



**CITY COUNCIL
and
COMMUNITY DEVELOPMENT AGENCY
MINUTES**

**Tuesday, June 15, 2004
7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chambers**

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

1. Neighborhood Improvement Districts.

City Manager Boesch presented a report elaborating on the various types of neighborhood districts. Alleyways were discussed and City Attorney McClure answered questions about exploring business improvement districts. The public asked questions about the Willows alleyways and how these can be improved. Mr. Boesch stated that if a certain neighborhood wants to pursue neighborhood improvement districts the next step would be to submit a proposal to the City.

7:00 p.m. REGULAR MEETING

ROLL CALL – Duboc, Winkler, Collacchi, Jellins, (Council Member Kinney absent).

PLEDGE OF ALLEGIANCE

A. COMMISSION VACANCIES AND REPORTS

Mayor Duboc announced the vacancies.

1. One vacancy on the Housing Commission to fill an un-expired term ending July 2005. Extended deadline for receipt of application is 5:30 p.m. on June 15, 2004. Two vacancies to fill expired terms ending in July 2008. The deadline for receipt of applications is 5:30 p.m. on July 6, 2004.
2. Two vacancies on the Las Pulgas Committee (one business member seat and one rental owner seat) to fill un-expired terms ending in March 2005. The deadline for receipt of applications is 5:30 p.m. on June 15, 2004.
3. One vacancy on the Library Commission to fill an expired term ending in July 2008. The deadline for receipt of applications is 5:30 p.m. on July 6, 2004
4. Two vacancies on the Parks and Recreation Commission to fill un-expired terms ending September 2005 and 2006. The deadline for receipt of applications is 5:30 p.m. June 15, 2004.
5. Commission Reports.

B. PRESENTATIONS AND PROCLAMATIONS

Mayor Duboc addressed item B2 first.

2. Proclamation commending Dana Kleinerman for her heroic act of rescuing a drowning juvenile.

Mayor Duboc presented the proclamation to Dana Kleinerman commending her for saving a life.

3. Proclamation commending Marcus Nartarez for his service to the Menlo Park Police Department.

Mayor Duboc read the proclamation and thanked Mr. Nartarez for his support to the Menlo Park Police.

4. Proclamation in honor of Flegel's Fine Furnishings 50th Anniversary Celebration.

Mayor Duboc presented a proclamation to the Flegel's family and congratulated them on 50 years of business in Menlo Park.

1. Presentation by the San Mateo County Transportation Authority and a request that the Council approve a Resolution in support of the draft Measure A renewal Transportation Expenditure Plan.

Supervisor Gordon addressed the Council asking for its support in approving a resolution to renew Measure A. Howard Goode, Deputy Executive Director of the San Mateo County Transportation Authority, reiterated that the changes proposed by the Council were incorporated. He thanked Council Members Winkler and Jellins for their contributions as well as Transportation staff. Mr. Goode explained the benefits of the renewal of Measure A.

Jim Bigelow, with the Menlo Park Chamber of Commerce, commended the City and in particular Council Member Jellins, for their dedication to this matter. Mr. Bigelow urged the City Council to place this matter on the ballot to get Measure A renewed.

Mayor Duboc thanked all those involved for their hard work.

C. PUBLIC COMMENT #1 (*Limited to 30 minutes*) None

D. CONSENT CALENDAR

1. Adoption of a Resolution No. 5522 recommending that the San Mateo County Flood Control District impose charges for funding the 2004-05 Countywide National Pollution Discharge Elimination System (NPDES) General Storm Water Management Program.
2. Adoption of a Resolution No. 5523 making certain findings and determinations in compliance with Section XIII B of the California Constitution (the Gann Initiative).
3. Adoption of a Resolution No. 5524 of Intention to grant a designated period for two years additional service credit pursuant to Government Code 20903.
4. Adoption of a Resolution No. 5525 authorizing a budget amendment from the General Fund Capital Improvement Program (CIP) Fund Balance in the amount of \$40,264 for a total project budget of \$159,988 for the Underground Fuel Tank Improvement Project.
5. City Council adoption of a Resolution No. 5526 approving the draft Transportation Expenditure Plan for the extension of Measure A.
6. Adoption of a Resolution No. 5527 formalizing Council action to repeal Ordinance 926 in its entirety.

Item pulled

7. Approval of the Minutes of the City Council Meeting of April 27, 2004.

M/S Collacchi/Jellins to approve Consent Calendar items D1 through D6. Motion passes unanimously with Council Member Kinney absent.

Discussion on item D7

Mayor Duboc stated that on page four of the Minutes, on item number 5, she would like clarification on the appeal fee for heritage trees. City Manager Boesch explained that the original motion was made by

Council Member Collacchi for a fee of \$50 but a friendly amendment was offered by Council Member Kinney and it was accepted making the fee \$15.

M/S Duboc/Collacchi to approve the minutes as submitted. Motion passes unanimously with Council Member Kinney absent.

E. PUBLIC HEARINGS

1. Adoption of a Resolution No. 5528 overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection of assessments for the assessments for the City of Menlo Park Landscape Assessment District for fiscal year 2004-05.

Council Member Jellins leaves the Council Chambers.

Pat Stone, Supervising Engineer, presented the staff report covering details about the Menlo Park Landscape Assessment District and explaining the meaning of overruling protests. Mr. Stone stated that if Council adopts the resolution it would be forwarded to the County of San Mateo for recordation.

Mayor Duboc opened the Public Hearing.

M/S Collacchi/Winkler to close the public hearing. Motion carries 3-0 with Council Members Jellins and Kinney absent.

M/S Collacchi/Winker to approve the staff recommendation. Motion carries 3-0 with Council Members Jellins and Kinney absent.

2. Adoption of a Resolution No. 5529 approving a regulatory fee to implement the local City of Menlo Park Storm Water Management Program (SWMP) for fiscal year 2004-05.

Mr. Stone, Supervising Engineer, provided the staff report explaining that this is an action that Council takes every year. Mayor Pro Tem Winkler inquired about the status of a solution for Storm Water Management and Kent Steffens, Public Works Director, responded that the Joint Powers Authority is providing documents to the US Army Corps of Engineers which is preparing an initial assessment to find out if there is federal interest in pursuing the San Francisquito Creek project. City Manager Boesch explained that Commander Rothaus has met with members of the San Francisquito Joint Powers Authority to prepare a response plan for unexpected flood problems.

Mayor Duboc opened the Public Hearing.

M/S to Collacchi/Winkler to close the public hearing. Motion carries 3-0 with Council Members Jellins and Kinney absent.

M/S Collacchi/Winker to approve the staff recommendation. Motion carries 3-0 with Council Member Jellins and Kinney absent.

F. REGULAR BUSINESS

1. Consideration of an appeal of a request for sign approval for new and replacement signs containing the colors yellow and red, and approval of architectural control for changes to the Service Center and pump island canopy for a project located at 1400 El Camino Real.

Jeff Smith, Associate Planner, explained that items F1 and F2 are similar and the staff report he is presenting is applicable to both matters. Mr. Smith stated that the applicant's request is to legalize the color scheme on signs. He stated that staff supports the applicants' request because it will reduce the amount of red at the property.

Haleh Mousavi, project coordinator, speaking on behalf of the applicant stated that the same color scheme had been approved at another station (Shell station on 495 El Camino Real). Ms. Mousavi asked that Council reconsider the decision from the Planning Commission, and she shared illustrations of what has been approved at 495 El Camino Real and its similarity to 1400 El Camino Real. She explained that the only difference is the canopy. Council asked questions about the canopy, and staff

compared and contrasted details from the original proposal and the current alternate plan. Council discussed making the three gas stations in Menlo Park look more homogenous.

Mayor Duboc asked for public comment. There was none.

M/S Collacchi/Winkler to follow staff recommendation on agenda items F1 and F2 and accept the revised project plans as listed on attachment B for both items, subject to the findings and conclusions found in both items as attachment A. Motion carries 3-0 with Council Members Jellins and Kinney absent.

2. Consideration of an appeal of a request for sign approval for new and replacement signs containing the colors yellow and red, and approval of architectural control for changes to the Service Center and pump island canopy for a project located at 125 Sharon Park Drive.

Item F2 was addressed and voted on in conjunction with item F1.

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.

G. WRITTEN COMMUNICATION

1. Request by Mayor Pro Tem Winkler to place on the agenda for discussion the proposed High Speed Rail.

Mayor Pro Tem Winkler reiterated that public comment on this matter will be heard until August 31, and in her opinion Council should take a position since it affects Menlo Park. Ms. Winkler asked to agendaize this matter and Council Member Collacchi concurred but with minimal staff research. Mr. Boesch stated that the optimum date for this matter to return would be August 17.

John Wilkinson, representing the Sierra Club, would like to be given an opportunity to comment on the matter. Mr. Collacchi invited Mr. Wilkinson to attend the August 17, 2004 meeting.

2. Request by Mayor Duboc to amend the Minutes of March 30, 2004 to include: "Council also directed staff to come back with a formula regarding the cost of administering an in-lieu program and maintaining public art."

Mayor Duboc stated that a member of the Arts Commission contacted her and after reviewing the videotape this member believes Council should add to the minutes. Mayor Duboc agrees that the direction included "Council also directed staff to come back with a formula regarding the cost of administering an in-lieu program and maintaining public art". The amended Minutes from 03/30/04 are to come back under the Consent Calendar for approval.

H. INFORMATION ITEM - None

I. COUNCIL MEMBER REPORTS

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

Harry Harrison stated that he has been absent for one week and the police cars have a new look, and there are possibilities of an underpass in Menlo Park.

Mr. Boesch stated that Mr. Harrison is ahead of the game because the idea was to have Council review the new look of the Police cars and then go implement the new look.

Matt Henry stated that last week there weren't many people from Belle Haven at the meeting and it was suggested that the people liked the proposed budget, but in his opinion that is not true. Mr. Henry stated that the reorganization is being presented as a crucial step that has to be done but in his opinion the City's future does not depend on it.

Elizabeth Houck thanked the Council for its temperance on rescinding 926 and for stopping the off leash dog park. She believes staff and the Parks and Recreation Commission need to look at all options, and she asks that Council direct staff to consider dog owners and residents.

Mr. Boesch stated that Ms. Houck is correct that the direction included looking at all options related to dog park possibilities.

K. ADJOURNMENT – 7:55 p.m.

Respectfully submitted,

Silvia M. Vonderlinden, CMC

Approved at the Council Meeting of September 21, 2004.