



CITY COUNCIL AND COMMUNITY DEVELOPMENT AGENCY MINUTES

Regular Meeting
Tuesday, September 10, 2002
7:30 p.m.
Menlo Park Council Chamber
801 Laurel Street, Menlo Park

ROLL CALL – Mayor Schmidt convened the meeting at 7:40 p.m. Mayor Pro Tem Kinney and Councilmembers Collacchi, Borak and Jellins were present. Staff present included City Manager Boesch, Assistant City Manager Seymour, City Attorney McClure, City Clerk Ramos and other department heads.

A. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation honoring the Menlo Park Fire Protection District for its leadership of California Task Force 3 in post-September 11, 2001 recovery efforts in New York City. – Mayor Schmidt read and presented the proclamation to Harold Schapelhouman, Special Operations Division Chief, and other firefighters who were present. Mr. Schapelhouman expressed some remarks and thanks.
2. Presentation by US Bancorp Piper Jaffray regarding City Bonds and Rating – Mark Curran gave a brief presentation highlighting the successful bond process and the City's AAA rating.

B. COMMISSION VACANCIES, APPOINTMENTS AND REPORTS

2. Appointments to the Environmental Quality Commission.

Councilmember Kinney nominated Mr. Carney and Mr. McCarthy.

There was a consensus to reappoint Frank Carney and appoint Kevin McCarthy to the Environmental Quality Commission to each serve four years.

3. Councilmember Reports: Schmidt, Kinney, Borak, Collacchi, Jellins.

Mayor Schmidt commented about his request to the East Palo Alto Council at its meeting on September 3 to delay consideration of the University Place project, that will impact the Willows neighborhood. He said that the East Palo Alto Council granted the request to delay the approval until Menlo Park has provided its comments about the traffic analysis. Mayor Schmidt also announced the City's memorial tree planting ceremony tomorrow at 11:30 a.m. at City Hall in memory of September 11, 2001.

Councilmember Kinney commented about the scheduled meeting of the residential review guidelines at a special Council meeting on September 18, 2002 and suggested the Council meet on September 17 and September 18 to allow sufficient time for discussion. Majority of the Council expressed support.

City Manager Boesch reported about the status of the Valparaiso Corridor Study with the City of Atherton and commented about a joint meeting with City of Atherton on September 25, 2002 in the Menlo Park Council Chambers. He said that unless Council directs otherwise, staff will prepare the appropriate notice.

C. PUBLIC COMMENT

The following persons spoke in favor of a 50-meter swimming pool at Burgess for reasons stated including health benefits, fitness, training opportunities for local athletes and students, increased use, improved functionality and aesthetics:

- Howard Fenn, Menlo Park
- Andrea Fabrega, Menlo Park
- Lori Melin, Menlo Park, also suggested adding a snack bar and other related amenities.
- Molly Cogan, Menlo Park, also suggested adding other related amenities.
- James Raybould, Menlo Park
- Allen Varner, Palo Alto
- Mark Evans, Menlo Park
- Katrina Radke, Menlo Park, also asked the Council to agendize it for further consideration.
- Janelle London, Menlo Park, also suggested to appropriate funding for additional lap swimming services.
- Margaret Scopazzi Beatty, Menlo Park
- Roy Sardina, Menlo Park
- Heidi Klauser, Menlo Park, also urged the Council to reconsider this matter.

Gail Sredanovik, Menlo Park, commented about the improved disabled access in the downtown area and suggested other related street improvements. She asked the Council to direct staff on this issue and prioritize safety measures for the disabled, to agendize the matter in October, and to direct staff to work with the community. She offered to help the City in this regard.

Harry Harrison, Menlo Park, reiterated his concerns about the impediments on Santa Cruz Avenue and urged the Council to remove all of them.

Chun Lee, San Jose, commented about Falun Gong and the current persecution in China. She provided an update of recent events relating to this practice and asked the City to speak up for human rights.

Andrew Ellsmore, Alameda, commented about Falun Gong and some of his personal experiences.

Mayor Schmidt asked staff to comment on the status of the pool.

City Manager Boesch provided a summary of the events that lead to the Council's direction to staff to proceed with a 35-meter pool.

Discussion ensued about the process and the participation of the Steering Committee and Parks and Recreation Commission.

Mayor Schmidt asked the public who spoke tonight about the pool to follow along in the ongoing process and express their concerns to the steering committee and the Parks and Recreation Commission.

Questions and discussion ensued about impacts if the design concepts were changed. Staff provided some background about the previous community meetings and input and the consultant's recommendation and concerns about a 50-meter pool. Some of the consultant's concerns included environmental issues such as traffic, cost implications, heating issues, and usage of the pool for competitions. Staff did not have information available about costs and would have to check the records.

Katrina Radke, Menlo Park, provided information about costs, which she obtained from the committee meetings.

Discussion ensued about a discrepancy in the costs reported.

Councilmember Jellins recommended bringing forward four types of pools including a 50-meter pool, and placing the item on a future agenda for further consideration. He said he would support Councilmember Collacchi's idea to include a 50-meter pool in the design phase but noted that the item is not currently on the agenda and therefore Council cannot take any action at this time. He reiterated bringing this matter back to Council for consideration.

Councilmember Borak suggested asking staff to bring out the matrix that was prepared by the consultant as a starting point for Council discussion. She recalled a discussion about possibly pairing with Menlo Atherton High School to share its 50-meter pool for the residents.

Mayor Schmidt suggested providing this matrix to Council as an information item on a future agenda. There was no opposition from the rest of the Council.

Councilmember Kinney followed up on the comments made about disabled access and suggested that staff contact Ms. Sredanovik to discuss her concerns. He asked for a report on the City's plan for providing access on the streets for the disabled.

City Manager Boesch noted he would follow up with staff.

Councilmember Collacchi commented about a transition plan and its status.

City Manager Boesch replied that staff is currently working on it.

D. CONSENT CALENDAR

Mayor Schmidt read the consent calendar items. Councilmember Jellins pulled consent item 4.

M/S Borak/Kinney to approve consent items 1, 2 and 3 as presented. Motion passed 5-0.

1. Approve audited bills for period 8 ending August 23, 2002 and pay periods 15, 16 and 17 ending July 13, July 27 and August 10, 2002.
2. Adoption of an Ordinance adding Chapter 8.29 regarding Public Skate Park facilities to the Menlo Park Municipal Code, requiring any person riding a skateboard, inline skates or roller skates at any City Skate Park facility to wear safety equipment, in accordance with Assembly Bill 1296.
 - a. Waive the reading of the Ordinance.
 - b. Adopt the Ordinance.
3. Adoption of a Resolution accepting the Bureau of Justice Assistance Local Law Enforcement Block Grant (LLEBG) funds in the amount of \$18,510 and approving use of these funds to cover overtime expenses for special enforcement teams.

Pulled and moved to Regular Business under item F3:

4. Approval of Minutes for the City Council meetings of July 16, 2002 and July 23, 2002.

E. PUBLIC HEARING - None

F. REGULAR BUSINESS

1. Review of the list of potential housing sites compiled by the Council Subcommittee for analysis in the Housing Element Environmental Impact Report.

Justin Murphy, Principal Planner, presented the staff report.

Staff responded to questions regarding the SRI site, other sites located near public transportation access, the selection criteria and basis, the disposition of and reasons for the sites that were not recommended for inclusion, compatibility rankings, densities, EIR process, and implementation process.

Councilmember Jellins questioned why the Hamilton East and Pierce Road sites were not recommended for inclusion.

Discussion ensued about the selection and ranking system, the disposition of the not recommended sites, community needs, the State Housing and Community Development Department's (HCD) requirements, the City's accountability, and staff's goals and objectives.

Councilmember Kinney said he does not want Hamilton East removed from the list.

Staff noted it would contact HCD regarding its selection and ranking system to get its input.

Councilmember Borak suggested eliminating site #4, which is the Oak Grove Plaza, site, and suggested making another list for the sites not included at this time as future potential sites. She suggested adding sites 16, 17, 21, 22, 28, and 29 to the list.

Mayor Schmidt opened public comment.

David Speer, Menlo Park, commented that the mandated number of housing units would have a significant adverse impact to the City over time and suggested that the City do what is right for Menlo Park. He asked questions about the HCD process.

Mayor Schmidt concurred with Councilmember Borak's suggested list. He commented about the Hamilton East site and the rezoning activities in that area. He asked questions about the City's discretionary use permit review process. He also commented about regionalization of land issues.

City Attorney McClure provided clarification about the process.

Councilmember Jellins said he disagreed with Mayor Schmidt's comments about the M1 rezoning in Belle Haven and noted his recollection that the M1 rezoning in that area was strongly opposed by its residents.

Mayor Pro Tem Kinney said he would support Councilmember Borak's suggested list with an amendment to retain the Oak Grove Plaza site #4 on the list.

Mayor Schmidt moved to approve staff's list including the Oak Grove site #4 and adding sites 16, 17, 26, 21, 22, 28 and 29.

City Manager Boesch expressed concern that the addition of these sites would add 1000 more units to the list. And he said that to perform a comprehensive environmental impact analysis for all these units, which are about 2.5 times more than the City's fair share requirement, would seem counterproductive. He suggested paring down the number of units across the board to a maximum of sixty percent from what is currently on the list.

Councilmember Collacchi suggested to perhaps remove the O'Brien Drive site #29 with 646 units from the environmental impact and traffic analysis process since that site would be looked at for housing under the M2 rezoning process.

First Motion

M/S Schmidt/Borak moved to approve staff's list with the Oak Grove site (#4) and adding sites 16, 17, 21, 22, and 28.

City Attorney McClure responded to questions about the granularity of the environmental impact analysis and said that the analysis would take the entire project and determine what the impacts would be if all of the units were built at their locations.

Amended First Motion

Councilmember Collacchi amended the first motion to modify the All State site #17 to be studied at a density of 18.5 units per acre rather than 25 units per acre. Mayor Pro Tem Kinney seconded the amended motion.

Amended motion passed 4-1 with Councilmember Jellins abstaining.

Second Motion:

M/S Collacchi/Borak to eliminate the Oak Grove Plaza site #4 from the list of sites to be studied.

Motion failed 2-2-1 with Mayor Schmidt and Mayor Pro Tem Kinney dissenting and Councilmember Jellins abstaining.

Third Motion

M/S Schmidt/ to approve staff's list with the removal of the O'Brien Drive site #29 from being studied and the addition of sites 16, 17, 21, 22 & 28 to the list as follows:

Motion passed 4-1, Councilmember Jellins dissenting.

Staff's list of sites

- #9 – San Antonio Street and Garwood Way, 40 residential density, 73 residential units
- #10- Beltramo's, 1460 El Camino, 18.5 residential density, 16 residential units
- #12 – 1425 San Antonio, 18.5 residential density, 5 residential units
- #8 – Roger Reynolds, 133 Encinal, 18.5 residential density, 31 residential units
- #15 – SRI, 333 Ravenswood, 28 residential density, 70 residential units
- #13 – Derry Lane, 40 residential density, 120 residential units
- #14 – Mills Street and Noel Drive, 25 residential density, 75 residential units
- #2 – Stanford Park (R-2), 12 residential density, 22 residential units
- #18 – USGS, 110 Linfield, 18.5 residential density, 39 residential units
- #20 – Consolidated Freightways, 175 Linfield, 18.5 residential density, 61 residential units
- #11 – Ducky's, 1436 El Camino, 25 residential density, 17 residential units
- #19 – USGS, 8 Homewood, 18.5 residential density, 37 residential units
- #27 – Hamilton Avenue (Park/Housing), 16 residential density, 40 residential units
- #3 – Downtown South/West, 25 residential density, 234 residential units
- #5 – Downtown North, 25 residential density, 150 residential units
- #7 – Gaylords/Red Cottage, 1706 El Camino, 25 residential density, 40 residential units
- #4 – Oak Grove Plaza, 45.4 residential density, 30 residential units
- #26 – Terminal Avenue, 14 residential density, 23 residential units
- #32 – Secondary units, N/A residential density, 198 residential units

Added sites to the list:

- #16 – McCandless, 555 Middlefield, 25 residential density, 146 residential units.
- #17 – Allstate, 321 Middlefield, 18.5 residential density, 57 residential units.
- #21 – Argonaut Insurance, 250 Middlefield, 18.5 residential density, 38 residential units.
- #22 – Casa Mills, 200 Middlefield, 18.5 residential density, 38 residential units.
- #28 – Hamilton Avenue East, 18.5 residential density, 42 residential units.

2. Consideration of state and federal legislative items or items referred to in Written Communications or Information Items, including decisions to support or oppose any such legislative, written communication or information item.

Consent Calendar item pulled and added to this section of the agenda:

3. Approval of Council Minutes of July 23, 2002

Councilmember Jellins corrected the aforementioned minutes under B, Council Reports, to read, "Vice Chair" instead of "Chair".

M/S Jellins/Collacchi to approve the minutes of July 23, 2002 as amended. Motion passed 5-0.

G. WRITTEN COMMUNICATIONS

1. Memorandum of July 11, 2002, from Housing/Redevelopment staff regarding the Las Pulgas Committee motion of June 19, 2002 concerning parking on Hamilton Avenue. (As requested by Councilmember Jellins)

City Manager Boesch provided a brief report.

Don de la Pena, Director of Housing and Redevelopment, responded to questions regarding parking on the industrial side of Hamilton Avenue, employee parking, new parking spaces to minimize street parking, landscape reserve development, community meetings and feedback and traffic/parking activity in the subject area.

Councilmember Jellins suggested he would like to ask staff to continue pursuing alternative parking measures for the Hamilton Avenue shopping center including those outlined in the staff report and provide Council with an updated report in about one month. There was no opposition from the Council.

H. INFORMATION ITEMS

1. Update on the City's Integrated Pest Management Plan, including herbicide-spraying practices – Noted and filed.

I. PUBLIC COMMENT #2

City Attorney McClure commented about the City's workshop on September 21 regarding Santa Cruz Avenue and clarified the Brown Act regulations.

Discussion ensued about the Brown Act and the meeting's format.

City Manager Boesch noted he would get more details about the meeting for Council information.

City Attorney McClure requested that the Council notify him or the City Manager who will attend the meeting so the appropriate notices can be prepared.

Council concurred.

J. ADJOURNMENT – The meeting adjourned at 10:50 p.m.

Susan A. Ramos, CMC, City Clerk
Approved by City Council on September 24, 2002