

Expanded Community Advisory Panel (XCAP) October 30, 2019

Special Meeting Summary

Subject

Connecting Palo Alto
Palo Alto Grade Separation Study

Meeting date and time

October 30, 2019
4:00pm-6:00pm

Location

Palo Alto City Hall
Community Meeting Room
250 Hamilton Ave, Palo Alto

Prepared by

Chantal C. Gaines, City of Palo

Meeting called to order at 4.00 pm

XCAP Member Attendees

Barbara Best
Tony Carrasco
Inyoung Cho
Larry Klein
Judy Kleinberg
Pat Lau
Adina Levin
Nadia Naik
Keith Reckdahl
David Shen
Cari Templeton (after roll call)

Excused

Gregory Brail
Phil Burton
Megan Kanne

Meeting Agenda Recap:

The Meeting Agenda included:

1. Welcome and Introductions
2. Oral Communications (15 minutes)
3. Informational: [Attachments]
 - a. Community Workshop Presentation (15 minutes)
 - b. Comments on Fact Sheets (15 minutes)
 - c. Informational (Discussion at Future Meeting): Public Safety Memos from Palo Alto Fire Department and Palo Alto Police Department
4. Action: Guiding Principles Amendment (20 minutes) [Attachments]
 - a. Consideration of Chair's suggestions for voting procedures and defining "consensus"
 - b. Phone meeting participation
 - c. Any other amendments
5. Meeting schedule (5 minutes)
6. Action: XCAP Workplan [Attachments]
 - a. Consider whether XCAP should review new alternatives or alternatives previously discarded but warrant a second look (20 min)
7. Adjourn

There is video of the meeting presentations and the PowerPoint is archived on the Connecting Palo Alto website. They are not re-summarized below. Video link: <https://midpenmedia.org/palo-alto-expanded-community-advisory-panel8-10302019/>.

Oral Communications:

2 members of the public addressed the XCAP

Discussion and Actions

Agenda Item #3: Informational: [Attachments]

- a. Community Workshop Presentation (https://connectingpaloalto.com/wp-content/uploads/2019/10/Item-3.a-1030_draft_of_1107_Comm_mtg.pdf)
- b. Comments on Fact Sheets (<https://connectingpaloalto.com/wp-content/uploads/2019/10/Item-3B-Response-to-XCAP-Comments-on-Draft-Fact-Sheets.pdf> and https://connectingpaloalto.com/wp-content/uploads/2019/10/Factsheets_PA_All-Oct25-2019.pdf)
- c. Informational (Discussion at Future Meeting): Public Safety Memos from Palo Alto Fire Department and Palo Alto Police Department (<https://connectingpaloalto.com/wp-content/uploads/2019/10/Item-3CA-PAFD-Grade-Sep-memo.pdf> and <https://connectingpaloalto.com/wp-content/uploads/2019/10/Item-3CB-PAPD-Grade-Sep-memo.pdf>)

Attachments included.

Item #3a: Community Workshop Presentation

AECOM, consultants, and staff walked the XCAP through the draft presentation for the upcoming November 7th Community Meeting. AECOM also shared the updated Fact Sheets which factor in the feedback received to date. Other discussion and suggestions subsequent to the presentation:

Questions/Comments on Draft Presentation:	Responses
Be sure to emphasize why grade separation is needed at all. Include the Caltrain business plan statistics to help explain this.	
Are we planning to do outreach to businesses?	Yes. Staff plans to coordinate that separately. Also, business interests are represented through the Chamber Representative on the XCAP.
Regarding Churchill traffic information: are the closure mitigation costs included in the cost estimates?	Yes.
Regarding Churchill traffic information: Can you confirm whether or not the intersection at Palo Alto High School and Town and Country Village is included?	AECOM will follow up with that information.
Be sure to emphasize that the Meadow/Charleston numbers are for both intersections.	Will do.
On page 28, the Embarcadero Bridge is mentioned. Is it historic?	It is potentially historic.
The Stanford Game Day Station needs to be added.	

Item #3b: Follow up on Fact Sheets

The feedback on the fact sheets is informational to summarize what was heard from the XCAP over the past week and how those items were addressed in the Proposed Final Fact Sheets that will be printed for the November 7 Community Meeting. No further discussion needed at today’s meeting.

Item #3c: Public Safety Reports

The Public Safety Informational Item was not discussed at today’s meeting. It is to share some initial analysis and will be discussed at a future meeting.

3 members of the public spoke to the XCAP on this agenda item.

Agenda Item #4: Action: Guiding Principles Amendment [Attachments]

- a. Consideration of Chair's suggestions for voting procedures and defining “consensus”
- b. Phone meeting participation
- c. Any other amendments

Links to Item Materials:

- [Item 4: Revised Annotated Adopted XCAP Guiding Principles](#)
- [Item 4: Draft Language on Consensus](#)
- [Item 4a: The Basics of Consensus Decision Making](#)

3 members of the public addressed the XCAP on Item 4.

Item #4a: Consideration of Chair's Suggestions for Voting Procedures and Defining “Consensus”

The Chairperson walked the XCAP through the Draft Language on Consensus attachment which offered suggestions about defining “consensus” as well as setting the number of people on the XCAP that would be considered a consensus. The following summarizes the XCAP discussion/questions:

Questions/Comments:
The XCAP should make a “recommendation” to the City Council and should contain information about the varied opinions of the XCAP.
The dissenting opinions should not be blamed for stopping the overall group progress as suggested in the draft language proposal. The language as drafted is a bit harsh.

Motion:

Larry Klein moves (Cari Templeton Seconded) the recommended language in the “Draft Language on Consensus” document as an amendment to the Adopted Guiding Principles with the following changes to the Draft Language:

1. In the Draft Language on Consensus document, delete 4th paragraph under “4 Voting” (text reads as: “individuals who are preventing the group from making a decision....would be doing the group a great disservice by allowing the decision to go forward.”);
2. In 4.Voting-d- end after the word “present.” (So the language would read: If a new proposal is not generated by the sub-committee, the original proposal will be revisited a the next meeting for a 2/3rds super majority vote of the members present).
3. Use 2/3rds as the number in that clause.

Amendments:

- Kleinberg: Change “Dissent” to “Concerns” or “Disagreement”
 - Klein declined amendment.
- Levin: Add language about this process only applying to the final report.
 - Klein/Templeton accepted this amendment.
- Levin: Change “findings or dissenting recommendations” to “findings or alternative recommendations”
 - Klein/Templeton accepted this amendment.
- Klein: Reword the final paragraph of the Draft Language on Consensus document to read as follows:

In the event a unanimous consensus recommendation for the Final Report cannot be achieved, ~~THE XCAP SHALL REACH ITS DECISION BY 2/3 MAJORITY VOTE BY THOSE PRESENT AND VOTING AT TWO SUCCESSIVE MEETINGS OF THE MEMBERS PRESENT TO VOTE. the procedures outlined in Sections 4a-c will be applied a maximum of twice. If, consensus can't be achieved, IF UNANIMITY CANNOT BE ACHIEVED,~~ THE report will indicate the dissenting ~~CONCERNS-viewpoints~~ as either Findings or Dissenting Recommendations. The Chair and Vice Chair would work with the dissenters to ensure their viewpointS ARE is appropriately represented.

- Klein/Templeton accepted this amendment.

MOTION PASSED – UNANIMOUS

Favor: 10 people (Levin, Carrasco, Lau, Shen, Reckdahl, Cho, Kleinberg, Klein, Naik, Templeton)

Nos: 0

Abstain: 0

Absent: Best, Brail, Burton, Kanne

Item #4b: Phone Participation

Motion:

Larry Klein moved that XCAP not allow phone participation. Motion seconded by Tony Carrasco.

Discussion:

1. Procedures are onerous; meeting confusing; some delay; etc.
2. Vice Chair Klein described to the XCAP that phone participation is difficult to manage and takes away from the meeting.
3. What is the definition of an excused absence?
 - a. Just letting us know in advance.

MOTION PASSED – UNANIMOUS

Favor: 10 people (Levin, Carrasco, Lau, Shen, Reckdahl, Cho, Kleinberg, Klein, Naik, Templeton)

Nos: 0

Abstain: 0

Absent: Best, Brail, Burton, Kanne

Item #4c: Other Amendments

None. The XCAP did not discuss any other amendments to the guidelines.

Agenda Item #5: Meeting schedule

This item was continued from the October 16 XCAP Meeting. Staff, Ms. Cotton Gaines, informed the group about the Doodle Poll results. The dates that look good are:

- Nov. 13 from 4-6pm or 5-7pm
- Dec. 4 from 4-6pm or 5-7pm
- Dec. 18 from 4-6pm or 5-7pm
- Dec. 19 from 4-6pm or 5-7pm

Of note, 10/28, 11/13 and 12/11 are the on calendar as PTC evenings.

Given this information, the group voted:

Motion:

Nadia Naik moved that the XCAP adopt the following “Regular” meeting schedule: 1st and 3rd Wednesday of each month from 4-6pm

Larry Klein seconded.

MOTION PASSES – UNANIMOUS

Favor: 10 people (Levin, Carrasco, Lau, Shen, Reckdahl, Cho, Kleinberg, Klein, Naik, Templeton)

Nos: 0

Abstain: 0

Absent: Best, Brail, Burton, Kanne

NOTE: LARRY LEFT AFTER THIS ITEM ON THE AGENDA SO THE NEXT ITEM WON'T INCLUDE HIM.

Agenda Item #6. Action: XCAP Workplan

- a. Consider whether XCAP should review new alternatives or alternatives previously discarded but warrant a second look (20 min)

Item #6 and #6a were combined into one discussion. Links to Item Materials:

- [Item 6: XCAP Draft Work Plan](#)
- [Item 6: Draft XCAP Schedule](#)

Chairperson Naik explained that she brought a draft document for the XCAP to review since the group talked about adopting some sort of workplan at the October 16th meeting. In order for the XCAP to meet the April 30, 2020 deadline, the draft workplan proposes subgroups for XCAP members to volunteer for in order to get more work done. The groups listed as an example are:

- Water
- Safety
- PAUSD / Traffic Circulation
- Caltrain (technical and evaluation)
- Property Impacts
- Existing Policies (Criteria review)

The overall goal is to have a detailed appendix in final report with work from all of the subgroups. On the draft schedule, the pink items are ongoing work/research needed.

Discussion:

Questions:	Group Responses
Can we have some form template that we all use for our questions and ideas?	Great idea. Yes.
Is this timeline a real timeline with our other changes?	No. The timeline is now not up to date given our changes.
Think about how business concerns are factored into this process.	
Does the communications plan factor in businesses?	The comms plan so far described is explaining our town halls and other process. So the town halls do not include that.
Is an ad hoc committee a brown act group?	No. so let's plan to get some professionals from the business side to help with the questions and the work of the subgroups.
Once we have all of our questions, will the staff help to put the info all together related to these topics?	<p>That is the concept of the Chair.</p> <p>Ed mentioned that bringing in the experts from outside agencies (e.g., Water District, Save Palo Alto Groundwater, etc.) to come to share their perspective on these alternatives still on the table. But we should be aware that the agencies will not be advising of what works and what does not. So it might be useful to further define what you are interested in for each topic.</p> <p>Also, if there are documents the XCAP knows of and would include as answers, they should offer those as well.</p>
If a member of the XCAP or a member of the public has a question about a specific topic, we should feel free to send them to the ad hoc group. That group should have expert level knowledge.	

Is everyone ok with the general direction which includes the following:

- Needs assessment and problem statement
- Will look at criteria
- Will break into subgroups based on subject headings

AGREEMENTS:

Group nodded that they agree with this and the workplan in concept. **This is adopting the powerpoint in principle, not verse with these specific changes:**

1. On slide 3, the following changes were made: deleted a sentence about this being a “messy process;” Added El Camino Real to the 2nd bullet point; changed “loosing” to “loosening” in 4th

bullet point; Added reference to businesses in 7th bullet point; and Added reference to businesses in 8th bullet point.

2. On slide 5, the following change was made: deleted the sentence about the expected outcomes in the "Needs Assessment" box.
3. On slide 6, the following change was made: added reference to the Guiding Principles process in the "Finalize Evaluation/Documentation" box.
4. On slide 8, the following changes were made: changed "ad-hoc groups" to "Working Groups;" merged the PAUSD and Traffic lines together and changed the name to "Circulation" with an updated description; and Added note that the working groups can decide what they want to discuss and ask.
5. On slide 9, the following change was made: changed reference of ad-hoc group to "Working Group"
6. Deleted "Let's Discuss!" slide and 10/28/2019 references throughout PowerPoint.

Initial Signups for subgroups (more will happen offline):

- Pat is volunteer for Safety and Public Safety
- Barbara said she will do PAUSD and Traffic/Circulation; Judy are in that group.
- Tony wants to do Cost as a group
- Adina will do Caltrain
- Keith will do Water
- David Shen will do property impacts/land acquisition/noise vibrations, etc. (thinking about rights in the property impacts process, etc.)
- Cari will do Existing policies (comp plan)

We will post the groups and the membership of them online. Add an expert in each area to also lean on for each group topic.

Item 6a: XCAP review new alternatives or alternatives previously discarded but warrant a second look:

- Process: XCAP should think about the submission process and how to discuss it.
- Could have an ad hoc that helps go through the new ideas.
- XCAP would love if people in the community would like to participate in discussions about the alternatives or have ideas they want to submit.

Tabling the process for screening new ideas until the next meeting.

General Community Updates

- Inyoung: the viaduct is a big discussion in her neighborhood. When should she communicate that something is real or not? She thinks the viaduct was snuck in. People are asking if they should do a new petition or not.
 - o The XCAP wants to see the Presentation before the November 7 Community Meeting. Can staff share it before the meeting?
 - o Staff said that though the timing will be tight, they will make every effort to share it with the XCAP before the community meeting.
- Adina: Caltrain met and thought about a larger regional measure for grade separations.
 - o MTC is working on their Plan 2050 for regional funding, etc.
 - o Caltrain board: regional authority for grade separations: that is on the Caltrain Board retreat agenda on Nov. 21 in the morning in Half Moon Bay; location TBD.

- Thinking about a larger authority to do the construction authority or one specific district for grade separations. It is page 89 of the Caltrain Organizational Assessment Report (on the Caltrain 2040 Website)
- Tony: he wanted to share that at least 2 people have suspicion that the City is intentionally excluding the business community.
- Nadia:
 - Adding back alternatives was the Southgate discussion with Inyoung.
 - Professorville area: they made their own flyers and went door to door
 - Can we further define the word mitigation and what is included in that.

Meeting Follow ups:

- Making sure the new website is up and live
- Making sure the traffic data related to the Churchill Closure traffic mitigations is on the website
- Please share the flyers for the upcoming community meeting.

Adjourn at 7.10pm.

Next XCAP Meeting

Next Scheduled is November 13, 2019, 4:00 p.m. to 6:00 p.m.

Palo Alto City Hall, Community Meeting Room, 250 Hamilton Ave, Palo Alto, CA