



HSR City Council Subcommittee

Members

Patrick Burt
Larry Klein
Nancy Shepherd
Gail Price

Special Meeting

Tuesday, March 11, 2010
8:30 am – 10:00 am
Council Conference Room
Civic Center
250 Hamilton Avenue
Palo Alto, CA

Minutes

1. Oral Communications: None

CM Price absent from meeting.

2. Approval of Minutes from 2/16 and 2/25: Chair Klein moved to approve both sets of minutes. Mayor Burt seconded the motion. All in favor. Minutes from 2/16 and 2/25 approved.
3. Follow-up re possible Memorandum of Understanding (MOU) with HSRA/PCC including review of MOU with Gateway Cities

Mayor Burt said he will hear more about the possible Memorandum of Understanding (MOU) at the next PCC meeting. He also suggested that the Subcommittee should preface requests to the HSRA with an emphasis for the most current information available.

Item #5 was discussed prior to item #4 on the agenda.

4. Prep for 3/15 City Council Study Session

Mr. Emslie said Gayle Likens prepared a staff report (CMR) for the City Council. This CMR provides an update of documents and brings Council up to speed since the last report was released in January. We are re-emphasizing the release of the Program EIR and the comment period that follows. Our attorneys agree that all parts of the document will be available for comment. This CMR also provides a report on legislative activities pertaining to HSR.



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Gayle Likens relayed the recommendation of Rhavi Mehta that the Subcommittee send a letter to the Governor of California and the Chair of each Committee for each bill we oppose.

Chair Klein confirmed that Rhavi Mehta is the City's lobbyist for HSR.

Gayle Likens said Menlo Park is looking into hiring him. She said the next HSR board meeting is on April 7 and 8 in Sacramento – this is when they will take comments pertaining to the EIR.

Mayor Burt stated the next Caltrain JPA meeting is on April 1.

CM Shepherd asked if the Council will address the EIR for comments.

Mr. Emslie said we will bring this item back to Council sometime in April, before the end of the 45-day comment period.

Sara Armstrong said on Monday, March 15, we should establish recommendations on how to write an effective EIR comment for the public. These comments need to be specific and clear in addressing the EIR.

Chair Klein said this is an excellent idea and agreed with her suggestion.

Mayor Burt asked if there should be a presentation during Monday's Study Session regarding this item. He also asked if the Subcommittee should invite Rhavi Mehta to the meeting.

CM Shepherd asked if Monday's meeting will be for community outreach more than anything else.

Mr. Emslie said yes. He said the best thing to do would be to combine information regarding the Program EIR and Alternatives Analysis when they both are out for review, since they should overlap.

Public Comment: The outline of how to respond to the EIR is very complicated to understand and needs to be clarified with examples.



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Chair Klein said the HSRA properly considered the Program Level EIR (whole project). They are now working on the Project Level EIR (specific segments). These are significantly different reports.

Mr. Emslie said scoping comments are recommended, but not legally necessary.

CM Shepherd requested clarifications of these items and the language used available on the 3/15 meeting.

5. Freedom of Information Requests

Mr. Emslie said he is working with Gary Baum (City Attorney) to put together a Public Records Act document. This will form a basis for subsequent legal action. He also said more information should be available regarding this item during the next Subcommittee meeting.

Chair Klein pointed out that #5 on the agenda should read: "Public Records Act request".

Mayor Burt said our need affects our ability to comment in the time allotted. The lack of having certain documents inhibits our ability to respond to these documents.

Chair Klein said the Subcommittee should write a letter apologizing for having to go this route (formal Public Records request), but that the HSRA brought this on themselves by not responding sooner.

Mayor Burt said we should establish in writing the impacts of the lack of documents, in advance.

6. Public Works and Utilities Background

Mr. Emslie said two representatives were invited to the meeting – one from Utilities and one from Public Works. They will be able to point out certain conflicts with our infrastructure pertaining to the Alternatives Analysis report.



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Chair Klein said both representatives should be at the next Subcommittee meeting.

7. Update on Legislation

Rita Wespi said one bill is set for a hearing regarding a CEQA exemption bill (AB 1805). The bill “Enacts CEQA Litigation Protection Pilot Program of 2010. Requires the BTH to select projects that meet requirements. Exempts projects from judicial review.”

Chair Klein said the Subcommittee has authorized our lobbyist to oppose any bills that deal with the judicial review of the EIR.

Mayor Burt suggested a letter to the Governor should specify our opposition to each bill, not just state it.

8. HSRA Meeting Schedules re: EIR’s and Alternatives Analysis

Chair Klein said that the Subcommittee has covered this earlier in the meeting.

Chair Klein mentioned that Subcommittee meetings will be held on the first and third Thursdays of each month, starting in April.

9. Discussion of Palo Alto Interests for High Speed Rail

CM Shepherd asked what does the Subcommittee really want – what does Palo Alto receive after all the decisions are made.

Mr. Emslie asked if she was referring to impacts to the local commuter service.

CM Shepherd said yes.

Mayor Burt said these are all valid concerns, but the HSRA has not made any determinations yet.

CM Shepherd stated we should see if there is anything else we can do to uphold the quality of life in Palo Alto.



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10. Future Meetings and Agendas: TBD

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