have somebody here, use your app and get them this. This could be one additional tool that we could tell people about in the field.

Vice Mayor Kniss: Because you're not going to drive home, right.

Mr. Cullen: Exactly.

Vice Mayor Kniss: Ok, no, that's very helpful and I'm glad to see this because I've thought about this for quite a while. One other thing, San Jose's rule, as I recall, is once you get in a cab in San Jose at the airport, there's a flat rate. I think it's \$15 and it doesn't matter where you go.

Ms. Johnson: I'm not familiar with that, I'm sorry.

Vice Mayor Kniss: It is, I mean that (crosstalk) (inaudible) but I don't imagine we'll do anything that's like that.

Mr. Cullen: I don't think we've thought about regulating the fares in that manner right now.

Vice Mayor Kniss: They did it in San Jose because people frequently were at the airport and went 5-minutes away and it was...

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Mr. Cullen: Charge \$50 or something.

Vice Mayor Kniss: ... it was the very low price. Ok, thanks.

Mr. Cullen: Well, thank you.

Vice Mayor Kniss: Good to know it's going to happen. Do you want me to make a Motion or do you have some questions?

Chair Wolbach: I was going to make the Motion but if you want to, go ahead.

Vice Mayor Kniss: I would move the recommendation which is it says that we adopt the proposed revised Municipal Code 4.42 in order to allow cab service to be prearranged so mobile device application and internet online service.

Chair Wolbach: Second.

MOTION: Vice Mayor Kniss moved, seconded by Chair Wolbach to recommend the City Council adopt the proposed, revised Palo Alto Municipal Code 4.42 in order to allow taxicab service to be prearranged through a mobile device application and an internet online service.

Vice Mayor Kniss: I don't have anything further to say. I'm glad it's going to happen.

Chair Wolbach: I'll just say good work.

Ms. Johnson: Thank you.

Mr. Cullen: Thank you very much.

Chair Wolbach: Any other questions or comments on the Motion? Very good. All in favor of the Motion? Passes unanimously, thank you so much.

Mr. Cullen: Thanks, have a good night.

Vice Mayor Kniss: You too.

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Chair Wolbach: You too.

MOTION PASSED: 4-0

Chair Wolbach: Ok, moving onto our second Item of the evening, discussion, and recommendation for 2018 City Council Priorities setting process. I'll just preempt something that I'm sure Staff will point out as well but we are discussing the process, not the priorities this evening.

Mr. de Geus: That's right and actually Jim Keene – City Manager Jim Keene wanted to be here for this. I'm not sure, he might have thought the meeting started at 7:00 P.M.

Chair Wolbach: Do you want to ping him? We could...

Mr. de Geus: I just did.

Chair Wolbach: ...I'd be ok with maybe a little Staff presentation while we're waiting for Jim or we can even reorder and do three while we're looking for him. If he wants to be present for this, I think we should give him the opportunity if he's in the building.

Council Member DuBois: Why don't we do Number 3?

Mr. de Geus: Number 3. I'm waiting for Terence from the Attorney's Office, I pinged him as well. I don't know if both thing we started at 7:00.

Chair Wolbach: Alright, let's take five...

Council Member DuBois: Future Agendas?

Mr. de Geus: I mean we could do that.

Chair Wolbach: Let's take five.

Mr. de Geus: Take five minutes and I can text him as well.

Chair Wolbach: If they show up, then we'll start as soon as one -- either of them gets here.

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Council Member DuBois: Seriously, do you want to (inaudible) Future Agendas?

Chair Wolbach: Ok, well sure. Yeah, if...

Council Member DuBois: Plan getting out of here early.

Chair Wolbach: Can we do that?

Vice Mayor Kniss: I didn't hear what you say, Tom.

Council Member DuBois: I said should we do Future Agendas and just get it out of the way?

Vice Mayor Kniss: Sure.

Chair Wolbach: Are we ok to change the order around a little bit?

Mr. de Geus: Yeah, we certainly can.

At this time the Committee heard Future Meetings and Agendas.

Future Meetings and Agendas

Rob de Geus, Deputy City Manager: Does everybody have the copy of the Future Agenda Items?

Chair Wolbach: At Place and looks like this?

Mr. de Geus: Yeah, that's the one. I do.

Jessica Brettle, Assistant City Clerk: Thank you.

Mr. de Geus: Did you find you're (inaudible)?

Vice Mayor Kniss: Well, I've got a lot of other stuff here, I'm not sure I've got that one here. Thanks.

Mr. de Geus: It's unlikely we'll have a meeting in January just because of the selection of the Committees and so on. So, I think the first meeting is going

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to be in February, February 13th. We have these Items here as tentative or potential Items and on the back Page, we have a variety of whatever reports that Harriet would like to bring forward. I know that the Community Health Needs Assessment from the Fire Department is ready to go according to the Chief and so is the Library collaboration with the school district according to Monique.

Chair Wolbach: The recommendations from the Human Relations Commission (HRC), Item Three, that's going to need to go to Council first.

Mr. de Geus: It goes to Council first before...

Chair Wolbach: I don't know if we're going to have – I don't know if that's on the Council's Agenda in January to get to.

Mr. de Geus: It's on the tentative, I'm not sure where exactly but it is to go to Council first because it's the Human Relations Commission and they advise the full Council. Yes, it is so we could certainly do the Community Health Needs Assessment and the library collaboration.

Council Member DuBois: So, this group has been the group (inaudible) about jet noise so (inaudible) that one on the Agenda.

Vice Mayor Kniss: Tom, can you talk louder? For some reason (crosstalk) (inaudible) an odd angle.

Council Member DuBois: The issue about jet noise has come to Policy and Services several times so I'm wondering if we should get that on the Agenda.

Chair Wolbach: I don't think that's an unreasonable suggestion at all.

Mr. de Geus: Ok, I'll put that on here.

Council Member DuBois: I'm just curious...

Vice Mayor Kniss: It has come several times though, correct?

Council Member DuBois: Yeah, we funded hiring a consultant before the hearings. Why the Bryant Street Garage Fund change its name? I'm curious.

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Mr. de Geus: The teens wanted it to change. I thought it was pretty cool actually.

Council Member DuBois: I think it's a cool name.

Mr. de Geus: So, did I but they didn't remember the all-teen center on Bryant Street and so they requested it.

Council Member DuBois: Get some new teens to switch it back.

Mr. de Geus: There's likely to be, and we'll have to defer to Harriet on this, the City Auditor. She did say that there were some time limits to some things coming in February as I recall so there will probably be one of two audit items and that's probably enough right there.

Chair Wolbach: It looks pretty good. Any other questions or comments about Future Agendas?

Council Member DuBois: Just these audit items are a lot of these really short status updates or they like the items?

Mr. de Geus: I think most of them are status updates.

At this time, the Committee heard Agenda Item Number 3.

3. Discussion and Recommendation to Council Regarding Anti-idling Ordinance

Chair Wolbach: Alright, well it looks like we can move on from this one and go to – we're going to change the order of the Agenda, which I'm getting the nod from the City Attorney that we can do that. So, we're going to do Item Number 3 which is discussion and recommendation to Council regarding the Anti-idling Ordinance and then after that, we'll come back to Item Two, the discussion and recommendation for 2018 City Council priority-setting process. So, Staff, do you want to take it away on number three?

Rob de Geus, Deputy City Manager: Sure, thanks, Chair Wolbach. I'll do a little introduction here. I'm joined here with Nick Oliver, one of our City Attorneys and worked on the draft Ordinance. By way of background this came from the Council to Staff as a Colleague's Memo, August 28th is when it was before Council. Essentially the Colleague's Memo made the case that

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idling is – long-term idling is a problem and it would be good if we could encourage a change in behavior where people would turn off their engines after two to three minutes of sitting in one place. So that was sort of the reason behind the thinking of maybe an Ordinance would be appropriate here. When Staff got that direction Council, we reviewed a number of Ordinances from around the Country that have similar type Ordinances and we began to draft one. So, what you have in your Packet a draft and what's in that draft is information and language that we saw in the Colleague's Memo from the Council and some of the language we thought was most appropriate and fitting from the other Ordinances that we reviewed. In term of the discussion this evening, of course, Council can ask – Council Members can ask any question they'd like but there are two areas where I think some substantive discussion could be had. One of those is under the section of definitions and specifically – oh, it's a restriction of vehicle idling actually; it's on Packet Page 88, 10.62.030.

Vice Mayor Kniss: What Page (inaudible)?

Mr. de Geus: Packet Page 88 and it's the second Page of the draft Ordinance. Section 10.62.030B.

Chair Wolbach: These are the exceptions?

Mr. de Geus: Those are the exceptions and what we – the approach we took was we included all of the exceptions that we saw in other Ordinances so you've got the sort of suite of exceptions that people have or other Cities have. You may then go through here and say ah, that one doesn't really seem like an appropriate exception or not but rather than trying to think of additional exceptions that we didn't have. We've put them all in here and I think that's a point of discussion and the second one is on the last Page is about enforcement and how do we enforce an Ordinance like this? We drafted a number of potential options to let's just say. I think Option 3 and 4 in my view is actually not likely without additional resources to be able to enforce it. So, as you read in the Staff Report, I think an Ordinance like this is more – obviously more of an educational kind of Ordinance; that we're trying to educate and make people more aware of the damage they do the environment by allowing the car to idle for long periods of time. The third thing I guess if there's a topic of discussion is an Ordinance the right tool for trying to change behavior like this when we can't really enforce it. I bring it up because we do have Ordinances that we then don't enforce and then we get criticized for not enforcing it and (inaudible) add another one of those and I have some concerns.

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Vice Mayor Kniss: Can I ask one question?

Mr. de Geus: Yeah.

Vice Mayor Kniss: Is there not a State law that addresses trucks idling?

Mr. de Geus: I'm not aware of one.

Nicolas Oliver, Legal Fellow: There is one, it's actually referenced in Section 1 under B of the Ordinance that summarizes the current State laws.

Vice Mayor Kniss: Let me find it because I knew it existed but I didn't see it when I was...

Chair Wolbach: Packet Page 87.

Mr. Oliver: Sorry, yeah.

Council Member Kou: Over 10,000 lbs.

James Keene, City Manager: Packet Page 87, yeah.

Vice Mayor Kniss: I don't know how many – I doubt that there are a lot of trucks that are idling in Palo Alto. I think it's more out on the major highways and so forth but I thought that was really interesting and I don't know where that came from to start with but it's interesting that it exists, the truck law.

Mr. Oliver: Yes, and we've actually seen some cities, I think San Francisco has done this, have just posted signs referencing those regulations in areas to try to influence behavior.

Chair Wolbach: Any more questions Liz? I just want to make sure we're finished on the Staff presentation. I didn't want to – ok, any other questions Liz from you...

Vice Mayor Kniss: ... the obvious ones which is if you don't have an Ordinance, how do you enforce and I'd be interested in knowing what you think. I'd rather not start with an Ordinance but I know that one of the areas that's been the most subject to this is at schools because parents pull in, especially if it's chilly out, and they stay in that circle, if there is one at the

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school, and they don't turn the car off. They sit in the car and it idles and I think – I don't know how do you put signs up if it's not an Ordinance? How do you do education without it being punitive?

Mr. de Geus: We do that. I'm trying to think of a good example where we're trying to encourage people to behave in a certain way but it's not an Ordinance. The one that I can think of, although maybe it's not a good example because I think we created an Ordinance around it, is feeding the ducks at the duck pond. Which is not good for the ducks but so we put signs up educating people about why that's appropriate.

Vice Mayor Kniss: They feed them all the time, right?

Mr. de Geus: They do it anyway but you know it's more of – it's an educational campaign so it could be signage that explains why we don't want people to behave this way. This schools it's through newsletters and the PTA asking for their support.

Vice Mayor Kniss: But if we don't have an Ordinance, how do we get them to do that? Just goodwill?

Mr. de Geus: Yeah, it is good will based but even with an Ordinance, I don't know that we – we don't have the resources that we would be able to enforce it and be ticketing people for idling.

Vice Mayor Kniss: No, I totally agree with that. I agree that we don't have those resources and don't want to provide them necessarily. I just want to know how can we – how could we make this work without – as I said, without something punitive at the end of the line?

Mr. de Geus: That's a fair question, the Ordinance does allow for us to find someone if we create the Ordinance – write the Ordinance like that but in reality, we won't be out there doing that so that's the...

Vice Mayor Kniss: So, let's come at it another way, you say don't feed the ducks at the duck pond and they feed them anyway. Does anyone come along and tell them not too and say that is has been suggested that you not feed the ducks?

Mr. de Geus: We have made progress on this by the way actually. I should commend the rangers out there at the Bay Lands and they do and that's

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really what makes a difference; is when you have a conversation with someone and you say here's why and people are like ah, I understand. I think with idling it's the same sort of thing. I don't think people are really thinking about it often that they could be damaging the environment.

Vice Mayor Kniss: You are saying that we could put some signs up regardless of the fact that we don't have an Ordinance?

Mr. Keene: Sure.

Mr. de Geus: For sure, yeah.

Mr. Keene: I mean we could think about, I don't want to say empathetic signs but signs that would actually explain what it is that we're trying to do. You test drive this, no pun intended, and you see what happens. See whether or not we're affected or not. I mean think of the flip side part of it, even if we had the resources, cops walking around the turn into the school writing tickets for parents are they are dropping the kids off. I'm not exactly sure that that's going to go over well either. I mean it's going to seem like overkill.

Vice Mayor Kniss: Probably not.

Mr. Keene: It's going to seem like overkill so...

Vice Mayor Kniss: Does it mean then that in this recommendation tonight, if we want signage we should include that I think. We should recommend that you attempt to find ways to include signage in this and I don't know quite how you're going to do it. Also, you might find that the schools are willing to get involved.

Mr. Keene: I think we have to (inaudible).

Vice Mayor Kniss: Part of this is about air pollution and part of it is about public health and that's why it's done. As I said I don't want to be mean and testy about it but I think it really does have some merit so that's what I would like to see. If we're not going the Ordinance route, let's go at least good signage.

Mr. de Geus: Right.

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Mr. Oliver: I would also comment on the school topic. They're regulated even more strictly under State law so school buses and school serving buses can only idle for thirty seconds prior to departure. It's a lot stricter than the five-minute rule for large diesel vehicles and so signs could also point to that thirty-second rule.

Vice Mayor Kniss: We don't have any buses though.

Mr. Oliver: Oh, there's none in the City?

Vice Mayor Kniss: (Inaudible) (crosstalk) we have school mothers and dads who drive and I just think they probably aren't aware of this.

Mr. de Geus: The question I have and maybe it's a question for you Nick or Terence is, is there any value in having an Ordinance like this where there is not an expectation of enforcement or is that this is not an appropriate tool or mechanism for that?

Council Member DuBois: Liz, if you are done I'd like to make some comments.

Vice Mayor Kniss: Dive in.

Council Member DuBois: So, I kind of go in the opposite direction... I think I was one of the memos of the – one of the Colleague's on the Memo, as were you Liz. I don't – I didn't necessarily want a lot of signs around town and I think we have Ordinances about smoking, about loitering, about feeding ducks and it's useful to have the Ordinance; even if it's not something we're going to enforce all the time. I think we leave those things up to the discretion of our police officers and they are there in extreme cases, right? So, if somebodies smoking everyday right in front of City Hall and it happens over and over and over again, we have something we can do but I'm sure first thing you do is say hey, we have a no smoking Ordinance. Same thing with duck feeding and these other things so I think an Ordinance is a good idea. I think we should have some form of enforcement even if we rarely use it; just for kind of extreme conditions and you know I think we should just start with that. I don't necessarily want to put up a bunch of signs all over town that say don't idle. You know we don't have a lot of no smoking signs in parks and that kind of stuff so I'd be careful about too much permanent signage or that kind of stuff. So, that's kind of what my thinking is.

Chair Wolbach: Lydia, do you want to weigh in on this one?

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Council Member Kou: Yes, please. I put down some notes and I was thinking they did mention schools where one of the areas and you did say that it was highly regulated for the buses and so forth. Then with the parents hanging out, waiting for the kids to come out or dropping off, I would like to see that you partner with --- that we partner with Palo Alto Unified School District (PAUSD). So, for their guards that are out there moving cars along, whether it's a parent or volunteer or one of the teachers. Perhaps they could have flyers that they give out to the parents if they see them idling. I was reading them in the Appaloosa law over here and its mostly educational tool versus really being enforced. So, even when they see other people idling, they give a ticket but the ticket is actually a flyer to educate so I think that might be a way to do it rather than having all the signs all around town. I think we might need some – now commercial vehicles are also pretty – they actually have a large part in a lot of the emissions right so you know when we do our construction management agreement -- I don't know if I am saying the right one. Conditions of Approval or whatever those are called, perhaps that's something that we can put in there too. That there is a need for not idling and another education point where the developer has to make sure this is passed along the flyer or they have the agreement in the approval conditions in order to be able to operate under. I really don't know if it's a Resolution or an Ordinance we want but I see over from Minneapolis it's actually pretty – they have an Ordinance but they make it clear that enforcement is going to be difficult. I think we state that as well just to let people understand what to expect.

Vice Mayor Kniss: Does it give any – does it say anything about how successful it's been?

Council Member Kou: Well, I think they are still going through their pilot program. They're still – it's a case study for them.

Council Member DuBois: I have a question (inaudible).

Chair Wolbach: (Inaudible) a bunch. Lydia, do you have any...

Council Member Kou: I'm done.

Chair Wolbach: ... other questions? Ok. Yeah, Tom, go ahead.

Council Member DuBois: Option 3 in enforcement, it says solely through administrative mechanisms in chapters blah blah blah. What are those? On Page 90, Option 3.

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Chair Wolbach: You mean Option 2?

Council Member DuBois: Option 3.

Chair Wolbach: Oh, sorry.

Mr. Oliver: It would be the administrative mechanisms in those two portions of the code. I think 1.12 is an (inaudible) of penalties and citations and 1.16 is administrative compliance orders.

Council Member DuBois: Again, would this... Would a policeman be able to give a warning or it some other person?

Mr. Oliver: There would be the ability to give a warning and also, I don't have a tremendous amount of (inaudible) code enforcement under those sections.

Terence Howzell, Principal Attorney: So, this would – Option 3 involves enforcement by code enforcement and...

Council Member DuBois: So, not the police?

Mr. Howzell: Not police.

Council Member DuBois: Yeah so, I guess I would be interested in probably Option Four with police. Again, not expecting them to do it except in extreme conditions but they are the ones that are out dealing with traffic. I don't think I would have the Planning Department or code enforcement person in our Ordinance responsible for idling traffic.

Mr. Keene: I would agree with that if you're going to ensure the enforcement option.

Mr. Howzell: I'll just – but just to clarify, as I read the Ordinance, Option Four provides an option, it's an 'or'. It could be through code or police and I'm -- it seems like we're going to modify Option Four just to provide for police only.

Council Member DuBois: But at their discretion, I mean (inaudible).

Mr. Howzell: Right, they – yes, they do have discretion.

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Mr. de Geus: Instead of a moving violation, it's a non-moving violation.

Mr. Keene: Yeah, well we're probably not in that many situations where we've got cops deployed regularly enough where we got the smoking problem in the first place. I'd venture to say that I do more enforcement on the smoking Ordinance than our Police Department does.

Council Member DuBois: We do have cops monitoring traffic at schools and catching speeders there. It would be a good time for warnings I guess for if again, it looks excessive.

Mr. Keene: Could I make a suggestion?

Chair Wolbach: Yes, I was going to jump in with some of my thoughts but I let the City Manager – Ok well, I have kind of mixed feelings about this one. Now Liz is the President of our Air Board for the Bay Area and I know she's very sensitive to the air quality issues and also a big advocate. I think all of us have come on board now as advocates of our healthy City which we just got a nice award for as a City last night so I definitely see the impetus for this. As far as air quality, I can't remember if today was another spare the air day, we just had...

Vice Mayor Kniss: Tomorrow is another one.

Chair Wolbach: ... four and yes, we're now five days in a row on spare the air days. So, the air quality issues, in general, are contributions to Bay Area air quality that Palo Altons put up with; health issues. I think – explain why – I'm willing to kind of consider this and was willing to support this movement along to this point. I am pretty reluctant to say at this point that we should be enforcing it so I would actually – I think I would probably be inclined to support Option Number One at this time. You know I think I'm curious to see if we put it in our code and say – Option One basically says there's no enforcement. That means we would use it for education, we would – you know the police or code enforcement or anybody could go up to anyone else and say hey, you know you've been idling your car for 10 minutes there and Palo Alto has an Ordinance against that and see how many people flip the bird or ignore them. That could inform whether we want to revisit this in the future but I think that's probably where we should start. I think I'll actually make that Motion, that we adopt the Staff recommendation with Option 1 on the enforcement.

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MOTION: Chair Wolbach moved, seconded by Council Member XX to recommend the City Council adopt the Staff Recommendation with Option 1 on the enforcement.

Vice Mayor Kniss: Actually, Tom has pursued me so I think that just the more I think about it, the more I think maybe we need what Lydia has described as the Minneapolis method of you have an Ordinance, you don't enforce it, you find other ways to let your drivers know that they are in violation, and certainly passing out information could make a big difference. I'd like to just see people come into the school situation and turn their car off for a change which is what they don't normally do.

Chair Wolbach: I take it you're not seconding my Motion?

Vice Mayor Kniss: No, that's why I'm saying that Tom has – Tom has persuaded – actually, your argument persuaded me, even more, Cory to not do Number 1.

Chair Wolbach: So, we don't have another second unless anyone else wants to second it.

MOTION FAILED DUE TO THE LACK OF A SECOND

Council Member DuBois: I'd like to make another Motion.

Chair Wolbach: Alright.

Council Member DuBois: Again, just to be clear, there's a difference between what I think our Ordinance should say and whether we actually enforce it. So, I do think we should have an enforcement provision but I'm not saying that we enforce it all the time. I would move – I actually – you know looking through the Ordinance, I think the 6 – 10.62.20, the exception list I think is fine as is, even though it's very comprehensive. I would move that we pass an Ordinance and with a modified Option 4 which is that maybe the responsibility of the Police Department. In terms of the fine amounts, I'd actually prefer the fine the amounts in Option Three. I don't know if we can just specify those so it would be \$100, \$150, \$200 but again enforcement is entirely at the discretion of the police force.

Vice Mayor Kniss: I'll second that but I want you to repeat it – thanks, repeat it if you would.

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MOTION: Council Member DuBois moved, seconded by Vice Mayor Kniss to recommend a modified Option 4, using the fine amounts indicated in Option 3.

Council Member DuBois: Yeah so, I'm saying we would enforce – basically it would be Option Number 4 but I'm scratching the first part that says that the Director of Planning, it would just be by the members of the Police Department. The last sentence there with the fine amounts, I'm suggesting the lower amounts that are in Option 3 so it would \$100, \$150, \$200 for a third violation.

Chair Wolbach: Did the Clerk catch that?

Ms. Brettle: I did.

Chair Wolbach: Thank you.

Vice Mayor Kniss: So, you've really done sort of a put together of 3 and 4, correct?

Council Member DuBois: Yeah, kind of.

Chair Wolbach: Alright Tom, do you want to speak to your Motion?

Council Member DuBois: No, just again I agree with you that we're not necessarily enforcing these but I think it's good to have the Ordinance to point to it and not have to come back at some future date and add this kind of thing.

Chair Wolbach: Liz, do you want to speak to your second?

Vice Mayor Kniss: Yeah because you know luckily, we all reserve the right to be persuaded on occasion and I – as we talked about it earlier and talked about the education part of it. We kept trying to find a way to say this really can be enforced without saying it can be enforced. So, I think that's where we are but also Cory, when you mentioned that I head up the Air Board that would -- I thought it would be embarrassing to go to my next meeting and mention that we turned down the Idling Ordinance that has been widely touted as something that might help with air pollution. Especially, we worry a lot about kids and a lot about the fumes and the pollution from the cars or diesel or whatever happens to be around. So, for that reason, I think we

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would look at this as a pilot as well, just as Minneapolis did. Come back again and look at it in a year and see if it's working.

Chair Wolbach: Was that an addition to the Motion to refer to it as a pilot.

Vice Mayor Kniss: Yes, would you accept that Tom?

Council Member DuBois: Yeah sure.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to return to Council after a pilot period of one year for a status update.

Chair Wolbach: City Manager, you had some comments you wanted to add?

Mr. Keene: Yes, I do so a couple of comments. I – when -- the discussions we had before this meeting is as long as it is legal to have an Ordinance that essentially, we're saying we're going to either not enforce or have a sort of very low threshold or I mean a very high threshold for enforcement. I would say I don't really have a problem with that. It does put us in a predicament sometimes though when a citizen in our community sees a problem and we're not enforcing it. Then being a Palo Altan, they go to the code and they look up the exact section and they tell us here's the section and why aren't you enforcing it. We would sort of say well, we basically have a very low enforcement policy so you know I don't expect that would happen a lot but you guys will probably definitely get a call sometime about how unresponsive the City Staff is, including the City Manager so that's one point. The second thing is I doubt that without a real educational campaign, we're going to do a much behavior change. I mean I would separate the problem, let's call it the problem, the issue into two categories. One we have a whole bunch of things around schools and other activities where there are lots of cars and dropping kids off or whatever it is and idling. That's one issue and that's one where I think signs and/or an education program could be more effective. Then we have the folks out on the street maybe doing deliveries or whatever it is that the truth is probably ultimately, we'd be more comfortable citing or something than a mom dropping her kid off at school. I'm just saying practically and then lastly, I think we should get a little more creative about what we're trying to do here. I mean we – it's another (inaudible) passing Ordinance, you guys have heard me say that before Manger's reorganize because it's about the only thing they can do, right? City pass Ordinances because we sort of don't necessarily know how to effectuate something without doing that but I would suggest two things. I

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agree I think the school district needs to get involved on the school issue. Partly because there are a whole bunch of kids who sort of have a lead on this thing and we all know from actually the anti-smoking program in general, getting kids to really start bringing stuff home and putting it on the refrigerator about smoking is bad for your mom or dad actually does have some impact. Then secondly maybe what we have are kid tickets that we give out to people. That actually we just have the folks who go up and say hey, you know – maybe we have kids even write it, hey, please, you know what? We're really concerned about air quality and all this stuff and the City wants us to be sure to do this. So, you don't even get a real ticket, you just get an embarrassment ticket; you know what I mean like oh my god. I tell you what, I'd be much more disrupted thinking that kids who really wanted to deal with the health and this sort of thing where sort of calling me out in some way than the Police Department stopping me. I'd get more defensive at first, I'd go really? Come on, don't you guys have some real issues to be dealing with? I mean that's going to be much more the normal reaction so I just say that from somebody who tries to enforce myself – not enforce, educate people to get your bike off the sidewalk in Downtown. Don't ride your bike on the sidewalk, don't ride it through the tunnels, all of those sorts of things. I'm not sure I've been able to be very effective at all myself. So, I would just suggest we think about that and we get with the City school folks and say let's turn this back and really amplify the children are saying about this being a problem.

Vice Mayor Kniss: So, I can bring this to the (inaudible) – Ok, I can bring this to the City School Committee on Thursday.

Mr. Keene: What I would say as far as the Motion that Tom put forward, I mean I think we're ok with that. I definitely think that it's appropriate – it's correct to one, focus it more to the PD, pull the code enforcement and the planning piece out. I think that's confusing and less effective.

Chair Wolbach: Tom, go ahead and then I'll share my thoughts.

Council Member DuBois: To your first point about somebody looking at the Ordinance in this Option 4, this is a question for Terence; I mean does it make sense to actually call out that enforcement is at the discretion of the officer? So, if somebody read the Ordinance they would understand that's it's not always enforced or does that make it more confusing?

Mr. Howzell: I would admit that it probably makes it more confusing and as I wrestle with us – Two points, one is I think we need another approach may

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be to suggest and I'm trying to think through the language about it. Not necessarily being the highest enforcement priority and that might be one way to approach it than expressly stating that police officers can frankly pick and choose who they want to enforce this against, I think that's tricky. The other thing that you might consider is mandating that the first offense so to speak receives a warning so that way going forward at least you know that there has been some education that's been provided and receiving a warning, to begin with. So, that way it isn't – in the first contact isn't necessarily escalated to some type of monetary sanction.

Council Member DuBois: I would be ok with that to change the first one too...

Vice Mayor Kniss: Yeah, one question though, doesn't an officer always have the opportunity to give a warning?

Mr. Howzell: They do but given just what's kind of been discussed here, it just may satisfy your interest in providing some kind of education piece in the initial interaction.

Vice Mayor Kniss: Well, I would agree, that certainly should be the first – the first time should be a warning (crosstalk).

Council Member DuBois: (Inaudible) why did you enforce it for me or why didn't you enforce it for me? I think just stating the first time is a warning...

Mr. Howzell: Right, there at least in the initial interaction there is some uniformity.

Chair Wolbach: Are you going to make that as an Amendment?

Council Member DuBois: I would like to do that if...

Vice Mayor Kniss: Yeah, that's fine. I think the more we are discussing it, I think the better presentation we're giving back to the Council about what we're really looking for.

Chair Wolbach: Let's clarify, was that Amendment then that the first violation would be a maximum of zero, the second violation would be a maximum of \$100, and the second – the third would be a maximum of \$150?

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Council Member DuBois: The first violation would be a written warning and then the second would be \$100 and third would be \$150.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to use the following fine amounts: \$0 (written warning) for the first violation, \$100 for the second violation and \$150 for the third violation.

Chair Wolbach: Alright, I have a couple more questions and thoughts now responding to this. Actually, a question that I meant to ask earlier and forgot. On Packet Page 89, in the list of where it does not apply to those specific exemptions or exceptions, number nine is an engine is – when an engine is operated in accordance with instructions from the vehicle manufacturer for proper operation. Is that basically if someone is warning up their engine before operating their vehicle?

Mr. Oliver: Only when – it would be a vehicle that the manufacturer recommended doing so. I think it's been discussed in leading up to the Colleague's Memo that most modern vehicles, that's no longer the case.

Chair Wolbach: But some or especially some older one, that is the case though.

Mr. Oliver: But some, especially the older vehicles that may be true. I think carbureted vehicles, for the most part, that may be an issue.

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Vice Mayor Kniss to recommend a modified Option 4, with the following fine amounts: \$0 (written warning) for the first violation, \$100 for the second violation and \$150 for the third violation; and direct Staff to return to the City Council after a pilot period of one year with a status update.

Chair Wolbach: Right, so I think that's important as an exemption so thank you for clarifying that. So, I am not going to support this Motion. I did try to make a Motion earlier that I would have supported. As the risk of getting a little too philosophical, I've got to say that I think the practice of having too many rules so that some of them aren't enforced, some of the people don't even know about and just living in a society with so many rules that somebody is always violating one of them. It opens an opportunity, especially when you say you don't enforce them all the time because of resources or discretion, and what that really means is that you end up

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getting into a society where everybody is guilty of breaking some rules. Then it's really up to the government to decide well, we're going to prosecute you for this one or we're not. I actually think that is a path to tyranny and because of that long-held philosophical view, I don't think that that's an appropriate way to govern. I think that there's an important objective here but I don't think this is the right way to go about it. The idea that we're talking about a potential criminal citation for something that we may or may not enforce, people probably don't know about, is just something that I can't support in this case. I'm sorry about that but I can't join you on this one. Maybe after the pilot period is over, we'll revisit it and make it something we can all support. Any other comments on the Motion? Alright, let's vote on it, all in favor? Oh, I'm sorry.

Mr. Howzell: Just another clarification on the Motion, how long is the pilot period?

Vice Mayor Kniss: A year.

Mr. Howzell: Ok, very well.

Mr. de Geus: Can I just ask a clarifying question because it won't be a unanimous vote, does that mean it now have to take up time on the full Council...

Chair Wolbach: Yes.

Mr. de Geus: ...this topic?

Chair Wolbach: Yes.

Council Member Kou: Can I just (inaudible) something? You know with what we went through yesterday on the Sustainability Implementation Plan (SIP), the SIP, having to do with water and clear air and going to Electric Vehicles (EV) and all that. I mean I think this is a stepping stone towards going to EVs. I mean one of the things is to kind of ensure that we do have the clean air and so there needs to be some meat behind it which is – I am torn. I'm always torn because we have an Ordinance and we want to enforce the Ordinance so what I – I'm going to support this because there's that tiered way of penalties. I think that's a good approach to go into providing the information, education and then going to the next step of saying hey, you were in violation once. So, I think it supports the SIP that we kind of pushed forward last night so I'm going to support this.

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Chair Wolbach: Actually, before we vote, I did actually just want to thank the maker and seconder of the Motion. You know I'm not going to support it, I do think it is better than it was originally proposed and I think that the Amendments you made got me closer to supporting it. So, I guess I am, at this point, opposing with less vehemence. Alright...It's the last meeting of the year; don't you want to drag it out? Alright, all in favor of the Motion? All opposed? Alright, that passes on a... Lydia, you were a yes, correct?

Council Member Kou: Yes.

Chair Wolbach: Ok, so that passes on a three to one vote with myself voting no. Alright, thank you.

MOTION AS AMENDED PASSED: 3-1 Wolbach no

At this time, the Committee heard Agenda Item 2.

2. Discussion and Recommendations for 2018 City Council Priority Setting Process.

Chair Wolbach: Moving on now to Item 2, coming back to that one and that is a discussion and recommendations for 2018 City Council priority setting and thank you to City Attorney Staff for all the work on this one.

Jessica Brettle, City Clerk's Office: I do have one speaker for that Item.

Chair Wolbach: We do so Rob Smith and if you would use the microphone right over here, we'll be able to capture your input. It's the one ... Oh, it's the one at the podium right in the corner right over by the Clerk. I'm sorry; Bob Smith, of course, and you will have three minutes.

Bob Smith: Do I press this button or is it on?

Chair Wolbach: No, you can go right ahead.

Mr. Smith: Great, my name is Bob Smith, I live on Greer Road in Palo Alto and I'm here to talk about the priority issues. I'm mostly about a specific issue but I think it's one that deserves some discussion. When you define priorities, I think you have to decide that somethings really aren't priorities anymore, that they have lost their importance and one that I think has lost its importance is worrying about fiber; fiber to the home, premises, node.

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We've spent 20-years, five or six times with major efforts going over this issue and what we failed to notice is that during that 20-years, the incumbent services have improved constantly what they were doing. To the point that nearly 10-years ago they actually exceeded what we hoped to originally accomplish. Of course, the bar was raised and now we've been looking for gigabyte service and the whole reason stated or the main reason stated for having municipal participation is let's have that gigabyte service. Well, both of our incumbent providers, Comcast and AT&T, have now stated that they will be offering gigabyte service. I believe, at least as far as I've been able to tell, Comcast is willing to come to my house and install it. The modems, you can buy them at Fry's if you want to buy your own instead of rent it; Data Over Cable Service Interface Specification (DOCSIS) 3.1 modems. We are on the verge really of having this service that we've talked about for so long and that we've constantly used as a reason why the City must take taxpayers money, put it at risk in order to have the service. Now, many other reasons you've cited but I think the many motivation has been that speed. By the way, the reason why I didn't order it from Comcast is because I have 100-megabyte service which is fully adequate in my opinion for most home use, including mine. So, you really don't need to go to that gigabyte level and that's the case in most Cities that this has been monitored. I'm suggesting to you that this discussion of fiber be removed as a City priority. We've got plenty of things to do, plenty of places to put \$12-\$15 million which is the estimate for the current new project called Fiber to the Node. You should take a look at that and see how useless it is without somebody who is willing to come along and be the vendor who actually makes it work. I don't know who's going to do that with Comcast and AT&T doing the same thing. So, give this some thought and consideration and thank you very much.

Chair Wolbach: Thank you for your comments. Alright and let's bring it back to Staff.

Rob de Geus, Deputy City Manager: Thank you, Chair Wolbach. I can do an introduction here and then City Manager Jim Keene may want to add to is but Council selects their annual priorities in January. Typically, at their retreat and to prepare for setting those priorities we solicit feedback from the public and feedback from the Council in advance. So, you had an At Places Memo yesterday which was the latest information from the public and I'm not sure you had a chance to look through that. We're still going through it as well but clearly, some themes are coming forward from the public. An emphasis on traffic, no surprise there, emphasis on housing and an emphasis on jet noise seems to be a strong theme. There's grade separation that comes up, bike regulations, concerns about basements being built has

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certainly come up a couple times, expanding the shuttle service, code enforcement, and actually, fiber to the home someone brought up as well. Only a couple people though so we're still going through that but traffic, housing and jet noise seem to be the largest themes there. Then with respect to the Council feedback, we did get that as well and you saw that in the Memo. This afternoon I put it in a little bit of a different format which I think is helpful for you. Just take one here Cory and pass it on and here's the Council one there. So, what we tried to do here is summarize the different topics that the Council Members sort of put forward and there was a lot of commonalities. We had the Council Members, as you see here along the table, and you can see that the top five are very closely related to what our existing priorities for 2017, with housing being number one and finance being number one; they get the same score. Grade separation, rail corridor, transportation, infrastructure getting the most support for priorities for 2018 which is pretty interesting. So, the Policy & Services Committee's (Committee) work tonight is really two things, is which of the set of priorities should be considered for 2018 retreat, if you want to have a retreat, and the process that Council will use for the annual retreat, which again is a question. Particularly a question of if the Committee believes that sticking close to the existing priorities is the right path forward. Then a full day retreat on priorities may not be the best use of the Councils time. Maybe they want to retreat on another topic or a combination of topics in addition to priorities. So, that's where we are with the priority discussion. Jim, did you want to add anything?

James Keene, City Manager: Yes, if I might just so I think some of the Committee Members here are going through this Policy and Services role maybe for the first time. Just to sort of restate how we got here to be doing this in advance of the retreat and coming to Policy and Services. Up until three or four years ago, we would go to the Council retreat and we could spend hours discussing what the priorities would be and there would be philosophical discussions about what constitutes a priority. We even had debates about is that a priority or is that a value? Is that a Guiding Principle and all of those sorts of things so the Council basically came up with this concept of say well, look, let's try to get earlier input from the Council? Let's as the Policy and Service Committee to try and look at that and sort of pre-organize the priorities so that the Council could kind of hit the ground running so that's what Rob was going through there. Now, in addition, though, the alignment between the Council around the priorities right now just sort of doubles down so to speak on this review process and there are not lots of variabilities. My own reading of what the direction it isn't that the Committee has to say these are the three priorities that we absolutely say or whatever. As much as how is it that you want to advance to the Council how

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they would discuss the priorities themselves. You know so you could say well, we really felt that there were these three priorities but there were two others here that may be worth more discussion than some others. You also have the – more the outlier issue from the feedback from the public. I mean we clearly had lots of folks on the airplane noise issue really weighing in. I mean probably two-thirds of the comments so far were in that arena and just so that you are aware, we will continue to take feedback from the public beyond now leading up to the end of the Council retreat itself. So, we'll have an up to date sort of feedback to you from where the – what the community is doing and saying. I mean I look at this as sort of – I'm a pattern person I guess anyway but it doesn't look like your task is all that difficult, at least as how you want to sort of say how could we structure what it is that you have. Personally, I don't think you're – you really run the risk of really being in violation of the overall Council direction. You know priorities are -- what is identified as a priority is something that's really requiring special significant attention and generally isn't designed to last for more than a 3-year period, generally. Again, I think you could safety within the existing policy make almost any recommendation that you would want to about what you see here. You know you can – Committees before have sometime gotten creative and mashed up somethings and put them together and sometimes that's worked for the Council.

Vice Mayor Kniss: Can I make just one correction?

Chair Wolbach: Liz, please, go ahead. Use your mic.

Vice Mayor Kniss: What I had said was all the same priorities as last year with housing Number 1. Can I say another couple of things while we're at it?

Chair Wolbach: You got the mic.

Vice Mayor Kniss: I'm a little concerned because I think that we have kept some of these priorities no more -- more than three years and one of them that I'm very certainly fond of is the Healthy City, Healthy Communities. We now have a Committee that's ongoing and I think we have got to a lot of those goals. We got two awards last night for what we have done in the County and I'm not sure if we're going to just have three priorities, that we want to keep that on there. I think at some point we're going to say, we actually made great strides here and we can take that off for the moment. The same with housing, I think housing probably needs to be more clearly defined and probably with all of these, it needs more definition. Otherwise, you're including everything you're doing at any given time so I think that we

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still can select three priorities pretty easily. I would suggest with that one, we might consider taking that off and even with budget and finance. I think that's an on-going issue and I'm not sure our budget is anymore in play right now than it has been before. Maybe somebody wants to comment back on that but certainly transportation, which means traffic in almost everybody's mind. The infrastructure that we keep hearing about because we don't seem to have enough money for it is really important and for me, housing is – has been up for most for quite some time. So, that's where I am on this and I'm trying to pay attention to no more than three priorities in a three-year time limit. Although Jim, I don't think we've adhered to that, recently have we?

Mr. Keene: Well, I mean I think generally – I mean yes you have but I mean honestly, just my own reading, I don't think you're in danger this year of somehow egregiously violating the Council directive on three years. It should generally attempt to be more than – not more than three years. I would suggest that you would think about how to mash things up. I'm not saying this is right, I'm just going to cut to the chase. You could say housing, transportation with special attention to the rail corridor or grade separation, and finance and budget with special attention to infrastructure and pension. That differentiates it from finance and budget just in an ongoing way. It tries to clarify our year issues with infrastructure, are they really what are a whole bunch of infrastructure projects we need to identify or is it more how are we going to fund the ones that we've committed too? Then pension, only one person mentioned it but it really is – it's the other kind of core system issue that we've got with our finance and budget issue.

Vice Mayor Kniss: That's well said, that's good and I'm sure – I think people have to inherently have to know that transportation is traffic.

Chair Wolbach: Tom.

Council Member DuBois: Yeah, I was kind of in the up where you were. First of all, I would like to say that I would like to see us try to get to three. I think last year we had five priorities, that's kind of fudging. I'd really like to see us get the National Citizen Survey out, even if it's in a raw format, before the retreat. I think the data is collected now and we get it after the retreat or at the retreat, it would be much more useful to get it sooner. You know it's interesting how you grouped these, you know transportation has six but mobility had three, circulation had three which is traffic, traffic mitigation had two so I see traffic as getting fourteen total. If you combine it with rail, that's twenty so...

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Chair Wolbach: Only nine Council Members, amazing.

Council Member DuBois: Yeah so, it's quite high and I was kind of struggling whether we should actually combine grade separation with transportation. It feels like they may be separate things that need special attention but maybe we could lump them together. Certainly, I think finance and budget, we're talking about structural issues with the budget, not just doing a budget and that's where I think – I'm not sure infrastructure really needs to be a priority on its own. I think the issue is the financing of infrastructure and rolling pension in there seemed fine. I tried to start the conversation on housing the other night, I think to Liz's point, housing is too big. I think we need to start to talk about goals for different types of housing and different types of situations and kind of breaking it into categories. Yeah so, I guess my three would be housing, finance/budget, and transportation and I'm open to lumping those in certain ways. There was – Council Member Tanaka brings up net promoter scores anytime so I don't know if you guys are familiar with it.

Vice Mayor Kniss: Yeah, what is it called?

Council Member DuBois: Net Promoter Scores. I mean I don't think it needs to be a priority but that's actually a really interesting technic for measuring issues and satisfaction and progress so anyways, those are my thoughts.

Chair Wolbach: Lydia, do you want to jump in at this time?

Council Member Kou: I think I basically have agreed with a lot what Tom said and how the City Manager kind of lumped it together. There are many things that are like bullet points under a main title so I think when I put down noise, air quality and preservation of natural resources. There are a couple of groups in our community that are very concerned with noise, being jet noise, and of course, now there's – there are other noises – what's that called? Leaf blower and so forth and we just went through the air quality has to do with idling. I don't know if there's a way to include that in one of those as a bullet point but mainly I do agree with what Tom said and what the City Manager had said.

Chair Wolbach: Now, the Healthy City, Health Community, Liz meant to have hers included – have that included in hers but she said she'd be willing to pull it off. I was the only one other person who included it and I'd also be willing to pull it off so I think we should actually scratch that one out. Not to say...

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Vice Mayor Kniss: I think for the same reasons though.

Chair Wolbach: Yeah, well the only two people who proposed it are sitting here and we both said we can say it's already underway.

Vice Mayor Kniss: (Inaudible) I think we've gotten there. I think that's (inaudible) (crosstalk).

Mr. de Geus: It's been three years.

Chair Wolbach: Yeah, it's been three years and we've made real progress and it's ongoing right? It doesn't – it's not that it's dead, it's that it's grown up and it's out of the nest, right? It's off and running. I don't know how many more metaphors I can make. I'd actually say we should scratch that one off. Again, just the two people who supported it are saying...

Vice Mayor Kniss: We're only four, there are five more so...

Chair Wolbach: But we were the only two who had proposed it. It wouldn't be on the list if it weren't for you and me. On some of the others, I actually – I kind of want to step back a little bit and focus on the process before I come back to the specifics. There are a few questions I think we should really think about and I think we should – I don't think we should necessarily answer them tonight but I'm hoping to answer them tonight. We should definitely encourage Council to answer them or affirm whatever suggestion we have. Those questions are how many priorities should we have? The second question is, how many years should priorities continue? Third is how much specificity versus breadth should a priority have and fourthly, should we order the priorities or should we say they are all equal? I mean because Liz had raised the question of having housing being the number one, above the others. I'll say that my own feeling is that for the number of priorities, I think we should really try to stick to three and I think Tom, you said that as well. I think that's a good guideline. For the number of years, I think we should stick to three and for specificity versus breadth so here's where it kind of interplays with the number of priorities. If we make a priority very broad, then we can oh, we only have three priorities but it's really fifteen priorities because we made one all-encompassing. I remember when we did the built environment a couple years ago and it – there was – it wasn't a very precise priority and I think we've gotten more precise over the last couple of years. I don't want to encourage that trend so I would really advocate for being pretty specific and on the housing one, in particular, I'll come back to my thoughts on how we can do that. I think Tom's right to

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point that out, that we should move forward and iterate on our – not just saying housing or not just saying transportation or not just saying finance. Then as far as whether we should prioritize among the priorities, Liz might convince me but my sense is they should all be equal. They are all – they are our three top priorities and that's good enough. What do you guys think of, just for now, I mean I'm just kind of curious. Feel free to nod or jump in but do you think those are the key questions we should focus on in kind of – as framing questions before we come back to specifics?

Vice Mayor Kniss: Just a clarity thing, this indicates that we are setting a process in place. Is that what – are we actually putting a process in place or are we actually making a recommendation?

Mr. Keene: The idea is to look at – in some way to make some recommendations of your look of how to group these and the process piece - - this is on Page 43, point Number 3 under process. That one, when the Council adopted that, that was really designed to say at the retreat, what is the process that you recommend the Council as a whole will use to decide the priorities. That's really what (inaudible) (crosstalk).

Chair Wolbach: So, we... Yeah, the process. Well, I guess I would suggest that the process is we should try and add a little more clarity, maybe make a recommendation tonight and that the process we'd recommend would be considered our recommendation. Our recommendation might be doing this or that or pick from these top six – pick three of these six or figure out a way to group these, something like that. As far as how to move forward with some of the specifics, if we were to offer a recommendation I think maybe we could go with three being housing, transportation, finance and adding specifics under them. Not to try to broaden them but actually to make them more specific. Under housing I'd focus on supply and affordability, on transportation I'm open to ideas about what goes under there but there's a lot of stuff mentioned here. I would actually say we could add things like mobility, circulation which essentially means traffic right? Mobility, circulation, safety but we could put whatever bullet points we want under transportation. Then under finance, I think the City Manager had it right if I heard correctly, with a focus on pensions and also on grade separation.

Mr. Keene: Infrastructure.

Chair Wolbach: Infrastructure in general. Then the question of grade separations, is grade separation a transportation issue, is it an infrastructure issue or is it a finance issue? Well, it's all of them so if we were going to do a

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fourth, I would just pull grade separation out and say that for this year, that is a major priority for the year coming up. I'd be open to fudging into a fourth just to say grade separation is its own. I'm not making a Motion yet but I'm curious what my Colleagues think.

Mr. de Geus: It sure sounds like a Motion. That sounds like a good Motion.

Chair Wolbach: Tom.

Council Member DuBois: I guess my thought about the process, you know I think we came with something similar to this table but again, I would lump some of these other transportation ones into the transportation total. I think it would help the rest of the Council maybe quickly come to an agreement on the top three if we recommend the top 3. In terms of process, I think we – this Policy and Service has made recommendations in the past about how we were going to talk about the priorities at the retreat. Kind of similar to was you were going Cory but I would say that maybe we should suggest the retreat would be a discussion of the subpoints for each of these topics. Rather than defining them here and I'd really like to see if we could talk about strategy for each priority, rather than specific policy and programs at the retreat. Just really how are we going to talk about transportation and what I mean by that is similar to what we did with the Sustainability Implementation Plan (SIP) last night. What would be key performance indicators that we're going to try to effect and what would subcategories under transportation be that would be relevant and we can do the same thing for housing. We might end up with those bullet points that you threw out but I think that would be a useful discussion to have with the Council because I think these words mean different things to different people. So, we could all agree on these priorities but have very different thoughts about what that means and so if we could have a discussion about, like I said, the strategy and really what are the key measures we're trying to affect.

Vice Mayor Kniss: Could we flip that for a minute because one of the things that I wanted to know is looking at Staff and looking at Jim, Rob, Terence and so forth. When we give you our priorities, how do you then look at issues in a different manner than you might otherwise? So, what do our priorities mean to you and are you waiting for us to tell you ok? One of the things we'd like to tackle next is we want to approve five affordable housing projects or something like that? So, how does this fit together back and forth? How is that – how does our priority setting effect you as Staff and City Manager?

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Mr. Keene: Well, it's probably like enforcing the Anti-Idling Ordinance. I mean...

Vice Mayor Kniss: I'm afraid that might be...

Mr. Keene: It's good to have priorities (crosstalk) but exactly what we do with – no, exactly how we use them is to be (crosstalk) determined. I mean so first of all, we think it's important for the Council, in your leadership role, to say the public, to yourselves and then as bi-product to the Staff, these are the things that we really think are of really special significance this year. We really want to pay attention to it and we have made some progress in developing work plans around that. We definitely give them priority when we're thinking about issues that may come into conflict. We would generally say well, wait a minute, transportation is a priority to the Council. If we're going to look at some of these things and we're looking at deploying resources we have, we're definitely going to be influenced by that so it definitely has value for us. I do think the points about getting some more specificity as far as subsets or Key Performance Indicators (KPI) as Tom was saying or -- I'll throw out another suggestion that Michelle brought up, which I thought was really good, this morning when we were talking or yesterday when we talking (inaudible) Staff. She said I've found that ways in the past working with groups on priorities that adding a verb in front of the noun activates the intention of the priority in an interesting way. So, if you're going to say housing or whatever it is. If you are going to say build housing, I mean that means different than explore housing versus plan housing. I'm not saying that I would know exactly what would a verb is or it could be a phrase even but that may be in the process when you talk about a way to also help get the intention. Then we could talk a little bit more about KPIs and things because I think that would be good. I think you guys may even come up with some ideas in the beginning but I would argue that's clearly part of the process you want the whole Council to indulge in at the retreat.

Council Member DuBois: I think – the reason I said KPIs is I really – maybe I'm being optimistic but rather than start to get into details about specific programs and people are arguing over those. I feel like we could benefit from a framework around priorities that we could refer to during the year.

Chair Wolbach: I actually really agree with the direction that I think I've heard you going here. I don't know if you wanted to try a Motion or if you want to – I'm happy to try my hand a one.

Council Member DuBois: Do you need one?

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Vice Mayor Kniss: Yeah, I'm wondering, do we actually need a Motion because...

Mr. Keene: Well, I guess we want to feel accountable...

Vice Mayor Kniss: Do you want us to say ...?

Mr. Keene: ...to you all between now and when we get to the retreat that we have and we've sort of prepared for the retreat in the appropriate way.

Chair Wolbach: I think I'll try a Motion and I'll have a couple pieces and if you guys can help follow along, including Staff and make sure I haven't missed any of the big things that we seem to have consensus on. The first is to ask Staff for bring to the retreat maybe an updated version of this chart. Taking into consideration removal of Healthy City, Healthy Community because the two people who suggested it are now saying take it off. Possible consolidation of items so that's the first thing. So, this chart or of the information displayed in this chart to bring back to Council so that's the first part. Everybody ok with that one? Maybe we should just take them one at a time.

Vice Mayor Kniss: You're talking about continuing to use this?

Chair Wolbach: Yeah, to use this chart but give Staff a chance to maybe improve the chart by consolidating a couple that could be combined and remove the Healthy Cities, Healthy Community one. So, I'll just move that as a first – kind of a first Motion and there are a couple other things I'll add.

Mr. Keene: That would go to the Council as a source document. I mean you may...

Chair Wolbach: It's just as a reference for us to consider as a starting point.

Vice Mayor Kniss: Yeah, I – but this is the sixth time I've done this and I'm thinking, you know did it really have a great deal of impact when we have done it before and struggled and fought about it for hours and had long discussions? I think it's important to have an overall look of what -- just what we talked about. I think Tom, you put it pretty well when you just did the three things. I just don't want us to get down in the muck and spend -- we could spend three or four hours on this easily. I think – does that actually change the outcome in the end?

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Chair Wolbach: Well, it should...

Mr. Keene: I think that there are going to be some subsequent Motions (inaudible) (crosstalk).

Chair Wolbach: Should I lay the whole thing out or should we just do one at a time?

Vice Mayor Kniss: Sure, lay it all out.

Chair Wolbach: The first part is to – as I just described regarding this information that's on this chart that was At Places tonight. The second is to encourage the Council to pick only 3 priorities, to not extend any past a third year, to have them all have equal importance, and to be specific about goals but not about policies. Lastly, as a starting point for selection, to consider housing, transportation, finance and grade separation and I do know that that's four but to consider those as the top priorities from which we might start narrowing down or consolidating.

MOTION: Chair Wolbach moved, seconded by Council Member DuBois to recommend the City Council:

- A. Direct Staff to bring to the Retreat an updated version of the Priority Tally Sheet, with the removal of the Healthy Cities, Healthy Community Priority and including possible consolidation of items on the list; and
- B. Encourage Council to pick only three priorities, that the priorities do not extend past a third year, give each priority equal importance and be specific about goals and not about policies; and
- C. Consider Housing, Transportation, Finance and Grade Separation as a starting point for the priorities.

Council Member DuBois: I'm concerned about – I know this three-year rule but I think housing is probably two or three years. Transportation is definitely three, budget/finance might be at three.

Chair Wolbach: Actually, I think budget/finance is only in it's second...

Council Member DuBois: I don't know.

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Chair Wolbach: Actually, I would ask (crosstalk) – so, here's something else that I would ask – that I would ask Staff to bring forward is we had it at one point, the priorities for the last three years.

Council Member DuBois: I would just say, I would drop that. I think again, what we're seeing is a fair amount of agreement on the priorities so I would not drop transportation because it's on it...

Chair Wolbach: Transportation has not been three years, it's only been two years. Housing has only been two years ...

Council Member DuBois: I mean 2016 kind of had a catch-all, right? Housing, mobility ... (crosstalk).

Vice Mayor Kniss: (Inaudible) we didn't have this before.

Council Member DuBois: Transportation is 2015.

Chair Wolbach: I don't think that our – I don't think any of them would be ruled out if we stuck to the three-year rule. Again, I'm just recommending as an encouragement so I don't know, is there a second? We can make tweaks to it.

Council Member DuBois: I would just drop that language about three years, that's all.

Mr. Keene: Yeah, I mean I think people are going to look at this and say transportation has been every year.

Council Member DuBois: Infrastructure has been every year.

Chair Wolbach: It's in there somewhere I guess. Ok, so would you second it with that change?

Council Member DuBois: Yeah.

Chair Wolbach: Good, I'm looking for a second so we can move forward.

Council Member DuBois: I'd also, again like to add that we get the National Citizen Survey data before the retreat.

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Chair Wolbach: Yeah so, I'll also ask Staff to try and get the Citizen – National Citizen Survey data available before the retreat. City Clerk, how are you doing following along with all of this? Do you want to read it back to us? Yeah, that's probably a good idea.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "Make the National Citizen Survey available prior to Retreat."

Ms. Brettle: The current Motion on the floor is to direct Staff to bring to the retreat an updated version of the tally sheet with the removal of the Healthy Cities, Healthy Community priority and possible consolidation of items on that list. Encourage Council to pick only three priorities, to give each priority equal importance and be specific about goals but not about policies. To consider housing, transportation, finance and grade separation as a starting point for those priorities and add that the National Citizen Survey be made available prior to the retreat.

Chair Wolbach: Actually, I just – I'd say add ask Staff to endeavor to get the National Citizen Survey available.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "Direct Staff to bring last year's priorities to the Retreat."

Mr. Keene: Yeah, (inaudible).

Chair Wolbach: Is that – you're ok with that?

Mr. Keene: We will do it. I mean Harriet is still the lead on that and she's out right now.

Chair Wolbach: Tom, would you also be ok with adding to ask Staff to bring to the retreat that list of our priorities from the last several years so we can have that as a reference.

Council Member DuBois: Sure.

Chair Wolbach: Yeah so then – Liz, go ahead.

Vice Mayor Kniss: Can I dive in at this point?

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Chair Wolbach: Yeah, please.

Vice Mayor Kniss: I also want to say one other thing that's off the record totally but this table drives me...

Chair Wolbach: You're actually on...

Vice Mayor Kniss: ... crazy. I think we need to find a better way than all sitting in a row where I'm doing this all the time.

Mr. Keene: Oh, this table?

Vice Mayor Kniss: This table.

Mr. Keene: I thought you meant this one, ok.

Chair Wolbach: If we turned it so it was round or sat at a corner we could see each other.

Vice Mayor Kniss: It's like I've got to come way out here to even see you, Cory. I wanted to say I think you're heading in a fine direction but I wanted to also take a look at the past, which is always the prolog for the future, of course. It's very interesting that infrastructure used to be called strategy and funding, then it was called the same thing, then went on in 2015, it's still here and it's still here. Does that mean that infrastructure is just always a part of everything that we do and that doesn't necessarily have to be a priority? So, if you look back, I think now I've heard more about traffic – I guess plane noise but I think I hear far more about traffic than I do – than certainly, we did in 2013 or 14.

Council Member DuBois: I think we took infrastructure off the list. Really, it's not budget and financing. (Inaudible).

Vice Mayor Kniss: Right so I think that in this case, wouldn't we look and see that's something has been on that long, I think it's just part of our Deoxyribonucleic Acid (DNA). We just sort of do it so I think the big things - - and say them back once more, the three big things we said.

Chair Wolbach: We actually called out four. We didn't pick three yet but we've...

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Vice Mayor Kniss: You did transportation, you did housing...

Chair Wolbach: Finance.

Vice Mayor Kniss: You did finance and rail.

Chair Wolbach: Grade separation.

Vice Mayor Kniss: Right. That's fine. I'm surprised transportation though hasn't been on since 2013 and I'm not sure that was really about traffic back in 2013. That's a funny combination, transportation, parking, and livability. Do you remember what that was about then?

Mr. Keene: I mean I think it was trying to hit all – I mean I think it was trying to hit the impact that transportation, mostly traffic and parking had on livability.

Vice Mayor Kniss: I think that was when parking was such a huge problem.

Mr. Keene: When parking was big.

Vice Mayor Kniss: That's why it's lumped into transportation but the parking issue we've – I don't think we've solved it totally but we certainly are in the middle of dealing with it. I'm fine with that, I think we're going to get feedback from the whole Council when we do meet. I won't be surprised if there are some other takes on this.

Chair Wolbach: I forgot to ask, Tom do you want to speak to your second? Lydia, any thoughts? Just to look to Staff, does that Motion seem like something that will give you good guidance to help the Council –have you help the Council get prepared for that retreat or are there any other questions you think we need to answer tonight?

Mr. Keene: Well, if I could make this suggestion, I think when we present this – when you do, that we'll be clear about what – how you got to this point. That you would say for example that here are the four categories and so housing, transportation for example including circulation and mobility, finance with the focus on infrastructure and pension as an example. You're not wording it that way, did you have a more detailed discussion on the subsets and grade separations. Then you would say, again go back to this idea of getting more specific about the goals to what extent you're able to

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identify KPIs here or want us to do that. So that there's more sense of what are you anticipating or like to see how we're going to measure progress during the course of the year in these. That would make this different than other things and even this idea of are their verbs to play around with as far as a discussion.

Council Member DuBois: I would suggest that I think that would be a useful discussion for the Council...

Mr. Keene: That's right.

Council Member DuBois: ...rather than to come with pre-set lists.

Mr. Keene: Oh, no, no, I wasn't saying that. I was saying you would say here's what we're saying but this would-be part of the process that you would invite the Council to say how do we look at this issue of subsets, KPIs and what's in there?

Chair Wolbach: I think that's good right? I think that having a potential conversation about sub-bullets or on having a verb and action verb to be associated or to say, as you suggested, by the end of the year or by mid-point through the year and then at the end of the year, what does success look like or what does successful progress look like? I think those are all great things and I don't think we need to add them to the Motion. It sounds like we're all on the same Page.

Vice Mayor Kniss: We use to be much wordier than we are now.

Mr. Keene: I think it will get wordier...

Chair Wolbach: We're trying to get sharper.

Mr. Keene: ...with this other piece when the Council does it.

Chair Wolbach: Maybe. Lydia?

Mr. Keene: Not the goal, not the head...

Chair Wolbach: Lydia?

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Council Member Kou: It has nothing to do with the Motion, it's just a question with regards to the infrastructure. Is there any way to kind of determine or to provide to Council at that moment what are some of the highest priority, what are in the works and then what are some that are coming up that needs to be viewed? Just so that we have an idea of what is really something that we have to focus on infrastructure and how does that impact our budget?

Mr. Keene: Well, that – we can do that. As a matter of fact, we haven't set the date for when the retreat is going to be but we will be coming to Council on January 22nd with an update on infrastructure. So, the Council will have already had a session where we're identifying the plans, the projects, the potential pending projects and the funding gaps that we have on those projects.

Chair Wolbach: Do you think –I'm sorry, go ahead.

Mr. Keene: Yeah, no, I think that will be a good prelude and then we'll be able to carry over that information to the retreat also.

Chair Wolbach: So, it is your expectation that the retreat would be scheduled for some time after that discussion?

Mr. Keene: After that, I mean typically it is. So, let me – can I just restate sort of what Tom's point about, clearly that you would not – we would not get into the subsets and these other details. I think the appealing thing about that is I mean obviously, the Council as a whole is going to want to chew on this and own it. The Council as a whole is pretty much aligned on the high level what the priorities are so this has a potential to shift the Council as a whole into the more meaningful work about – let's just suppose the Council said we agree with those four headings of priorities. Then the discussion is around ok, what does that look like and mean? What are KPIs? We might want to do what are – get more specific about the goal and we're not spending hours and hours trying to identify just the priorities. We could really get some –in that case, going back to Liz's question, how helpful are the priorities? If we get more depth at the retreat from what the Council's vision or view is of what you want to see accomplished in some way, it doesn't have to be complete, then it starts to have real value for us because then we can start.

Chair Wolbach: Alright, any more discussion about this Item? Alright, all in favor? Alright, passed unanimously, thank you very much. Take a liberty as

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a Chair and just say thanks to everybody for a good year. A couple of scheduling hiccups in the fall but aside from that I think we had a pretty effective year on the Committee and I appreciate everybody's contributions.

Vice Mayor Kniss: Is this happy holiday?

MOTION AS AMENDED RESTATED: Chair Wolbach moved, seconded by Council Member DuBois to recommend the City Council:

- A. Direct Staff to bring to the Retreat an updated version of the Priority Tally Sheet, with the removal of the Healthy Cities, Healthy Community Priority and including possible consolidation of items on the list;
- B. Encourage Council to pick only three priorities, that the priorities do not extend past a third year, give each priority equal importance and be specific about goals and not about policies;
- C. Consider Housing, Transportation, Finance and Grade Separation as a starting point for the priorities;
- D. Make the National Citizen Survey available prior to the Retreat; and
- E. Direct Staff to bring last year's priorities to the Retreat.

MOTION AS AMENDED PASSED: 4-0

Chair Wolbach: Happy holidays and I'll see you in the new year. Meeting adjourned.

ADJOURNMENT: Meeting adjourned at 7:51 P.M.