



**CITY COUNCIL
COMMUNITY DEVELOPMENT AGENCY
MINUTES**

Tuesday, January 30, 2007

7:00 p.m.

**110 Terminal Avenue, Menlo Park, CA 94025
Menlo Park Senior Center**

A Closed Session Began at 5:00 p.m.

1. Closed Session pursuant to Government Code Section §54957 regarding the appointment of the interim City Manager and City Manager selection process, and pursuant to 54956.9 regarding potential litigation against the City of Menlo Park. Party present: Bill McClure, City Attorney.

6:00 p.m. Social Hour

A social gathering took place to provide residents an opportunity to meet the new Council Members.

7:00 p.m. Regular Meeting

Council Members Present - Fergusson, Cohen, Boyle, Cline and Robinson

Staff Present - City Manager Boesch, City Attorney McClure, City Clerk Vonderlinden and other staff was present in the audience.

Mayor Fergusson thanked all those present for attending the Social Hour. She reported that there was no reportable action from the Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Fergusson announced a peace march that will take place Saturday to show community support against the wave of violence that has spread through certain cities. The Mayor plans to attend the rally. Mayor Fergusson also announced two upcoming Council Meetings and the need to recruit for a new City Manager. She said that on February 8, 2007 at 5:30 p.m. at the Council Chambers there will be a special meeting to receive public input on the qualities of the next City Manager. She also mentioned the Special Meeting of Monday February 12, 2007 on the topic of El Camino Real and Santa Cruz Avenue. Mayor Fergusson also announced an auction event that will benefit the Safe Harbor organization that provides services throughout San Mateo. Council Member Boyle said this organization is the only one providing shelter services for the homeless of San Mateo County and he is well aware of the valuable services provided by this organization.

A. COMMISSION APPOINTMENTS AND REPORTS

1. Swearing in of two new Transportation Commissioners and one Parks and Recreation Commissioner.

City Clerk Vonderlinden swore in Bob Cronin and Jim Tooley, the new Transportation Commissioner and Parks and Recreation Commissioner, respectively.

2. Commission members and Chamber of Commerce reports.

Fran Dehn, with the Chamber of Commerce, spoke about economic vitality and shared her excitement about the upcoming El Camino Real special meeting. She believes that it is the mix of businesses large and small that make the community richer. Ms. Dehn said that Chamber is sponsoring a seminar in conjunction with the American Independent Alliance to help create a plan for a sustainable and self-determined community.

B. PRESENTATIONS AND PROCLAMATIONS

1. Senior Center Program presentation by Community Services staff.

City Manager Boesch introduced Senior Center Supervisor Avidah Yaghmai-Samardar and staff member Lilian Alfaro, Social Services Coordinator, who shared statistics about the type of services provided at the Menlo Park Senior Center and the recipients of such services.

C. PUBLIC COMMENT #1 - Public Comment was extended beyond the one hour allocated.

Juan Reese spoke about the Hamilton Housing Project and he posed questions about the preference list for the Below Market Rate units.

Chester L. Charles commented that he would like to see more Council Meetings held at the Menlo Park Senior Center.

Matt Henry, with time donated by Sheryl Bims, referred to some years ago when the community came out and asked the City Council not to remove a certain position from the Belle Haven program. Mr. Henry said that the community also asked for no cuts in Belle Haven once before and he felt that twice before the Council refused to listen to the people. He spoke on behalf of Vanessa Carlisle and he believes her job is more than a job. It is who she is and he does not want her to be moved from her current job to the Burgess Center. He said that maybe other staff should be considered for a move to the Burgess Center.

Dawn Platt asked Council to leave the program intact and not move a City employee to another area of the City. She asked Council to think about the kids.

Rose Bickerstaff asked Council to consider the community and the families and reconsider moving a staff member to the Burgess Center.

Lucia Soto spoke about the benefits of Project Read and its service to the community. She thanked multiple programs for helping her become more courageous to speak publicly. She appreciates what the City does and she has lived here for 18 years and has seen improvements, however she believes there is a need for more safety in the streets.

Gary Moiseff, speaking about agenda item H2, offered the opportunity for Council and the public to review a set of drawings of the upcoming Police Services Center available in the room.

Roxanne Rorapaugh does not believe that the Belle Haven after school program should be restructured. She spoke about the budget workshops, attended by 250 people, and she opined they did not want to make cuts to the Belle Haven programs. She does not believe that being over staffed is a problem and she believes the children might be benefiting from this situation.

Taiam White spoke about the move of a City employee from the Belle Haven Center to the Burgess Center. She does not agree with it and wants to know the reason behind it.

Lamisha Brown said she is representing Vanessa Carlisle and she said that Ms. Carlisle is her aunt. She provided examples of the things that Ms. Carlisle has done in the program.

Eric Earl Stewart spoke about being raised in this center and the many programs he was a part of. He explained that his relationship with Ms. Carlisle is like the one of mother and son. He referred to the care Ms. Carlisle provided and now he is a school teacher and he believes she had a good influence on his upbringing.

Ray Webb spoke about what he believes were parental figures in his life like Aaron Johnson and Vanessa Carlisle. He believes these two individuals taught him discipline and determination to go to college. He opined that taking certain staff from the Center is like taking parental figures from the community.

Nate McGee, with time donated by Kimberly Brown and Betty Smith, spoke about his concerns regarding the safety of his kids. He said that Ms. Carlisle is committed to the safety of his kids. He asks Council to not move this staff person to another City program.

Marcia Perez, with time donated by a number of people, spoke about the need for child care in the community. She asked Council what it is going to do. Ms. Perez shared her frustration with the process and she feels indignant that she has had to spend time on this matter. It is her opinion that Council has an obligation to weigh in on personnel decisions. She wants her voice to be heard and she finds certain decisions arbitrary and so she wants to know what the rules are. Ms. Perez said that now the rules are different and she wants consistency. She spoke about the budget process and she hoped that those results would be final and settle the issue. She elaborated on the cost of the position and the cost of the budget survey and made comments about the two figures. She is open to meeting with staff to discuss solutions for the situation. She voiced her opinion that City Administrators are not in touch with the community.

Rahman Jamaal, with time donated by Shay Webb, said he is a resident of Redwood City and runs an after school program in East Menlo Park and he does not know Ms. Carlisle. He said he had spoken with Ms. Perez and a word came up in his mind - gentrification. He believes it is hard to detect when it is happening and he believes that taking away the program is deteriorating the environment.

Stephanie Mathews asked why the Council is taking a staff member who has been a member of this community for 23 years to another program. She believes the staff person is well respected and she makes children feel comfortable. Ms. Mathews said that thinking about the kids is the priority and staff deserves to stay here.

Sharon Green said she has four children and she does not understand why staff is being moved. She said that the Boys and Girls Club is full and in the City program staff will wait for children at the bus stop and take them home if the parents forget to pick them up. She opined that the current billing system is not working.

James Macdoo, stated that he served on the Las Pulgas Committee for 18 years, and he recommended that Council support the wishes of the community. He asked about light rail. He believes the staff person should remain in her current position.

Mayor Fergusson announced that the child care ends at 8:30 p.m.

Edgar Perez said that the staff person being discussed provides quality care to the community. Mr. Perez believes the Council should clean house and he made certain allegations about racism. He said that he can work for campaigns for those who look after the community's interest. He asked that Council make an executive decision and keep Ms. Carlisle at the Belle Haven After School Program.

Khalil Rasheed said that Ms. Carlisle has been critical in his development because she provided leadership and was a role model. He respectfully asked that Council consider the constituents that have spoken tonight.

Curtis Haggins said he has been a long term member of this community and he has been positively influenced by Ms. Carlisle. He believes she goes beyond her job description and she is a mentor to him and he opined she has taught him how to be a winner.

Carmelite Sauffront does not support moving Ms. Carlisle to another site and she believes that Ms. Carlisle provides safety to the children in the program. She believes that this particular staff person understands different backgrounds. She said that other staff could be moved instead of Ms. Carlisle.

Angel Dodson said that she has a lot of things to say but almost everything has been said. Her daughter attends the program and she asked why Ms. Carlisle was not promoted instead of bringing in someone else. She has observed that a lot of times kids are out of control and Ms. Carlisle seems to be the one who can discipline the kids.

M.F. Chester Palesoo, who is a board member at the Ravenswood School District, said he is representing the Pacific Islanders Communities. He spoke about crime prevention and the fact that a Pacific Islander kid was shot. He is looking for partnerships with community organizations that are effective to prevent and help minimize the crime. He urges the Council to work closely with the administrators to maintain and keep people like Ms. Carlisle in this community.

David Cuffy said he is a Kelly Park kid who feels that this staff person has helped raise him. He believes Ms. Carlisle is part of this community and he opined she helps young people remain in this community. He asked Council not to take action on this matter.

Vanessa Carlisle said that she appreciated the support from all and she stated that no matter what happens she feels the love and thanked the community.

Patricia Watkins said that her daughter is the Youth Coordinator and she does not agree with comments made by other speakers about her daughter Natasha Watkins. She said the Youth Coordinator is a strong person.

The Mayor asked for order in the room.

Natavia Thomas said that one of the staff members does not help her with home work. She said that another staff member helps her with her home work and talks to her.

Sheina Curtis, representing the Beechwood Community, said that Ms. Carlisle has a very good way with kids and that the kids trust her. Ms. Curtis asked Council to consider keeping her in this community serving the children that need her.

A member of the public asked Council to acknowledge the feelings that have been expressed by the community and to respect those sentiments.

Kathy Connolly said she is a teacher who appreciates what she called Ms. Carlisle's rare skills and she has seen many of the children respond positively to her. She encouraged Council to take a careful second look at the situation.

Dammy Glasgow spoke about the stories she has heard from various residents and the things that Ms. Carlisle has done instilling confidence in certain young people. She believes these positive stories are important and should be kept alive.

Jan Richmond, a teacher at Beechwood, asked that Council reconsider the options and she believes that the best way to prevent crime is to care for the youth.

Members of the public chanted and attempted to disrupt the Council proceedings. The Mayor demanded order or she would dismiss the meeting. Order was re-established in the room.

Mayor Fergusson asked that staff respond to some of the questions posed by the speakers during public comment.

City Manager Boesch addressed the issue of the Clarum Homes and how the applicants are eligible for the Below Market Rate units. Mr. Boesch said that there are about 46 homes being built and 20 are going to be for Below Market Rate units. The current preferences were established by the City Council and include teachers who work in this community, fire fighters, police officers and residents that already live in this area. Regarding the Dumbarton Rail project he said that this project is currently being evaluated for environmental impacts and if all those studies get concluded then rail service could in this line as early as 2012. However, he said that there are many steps to take before any of this comes to fruition. He added that Council Member Robinson serves on the Dumbarton Rail Committee and other options are being studied like light rail.

Mayor Fergusson asked Mr. Boesch to speak to the matter of staffing options and provide specific answers about the childcare in this area and possibly slowing down the process.

City Manager Boesch recognized the value of the comments that were made tonight and he said that staff is taking them seriously. He believes that based on what has been shared, staff needs to consider the public input and come back at another time and discuss the particulars of the process. He said that the absolute priority of staff is to maintain programs in Belle Haven and the goal was to "right-staff" to increase other programs and to get more of the community members involved. He believes that a better job at communicating these goals should be achieved. Mr. Boesch said that staff is talking about a licensed program and the City needs to meet certain requirements and these are State mandated. Mr. Boesch said that a specific game plan will be brought back to Council and meanwhile he will continue the dialogue with the parents and the goal is to form a parents' advisory group starting possibly in February. Mr. Boesch committed to slowing down the process and not effect any changes and before moving forward staff will communicate with the Council and let the Council know. He said that ultimately it is all about resources and this is ultimately a Council decision.

City Attorney McClure said the City Council cannot make statements or deliberate on this matter because it is not on the agenda. Council Member Cohen asked about the option of using Peninsula Conflict Resolution Center as a facilitator. Mr. Boesch explained the circumstances under which he has not met with Ms. Perez. He said he is still open to that option but staff has not heard back from Ms. Perez.

City Manager Boesch spoke about crime prevention as a priority and staff is communicating with other jurisdictions to prevent it.

Council Member Boyle asked for a timeline on the issue of Ms. Carlisle. Mr. Boesch said that in a couple of weeks the City Manager will try and have a game plan but the trick is also getting PCRC to possibly facilitate a meeting. The City Manager was asked to repeat his comments because Ms. Perez was out of the room and Mr. Boesch said that the goal is to meet and get resolution.

D. CONSENT CALENDAR

1. Authorization for staff to enter into an agreement for executive recruitment services with Bob Murray and Associates in an amount not to exceed \$30,000, and approval of the City Manager selection process. (Staff Report #07-010)

Item D1 was pulled. Item D2 was tabled.

Mayor Pro Tem Cohen provided information on the selected firm and how he and Council Member Boyle have been working together.

Council Member Boyle wanted clarification on the assignment of the subcommittee and so he wants clarification on how to proceed and who is part of the committee. Council Member Cline said that continuity will be important and so he agrees with having the same Council Members continue serving but he just wants to make sure that the public input steps occur and are being appropriately scheduled. Council Member Boyle made a motion to formalize this action but the Mayor stated that there was Council consensus on the matter and a motion was not needed. City Attorney McClure provided information on the upcoming phases of the plan.

M/S Boyle/Robinson to approve of Consent Calendar D1. Motion carries 5-0-0.

2. Approval of the minutes for the City Council meetings of December 5, 2006 (attachment); and December 12, 2006. (attachment)

Mayor Fergusson asked the City Attorney if there was a need to vote on item D2. The City Attorney said that if there are any comments or corrections to the minutes they are pulled now and returned at the next meeting.

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

There was no public comment at this time.

E. PUBLIC HEARING - None

F. REGULAR BUSINESS

1. Status of the San Francisco Bay Division Pipeline Reliability Upgrade project. (Staff Report #07-011)

Kent Steffens, Public Works Director, provided a presentation on the issue of the regional water system which will bring a new pipeline through Menlo Park.

Council asked questions of staff regarding the proposed pipeline and the improvements. Council Member Boyle asked about a rate increase and if that was to pay for this work and Mr. Steffens confirmed that it was related because the cost of the program will be amortized over many years. The cost of wholesale water is projected to approximately triple in the next 15 years.

Council asked about the Public Utilities Commission (PUC) powers over property use and Mr. Steffens said that the PUC owns a lot of the property since the 1920's and there are easements in for many of the areas where construction will occur. Council Member Cline asked if chloramine is in the water and Mr. Steffens confirmed that it is added as a disinfectant by San Francisco.

Council Member Robinson said he was struck how closely this parallels the Dumbarton Rail right of way. He asked if the pipeline could run through there. Mr. Steffens said that in theory it could, but it is not as simple as that and it is very unlikely because that option hasn't been

studied. In addition, the PUC owns the right of way where they want to install the current pipeline. Council asked about the importance of conservation and Mr. Steffens said that this is being taken in consideration but this plan is to meet the needs of the area for the next 30 years. Mayor Fergusson said that she serves on the Bay Area Water Supply Conservation Agency and one of its jobs is to be a watch dog for this project. She commented that there is a concern that the Program Environment Impact Report (EIR) has been delayed for a number of months and how that delay will impact certain projects. Mr. Steffens said that this project has its own EIR and he is not sure if it is under the Program EIR. Mr. Robinson asked if the pipes have any redundancy and Mr. Steffens said that was part of the goal. Mayor Fergusson said that one of the purposes of this project is to increase reliability, and Menlo Park is acting to improve it with the investigation of a storage tank and a groundwater pumping facility. Mr. Steffens added that initial feasibility studies have been done to place an underground water system more specifically around Seminary Oaks Park. Mr. Steffens said that the Eastern part of Menlo Park needs to have a better storage system. Mayor Fergusson asked what kind of outreach is being done to address residents' concerns and Mr. Steffens said that as construction gets closer more outreach will take place. Mr. Steffens mentioned three groups that need to be involved Commercial Business Owners in O'Brien Drive, the Belle Haven Neighborhood, and the Suburban Park Neighborhood. He added that staff has made the request to the PUC for at least three public meetings before construction begins.

Council Member Boyle asked if the PUC will be subject to improvement fees and Mr. Steffens responded that while staff can establish conditions on the building permits, the PUC will not likely have to pay fees. Staff plans to document the existing condition of the streets and afterwards compare it to how it is left by the PUC. This may allow the City some negotiation power.

The Mayor asked for public comment.

Matt Henry inquired about how long this will take.

Mr. Steffens said that the work will be done in phases but the estimate is 2 1/2 years. Council Member Robinson would like this information on the web when it is available so various impacted groups are aware of what is coming. Mayor Fergusson and Council Member Boyle suggested using aerial photos and overlaying them with the map of the overall project pipeline. Council Member Cline suggested that schools be kept informed.

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

Mayor Fergusson asked that items H2, H3, H4 be addressed at this point. She introduced Business Development Manager Dave Johnson who provided an update on the GM project. He provided details on the due diligence period and how a tax lien and four easements were discovered. He stated that the latter are unresolved and so an extension of thirty days has been granted to February 15, 2007. It is anticipated that the transition will close sometime in the first week of March, 2007.

He introduced two GM representatives: Jim Gentry, Western Regional Operations Manager and David Frederickson Western Regional Manager Real Estate for General Motors.

Council Member Robinson asked about the nature of the easements and Mr. Johnson said these are utility easements and involve the Sun Microsystems property.

Council Member Boyle asked for the next steps assuming the issue of the easements is resolved. Mr. Johnson spoke about the number of items that would need to be resolved such as

the traffic signal, the draft traffic study, and then initiating the work on the Environmental Impact Report.

Mayor Pro Tem Cohen asked about the type of projects that GM has in mind for this site. He said he is excited about the car models that were just shared with him and he asked a GM representative to expand on the subject. Mr. Gentry said that he has observed that it is important to get the right product for this community. He shared that at the Detroit Auto Show GM did well with a couple of environmental friendly vehicles such as VOLT. He is optimistic that there is public support for such vehicle and the next step could be production. Mayor Pro Tem Cohen spoke about the need for a supermarket in this area and he asked if GM would be looking for other businesses. Mr. Frederickson said that GM is considering options that go beyond automotive and he feels confident that the property will attract a lot of interest. He added that the interests of all the stakeholders will be considered and he hopes this project will be the catalyst to other developments in this community.

Council Member Robinson stated that he was impressed with a meeting he had with GM, when they stressed upon him that an auto mall does not have to be necessarily just about autos. He believes a supermarket might fit in this model and he looks forward to that being considered.

Mayor Fergusson shared her excitement about this project and wished GM a speedy close.

Item H2 - Was addressed at this time.

City Attorney McClure explained that Gary Moiseff, the property owner, is present and has plans available for public review. He said that the project was approved in November of 2004 and there have been some challenges with the building permits. Some hydrological plans have been submitted and a hydrological study has been conducted and these seem to be in the final stages. Once the Planning Department issues building permits staff will come back to Council for approval of a budget and amend the specific time schedule for the completion of the work. Council Member Boyle asked about prospective tenants and Mr. McClure said that tenants will be handled at a later stage. He also asked about the zoning in that area and Mr. McClure said it is neighborhood retail zoning. Mayor Pro Tem Cohen asked when Mr. Moiseff anticipates that construction will begin. Mr. Moiseff said that within the issuance of the permit, construction will begin promptly and possibly within six months be done. Mr. McClure explained that staff will need to review the hydrological study, the revised set of plans and then issue building permits.

Council Member Cline asked for the uses of the building and Mr. McClure commented that it will primarily be a Police substation but people can come and pay their water bill or pick up applications for building permits, business license applications etc.

City Attorney McClure said this will bring to the community a state of the art sub-station and a Civic Center that will make City business more accessible. It will provide a one stop City Services Center and may promote more interaction.

Terri Molakides, Police Commander, explained that the substation is about working together. She added that this facility will house code enforcement and narcotics officers, a meeting room and basic services will be provided from this location. Mayor Pro Tem Cohen asked about a disaster preparedness center and Ms. Molakides said she could not confirm this at this time.

Item H4 - Was addressed now.

Art Morimoto, Supervising Engineer, provided details on the remediation that is going on at the housing site. He added that degraded diesel was found at the site and the City has been working on developing a work plan with a consultant that meets regulatory requirements. Mr. Morimoto said that outside funding forces have been sought and while a grant has been issued,

staff is considering the pros and cons of accepting such grant. Mr. Morimoto said that the total cost of the project is unknown at this time.

Council Member Robinson asked if staff knew where the diesel fuel came from and Mr. Morimoto said that nothing has been determined.

Mayor Fergusson asked about next steps and staff outlined the work plan, the grant issue and the cost. Council Member Boyle complimented staff on looking at the strings attached to the grant and not simply accepting it.

G. WRITTEN COMMUNICATION - None

H. INFORMATION ITEMS

1. Review of the City's Investment Portfolio for the quarter ending December 31, 2006. (Staff Report #07-012)
2. Update on the purchase and sale agreement between General Motors Corporation and Tyco Electronics for a 22-acre parcel located at the southwest corner of the intersection of Bayfront Expressway (Route 84) and Willow Road. (Staff Report #07-013) (Previously addressed under F2)
3. Update on the status of the Police/City Services Center at Willow Road and Ivy Drive. (Staff Report #07-014) (Previously addressed under F2)
4. Update on the Terminal Avenue Housing site remediation. (Staff Report #07-015) (Previously addressed under F2)

I. COUNCIL MEMBER REPORTS

Council Member Boyle said he was appreciative of being nominated and selected for the City Selection Committee HEART seat. He thanked Mayor Fergusson for her efforts, and he is looking forward to serving.

Council Member Robinson said he attended his first meeting of the San Francisquito Creek JPA and the fact that the federal funding may be in danger. He said that there are people working on trying to still get this money and the goal is to not shut down the project. He said that there are a series of planning sessions that will occur in the next three months laying out the project and encouraging public participation.

Mayor Fergusson said she had run for a seat to be the South County representative on the Transportation Authority and she was not successful on an 8-12 vote. She ran because she felt she could be a voice for small and medium size cities that struggle with land use issues and transportation challenges.

K. ADJOURNMENT - the meeting adjourned at 10:41 p.m.

Respectfully submitted,

Silvia M. Vonderlinden, Certified Municipal Clerk

Approved at the City Council meeting of March 6, 2007.