



# CITY COUNCIL and COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, December 14, 2004  
7:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
Menlo Park City Council Chambers

---

## **7:00 p.m. REGULAR MEETING** (Menlo Park City Council Chambers)

**ROLL CALL** – Winkler, Jellins, Cohen, Duboc, Fergusson

**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**

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

1. Swearing in of the new Las Pulgas Committee Member.  
Silvia Vonderlinden, City Clerk, swore in Jacquie Mundley new Las Pulgas Committee Member.
2. One vacancy on the Housing Commission to fill an un-expired term. The extended deadline for receipt of applications is December 27, 2004 at 5:30 p.m.
3. One vacancy on the Las Pulgas Committee to fill an un-expired term that ends in March 2005 (this vacancy is for a business member seat). The extended deadline for receipt of applications is December 27, 2004 at 5:30 p.m.
4. One vacancy on the Parks and Recreation Commission to fill an un-expired term that ends in September 2005. The deadline for receipt of applications is December 27, 2004 at 5:30 p.m.
5. One vacancy on the Planning Commission to fill an un-expired term that ends in April 2006. The deadline for receipt of applications is December 27, 2004 at 5:30 p.m.
6. One vacancy on the Transportation Commission to fill an un-expired term that ends in January 2009. The deadline for receipt of applications is January 11, 2005 at 5:30 p.m.
7. Commission Reports.

### **B. PRESENTATIONS AND PROCLAMATIONS - None**

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

Laura Fanucchi, Director of Programs at HIP Housing, presented the Council with calendars for 2005. The calendar pictures were drawn by students and selected as part of a contest. Numerous entries were submitted and Wells Fargo Bank donated the printing.

### **D. CONSENT CALENDAR**

#### **Item pulled D1**

1. Community Development Agency Board approval of the Menlo Park Community Development Agency annual report for fiscal year 2003-2004.

2. Approval of the Below Market Rate (BMR) Housing Program Annual Report for Fiscal Year 2003-2004 and approval of the 2004 Annual Report for the Affordable Housing Action Plan.
3. List of local appointees to the various Advisory Bodies (Commonly referred to as the Maddy Act).
4. Adoption of Resolution 5574 to accept \$7,000 from the California State Library, and amend the Library Budget to spend said funds in Fiscal Year 2004-05.

**M/S Duboc/Jellins to approve Consent Calendar items D2, D3, and D4. Motion carries unanimously.**

#### **Discussion on Item D1**

Council Member Duboc asked about the Below Market Rate (BMR) stipulations in the Redevelopment Agency (RDA) area. Gretchen Hillard, Housing Coordinator, explained that the RDA has a requirement for BMR units in the Redevelopment Agency area. Ms. Hillard explained that 36% of the housing produced needs to be affordable to “very low income households”, 17% needs to be affordable to “low income households”, and 47% needs to be set aside for “moderate income households”. Council Member Duboc inquired if the City is meeting these requirements and Ms. Hillard stated that this appears to be the case.

**M/S Duboc/Winkler to approve Consent Calendar item D1. Motion carries unanimously.**

#### **E. PUBLIC HEARING**

1. Adoption of the City of Menlo Park Comprehensive Bicycle Plan; and, approval of the Mitigated Negative Declaration for the City of Menlo Park Comprehensive Bicycle Plan.

René Baile, Transportation Engineer, presented the report providing background information on the project. He stated that CalTrans partially funded the program and an agreement is in place. Alta Planning + Design was the project consultant. Three public workshops were held in various City facilities, and Mr. Baile gave details on the California Environmental Quality Act (CEQA) disclosure period. The Bicycle Commission unanimously approved the plan in July 2004. Mr. Baile covered the objectives of the Bicycle Plan, which included securing outside funding from State and Federal Programs and improving safety.

Brett Hondorp with Alta Planning + Design explained the process which included an advisory committee. Council asked about the attendance at the community meetings. Staff explained that there were a total of 38 residents present. Staff also conducted a survey and there were 80 respondents. Council requested that in the future the attendance at public meetings be specified in the staff report. Mr. Hondorp covered the various elements of the Bicycle Plan. A new symbol “the shared use lane marking” was discussed. This symbol provides enhanced visibility for cyclists.

Council discussed including Atherton in the discussions about the continuity of the El Camino Real route, and staff volunteered that this will occur. Quantitative and qualitative measures were discussed. Council asked questions about the sample ordinance language not addressing bicycle facilities in retail or commercial areas. Mr. Hondorp stated that the ordinance could be modified to include such language. Mr. Baile explained that the City has an ongoing program to install bike racks in front of merchants. Council Member Fergusson asked that schools be included in the map for clarity. Mr. Hondorp referred to the project list and suggested that Council revisit it at its priority setting session. Council Member Cohen asked about bicycle boulevards in Menlo Park, and Mr. Rahimi stated that with this plan this might become more of a reality.

Council asked if staff would share this plan with neighboring cities. Mr. Baile responded that this is part of the next steps. City boundaries were discussed and Council would like to have the city boundaries marked in the map. Council Member Duboc asked about the cost of implementation. Mr. Baile stated that the total cost to build two Class I bike paths is \$375,850, the implementation of other bicycle facilities is \$750,000 and the Caltrain bicycle pedestrian under-crossing is \$3 million. Council asked staff how this

would be paid for. Mr. Baile explained that staff envisions most of the funding coming from grants for pedestrian and bicycle projects and possibly Measure A. Council Member Cohen asked about timelines for this project. Mr. Rahimi, Transportation Manager, explained that there are no set dates because it will depend on funding sources. Mayor Winkler inquired about traffic calming devices and Mr. Rahimi said that bulb-outs and islands that shorten the pathway do get in the way of cyclists.

#### **Mayor Winkler opened the Public Hearing**

Robert Cronin, member of the Bicycle Commission, supports this Bicycle Plan and commends Mr. Baile for his work. He believes this is a good plan and he hopes it will cause more people to use bicycles. Mr. Cronin would like safe routes to school to become a priority.

Michael Woods, with the Peninsula Bike and Pedestrian Coalition, said he rides in Menlo Park and he commends Council for considering this plan. Mr. Woods appreciates the thorough staff report. He reviewed the plan carefully and appreciates the various issues relating to connectivity, and looking at the Bayfront Park as a possible facility. He recommends adoption of the Bicycle Plan.

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

**M/S Duboc/Cohen to adopt the City of Menlo Park Comprehensive Bicycle Plan and approve the Mitigated Negative Declaration for the City of Menlo Park Comprehensive Bicycle Plan.**

**Council Member Fergusson made a friendly amendment to:**

- **include language regarding retailers in the goal section of the plan (under Policy 4.6 on page 1-4 include the word retailers after employers)**
- **amend the sample ordinance to include retailers**

Council Member Jellins explained how he views this proviso and Mr. Rahimi stated this is an ongoing effort led by the Bicycle Commission. City Manager Boesch explained that staff would incorporate comments made by Council such as:

- **identifying schools on the map**
- **clearly delineating city boundaries as they relate to Atherton**
- **include a goal that addresses bicycle related facilities in commercial development (retail)**

**Council agreed to include in the motion the friendly amendment by Council Member Fergusson and the previous points made by City Manager Boesch. Mayor Winkler mentioned that she would like the maintenance of road services to be elevated to a goal. The maker and second of the motion were receptive to the additions.**

Mayor Winkler mentioned she would like to include the health benefits that derive from cycling, and focus on the school age population, possibly creating a task force of kids.

Robert Cronin addressed Council stating that Hillview School collected comments relating to how to improve conditions for students who wish to bicycle to school.

Ms. Winkler would like to incorporate bicycle excursion programs or other recreational programs in the plan. Mayor Winkler is in support of the Bicycle Plan because it is a comprehensive document providing a broad range of opportunities to the community.

**Motion carries unanimously.**

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

1. Final Report on the Agency Board approval of the use of \$19,167 from the Community Development Agency funds in the Development of the Code Enforcement Task Force focused on improving Pierce Road and the surrounding areas.

Chris Boyd, Chief of Police, made introductory remarks relating to the improvements along Pierce Road. Mr. Boyd introduced Code Enforcement Officers Kia Meyers and Elizabeth Fambrini who worked on this project. Ms. Meyers shared a slide presentation illustrating the various situations that Code Enforcement

worked with property owners to have mitigated. She summarized that twenty-five buildings that were initially negligent were brought up to Code.

Mayor Winkler thanked the staff for its report. Council asked questions about cooperation between the Building Department and the Police Department and Ms. Meyers confirmed that there is collaboration. The role of the Fire Department was discussed. Council was appreciative of staff's efforts. Council Member Jellins asked about illegal activity around this area. Staff explained that there has been occasional criminal activity.

2. Introduction of an Ordinance amending Section 9.12.010 of Chapter 9.12 of the Menlo Park Municipal Code regarding Off-Leash Areas for Dogs.

Bob Roessler, Community Services Manager, presented the staff report asking Council to introduce the ordinance and explaining the ramifications of such action. Council discussed some of the language in the ordinance. Council Member Fergusson stated that the word "enclosed" was used twice and it might limit some of the design choices. Mr. McClure clarified that the wording of the ordinance reflects the direction provided by Council at a previous meeting. Council Member Duboc would feel uncomfortable taking out the "enclosed" stipulation because of previous public comment.

### **Public Comment**

Elizabeth Houck inquired why Council is changing the law without funds being allocated. Ms. Houck is unhappy that there are no current plans on how the rules and regulations will be enforced. She asks Code Enforcement to present a report on the costs associated with enforcing dog rules.

Mayor Winkler asked Mr. McClure to explain if this ordinance forces any future action. Mr. McClure explained that this would come back in January for a second reading and at that time Council may or may not adopt the ordinance.

### **M/S Jellins/Duboc introducing the ordinance amending Section 9.12.010 of Chapter 9.12 of the Menlo Park Municipal Code regarding Off-Leash Areas for Dogs. Motion carries 4-1 with Council Member Cohen dissenting.**

3. Appointments of Council Representatives (and Alternates) to various outside agencies and appointment of Council liaisons to Advisory Bodies.

City Clerk Vonderlinden asked Council to make its annual appointments to outside agencies and to select Council Liaisons to the City's Commissions.

Council Member Fergusson asked for clarification on the process, and Mayor Pro Tem Jellins stated that the Mayor usually decides on the appointments. Mayor Winkler explained that she will try and give each Council Member a chance, but when someone is already working on a committee it might be beneficial to keep that Council Member in that committee.

Mayor Winkler went through each of the seats and polled the Council on its areas of interest. The final list of representatives (R) and alternates (A) to outside agencies is as follows:

- Airport Community Roundtable - Lee Duboc (R);
- City/County Association of Governments of San Mateo County (C/CAG) – Nicholas Jellins (R), Kelly Fergusson (A)
- P3: Peninsula Policy Partnership – Mickie Winkler (R), Andy Cohen (A)
- Association of Bay Area Governments (ABAG) – Kelly Fergusson (R), Lee Duboc (A)
- Emergency Services Council (San Mateo County Joint Powers Authority) – Lee Duboc (R), Andrew Cohen (A)
- League of California Cities (Peninsula Division) – Mickie Winkler (R), Nicholas Jellins (A)
- San Francisquito Creek JPA – Lee Duboc (R), Kelly Fergusson (A)
- County of Santa Clara Community Resources Group for Stanford University – Andrew Cohen (R), Lee Duboc (A)

- Bay Area Water Conservation and Supply Agency (BAWCSA) and San Francisco Regional Water System Financing Authority – Chuck Kinney (R )
- Menlo Park Chamber of Commerce/City Liaison Position – Mickie Winkler (R), Andrew Cohen (A)
- Housing Endowment and Trust of San Mateo County – Nicholas Jellins (R), Andrew Cohen (A)

Council Member Fergusson asked about the Council of Cities and Council Member Duboc explained that all Council Members are invited but the Mayor is the assigned representative.

Council Liaisons to City Commissions and Committees:

- Arts Commission – Lee Duboc (on hold)
- Bicycle Commission – Nicholas Jellins
- Environmental Quality Commission – Andrew Cohen
- Housing Commission – Andrew Cohen
- Las Pulgas Committee – Kelly Fergusson
- Library Commission – Mickie Winkler
- Parks and Recreation Commission – Lee Duboc
- Planning Commission – Kelly Fergusson
- Transportation Commission – Lee Duboc

Council Member Fergusson referred to a communication received from San Mateo County Parks requesting a representative. Mr. Boesch explained that the Director of Community Services, Mr. Brown, has attended meetings of this body but this is on hold until the process of establishing a County Park District is clarified. Council asked that this matter be brought back when it gets reactivated. Council Member Fergusson shared interest in participating in one of the policy departments organized by the League of California Cities.

4. Consideration of state and federal legislative items including decisions to support or oppose any such legislation and items listed under Written Communication or Information Items.

None.

**G. WRITTEN COMMUNICATION - None**

**H. INFORMATION ITEMS - None**

**I. COUNCIL MEMBER REPORTS**

Council Member Jellins requested that students from Menlo-Atherton High School be recognized for their work in helping the needy during the holiday season. Mayor Winkler agreed with the suggestion and Council Member Duboc explained that the food drive was organized through the leadership class.

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

Mayor Winkler wished everyone a Happy Holiday and announced that Council will be back in session on January 4, 2005.

**K. ADJOURNMENT – the meeting adjourned at 9:12 p.m.**

Respectfully submitted,

---

Silvia M. Vonderlinden, CMC

Approved at the Council Meeting of February 15, 2005.