



CITY COUNCIL and COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, February 10, 2004
7:00 p.m.
801 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chambers

6:00 p.m. STUDY SESSION (Menlo Park Recreation Center Fireside Room #112)

1. Five-Year Capital Improvement Plan – Parks, Sports Fields and Buildings.

Mr. Kent Steffens, Public Works Director, presented the staff report covering an inventory of City parks, fields and other facilities. He provided a status on the maintenance and improvement costs of these structures. Mr. Steffens passed around a sample of artificial turf, and the pros and cons of using such synthetic material in the play fields.

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

ROLL CALL – Duboc, Winkler, Collacchi, Jellins, Kinney

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

PLEDGE OF ALLEGIANCE

Mayor Duboc announced that Agenda item **B1** would be addressed first.

1. Proclamation in honor of Tom Harrison (Parks and Recreation Commissioner)

Ms. Duboc read the proclamation honoring Mr. Tom Harrison, and presented the document to Mr. Harrison's family recognizing his many years of service to the City and his contributions to the Parks and Recreation Commission.

A. COMMISSION APPOINTMENTS, VACANCIES AND REPORTS

1. Swearing in of a new Transportation Commissioner.

Mr. Eric Doyle was absent.

2. One vacancy on the Transportation Commission to fill an un-expired term ending January 2005. The deadline for applications is 5:30 p.m. on March 1, 2004.

One vacancy on the Parks and Recreation Commission to fill an un-expired term ending September 2006. The deadline for receipt of applications is 5:30 p.m. on March 15, 2004.

One vacancy on the Bicycle Commission to fill an un-expired term ending April 2007. The deadline for receipt of applications is 5:30 p.m. on March 22, 2004.

Mayor Duboc invited the public to apply for these vacancies.

3. Mayor's appointment to the Residential Zoning Ordinance Monitoring Committee.

Mayor Duboc announced the nominees for the committee: Melody Pagee (Planning Commissioner), Mayor Pro Tem Winkler, Michael Lambert (volunteer architect). The Mayor thanked all those who offered to serve and stated that six applications were received.

4. Commission reports - None

B. PROCLAMATIONS AND PRESENTATIONS

2. San Mateo County Transportation Authority regarding Measure A accomplishments and projects proposed under a reauthorized measure.

Howard Goode, Chief Development Officer for the Transportation Authority, made a presentation covering projects included for funding by reauthorization of Measure A. Mr. Goode emphasized the importance of its renewal because it would allow for project development and design. He also stated that the reauthorization of Measure A needs a 2/3 vote from the voters, and if it was not successful in 2004 the Transportation Authority could put it to the voters again in 2006. Mr. Goode mentioned upcoming public meetings.

Council asked that Mr. Steffens explain the benefits derived from Measure A for Menlo Park. Mr. Steffens, Public Works Director, stated that Measure A funds assist with shuttle programs as well as matching funds through CCAG. They also support transportation system programs such as taking traffic counts and providing bicycle programs. Some recent programs funded by Measure A include the Valparaiso/Santa Cruz signal program and funding studies to extend the bay trails.

Mayor Duboc thanked Mr. Goode for his presentation.

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

Matt Henry stated that he is in favor of Ordinance No. 926 however he has concerns that the 300 ft. notification won't reach property owners but instead just tenants. Mr. Henry would like the notification to be sent not only to the property owner but also the Homeowner's Association.

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.

Item pulled D7

Mayor Pro Tem Winkler would like to table approval of the minutes until a later meeting because she would like to check the videotape regarding some wording.

Item pulled D3

Council Member Kinney pulled item D3.

M/S Jellins/Winkler to approve Consent Calendar items D1, D2, D4, D5 and D6. Motion passes unanimously.

M/S Winkler/Kinney to table Consent Calendar item D7. Motion passes unanimously.

1. Initiation of the Menlo Park Landscape Assessment District proceedings for Fiscal Year 2004-05 and adoption of a Resolution No. 5489 describing improvements and directing preparation of the Engineer's Report.
2. Appropriation of \$175,000 of the Gas Tax Fund for street improvements on Burgess Drive and Alma Street; authorization of the transfer of \$47,517 from Measure T Bond proceeds to the existing contract of Skate Park Consultant Wormhoudt Incorporated currently funded by the Redevelopment Agency 2000 Bond; award of contract for the Burgess Park Renovation Project to Robert A. Bothman, Inc. in the amount of \$3,122,270; and authorization of a budget of \$3,772,000 for construction, contingencies, testing, engineering, inspection and administration.

Item pulled D3

3. Adoption of a Resolution of Intention No. 5491 to abandon a portion of the Willow Frontage Roads at 1283 Willow Road as required for the development of a commercial/City Service Center at Willow Road and Ivy Drive.

4. Acceptance of work for the various park improvements project (Fremont Park, Sharon Park, Sharon Hills Park, and Stanford Hills Park).
5. City Council and Community Development Agency approval of Resolutions No. 5490 and CDA Resolution No. 270 authorizing proceeding with an amendment to the Community Development plan for the Las Pulgas Community Development Project to reinstate eminent domain authority for non-residential properties and related actions.
6. Acceptance of work for the Santa Cruz Avenue Striping Project from University Avenue to North Lemon Avenue.

Item pulled D7

7. Approval of the Minutes for the City Council Meeting of January 13, 2004.

Discussion on Item D3

Council member Kinney asked for clarification on the design of the Police sub-station and if it is going to be reviewed by Council. Mr. Ruben Nino, Engineering Services Director, explained that the item is being reviewed by the Planning Commission and he was not sure when it would come to Council. Council Member Kinney believes the current design could be aesthetically improved.

M/S Kinney/Winkler to approve Consent Calendar item D3. Motion passes 4-1 with Council Member Jellins recused on the vote.

E. PUBLIC HEARING

1. Adoption of Resolutions No. 5492 and 5493 approving the second amendment to the Franchise Collection agreement with Browning Ferris Industries (BFI) Waste Systems; approving the proposed 6.2 percent rate increase in the overall revenue requirement to BFI; and approving a 6.7 percent rate increase to Menlo Park commercial customers and a 4.8 percent rate increase to the multi-family residential customers that BFI bills with an additional 0.2 percent rate increase to cover the Bayfront Park Landfill Costs effective January 1, 2004.

Dianne Dryer, Environmental Coordinator, presented the staff report explaining why this rate increase is being proposed and the factors contributing to the increase. Ms. Dryer named the revenue shortfalls in 2003 and the predictions for 2004 as well as an increase in BFI expenses. Ms. Dryer stated that compared to other local cities, Menlo Park has one of the lowest rates for garbage and recycling. She acknowledged that the consultant for BFI was in the audience and available to answer Council questions.

Council Members asked questions about a table included in the staff report, as well as how the rates are determined and specifically how the consultant suggestions are different from the increases proposed by BFI. Council Member Jellins inquired about the original proposed increase by BFI, versus the recommendations in the staff report. Ms. Dryer stated that originally BFI suggested an 8.6% increase but the consultant and city staff adjusted it down. The consultant explained that there was an error in the BFI computations and the final figures are correct and adequate.

Mr. Boesch explained that Uma Chokkalingam, Finance Director, and Ms. Dryer work closely with BFI to make sure that the rates and services are fair. Mr. McClure explained that the annual rate review and assessment of fees is part of the contract the City has with BFI.

Mayor Duboc opened the Public Hearing

No public comment.

M/S Kinney/Winkler to close the public hearing. Motion carries unanimously.

M/S Kinney/Winkler to approve the staff recommendation including approval of resolutions supporting the rate increases. Motion carries 4-1 with Council Member Jellins dissenting.

F. REGULAR BUSINESS

1. 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.

None

G. WRITTEN COMMUNICATION

1. Memo from the Assistant City Manager to consider placing on the Agenda the approval of a Resolution in support of a Statewide Ballot Initiative to require voter approval before State Government may take local tax funds.

Audrey Seymour, Assistant City Manager, presented the staff report explaining that the Ballot Initiative aims at giving the voters control over local revenues instead of having the state arbitrarily take local funds without voter consent.

Council consensus was to agendize this item for approval.

H. INFORMATION ITEMS - None

I. COUNCIL MEMBER REPORTS

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

K. ADJOURNMENT – adjourned at 8:20 p.m.

Respectfully submitted

Silvia M. Vonderlinden, CMC

Approved at the City Council Meeting of March 9, 2004.