



**CITY COUNCIL  
and  
COMMUNITY DEVELOPMENT AGENCY  
MINUTES**

Tuesday, March 1, 2005  
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 M. Vonderlinden, City Clerk and Carol Augustine as the City's new Finance Director. Various department heads and other City staff were also present.

**PLEDGE OF ALLEGIANCE**

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

1. Appointment to the Las Pulgas Committee.

Council Member Duboc inquired about the length of the term of this appointment. City Clerk Vonderlinden explained that to avoid having the appointee serve for one month only, staff requests that the term be rolled out to another four years (March 2009).

**M/S Jellins/Duboc clarifying that this appointment is for one-month plus a four-year term, ending in March 2009. Motion passes unanimously.**

**M/S Duboc/Fergusson nominating and appointing Ron Mallia for the above-mentioned term. Motion passes unanimously.**

2. Commission Reports.

Mary Gilles, Chair of the Transportation Commission, presented to Council this Commission's top 10 priority projects. Ms. Gilles focused on the Willow Road traffic study and the El Camino lane reconfiguration. She also reiterated the need for the City to increase police enforcement.

Council Member Cohen asked about complaints received regarding interaction between bicycles and cars. Ms. Gilles said the Commission hasn't received any.

Mayor Pro Tem Jellins inquired how the Commission ranked the items. Ms. Gilles explained that the ranking was based on importance. Council Member Jellins thanked Ms. Gilles for her involvement.

Council Member Duboc asked about the Willow Road traffic study, and Ms. Gilles explained that the goal is to study this road as an artery and get the traffic away from the Willows.

**B. PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation in recognition and to honor the Rotary Club for its Centennial.

Mayor Winkler presented the proclamation to various Rotarians from Menlo Park and congratulated the club on its centennial.

2. Presentation on the Don Edwards National Wildlife Reserve and Salt Pond Restoration Project.

Clyde Morris, Manager of the Don Edwards San Francisco Bay Wildlife Refuge, explained the plans for the Salt Pond Restoration Project and its relation to the Menlo Park Bayfront Park. Mr. Morris reiterated that the goal is to plan a scientifically sound, publicly supported restoration and public access plan that can begin to be implemented in five years. He thanked the City Council for making City staff available to attend meetings. In regards to the Bayfront Park he hopes that development is compatible with a vision that incorporates a nature approach.

Council asked questions about flood control in surrounding communities.

3. Presentation by Art Jensen, Executive Director for the Bay Area Water Supply and Conservation Agency (BAWSCA) on the Hetch Hetchy Capital Improvement Project (CIP).

Former Council Member Chuck Kinney introduced Mr. Art Jensen giving information about the Hetch Hetchy system, and the creation of BAWSCA. Mr. Jensen explained how this agency functions, and how the collective interests and needs are reviewed. Mr. Jensen covered the guiding principles that rule this organization. He addressed water usage reduction efforts when there has been a 15% increase in population in areas around San Francisco.

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

Kathy Shrenk thanked Council for its actions on the intersection of Menlo Avenue and University Drive. She is a volunteer for the restoring Hetch Hetchy project, and she hopes Council will soon address this matter. She referred to a communication from Ron Goode to address Council on this topic.

#### **D. CONSENT CALENDAR**

1. Approval of Resolution 5584 authorizing the submittal of an application to the Transit Oriented Development (TOD) Housing Incentive Program of the City/County Association of Governments of San Mateo County (C/CAG) for a Transportation Project Grant for the proposed Derry Project.
2. Approval of the Minutes for the City Council Meeting of January 4, 2005.

**M/S Duboc/Jellins to approve the Consent Calendar. Motion passes unanimously.**

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

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

1. 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.

#### **G. WRITTEN COMMUNICATION**

1. Letter from Mike Moore, Principal at Hillview Middle School, requesting that the City of Menlo Park, through the City Council, consider passing an ordinance prohibiting ice cream trucks from stopping within some reasonable distance of schools in the City.

Council discussed the challenge that the school is bringing forth, and Mr. Boesch explained that some level of outreach is needed as well as analysis in regards to what the impacts would be to other schools. Mr. McClure said that staff could draft an ordinance to regulate the issue; however the toughest part is defining the scope. Mr. McClure added that the City does have an ordinance that limits food vending trucks to a 20-minute time period at any one location. There is also a provision that if more time is needed a permit needs to be granted.

Council asked Mr. Moore if the vendor stays longer than 20 minutes, and Mr. Moore confirmed. Mr. Moore addressed Council stating that he believes it is inappropriate for vendors to show up after school and sell to consumers that are under age. Mayor Pro Tem Jellins asked if it is possible to improve

the vigilance in front of the school. Mr. McClure explained that the process needs to be well thought through so that the problem isn't just moved down to another area.

Mayor Pro Tem Jellins would like to ask staff to scope the options. Mayor Winkler believes this should be addressed but other schools should be incorporated in the process. Council Member Cohen asked if the vendor had been contacted and Mr. Moore confirmed that to be the case. Council would like to invite the vendor, and be provided with options when the item comes back. Council would also like to notify other schools when this will be addressed. Mr. Boesch asked for confirmation that Council wanted staff to come back with some additional review and include outreach to other schools and parties. Mayor Winkler would like this to be part of the priority setting process and be addressed next Saturday. Council consensus was to consider this issue in the context of the priority setting session.

2. Communication from Council Member Fergusson identifying potential projects for consideration at the Project Priority Setting Workshop on Saturday, March 5, 2005.

Mayor Winkler acknowledged correspondence from Council Member Fergusson and offered a summation of where she believes some of these items stand:

- 1) The Mayor will write a letter to the Ravenswood school district to address the issue of the pot holes at Willow Oaks;
- 2) The Mayor suggests that bicycle safe route to school upgrades on Coleman Avenue be referred to the Bicycle Commission;
- 3) Exploration of recreation uses at Bayfront Park is an ongoing program;
- 4) The Mayor believes the Willow alleys are already on the priority list;
- 5) The Mayor stated that the Willow, Chester, Durham project is an ongoing project;

Council Member Fergusson asked that these items be included in the discussion on Saturday.

Council Member Fergusson referred to an email she sent to Council at 5:30 p.m. today in regards to Brown Act violations with respect to the Child Care Task Force. Mayor Winkler stated that she hadn't seen the email yet.

#### **H. INFORMATION ITEMS - None**

#### **I. COUNCIL MEMBER REPORTS**

Council Member Duboc mentioned that the San Francisquito Creek Joint Powers Authority is trying to get public support to ask Anna Eshoo for a \$350,000 appropriation. She hopes residents will write a letter to Anna Eshoo requesting that the Creek JPA receive these funds.

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

Nick Colasanti, past vice principal of Hillview School, believes the problem of vendors at the school has been around for more than 10 years. He asks that Council take a look at it and come up with a reasonable solution.

Mayor Winkler announced that the Council would meet next Saturday to review its priorities for the upcoming fiscal year. The public is invited to attend.

#### **K. ADJOURN TO A CLOSED SESSION – The Council adjourned to a closed session at 8:33 p.m.**

#### **L. CLOSED SESSION (First Floor Conference Room – Administration Building)**

1. Closed Session pursuant to Government Code Section §54956.9(c) regarding potential litigation against the City of Menlo Park. Parties present: David Boesch, City Manager, Bill McClure, City Attorney, Chris Boyd, Police Chief and Bruce Goitia, Police Commander.

#### **M. ADJOURNMENT – The closed session adjourned at 9:45 p.m. with nothing to report.**

Respectfully submitted,

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Silvia M. Vonderlinden, CMC

Approved at the City Council Meeting of May 17, 2005.