



CITY COUNCIL and COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, February 25, 2003
7:30 p.m.
The Menlo Park Council Chambers
801 Laurel Street
Menlo Park, CA 94025

REGULAR MEETING – MENLO PARK CITY COUNCIL CHAMBERS

Mayor Jellins called the Meeting to order at 7:30 p.m.

ROLL CALL - Present: Jellins, Duboc, Collacchi, Kinney, Winkler

STAFF PRESENT - David Boesch, City Manager; William McClure, City Attorney; Audrey Seymour, Assistant City Attorney; Silvia Ponte, City Clerk. Various department heads and other staff present.

PLEDGE OF ALLEGIANCE - Led by Mayor Jellins

A. PRESENTATIONS AND PROCLAMATIONS - None

B. COMMISSION VACANCIES, APPOINTMENTS AND REPORTS

1. The Planning Commission (one vacancy), the Bicycle Commission (three vacancies) to fill terms that expire April 2003. The Arts Commission (one vacancy) to fill an un-expired term that ends September 2005. The deadline for applications is March 20, 2003 by 5:00 p.m.

Mayor Jellins announced vacancies and deadlines for various commissions, inviting residents to apply.

2. Council Member Reports.

- i) Council Member Kinney reported that on Thursday February 27, 2003 the Joint Powers of Authority for the San Francisquito Creek will meet at the Palo Alto Chamber from 6:00 p.m. to 8:00 p.m. On March 12, 2003 in Menlo Park a meeting will take place at the German/American School to discuss the CAP 205 project. Mr. Kinney requested that the Watershed presentation be scheduled for an upcoming agenda due to its informational value.
- ii) Mayor Jellins reported on a meeting with Commission Chairs and Vice Chairs as well as Community Mediation Services that took place on Tuesday, February 18, 2003. At this meeting many ideas were exchanged, and a written report will be forthcoming illustrating the short term and long term changes that might be considered. Some of the short-term changes include appointing liaisons from the Council to meet with each Commission.

Council Member Collacchi arrives.

C. PUBLIC COMMENT #1

John Preyer proposed that the City Council and/or staff influence the landholders on the South East corner of Willow and Bayfront to develop a Super Wal-Mart. A supermarket should also be included with the project, meeting the needs of many residents and it shouldn't affect the neighborhood traffic.

Robin Holcomb thanked the City Council for the support provided to the Family Connections program at the Belle Haven community. Family Connections offers free bilingual pre-school classes attended by parents and children, and allows parents to get involved.

Javier Fonseca appreciates the City of Menlo Park's role in supporting Family Connections because this organization is making a difference in teaching parents about health, nutrition, and the value of spending quality time with their children.

Gabriela Murillo is grateful for the existence of Family Connections. Through this organization, Ms. Murillo is learning how to teach her daughters many things, and the cost is very reasonable and affordable.

Robin Holcomb briefly thanked the Council for its support and hopes that the space for Family Connections will continue to be available to provide services.

Mayor Jellins thanked all those from Family Connections who came to address the City Council.

D. CONSENT CALENDAR

1. Approval of audited bills for periods 30, 31 and 32 ending January 24, January 31 and February 7, 2003.
2. Approval of City Council Minutes for the Meetings of January 28, 2003 and February 4, 2003. **(item pulled for discussion)**
3. Resolution no. 5428 awarding a contract for Excess Workers Compensation Insurance. *(Staff Report # 03-030)*
4. Introduction of an Ordinance of the City of Menlo Park repealing Section 2.04.060 of Chapter 2.04 of the Menlo Park Municipal Code pertaining to approval of bills and claims. *(Staff Report # 03-031)*
5. Community Development Agency (1) approval of an increase in the project budget for the Belle Haven Overall Street Improvements Project from \$2,300,000 to \$2,500,000, funded by the Redevelopment Agency 2000 bond proceeds, to include the Resurfacing of O'Brien Drive; and (2) authorization of staff to amend the contract with O'Grady Paving, Inc. in the amount of \$200,000, resulting in a total contract of \$2,105,833. *(Staff Report # 03-028)*
6. Introduction of an Ordinance of the City of Menlo Park repealing Section 2.04.040 of Chapter 2.04 of the Menlo Park Municipal Code pertaining to reading of ordinances. *(Staff Report # 03-034)*
(item pulled for discussion)
7. Resolution no. 5429 to hold a Public Hearing on March 25, 2003 to consider whether to support forming and becoming a member of the Bay Area Water Supply and Conservation Agency (BAWSCA). *(Staff Report # 03-027)*
8. Authorization for the City Manager to increase the contract with Ralph Osterling Consultants, Inc. by up to \$25,000, for a maximum total contract of \$65,000, for Arborist Services in fiscal year 2002-2003. *(Staff Report # 03-029)*

Items removed for discussion:

Mayor Pro Tem Duboc and Council Member Kinney pulled item #2 for corrections;

Council Member Collacchi pulled item #6 for discussion;

**M/S Duboc/Collacchi to approve items 1, 3, 4, 5, 7 and 8 of the Consent Calendar.
Motion passed unanimously.**

Discussion on item 2:

Mayor Pro Tem Duboc would like the minutes of the Meeting of January 28, 2003 on item # 2, Council Member reports to read: "she commented that she would need the Council's approval for the Emergency Services meeting on April 17."

Council Member Kinney would like the minutes of the Meeting of January 28, 2003 to be corrected on page 6 because Council Member Kinney could not have been a second on a motion that he opposed. Mayor Jellins stated Council Member Winkler was the second on that motion.

Council Member Winkler clarified that on page 2 it should state that "Ms. Watson was appointed to the Parks and Recreation Commission" and not the Arts Commission.

M/S Duboc/Winkler to approve the minutes as submitted with amendments.

2. Approval of City Council Minutes for the Meetings of January 28, 2003 and February 4, 2003.

Motion passed unanimously.

Discussion on item 6:

Council Member Collacchi suggested that a PDF file be created with the information on monthly or weekly expenses and this file be posted on the City's Website. Mayor Jellins stated that this item was already approved as item 4 in the Consent Calendar.

David Boesch, City Manager, stated that the bills and warrants are currently available for Council perusal at the Council office. Council Member Collacchi would like them posted on the website. After some discussion, Mr. Jellins directed Mr. Boesch to look into a procedure to post expenses on the City's Website, and report back to Council on viability of implementing such a procedure.

M/S Collacchi/Kinney to approve item 6 of the consent calendar.

6. Introduction of an Ordinance of the City of Menlo Park repealing Section 2.04.040 of Chapter 2.04 of the Menlo Park Municipal Code pertaining to reading of ordinances. (*Staff Report # 03-034*)

Motion passed unanimously.

E. PUBLIC HEARING

1. Consideration of the Introduction of an Ordinance Adopting the 1997 Uniform Building Code, 2000 Uniform Mechanical Code, 2000 Uniform Plumbing Code, 2002 National Electric Code, and 1997 Uniform Housing Code, and Local Amendments to Those Codes. (*Staff Report # 03-032*)

Don Johnson, Chief Building Official, presented the report for an updated set of Building Codes to set up 20 new local amendments to those codes. These updated codes are published every three years, and to date 16 jurisdictions have adopted the complete set of local amendments. Arlinda Heineck, Community Development Director, was also present and available to answer questions.

Mr. Johnson confirmed that this ordinance only applies to applications presented after the adoption date of the ordinance, which is 30 days after the second reading. Consequently, this ordinance does not apply to applications that are currently in the pipeline, or that have been plan checked.

Mayor Jellins opened the Public Hearing.
There was no public comment.

M/S Kinney/Duboc to close the Public Hearing. Motion passes unanimously.

Mayor Jellins invited Council discussion. No discussion.

M/S Kinney/Winkler to approve staff recommendations and introduce the ordinance.

Mayor Jellins, inquired about the public response in regards to these changes in the Building Code and its effect in local construction efforts. Mr. Johnson stated that there were only three phone calls with questions on this matter, and that the changes in the current Code are mostly of a geological nature (more stringent earthquake code requirements).

Motion passes unanimously.

F. REGULAR BUSINESS

1. Approval to proceed with soliciting bids for the Menlo Children's Center. (*Staff Report # 03-033*)

Mr. Boesch made initial remarks to provide Council with a context regarding the issue at hand, and stated that due to the current financial climate there is uncertainty surrounding this or any other projects the City has planned. The focus of this staff report however is whether or not to proceed with soliciting bids as the next logical step. The City finances are not part of this staff report. Mr. Boesch stated that this is an opportunity for this City Council to review the project and make deliberations. While the money for this project has been appropriated from the City's General Fund and set aside, this doesn't mean the money can't be re-appropriated for other purposes.

Art Morimoto, Supervising Engineer and Ruben Nino, Director of Engineering Services presented the report via a PowerPoint presentation. An historical overview of previous steps was shared, and expected timeline for future steps was also relayed. Costs were analyzed and broken down.

Questions and discussion ensued between Council and staff in regards to cost, timelines and project impact such as fees, bid bonds, etc. City Attorney McClure clarified that even if Council opts to advertise for bids there is no obligation to accept the bids. The bidding process and its steps were clearly delineated. It was explained that even if the City goes out to bid, the City is not bound to accept the lowest responsible bidder, or limited to accept that lowest responsible bid, because at that time the Council may decide to reject all bids due to the high cost, or any other reason and then give a different direction to staff. However, if the Council decides to go forward with the project the bid must be awarded to the lowest responsible bidder as established in the bid package. Concerns in regards to advertisement costs and bid bonds (10% of contract amount) were shared, and more discussion took place.

Council posed some questions in regards to the status of the State Budget and data from Sales Tax revenues. Mr. Boesch clarified that there has been some stabilization on that income. Uma Chokkalingam, Finance Director, provided relevant data in regards to Sales Tax revenues and Property Tax receipts.

Mayor Jellins invited public comment.

Isaac Martin speaking on item G1 requests that 20 parking spots, on City property adjacent to the church, be allocated to the parishioners of the Menlo Park Community Church, located at 1410 Chilco Street. The additional parking is required for church services.

Mayor Jellins stated this item, G1, will be addressed at a later time in the agenda.

Pat White expressed views on breaking promises due to economic changes in conditions having changed. Other alternatives should be explored, such as the vacant commercial properties that could be utilized for this project. The prudent action is to change direction.

Martin Beaulaurier spoke about the changing times, and how it is important to look at different options when exploring solutions for such a passionate item.

Douglas Ward shared concerns about the current economic times, more specifically its connection with Municipal Bonds. Mr. Ward believes that now is the time to follow through with projects.

Christopher Lozinski approves this project because of all the components and options for kids. Appreciates the options mentioned by other speakers. The City should invest in the community.

Judy Mohr thanked the previous Council, and residents for their work in undertaking the facilities master plan review. Ms. Mohr appreciates that funds were set aside to build the Center. This is not risky or extravagant but instead necessary.

Pauline Burke presented a petition with nearly 300 signatures. Ms. Burke stated that with the passage of Measure T, the City has a responsibility to follow through with the Children's Center, since it was an integral component of that Measure. A new building will be an asset to the City of Menlo Park, and its multi-use will benefit many.

Steve Hoyem urged the Council to go forward with the bidding process, even though it is understandable that (due to the current times) a financial review is prudent. This center will serve many purposes and the Council should move forward with advertising for bids.

Elizabeth Eder stated that after school she attends the Recreational Center and enjoys the teachers. She likes to play games, uses computers and does Arts and Crafts at the Center. Ms. Eder urged the Council to build the new Center for the children and her brother.

Brannan Vaughan supports this item going to bid because the bidding is currently very competitive, and this is a chance to build a premier facility.

Tom Harrison said he was speaking as a Commissioner for the Parks & Recreation Commission and stated that this project should be set aside because it did not have public hearings, and it was planned outside the normal process. Mr. Harrison said further review is needed, and a more financially prudent solution found.

Dick Poe informed the Council that as a member of the Measure T Commission, the Children Center was one of the proposed uses for the funds, however there were no guarantees. The Council was to make the ultimate decision on the use of funds. Mr. Poe suggests allowing a private provider to build the Center on leased land (for free), and then operate it without cost to the City.

Steve Schoettler believes this is not a budget issue but a Capital Improvement Project. Mr. Shoettler further stated that this project represents a big asset for the City because it will serve a multitude of audiences. Mr. Schoettler believes this debate is teaching participative democracy.

Lisa McPherson supports sending this project out to bid because she has first hand experience with the program. Ms. McPherson disagrees with privatizing this Center because under the City there are a lot of additional services (soccer, swimming, etc.) that children can enjoy. This is a high quality program and is adding value to the kids.

Nancy Travers stated that Menlo Park is a great place to raise children. In talking to neighbors Ms. Travers found that everyone supports the project. The cost of \$155.00 per sq. ft. is very reasonable (building costs divided by sq. ft. of building). Ms. Travers hopes the Council supports this project.

Bruce Vincent computed that the cost is close to \$440.00 per sq. ft. when the following items are considered: site cost (which includes environmental clean up), contingencies, overhead costs, market increases, performance bonds, furniture, staff administration time, professional services, and permits for utility fees. This Center should be built at the current budget or below.

Hans Wigmans donated his time to his daughter.

Nora Wigmans said she hopes the Children's Center wins this challenge, and that every child has a safer place.

Jay Hansen believes that this issue raises the question of "What Kind of Community Does Menlo Park Want to Be?" Life is challenging for working parents, and it is so reassuring when you can place your children in a high quality center. The commitments made in the past should be honored.

Bob Creamer shared concerns about moving forward with the process due to the City's difficult financial position. Despite reserves, the revenues are down, and the State legislature's lack of action increases the deficit. Other items like Santa Cruz sidewalks will also come to Council, and it would be wise to postpone this matter until the budget situation is better defined.

Mary Gilles stated that the current financial situation does not allow this project to go forth. Ms. Gilles wants the Council to reevaluate spending 5 million dollars. Ms. Gilles supports the approach advocated by Mayor Pro Tem Duboc and Council Member Winkler.

Ingo Lange stated that the Council should go forward with the process and does not agree with the privatization of the Center as it was suggested. Also privatizing this Center might increase the cost to the parents and lower the level of services provided.

Toni Stein expressed her support for this project because there is a need for providing child care and supporting the families of this community. Ms. Stein suggested that the City require the contractor to provide and share their expertise. This information might cut costs, and benefit the project's quality. Child care and women's issues are important, and this is a meaningful project.

Irene Searles discussed the zero cost solution, and has doubts that this is a viable option. This project included due process, and public review and \$860,000 has already been spent. Ms. Searles believes the next step is to advertise for bids and move forward.

Marilee Moy stated that this is the optimal time to build in order to stimulate the economy and take advantage of better costs. This project need not be questioned but approved. The Council needs to move forward with this project.

Amy Cheun spoke basing her statements on educational credentials. According to Ms. Cheun's review of records there has been due process, resident surveys, a master planning process, a design review process, and voters agreed with it when voting for Measure T. The Planning Commission has reviewed the project, and it is a part of a greater civic plan.

Duncan McGinnis stated that the City needs to build the new Children's Center since the City has the funds.

Kevin Lanigan chairman of the Board of the Menlo Park Chamber of Commerce spoke about understanding that this a very hard decision for Council. Due to the low revenues, it is important to not deplete the General Fund Reserve, and it is wise to review other alternatives.

Vincent Bressler stated that his three children enjoyed the Burgess After School program. This project needs to be viewed as a cost and benefit issue. The only benefit is to have a better facility but the costs could be a lot and that's a risk. Mr. Bressler doesn't advocate rushing into privatization.

Wayne Thompson asserted his disappointment at emails that were circulated. The information was incorrect since many families will be served by the Center. This project has a broad benefit for the community and Mr. Thompson supports it. The Wal-Mart would be a good opportunity to bring revenues for the City.

Sascha Eisner with the local SEIU (Service Employees International Union) local 715 representing circa 300 workers in the City of Menlo Park, and the 10 current employees at the Center, supports the staff recommendation. Privatization is not as simple as it seems, because the benefits and pensions are not the same for public and private employees.

Linda Gregory with Local 829 and representing the City's supervisory and management employees and the San Mateo County Central Labor Council stated that the voters' 70% approval of Measure T is a strong indicator of public support of this project. The climate is good because the bidders are hungry for work, and Ms. Gregory urged the Council to proceed with the project.

Gail Farwell commended the Council of Menlo Park for being fiscally responsible to the needs of the entire City. Ms. Farwell stated that the total cost is much larger than what seems to be fiscally prudent. Currently there is a facility that already provides good service levels.

Chuck Bernstein stated that he is not against child care and from a program standpoint child care should be provided at a school site because it lowers operating costs. The remodel option was never explored but it turns out to be less expensive than the new construction. This would increase the number of children served, and the service would be provided earlier.

Margaret Betsock said that the money reserved for this project comes from parents who pay taxes and who deserve child care services. While the staff has been very good, the facility is not good and the most fiscally responsible thing to do is to raise children that will be good citizens. Ms. Betsock thanked Mayor Jellins for allowing parents with children to speak first.

Jane Ratchye thanked Mayor Jellins for the way he framed the issue and in Ms. Ratchye's view there is a very slim risk when going the next step. Ms. Ratchye advises the Council to go out to bid for this project.

Gail Slocum co-chair of Measure T, stated that the materials passed around to the voters included the Children's Center. This project would also address the current overcrowding at the Center. The question is how to fulfill the needs and the vision that were put forth to the voters and supporters of Measure T.

Eric Kinney stated that child care is a glaring need in this community and advertising for bids is the next step for this project. Public/private partnerships can be discussed later, but it is important to proceed and advertise for bids.

Harry Harrison explained that he has spoken to Joe Simitian in Sacramento, and the State budget might not come out before September. The best thing to do is to call the assemblyman and find out when the budget is going to be approved at the State level.

Karen Zak spoke for both personal and professional reasons explaining that she is grateful for the Burgess program and its benefits to parents, and the families that make this community. Without good affordable child care, families might be more prone to leave this City. Ms. Zak, in advance, thanks the Council for their support on creating this Children's Center.

Council consensus was to take a break.

Recess 10:15 p.m. to 10:25 p.m.

M/S Kinney/Collacchi Motion to accept the staff recommendation.

Discussion on the motion:

Council member Kinney provided an overview on the history of the project, and clarified issues related to the funding of the project, stating that these are unencumbered funds and not from an emergency fund. Mr. Kinney also stated that he called some neighboring cities to find out how much they maintain in a General Fund, and in comparison with other cities, the City of Menlo Park has sound reserves that allow us to move forward with this project. Mr. Kinney further elaborated on suggestions made by Mayor Pro Tem Duboc, and Council Member Winkler and considers that these options might need to be discussed. Mr. Kinney believes that if this project moves forward other projects will not suffer because of this action.

Ms. Duboc shared concerns about the budget uncertainty, and the fact that the economy is different from when Measure T projects were initially discussed. The goal is not to end child care in this City, but to be fiscally responsible towards all of the citizens' needs.

Council Member Winkler considers the current time an era of "budgetary limbo" and it would not be wise to allot this money to this project when there are many demands on the current funds. Ms. Winkler suggests that other options be looked at i.e. infant care is needed, privatization as an option should be investigated, a proper public hearing needs to occur. Ms. Winkler thanked the parents for their dedication and concerns brought forth. Ms. Winkler suggested the creation of a task force to investigate all the options and asks that such task force return to Council within 60 days with their recommendations and options for Council to make the best possible decision. Ms. Winkler is unable to make a monetary commitment with the current fiscal situation, and believes that delaying this project is the right action.

Council Member Collacchi clarified that his assumption was that the only decision to take tonight was whether to go out to bid or not, and not debate the whole project. The climate for bidding seems to be positive and one option is go out to bid, assess the results of such process, and then have the debate of whether the costs are worth it or not. Mr. Collacchi stated that once the bids are in, this will provide the Council with additional information to make a decision.

Mayor Jellins concurred with Mr. Collacchi but elaborated that while the bid process does not force Council to make a decision, going out to bid might have repercussions for the contractors' finances (bid bond issues). Discussion ensued on the fact that child care programs in the City of Menlo Park are high quality due to the commitment and dedication from employees to the care of children. These services are subsidized, and that is just a reality. Even the portables are better than many permanent facilities, because people are invested in providing high quality services.

Mr. Jellins stated that the decision on the table has to do with using general funds and sending the project out to bid when there are concerns about having adequate funds for personnel. Mr. Jellins commitment is to the personnel of the City, and to the services provided to the residents as well as to the community. While a commitment was made to provide child care to the families, times have changed and every quarter the sales tax revenues have decreased. Vacancies in retail, office, commercial, and manufacturing spaces will result in reduced tax revenues for the City, and that is something to consider. Concerns were shared about the City's fiscal integrity during the current difficult economic times. Some Council Members stated that while this apparently is a good time to go out to bid, it is unclear if the future will bring better or worse bidding times, and going out to bid does represent an expense of \$5,000 to \$10,000 expense on staff's part.

Mayor Jellins stated that this is not an easy decision because he is committed to providing child care but he is not clear on the City's economic abilities and it is wise to be conservative. It is Mr. Jellins' preference to take a second look at additional ways to save money, and not go out to bid at this time.

Some discussion ensued about the options at hand, and possible methodology relating to their implementation. Timelines were discussed and clarification was provided on other alternatives.

Council shared concerns about the motion on the table and issues relating to prudent planning, fiscal responsibility, uncertainty of the future, and desire to embrace other options other than those recommended by staff.

Mayor Jellins called for the vote.

Motion failed 2-3 with Council Members Kinney and Collacchi in favor and Jellins, Duboc and Winkler dissenting.

M/S Winkler/Duboc Motion to pursue the programmatic aspects of this project so that the Council is ready to proceed when the time is correct. This does not include looking solely into the private option, but it should also include redesigning the program for onsite care, the schools might welcome the rent for facilities on site. The motion is to include the creation of a task force, which will go through the proper public process, and come back to Council who then will take action.

Mr. Jellins asked for clarification on the components of the task force.

Ms. Winkler (maker of the motion) elaborated:

- Task force to be comprised of six members;
- Parks & Recreation Commissioner (1), Burgess after school parent (1), citizen with child care development expertise (1), citizen with connections to the local elementary schools (1), facilitator with SRI (1), someone from the government (1), a member of the Four C's organization (1);
- The above mentioned representatives are encouraged to brainstorm with City employees (those involved in the current child care program); it is also advised that representatives from nearby cities (Palo Alto and Redwood City) that are engaged in child care services be contacted as well as the San Mateo Coordinating Council;
- Employees from the Unions are also invited to participate in this process, and infant care should also be considered as an option;

Ms. Winkler stated that with this new approach it is possible that the project's character might change and the building has to reflect the nature of the program, so that they complement one another.

Assistant City Manager Seymour was asked about previous steps relating to child care needs assessment. Ms. Seymour delineated the work done to date:

- A child care review was originally proposed as a possible project priority and staff dedicated some time to it;
- Results from that preliminary assessment were presented to Council on October 02 in the form of an information report;
- Staff was directed to look at child care supply and demand and present some estimates on the needs versus programs offered;
- Findings based on analyses done by the Child Care Coordinating Council reflected that infant care and school aged care were under-met needs in Menlo Park;

Some discussion took place on time limits and process for the future. Mr. Boesch suggested that staff outline what was discussed in regards to a possible task force, elaborate a reasonable scope of work for the task force (and its role in advising Council), complete some outreach in order to get the representatives mentioned by Ms. Winkler, and bring the item back to Council. Mr. Boesch shared concerns about the 60 days time limit proposed by discussion on the taskforce.

Mr. Boesch further clarified that it seems that the Council is leaning towards a three-track approach:

1. Budget;
2. Task Force;
3. Project bid solicitation;

Additionally, he stated that if the program for the facility changes, this might alter the actual building. However, the bid solicitation process can be kept in place to clarify what the current bid climate is.

Certain Council members shared concerns about going out to bid at this point, and would rather wait for a better picture on the programmatic issues. Council also discussed levels of service and delivery in this new approach. Council Member Collacchi reiterated that 120 after school slots, and 60 full daycare slots should be part of the new concept since that was what the needs assessment recommendation was. **Council and the maker of the motion agreed on committing to providing the abovementioned levels of service.**

Discussion took place on extending the commitment to provide the services for the length of the building's life/expectancy. Due to financial uncertainty, Council did not commit to extending the commitment for 30 years. Staff asked questions about the bid cycle the Council would like to be on, because if the programmatic portion of the project changes, then the bid documents might need to be revised. Staff stated that the working cycle to create a different facility could be as long 6 to 8 months, which means that the programmatic concepts must be in place in the next 4 to 6 months. A scope of work needs to come back and meet these premises.

Ms. Winkler, the maker of the motion, agreed with including these timelines in the motion.

Mr. Boesch summarized that it seems that the plan is to further assess the needs of the community, beyond what has already been done, then to look at different service delivery options, recognizing that some will be comparable and some different, and bring back data for the Council to evaluate in time for the next bid cycle (staying the course for the building that was already in the pipeline, or to create new plans and a new bidding cycle).

Mayor Jellins asked for the vote on the motion with the addition of the two-abovementioned components.

Motion passed by 3-2 with Council Member Jellins, Duboc and Winkler in favor and Kinney and Collacchi dissenting.

Discussion:

Mr. Collacchi shared concerns about not meeting the expectations of the voters, and wishes that this new project will at least deliver the level of services previously scheduled.

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.

Mr. Boesch informed the Council that there are a number of Bills being monitored but nothing to disclose at this time.

G. WRITTEN COMMUNICATIONS

1. Request for Use for Parking on a Portion of the Proposed Hamilton Avenue Park-Housing Site.

City Attorney McClure presented the letter requesting that the City/Agency allow parking in this area. Mayor Jellins suggested a Closed Session on this issue. Council asked questions in regards to the area in question, a letter received that relates to noise issues, and other operational issues relating to the parking lot. City Attorney McClure to present a Confidential communication to Council, and then Council will decide if a Closed Session is to be scheduled.

2. Memorandum from the Director of Public Works regarding volunteer participation in the removal of traffic calming devices on Santa Cruz Avenue.

Mayor Jellins stated the matter is mute because the traffic calming devices have been removed.

3. Letter from the Library Director on behalf of the Library Commission requesting the appointment of a Council Member to participate in the Library's Strategic Planning process.

Mayor Jellins asked for a Council volunteer to serve in that capacity. Mayor Pro Tem Duboc accepted the commitment and volunteered to serve. Mayor Jellins announced that the two scheduled meetings are on March 22 and May 10 from 9:00 a.m. to 1:00 p.m. Council concurred with the appointment.

4. Letter from East Palo Alto, Menlo Park, and Palo Alto Mayors to City/County Association of Governments (C/CAG) in reference to Highway 101 Dumbarton Bridge Approach Study.

No discussion.

H. INFORMATION ITEMS - None

I. PUBLIC COMMENT #2

Irene Searles expressed disappointment and sadness over the Council's decision to not move forward with the child care center. Ms. Searles believes there were enough funds in reserves to address this project, and stated that Council was misinformed on the decision.

Nancy Travers echoed the feelings of the previous speaker, and stated that infant care is not a cost effective option so stopping this project was a disservice. Ms. Travers stated her disappointment at the decision and it demonstrates disregard for the people's opinion.

Gail Slocum does not agree with delaying this project and hopes that Council will study infant care, however that will probably not be a viable option due to the cost. The final proof of this process is what will the City ultimately deliver, and the levels of service.

J. ADJOURNMENT – Mayor Jellins adjourned the meeting at 12:04 a.m.

Respectfully submitted,

Silvia M. Ponte, City Clerk

Approved by the City Council of Menlo Park on March 11, 2003