



CITY COUNCIL and COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, May 17, 2005
7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chambers

6:00 p.m. CLOSED SESSION (First Floor Conference Room – Administration Building)

Closed Session pursuant to Government Code Section §54956.9 regarding San Mateo County Superior Court Case No. CIV 439361 litigation by Mr. & Mrs. Irwin Derman vs. the City of Menlo Park. Persons present: David Boesch, City Manager and Bill McClure, City Attorney.

The Closed session adjourned at 6:55 p.m. and the Council reconvened in Open Session.

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; and Silvia Vonderlinden, City Clerk.
Various department heads and other City staff were also present.

PLEDGE OF ALLEGIANCE

Mayor Winkler stated that there was nothing to report from the Closed Session.

A. COMMISSION VACANCIES AND REPORTS

1. Swearing in of Bicycle Commissioner.

City Clerk Vonderlinden swore in Christine Griffin a new Bicycle Commissioner.

2. Commission Reports.

B. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation declaring National Public Works Week.

Kent Steffens, Public Works Director, received the proclamation and shared some of this Department's accomplishments.

2. Proclamation declaring Bike to Work Week.

Christine Griffin received the proclamation and Mayor Winkler encouraged residents to participate in this event.

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

Rick Cirardella, Chairman of the Chamber of Commerce, reiterated the Chamber's support of streamlining the development process. He commented that additional outreach to the business community could be effectively incorporated in Phase III.

D. CONSENT CALENDAR

Item pulled D1

1. Introduction of an Ordinance amending Zoning Ordinance regulations pertaining to commercial development.

2. Approval of an updated Memorandum of Understanding providing for the continuing operation of the San Francisco International Airport/Community Roundtable.
3. Approval of the Minutes for the City Council Meetings of February 15, 2005, March 1, 2005 and the Minutes of the Special Meeting of March 5, 2005.

M/S Duboc/Winkler to approve Consent Calendar items D2 and D3. Motion carries unanimously.

Discussion on item pulled D1

1. Introduction of an Ordinance amending Zoning Ordinance regulations pertaining to commercial development.

Council Member Fergusson thanked Council for the changes incorporated at the previous meeting; however she asks Council to take a two-step approach in the M2 zoning district. Mr. Murphy, Development Services Manager, explained that this change would entail adding some wording to section six of the ordinance and re-introducing it. Council Member Duboc referred to the methodology used on Ms. Fry's handout and in her opinion it could be challenged. Mayor Pro Tem Jellins asked about Phase III as well as the vacancy rate of office space in Menlo Park. Staff gave details about the first issue but was not certain about the vacancy rate. Council Member Fergusson shared concerns with bypassing the City's Traffic Impact Analysis Guidelines, and what she thinks is the limited notification of this proposal. Council Member Cohen concurs with Ms. Fergusson and opined that negative declarations aren't always available on the web page. Ms. Duboc asked staff to clarify the public outreach leading up to the meeting tonight and Mr. Murphy offered the following: 1,500 business and home owners received a notification, an email was sent to a list of interested people, the project page on the City's web page is regularly updated, and public hearing notices for the Planning Commission and the City Council meetings were published.

M/S Fergusson/Cohen to approve the introduction of an ordinance modifying section six to include changes to professional administrative uses (requiring structural alterations that affect more than 10,000 square feet) to be subject to administrative review in the M2 zoning district. Motion fails 2-3 with Winkler, Duboc and Jellins opposing.

M/S Winkler/Duboc to introduce the ordinance as submitted. Motion passes 3-2 with Cohen and Fergusson opposing.

E. PUBLIC HEARING

1. Adoption of Resolutions No. 5598, and No. 5599 adopting the City's 2005-06 Budget and Capital Improvement Program for the City of Menlo Park; and establishing the appropriations limit for Fiscal Year 2005-06.

City Manager Boesch presented the report providing a brief overview of the current budgetary situation. He added that this hold over budget is being presented so that the priority driven budget process can begin soon thereafter. Mr. Boesch gave details about the budget calendar and the 10-year forecast. Mr. Boesch explained that current figures show that the shortfall this year is estimated at \$673,000 instead of \$800,000. Ms. Augustine provided details on the General Fund and Capital Improvement Program for the 2005-06 budget. Mr. Boesch shared that 83% of all service results in the budget were either met or exceeded by staff.

Council Member Fergusson asked about possible impacts of the Governor's proposed budget and its implications for Menlo Park. Mr. Boesch stated that if the current budget is approved this would be relatively good news for Menlo Park because: 1) some funds from the Vehicle License Fee (VLF) loan would revert back to the City in two installments, and 2) this budget would increase funding for local roadways. Mr. Boesch added that these possibilities were not reflected in the budget before Council. Ms. Fergusson complimented staff on the format of the budget and the introduction letters, and Mayor Winkler echoed the same sentiment.

Public Comment

Michael Brady referred to a meeting that took place in Redwood City about High Speed Rail (HSR). In his opinion Menlo Park has spent too much on this issue and should do nothing until HSR gets approved. He talked about quiet zones and how cities should be pursuing this process.

M/S Jelins/Duboc to close the Public Hearing. Motion passes unanimously.

Mr. Boesch clarified that in order to study quiet zones this would have to be a Council priority, and at this time it isn't. He added that to examine the feasibility of quiet zones a consultant would be needed and it could cost about \$50,000. Council asked if any grant money could be pursued for this end and Mr. Boesch explained there is some Measure A money and staff could look into other funding if it were a priority. Mr. Stephens, Public Works Director, said this item was considered by the Transportation Commission but it did not make it to the final list.

M/S Duboc/Cohen to approve agenda item E1.

Council Member Fergusson will support this budget despite her initial reservations in certain areas. Ms. Fergusson shared her disappointment that Coleman Avenue is not included, and in her opinion the under-represented might not get involved in the bottoms up approach. However, she believes this has been a good team effort and there are some valid points. Mayor Winkler commented that while the community will provide input, it is the Council who will have the final say and she will keep in mind Ms. Fergusson's concerns.

Motion passes unanimously.

2. Community Development Agency and City Council adoption of Resolutions No. 276, 277, 278, and 279 and approving the 2005-06 Agency Budget and related items and Resolutions No. 5600, 5601, and 5602.

Council Member Fergusson asked for clarification on this item, and Mr. Boesch explained that this allows the Agency more flexibility in case it needs additional funds. The City Manager added that other cities have similar protocols.

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

M/S Jellins/Cohen to approve agenda item E2. Motion carries unanimously.

Mayor Winkler referred to the child care programs fees and Mr. Boesch explained that the Council would take action on this item next week, and if not approved the impact would be minimal.

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 - None

H. INFORMATION ITEMS - None

I. COUNCIL MEMBER REPORTS

Mayor Pro Tem Jellins reported on a Legislative Day and the team he led to Sacramento. The group met with various legislators, impressing upon them how local entities have a binding interest in the legislation passed.

Council Member Duboc thanked the Council for approving the Airport Roundtable item tonight.

Council Member Fergusson announced an upcoming event by the San Francisquito Creek Joint Powers Authority which is a tour of the watershed.

Mayor Pro Tem Jellins referred to the last C/CAG meeting and how two Menlo Park items got approved. One of the items was a Derry Lane transit-oriented development award, and the other was to include

bicycle improvements in Menlo Park in the list of projects to be funded by the Metropolitan Transit Authority.

Mayor Winkler reported on attending a Metropolitan Transportation Commission study session covering transit-oriented development policy.

J. PUBLIC COMMENT #2 (Limited to 30 minutes) - None

K. ADJOURNMENT – the meeting adjourned at 9:43 p.m.

Respectfully submitted,

Silvia M. Vonderlinden, CMC

Approved at the Council Meeting of August 16, 2005.