



HSR City Council Subcommittee

Members

Patrick Burt
Larry Klein
Nancy Shepherd
Gail Price

Special Meeting

Thursday, April 1, 2010
8:30 am – 10:00 am
Council Conference Room
Civic Center
250 Hamilton Avenue
Palo Alto, CA

Minutes

CM Shepherd absent

1. Oral Communications

None

2. Approval of Minutes from March 11, 2010 and March 18, 2010

Chair Klein moved to approve minutes. CM Price seconded. All ayes.
Minutes approved.

3. Evaluation of Context Sensitive Solutions

Mr. Emslie said the Technical Advisory Committee presented a portion of the CSS Toolkit last Tuesday. They are beginning the release of CSS in conjunction with the release of the Alternatives Analysis. The CSS Toolkit provides a technical background and feasibility of options.

Chair Klein said he thought the CSS process already started.

Mayor Burt stated that the creation of the toolkit could reasonably be considered the first step in the process. From our standpoint of utilizing CSS, this is just the beginning. From the standpoint of setting a foundation, the toolkit is well into the process.

CM Price said the Committee wants to use this tool quickly to help analyze the Alternatives Analysis. She asked when it will officially be released.



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Mr. Emslie said the CSS Toolkit will be released a week from today, next Thursday, April 8, 2010.

CM Price asked in terms of having a meaningful impact, can we request an appropriate time period for review.

Mr. Emslie said it would be difficult to take a credible position without actually seeing it. Once we see it, we can make a decision from there.

Chair Klein stated there needs to be a meaningful deadline to comment – an official last day of the comment period. He also asked which cities were represented at this recent meeting.

Mr. Emslie said all PCC cities had representatives present, and there were representatives from San Francisco all the way down through Gilroy. He also said HSR cannot give us an answer on the comment period until sometime next week.

Mayor Burt moved to take an advocacy position to Caltrain and HSR for funding to come from HSR. CM Price seconded. All in favor. Motion passed.

Chair Klein asked if the CSS Toolkit is on the HSR Board agenda meeting next week.

Mr. Emslie said he would check.

Chair Klein said the Subcommittee should direct the City Attorney to register our concern of not properly providing public comment on HSR agendas in accordance with the Brown Act.

Mayor Burt said whether it is under the Brown Act or not, the public needs some preliminary review of the Alternatives Analysis before it is released to properly comment.



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4. Discussion of Guiding Principles

Chair Klein moved to continue this item since CM Shepherd was absent and since there is no urgency regarding it. Mayor Burt seconded. All in favor. Motion passed (moved to date uncertain).

Item #8 was discussed next, prior to item #5.

5. Responses to Questions for City Attorney

Mr. Baum said the first question he received states, "Is the HSRA required to reopen the scoping comments period for the full Bay Area to Central Valley Program EIR with the issuance of the Revised DEIR? Would that allow comments on the entire document?"

Mr. Baum stated yes, that our position that comments reopened by the court is open play. We are allowed to comment on the rest of the document. If there is substantial new information, then the process becomes a little more difficult, but it is still in play.

Mayor Burt asked for a summary of the Laurel Heights case.

Mr. Baum said he would provide background for the public.

Mr. Baum said the second question he received states, "If the Authority franchises operation of the project to private operators, would eminent domain takings for a private enterprise be allowed?"

Mr. Baum stated the fundamental answer is yes. It is probable that eminent domain takings would be pursued by the HSRA. The HSRA would undertake eminent domain authority. There is not going to be an issue where we could stop eminent domain. Private taking for public benefit would fall under that.

Chair Klein asked if Mr. Baum could report back to the Subcommittee on April 6 or disseminate further information in some way before April 8.

Mr. Baum said yes.



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6. Comments from Public Works and Utilities Staff

Mr. Emslie introduced Mike Sartor, Assistant Director of Public Works, and Greg Scoby, Engineering Manager of Utilities.

Mr. Sartor stated storm drainage impacts are the obvious issues with HSR. There is also a concern of roadway transitions, creeks and bike paths along the right-of-way. He also stated that we want to work closely with Hatch Mott McDonald.

CM Price asked if Public Works will take into concern the process of electrification and grade separations.

Mr. Sartor said yes.

Mr. Scoby said he created maps to be on the same page as HSR – to essentially “speak the same language” as them. The maps showed all Utilities processes – underground and above-ground. There is a potential cost impact if we had to relocate some of these processes. There is no cost estimate of relocating facilities as of right now since we do not know how HSR will be built yet.

Chair Klein asked Mr. Scoby to bring cost estimates of moving facilities to the next meeting.

7. Updates and Informational Items

Gayle Likens said the Mayor signed a position letter pertaining to legislation. We are sending out position letters as bills come up. We are working with the City Attorney’s office to finalize the Public Records Act Request.

8. Future Meetings and Agendas

Chair Klein said he would be absent on the April 15 meeting.

Mr. Emslie said we could add the Guiding Principles agenda item at the end of the special meeting on April 6.



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Mr. Emslie said there is a community meeting tonight on the Program EIR – how to prepare documents, etc. There are also meetings on April 7 with the HSRA in San Jose at 1:30 p.m., 2:30 p.m. and 3:30 p.m. On April 8, there is a full HSRA board meeting in San Jose at 9 a.m.

Chair Klein said we will be introducing our lobbyist, Ravi Mehta, during the April 6 special meeting.

Mr. Emslie said the next regular Subcommittee meeting is scheduled for April 15.

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