



**CITY COUNCIL
COMMUNITY DEVELOPMENT AGENCY
MINUTES**

Tuesday, September 25, 2007

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 - Fergusson, Cohen, Boyle, Cline, Robinson.

Staff present - City Manager Rojas, City Attorney McClure, City Clerk Vonderlinden. Other City staff was present in the audience.

PLEDGE OF ALLEGIANCE

A. VACANCIES, APPOINTMENTS AND COMMISSION REPORTS

1. The following Advisory Bodies will have vacancies for seats that expire September 2007, with one exception. The new terms will serve until September 2011. The application deadline for submittal of applications to the City Clerk's Office is Wednesday, September 26, 2007 by 5:30 p.m.

- The Environmental Quality Commission (three seats - one term expires August 2008 and two terms expire September 2011)
- The Library Commission (one seat)
- The Housing Commission (two seats)
- The Parks and Recreation Commission (one seat)
- The Transportation Commission (two seats)

The Mayor invited the public to apply to these vacancies.

2. Commission members and Chamber of Commerce reports.

Paula Maurano, Chair of the Parks and Recreation Commission, spoke about various issues that body has been discussing such as the Burgess Gym. She suggested a more permanent solution for the Jack Lyle Park restrooms and added that the Parks and Recreation Commission is looking at options to propose to the Council. Ms. Maurano addressed Council on the topic of field inventory in Menlo Park. She explained that one suggestion is to diversify the use of the fields. Ms. Maurano referred to use of artificial turf and on another note she commented on challenges with dual use at Nealon Park. Ms. Maurano shared statistics on national standards for park acreage per resident and she opined that maybe in Menlo Park the goal should be to have smaller parks but more in number. She asked that the City begin establishing a standard for the type of parks Menlo Park wants and subsequently identify neighborhoods that need them.

Council Member Cline asked how Bayfront was categorized and Ms. Maurano said she omitted it. Council Member Robinson said that he has been to Nealon Park and has not noticed any problems with the dual use. Mayor Fergusson echoed that same observation. Hamilton Park was discussed and Ms. Maurano said that this a good example of creating a park in conjunction with the housing plans.

Fran Dehn announced various upcoming Town Hall meetings organized by state representatives.

B. PRESENTATIONS AND PROCLAMATIONS

1. Presentation by representatives from Peninsula Conflict Resolution Center regarding new services available to residents.

Jennifer Bullock, Associate Director for the Peninsula Conflict Resolution Center (PCRC), thanked the Council for engaging the services provided by this organization. Ms. Bullock provided details about services that this organization will be able to provide to residents which include referral, mediation, and conflict resolution. Ann Buers, Manager of Mediation Services with PCRC, explained how residents can receive the services. She added that some of the issues that might be referred to PCRC might include issues between neighbors, tenants, parenting and elder care decisions. In addition, they also mediate issues between businesses and consumers as well as co-workers.

C. PUBLIC COMMENT #1

Jim Lewis spoke about a downtown sign and showed a slide of the business facade. He asked that somebody take this issue on. He found the sign insulting and an attack on the integrity of the city.

Council Member Robinson asked for an update from the City Manager on the matter. Mr. Rojas said that every attempt is being made to try and resolve the issue. Mr. McClure added that a memorandum will go out about signs in California Highways. Mayor Fergusson said she was at the downtown merchants meeting and it was decided, by that group, that it will approach the owner. Council Member Robinson said that he would like staff to continue its efforts and possibly send a letter on behalf of the City.

D. CONSENT CALENDAR

1. Authorization of the Public Works Director to accept the work performed by G. Bortolotto & Company, Inc., for the Valparaiso Avenue Deep Lift Project. (Staff Report #07-164)
2. Approval of the revised comment letter on the Draft Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Central Valley to Bay Area segment of the California High Speed Rail Project. (Staff Report #07-165)
3. Approval of the minutes for the City Council meeting of August 7, 2007. (attachment)

M/S Robinson/Cline to approve the Consent Calendar including the revised minutes as submitted. Motion carries 5-0-0.

E. PUBLIC HEARING - None

F. REGULAR BUSINESS

1. Review of Council Subcommittee recommendation regarding a Request for a Proposal (RFP) for consultant services for the El Camino Real/Downtown Vision Plan. (Staff Report #07-160)

Thomas Rogers, gave details about the Draft RFP, and emphasized that at the core of the project there is a need for community engagement. He said that staff will continue making the process as transparent as possible. Mr. Rogers reiterated that staff's recommendation is that five firms be sent RFPs and he gave details on other aspects of the suggested process.

Council Member Boyle said that resident involvement will start shortly with the survey and the newsletter. Mayor Fergusson complimented the subcommittee for its work on this massive effort. Mayor Fergusson asked if other organizations can team up with the five suggested firms who will get the RFP. Mr. Rogers confirmed this was feasible but only if the lead firm would be agreeable

to it. Council Member Robinson asked about the Speaker Series. Mr. Rogers said that at the June 19, 2007 meeting, the Council adopted a budget to this end. He explained that this is a complex and difficult issue because of schedules and the only scheduled speaker at this time is Dyett & Bhatia - who will share an overview of past planning efforts in Menlo Park. Ms. Heineck, Community Development Director, said that staff is in conversations with other speakers but it is not easy to pinpoint dates and times. Ms. Heineck added that tentatively, Wednesdays from 6:00 p.m. to 7:30 p.m. would be good days with a joint event incorporating downtown restaurants. Mayor Fergusson noted the RFP should mention the adjacency to Stanford and she added that one word needed to be spelled correctly (on the first paragraph complimented should be complemented). Mayor Fergusson noted that under scope of work on the RFP she wants the words "including but not all..."

The issue of stakeholder confidential interviews was discussed and staff said that the intent is to get a broader range of responses by making these confidential. Staff added that the intent with the confidential proposal was to have a truer range of responses. Council Member Cline noted that confidential interviews have some merit because these allow for more open dialogue. Mayor Fergusson inquired about the composition of the review board and its selection. Mr. Rogers said the Planning Commission has the most familiarity with working with consultants and represents the views of the public and so staff is suggesting that this body be included. Council Member Boyle clarified that this step is just for the selection process consultant, and not for someone who will direct the whole process. Council Member Boyle added that there is an expectation that portions will be contracted out so that it is a multi-pronged approach with various players. He also explained that asking each commission to select a representative would be difficult. Mayor Fergusson requested that the members chosen from the Planning Commission represent a variety of view points.

Public Comment

Matt Henry suggested getting input from schools and maybe have children draw their vision for this project. He wanted a process that included those who will live with the decisions of the present.

Various Council Members expressed an interest in integrating input from children. Council Member Robinson explained that he can anticipate challenges with the confidential interviews. He asked if there were benefits to this approach and Mr. Rogers responded that it is a Council decision to keep the word "confidential" or not. Council Member Robinson said his preference is that the interviews not be confidential. Vice Mayor Cohen said he is reminded of the Design Charrette and how it brought forth a mixed group of people including those who do not live in Menlo Park. Mr. Rogers said that there are ways to include those who are not residents. Vice Mayor Cohen said that it might be wise to explicitly survey developers or entities that have done business in the last five years in the City and make sure they have an opportunity for input. He does not want to limit the process to just current residents and businesses.

Council Member Boyle said this is an unusual RFP because this is being left vague to give the consultants flexibility to be creative. He added that the goal was to tap into the expertise of these firms and see what they would come up with. Vice Mayor Cohen commented on how Council got here, i.e. with a staff selected contractor. He suggested and encouraged this committee to keep in mind the history of this process and the need to ensure that public input is welcomed every step of the way.

M/S Fergusson/Cohen to approve the draft RFP with the following modifications: 1) include Stanford in the first paragraph, 2) change the spelling of complimented to complemented, 3) eliminate the word "confidential" under stakeholder interviews, 4) add a bullet about school outreach or kids' involvement, and 5) include selecting the five firms recommended by the subcommittee to receive the RFP. The motion also included the selection group

being comprised of the members stated on page five of the staff report, with a request that Planning Commission members represent a balance of views.

Mr. Rogers clarified that school outreach may be feasible as a non-traditional outreach form. Council Member Robinson said that he is asking respondents to be creative with their proposals. He asked if the proposals could include items broken down by cost. Staff confirmed that individual elements could be spelled out in the RFP. Council Member Boyle asked how the negotiation of certain items would work and Mr. Rogers said that there is some room for negotiation but the consultant could stick to the proposal.

Motion carries 5-0-0.

Mayor Fergusson thanked the subcommittee and staff for its work and a well thought out process.

2. Consideration of a City Council recommendation to the Atherton City Council for removal of all on-street parking spaces in front of 1850 El Camino Real (Celia's Restaurant) and conversion of the no-parking/shoulder area to a right-turn-only lane. (Staff Report #07-161)

Rene Baile, Transportation Engineer, presented the report to the City Council. He explained that there were concerns from residents regarding visibility and the shoulder area. He provided background information on this project. He explained the Transportation Commission's recommendation which is to remove all parking spaces and convert the shoulder area to a right-turn only lane. Mr. Baile explained all the options considered by staff.

Mayor Fergusson acknowledged that there was an email that came in from the Manager of Celia's. Mr. Rojas said that Dave Johnson, Business Development Manager, is in conversations with that person. Council Member Boyle asked about the parking ratio for Celia's. Mr. Taylor, Transportation Manager, said that staff does not have such information at this time. Council Member Boyle asked for a recap of the whole process and Mr. Taylor provided a full overview of the steps leading to the recommendation before Council.

Vice Mayor Cohen asked if there are other streets in this part of town that might use the same approach. Staff said there are similar road-ways and there was a similar issue on Stone Pine about a year ago but the residents were able to reach a compromise. Vice Mayor Cohen asked about Mr. Barnby's letter and if there was any advantage to the rumble strips and other items he suggested. Mr. Taylor explained that rumble strips are like domes that can be used but there is other equipment that might be more appropriate. Council Member Robinson asked if there was a bike lane in this area and Mr. Taylor said there isn't. Council Member Boyle asked about the enforceability of these recommendations and Mr. Taylor said this is within Atherton's jurisdiction.

Council Member Boyle shared concerns with paying for modifying an intersection in another City. Staff said it recommended paying for this because it would benefit Menlo Park residents and the amount was not substantial. Mr. McClure said in the past the City had paid for improvements on El Camino Real and Valparaiso. The City Attorney said this is such a unique situation that it does not look like the City is setting a precedent and regarding liability, he clarified that the City enjoys design immunity. Mayor Fergusson asked about Mr. Barnby's request for a double yellow line. Mr. Taylor clarified that the manual that sets traffic standards, establishes that a double yellow line is forbidden in traffic going the same direction.

Public comment

Don Barnby shared with Council the items he wanted included in the recommendation and he suggested a double white line if the double yellow line was not doable. He said his goal was to keep the through traffic aware and alert of the issues. Mr. Barnby opined this intersection is unique and he provided details on why this intersection is dangerous. He asked that certain suggestions from his letter be included in the Council decision.

Mr. Taylor said that per the Manual on Uniform Traffic Control Devices which sets standards, staff has to recommend the white line because that is what is designated for that area. Mr. Taylor said he understood the request but it does not fit the staff's approach. Regarding the suggested items B and C, Mr. Taylor said staff can work with the suggested mitigations. Mr. Baile said that since Caltrans does not use non-standard techniques, staff has to stay within those parameters.

Mayor Fergusson asked for the exact number of reflectors and Mr. Taylor said that staff could add wording to include a more generous number of reflectors. Council Member Robinson would like to investigate moving the boundary along El Camino Real to the City of Menlo Park. City Attorney McClure said that staff could address this issue with the Town of Atherton and then come back with a report on the Town's initial reaction.

Mr. Barnby asked that the motion include the items he outlined in his letter to Council, namely items A, B and C. Council Member Boyle said he cannot support a double yellow line as requested by Mr. Barnby.

M/S Robinson/Cohen to approve staff's recommendation on item F2 including suggestions B and C from a resident's letter. Respectively, these suggestions relate to including at least five reflector bumps to alert drivers (B) and that the reflectors reflect back into the right-turning driver on El Camino Real (C) before the driver begins the turn, and that these be yellow.

Mayor Fergusson posed questions to staff about the color of the reflectors. Staff explained the limitations with trying to propose a specific color because normally reflectors are white. **Council Member Robinson stated that staff is trying to strike a balance and so he will forego including the color of the reflectors in the motion. The second of the motion agreed.** Council discussed extending the white line back into Spruce Avenue. Council Member Robinson said that the line should be extended further along Spruce Avenue and he supported that. Mr. Taylor said it might be confusing for those coming from El Camino Real. Council Member Boyle said he supported staff's opinion and the lane should not be extended further into Spruce Avenue. Council Member Cline said he was happy with the proposed length of the white line.

Mr. Barnby addressed Council about the left turn into Spruce from El Camino Real and suggested a divide on the lanes and possibly adding a middle lane. He provided details about his design.

Staff said it needed to look at the design in paper and it did not feel comfortable taking a position without analysis. Council Member Boyle shared concerns with the bicycle lane. Vice Mayor Cohen asked if a bicycle lane sign could be added on El Camino Real. Council Member Boyle suggested painting bicycle lanes but he does not want to make it more confusing. Mr. Taylor said this is not an official bicycle lane but more like a refuge area for bicyclists. Staff would need to study the matter prior to commenting on its merits or concur without review.

Friendly amendment by Council Member Boyle to not specify the number of reflectors but instead propose language that says a sufficient number of reflectors to be included. Council Members Robinson and Cohen accepted the friendly amendment. Council wanted staff to keep Council apprised of what the Town of Atherton decides on the matter.

Motion carries 5-0-0.

3. 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.

Vice Mayor Cohen spoke about Assembly Bill 1294 (ranked voting). He supported this bill because it would give General Law cities the possibility to seek voter approval on implementing such system. He added that this piece of legislation is currently on the governor's desk. Mayor Fergusson would like Council to send a letter supporting AB 1294. Vice Mayor Cohen opined this

is a new way of voting and he would like Council to investigate it as an educational undertaking. He has individually urged the Governor to support it. Council Member Boyle said he is interested in getting more information but at this point, he is not comfortable sending a letter without more data. Vice Mayor Cohen said this is an attempt to provide Council with more options. Mayor Fergusson concurred with the Vice Mayor but Council Member Boyle said that the letter could be interpreted as a preliminary approval.

Council Member Cline stated this issue needed to be discussed with more transparency and public awareness. He does not want Council to send a letter when there isn't full consensus. Council Member Robinson agreed with Council Members Boyle and Cline and so he does not feel comfortable taking this action. He added that he needs to be comfortable with the issue and he is not. Vice Mayor Cohen made comments about his interest in pursuing campaign reform. Council Member Boyle said there is a process to place items on the agenda and this feels a bit rushed.

Council agreed with placing the item on the next agenda under Regular Business (under legislation) so Council could discuss it.

G. WRITTEN COMMUNICATION

1. Memorandum from Mayor Fergusson and Council Member Robinson requesting as a potential future agenda topic the discussion of Municipal Water Policies and Practices. (Memorandum)

Mayor Fergusson provided context for this request and she said that there is increasing uncertainty regarding future water supply. She said that her goal is to educate Council with the help from staff and look at what the City is already doing and discuss current policies and issues. Council Member Robinson asked how this would come back and Mayor Fergusson views it as a regular business item with a strong educational component.

City Manager Rojas said that staff's recommendation is to have a Study Session and bring back an educational package for Council perusal. Council Member Cline said he supported a Study Session and maybe forego a regular Council Meeting. Mr. Steffens, Public Works Director, said that a Study Session might be the first step but any other steps might compete with other staff priorities. Council Member Boyle said that he would like to learn more about this but he has concerns that certain actions regarding policies might take a lot of staff time. Council Member Boyle further stated that he wants to respect the limits of staff resources. **City Manager Rojas explained that he heard consensus to have staff bring this matter back with an outline of what could be presented at a Study Session and have Council will define the scope at that time.**

H. INFORMATION ITEMS - None

I. COUNCIL MEMBER REPORTS

Council Member Robinson said the San Francisquito Creek Joint Powers Authority will meet next week in Palo Alto. He also announced a Green Ribbon Citizens' Committee meeting at 6:30 p.m.

The City Manager announced that he approved another story time at the Library and that was approved by \$5,000.

Council Member Robinson said that Cargill Salt Ponds will be hosting tours of its operations on October 8, 9, and 10, 2007.

Council Member Boyle reported that he will attend the Housing Endowment and Regional Trust meeting tomorrow.

Mayor Fergusson expanded on the Green Ribbon Citizens' Committee report and what it might contain. She also reported on meeting with the Vice Mayor of Redwood City, Roseanne Foust, to

discuss neighbor to neighbor issues. Mayor Fergusson announced that there is an upcoming Goals Update Meeting on October 3 at 3:00 p.m. and the public is invited to attend.

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

K. ADJOURNMENT – The meeting adjourned at 10:26 p.m.

Respectfully submitted,

Silvia M. Vonderlinden, Certified Municipal Clerk

Approved at the Council Meeting of November 20, 2007.