



CITY COUNCIL RAIL COMMITTEE TRANSCRIPT

Regular Meeting
Tuesday, March 22, 2017

Chairperson DuBois called the meeting to order at 8:03 A.M. in the Community Meeting Room, 250 Hamilton Avenue, Palo Alto, California.

Present: DuBois (Chair), Filseth, Fine, Mayor Scharff

Absent :

Oral Communications

Chair DuBois: [Video started mid-sentence] ...agendas Oral Communications. We have one speaker, Nadia Naik.

Nadia Naik: (Inaudible) Good morning everyone. I had sent an email and I don't see it in the packet but it relates to the documents that we found. That High Speed Rail has put up a new map that shows potential passing tracks going through Palo Alto. It's basically a long, midline overtake. We have some questions about what assumptions were used? Basically, Caltrain did their ALK study in; I think it was 2012. High Speed Rail has since hired SMA, which is a Swiss firm, that we've actually met with so we actually have confidence in their numbers. Now, they seem to be evaluating an alternative that would include a third track in Palo Alto. It's unclear from the map but it looks like it passes past Cal. Ave but obviously, one small tweak in the numbers and that third track could end up could ending at Palo Alto's University Station, which wouldn't bother anybody or it could make it all the way down past the Cal. Ave station, which would obviously bother a lot of people. I would recommend that we get clarification. I would also recommend that we get a public records request and I'm happy to work with Staff on how to word exactly what we want because we want to understand what assumptions were used in their analysis because they are notorious for saying well, this is our analysis but not where it came from and there's a lot of assumptions in there. I just wanted to make that point and note that it wasn't in the packet. Thank you.

Chair DuBois: Thank you.

Agenda Review and Staff Update

1. Receive and Review Rail Program Briefing Paper From March 2017.

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Chair DuBois: The first item is agenda review and Staff update. Are there any changes to the agenda? Could we go ahead with the Staff update?

Michele DiFrancia, Mott MacDonald: Good morning. Michele DiFrancia with Mott MacDonald. We did include a briefing update in the packet, which you should have in front of you. We've been very busy over the last few weeks since we last met. We held a meeting a couple of weeks ago, with Gary Toth with Project for Public Spaces to talk about CSS and get more up to date on that and you'll be receiving a presentation on that in a few minutes. Also, working with Circle Point for our community engagement and Staff, of course. We've held a couple of follow-up meetings since that initial meeting a couple of weeks ago. Also, there was a CSCG meeting, which is the Staff coordinating group for the High Speed Rail and Caltrain electrification projects. Electrification, there was a delegation that went to DC in the last week or two. You probably received a note from Nadia overnight and we heard on the news that Governor Brown met with DOT Secretary Elaine Chao, to talk about electrification. He's cautiously optimistic about getting the \$650 million for the electrification project. Also, they talked about at the CSCG the UPRR agreement, bringing on a short line operator. They said it would about a year long process to get a short line operator on board for freight operations along the Caltrain corridor. They know that there are a lot of Cities interested in the grade issue in terms of our grade separation project. They encouraged us to contact UPRR directly and the contact information is posted on the Caltrain website so that's something we can look into per Staff direction. They also noted something about horns and we might be looking or UPRR short line operator might be looking into relocating the horns underneath the train, which is similar to Caltrain trains. I think that about covers my report. Again, you will be receiving a presentation on both the CSS as well as quite zones later on in this meeting. Any questions?

Chair DuBois: Any questions or comments? Adrian.

Council Member Fine: Just one comment here. I was talking about undertaking the CSS – the circulation (inaudible) what point. I don't know if you wanted feedback or if Staff wanted feedback on that at this time.

Chair DuBois: I think this Staff update (inaudible)(crosstalk) regional meetings.

Joshuah Mello, Chief Transportation Official: One final update, we met with VTA Staff yesterday morning regarding the grade separation program under Measure B. This was more of just kind of a fact-finding mission by VTA to find out where we currently stand with our grade separations. I outlined our

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preference for some strategic planning and our preference that the funding is not just allocated to first come, first serve or whoever is ready at the time and they seem pretty on board with that concept with using safety and congestion and another quantitative measure to prioritize which grade separation moves forward. They are planning to do – as I mentioned last meeting, an Implementation Plan, which I strongly encourage to be more of a Financing Plan to help outline these – there's actually nine grade separations within the three Cities. How are the \$700 million dollars will be stretched and used to leverage other funding to ideally complete all of the grade separation that the community wants to move forward? VTA Staff will take back that information and they'll probably come back to the tact and the pack with some type of proposal for the program. I think it's going to fall pretty much in line with how the State program works. The Section 190 Program, which uses more quantitative data to prioritize the order in which grade separations are delivered. In all reality, though, there's not enough money currently to deliver all nine, especially if they are upwards of \$100 million per grade separation so there's going to have to be some additional funding brought to the table. They anticipate cash to start flowing from Measure B in April to VTA. They are not quite sure when the Cities will receive their first allocations and there's also come discussion among VTA Staff about whether to fund the grade separation program in the first two years of Measure B but that hasn't been determined yet.

Chair DuBois: Great, thank you. I realize that I have a member of the public for this item, which was Nadia.

Nadia Naik: Hi. One minor correction, the Staff report says People for Public Spaces. I just wanted correct that it's Project for Public Spaces so that was it. Thank you.

Chair DuBois: Greg, go ahead.

Mayor Scharff: In Washington, I spent a lot of time with the VTA people and I got something slightly different. What I got was that – what they need us to do is to prioritize our grade separations. That's primarily what they want Palo Alto to do, is to decide which one we want to do first, which one we want to do second, which one we want to do third, which one we want to do forth kind of thing. They did indicate that there's no way we were going to move forward on all four in the next few years together. At best, we're going to do one grade separation in the next 3-5 years. That was sort of what I got from them and that they are looking for that matching money and given all those grade separations -- so we as a Committee – they thought what we as a Committee need to do it prioritize which grade separation we want to do.

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Then go ahead and start getting it shovel ready. From their point of view, that's what they told me. They also told me that there's really only three possible approaches to this, in their view. There's the possibility of the trench, which they view as really unlikely frankly. Then the possibility of going under the Caltrain train tracks with a road. Then there's the possibility of going over the train tracks. Those are the only three possibilities so I don't know – they've said that you are on their technical working group and that this is pretty clear.

Mr. Mello: The Implementation Plan that they will be developing will be exactly that. I anticipate that they'll probably want to prioritize one grade separation in each of the communities in the first several years.

Mayor Scharff: That's what they told me.

Mr. Mello: The Implementation Plan will outline that and it's going to include a plan to deliver all nine but that could be a 30-40-year time frame. In regard to the options; I think what's been the primary solution on the peninsula to date is the hybrid option, which is where the railroad is partially raised and the road is partially depressed. VTA Staff has mentioned that a couple times at the tact meeting that those are averaging about \$125- \$150 million...

Mayor Scharff: That's what they told me, \$150 million not run \$100 million so they were doing the math. I mean – but I think that information is – at least it seems to me, very different in that if our Task is to choose a grade separation and to get that ready to go – get that shovel ready, that's a very different task than to be working on all four grade separations and making – going through a Contact Sensitive Solution process on all four. I mean, you can do that but the priority is we should choose one and get it shovel ready after we make the decision on the trench. Obviously, the trench issue impacts that. Ok.

Chair DuBois: Is there any discussion about a disruption (inaudible) construction? I mean, we have a couple grade separation very close to each other. If we were going to do – I guess the original report was routing the train onto Alma for a period of time. It seems like doing one at time would be more disruptive.

Mr. Mello: The discussion with VTA yesterday was very preliminary. This was just a meet and greet, this is where we stand, this is what we want to do. I think this development of the Implementation Plan is going to be an ongoing corporative process between the three Cities and VTA. I can't estimate

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where we are going to end up once that plan is completed but I think we need to stay on top of it and make sure that everything we are doing in our alternative analysis is fed into that VTA Implementation Plan.

Mayor Scharff: What do you mean you can't figure out where we are going to end up?

Chair DuBois: (Inaudible)

Mayor Scharff: Ok, go on – I just want to say that I want to follow-up on that one. It seemed – when I talked to VTA, it didn't seem like there was where are we going to end up? It seemed like we weren't going to be able to spend \$300 and some million dollars to do two grade separation at once. They didn't seem to have any sense at all that of the \$700 million, they were going to do that. It seemed that they were going to go try and cobble together the funds and as you said, they want to start – do one in Mountain View, do one in Sunnyvale, on in Palo Alto. I think we run a risk of being to – well, we don't know what's going to happen. We – then we run down a rabbit hole as opposed to being fairly straight forward about – I mean, I spoke to the VTA guys for 3-hours and it was fairly clear to me that this wasn't like where are we going to end up and all of that. If you think it's different, tell me but I didn't get that at all. I didn't get that there's a lot of openness to doing two at once just because there's simply no money. I want you to address that as opposed to maybe being a little too wishy-washy in view of where we are going.

Mr. Mello: I think you probably had a much more in-depth conversation with VTA and you might have been speaking to folks that are higher up in the chain. I think the Staff – the Planning Staff is trying to take more of a measured approach to it and may not have that direction from the leadership yet. I can certainly follow-up with them and see if they've been given different direction than what they outlined to me yesterday.

James Keene, City Manager: Thank you. I just – my thought is that this conversation is exactly sort of the dynamic I was thinking a Committee may be talking through today, which is we will have a whole bunch of issue. I mean, obviously one of them – under three is how do we generate the solution and on board our own community with both what we desire and the reality of what is possible. Then responding to the Mayor's comments, whatever we are going to do would – doesn't exist in a vacuum. It's a dynamic environment with other players outside of our City also and who are going to be on their own, no pun intended, track for making some decisions. I would think one of the conversations that we really start to have today is

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that how do we design our decision-making process for what it is that we want to do and also takes into the account the realities of where there are opportunities down the road over this next year. I think reconciling that would be a big part of our discussion today. I had one other thing on an update, it's just another part of the reality of our story. Josh is amazing that he is here. He and his wife just had a new daughter on Friday and actually, he's (crosstalk)...

Mr. Mello: This is how much I love grade separation.

Chair DuBois: Congratulations. I wasn't actually expecting to see you today. Just a couple quick questions on the actual – going back to the update. You said you've actually been meeting with Circle Point? I guess we are still talking about the process. Can you say what we are talking to them about at this point?

Mr. Mello: I can handle that.

Chair DuBois: Well, I mean...

Mr. Mello: Circle Point, Project for Public Spaces and Mott MacDonald will all present later today on what they've worked on over the last several weeks since the last Rail Committee meeting. They have been talking with CARD and some other folks and City Staff about how to better outline our alternative analysis process in a way that is more that's more consistent with Context Sensitive Solutions and you'll be hearing a detailed presentation on their work later today.

Chair DuBois: Then you mentioned the short line operator was discussed. Was there any discussion about electrification of freight?

Ms. DiFrancia: Michele DiFrancia, no there was no discussion about electrification for freight.

Chair DuBois: Ok and they basically took the whole responsibility and said it was up to us to talk to Union Pacific.

Ms. DiFrancia: In terms of grades or any other specific questions we might have. They encouraged the Cities to follow-up directly with UPRR, yes.

Chair DuBois: They will not advocate for us?

Ms. DiFrancia: We didn't get that far, it was a conference call. Normally the meetings are held in person and it was a brief conference call about 15-20

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minutes. I think the next meeting, which will be in April, will be in person and hopefully, we can ask to follow up questions and get more responsive answers.

Chair DuBois: Again, was there any Staff there or was it just you?

Mr. DiFrancia: It was myself and my colleague Richard Davy, was on the call representing the City.

Chair DuBois: If we want Mott MacDonald to advocate for the City, do we – do they have the authority to do that?

Mr. Mello: We have a call with them before each of the meetings and then we debrief afterward. As I mentioned at the last Rail Committee meeting, when key items come forward, I'll make sure we have Staff in attendance to back them up.

Chair DuBois: I don't know if my colleagues agree but I'd love to push on this electrification issue and also that they don't put it entirely on us. That they help support us in that. Ok, any more questions?

NO ACTION TAKEN

Agenda Items

2. Review and Recommend City Council Adoption of an Updated Rail Committee Charter.

Chair DuBois: Alright, let's move on to Item Number 2. I have two members of the public who want to speak on this item. First is Herb Borock, followed by Nadia Naik.

Herb Borock: (Inaudible – mic not on) Thank you. Shall I start all over – including three on this Committee and I believe reviewing the history of how we got to the guild lines but where they are? I believe they should be -- the City's Rail Policy that applies the Committee and to – and be clear to representatives who also have rail responsibilities on the Local Policy Making Group. I guess the county – the City's association and has some way of getting reporting back as well. I don't believe that modernization should be equalized to electrification. That was a consistent position of the Committee in the past, that it is for modernization and especially, with what's happening with Caltrain, that may have been a wise decision. In regards to some of the things that Nadia mentioned with the passing tracks. If we had that kind of communication, our representative at the last local policy makers group

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Council Member Tanaka, would have reported back on those passing track issues, which were discussed at that meeting a couple -- at the last local policy maker group meeting. I think deleting a lot of the history from the document is a bad idea because not everyone is going to go back online to look for that past history. I don't know how to link to the Rail Policy group that I'll discuss under a later agenda item. Thank you.

Chair DuBois: Next speaker is Nadia Naik, followed by Elizabeth Alexis.

Nadia Naik: Hi, so two things. One is in defense of those who did attend the local policy maker working group, my understanding is that they talked about passing tracks in Palo Alto is actually in Michele DiFrancia's report as well but the slide that shows the map and shows how far down into Palo Alto it goes and what really happens was not available at that presentation. That's why we went it to you as new information that we discovered on a presentation that was given to San Mateo. I would recommend that the City of Palo Alto have them come and do a presentation for us and explain this map because that would make sense. Specifically, about this topic, it struck me that even though in the preamble we talk about looking at bike and pedestrian crossings, it's not necessarily called out in the rest of the comments and I think it should also include the reevaluation of our existing grade separations. There may be some tweaks to Embarcadero or Oregon or the fish tunnel that could fix things. I feel like that should also be covered in the guidelines that we haven't actually looked at. Separately, I would say that I am interested to hear what Gary Toth says about the CSS process because I would assume that at some point the Council itself is going to have to give their preferences to what we want these alternatives to look like versus whatever the community and the rest of the (inaudible) come up with. I don't -- I'm not really clear on if that is something comes in (inaudible) guiding principles or is that something that comes out of the CSS process? I am murky on that which is why I am so happy he is here. Thank you

Chair DuBois: Thank you. The last speaker is Elizabeth Alexis.

Elizabeth Alexis: Good morning everybody, this is very early. I think just echoing first what Nadia said which is that I think one of the first discussions was what are -- what should be the guiding principle of guiding principles? Especially, when we are looking at Context Sensitive Solution approach. Is it something that you want to see like a trench or you don't want to see that? Is it to sort of value this process or what are those connectivities or what are these kinds of things you want to be included in it? One thing that I would personally like to see in guiding principles and strongly expressed is -- which

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is in there to some extent but is to differentiate the role of impact of this – of Caltrain in this City but also elucidate the benefits that we're trying to get from Caltrain and how we see it shaping both our transportation and our land use, our stationary, all that kind of stuff. The final thing that I would say though is in the principles in just listening to what VTA says, you can do one grade separately. That is not at all what San Mateo County has done. They typically do groups of three because you're – when you are doing one you are doing the adjacent streets and you would never go back and do that. I think one of the guiding principles – I think we did this successfully on Measure B is that one of the transitions that I have seen since 2008 and 2009 is that instead of taking things for granted from various agencies, understanding that we are – just to – the people are the democracy in a City. The Cities are these agencies or these Counties and to really take a much more proactive approach on this and to work together with our neighboring Cities. Even if we think we might be competing with them for money so that instead of VTA deciding 'X', work with Sunnyvale and work with Mountain View together so that we can come up with a program that gets everything done in a better way and more reasonable kind of thing. I think that's – we're starting – we have really started to change that where we are starting to see that we have – we can't just sit back and have things happen but we also have to then take a leadership and be willing to put up money etc. etc. Thanks

Chair DuBois: Alright, does Staff have a comment about the update?

Hillary Gitelman, Planning Director: Thank you. To the Chair and the Committee Members, I think we talked about this on our last agenda. It was the Chair's idea that we update the charter. We pulled it out and looked at it and it really was quite old so it needed updating. Then at the brief conversation, we had at your last Committee meeting, it was pointed out that the charter and the way that it was written was kind of pre-judging what would be an alternative analysis based on a set of a problem statement and an objective. We've taken another swing at it and in Attachment C to this report, you'll see it's just a two pager. We're happy to get your comments. The Committee can keep working on this for a few more meetings or we could land on a final version and send it to the Council for adoption. The idea would be to send the – ultimately, forward something to the Council so both the Committee and the other Members of the Council are on the same page with regard to the objectives and purview of this Committee.

Chair DuBois: You gave us two updates, right? B and C?

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Ms. Gitelman: Yeah so, the original version or the current version is Attachment A, Attachment B is what we provided at the last meeting and based on the input at the last meeting, we did another version, which is much shorter, more general statement of the problem, the purpose of the Committee and the principles.

James Keene, City Manager: Mr. Chair, could I – Hillary, we've taken a bunch of stuff and boiled it down to two pages really. Right now, both the charter and the principles and you've explained that but can you just put a little more clarity about our thinking in what informed the approach that you took here?

Ms. Gitelman: Sure, I think the preamble really was intended to state what the problem is that we are trying to solve. We are a City that believes in transportation and urban design solutions that are appropriate for our community but that Caltrain acts as a physical constraint to east/west movement. We have safety and noise issues as well as traffic congestion issues as a result. Then we've tried to articulate what we think the purpose of the Committee is and what it's goals are for the coming year. Of course, that's subject to your review and revision there. It starts with undertaking this Context Sensitive alternative analysis and ultimately, recommending a preferred alternative to the full Council but also advocating on behalf of the City with High Speed Rail and Caltrain. Representing the City by providing comments and making other recommendations to the Council. The guiding principles, there are eleven suggested here and it talks about seeking to improve circulation for traffic, pedestrian, bicycle, safety and noise improvements along the corridor. Strongly supporting Caltrain modernization and ensure that Caltrain mitigates the impacts that have been identified with that project. Also, our long-standing concern with High Speed Rail. Our belief that High Speed Rail should fund grade separation and service shouldn't commence until the grade separations are complete. Then also our desire to advocate strenuously for our share of Measure B funding. Our support for Context Sensitive Solutions for High Speed Rail and our own...

Mr. Keene: and grade separations.

Ms. Gitelman: ...and grade separation – our intentions to use them for grade separations ourselves. Then a number of another sort of larger concepts, the last one being that we agree to speak with one voice and advancing these principles and we'll incorporate by – and incorporate by reference Council adopted written comments.

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Mr. Keene: I would just point out that Number 9, for example, I do think speaks to Elizabeth Alexis's comment relating to working with neighboring communities.

Chair DuBois: Any questions or comments? Adrian.

Council Member Fine: Thank you. I think this is a much-improved draft on the previous updated one. Just a few comments. One is I do think time is of the essences on many of these issues and I think it may be helpful for us have something in there about working judicially and quickly. To some degree, I would like to see us as a Committee and hopefully, Council puts in here as a guiding principle that we want to empower Staff to make some of these decisions and to be able to move when they need to. I did like one of the older principles about smart urban and transit design. I think that's actually really important if we are going to be making these infrastructure improvements, they should look good and be nice for our community. Just something to raise, I think the last charter had something about Caltrain funding and us being will to explore the dedicated source of funding for Caltrain. We may want to keep that in. I'm not saying we are committing to it but I think letting Caltrain know that we are willing to support them in finding a dedicated source is a good message to send. Then I was hoping Staff could give a little bit of explanation on bullet point eleven. That just seemed a little out of place to me.

Mr. Keene: That's part of our overall sale strategy with the City Council.

Ms. Gitelman: I think the idea would be that the whole – really the intent of a charter would be that we are all on the same page in terms of what we're working on and to further advance that, we would be saying that we, as a City, would want to speak with one voice. We don't want to be talking to outside agencies about...

Mr. Keene: Can I just jump in here in a more practical level. I think that the Council has had this discussion when it talks about the role of the Council as a whole and individual Council Members role of Council Members is liaisons when they are – to different agencies. The need to distinguish the fact that for the most part – I mean, for individual Council Members, be cognitive of the fact that when we are speaking to other agencies and that sort of thing, there is a City position and then there's an individual perspective. I think this is trying to recognize that there is value in – at least the State of the City's actual position or formal position by the Council is always being what is put out there so that the City's position is strengthened. That doesn't – in my view, that doesn't preclude people from having their own individual

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perspectives but the need to clarify what is the City's position for example, practically versus an individual one?

Council Member Fine: Right so I think that's important. I think maybe it's the last sentence, in the case of any conflict and policy, the most recent language shall prevail. Is that really necessary, it just seems...

Ms. Gitelman: That was just sort of a holdover from earlier guidelines.

Council Member Fine: ...Ok. That's a little...

Ms. Gitelman: ...we've sent so many letters on these issues to the agencies in the past. I don't think it's critical.

Chair DuBois: Greg.

Mayor Scharff: I'm going to follow-up with Adrian. I actually think we should take number eleven out. I hear what you are saying and I totally agree with that Council Members have a lot of different opinions. It feels a little bit like you're trying to muzzle people and I don't like the president. I mean there are lots of issues we deal with where Council Members interact on a wide variety of issues and the notion that that Council Members – I think public – I think the agencies we deal, I think the community that we deal with, everyone knows that the Council only speaks when the Council sits up as a body of nine and individual Council Members may have different nuances or frankly, completely opposing views on things. I probably wouldn't support the inclusion of number eleven. I guess I also wanted to understand a little bit – we also have some proposed of goals of the Committee in here, which to me are different than the guiding principles. I am not ready to say what the purpose and goals of this – for instance, I am not willing to say let's undertake Context Sensitive Solution analysis, to engage the (inaudible) and evaluation of potential without prejudging any one solution without hearing about what the Context Sensitive Solution's process is. How we expect it to proceed and what our general plan is? I think I am not willing to have our goals (inaudible) yet before we have that kind of information. I also want to – also in my mind, there's the sense of that we get -- what do we call it, quiet...

Mr. Keene: Quiet zones.

Mayor Scharff: ...Quiet zones are that I need to understand – Tom actually raised a good point to me. If we are going to do a grade separation right away, why spend the money on quiet zones? The question becomes, over what time period do we expect the grade separations to occur? If they occur

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over a really long period, then those areas that are not going to be grade settled quickly, we should put a quiet zone in because we get the community immediate relief on those issues. We don't wait 10 or 12 years while we do that. The other thing that I think we need to think a little bit on is this came out of a conversation I was having with a Sunnyvale City Council Member who was looking for some bicycle and pedestrian underpass and he was expecting to use Measure B funds for that. Not grade separation funds but the pedestrian and bike funds. I think we need to think about grade separation more broadly and if we can get some pedestrian tunnels. I know we have talked about two of them, right? We've talked about one at Churchill and we've talked about one down by East Meadow. I think the one at Churchill was – when you go there in the morning, there's maybe 150 kids lined up and sometimes at one time, waiting to cross and I'm sure – I haven't been there at Meadow in the morning but it's the same issue I assume. I'm thinking that those are fairly cheap. I think we're spending \$20 million to do one of those where as we are spending \$150 million to do a grade separation. We might be able to get those done sooner and so I think we need to think of grade separation in a more broader term and I think the Rail Committee needs to focus on how do we get the Measure B funds for those and how do we do that? I guess I want to see us develop a plan that we agree upon as a way to approach this in a – before I decide what the purpose and goals of the Committee are because the purpose and goals then interact with that. On terms of the guiding principles themselves, I think they are good for the most part. I do think that we might want to flush out 2 a little bit, 'Palo Alto strongly supports Caltrain and the improved commuter rail service that will come as a result of modernization.' It's really electrification but it's also level boarding and it's – I don't know, level boarding, electrification – what else do we put in modernization? (Crosstalk) Right, platform lengths. I'm just wondering if we want to push that out. Just so that when the community sees this, they have a sense of what we mean by moderation because right now, people seem to be confused as to if it's just electrification or what is that?

Council Member Filseth: You could say including electrification and then that would...

Mayor Scharff: We could, we could. That would be a good plan. I also was wondering if we should address anything on freight on this, on our guiding principles? I mean, we may want to come back and I'm not saying we should do it at this meeting but we may want to think about the freight stuff and what freight – (inaudible) the freight should have separate horns maybe or I don't know. I'm just wondering if freight should be something that we should at least have a discussion about at some point. I also think number ten; Palo

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Alto strongly supports revisions to the Peninsula Corridor Joint Powers Board (PCJPB) governance structure that more accurately reflect the distribution of Caltrain ridership. I strongly think that we should have a seat on the Caltrain Board and I don't like the way the Caltrain Board is chosen. Especially in Santa Clara County, which was chosen by VTA, frankly. I don't think it reflects at all – I don't think who's on that Board – you don't even have to have a – in fact, the current Board Member from our area is Jeannie Bruins from Los Altos. Los Altos doesn't even have Caltrain so I think that's an important thing. I'm just wondering if...

Mr. Keene: (Inaudible) more explicative?

Mayor Scharff: I think we either need to be more explicative or not – I'm actually not sure what I want to do on it, to be honest. I raise the issue because it's a contentious issue. It puts us at odds with a bunch of other Cities on these issues. It puts us at odds with VTA a little bit. I don't think anyone wants to deal with this issue. I don't think anyone is going to deal with this issue unless we were to make a huge stink about it and even then, we have to actually get people on the VTA Board to probably change how they do it. We probably couldn't build political support. I'm just wondering whether or not this should even go here or we just leave it here it as a throwaway? We don't talk about it. I'm always nervous in Palo Alto about putting stuff into a charter. Where the community then thinks, we're going to go advocate for this or are we just saying we want this and at some point, in the future, we will take it on? That's sort of my sense of that. We have grade separation to deal with, we have electrification to deal with, we have a lot on our plate. I'm just wondering if we are actually thinking we're going to take this issue on or if we are not going to take it on. I probably wouldn't advocate for taking it on right now, frankly.

Ms. Gitelman: (Inaudible)

Mayor Scharff: I just raise that as an issue.

Ms. Gitelman: That was another holdover from the earlier version so that's good input on what the Committee is thinking on that issue.

Mayor Scharff: I'll let other people speak.

Chair DuBois: Eric?

Council Member Filseth: I thought it was generally pretty good. I think most of the discussion we have had is useful for it. I guess my take on this is I hope we close on something today. The year's quarter is over, right? I hope

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we will converge on something that is good but maybe not necessarily perfect and move on.

Chair DuBois: We can – I don't think is going to constrain us from moving forward.

Council Member Filseth: That's the key. It shouldn't constrain us from doing what we need to do.

Chair DuBois: We continue to work on this.

Council Member Filseth: Not necessarily specify everything we are going to do but not constrain us.

Chair DuBois: Right, but we can also give feedback and have this come back and not slow us down. I just wanted to clarify, under purpose representing the City by providing comments to other agencies. Is that meant to provide the community the ability to send out emergency letters and things, without going to the Council when needed?

Ms. Gitelman: Yeah. I think our thought was that if the full Council adopts the principles, then this Committee would be authorized to speak as long as it's consistent with these principles.

Chair DuBois: Right, ok, I just wanted to clarify that. I do think – I really don't support the loss of the background and the information on High Speed Rail. I think (inaudible) have had multiple times against High Speed Rail and taking that out, I'm a little concerned. I would advocate for putting that back in. Particularly – maybe not. I actually think the background is useful as one of the speakers mentioned. A lot of Members of Council weren't here for a lot of this but also the positions and all the one and two under the High Speed Rail comments.

Mayor Scharff: Where are you?

Chair DuBois: I'm looking at this strike (inaudible)

Mayor Scharff: Packet Page?

Chair DuBois: Packet Page 15, struck items one and two. Just to continue my comments, I do think we should add a position on freight in terms of electrification and modernization of freight and advocating for options. Also, looking at some of these older ones that were struck out; continuing on that Packet Page 15, I think number three was important, which talked about

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paying attention to Palo Alto neighborhoods. I think Number 5 was important, the viability of High Speed Rail. I had a question about whether Number 6 is still valid? Does anybody know if that – has that happened or is that – then number -- (inaudible) number seven at the top of Page 16, I thought that was a good one to keep. Kind of aligning with community standards. I was curious as to why we took out economic development because one of the things that I think we should also call out that was mentioned in the new preamble but I actually think it should be added in the principles, maybe under one. That was improving east/west connectivity in the City.

Ms. Gitelman: I'm sorry, what connectivity?

Chair DuBois: East – west. It was mentioned up in the preamble but we seek and to improve traffic circulation safety along Caltrain and improve east/west connectivity. Number eleven, it's pretty similar to the previous one. I don't really have a problem with it because again, I think it's true that the Council Members should be speaking with what (crosstalk) we have agreed to on the new one. The other one that I thought maybe we should add was number twelve, which was that we are treating grade separation as a priority project and we're going to Staff and resource it appropriately. The last thing that I would say is that Council has said and voted on CSS multiple times so I don't think we can just take it out today. I think we would have to go back to Council.

Mayor Scharff: Well, the whole thing is going to Council. I'm not suggesting taking it out. I'm just suggesting – we are doing a revised grade – revised draft Committee Rail Charter and I think what we need to do is understand what the plan is and what we're going forward. What Context Sensitive Solutions and what – how that works? I think that's the reason we had them done.

Chair Dubois: That's on the Agenda today.

Mayor Scharff: Right. I'm just saying that I think we're getting the cart before the horse if you vote to do that before we hear from them.

Chair DuBois: We kind of – I guess, one thing that I did agree with was that we took out some of the preferred solutions with an eye towards being more open about that. I think we just have to see how that plays together.

Mr. Keene: When the Mayor was speaking, it seemed clear to me that at a minimum, we would need to put the Committee's decision on this item at

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the end of this meeting. You just said Mr. Chair, obviously though that you'd – why don't we just look at getting this feedback and bringing back a draft at a future meeting. That sort of seems to me to be right. I do think the fundamental tension that we're dealing with here is real to what Greg Scharff was saying about what does the CSS process involve and mean? What's the relationship with that between other timelines or decision points that we have to make? I'm guessing that that's part of the core that we are going to be talking about. Actually, when we had a chance to talk with both Mr. Toth and the CirclePoint people yesterday, we spent a lot of time talking about how that gets structured because you do have this – I mean, I'm restating the obvious. Both what we had historically and even some of the things that we would put in here in one sense could be (inaudible) to Context Sensitive Solution process right out of the gate. On the other hand, you want – you're talking about getting more clarity so that you don't lose sight of the ability to take action so I'd think about – I just sort of lead with the late great Harlan Cleveland's Challenge to all of us; always in a democracy and decision making. How do you get everybody in on the action and still have action? I mean that's really what I think the Committee is going to be focused on designing and instructing us today. Thanks.

Chair DuBois: Yeah and I do think the charter – I mean, we are talking about different things. Just because something is in the charter is stated Council preference doesn't mean it can't be discussed as part of the community outreach. One other last thing is saying that the Committee was reestablished in 2016. I think it was reestablished in 2015. I believe we – no, we have met for the previous 2-years I think, right? Is that, right?

Ms. Gitelman: We can check.

Chair DuBois: I think Pat Burt was Chair and then Marc Berman was Chair.

Ms. Gitelman: Ok, we'll check. We are happy to take another swing at this and bring it back again. This could be a...

Chair DuBois: That's what I would suggest.

Ed Shikada, Assistant City Manager: We've got December 16th, 2015, agenda.

Ms. Gitelman: I did have just one question. Our thinking in all the background material about High Speed Rail and having that at the front, kind of made the whole thing about High Speed Rail. I hope the Chair would

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be willing to have us put that as an attachment or put it in some other place because...

Chair DuBois: I think High Speed Rail doesn't need to be the lead but it's almost entirely removed now and I don't think that's right either.

Mr. Keene: I think there's a way we can structure without putting it fully into just an appendix, not being cute about that. I mean, making sure that we don't lose that but again, being able to have somebody pick up something over this next year as we are wrestling with what are the design options and what is possible? That it is pretty easy for people to look at this and get clear about what your focus is going to be here.

Chair DuBois: Is everybody ok with Staff taking these comments and coming back?

Mayor Scharff: No.

Chair DuBois: Alright.

Mayor Scharff: I think we haven't dealt with giving direction to Staff. You made some comments about High Speed Rail going in here. I think that begs the question, what is our position – what do we want to accomplish as a Council on High Speed Rail? I don't think it's the – at the moment, the topic issue frankly. I don't think we've had a Council discussion in a long time, given where High Speed Rail is. I think they are under construction in Central Valley but they have no money in the future to continue going forward. That the federal government doesn't look like they're very much in favor of High Speed Rail these days so they are unlikely to get money from there. I thought it was a good thing that you took out all the stuff on High Speed Rail frankly and I don't want to see it go back in. That would be my comment but that's directly opposite of what Tom said. When they come back with something else, I don't think it's really helpful to have them not know what direction we're talking about. I actually thought that we should take some sort of a move forward now. Think about it and I think we could have a discussion and I'm totally open to it. I think High Speed Rail is a stupid project frankly but the question is, what do we as a Council want to spend our time and effort on and is it a threat to Palo Alto right now? Are there things that we should be doing to make it less of a threat? Should we be making sure they do mitigations? It seems that it's not right for us, they're not – I could be wrong. I expect I'll get there – if there are things with High Speed Rail we should be dealing with, I'm sure I'll about it from members of the community.

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Chair DuBois: I suggest – I think we are mixing a couple things. One of this is the charter of the Committee and I think we need to be broad and ready to react in case the situation changes.

Mayor Scharff: Maybe something that is broad about High Speed Rail but I mean, one paragraph that says the Committee shall look at High Speed Rail issues if they come up and have the authority to act on if it's critical or something like that.

Chair DuBois: I think fine. We have our goals for 2017 and 2018 and we have our principles so I think we could – those can be different and I still think Council has made it pretty clear what some of its principles on High Speed Rail are and I'd like that to be clear. You said you don't like it – just because we think it's not going to happen, I think we should continue to say that Council stated position is that – the (inaudible) doesn't make sense on some of those items.

Council Member Fine: I'm just going to jump in here. As the newly elected Council Member, I think it has been clear what Council has thought about High Speed Rail in the past but the High Speed Rail situation is certainly changed. I don't see it on our radar at the moment. I'm not sure how it helps us to bring it into this charter. I think it would be fine to say evaluate, be responsive to High Speed Rail issues, advocate for our neighborhoods as you mentioned in point number three.

Chair DuBois: I believe – is the High Speed Rail EIR still on-going?

Ms. Gitelman: Yeah, they are still preparing and just to bring everybody on board with our thinking. In the purpose of the Committee, we put a bullet saying monitor High Speed Rail activities. Then in the charter itself, we have these two Numbers 5 and 6, where we say Palo Alto (inaudible) concerns about the impacts of High Speed Rail and believes that they should fund a full analysis of impacts and that we think service on High Speed Rail shouldn't commence priority grade separation. That's what we took from (inaudible)

Chair DuBois: That seems much weaker than the vote Council took to oppose High Speed Rail. Yes? Go ahead.

Council Member Filseth: If we have to come back in 3 or 4 months from now and make a change to the charter, what's the process of that?

Ms. Gitelman: We would do exactly what we are doing. We would have a discussion and forward something to the full Council.

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Council Member Filseth: Right. I think High Speed Rail, at the moment, looks kind of like a corner case for all the reasons the Mayor said. I think there's a lot of obstacles in its way. I think it's unlikely to be a factor anytime soon. I think if they suddenly get billions of dollars from the federal government and so forth, I think we can come back and do something like that but what we do with this today – it sounds like it's not cast in concrete and immutable. I think our focus – we really need to figure out what we are going to do on grade separation and I really think this should be the focus of this document. It could go a little further field but I do think some of the issues that you said about maybe we ought to consider (inaudible) to pedestrian tunnels. I actually thought bullet ten we should just take out. I mean it seems like a little more political thing as opposed to our mission here and so forth.

Chair DuBois: Again, I think we're mixing things here. Generally, I don't think we want to keep coming back to the charter. We've updated it a few times over the years but again, our principles versus our goals for the year, number ten has been a principle for quite a long time. Go ahead.

Mayor Scharff: I was going to say, I guess my vision is that I'm sort of where Eric is on this. We get something out today and if we want to revise the charter we can always amend it and change it. I don't think we need to – unless High Speed Rail becomes a real issue then yeah, I think we need to sit down and talk about what we have to do. I also think – I guess I would just move that for now we just adopt the guiding principles 1-9 and make that our guiding principles.

MOTION: Mayor Scharff moved, seconded by Council Member Filseth to recommend to the City Council adoption of Guiding Principles 1-9, making those the Guiding Principles.

Mr. Keene: Then you will come back to the rest of the charter?

Mayor Scharff: Yes.

Mr. Keene: Good.

Ms. Gitelman: Just to clarify so would you want us to forward just the guiding principles? Not preamble, no purpose...

Mr. Keene: No, let's just let them vote on this right now, right?

Ms. Gitelman: ...to the Council?

Mayor Scharff: Let's just vote on this right now.

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Ms. Gitelman: Ok.

Chair DuBois: I think there were some suggestions and changes even with 1-9.

Mayor Scharff: Should I open to Amendments?

Chair DuBois: Yeah, I think we're going to – I don't know if we want to spend the time now to do this. If we are going to vote, I'm going to vote against it. It's going to go to full Council and it's probably not a good use of time either.

Council Member Fine: I would vote for it at the moment but Tom, you did bring up two that I like. Bring back old policy – positions three and seven so one impacts on neighborhoods and the other trends in urban design solutions. I think those are both fair and speak to the ped/bike stuff. I'm willing to support it either way.

Chair DuBois: Is that a Motion?

Mr.: Keene: Page 15 again?

Council Member Fine: Yeah so consider that an amendment to add.

Mayor Scharff: Why don't you say it clearly.

Council Member Fine: From Page 15 so when examining the potential impacts of vertical rail alignments, equal attention shall be given to all Palo Alto neighborhoods; I think that's fair. Then Number 7, which is Palo Alto supports transit and urban design solutions that will be compatible with our community safety and quality of life transportation goals and rail corridor visions. Just those first two sentences.

AMENDMENT: Council Member Fine moved, seconded by Council Member XX to modify Guiding Principles 3 and 7 from Packet Pages 15 and 16 to read the following:

- a) (Guiding Principle 3) When examining the potential impacts of vertical rail alignments equal attention shall be given to all Palo Alto neighborhoods; and
- b) (Guiding Principle 7) Palo Alto supports transit and urban design solutions that will be compatible with our community safety and quality of life, transportation goals, and rail corridor vision.

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Ms. Gitelman: It was really Mayor Scharff's suggestion at the last meeting about the equal treatment because we may have to prioritize one grade separation over others so that was the reason we didn't carry that was forward.

Council Member Fine: Didn't carry 7 forward or 3? (Crosstalk)

Ms. Gitelman: The one about equal treatment of neighborhoods. I mean I know that's a good long-term goal but the point was raised at the last meeting that...

Council Member Fine: that precludes that?

Ms. Gitelman: ...you're going to have to sequence.

Council Member Fine: Ok, alright. Well, we will try it.

AMENDMENT RESTATED: Council Member Fine moved, seconded by Council Member XX to modify Guiding Principle 7 from Packet Page 16 to read the following:

- a) (Guiding Principle 7) Palo Alto supports transit and urban design solutions that will be compatible with our community safety and quality of life, transportation goals, and rail corridor vision.

Mayor Scharff: So, what's your Motion to add what now? There were two things. It was not that one but there was another one.

Council Member Fine: The second one was just Number 7 at the top of Page 16. Trends and urban design solutions that will be compatible with economic goals, community safety and quality of life.

Council Member Filseth: I'm not going to accept that. (Inaudible)

Mayor Scharff: Fair enough. Fair enough. I thought it was jargoning too.

AMENDMENT FAILED DUE TO LACK OF A SECOND.

Chair DuBois: I wanted to add to Number 1 that we would improve east/west connectivity.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add east/west connectivity to Item 1.

Mr. Keene: Which Number 1? The current one?

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Chair DuBois: The new one.

Mayor Scharff: Improve east/west connectivity? I'm fine with that. I mean that is sort of what (inaudible)(crosstalk) That's like captain obvious.

Chair DuBois: I guess the grade separations aren't actually listed here but I thought the comments about including Oregon and Embarcadero where good. I wanted to add one about freight.

Joshuah Mello, Chief Transportation Official: Can I just jump in there. I think we should really keep it broad because there is also plans on the books for under crossing at Everett and a crossing at the Loma Verde area as well. I – either we need to list all potential or we should just keep it broad and assume that everything is included.

Mayor Scharff: Keep it broad?

Chair DuBois: Yes. What do you think about adding – I think you brought it up, a principle about freight modernization?

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER to add a Principle about Freight Modernization.

Mayor Scharff: Yeah, I did. I was looking to see if people wanted to add a principle that we should look at freight modernization.

Chair DuBois: I would.

Mayor Scharff: That's fine with me, is that fine with...

Chair DuBois: I still would like to strengthen 5 or 6 about High Speed Rail. I think we've lost some significant comment. It doesn't need to be maybe as lengthy as the previous one but I think we should...

Mayor Scharff: What language would you like but then you have to vote for it?

Chair DuBois: Yeah.

Mayor Scharff: If you don't vote for it then the answer is no.

Chair DuBois: You have to (inaudible) the language first and then decided if I want to vote.

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Mayor Scharff: Nah, that's not how it works.

Council Member Filseth: (Inaudible) there is no such thing as a short conversation about High Speed Rail.

Chair DuBois: Maybe pulling back a little of the language from 15 under Number 1, that the voters approve the measure. Let me see.

Council Member Fine: The voters approve the measure based on grossly underestimated costs? Are you talking about the top of Page 15, Tom?

Chair DuBois: Yes. Maybe underneath 5, Palo Alto has long had concerns about impacts about High Speed Rail and believes that the project should be terminated. If the project proceeds, then High Speed Rail should provide funding to effected Cities.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER to change to Guiding Principle 5 on Packet Page 19 to read: "Palo Alto has long had concerns about the potential impacts of High Speed Rail and believes that the project should be terminated. If the project proceeds, California High Speed Rail Authority should provide funding for affected cities to analyze potential impacts."

Mayor Scharff: What you want to do is say Palo Alto has long (inaudible) High Speed Rail and believes it should be terminated, right?

Chair DuBois: Yeah.

Mayor Scharff: Believes that it should be terminated. (Inaudible). I'm fine with that as long as you are going to support the whole thing. If you're not going to support the whole thing then we are going to have this discussion at Council, then I'm not fine with it.

Chair DuBois: I'd kind of like to see it – hang on a second.

Mr. Keene: (Inaudible)

Mayor Scharff: Right, which I think is a complete waste of time at this point.

Chair DuBois: I do too.

Mayor Scharff: I think that compacts your issue which is you want to make sure that we haven't lost that we think it should be terminated.

Chair DuBois: That's correct.

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Mayor Scharff: If you put that in there, I think that addresses your concern, no?

Chair DuBois: Yeah, I'm just going through my notes really quick. OK, I think that will do it.

Mayor Scharff: Alright, I think we are ready to vote but I don't know where Adrian went. Adrian, I think we are ready to vote.

Council Member Filseth: What is the exact language?

Mayor Scharff: Why don't you give us the exact language?

Chair DuBois: For just that item?

Mayor Scharff: Yeah, we've only made one change to this so far.

Chair DuBois: Are we going to add freight?

Mayor Scharff: Yes, but let's – yes, let's go through all the changes just to make sure we have them right.

Mr. Keene: You added east/west connectivity issue under Number 1.

Mayor Scharff: Correct.

Ms. Gitelman: Then Number 5 we added a phrase so it will now read, Palo Alto has had – has long had concerns about potential impacts of High Speed Rail and believes that the project should be terminated. If the project proceeds, the California High Speed Rail Authority should provide funding for affected Cities to analysis potential impacts.

Mayor Scharff: Correct.

Council Member Fine: Then no 10 and 11, right?

Ms. Gitelman: Ten and 11 are (inaudible) and we are going to substitute a new principle of freight modernization.

Mayor Scharff: Yes, we just – broadly just stated that we support freight modernization, right?

Council Member Filseth: I think we were going to add one word to number two which is in the parenthesis electrification, I think we were going to say including electrification.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add "including electrification" under Guiding Principle 2 on Packet Page 18.

Mayor Scharff: Yes. Correct.

Chair DuBois: Under freight, I think it's more than modernization. It's...

Mr. Keene: Elimination?

Mayor Scharff: I think it should be elimination, frankly.

Chair DuBois: (Inaudible) we are going to advocate for modernization of freight and flexibility, I guess.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER to advocate for modernization of freight and flexibility.

Mayor Scharff: That's good. I think that's fine.

Chair DuBois: Then the other one I suggested, which you guys can tell me if you think we need but that we are going to treat grade separation as a priority project and assign Staff and resources accordingly.

Mayor Scharff: I (inaudible) that the City Manager is redundant.

Mr. Keene: I was going to wait till you did the principles and I had a suggestion related to the Committee's purpose that I thought maybe could – we could add a sentence there in response to something you said earlier. If you are going to do that.

Mayor Scharff: What's your...

Mr. Keene: I'm just saying that right now, the purpose of the Committee and the goals and it says 2017 and 2018. I think...

Mayor Scharff: We're not talking about that right now, though.

Mr. Keene: I know but I mean after you do the principles.

Mayor Scharff: Ok.

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Mr. Keene: Whether or not this really needs to be – I mean, whether or not this needs to be in the principle or part of the preamble, that's the only point I was making.

Mayor Scharff: You think that issue about the Staff should go in the preamble or in the goals?

Mr. Keene: (Inaudible) just my thought for whether you agree with it or now. Right now, it says that the City Council Rail Committee was reestablished in 2015 to analysis and advance grade separation across for all modes blah blah blah. Then it says, while the Committee in the past was trying to deal with this; found the focus on High Speed Rail, the Committee recognizes that the decisions on Caltrain grade separation electrification are the essential focus of the Committee for 2017-2018. I mean that makes it really clear that on the Staff side we would be compelled to devote the necessary attention and resources. We know what that is and if somehow something changed, suddenly the world changes – going back to Eric's point, remodify the direction at any point in time during the year.

Mayor Scharff: Getting back to Tom's question, you're suggesting that we not put in...(Crosstalk)(inaudible)

Chair DuBois: (Inaudible)

Mayor Scharff: ... and that we keep it up in somewhere else.

Mr. Keene: Yeah, I mean that is assuming that you're going to have a preamble and a purpose. If you end up not having it, then I would say...

Chair DuBois: Could you read that again?

Mr. Keene: Just adding a second sentence right after the introduction that just says, while the Committee in the past has focused on High Speed Rail, the Committee recognizes that the decision on Caltrain grade separation electrification is the essential focus of the Committee for 2017 and 2018.

Mayor Scharff: I think that's good. You'd make that – that would be the preamble?

Mr. Keene: Yeah and that makes it...

Mayor Scharff: That's a good preamble.

Mr. Keene: Yeah.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to have the Preamble read: "The City Council's Rail Committee was re-established in 2015 to analyze and advance grade separated crossings for all modes of travel (autos, bikes, and pedestrians). While the Committee in the past found the focus on High Speed Rail, the Committee recognized that the decisions on Caltrain Grade Separation Electrification are the essential focus of the Committee for 2017 and 2018."

Ms. Gitelman: It would be the purpose or the...

Mr. Keene: Yeah, the purpose.

Mayor Scharff: Alright, the only question I had before – I think we have it all down. In terms of – are we going to say – do we need to say somewhere that we're going to look at pedestrian and bike under crossings as part of grade separations?

Mr. Mello: That's been our assumption but if you want to clearly spell that out; I think...

Ms. Gitelman: I kind of think (crosstalk) it's in Number 1.

Mayor Scharff: So, it says in the purpose, ok. I just wanted to make sure we're good.

Council Member Filseth: (Inaudible)

Mayor Scharff: Ok, as long as we (inaudible).

Chair DuBois: One last question here on Number 11. The previous version of 11 on Page 17 took out the bit about speaking with one voice but I think it's saying that the principles of the Committee incorporate by reference (inaudible) comments to High Speed Rail and other relevant agencies. I think that's good language.

Mayor Scharff: You're looking at what page?

Chair DuBois: Look at Packet Page 17, the final principle. It's basically a way to update the charter without having to come back and have a meeting about it.

Mayor Scharff: Which number are you looking at? 17, 11?

Chair DuBois: No, this last one.

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Mayor Scharff: Thirteen.

Chair DuBois: Which is essential – eleven was edited and I think your objections was to the bit about speaking with one voice but that concept that we are going to update the charter by Council action; I think is valid.

Mayor Scharff: This 13 – you're looking at (inaudible) CHP (inaudible) and other relevant agencies in case of any kind...

Chair DuBois: Basically, Council adopted action will then update the charter.

Mayor Scharff: I actually think that if Council makes a change, they should update the charter. They shouldn't just be comments or something like this; this charter is pretty broad.

Chair DuBois: Ok. Alright so are we ready to vote on this? Is Staff clear on all these changes?

Mr. Keene: You've directed us clearly enough on the changes to the principles itself. I added – I recommended a sentence added to the purpose section.

Ms. Gitelman: Then (inaudible)(crosstalk)...

Mayor Scharff: We're not voting on the purpose section.

Ms. Gitelman: ... are we deleting the bullets (inaudible)(crosstalk)

Mayor Scharff: We are voting on the guiding principles.

Mr. Keene: Just voting on the guiding principles right now.

Chair DuBois: We're we not adopting the preamble and the purpose?

Mr. Keene: Not yet.

Mayor Scharff: We haven't made a decision yet. That's the second motion.

Chair DuBois: Alright.

Mayor Scharff: I'd be fine to adopt the preamble with Jim's thing. I thought the preamble was fine. You want to adopt the preamble now?

Mr. Keene: Could I make a suggestion?

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Mayor Scharff: Let's adopt the preamble (inaudible)(crosstalk)

Mr. Keene: Once I had the preamble and the – what's the next phrase? The purpose with the principle changes that you made for now so we can move on to the next item which is going to be pretty...

Mayor Scharff: Say that again?

Mr. Keene: If you would adopt the preamble and then the principles with the – I mean the purpose with the sentence as revised, along with the principles as you have revised them for now.

Mayor Scharff: Wait, so when you want us to adopt the purpose, it's that whole thing under purpose there?

Ms. Gitelman: I think which is...

Mr. Keene: Right now, it is.

Mayor Scharff: I'm not willing to do that.

Ms. Gitelman: I think what we would do is remove the bullets...

Mr. Keene: Then remove the bullets.

Ms. Gitelman: ...and instead, substitute Jim's sentence after the first sentence.

Mr. Keene: Ok, so all we are just going to say is the purpose and goals are – was reestablished blah blah blah and the sentence that I added. Then that's it for the purpose and goals, ok?

Mayor Scharff: Ok, I can do that.

Mr. Keene: We're good with that?

Mayor Scharff: I'm good with that.

Mr. Keene: Then the preamble is there.

Mayor Scharff: I'm good with that. Ok, I'll amend it that way and accept it that way.

Council Member Filseth: Mr. Chair?

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Chair DuBois: Yep. Alright, all in favor?

Chair DuBois, Mayor Scharff, Council Member Fine, Council Member Filseth: Aye.

MOTION AS AMENDED RESTATED: Mayor Scharff moved, seconded by Council Member Filseth to recommend to the City Council adoption of Guiding Principles 1-9, making those the Guiding Principles, including the following changes:

- A. To add east/west connectivity to Item 1;
- B. To add a Principle about Freight Modernization;
- C. To change to Guiding Principle 5 on Packet Page 19 to read: "Palo Alto has long had concerns about the potential impacts of High Speed Rail and believes that the project should be terminated. If the project proceeds, California High Speed Rail Authority should provide funding for affected cities to analyze potential impacts;"
- D. To add "including electrification" under Guiding Principle 2 on Packet Page 18;
- E. To advocate for modernization of freight and flexibility; and
- F. To have the Preamble read: "The City Council's Rail Committee was re-established in 2015 to analyze and advance grade separated crossings for all modes of travel (autos, bikes, and pedestrians). While the Committee in the past found the focus on High Speed Rail, the Committee recognized that the decisions on Caltrain Grade Separation Electrification are the essential focus of the Committee for 2017 and 2018."

MOTION AS AMENDED PASSED: 4-0

- 3. Review and Provide Direction on the Context Sensitive Solutions Alternatives Analysis Task Scope and Schedule.

Mr. Keene: Ok, next.

Chair DuBois: Let's move on to Item Number 3. Welcome.

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Michele DiFrancia, Mott MacDonald: Good morning again. Michele DiFrancia, Mott MacDonald. We're going to give a presentation on Context Sensitive Solutions and community engagement per your request at the last Rail Committee meeting. An outline of our presentation, I'll give a very brief introduction and then I'll hand it over to Gary Toth with Project for Public Spaces. He'll give you the overview of CSS, followed by Scott Steinwert with CirclePoint, who will talk about community engagement and the process that we are recommending or suggesting for the CSS alternatives analysis. Lastly, we'll look to you for directions on next steps. This is an outline again of our scope of work under the Mott MacDonald contract. We've been authorized two tasks. Tasks 1 and 2 supporting the Rail Committee and representing the City through the High Speed Rail environmental phase. We've partially done some work on the rail quarter circulation study and today we will be looking to you for direction on Task 2, which is convening rail technical group or a CSS stakeholder group as it might be and Task 5 which is the CSS alternative analysis. This is our proposed schedule that we developed a couple months ago. We're waiting to hear from you in terms of updating the milestones and community engagement and meetings that we would like to be holding over the coming months. We'd like to – our goal is to connect the CSS alternative analysis within a year so hopefully, by the end of the year we might have that completed. Future tasks also include a 15 percent design as well as environmental analysis for preferred alternative selected. Now I am going to hand it over to Gary Toth with PPS.

Gary Toth, Project for Public Spaces: Do you want to switch seats?

Ms. DiFrancia: Sure.

Mr. Toth: Thank you for the opportunity to come out to Palo Alto. I wish this was a week earlier when we had 6-inches of snow and 6 consecutive days of 39 degrees. I guess I have to look up there?

Ms. DiFrancia: Just the arrow, yeah.

Mr. Toth: But here I am. I'm not going to spend a lot of time talking and reading. I don't believe in reading the bullets that are on the screen. I think you folks have my bio and resume. The bio and resume I sent were a more generic one. On this slide, what I tried to focus in on is since we're here to talk about Context Sensitive Solutions; is my background in CSS. At the Jersey Department of Transportation, like all major transportation agencies in the 20th century, we were very top down. It worked and it was necessary to build the interstate system and a lot of the other stuff. However, we increasingly found that the top-down approach wasn't working anymore. We

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sought different solutions and so in 1998, I started working with national groups on Context Sensitive Solutions. We set up a series of principles in 1998. The State transportation agencies went back after 10-years of or 9-years of the practical application of those principles and in 2007, we rewrote them based on what we learned because there was a reality. We were perhaps a little too idealistic in 1998. What is CSS? Again, I am not going to read that to you but the important point is that this is what was redefined in 2007 by a joint process. AASHTO stands for American Association of State Highway and Transportation Officials. It's basically a membership or trade organization of transportation officials from all around the United States; getting together and setting all sorts of standards. I want to emphasize the word philosophy because often times Context Sensitive Solutions is interpreted as an alternate process. It's not and as I was trying to find an analogy to this as we were talking yesterday, I basically said, for instance, suppose I decided to reframe what I do in my life through a Zen philosophy. I'm still Gary Toth. People would still look at me and see me pretty much the same way but I am now using a different philosophy in terms of how I do business. In here, I think as we bring – as you attempt to bring or if you decide to bring Context Sensitive Solution into you're thinking. It doesn't change a lot of the basic processes. It doesn't change the facts and realities that you've been dealing with and that you have to deal with and I'll get to that in a second. Again, I'm not going to read those. The – if you are interested, I'll give you the web URL in a second but a lot of this has to do with – instead of being top down, sharing the vision with stakeholders and moving towards a consensus; which sometimes is easier said than done. In terms of demonstrating a comprehensive understanding of context, it's not just the community context, it's not just the transportation context but it's the financial context and political context as well. You have a financial context that you're dealing with and whatever solution that we come up with has to be sensitive to that financial context as well. Sometimes we use to say that CSS stands for common sense solutions. It's not – we have to use common sense and I heard a lot of common sense being articulated here earlier this morning and that has to be woven into the process. There's the URL. It started with principles, drilled down into more qualities as – who was it yesterday? What did you say? That Committees are good at editing but not creating. We spent an inordinate amount of time to come up with those qualities so there they are. It's easier to – rather than read all those and try to wrap your head around it. This is a flow chart that we came up with and I'll get into that in more detail in a second. This reality that we're dealing with is – can be fit into the Context Sensitive Solution process in identify the context and define the problem, right? Sometimes we think that CSS means that we have to act like we don't know anything. We have to start from

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scratch. That's not true. It had to be applied to the reality. Again, one of the contexts in addition to transportation and community is financial and time constraints. I jotted down some notes just listening to the conversation in the last couple days and the last week or so. This stuff has to be shared with – I would impose it on the community but maybe perhaps in the first meeting, share this as what you see as the financial context and then quickly move to some consensus on it. What I heard is that there is only \$700 million in – is it Proposition 6?

Ms. DiFrancia: Measure B.

Mr. Toth: Measure B. I don't know where I got Proposition 6 from. Probably an Austin Powers movie. You only have \$700 million, there's 9 – clearly identified, you could possibly raise more money. There are 9 grade separations, you have three communities. The average cost of the hybrid is \$125 million so clearly, you're not going to do all nine and I think that has to be put out there, right? Upfront, that the trench cost \$400-\$500 million. That perhaps the very first meeting – the very first or second interaction with the public, you put that out there and put it out there that – what that means is we're going to have to figure out – somebody is going to have to figure out how to raise the difference between \$125 -- \$150 million and \$400-\$500 million and perhaps your team – Mott MacDonald team can brainstorm a couple of different possibilities for that and put it out there. I think it's fair to state your opinion that we don't think it's likely unless Palo Alto wants to put a surcharge on their property tax to come up with this whole thing. I mean that's a reality that could be put out there. Yeah, our intelligence is that we won't likely get funding unless we raise the money ourselves or something changes in the current administration. In a year from now, when the Trump infrastructure bill – if it does come out, that perhaps there will be extra but we don't know that. We can't count on that and you'll have to have made a decision by then. These are all realities. The reality is that it's not a timeline that you're imposing on your stakeholders, it's a reality that is being imposed on you. We have to live with it and so we need to move forward. The last reality that I want to say and this is something that after 34-years of working at the New Jersey Department of Transportation, the last 9 I spent a lot of time coaching communities on how to approach their State DOTs or their transit agencies and from my experience and you folks have said this before, that the more that Palo Alto speaks in one voice to the powers, that be VTA or whoever else – Caltrain -- that's going to be involved with this decision, the more likely you are to get funds. I know that as a fact from inside an agency. We, transportation agencies, really don't – aren't equipped and really shouldn't deal with local public controversy so to the extent that this whole process speaks in one

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voice, that's good. I'd state that all up front as part of the identify context, identify the problem. You can have some discussion at a preliminary meeting or a subcommittee and so on. I'm surprised over the years how many times we thought we had figured this all out when we started out upfront with Context Sensitive Solutions and you never know. Somebody is liable to come up with something that you didn't know and then you put it into that. Then you set the problem definition and you begin to move forward. That kind of says a lot of the same stuff. The current conditions are the current realities. At the very first step, even though we have some inkling in our mind of what the solution is, we don't put it out there up front. We allow that to kind of bubble in the stew and then come to the surface eventually. Again, it doesn't mean that we don't state the realities. As that – as the problem definition moves on – Scott will talk more about the actual process for this in a minute. It becomes a vision that creates a mental mind map for what is a success and everybody needs to agree with that or at least there needs to be a consensus on it. In any community, you're never going to get anybody to agree on everything but as long there's an informed consensus, that's what you move forward on. We should, as a process, identify measures of success. I've known about the High Speed Rail, grade separation issue for 5, 6, 7, 8-years. I have some of my own – I love Palo Alto. I took a nice walk around town last night. I've heard about how Caltrain effects Palo Alto by bisecting it and so – but we need to frame it more in simply, I get stuck at that rail crossing 10 times a day. What else does this feed into and so those are the different measures of success? Why do we want to do that? By the way, all those measures of success tie together with transportation at the center but transportation is not the only measure of success. The first bullet there is the most important point. What I found over the years because I was part of an agency – in my career, I've had situations where my Staff's tires were slashed by community members. I've been – you know I'm from New Jersey and I had public meetings in north Jersey where the Mayor told me, why don't we go out into the parking lot and I'll show you some north Jersey decision making.

James Keene, City Manager: You where the parking lot.

Mr. Toth: Well, I would become part of the parking lot; just a spot. What the value that we learned about CSS, using that process is that is moved the conversation from positions to issues. That there's often times people that come in in positions and before you know it, nobody is talking about the facts and data and you're being threatened to be pulled out into the parking lot. You probably don't do that here. You probably have more subtle ways of influencing people.

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Mr. Keene: We just go do studies.

Mr. Toth: Yeah, well that too. Don't get me started on that, alright? There are many ways – in summary, there are many ways to organize this and then we need to tailor – again, Context Sensitive Solutions is a philosophy. There's not a little book, you know like Jack Lalanne's guide for getting fit in 30-days. There is a philosophy that we have to melt in – you've already started working – your folks, Michele and Scott and company and the City Staff, new about this before. It wasn't like, I brought a whole new philosophy to you. I'm not the Dali Lama of CSS and so we've already started to do it. I think we've got clues how to sort of do this and what we really want to do is share the decision making with the public. What we use to say at New Jersey Department of Transportation later with that AASHTO test for us on Context Sensitive Solutions is we need to help our stakeholders to see what we see. We are trained professional in environment engineering, transit, all sorts of things. We saw things quicker than the community and we should. That's what we were paid to do. We need defining tools to share that so they can see what we see and I was pleasantly surprised how often that once we shared that with the community, they came to the same conclusion that we did. In fact, I was telling these folks a story that on a project in our capital City of Trenton, we started out on a process at the direction of our Commissioner or CEO, to start a study just to prove that the project couldn't be built. We followed this whole process. The community eventually went along with it, much to our surprise and at the end, when we were being sued by an environmental group. Somebody from the – one of the community groups called me up and said, can we chip in to defend the lawsuit? It was all about that once they saw what we saw and once we moved them from positions to values and other things. Sooner or later, they built back up and they came to the same conclusion that we did. I'm going to go back to this slide that it's a philosophy for doing business and it's founded on the steps that Scott is going to talk about right now. Often times, there's a concern and there's a very real concern here. I understand your deadline but there's a concern that if we spend too much time on this, is it going to take longer? One of the things that we say and that we have learned is if we don't set the proper foundation for this like a bridge, the process will collapse and then there will be a chasm for us to get to where we go. Here we have a particular challenge because of the time frame deadlines being imposed on you so we'll have to walk a fine line between spending the right amount of time up front to make sure all the stuff is done. Again, I think it's – the key is that problem definition and to make sure everybody understands the time and funding constraints. Alright.

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Scott Steinwert, Circlepoint: Good morning. Hi, I'm Scott Steinwert from CirclePoint and with me today is [phonetics] [Mailee Choos] who has also been working on the project. We've been working over the last couple of weeks as Gary said, with him and Michele and Nadia and others in the community to take what was presented on March 1st and really take those activities and map them more clearly to a CSS process for Palo Alto. What you see on here is really a process chart that's really just a framework to show how we would move through this process with the community. The challenge here is to create a framework that is both flexible and nimble to respond to the community's inputs and I think we've tried to do that. Keeping in mind the main milestones and the philosophy as you said of the process. What you see here – I'll walk through each of the major milestones but across the top are the key milestones in a CSS process as Gary has talked about. We have a timeline and we've talked about that we need to try to adhere to. We'll talk about some of the key community involvement activities at each of these, what kind of meetings happen and then at the bottom you see all the different tools we have at our disposal to use throughout this process to engage the community at large. The first step is really the – what we are doing right now, is to define – establish the roles and responsibilities of the different levels of community that we need to work with. It starts with the community at large. The entire Palo Alto community and right now, we've been talking a lot about how do we engage the stakeholders in a meaningful way. Typically, we do that through some sort of steering Committee or as we talk about here, a Community Advisory Committee. One of the challenges we have or things we need to sort through is that there are a lot of stakeholders in Palo Alto. This is just a potential list of stakeholders. You can see it's very diverse. One of the things that we would need to do at this stage is to really make sure that we broaden this list as much as possible. We get as many voices on that list as we form a Community Advisory Committee so that it is broad and has multiple voices and it isn't concentrated in one particular area for it to be successful. One other thing that we've been talking about is that on this list you see there are some agencies that are key stakeholders like Caltrain, VTA, the City Staff that aren't typically on a Community Advisory Committee. We've been talking about the idea if Technical Advisory Committee that is made up of Staff, from there, would have value here to be able to plug in certain points in the process and so feedback about that approach would be valuable to hear from the Committee. Once we establish the background, we move into the phase that Gary was talking about that is really the foundation and that's the problem definition phase. You've done work on establishing some baseline for that and reviewing that with the Citizens Advisory Committee or Community Advisory Committee, as well as

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the public at large. That's really important to make sure that there are broad consensus and input on those – the problem that's out there. Then working through identifying the community needs, the priorities, developing the goals for the project and as Gary said, most critically at this phase is getting to the measures – those performance measures – evaluation criteria that will be used later in the process to really help us determine what's the best path forward. At this phase, it's a lot of work with a Community Advisory Committee in developing these materials but there's also involving the public at large. There are lots of – we would envision a lot of communications before and after meetings with fact sheets, emails, and you've seen the bottom. We want to try to create multiple lanes for people to be involved in different ways, either through email or through the website. This is a good time to do things like online surveys to gather lots of data to be brought to the Committees to understand where the needs and priorities rank from the broader community perspective as well. A broad community meeting would be important here too as well to make sure that everybody understands the problem, the priorities and the measure that will be used to evaluate alternatives. The next step in the process once that's been – we feel like we've done our work there and everybody is on the same page with the goals and objectives. Is to then to move into – starting to put pens on paper and really start to develop some ideas and alternatives. Again, this is working mainly with the Community Advisor Committee. Also, trying to create opportunities for the public at large to provide that input so we're hearing from all constituents and stakeholders about different ideas and ways to solve different problems in the City. Let's see, the – at this point, the – oh, the thing that I want to point out here is that at this stage, we typically would do a Council check in. A more formal update of the Council here about what we've established as the process, we've done our goals, we've started to develop alternatives. To make sure they also feel that we've done our homework and we're on the right track. We're making good progress so this is a good time to check in with City Council level as well. Once we've done that, then is where that work from the second milestone really comes back to be of great value as we start to assess the different alternatives. Start narrowing those down to the best set and again, there's a lot of working that through the Community Advisory Committee is really key to do that work. Again, we want to make sure that we have multiple avenues for people to get involved. This is a good opportunity for online surveys to be used to get that broad input on the evaluation of alternatives. Are we getting that right from folks beyond who are on the Community Advisory Committee? Also, this is a step where the Technical Advisory Committee, if that were formed, would play a useful role in evaluating those alternatives. Then the last step is pretty straight forward. This is where

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hopefully, we've come to consensus around the priorities and projects and they can be put forward into a report that goes to the City Council for their consideration. That – again, just to recap, we are trying to create a framework here that provides some structure to the process but allows that flexibility – has multiple avenues for people to be involved with both formally as a Citizen Advisory Committee but as well as the general public can plug into this process when they want to and as often as they can. I would love to get your feedback and thoughts about this meets the needs (inaudible) for the community.

Chair DuBois: Do we have any questions for any of the speakers before we go into comments? Go ahead.

Mayor Scharff: This is – I'm trying to understand a little bit about – what I took out of this is you think you can have a plan to do this in 1-year? Is that...

Mr. Steinwert: That's the goal.

Mayor Scharff: That's the goal, right? 1-year?

Mr. Steinwert: We're trying to map to your goals as you've – you articulated them.

Mayor Scharff: We have 4 grade separation, right? We have 4 or 5? We have four. We have 4 grade separation. I think we have to define the problem a little bit to give you direction, don't you think? In terms of – the issue is this, we're not going to do all four at once. Some of them are really more controversial than others. I don't remember and I think that is one of my concerns is that I remember that a couple of the grade separation had large emanate domain possibilities. Where you might have to take a bunch of houses, other ones had less. I think the first problem is how do we prioritize which ones we do? Would that be – and then how does that play into the trench at the same process? I also think you have different stakeholders or (inaudible). You'll have different community engagement and the strength of that community engagement will be dependent on which grade separation you're going at. You could actually create lots of community concern and lots of community opposition if, for instance, you made people think you were going to start with Churchill for instance. I think which may be one of the more challenging ones because there are a number of homes that would need to be taken if you did a grade separation. I'm wondering how you – do you start with ok, the job here is going to be that there are four-grade separation possibilities. There's a trench that we could do so there's real –

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there may be a possibility that we need to figure out – I thought Tom raised a good point earlier, which is two of these grade separations are close to each other, what does the timing look like? How long does it take to do it? If we were to do two together, does that have less disruption in the process? How much does that cost? Is that realistic? These are actually – what's tough about this process is unbundling – is that the decision that you make over here leads to the choice you make over there but on the other hand if the community thinks we're going to start doing a bunch of eminent domain over it. You will get a different sense then I think, if you were doing one at Charleston for instance, then if you do Churchill. I think you have different people come out and different stakeholders. Maybe you could address, how do you see this proceeding from nuts and bolts?

Joshuah Mello, Chief Transportation Official: If I could first just give some background. We purposely scoped this in a way that would enable us to look at all of our grade separations, if we wanted to go down that route but our intent all along was that we – as you outline, we tend to believe that we'll become more focused as we move through this process on a particular grade separation or two particular grade separations. From the contract perspective and from our scope of work, we wanted to include the ability to analysis all four-grade separation. I'll let Gary and Scott go into how they think this will play out.

Mr. Toth: Mayor, I think it's fair – sorry. Mayor, I think it's fair for the Palo Alto team and the Palo Alto team would be the Rail Committee, the Council, plus the Staff and consultants, to lay out what it is you see right now. You articulated some it, some of the other folks articulated it before. The nuance that I would suggest is that you don't present this as a given. You present it at the very first minute of the process; is this is what we've come up with. Allow a budgeted amount of time, which Scott and Michele and the City can work out, to allow that discussion towards a consensus to occur. That budget for the time has to be mindful of that we need to get to a certain point by a certain time. Then at the end of the budgeted amount of time, then it's like ok, we're going to move on and here's the reality. Not everybody agreed with it but here's the problem definition. Does that make sense?

Mayor Scharff: I think so. I guess I'm still looking for a little bit more – sorry. I'm still looking for a little bit – maybe it's – it seems to me that you put the Citizens Advisory Commission together, you have this group, you have – I suppose you are holding – are you holding community meetings at the same time that you are holding meetings the Citizens Advisory Group or what's – where do the nuts and bolts process from an actual – I mean, next week – we say (inaudible), next week what do you do? What does this look

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like?

Mr. Steinwert: Next week and this week, one of the first things is the – working with the stakeholder list to figure out who and how we populate that Community Advisory Committee; that’s the first step. Part of that is going to be doing interviews with many of those stakeholders to see their interest, their issues, how they fit into a Community Advisory Committee form – structure. It’s a big commitment, it’s a time frame and we want to make sure to get the makeup of that Committee right. That’s the first task so get the right people, the right commitments to do this over the next year. It’s quite a bit. Second, while we are doing that, we want to then work on defining all those and clearly laying out all those problems, the constraints, the issues, the things that make out a baseline. It’s kind of like what you just said, it’s almost a Rubik’s Cube. There’s money and there’s time and there’s politics and there’s environmental and there are community issues. There are alternative and things that have already put on the board about different approaches. We have to lay all that out and figure out how to best present that as the starting point for everybody and how to get everybody up to speed and understanding of that’s where we’re starting from or to confirm that and make sure we aren’t missing some other keys things that are critical to begin this process.

Mayor Scharff: This is March.

Mr. Steinwert: This is – yeah, so this is March/April

Mayor Scharff: You put your Committee together in 2-weeks, 3-weeks?

Mr. Steinwert: Start meeting in April.

Mayor Scharff: Ok, that’s –(crosstalk) If you think you can have the Committee together in 2-weeks.

Mr. Steinwert: Yeah, April/May is when we envisioned talking about this kind of stuff. Laying out those – our starting point, what the problem is, what the issues are that we need to work from, and the constraints. Start working with that Committee on defining the needs, the goals, the priorities. Out of that process, the idea is that – it’s a question. Can you work with that group to do just what you are saying? Is – at the same time we don’t want to ignore the (inaudible) and the big picture long term solution because a near-term solution might preclude something like that. We want to make sure we give some space to have those discussions before we jump to oh, let’s focus on one grade separation and another. We want to have some discussion

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about the bigger picture solution and where that might head, to help inform the near term. The idea obviously, is that you don't want to – we don't want to forgo a significant long-term benefit by a short-term decision; if we can help it. Maybe we can't get there but that would be a goal starting in. We want to walk through with the Committee and the community that whole process. Maybe we don't get there. Maybe we can't keep all the long-term visions because the near-term needs are so specific but we need to walk through with everybody to have that same discussion, that same understanding, that same learning to get to the same place. If we don't do that together, you'll be at the point that we talked about before, where you're just constantly defending your position. You don't have consensus or broad support to really move to that next – to really focus yourself. This is a compressed time frame and is the most important piece.

Mayor Scharff: Do you have a sense of how many meetings you would have with the...

Mr. Steinwert: We have not.

Mayor Scharff: Are you going to meet once a month? Are we going to meet once a week? (Crosstalk) What's the Staff turn around?

Mr. Steinwert: We talked about – yeah, it's probably more like every 2-weeks. It may be even every week to try to get through this stuff. There's a lot...

Mayor Scharff: You guys are going to be the Staff turnaround, not our Staff for – how does this...

Chair DuBois: Greg? We do have public speakers. I was wondering if we could have just some quick technical questions? This is a good conversation (crosstalk)(inaudible)

Mayor Scharff: Alright, that's fine. We can come back to it but I mean, that's really what's on my mind. Practically, how is Staff going to deal with this? How are we going to deal with the resources and how are we going to pull this all together? Why don't you let (inaudible)(crosstalk)?

Mr. Keene: I think if you let the public talk and then we can have some more context (inaudible)(crosstalk).

Chair DuBois: I just want (inaudible) quick questions about the presentations or any points of clarification?

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Mr. Keene: I think it would be better to wait because it's actually pretty complicated.

Chair DuBois: Well, I did have one quick question, which is kind of getting to what Greg had and I was curious what Gary thought. This idea of if you're going to engage in CSS, how do you talk about the complete vision for a corridor versus doing projects one or two at the time?

Mr. Toth: I think you have to telescope in and out. I mean there is a reality of the four but as I – from my limit and understanding of it, at least three of them have independent utility, right? I think there are two that are close enough that they may need to be done together or they interact with each other. In the overall goal -- what you're trying to do over 30 or 40 or 50-years, assuming it takes that long to come up with the money; is to knit Palo Alto back together and deal with all the issues that you're doing. Then I think sort of quickly, we have to have a discussion of each one and the Mayor was talking about eminent domain issues and we've been talking about doing stuff that doesn't preclude future options. That – how we telescope in and out on that is this. I'm not a rail engineer but I'm a highway engineer and I believe that once you make a decision at one of that location, whether I'm going to do a hybrid or a trench or totally raise the road. That's probably going to be pretty close to a permanent decision, right? You're not – then you'll need to do three more and nobody is going to come back and spend money to redo the first one. At the eminent domain, those may be the ones then that get prioritized till later so that you leave open the door for somebody to maybe come up with \$500 million in 5-years from now or 10-years from now. Once you do something at one of those locations, you're never really going to go back. I don't know if that answers your question.

Chair DuBois: That's helpful, thank you. We do have some public speakers. The first speaker is Herb Borock, followed by Elizabeth Alexis.

Herb Borock: This microphone has an on and off button for the speaker. I know, I just turned it on but most people – other people might come up here, might need to have a piece of paper telling them that. It's nice to hear (crosstalk) Mr. Toth talk about Northern New Jersey. It reminds me of my days in Bensonhurst.

Mr. Toth: Oh, ok. (Inaudible)

Mr. Borock: No, he was from New Jersey. Now, Ralph [phonetics][Gleeson] or Ralph (inaudible) actually. Now, the – as I spoke before in the previous items, these various rail projects aren't connected and it sounds like what this is tending towards is a grade separation implementation Committee

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rather than a Rail Committee. Perhaps, that – when it comes to Council, it can be taken off the consent calendar and change the title of the Committee. Nobody knows or been advised about the effect of what's happening with High Speed Rail, which is related to this since we think that they should pay for grade separations. There's an EIR process, which is happening this year and next year during the time of your Committee. The draft EIR is due at the end of – the alternative analysis is due at the end of August. The published draft EIR at the end of October and the final EIR next year at the end of July. At the local policy maker group that Council Member Tanaka attended, High Speed Rail was very clear that except for the tunnel at the end in San Francisco and a viaduct at Diridon Station, everything is going to be flat. High Speed Rail is going to be, from their point of view, at grade and they don't have any money to spend on it. Vice Mayor Siegel in Mountain View was very clear that if Palo Alto wants to trench anything or put any part of High – of the rail belowered grade, that's Palo Alto's money. It shouldn't be coming from the money that's being shared with the other communities. I provided you a link to the rail (inaudible) to study information, which was truly a process where people got together and came to consensus on something but what this sounds like is what we're going (inaudible) with the High Speed Rail. Where they decided what, they wanted to do and then created a process to get – make it appear that the public is agreeing with them. CirclePoint for example, and [Mailee Choo] were hired by High Speed Rail for some segments to do just that and anybody who went to the High Speed Rail meetings understands how that was. As the Mayor said, if we are going towards one grade separation and if we're being motivated by the money, people should be told that. Rather than tell them that they are really participating in helping you make a decision. Thank you.

Chair DuBois: Thank you. Next speaker is Elizabeth Alexis, followed by Nadia Naik.

Elizabeth Alexis: Hi. This is Elizabeth Alexis from CAARD. CAARD is in sort of an unusual position. We're probably – I think it's fair to say that we're actually the State experts on High Speed Rail project. I'm happy to put up my understanding of Caltrain operations in future against anybody else and we also live here in Palo Alto and we know our neighbors. We're coming from an unusual perspective and it's one reason – I think we have been advocates – strong advocates for CSS for a long time. There are versions of this that are used in all different parts of industry and work and everything else. When – some of the things that I am hearing today; I think we're not getting it. I think we're – it is really different from how we have done things and I know people are afraid of this or afraid we're going to go in circles and that we're not going to get anywhere but it's just what Gary said, we need a

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foundation. I mean, that foundation is not just the kinds of things that I've heard today. One of the reasons we are so adamant about this and we would strongly say that an outcome of this should be a strategy for what we are going to do throughout the City. Whether we are going to do it here or not, you need people from North Palo Alto and South Palo Alto involved in that because let's say, you do end up having to do one before the other. You want everybody on board with that because otherwise, we're just going to sort of reinforce this north, south – they get something, we don't get something. To understand, how do you measure connectivity? How do you measure traffic issues? From our perspective, whether it's High Speed Rail or Caltrain – Caltrain has no idea of how much – how many trains it's going to need to run. It itself is going to want to run ten trains in an hour and unless we make this about both the service, the benefits of Caltrain and the need to Caltrain – then the impacts and the downside to having a lot of Caltrain coming into the station and blah blah blah. Unless people are dealing with both of those, they are sometimes in conflict, right? The more trains that come through, the more noise and (inaudible) but also, the more service that we get and the more it can do this heavy lifting. Unless people are seeing both of these pictures – I mean, we did a teaching in 2009, which I thought was actually quite successful. It sorts of change the conversation and the knowledge and information. The process that I would like to see and it's not just Staff doing things or CirclePoint or [Hatch Mott] – there should be a presentation on various things that probably -- some (inaudible) by the community members. There should be a history of Palo Alto so people can understand the decision that we made and how we got here. What was the Oregon Express Way fight? Why do we have five libraries and not one? The history of pie – somebody put a pie there. Pie, where we are actually unusual in California where we take all the money that we raised to teachers and spread it evenly among the schools. The schools that are in really, really wealthy areas and those that are only in somewhat wealthy areas. There are things that we do differently here. How do you measure – from grade separation, where is Richard? What are things that drive cost? We have to embrace a different way and we have to commit whether to having to do it all or not. To having – where are we going because – if I can take extra 30 seconds here? High Speed Rail would prefer to pay for nothing. That's their – their goal is to show a traffic study that it's going to be so bad that no matter what happens, it's just bad. Well, -- which we're going to find and we'll have our own traffic study but the reality is this. Everything gets more expensive over time and harder. The costs go up and the other thing that goes is that if we move to ten trains an hour, the disruption and the service disruption – if we have trains every 15 minutes during the day if we're on at schedule, the costs of construction are going to astronomical because you

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have to work in a 4-minute window or whatever. There are reasons why we might think it's not possible now, that may be one of the things on the table.

Chair DuBois: Thank you very much. Nadia?

Nadia Naik: Hi, Nadia Naik. I just wanted to point out that I think it's going to be – you sound like you want to go fast. I've been hearing about how fast everyone wants to go since 2009. How there is no time for CSS, I'm not reliving that nightmare. There's been a commitment, we have to do it. There is sort of no choice at this point but now I am going to push back on you guys. If you want to go fast, you guys are also going to have to have more meetings. You can't have a meeting once a month and everybody else is meeting once a week because things are going to move at a really clipped pace. It means that our City Staff absolutely has to attend every meeting. You're not going to be able to send Mott MacDonald to those meetings. It means that our Council Members are going to have to go to every single rail meeting and make sure that we are top of it. Part of what's going to give us the most flexibility for those grade separation, are pushing to make sure for example, that we get a 2 percent grade and not a 1 percent grade. As you guys know, that's going to be a much wider community process that has to happen. That's going to be happening from a policy thing and it's going to happen at Caltrain meetings where we don't really have representation. There's going to be a lot more for you guys as well so as long as you're going to push the community, you've got to realize that you're also going to be pushing yourselves. There's going to be a lot more of those meetings. I also just want to say, I have felt all along that Project for Public Spaces is the entity to help push this forward. With all due respect to Michele and CirclePoint, I've met with them, they've done a great job but there is a lot of open wounds still left from what happen with the Peninsula Rail Program and everything. Unfortunately, for good or for bad, you're going to have a lot of people come up and say well, Mott MacDonald has also done this work with High Speed Rail and that work. They are going to see it as tainted, no matter what happens. By having Project for Public Spaces, that is considered a non-profit entity that specializes in CSS, guiding this process; I think it offers you a much better chance to have what's happening to be accepted by the community. I think – again, you cannot do CSS. We've made the commitment to do it and I think we need to think about how you're going to stage these grade separations. Also to what Elizabeth said and the importance of Caltrain, Caltrain will continue to grow. A vibrant Caltrain means you may need passing tracks for Caltrain regardless of whether High Speed Rail ever comes. Just for the note of the discussion, there's actually a scoping meeting coming up for High Speed Rail. Despite the fact that money may not be coming, High Speed Rail is going to be pushing you to have a

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meeting about having three tracks in the community. We kind of want to keep it far away but we also have to think about that you may need a grade separation that allows for three tracks because Caltrain may need it in the future. That's what's in that (inaudible) report. I would just make those points. Thank you.

Chair DuBois: Ok, thank you. Alright, back to the Committee. Does anybody have question or comments? Adrian.

Council Member Fine: Thank you. Nadia, I do appreciate your point pushing us to be more active on this stuff. I think that's important for us to all be aware of. Just three quick questions; at the end of this process, how developed are our alternatives actually?

Mr. Mello: As currently scoped, we're actually going to begin the environmental analysis and preliminary design about half way through this alternatives analysis. That will just be to support the alternative analysis. There are certain decisions that will need to be made around designs and related to engineering. (Inaudible)(Crosstalk)

Council Member Fine: Ok, so it would be nice – if this is January to December and we're (inaudible) March, where does this fit into the broader scope of things? That would be helpful to let the community know. Two and this is probably a stupid question, where does this leave us in comparison to Mountain View and Sunnyvale?

Mr. Mello: Mountain View recently completed their alternatives analysis for (inaudible). I can check in on where that stands exactly. Menlo Park is current in the midst of an alternative analysis for Ravenswood. Sunnyvale, I will have to follow up on that. I am not quite sure how far along they are in their process.

Council Member Fine: Ok because we're competitive here in Palo Alto so we like to see where we are. Then just a last thing and this is a question of the CSS process. I've been involved in a lot of planning projects, Charrettes design workshops and I wanted to understand how do we let the community what's off the table? I mean, I think it's good to have an open conversation and not come in predisposed to a decision or a discussion but at what point and how do we let folks know what is not going to happen? What's not possible?

Mr. Toth: I can say that I think – I'll go back to what I said before in response to the Mayor's comment. It – you share with them what you think

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is off the table and you allow a certain amount of time for them to understand and agree with you. At that very first meeting, they may come back with some questions like I need more data and explain to me about the deadline or explain to me about the cost or explain to me whatever it is. Then I think you reach your conclusion. Unless there is something where it is – even if there is something that is absolutely clear like we're not going to get some blimps and fly them over there and suspend the bridge over Palo Alto. I would even put something like that out there that says, to us, it seems clearly off the table. I think you – my opinion is, nobody is American anywhere, wants to be – I think you need to at least let them – give them a little bit of a chance to digest it.

Council Member Fine: Just so you know, Palo Alto is the kind of place where we imagine blimps in the sky doing those kinds of things.

Mr. Toth: I told folks yesterday that New Jersey includes a place called Princeton. I don't know that if it's exactly the same of Palo Alto but I ran into a lot of the similar issues here with Princeton.

Mr. Steinwert: Just to be on the process chart, there are really two milestones where that's a key element. One is this – the one that is highlighted now, the problem definition. That's where we start putting up on the wall these things we think that are maybe off limits and see if they stick. Then again, when we get to the evaluation of the alternatives, that's another key one where you're starting to shed things and saying these are not going to pass muster. Those are the two in the classic – where we would be making attempts to do that.

Mr. Toth: I think actually too, your financial constraint of perhaps getting a couple hundred million, allows you the opportunity to take the – leave the trench in play for those places where it has the most impact on property acquisition because it should seem to be clear unless somebody finds another source of a half a billion dollars. My guess is that you should rather quickly get the community to understand that we need to focus attention on the least controversial things.

Mr. Mello: Sorry, I neglected to mention one thing on your earlier question. Rengstorff in Mountain View is actually further along than the Castro study.

Mayor Scharff: I think part of it is that we also don't have enough information at the Rail Committee. Right now, for instance, you just said, leave the trench in play for those areas where it could be more difficult and you might have to do more eminent domain. I think that makes sense but

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my understanding is that the trench only works for our Charleston and Meadow crossings. That you can't – the trench doesn't work from Oregon Express – the trench, first of all, can't go under Oregon, people have been telling me. If you started it on the north side, I thought there were issues that you have to go through Embarcadero and it can't go under Embarcadero if I recall. I thought it was too short of – I thought there were physical constraints that said if we did a trench, it could only be for the Meadow and the Charleston crossings. Those are the ones that I think are the easiest to do frankly. It just – I don't remember seeing – I'm thinking back to when I saw it splashed up at Council and that's why I say, I don't really have enough information because it's not in front of me and it's my memory of when you have brought this stuff to us before. Then, have we done studies of – if we are only going to do one of these, where do you get your most bang for your buck? What relieves congestion the most? Which one makes the most sense from a technical point of view and all of that? How does that play in – do you have that information? If I asked you today, could you make a recommendation? Would you know or are you going to have to do that work? How is that work going to be phased with what you bring to the Committee?

Mr. Mello: A lot of this is – are items that would need to be discussed through the CSS process. There would be a lot of supporting technical work that would be required as we move through this process. The first step in us getting moving is to get your sign off on the process as a whole. I anticipate that these are the exact kind of discussions that we would have throughout the next year as these technical documents are prepared and as we move forward with the Citizen Advisory Committee and the Technical Advisory Committee.

Mayor Scharff: When you want my sign off on the process, I am still unclear what you're asking me to sign off on. I haven't seen a schedule that says ok, this is what we want to accomplish. I haven't seen a statement of the problem and it seems some tension between – we put together the Citizen Advisory Commission. The Staff is going to have to Staff that. You want to get this down in a year. You're going to have a bunch – at the end of the day, what are those issues – what is the statement of the problem that we are going to ask them to do? Is it going to be to look at all grade separations? Is it going to prioritize the grade separations? Is it going to be to determine that the trench doesn't make sense and where the trench would go; if we do a trench? Is it going to determine that the trench does make sense if you raise 'X' number of dollars and here are the options for raising that? I mean, what are we planning on doing? If I feel like I just say go ahead and do this so you go ahead and you appoint the Committee but

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then, how does that – I don't believe without a clear statement of how many meetings, how much Staff time, how much is this going to cost, what is this going to look like and I haven't seen that from Staff. I haven't seen an outline of what this all looks like as opposed we jump in and then things have a tendency to expand in scope. I think people will say well, we really need to – I think you probably have 6 meetings on each grade separation if you do all of them. It will be different concerns. These are very technical issues so I just want to know what the plan is?

Mr. Mello: I'll let Gary and Scott kind of build off this but I think it's going to require a leap of faith from all of us to begin this CSS process. It is going to evolve throughout the year and until we convene the stakeholder group and speak to the community and we set the vision and the goals and the performance measure. I don't know that we're going to have a clear understanding as to where this is going to take us. I think that's part of how the philosophy works. Gary, I don't know if you've encountered this kind of reluctance in the past with other projects. This is relatively new for us. I don't know if you can talk about how this worked in other similar situations. How you've overcome this type of start up?

Mr. Toth: It's common I think for those kinds of questions to be raised in my experience over the last 20-years. I'm trying to think of an analogy. I never played soccer but I coached soccer for 10-years and one of the things I learned is that you start players out in a certain position but if you stuck to what you thought of at the 5-minutes before the game, you're likely to lose the game. You define certain roles and potential possibilities and you let the defenders sometimes run up and attack the goal but if that happens, then of the mid-fielders have to drop back, that type of thing. As Scott described before, what he has put up there is a structure and a time frame but like a soccer game, we have to be fluent enough to be able to say, uh oh, something changed here and I need to move stuff around. Again, it goes back to us being as open and transparent as possible to share everything you say and we can even say if you choose up front, what you said about the fact that I even mentioned it before.

Mayor Scharff: Maybe I am being a little misunderstood. My concern is when – in your analogy, is that you're actually saying let's show up and play a game. It could be football, it could be basketball, it could be soccer. As opposed to, we're here for a soccer game and yes, things are going to change but we're still playing a soccer game and there's still a normal time frame where soccer games go. I'm not sure that you've defined that we're playing soccer yet as opposed to (inaudible)(crosstalk).

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Mr. Toth: I think it's fair – here's what I am hearing. I have 2 percent of the information in experience in terms of what's been happening in Palo Alto for 20-years. Here's what I am hearing that the – we talked about this yesterday. The City Staff feels – because I asked the question, is it possible that it's ok for Palo Alto to never have any of those four-intersection grade separations and the answer that I heard was no and our professional opinion is we don't think so. We're – yeah, I think you can define the game enough that you are playing soccer and that you're going to play it in a conservative way and that here's where we see it now. That we must start a process to grade separate all four. That the reality is that we think we're only getting one, maybe two up front. The reality is that in this process we want to define where those are and you put it out there earlier and say, does anybody see it differently? Does anybody in our stakeholders and our community see something else that would change our decision? If they say it, we go back and evaluate it. I think you can define the game to that point and I think you can quickly – I don't know the time frame but perhaps within 6-weeks after you start this, achieve some kind of consensus that we're going to head that way.

Ed Shikada, Assistant City Manager: If I could make a suggestion. I see that the Committee's next meeting is on April 26th and at the risk of continuing the frustration with the sports analogy. What I suggest we do is we take the field between now and then. The – between now and April 26th, I think it would be fairly miraculous if we were to establish the Technical and the Community Advisory Committees and even have a draft of a problem statement. I think if we can get that far, it would actually be significant progress. That's one dimension. The other dimension in terms of the cost and Staff resources required, we do have a contract – note that the Committee last meeting had requested ongoing tracking of our (inaudible) rate effectively on how our costs are tracking as we process. I think that should be an ongoing part of the report back. That as we make incremental progress, we'll be able to maintain a fairly real-time track of both the resources required as well as where we are in the process and the next steps as we proceed.

Mayor Scharff: Alright, with that – What you're telling us is that you want us to go ahead and approve moving forward on this, which I'm good to do today. I'm fine with that. I just don't want this not to be well thought out and I want to make sure – I would prefer if we could have a little more definition. I'm willing to make your leap of faith but I will get really unhappy if the tracking and this takes on a life of its own and it doesn't go anywhere. We tend to have more and more meeting and it becomes – in fact if we get the community all riled up over things that we're not going to do.

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Mr. Toth: You want a game plan?

Mayor Scharff: That's what I have been asking from. Right. That's exactly right. I want to know that we're playing soccer and I want to know what the game plan is and I realize that plans when they meet reality they all change in that – I found that if you have no game plan, things often go off the rails.

Mr. Toth: Unlike the San Francisco 49ers vs. the New York Giants, we will share the game plan with the community.

Mr. Keene: Can I make a statement? Actually, I'm not feeling good at all in this meeting. I think we're in trouble in a lot of ways. I don't think that there's even, in my mind, clarity even among folks who probably -- who are pretty much aligned with either the process or the timetable that we have. I think that some of the comments that we've made, in my view, show us that we're potentially all over the map. I'm concerned about how we get more clarity for the Committee also so that we know what we are getting into. Let me just go off for a second here. First of all, CSS, Context Sensitive Solution, I mean the truth is that we do that sort of thing all the time in City work. At least in the communities, I am – we have to solve problems based on the context, which ultimately engages very engaged citizens. Now there are some specific steps that have been developed in this CSS process. I've to work with the folks from Project for Public Spaces before. I think they are great. There's still – I think we need to be able to be clear with the Committee and ultimately the community when we say we're going to do this stuff and what we're saying is we're getting ourselves into -- this is Palo Alto. I mean – first of all, (inaudible) I think I have the benefit of enough experience to be able to say this. We take a long time when we're in complete control as a community of an issue. This is a situation where we are a player within a region, all of whom who are moving at different speeds and are going to have different pressure put on them to make some decisions. We're not going to be operating in isolation here. We don't only – the time issue isn't just because we're putting up a false constraint that could impede the engagement. That the reality – it's one of the contexts as these guys have talked about. Here's what I would like to clarify. Very early on, I think Gary said that this process – particularly say this, identifying the context and stakeholders and then the problem definition statement, which is very kind of key components of this process. I don't mean you're just starting completely from scratch. I think that it's essential that there's an acceptance that we can express at the outset from perspectives about the context. Whether they are financial constraints or whether they're time constraints. The fact is that we have a whole bunch of alternatives that have been identified by different folks over the past 5 or 6, 7-years that exist in

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our community. They are already there, we're not – the truth is some of what this process is designed to do it get people all on the same page by letting folks get off of their alternatives and in some more agreement about the – have some more rigger to a process – an engagement process. That, in my view, means that we've got to have the Committee, I think in some way be able to articulate early on. I don't think we can just say let's get a Citizens Committee together and let's start talking about this stuff without some framework and it's not strawman sorts of things. I think we need to identify some of the things and that could be difficult for the Council always to sometimes because then, it is we don't want to be ahead of where the community is. At the same time, I think we've got to have a way to develop some of this stuff. Over this next few weeks' period of time, I think we need to sit down as Staff with these folks and try to get more clarity about when we say we want to – we want you're ok on two and five. For us to be able to report back to you what that really is saying and what that really means before we go out and do it. I mean, it doesn't – you can pick any example we have. Even our own Comp. Plan process with the Citizens Advisory Committee has taken much longer than the original design. Not saying that there's anything wrong with that. In one sense, the consequence of that schedule is different than they potentially are on this project. I'm just worried that we're – that there are big gaps between what people think will happen after this meeting. I would say this, we talked about this with you guys yesterday. I can't imagine the dispersed part of the work, the problem definition, evaluation framework; the truth is that there are already alternatives that have been developed. I don't see how you keep that out of some discussion about context right now anyway or else it would be all false. I think that's going to be intense work over the next few months and we talked about that. That could be a lot of meetings and that could involve a lot of work by our Staff. I think we need to be – to acknowledge that if we're going to say we're going to do this. I haven't been very clear and I'm hoping for you guys to sort of help out but on the other hand, you're not – you guys aren't the savior either. I mean this is definitely about how to support our own dialog.

Mayor Scharff: What's your suggestion for what we do as a Committee right now? That's really the question. How do you want us to more forward?

Mr. Keene: I have a concern – I'm hearing from CAARD folks that we're not right exactly on the right track. That's what I am hearing and I think we need to be clear about when we say we're going to go ahead and do these things. To have more conversations between some of us and folks that can identify what we really see happening over this. I think the year time frame is a good time frame for structuring a process and we start to know what the

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tradeoffs are going to be with that and we get honest about them with what the requirements are of a process during that time frame. If we act like is all we have to do is get a Committee together and do this sort of stuff and we're going to get to this alternative and we're going to have a process where everybody feels like it's the right process. We're not going to get that accomplished in my mind without a lot more definition.

Chair DuBois: I don't think the schedules realistic at all. I think I said that last meeting. I think we hurt ourselves by trying to cram this into 9-months and have no consensus and have it fall apart and fall into that chasm that you (inaudible). We've done that before so I have real concerns that we drive to an artificial schedule without community buy in. I really see this as – to a large degree, marketing to the community to bring the community along and I don't feel like we're talking about it that way. I think we're still looking at technical solutions. Looking at – I mean, this is really the first time that we've talked about one separation at a time. I think the idea of telescoping in and out makes a lot of sense. I think we need to have a strategy for the corridor and then we need to have a prioritization of grade separations but we can't tell the community that we're just going to do one separation or we are going to have, I think a lot of stakeholders up in arms about that. I would say that there was a fair amount of detail in here about schedules and meetings. There were like 48 meetings budgeted. We did a process where we had a lot of community meetings called Our Palo Alto for the Comp. Plan. I don't think it worked very well. We basically had to back up and form the CAC so I'm concerned about overreliance on community meetings. From the way, I understood this though there would be a Technical Advisory Group and some community meetings in parallel; not one or the other, right? I think that would be good. This thing about you having a discussion with a person with VTA. I think the comments – VTA is not one voice, I think we can certainly influence it. We've talked all along about needing to be on top of how they allocate their money and if it takes us 18-months to get to a good alternative. We need to make sure that that money is available for us in 18-months.

Mr. Toth: (Inaudible) It occurs to me that maybe one way to deal with imperative part of the issue, maybe the semantics about how we've been talking about this. I don't think the process has to end at the end of 1-year. I think what has to happen is we have to figure out where we are in light of the fact that – somebody told me yesterday that we might get as much – you might get as much as \$300 million from Measure B?

Chair DuBois: Right.

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Mr. Toth: We could say – and we think the time frame is a year from now and so the process will be that we will have to decide how we want to – which alternative or whatever, that we want to select in light of that. The process could also come out with a plan for how do we do all four and continue to move – keep the discussion going.

Chair DuBois: Yes. I think just to be clear, it's not even a year. It's 9 – it's December – 9-months from now, which I think is totally unrealistic. I think we are fooling ourselves if we think that's the schedule. I had a couple other comments. Was there anything that was changed in this proposal from the original proposal? The way this was agendized was it was like an update to Task two and five but are they essentially what was originally proposed?

Mr. Mello: We included a contract just to make it clear that all of the work that's proposed is included in the currently executed contract.

Chair DuBois: Based on our discussion at our last rail meeting, nothing was changed?

Mr. Mello: The scope that's in the attachment is the scope from the contract but we have the ability to modify that and we've actually added Project for Public Spaces under the additional tasks in the contract. We have the flexibility to make adjustments as you give us direction but I included the contract just to answer Mayor Scharff's question about budget and whether we have the resources available to do all of this work within the existing budget and we do.

Chair DuBois: Is Project for Public Spaces part of the ongoing CSS process?

Mr. Mello: Yeah, our thought is to retain them as an advisory to the process. Gary, as you know is in New Jersey so it's hard to get him out here as often as we may need him but we would budget for conference call check-ins, special advisory trips, potentially attending key meetings throughout the process.

Chair DuBois: Ok. I also had some concerns that there was some focus in here on surveys and I think how we get the sample for the survey is probably more important than the method. I mean, we've put up survey monkey surveys. We get data that we're not really sure what it means or who answered the surveys. So, I do want to express that concern too. I would just say that this is the third year that I've been on the Rail Committee. We've talked about CSS the entire time. It seems to be a best practice across the country for major transportation projects. I think we

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need to be realistic about how do we get community by in. I think we should look at this largely as that we're going to explore these options but we also are going to make sure we have community by in along the way. I think there's a very real possibility that if we push this and there's a lot of controversies, VTA is going to see that controversy and send that money elsewhere because we're not going to be ready.

Council Member Filseth: Do you think we're – we actually have consensus on a definition of what problem we're trying to solve? (Crosstalk)

Mr. Keene: That's exactly right. That's what I was saying.

Mayor Scharff: See, that's my concern.

Council Member Filseth: If I understand your discussion, which makes sense. A lot of sense actually but also in – sort of on the slide, if I just understand your discussion, what you basically said is the whole CSS thing is we sort of have a – we understand what problem we're trying to solve and what some of the major constraints are and it's a process to shepherd the community towards coming up with a good solution to that problem. I see Elizabeth shaking her head at back there. On the other hand, if we're – and not defining a solution. (Inaudible) community find the solution but if we don't even have a definition of the problem, are we saying that we can be a Committee – a Citizens Committee and the Committee starts with a clean sheet of paper and says, we've got grade separations (inaudible), come up with – what problem are we trying to solve? I mean, is that how it works because that will take (crosstalk) long, long time.

Mr. Keene: I think there's difference of opinions in this room about even that. About how much of a blank slate it is versus how focused it is. I do think that the – this stage of the problem definition with the CSS process and I will respond to Mr. Borock here. I do think he was accurate in this regard. There's not a process where you have a pre-determined idea and you basically are trying to launder a decision through the community process. We're not saying that.

Council Member Filseth: Idea of the problem...

Mr. Keene: Right.

Council Member Filseth: or the strategy?

Mr. Keene: We've been saying the problem and what the context is. That being said, I don't think we just say well, we have no idea what's going on.

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Let's just get a Citizens Committee together and start having a rap session about what's going on and then we'll start to get that clarified. I've heard Gary say yesterday and today that it's completely appropriate for us to identify the context as we see it right now and understanding that the process including the problem statement phase could have that modified. We would expect it to be modified if it was a viable true authentic process, that could change. This is where I was going about what we do this next month. My own bias is and I don't even know if the Committee could do this. I think we would be well served by the Committee being able to identify the context and some of the issues as we see as a start or I think – I'm sorry, it won't be 18-months. It will be 24-months, it will be 36-months, it will be 2009 back to whatever. I mean the truth...(inaudible)(crosstalk)

Council Member Filseth: That was sort of my take away from what you were saying.

Mr. Keene: ...(inaudible)(crosstalk) as a Committee forever which is we're not moving fast enough because we want – we're sort of stuck with things and so we're really trying to put some structure to a process that is going to have to have some discipline resources put to it but I think you guys have to have a role at the outset with the understanding and the belief by the community that it is potentially subject to dramatic change based upon the engagement process with the community.

Council Member Filseth: I understand but you brought up the analogy of the Comp. Plan and the Comp. The plan was one where there was no real clear definition of what we were trying to – what problem we were trying to solve other than, it's time to do the update and we need to get an update done.

Mr. Toth: Here's what I see as a newcomer listening to everybody talk and anybody in the room can comment on it. It seems fairly clear that you have an opportunity by Measure B to raise some money and an early problem definition, the way you see it, is that we want to develop some community consensus on how to spend that money. It seems clear to us – you, that there's not enough money to do them all and it's clear to us that depending – that some of the alternatives may knock us out of the discussion with respect to everybody else. To me, I think that's the problem definition, right? We want to figure out a way to engage the community so that we have a consensus on how do we best – have the opportunity to...

Mr. Mello: If I could...

Council Member Filseth: You just describe a different problem then I've

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heard this articulated in the past and maybe this is a little (inaudible). I mean, it's a little bit hyperbolic but the problem you just described is hey, we have an opportunity to get some money.

Mr. Toth: No.

Council Member Filseth: How do we... (crosstalk)

Mr. Mello: (Inaudible)

Council Member Filseth: ... there may be an element to that in this. (Crosstalk)

Mr. Mello: Could I jump in here? Gary, could I jump in here and just say that this process began before Measure B and the reasoning for this whole program was to – for the community to help identify preferred alternatives for our four grade crossings. When those alternatives are constructed was left in the air. What priority was left up in the air? When we first initiated this program that was kind of the driving force and that was to identify what these four-grade crossing should look like in the future.

Council Member Filseth: I guess the thing that's really going through my mind as we talk about this is grade crossing is not a problem. It's a solution to a problem and the problem on Charleston and East Meadow is probably quite a bit different from the problem on Churchill and Palo Alto Avenue. Unless we can get some definition on what our priority on this, I think we run the danger of wandering in the wilderness like Jim pointed out.

Mr. Mello: Sorry, just to clarify. When I say grade crossing, I don't mean grade separation. I mean the existing crossing of the railroad so the intent of this was to identify alternatives for our four existing grade crossings. Those alternatives could be separation, they could be quite zone quad gates, they could be bike/ped. only closures or there's a whole host of different variations to those grade crossings.

Chair DuBois: I had a really quick question, so I thought when we got to the end of Measure B we were talking about seven-grade crossing, not nine. Did some comeback?

Mr. Mello: There are nine within the three communities. If Mountain View elects to close Castro, there would be minor improvements required there...

Chair DuBois: Did that number change?

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Mr. Mello: ... but there is nine total.

Chair DuBois: That number hasn't changed?

Mayor Scharff: I thought there were seven too.

Mr. Keene: I think there's always been nine ...(crosstalk)

Chair DuBois: I thought we took out (inaudible)?

Mr. Keene: ... in the boundaries but in all of the inter jurisdictional collaborative discussions, the whole conversation was more about the – practically the fact that there would be seven. I mean that's what it was (inaudible)

Mayor Scharff: Sunnyvale is closing one and Castro is being closed. I think that's what happened.

Mr. Mello: There were some handshake agreements that were done during the ramp up to the referendum but technically, there are nine grade crossings in the three Cities.

Chair DuBois: More than handshakes, I think it was pretty clear that \$600 million was to go to seven grade crossings and we should be trying to reemphasize that again as well.

Mr. Keene: I think that's – I personally think that is our official position as a City. That was the basis that Council subscribed to (inaudible)(crosstalk)...

Chair DuBois: To support Measure B.

Mr. Mello: By handshake agreement, I just mean that it's not written in the actual resolution that was adopted by the VTA. (Inaudible) that resolution just says grade crossings within the three Cities.

Mayor Scharff: I think Josh's comments are actually really helpful in that there are four grade crossings. We can look at all of the different grade crossings and I think Eric's comments, that the solution of each of them is – may be very different but I think where this plays in is that we probably need – we probably have lots of time on at least two of those grade crossing. Therefore, we have a long – could have a longer community process. I guess what I'll raise is the question that would it be helpful for us as a Committee, look at preliminary all four grade crossings and say, we want to do Context Sensitive Solutions on these two right now and move

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forward on that because it doesn't really make – it's a very different choice. If you're going to do Palo Alto Avenue or if you're going to do Charleston or Meadow or do Charleston/Meadow as a combination. I think we as a Rail Committee might make that choice and say, really what we are going to do it focus on Charleston/Meadow or we're going to focus on Palo Alto Avenue or for some reason we're going to focus on Churchill. I find it hard to believe that that's the choice we'd make so I can't even say it with a straight face. I think if we gave you a smaller group and we say that we will do Context Sensitive Solutions over a longer period of time on those other ones, we may actually get what we want, without having such a broad discussion of all rail crossings.

Council Member Filseth: I think that makes a lot of sense to me and it sounds to me – I mean, it looks to me like we got sort of a tradeoff here. I mean, what I think I just heard the Mayor say is that more – in general, the more that we can constraint the problem before it goes to the process, the less likely this is to sort of spiral off. On the other hand, what you folks have been saying is the more we constrain the process, the greater the risk we won't get by in from all of the community and the stakeholders. Is that accurate?

Mr. Toth: Yeah but I would amend it to say that I think – go back to the thing that I've been saying multiple times. You could present that strategy in the first two weeks of the process and ...

Council Member Filseth: Engage... (crosstalk)

Mr. Toth: Once they see what you see, then I think it's fair to go ahead.

Council Member Filseth: Our task is to sort of reach the right point to do that.

Mr. Keene: I didn't want to make more work for the Committee and us but – first of all, the idea of a month between now and the next meeting seems too long to me given what we're doing. I just sort of leaned over to Ed and whether or not over the next two weeks we couldn't take an effort to try to craft a little sort of this context statement a little bit. Understanding that this is not to sell it to the community. That this is a perspective that the community sees about opportunities and possibilities and constraints that exist right now. That if we had no engagement, this might be a way that we star going forward but there's going to be a process where there's the opportunity for people to say well, wait a minute, you're missing this point or my gosh, you're looking at this much too small or you're being too –

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whatever it is. That's going to have to be (inaudible) process with – I think feedback loops to the Committee during this process in an ongoing way. I would suggest that if we could do that over – think about coming back to you so that – I think we need to have clarity with the Committee about what we do before we're really out there formally engaging, bringing back citizens, getting everybody – it's like some other things, they're going to say, what exactly we are going to do if we're on this and I think...

Chair DuBois: I don't think this Committee can say that we're just going to focus on this crossing today. I don't even think that's in our charter. I think we'd have to go back to Council and say that but I do think the problem to solve is really community consensus on how we approach the four grade crossings and we determine a prioritization and timing per crossing. I think if we sent that to a CSS process, I think Gary said it multiple times, you'd start with that broad thing but then you'd very quickly say we need to have a strategy and this is timing. I mean it could be over 10-years, 20-years; whatever it is. I actually think the community needs to see that bigger vision before we go to a specific crossing.

Hillary Gitelman, Planning Director: If I could just interject something. I've been enjoying listening to the conversation and the good news is that starting a project like this is always the hardest part so once we figure out how to start, everything else is smooth sailing or hopefully. The observation I wanted to make is in the decision about the charter, we've already talked about many of the problems that we're confronting here and so I think the City Manager's idea that we come back between now and your next meeting with a special meeting to crystallize the problem definition and get more specificity about what the process will be. I mean we can put much more specifics attached to kind of Step 1, Step 2, Step 3 and I think quickly get to the community with the – a problem definition that this Committee by into and start to build expectations about what we're likely going to have to do once we identify our objectives and how we're going to evaluate alternatives. This is something that I think the community is going to be very engaged in and it is possible that we'll be able to move quick and we'll be able to have a very high level and complex conversation in the community about prioritization and moving quickly on some parts while other parts take longer. That is all consistent with this context sensitive approach to these kinds of projects and I think if you just give us the time, we can come back with some much more specific...

Mayor Scharff: Do you want us to look at the dates now?

Mr. Keene: If you could set the meeting, I think that would be really helpful.

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The only addition I just want – again, I just want to keep saying this to what Hillary said, I agree. The whole idea of problem definition is sort of preliminary problem definition out of the Committee. The CSS process envisions the fact that other stakeholders and community members will take issue, may reframe and may – and a real process could ultimately change what that definition is in this first phase.

Chair DuBois: Would Members be available two weeks from today? April 5th at 8 AM? April 5th?

Mr. Shikada: It is Palo Alto's spring break.

Chair DuBois: That's correct.

Mr. Shikada: Not suggesting that that's a problem.

Mayor Scharff: I mean I can do it.

Council Member Fine: I can do it.

Council Member Filseth: There's a Council retreat that day.

Mr. Shikada: No, that's the day after or actually, it's Friday.

Mayor Scharff: Friday the 7th?

Mr. Shikada: Friday the 7th is the retreat.

Chair DuBois: I had it on my calendar that dates as well. I think we got multiple...

Mayor Scharff: I think we have multiple ones.

Mr. Shikada: Right so the 5th and the 6th I think was in – I just deleted it so (inaudible).

Council Member Fine: 7th and 8th are our retreat.

Mr. Shikada: Correct. Correct.

Council Member Fine: (Inaudible)

Mayor Scharff: I can do April 5th at 8 AM.

Council Member Filseth: Me too.

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Chair DuBois: Alright, sold.

Mr. Shikada: That was easy.

Mayor Scharff: That was the easiest (inaudible)(crosstalk)

Chair DuBois: I don't know if anybody actually kind of went through task two and five but I actually had a few comments and questions. I think we've been addressing the larger question, which has been the more important one. Hillary, really quick before you leave. Sorry if you have to get to a meeting. The structure here, just the governance, the contract has this reporting to the City Manager. Is that correct or is that just what we normally say or it reporting to the Transportation Department?

Mr. Mello: It's the City Manager or his designee and Hillary and I have been kind of leading the consultants through this process.

Chair DuBois: Great. I do appreciate if in that item one reporting if we could get a report of the burn rate? I think Ed had mentioned that it would be great to start to see that.

Mr. Mello: We have that so we'll start putting that in the briefing report at the beginning of the agenda.

Chair DuBois: Ok. Then I just wondered that a \$1.6 million contract, a lot of it is meetings and community outreach. (Inaudible) typical for what we're getting? If I can ask that question?

Mr. Mello: Ed and I talked a lot about this and Hillary as well before putting the project out to bid and this is well within the range we expected to get all the way to preliminary design. We'll actually have preliminary designs at the end of the contract if it all goes according to the original scope.

Chair DuBois: Is that for multiple grades?

Mr. Mello: Yeah, that's up to four but as I said, we over scoped it with the understanding that we may not move forward with all four under this contract.

Mr. Toth: I can share my national perspective.

Chair DuBois: Sure.

Mr. Toth: Essentially, when I heard \$1.6 million I raised an eyebrow but then I came to understand that a comp. under that is if you choose – if and

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when you decided, they can move to 15 percent design on one of your alternatives. The engineering that would be associated with that could be quite extensive.

Chair DuBois: I don't think that's a lot of the cost necessarily.

Mr. Toth: I don't know. I haven't looked at the contract myself Councilman.

Mayor Scharff: Josh, where are in terms of getting money to do some of the design stuff? I mean, is there...

Mr. Mello: That's defiantly on the table. VTA has hinted at that as a possibility. There's a contingent of VTA Staff that's trying to get funding put into the grade separation program in the first 2-years of Measure B.

Chair DuBois: To conclude this, are we just saying that you're going to take the feedback that you've heard today. Come back in 2-weeks and we're going to focus on the problem statement and how we would get started?

Mr. Keene: I think that would anticipate how that would inform the subsequent process design as laid out by the consultants.

Chair DuBois: Again, in terms of schedule, I think we head the desire to for the stakeholder group in a couple of weeks. Again, there's a question about a realistic schedule and I don't know if we want to have a discussion today about stakeholders if we're going to be reaching out before the next meeting.

Council Member Fine: Just looking at some of the stakeholders who were starred on that chart. It looked pretty good to me. I think Tom, to your point earlier, if there's a technical group and a stakeholder group if those were working parallel they will be informing each other (inaudible) the process. I think it is nice to actually keep those separate in a way and it does look like the stakeholder group the ones that are an asterisk there are a little bit more on the technical side.

Chair DuBois: Yeah, I wondered if we wanted to focus this in more or we think this broad list is the right list? Does anybody have any comments on that?

Mayor Scharff: I guess my comment would be is it depends on what the problem statement is.

Mr. Keene: Yeah.

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Mayor Scharff: If the problem statement is that we're going to do a crossing at Churchill or Meadow, I think you have a different group of people and if we're doing a crossing over at Palo Alto Avenue frankly.

Chair DuBois: Maybe when we come back in 2-weeks we can see a staged approach to an initial vision and then if we hone in maybe how it would evolve.

Mr. Keene: I think we then need to talk about the – I mean, we have our own process for establishing a process in Palo Alto. What the stakeholder group is and how do we – who identifies them and how do we select them; we'll bring you back that (inaudible).

Chair DuBois: I think we should cast this again almost as marketing in the community by in. I would hesitate maybe on some of the more regional groups like Spur and Transform. If we're looking at a Charleston crossing in term of relative waiting.

Council Member Filseth: I took it as an example laundry list of everybody we could think of offhand but not something that we were going to vote on today.

Chair DuBois: They are recruiting before our next meeting.

Mr. Keene: I didn't think we were going to recruit. We're going to come back to the next meeting and then be able to correlate what the problem statement does as far as informing the stakeholder group. I would like to ask though that I don't see any reason why we couldn't get direction on beginning to identify and form a Technical Advisory Group. That's much more about this stakeholder at the jurisdictional level; Staff level. I think that that would be good too – if we could get you're ok on that. I mean we would obviously let you know who that would be but I don't – I think that's a different process and they have a different role.

Mayor Scharff: I'll move that we go ahead and form the Technical Advisory group. (Inaudible)

Council Member Filseth: I'll second that.

MOTION: Mayor Scharff moved, seconded by Council Member Filseth to recommend to the City Council that a Technical Advisory Group be formed.

Chair DuBois: You have Caltrain, Public Works, High Speed Rail and the Palo Alto Bike Collation in that group.

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Mr. Keene: To be honest with you, I don't think even looked at that as explicit again as examples. It was like Planning and Public Works – it's really our Staff, Caltrain, and VTA.

Chair DuBois: So, we just say go ahead and form it but we're not sure who we're going to put on it yet (inaudible)?

Mr. Keene: What we'd like is your authorization for the existence of a Technical Advisory Committee and for us to proceed to go out and scope that and we would bring back to you who – what are thoughts where. There's nothing that would preclude you from saying gosh, what about this group? Did you really think about that?

Mr. Mello: Exactly and I would just like to put a little finer point on what we're going to bring back to you in 2-weeks. We can't bring back the problem statement. I think that would be circumventing the CSS process but I think we can bring back a mission statement for the process. This is where you're going to tell us to embark on and we'll clearly define what the outcome needs to be but I – Gary, you can correct if I am wrong but I think we need to have the problem defined at a broader level than just the Rail Committee.

Mr. Toth: Develop a consensus on that, right? It's fair for us to have our thinking on it.

Mr. Keene: Let's not call problems. You're going to identify the context as you see it. The issues, the opportunities, the constraints, you know? That's what it really is and that all informs ultimately out. Those are some of the shifting pieces of an eventual problem statement. Then again, I would just say some people may disagree with the context as we see it. They may think we have more time than we think we have or they think whatever it is. That's the – that is the – I keep saying that because there's always such a suspicion that we don't really believe in community engagement or the CSS process. That's not the case. You guys have been very clear about what's that going to require. At the same time, that doesn't mean that there isn't a role for you in articulating the world as you see it now and some of the constraints. As long as you're open to having the subsequent process, then I think everybody – I think it will all work.

Mr. Toth: Not only that but you would get torched if you didn't indicate that we know some of this stuff.

Chair DuBois: Again, what are you asking to do? To actually talk to people about being on the Technical Committee and coming back and saying here's

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the list?

Mr. Keene: We want your endorsement of the concept and we would go out and identify in more specificity who the members of that would be and hopefully Josh, you would be in a position to report in 2-weeks on that.

Chair DuBois: I think the focus should be on the agencies. That may not be feasible but I wonder if we should approach Union Pacific as well.

Mayor Scharff: That's a good thought.

Mr. Toth: Can I leave you guys with a thought? I think how the words we choose, we need to choose carefully as for how we describe this process. I think we already saw a member of the public react to the word shepherding or marketing. That implies a top-down approach. It's more kind of like just vision instead of shepherding. We get in, we engage in a conversation, we mutually decide where we want to go and identify the person who could most likely lead us there. That's most likely going to be the City, ultimately. I wouldn't us – just be – otherwise, boom.

Chair DuBois: I'll be watching my use of marketing. I have a positive view of marketing as communication, not selling. Point taken. Do we need to vote on the motion to form the Technical Committee?

Mayor Scharff: Sure, why not.

Chair DuBois: All those in favor?

Chair DuBois, Mayor Scharff, Council Member Fine, Council Member Filseth: Aye.

MOTION PASSED: 4-0

4. Receive Railroad Quiet Zone Informational Report and Presentation

Chair DuBois: Given the time, I'm wondering if we should continue Item 4 or if we should try to get through Item 4?

Mayor Scharff: I can move through Item 4 I think.

Council Member Fine: I just missed my train to the City so I can do Item 4.

Chair DuBois: What about Staff?

Council Member Filseth: (Inaudible)

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James Keene, City Manager: How long do you think you'll take?

Chair DuBois: Probably at least 20-minutes.

Mr. Keene: OK and I may have to leave. We're long overdue for...

Mayor Scharff: What would Staff do? Would Staff prefer to do the quiet zones at another time or would they rather do it now?

Joshuah Mello, Chief Transportation Official: I can stick around. I am free until lunch.

Chair DuBois: It's not...

Mr. Keene: We're happy to leave this in Josh's hands with you. I mean it's – on the other hand if you feel like you need one of us here?

Chair DuBois: This is just a discussion.

Mayor Scharff: Let's just do it with Josh and get it done. (Crosstalk) Go for it.

Mr. Mello: Great, I'm joined today by Mike Canepa from Mott MacDonald who's a Rail Engineer.

Michael Canepa, Mott MacDonald: Civil Engineer.

Mr. Mello: Civil Engineer and he are going to talk a little bit about quiet zones and he has a presentation. There's also some information included in your packet as well,

Mr. Canepa: What we've put together is a presentation on quiet zones from the background from the FRA and some of the controlling authorities. We were asked to look at the current Atherton situation with their quiet zone and the potential for Palo – for a quiet zone at Palo Alto Avenue. First with the background. This is the FRA locomotive horn rules. Locomotive engineers have to sound their horns 20-seconds prior to hitting an at-grade crossing. One of the exceptions is if they are going over a certain speed, it's only a quarter mile so they don't disrupt the entire neighborhood coming in. Some of the other exceptions are – this will play into part of Atherton's too. If a train stop in close proximity to a crossing as a station or is required to stop as a holdout. They don't need – they are not required to sound their horn again when they begin moving from a stop. Also, there are good faith exceptions to where engineers can't quite estimate where they are along the

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path to that and then there's also safety exceptions to that also. This is the regulations for establishing a quiet zone. Only the local agency where the crossing resides can apply for the quiet zone; not the owner of the railroad. The quiet zone must be about half a mile in length at least and contain one grade crossing. A public – it must be a public grade crossing. There are private grade crossings. They are not eligible for a quiet zone. They must have conventional safety type of equipment. The local government, which is either the City, County, State, wherever that resides; has to work incorporation with the State and local agency including the railroad for risk assessment. That's the start of the whole process for a quiet zone. Currently, in the State, there are forty-six quiet zones in California. Twenty-five in northern California, four along the peninsula, 2 in Campbell which is part of the light rail shared UP system and those are VTAs. One in San Jose and then the Atherton is the first one on the JPB line. The City of San Mateo had studied the train horn issue with – had Staff report in 2013 and here's some of the conclusions. You can see the cost of implementation varies from about \$25,000 – to \$5 million. I know that's a wide variation to try and nail down. A lot of that is complying with the requirements that CPUC and any other regulatory agencies would put on that. Plus, what's the configuration of the current situation as for the City street and the crossing? This is UPRR's quiet zone costs. They had a fairly detailed list of what they go through and they also have contracts and stuff that I can send you too if you'd like later on. The cost for preliminary engineering, construction, and maintenance. That's ongoing maintenance for the warning devices and the advanced detection systems are all paid for by the public authority asking for the quiet zone. The public authority, we'll also reimburse them for all their project development, which is studies and anything else therein and the engineering cost for basically a wayside horn activated system; it's about \$5,000. Then for each signal that they put in, it's about \$10,000. My experience on some of the crossings is that it could get higher than that depending on if it's a – if the [PUC] requires a gentry type system or upgrades to the existing system. The public authorities are required to a guaranteed reimbursement for all the railroad's costs. Some of the cost that we're looking at is that there is typically a four-quadrant gate a quiet zone. A basic warning system including flashing lights. The interconnect system is what sets off the warning systems prior to the train getting there and then annual maintenance costs are ongoing. Looking at the City of Atherton, I know there was a recent study done of potential violations of their quiet zone there so we did look at their current configuration. At (inaudible) Lane in Atherton, their quiet zone is adjacent to a station platform and I believe the platform is only used on the weekends. The station platform also has track crossings that go from the parking lot to a center platform, which means they have to cross the tracks

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so they are embedded tracks that go across there for people to walk across. There's also the adjacent intersection, which requires a horn which is down on the other side of the station. We'll show here – this is the actual configuration of their quiet zone intersection. They do have a quad. gate put in, which is one gate for each quadrant of the intersection. It also has pedestrian gates. In two cases, they are separate. I believe Palo Alto has the same as the separated ped. gates. In – when the gates go down, in between the tracks there are also loop detectors that are the same as when you approach an intersection. To detect if a vehicle or something is stuck in there, which can signal the train and that's where the advanced preemption comes in, to notify the train. In this corridor, it's maximum speed for commuter trains is 79 MPH so they have to have advanced notice enough to stop before they hit that intersection. There's also some additional signage that was put into. This is...

Mr. Mello: Could you just –does that mean the gates come down quicker than they normally would? (Inaudible) quite zones.

Mr. Canepa: There we go. With the loop detectors?

Mr. Mello: Yeah.

Mr. Canepa: No, the loops detectors are only there to detect somebody who gets trapped in between the quad. gates. It's not really there to detect anything else because with four gates down if somebody got stuck in that intersection, you'd want to know if someone is -- if a car or a vehicle was stuck in there. They also – I've seen them require -- not here but on other areas where there's quad. gates where they also have the same as the – cameras – the traffic cameras to detect if something is stuck there to notify the train to stop. Does that answer...

Mr. Mello: Does the need to notify the train to stop require that the gates come down earlier than they would if there was no two-way communication?

Mr. Canepa: No, it's still based on speed and stopping time so that's where the preemption and that's what they were –earlier when the UPs was talking about the interconnect cable that goes from there. It goes from the train at a trip point if it's going at its max speed, which would be the furthest distance to be – and stopping distance and safety distance to the intersection and not go through the intersection so that it can stop in time. That's what the ongoing maintenance and then there's testing and everything else that goes with it. This is Atherton's quiet zone and as you can see, they have an odd situation where they are because they do have

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the station there and they have Walkins right next, which would still require them to blow the horns at Walkins. The northbound trains – the green areas are where the horns are required heading in the northbound direction. You can see it's prior to Walkins. Once it passes Walkins, the quiet zone kicks in through Fair Oaks. On the southbound trains, it's up to Fair Oaks and then into the station and then up to Walkins. Once they pass Fair Oaks, they have to blow the horn to go through to Walkins. The FRA has established that the fine for unintentional violations of a quiet zone is \$1,000 per incident and \$2,000 for intentionally violating it. The horns are still required at the adjacent crossings and then the study – well, the other way they can blow their horns is for safety reasons. If they see somebody on the tracks, in the right away near the right away and in eminent danger, they still have to blow their horns even if it's in a quiet zone. That's something to keep in mind. For so Palo, Alto Avenue, currently is does not meet the criteria for a quiet zone. There are only two gates and I'll have pictures of that here shortly. What is needed to implement a quiet zone is an accident study, a risk assessment and that's by all the authorities that have a jurisdiction, which would be JPB, CPUC, FRA and possibly UP. We usually like to get them – we do a GO88 which is a PUC regulation, which was done during the time they put in the ped. crossing gates also but it would be done for this specific purpose. Then all the agreed upon safety measures would be complied, sent out and there would be a comment period and then we would have to – the City would have to response to all those comments and safety issues. Typically, installation includes the quad gates, the intrusion detection which in Atherton's case was loops or a camera detection system. Additional signage, fencing, sometimes they will require some warning lights coming in and that – the train signage houses may or may not house the extra equipment so that might have to be swapped out also. In Palo Alto's case, looking at the bigger picture from Palo Alto Avenue, the Palo Alto's station is less than 1,000-feet from the crossing itself. This station does include side platforms and an under crossing so that does help the situation. There's not pedestrian's in that configuration with the barrier fence in the middle trying to run across the tracks so that does help. The pedestrian safety and warning still could be an issue which means there could be violations of a quiet zone if it was implemented here because it is a pedestrian area and there are pedestrian and traffic and it is a station. The Palo Alto grade crossing, there is ped. gates on the north side but not on the other side so it is one sided. There's a single vehicle gate in each direction and no vehicle detection currently there. Here's probably a better picture. There are median islands installed. There is bike traffic on this side but there aren't the extra ped. gates that are on the other side. The other complication to this a little bit is that it is skewed. It's not a perfect 90 degree angle. It makes the gates

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system a little bit more difficult so there may be some added issues. The main part of the quad. gates are to keep vehicles or bikes from going around – circumventing those gates to get into there. Then bicycle traffic will be a very big part of the analysis at this intersection. Any questions?

Chair DuBois: We have several members of the public who have been waiting patiently. The first speaker is Herb Borock and the second speaker is Alex Kay.

Herb Borock: One of the issues related to noise on the freight train horns (inaudible), indicated that the possibility of a short line operator that may be able to get them to put their horns at the bottom – below the train, which is what Caltrain did after they had put them at the top. I don't know the difference between electric diesel in terms of noise but at the local policy maker group meeting 4-weeks ago, attended by Council Member Tanaka. Greg Greenway of the peninsula freight user group said that their group had no condition on electrification of freight. That it's been done elsewhere and they were welcome to discussion, however, he said that he thought it was not a realistic option. I believe that was due to the cost. You may consider whether it just makes sense to put (inaudible) horns rather than what's required for the other option. Finally, on stations, it would help to know if there are any kinds of regulations or whether horns can just be sounded just because there is a station there. Maybe someone might be leaning over the platform. Not that they are actually leaning over the platform but to warn them that the train is coming so they don't do that. In one of these reports, I read that if a train stops within a certain distance of a quiet zone crossing, that it doesn't have to sound a horn but I find just the opposite. That is when currently, whether it does not have that type of crossing, I find trains at University Avenue sometimes starting to sound the horn when they are leaving. Thank you.

Chair DuBois: Next speaker is Alex. Is that you sir? Oh, he left, ok. Then Elizabeth Alexis.

Elizabeth Alexis: Good morning still I guess. Yeah, I think just tying this back to actually our little CSS process. I think this is one of the areas where coming with the information on this – this is a question that people will have. This is an issue they will have and it would be a good thing to throughout to the community. This is what it would cost? These are what it would do or not do necessarily? How may year – when is it worth paying that cost? Is this if the project is not going to happen for 25 – how much do you care because that's a question and I think that would be really helpful just to—that's some place where we could have some clarity. We do know

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these numbers. I do think in general, we add – one thing I would just note on the overall thing is that the quiet zones where there as an incentive to actually increase the safety so the kinds of things that we are doing are not just – there's actually a pretty good system for – you can go online and the FRA will tell you your safety indicator for that crossing based upon the accidents, based on the configuration, the traffic volumes. These are things that qualitative and quantitatively increase the safety of these things so there are other reasons to do it other than just noise. You're actually improving the safety of the – the overall safety. For the other crossings, there are some complications which I think usually it involves – because they are more signalized intersections and where we have the stopping and right on red. You might have to make it – at the Alma crossing, you don't change anything fundamentally about the crossing. You're just changing the safety measures at it. For the others, we may have to actually change something about how are functions. I would really encourage people to look at – in these particular cases, wayside horns. These are not quiet zones, they are just considered – the FRA thinks they are the same as the locomotive doing them. They are actually more consistent because you don't have to remember – the driver doesn't have to remember to do it. You don't have variations in the sound. You actually know where the sound is coming from and it's a much more localized kind of sound. Most of the town would not hear the trains. You go to the people who live very close and you might have to a little noise mitigation for the immediate neighbors but for everybody else, the noise issue is gone. Again, if there are some numbers on this and then that's a great place to get feedback from the community is to how much money are they willing to spend for a year or 2-years, 5-years or 10-years or really for whatever.

Chair DuBois: Alright, thanks very much. Coming back to the Committee? Greg.

Mayor Scharff: I thought that was very helpful Alexis and I think the wayside horn thing is very interesting. I guess what I would like to know eventually is how do we start to frame this a little bit? I think you just did a great job on Palo Alto Avenue. I'd like to know how much it is to move forward and then I would also like to understand how much it is if we went to a wayside horn and what it would cost on each grade superstation frankly, to do the wayside horns? Then also, Churchill – doesn't Churchill have quad gates already or is just two gates? There are gates there.

Mr. Mello: Yeah, Churchill does not have quad gates. I think it's important to note that we have been working with Caltrain over the last year and a half to make minor safety improvements at all four of our grade crossings. Churchill

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in particular, we'll be adding a median, which also prevents folks from driving around the down gates. I've made sure that all the improvements are – will not preclude the installation of the quad gates but none of those include quad gates as they are quite expensive but you will be seeing those constructed within the next year or 2-years' time period. There was some grant funding recently awarded to help with some of those costs.

Mayor Scharff: I think those are all really good issues. I'd like to see the cost of the – what do you call them? Way horns? Wayside horns and how much those cost? How much it costs to do the – each of these? Then a little bit of understanding of the safety – it seems like it's dramatically safer if we do this but maybe not. It seems like it is so given the safety and given the noise issues, I'd just like to know how much it would cost. Then if it's a reasonable number, maybe we can move forward on some of these; at least the wayside horns or maybe some of the (inaudible). I know the people at the Palo Alto Avenue one, they've come out in droves before and complained about that one. I think, in particular, it affects people in that one on Alma place. I think we should move forward and I'm looking to you to what the next steps are to move forward on this.

Mr. Mello: I think there's two important – there's an important distinction we need to make. There are the noise impacts, which would be addressed by the horn – partly by the wayside horns and then the elimination of the locomotive mounted horn sounding. There are the safety improvements which are non-necessarily contingent on the quiet zone. The installation of the quad gates make the crossing safer and once the quad gates are installed and other measures is implemented, you can then apply to more forward for a quiet zone. The quiet zone in and of itself, I don't know if that has any safety benefits. It's more the equipment that's installed in order to implement the quiet zone.

Mr. Canepa: In general, a quiet zone is considered less safe than...

Mayor Scharff: Well, it's the equipment – I understand the concept.

Mr. Canepa: Right. Even when you put the equipment in and there's been – if there is no horn sound, people tend to – it's mostly bicyclists and peds. People try to get through if they think the gates – and the other problem we've had and we've seen it in other areas, is when the gates are down, they see somebody go on the way. There like this gate is stuck and they go through and somebody is coming the other way and there's no horn to hear it. They get hit by a train in the opposite direction. There are issues with it and...

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Council Member Filseth: That was those guys in Oakland (inaudible).

Mr. Canepa: This was a couple years ago, there was somebody in San Jose that did the same thing.

Council Member Filseth: A couple guys in Oakland (inaudible).

Mr. Canepa: Oh, yeah so, they are considered less safe and that's why they want to have the diagnostics so everybody gets their input into it. Then they – that's why they – I hate to say this but they voice that the responsibility back over to the public entity that's requesting the quiet zone.

Chair DuBois: I think we talked about this – was it a year ago? 2-years ago?

Mayor Scharff: A while ago.

Chair DuBois: The City Attorney wrote a pretty (inaudible) thing on liability, which wasn't in here. At the time, I think she said the City would take the liability if we put in the quiet zone. I think there's some...

Mr. Canepa: (Inaudible) one of the references that we used to put the memo together.

Chair DuBois: That was kind of the biggest drawback at the time, I thought. Is there any clarification on that? Is that correct or does the rail retain some reliability?

Mr. Canepa: It's always questionable. Obviously, when you read through the UPRR's website, they say yeah, it's all you. They don't – they'll release the liability of it. There's also some contracts that you go through to sign with them – agreements. That's if it's an UP rail system. This one is JPB. It depends on what happens. It depends on how it happened, what happened so it's more situation...

Chair DuBois: You're saying that liability is negotiated as part of the quiet zone?

Mr. Canepa: The FRA's point of view is if you put the quiet zone in, you are taking the responsibility for it.

Ms. Alexis: That is not accurate. Can I speak up here for a second?

Chair DuBois: Sorry, Alexis – sorry for Elizabeth no.

Mayor Scharff: I'd like to hear what she has to say.

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Chair DuBois: I think it's in a letter.

Ms. Alexis: (Inaudible)

Chair DuBois: I think it's an issue that we need the City Attorney to weigh in on. I do like the idea of the wayside horns. I think again, not having that sound traveling and potentially having it be at a set volume would probably improve the situation quite a bit. I agree with Council Member Scharff, we should look at that for all crossings. I also thought Elizabeth made a great point about including this in the community discussion. Not to be a focus on – a long-term focus but it could be part of that conversation on grade crossings.

Mr. Mello: I think this is one of the variations that we'll need to discuss with the community as we go through the CSS. It doesn't make sense to make this configuration the ultimate solution for one or a couple of the grade crossings. I think that's going to be something that's going to be discussed. We can certainly throw together some planning level cost estimates. As to – you know it's going to be a pretty wide range because we would have to meet with the railroad. Caltrain has been a little hesitant to discuss the thing that is not moving – that are not in the final design phase. We'll try to get some information from them about what type of requirements there would be, as well as the [CPUC] and come back to you with some planning level cost estimates.

Mayor Scharff: That would be great. Also, on the way horns. This is a huge quality of life for a lot of people in Palo Alto and I think the more we can improve the quality of life of people in a tangible way, we should do that. If the horns aren't that expensive and we can move quickly on that as oppose to taking longer on some of this other stuff, that might be a real positive where people feel an immediate relief. I think a little bit about it like airplane noise. I'm amazed about how many people are really unhappy about the airplane noise. I'm sure if we just put these into – if these horns were new, I think we'd have the – (inaudible) craziness.

Chair DuBois: Any other comments?

Council Member Filseth: (Inaudible)

Chair DuBois: Great. Thank you very much. Thank you for staying late. If there's nothing else, then we'll call meeting adjourned. Thank you.

NO ACTION TAKEN

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Future Meetings and Agendas

None

ADJOURNMENT: Meeting adjourned at 11:18 A.M.