



**CITY COUNCIL
and
COMMUNITY DEVELOPMENT AGENCY
MINUTES**

Tuesday, October 14, 2003
7:00 p.m.
801 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chamber

6:30 p.m. STUDY SESSION (Outside of the Menlo Park City Council Chamber)

1. Demonstration of the Mobile Computing Systems in Menlo Park Police Vehicles.

Council Members present: Mayor Pro Tem Duboc, Council Member Kinney and Council Member Winkler.

Chris Boyd, Chief of Menlo Park Police demonstrated the Mobile Computing System used in Menlo Park Police vehicles and offered an overview of the benefits and progress made by utilizing this system. Mr. Boyd had various police officers available for demonstrations on the capabilities of the system. Other members of the City's Information System staff were also available to answer questions about the implementation process and total cost.

7:00 p.m. REGULAR MEETING (Menlo Park City Council Chamber)

The meeting was called to order at 7:07 p.m.

ROLL CALL - Jellins, Duboc, Collacchi, Kinney, Winkler all present

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

PLEDGE OF ALLEGIANCE -

A. PRESENTATIONS AND PROCLAMATIONS - None

B. REPORTS

1. There is one vacancy on the Environmental Quality Commission to fill an un-expired term ending August 2004. The deadline for applications is Tuesday, November 4, 2003 at 5:30 pm.

Mayor Jellins announced the vacancy and invited the public to apply for this opening.

2. Council Member Reports.

Council Member Kinney reported that he made a presentation to the Council of the Town of Portola Valley thanking them for joining with the Joint Powers Authority to get a State grant of \$80,000 (as a joint venture) to solve problems of the Corte Madera Creek.

Mayor Pro Tem Duboc reported that she spoke at Woodside High School at a Government class and she shared with students that Joe Simitian has an annual contest called "There Ought to be a Law". Ms. Duboc

encouraged students to participate by providing suggestions for legislation; the deadline for submittals is October 31, 2003.

Mayor Jellins stated that the inaugural meeting of the San Mateo County Housing and Endowment Trust Fund took place tonight and Rich Gordon was appointed as Chair and Nicholas Jellins as Vice-Chair. Mr. Jellins stated that this agency decided to apply for funding in the amount of 2 million dollars, which must be met with equal funding by the County or from the Trust Fund (which now has 3 million dollars).

C. PUBLIC COMMENT #1 (*Limited to 30 minutes*)

Kim Luce shared her views about the recently approved dog park at Nealon Park. Ms. Luce stated that the current use of the park causes much noise pollution to those in the immediate proximity. Ms. Luce stated that people use the basketball court as a dog park and this use is disruptive.

D. CONSENT CALENDAR

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Council, staff or public request specific items to be removed for separate action.

1. Approval of the City Council Minutes for the Meetings of September 23, 2003 and September 30, 2003.

The Minutes for the Council Meeting of September 23, 2003 were pulled by Mayor Pro Tem Duboc.

M/S Collacchi/Winkler to approve the minutes of September 30, 2003 as submitted. Motion carries unanimously.

Mayor Pro Tem Duboc made a correction that on page three of said minutes Ms. Duboc's motion was to read: "to direct staff to create better signage on Middle Road ...and to indicate that children will be crossing".

M/S Winkler/Collacchi to approve the corrected Minutes for the Council Meeting of September 23, 2003. Motion carries unanimously.

E. PUBLIC HEARING

1. Adoption of a Resolution No. 5472 accepting Fiscal Year 2003-2004 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000 and approval of a request to use the funds in conjunction with funds from the Fiscal Year 2002-03 Frontline Grant in accordance with State requirements.

Commander Greg Rothaus presented the staff report explaining that this State Grant is an annual occurrence. This year there was a question about the State funding such grant but it looks like the money is forthcoming. Mr. Rothaus shared with Council the list of projects where this money will be used. Mr. Rothaus stated that this included using less lethal enforcement methods, and increasing emergency preparedness services.

Council Member Kinney complimented Chief Boyd and Commander Rothaus on the Study Session and the demonstration performed by the Police Officers.

Mayor Jellins Opened the Public Hearing

No public comment

M/S Jellins/Duboc to close the Public Hearing. Motion carries unanimously.

M/S Duboc/Winkler to adopt the resolution and approve the staff recommendation. Motion carries unanimously.

2. Adoption of a Resolution No. 5473 accepting Federal Bureau of Justice Assistance Local Law Enforcement Block Grant (LLEBG) Funds in the amount of \$13,349, and approving use of these funds to cover overtime expenses for Special Enforcement Teams.

Commander Greg Rothaus presented the staff report explaining where the money will be spent. This year the funds will cover personnel costs, such as placing extra officers in specific problematic areas, and for special details such as drunk driving prevention. Council asked certain questions of staff in regards to the amount of the grant and the services provided.

Council Member Winkler congratulated the City for the good job in reducing crime, and referred to an article in the Almanac newspaper.

Mayor Jellins opened the Public Hearing

No public comment.

Mayor Jellins/Duboc to close the Public Hearing. Motion carries unanimously.

M/S Duboc/Jellins to adopt the resolution and approve the staff recommendation. Motion carries unanimously.

Mayor Jellins thanked the staff for its administrative work and diligence needed to process paperwork in order to receive the funds.

Motion carries unanimously.

F. REGULAR BUSINESS

1. Staff recommendations in response to City Council direction with respect to additional cost savings in FY2003-2004 Budget; and, Resolution No. 5474 of Intention to grant another designated period for two years additional service credit.

David Boesch, City Manager presented the staff report explaining that this item comes before Council as a result of Council's direction. Mr. Boesch gave an overview of the process to date and how the Council asked that an additional \$400,000 be found as savings, avoiding laying off people if possible. Mr. Boesch announced that for the remainder of the year the amount of \$250,000 was found in savings and with these savings layoffs were being avoided. Voluntary reductions were a big part of this solution and Mr. Boesch particularly thanked the cooperation between Union leaders namely: Linda Gregory, Linda Lopez and Sasha Eisner and the City team composed of Audrey Seymour (Assistant City Manager) and Glen Kramer (Personnel Director).

Council Discussion

Council asked questions of Mr. Boesch specifically about long-term savings, and Mr. Boesch stated that in real terms the above mentioned figure represents about 7 FTE's. Council also asked about severance packages Mr. Boesch stated that the total leave paid out is \$48,000. The total savings was \$217,000 and the total current work force is 275. Council asked about how the Unions viewed this process and Mr. Boesch stated that it was a cooperative effort, and the benefit is that these structural savings will carry forward.

Mr. Collacchi stated he is pleased with the process and asked about how much in severance was given to departing employees and Mr. Boesch stated that the City has doubled the benefit. In terms of retirement the cost was \$85,600 and the health insurance cost benefit for six-months is \$16,400.

Council Member Collacchi inquired about the Unions' feelings on this matter. Mr. Boesch stated that the Unions worked very closely with the City representatives and that there was success in the process. Mr. Collacchi agreed that it seems that this was a superb effort. He also stated that the benefit is one that reflects in future structural savings.

Council Member Collacchi asked about the new Governor of California taking back the Vehicle Licensing Fees. Mr. Boesch stated this has been discussed but it is not definite what the plan of the new Governor will be. Mayor Pro Tem Duboc asked about the particular departments that got the cuts. Mr. Boesh provided the break down of all the Departments affected by these cuts, which are: Public Works, Community Services, Administrative Department, and Community Development.

Mayor Jellins asked about the cuts and impacts on the services provided to the residents. Mr. Boesch explained that it will be really hard to keep the same high standard in service delivery when the organization is already so lean. In fact, costs to go out and hire temporary workers to deal with some needs, are already placed inside the budget. Mr. Boesch stated that staff will lay out a work plan for the next year and the effort to get community input, and identify the options that will be given to Council.

Public Comment

None

M/S Duboc/Winkler to accept the staff recommendations which include the budget reductions and to adopt the resolution.

Friendly amendment by Council Member Collacchi to expedite step two of the plan which includes some of the measures outlined in the staff report. Mr. Collacchi also asked that the Unions be briefed on the long-term budget plan. The maker and the second of the motion agreed to this amendment.

Motion carries unanimously.

Mr. Collacchi introduced Mr. David Johnson who is the new business development manager and who will try and bring in revenue for the City. Mayor Jellins thanked Mr. Johnson for his work and has full faith in his efforts and presence to help resuscitate our local economy.

2. Consideration of a work program for a comprehensive update of the General Plan.

Mr. David Boesch made preparatory remarks explaining that this is a big task but this also an opportunity to discuss the process involved in updating a General Plan. Mr. Boesch stated that he is embarking on this complex task with some trepidation due to the proportions of this project and the current limited resources available.

Arlinda Heineck, Community Development Services Director presented the Staff Report and explained that some alternative approaches were going to be presented by staff. The work plan delineated by staff addresses seven State mandated elements of the General Plan: land use, circulation, housing, open space, conservation, noise and safety. Additionally staff is proposing an optional element on economic development to provide a structure for the City's efforts in business development. Staff included this additional component because it enables resource efficiencies and recognition of inter-relations. Ms. Heineck explained that the approach is to focus on key areas of significant interest. Ms. Heineck shared a slide presentation clarifying the areas of focus:

- 1) opportunity in housing sites,
- 2) strong participation in the update by Council, Commissions, public and group of consultants
- 3) timeline is anticipated to be two years
- 4) the budget for consultants and for City Attorney services is approved at \$150,000 for the current

fiscal year and can be as much as \$500,000 for 04-05
5) six distinct phases have been identify in the work plan

Ms. Heineck explained that staff was proposing an alternative approach that would focus on specific development proposals by property owners and City-initiated sites and then address the full update of the General Plan. This alternative approach postpones work for the next 12 months and then staff would return to Council with a tighter plan.

Council Discussion

Council Member Kinney likes the alternative approach presented tonight and asked about the current General Plan and how it has worked so far. Ms. Heineck explained that the updated building codes have helped make the General Plan more contemporary. Mayor Pro Tem Duboc asked about what happens if nothing is done and Ms. Heineck stated that to allow more development the solution is to update the General Plan. Similarly Ms. Heineck stated that there are certain areas that have more relevancy than others, and this would be the time to do it. Council Member Winkler stated that because staff had provided an alternative tonight that is different from the staff recommendation in the staff report, then it would probably be wise to have this item come back. Council asked questions of staff in regards to the Zoning Code and its development capacity as well as various options of dealing with this matter.

Legal Counsel McClure clarified in what instances a General Plan amendment is necessary.

Public Comment

Jean McCown representing SRI spoke about the SRI site being a Master Plan site and how SRI is interested in finding out what the Council will do in regards to the General Plan. Ms. McCown stated that she values the discussion because it focuses on the parts that are a priority. Ms. McCown said that for property owners clarity in the process is very important.

Bill Phillips referred to a letter sent to Council stressing the need to allow more time for the property owners to review the process and ask questions. Mr. Phillips stated that the above mentioned alternative approach has not been fully disclosed and so the request is that more time be granted on either approach.

David Bohannon has some concerns with competing influences in a broad process and he would like to have a chance to comment on specific ideas and would like more time to digest the options.

Council Discussion

Mayor Jellins summarized that the alternative approach is to restructure the phasing of the plan so that opportunity areas are studied and developed before the comprehensive General Plan update takes place. Mr. Jellins also summarized that speakers have shown consensus on delaying the process. Ms. Heineck clarified that a team of consultants will be necessary to address this matter and the vision is to enter into master agreements with various consultants to be assigned work. Ms. Heineck also stated it wouldn't be detrimental to wait a few months before deciding on the course to take.

Council Member Winkler stated that property owners need clarity and direction. Mr. Collacchi asked that Ms. Heineck guide Council through the alternative approach and how it would work in a practical case. Ms. Heineck explained how the Bohannon Development project would be handled under this alternative approach, which would allow individual sites to be addressed now while planning the future changes to the General Plan. Reimbursement provisions were also discussed as something that needs to be recovered. Some Council Members thought this alternative approach needed refinement and more public exposure.

M/S Winkler/Duboc encouraged staff to identify a team of consultants without a formal commitment, and to have staff (including Dave Johnson) meet with property owners (including owners of car dealerships, Stanford, and other business within the identified opportunities

areas) to get some sense of their position and bring back a refined plan to Council that may include a full range of options.

Council Discussion

Council consensus was for this item to come back around the beginning of 2004, and staff stated that this deadline could be met.

Council Member Collacchi asked that staff include the Housing Element and sites on that list. Mr. Collacchi also asked about listing “hot issues” that could possibly be enabled through zoning. Council consensus was that these two suggestions are included in the essence of the motion.

Mayor Jellins asked for the vote.

Motion carries unanimously.

3. 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.

None.

G. WRITTEN COMMUNICATIONS

1. Request by Council Member Winkler for a Resolution in support of the League of California Cities’ position on a ballot initiative regarding state and local budget issues.

Council Member Winkler asked the City Attorney if this resolution ties the State to a specific course. Mr. McClure stated that this is not entirely clear because implementation is not defined in the resolution. Mr. McClure stated that it is likely that it will restrict the State but without looking at the initiative an answer to the question is premature.

Mayor Jellins shared that the League of California Cities approved this resolution unanimously. Mr. Jellins proposed that this item percolate a little and then Council could make another decision after possibly looking at the wording and editing it.

Mayor Jellins explained that according to the latest numbers the response to the VLF impact on Menlo Park would be a \$1.6 million loss in the event that the car tax is repealed without the backfill. Mr. Boesch explained that the figure of \$1.6 million is for the current year and for 04-05 the loss could be higher.

H. INFORMATION ITEMS - None

I. PUBLIC COMMENT #2 (Limited to 30 minutes)

J. ADJOURNMENT – 9:44 p.m.

Respectfully submitted,

Silvia M. Vonderlinden, City Clerk

Approved at the City Council Meeting of December 9, 2003.