



**CITY COUNCIL  
and  
COMMUNITY DEVELOPMENT AGENCY MINUTES**

**Tuesday, January 14, 2003  
7:30 p.m.  
The Menlo Park Council Chambers  
801 Laurel Street  
Menlo Park, CA 94025**

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**6:30 p.m. STUDY SESSION – Police Department Conference Room**

1. Information to the Council regarding Emergency Preparedness.

Police Commander Rothaus reviewed the status of the City's Emergency Preparedness Program and provided information regarding the role of the City Council and citizens during an emergency.

**7:30 p.m. REGULAR MEETING –**

**ROLL CALL** – Mayor Jellins called the meeting to order at 7:40 P.M. Mayor Pro Tem Deboc, Councilmembers Collacchi, Winkler and Kinney were present. Staff present included City Manager Boesch, Assistant City Manager Seymour, City Attorney McClure, Interim City Clerk Kern and other department heads.

**PLEDGE OF ALLEGIANCE** Mayor Jellins invited everyone to join in reciting the Pledge of Allegiance.

**A. PRESENTATIONS AND PROCLAMATIONS**

1. Introduction of the new Fire Chief, Paul Wilson, and a presentation regarding a new requirement proposed for fire sprinklers in certain single-family residential projects.

Fire Chief Wilson, Menlo Park Fire Protection District, introduced himself and spoke about his Department. He introduced Board President Carpenter, Board Vice President Brown, Fire Marshall Jeff Oss and Fire Prevention Specialist John Johnson.

Chief Wilson explained that the Fire Protection District would like City Council input on a Resolution prepared by the Fire Board, requiring fire sprinklers in homes with basements or residential structures of 5,000 square feet or larger.

Fire Marshall Brown and Fire Prevention Specialist Johnson presented a video in support of fire sprinklers.

Following this video presentation, Council and staff discussed this amendment to the fire code and the ramifications of not requiring sprinklers in residential structures of 5,000 or more square feet.

City Attorney McClure explained that the City could enact a local ordinance, or support the adoption of the Uniform Fire Code. He explained that the Fire District is requesting a Resolution, but under the Brown Act, this request cannot be discussed at this time. City Attorney McClure explained that direction could be provided to staff to agendaize for a future meeting when more information can be provided, and then a position, in the form of a Resolution could be considered.

Board President Carpenter explained that the Fire Board would be adopting this amendment to the Code in March, and this Resolution could be approved before then.

**B. COMMISSION VACANCIES, APPOINTMENTS AND REPORTS**

1. Planning Commission, Parks and Recreation Commission, Housing Commission and Arts Commission. There is one vacancy on each commission and the application deadline is January 14, 2003.

Mayor Jellins reported that applications had been received for the various commissions. He requested Council direction on how to proceed with interviews for these applicants. He suggested holding formal interviews for the

Planning Commission applicants in the near future. Mayor Jellins suggested that the rest of the applicants be scheduled for appointment at the January 28<sup>th</sup> Council Meeting.

Council concurred with this suggestion.

## 2. Councilmember Reports.

Mayor Jellins commented on the well-attended City Council meeting held at the Menlo Park Senior Center in the Belle Haven neighborhood. He noted that a study session was held before that meeting to discuss traffic impact guidelines. He requested an update from City Manager Boesch.

City Manager Boesch reported that several residents expressed their concerns about changes to the TIA guidelines at the Study Session held on January 7, 2003. Council directed staff to determine next steps in the process in order to further consider whether or not to make changes to the guidelines. Since Council identified the update of the land use and circulation elements of the General Plan as a high priority, Mr. Boesch explained that it appeared logical to defer any TIA guideline changes until that process had been complete. Mr. Boesch said this would provide maximum opportunity for the community to be involved and informed in the process.

Councilmember Kinney commented that he and Councilmember Winkler had their first meeting on the residential ordinance.

Mayor Pro Tem Duboc commented that Menlo Atherton High School was hosting a meeting this evening regarding depression, stress and suicide among teens. She said she was happy to hear that our Community Services Department is currently doing outreach to our teen community.

Councilmember Kinney noted that he had seen that Alameda County had taken a position on the state legislation regarding Hetch Hetchy, and that they had formed their district. He requested that staff provide information to Council to determine if the local organization could join. City Manager Boesch said that staff would bring a Resolution for Council's consideration, endorsing the formation of an Agency.

Mayor Jellins commented that he had received correspondence regarding the Bay Area Water Supply and Conservation Agency (BAWSCA) and requested that this information be distributed to Council for comments.

## C. PUBLIC COMMENT #1

Mr. Harrison, Menlo Park, stated that he thought the Planning Commission should be allowed to use the name plates they had used in the past. He said it caused confusion, and was a disservice to the Planning Commission to have both sets of name plates set up at meetings. Mr. Harrison expressed concerns about the tree cutouts on the sidewalks along El Camino Real, the difficulty in driving around the medians on Santa Cruz Avenue, and expressed disappointment at the demolition of Burgess Theatre.

Ms. Yamagiwa, representing property owners at 1365/1377 El Camino Real, Menlo Park, requested that the Valparaiso Corridor item be continued because they had not had enough time to review the data that had been gathered. She said it might be appropriate to wait until the El Camino Signalization project was completed to determine the impact on the corner. Ms. Yamagiwa said they thought they could make improvements to their site to make the El Camino Drive more user friendly. She said they would need time to work with Caltrans and the City on these proposals, and therefore would like consideration of postponing this item to a future date.

## D. CONSENT CALENDAR

1. Approval of audited bills for period 25 ending December 20, 2002 and pay period 26 ending December 14, 2002.
2. City Council (1) approval of the design of Phase I Improvements for the Valparaiso Corridor Project; (2) appropriation of \$180,000 from the Measure "A" account to implement Phase I Improvements; and (3) authorization of the City Manager to negotiate and enter into an agreement with the Town of Atherton to share the cost for implementation and maintenance of Phase I Improvements. (*Staff Report # 03-007*)
3. Council adoption of a Resolution No 5421 approving the Subordinate Lender/California Housing Finance Agency (Cal-HFA) Subordinate Financing and resale control agreement which will enable the Menlo Park Below Market Rate (BMR) Program to participate in the Cal-HFA High Cost Area Home Purchase Assistance

Pilot Program (HiCAP) Mortgage Program and authorization for the City Manager to execute the Cal-HFA agreement. (*Staff Report # 03-008*)

Mayor Jellins requested that Consent Calendar item D2 be removed for separate consideration.

**M/S Duboc/ Winkler to approve the Consent Calendar, except for Item D2. Motion passed unanimously.**

#### **ITEM REMOVED FROM CONSENT CALENDAR FOR FURTHER DISCUSSION**

2. City Council (1) approval of the design of Phase I Improvements for the Valparaiso Corridor Project; (2) appropriation of \$180,000 from the Measure "A" account to implement Phase I Improvements; and (3) authorization of the City Manager to negotiate and enter into an agreement with the Town of Atherton to share the cost for implementation and maintenance of Phase I Improvements. (*Staff Report # 03-007*)

Transportation Manager Rahimi explained that this was a joint project with the City of Atherton to study the Valparaiso corridor in terms of traffic improvements. He explained that in September both cities approved the first phase of the project.

Ms. Yamagiwa, representing the property owners at 1365/1377 El Camino Real, outlined the details of the proposed changes to the Blockbuster parking lot, as recommended by their transportation consultant. She explained that if the curb cut was widened there would be easier egress, ingress into the site. Another proposal is to remove one parking space, so a planting island could be relocated in the parking lot, which would eliminate the bottleneck at the curb. Ms. Yamagiwa reported that the bollards that had been installed in the parking lot had been removed to help with traffic flow. She said that the transportation consultant suggested focusing on making El Camino easier to use, instead of focusing on the Valparaiso activity.

In response to Councilmember Kinney, Ms. Yamagiwa said she did not agree with the proposed modifications to Valparaiso. She stated that the only communication they had had with the Town of Atherton was four years ago when the Town staff expressed concerns about safety.

Ms. Yamagiwa stated that they had not considered changes to the driveway until recently. They were focused on the hardship of not having the left turn lane at Valparaiso.

In response to Mayor Pro Tem Duboc, City Manager Boesch stated that the Town of Atherton was set to adopt these measures, and if a piece of the package was pulled out, it may influence their action on the rest of the items.

Councilmember Winkler said she wondered if staff could communicate this conditional proposal regarding this intersection, to allow the Atherton Council the opportunity to look at the option of accepting or rejecting this proposal from Blockbuster.

Mayor Jellins stated that the City Council had received a written communication this afternoon from Cashin & Company requesting that this item be deferred to a further date to allow them to analyze the situation.

Staff responded to questions regarding the accident history at this location.

In response to Mayor Jellins, Ms. Yamagiwa stated she did not know how long it would take to finalize plans for the property. She said they would have to deal with Caltrans about the parking apron expansion. The owners would have to come back to the City for further review if they removed a parking space, because they would be deficient on their parking ratio.

Staff responded to questions regarding turn lane pockets, striping and street light upgrades in the subject area.

Councilmember Winkler asked if it was necessary to have a raised median island at Victoria. Transportation Manager Rhaimi explained that a raised rubberized median would provide a deterrent to drivers swerving around the queue of cars, to get into the left turn lane at El Camino.

Mayor Pro Tem Duboc commented that she would like language in the motion to include agreement that a driveway onto Valparaiso from Sacred Heart School would never be developed.

**M/S Kinney/Jellins to approve the design for Phase I improvements for the Valparaiso Corridor Project; appropriate \$180,000 from the Measure "A" Account to implement Phase I improvements; Resolution No. 5420 authorizing the City Manager to negotiate and enter into an agreement with the Town of Atherton to share the cost of implementation and maintenance of Phase I improvements, and, direct staff to work with the owners of Blockbuster Video and Caltrans to smooth El Camino connection. No vote was taken.**

Mayor Jellins commented that the agreement reached with the Town of Atherton was based on long standing safety concerns from residents of Victoria Lane. He expressed support for a change of design to the driveway at Blockbuster and to assist the owners in working with Caltrans regarding these changes. Mayor Jellins said that our commitment to these changes was equal to Atherton's commitment not to develop the driveway at Sacred Heart.

**Councilmember Collacchi made a friendly amendment to empower staff to phase its implementation of these improvements in a manner that is consistent with the improvements to the driveway. If new information develops, after the signalization project is complete, staff would return to Council for further direction.**

**Councilmember Kinney accepted the amendment. Councilmember Jellins seconded the amendment.**

**Motion passed unanimously.**

#### **E. PUBLIC HEARING - None**

#### **F. REGULAR BUSINESS**

1. Recap of the Saturday, January 11, 2003 Workshop: Further discussion regarding Council goal setting.

City Manager Boesch reviewed the City Council goal setting. He explained that he would come back to Council on February 11, 2003, and devote the entire meeting to the City's finances. He explained that staff would provide a set of recommendations on how our current fee structure could be modified, or potential revenues. Mr. Boesch stated that Council would consider potential cost savings and service reductions in certain areas, in order to bring the budget into balance.

Mr. Boesch reported that one of the large areas of interest was the Redevelopment Area, and it was suggested that this conversation be expanded to a study session in the Belle Haven neighborhood to insure that the neighborhood would be actively engaged. He said this dialogue would help Council flesh out its goals for the neighborhood and the Agency, in terms of priority projects. Mr. Boesch explained that staff would schedule a Council meeting at the Senior Center soon, and noted that staff had already scheduled a community meeting for January 29, 2003, at the Senior Center in the Belle Haven neighborhood.

Mr. Boesch reported that Council expressed interest in getting into the business of "business development". He explained that staff would schedule a study session in the future to review a recent report from a consultant regarding this topic.

Mr. Boesch explained that staff would add these issues/goals to the Council Calendar with a schedule and time line. He commented that staff would prepare a work plan for these large goals for Council consideration when they are presented.

**Mayor Pro Tem Duboc made a motion to delay the Phase II Tree Planting Project along El Camino Real until further information could be provided regarding the budget shortfall.**

Councilmember Kinney stated he was in favor of this project and reviewed a letter sent to the staff stating that this project met Americans with Disabilities Act (ADA) standards.

Questions and discussion ensued regarding costs involved in stopping this project now, and all the implications involved including manpower, materials and liability.

Council discussed the possibility of calling for a Special Meeting to take further public input on this project.

City Attorney McClure explained that this issue would have to be brought back on the next agenda, before any action could be discussed or taken. He said a Special Meeting could be called to discuss this item on 24 hours notice.

City Manager Boesch stated that he had not included this project on the list of projects that were to be reconsidered, because it was advanced to the point that substantial costs would be incurred if it were halted or stopped.

**Mayor Jellins made a motion to convene a meeting on January 21, 2003 to look at the costs in halting the project, get further responses to questions concerning ADA compliance, location and field measurements of the work that has been done this far, plus the cost of reversing direction.**

**M/SCollacch/Kinney to proceed with the El Camino Real Trees Project Phase II as scheduled.**

City Attorney McClure clarified that if the motion on the table was approved, a Special Meeting would not need to be called.

**Motion carried 3-1-1 with Mayor Pro Tem Duboc dissenting, and Mayor Jellins abstaining.**

City Attorney McClure commented that staff would provide a memo to Council, which would answer questions about ADA compliance.

City Manager Boesch explained that any RDA projects currently under design, will go to construction, unless staff is directed otherwise. He said the M-2 project is not being worked on at this time.

Mayor Pro Tem Duboc clarified that it was her understanding that work on the land management element of the general plan would include the M-2 project.

City Manager Boesch stated that some of the projects might get folded into larger work plans. He said staff would now focus on fleshing out the Council's goals and putting together a work plan for them. He requested that individual Councilmembers contact him if they had questions or clarifications on the material.

Councilmember Collacchi asked where a project to provide sidewalks in neighborhoods without them would be placed. Councilmember Collacchi said he would like to have staff put together a draft policy to find funding to provide new sidewalk construction, and a prioritization formula for sidewalk requests.

City Attorney McClure said that the only sidewalk construction he was aware of was sidewalks that were paid for by the residents. He commented that it would be a major policy decision and major funding commitment.

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.

City Manager Boesch reported that staff was watching what was happening in Sacramento regarding the budget, and that letters would be written and signed by the Mayor commenting on the impact State proposals to redirect Vehicle License Fee Backfill and Redevelopment Agency Funds would have on the community.

**G. WRITTEN COMMUNICATIONS - None**

**H. INFORMATION ITEMS - None**

**I. PUBLIC COMMENT #2 - None**

**J. ADJOURNMENT** -The meeting adjourned at 10:17 P.M.

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**Kathy Kern, Interim City Clerk**

**Approved by City Council on February 11, 2003**