



# CITY COUNCIL and COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, March 16, 2004  
7:00 p.m.  
801 Laurel Street, Menlo Park, CA 94025  
Menlo Park City Council Chamber

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## **6:00 p.m. STUDY SESSION** (Menlo Park Recreation Center, Room 112, 700 Alma Street, Menlo Park)

1. Discussion of a proposed development project located at 1702-1706 El Camino Real.

Jeff Smith, Associate Planner, provided details on a mixed-use application to develop 1702-1706 El Camino Real. Jeff Mathews, project representative, showed renderings of the proposed development and explained the need for a development agreement with the City of Menlo Park. Mr. Mathews covered the financial benefits related to the City approving such development. The applicant has organized public meetings to poll the residents about this project. Council Members asked questions about the net benefit to the City.

Mayor Pro Tem Winkler asked for public comment and a few members of the public spoke stating that their concerns had not been addressed. Some public comment referred to letters sent, opposing high density and traffic congestion that may derive from this project.

## **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 M. Vonderlinden, City Clerk. Various department heads and other City staff were present.

## **PLEDGE OF ALLEGIANCE**

### **A. COMMISSION VACANCIES, AND REPORTS**

1. 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.
2. One vacancy on the Library Commission to fill an un-expired term ending July 2006. The deadline for receipt of applications is 5:30 p.m. on April 12, 2004.
3. Commission Reports.

None

### **B. PRESENTATIONS AND PROCLAMATIONS**

*These items were addressed in the following sequence: B3, B2 and B1.*

3. Presentation of Boy Scout Appreciation Certificates.

Mayor Duboc recognized the three recipients for achieving the Eagle Scout designation. They are Stephen Hermannson, Jack Reis, and Brandon Wiebe. The latter was in the audience.

2. Proclamation for American Red Cross Month.

Mayor Duboc presented the proclamation to Ms. Helen Hausman, a representative from the American Red Cross. Ms. Hausman thanked the Mayor and the Council for recognizing March as American Red Cross Month in Menlo Park. She stated that on June 15, 2004 this organization is honoring those who have saved a life by having a "Hero's Breakfast". The organization welcomes nominations for this event.

1. Adolescent Counseling Service Presentation of an award to the City Council.

Sue Barkhurst, Executive Director of Adolescent Counseling Services, thanked the Council for its support and presented a plaque of recognition. Ms. Parker shared services provided by this organization including free counseling at Menlo-Atherton High School. In the first semester, over 300 students had counseling at this site.

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

Sue Kayton thanked Adolescent Services for their its to the community. Ms. Kayton asked that ordinance 926 be easily accessible on the web page. She said that at this time it is premature to have the Council make a decision because people still don't know the proposed versus the current ordinance.

Chuck Bernstein referred to a letter he sent to Council about the immediacy in acting on the matter of ordinance 926. Mr. Bernstein said that based on various documents a delay is unjustifiable, and he does not think the delay is legal. He stated that once this matter becomes a campaign issue other rules apply, but until a decision is made, the petition is in limbo.

#### **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. Adoption of a Resolution No. 5500 setting the Public Hearing for April 20, 2004 to consider a Resolution to abandon a portion of an existing access easement between Deanna Drive and Monte Rosa Drive along the properties located at 1135 and 1160 Deanna Drive.
2. Approval of Minutes for the City Council Meeting of February 24, 2004.

**M/S Jellins/Winkler to approve the Consent Calendar. Motion carries unanimously.**

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

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

1. Approval of proposed Traffic Control Measures for Chester Street and direction to staff regarding Willows Neighborhood-wide Traffic Management Plan.

Council Member Collacchi explained that he may have a conflict of interest since he lives within 460 feet of one of the proposed measures. Legal Counsel McClure stated that the law provides that if a Council Member lives within 500 feet of a specific project or component, there is a presumption of possible conflict of interest. Ultimately, the Fair Political Practices Commission makes the determination.

*Mr. Collacchi recused himself because he lives within 460 feet of an element of this plan.*

Jamal Rahimi, Transportation Manager, presented the staff report providing history, background, cost and other elements of the project. Mr. Rahimi stated that staff is responding to the Willows' residents requests for a plan. Mr. Rahimi explained some of proposed features for Chester Street such as a gateway. He also discussed how the Redevelopment Agency will be paying for some of the measures. He shared survey results with Council.

Council asked questions about the reimbursement of improvements on Woodland, and City Manager

Boesch stated that an invoice had been sent out in January but no response was received. Council asked about traffic volumes around Chester Street and how staff explains the increases. Mr. Rahimi stated that possible explanations include the University Circle being partially occupied, an increase in the Willows area traffic, and more cut through traffic.

Mayor Pro Tem Winkler clarified that the Transportation Commission did not approve elements of what is being proposed namely the gateway portion of it. Council queried staff on the causes of traffic accidents at Arnold and Chester Streets. Mr. Rahimi explained the causes of each occurrence.

### **Public Comment**

Ross Wilson urges the Council to adopt the plan and believes this is a first step in addressing long-term challenges in that area. He believes this is a viable solution that can help those affected. Mr. Wilson said the Willows are in dire need of these measures.

Craig Lawrence supports these measures, and has been involved since the start of this project. He believes this is a reasonable plan with simple ways to get drivers to respect the residential nature of that area.

Barbara Hunter read a letter she sent to Council, and disagrees with the methodology used in this plan. Ms. Hunter stated that in her opinion the statistics are incorrect and none of the provisions of the traffic management program are included. She would like the implementation of a traffic management plan that covers all of Menlo Park.

Eric Doyle, is a Transportation Commissioner, speaking on his own behalf about traffic calming measures in the past (eleven years ago). Mr. Doyle would like to wait until the traffic management plan is ready as a whole. He asks that all the Willows residents be consulted before the plan is implemented.

Gordon Cruikhanwk disagrees with this plan because in three decades the traffic has not changed that much. Mr. Cruikhanwk said some of the residents use the streets as playgrounds. He asks everyone to have some humility about the fact that nowadays traffic is ubiquitous.

Donnasue Jacobi asks the Council to approve the plan because these tools will slow down the traffic on Chester Street. Ms. Jacobi often sees cars going through this area without stopping, and in her opinion it is time to implement the plan and add safety measures.

Amy Harris is in favor of the plan as proposed. She urges the Council to approve this plan because it will maintain safety and lower speed levels. Ms. Harris complimented staff on the report.

Elaine Hammond supports the Chester Street plan because it represents the will of the residents as well as the gateway portion of it. Ms. Hammond said this plan demonstrates to the property owners that the City is committed to improving traffic challenges in this area.

Joss Geiduschek supports the plan as proposed because it aims to slow down traffic, and beautify the neighborhood. Mr. Geiduschek said this is a plan that is broadly supported by the residents on the street, and it doesn't attempt to exclude outsiders.

Eric Johnson asks that Council approve this plan because the support has been overwhelming. He thinks that Council should approve it since the issues have not improved.

Penelope Huang asks Council to support this plan and she said the emails are overwhelming in support of it. Ms. Huang is happy with the Transportation Department for doing a good job.

Max Crittenden believes there is no need to add bigger speed humps. He would rather wait for a plan that is more comprehensive.

Maria Tapia stated that she has vocalized her concerns about school buses going through the neighborhoods fast and causing a lot of noise. She is pleased with the efforts of residents to get

organized and resolve the issues. Ms. Tapia said Chester Street has high car volume and speed and this plan will curtail these problems.

Kelly Atkinson agrees with the plan but he believes more needs to be done. He said the cars go by very fast and he asks for another hump on Menalto Avenue because of the speed.

Mary Louise Castillo supports this plan because she has seen two serious accidents and the cars were driving faster than 25 mph. Ms. Castillo hopes the Council will move forward with resolving these traffic issues.

Omar Kinaan supports the plan and its traffic calming measures. Mr. Kinaan said there is high approval of the plan in the surrounding areas.

**M/S Kinney/Duboc to approve the staff recommendation with a friendly amendment from Mayor Pro Tem Winkler that six-months after implementation staff measures the speed, polls the people to get a satisfactory response, and sees what the impacts are in order to learn from these changes. Motion includes making the circle at Arnold more visible.**

### **Council Discussion**

Council Members asked questions about what would happen after the six-month period and the results are in. Mayor Pro Tem Winkler stated that the results are merely learning tools. Council agreed that the six-months mentioned on the motion should be from date of implementation.

**The motion passed 4-0 with four in favor and Council Member Collacchi recused.**

Council asked how long it would take to get this plan in place, and Mr. Rahimi said it could be up to three months.

*Mr. Collacchi re-enters the Council Meeting.*

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.

Council Member Kinney asked the Mayor about an email relating to collecting signatures for a measure ballot. Ms. Duboc stated that since this item is not on the Agenda she would discuss the League of California Cities Initiative with Council Member Kinney off line.

## **G. WRITTEN COMMUNICATION**

1. Memorandum from Council Member Kinney regarding Suspended Ordinance No. 926.

Council Member Kinney shared his interest in having more of a compromise on ordinance 926 and asked if there is any way of reaching it before putting the ordinance on the ballot. Mayor Pro Tem Winkler stated that she is not sure that 2,500 signatories want a compromise, because there was a lot of misinformation. Ms. Winkler said that in the signature gathering process there were some misleading comments, and she provided specific examples. There was some debate on the merits of the proposed ordinance versus the existing ordinance.

Mayor Duboc complimented staff on creating a fact sheet that contrasts the current and proposed ordinance. This information is now available on the web page. Council discussed some of the comments made during the collection of the signatures. Certain Council Members are not sure people know what they signed when they signed the petition to repeal ordinance 926.

Council Member Collacchi understands how certain Council Members might hesitate to repeal the ordinance because they believe that it is an improvement. Mr. Collacchi checked with the City

Attorney and felt comfortable with supporting a delay. However, he urges the Council to expedite what they're doing and make this decision, because it will benefit Council.

Council Member Jellins disagrees with Mr. Bernstein, since Council will make a decision and has set a date for that action. Mr. Jellins has not made up his mind, and there are a number of permutations to be considered. Council ensued in some discussion on the vote taken on the decision to delay action, and Mr. Collacchi clarified that he had abstained. Mr. Collacchi stated that when and if he abstains it is usually because he hasn't had enough time to process all the information.

**M/S Collacchi/Kinney to reconsider the item and place it on the Agenda. Motion fails 2-3 with Collacchi and Kinney voting yes and Duboc, Jellins and Winkler voting no.**

**H. INFORMATION ITEM - None**

**I. COUNCIL MEMBER REPORTS**

Council Member Kinney stated that there will be a BAWSCA meeting next Thursday, and he will report on that meeting later. Mr. Kinney announced a Chamber of Commerce Mixer that will take place in the Council Conference room.

Council Member Jellins stated that the City and County Association of Governments (C/CAG) met to discuss various topics but the most significant was a recommendation to the Transportation Authority. C/CAG voted on approving a transportation expenditure plan that would support a ballot measure this fall, and if passed would bring revenues to cities. Mr. Jellins stated that information is forthcoming and he hopes the local matches can be increased.

Mayor Duboc announced that the next Council Meeting would be held at the Senior Center in Menlo Park. Mayor Duboc thanked Mr. Collacchi for his work on the Council since she has just read that he will not be running again. Mr. Collacchi thanked the Mayor for her kind words, but he looks forward to the work that is to be accomplished in the next seven months.

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

Kelly Fergusson (with time donated by Elizabeth Houck) said that stalling tactics are a violation of the elections code. Ms. Fergusson stated that it is no excuse that another city has delayed. Ms. Fergusson believes there is no reason to delay. She stated that commissioners who disapprove of ordinance 926 had been fired.

*Mayor Duboc clarified that the term of this commissioner was up.*

Chuck Bernstein stated that the referendum was conducted by a legitimate group. Mr. Bernstein stated that when he becomes a Council Member he will try and ban all developers and realtors from doing business in Menlo Park. He believes these people should be labeled as environmental toxins. Mr. Bernstein believes there is no chance for compromise.

Elias Blawie stated that he expects better governance in Menlo Park, because he believes the public process has been corrupted. He stated that it is wrong to question the motives of people who signed the petition. He believes that first it was the lack of a fact sheet and now we are questioning the motives of those who signed the petition.

**K. ADJOURNMENT - 9:15 p.m.**

Respectfully submitted

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Silvia M. Vonderlinden, CMC

Approved at the City Council Meeting of April 13, 2004.