



**CITY COUNCIL AND COMMUNITY DEVELOPMENT AGENCY
MINUTES**

**Tuesday, April 8, 2008
7:00 p.m.**

**701 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chambers**

ROLL CALL – Cohen, Robinson, Boyle, Cline, Fergusson

Staff present – City Manager Rojas, City Attorney McClure and City Clerk Kelly

PLEDGE OF ALLEGIANCE

A. COMMISSION/COMMITTEE VACANCIES AND REPORTS

1. **Commission members and Chamber of Commerce reports.**
Action: None

B. PRESENTATIONS AND PROCLAMATIONS

1. **Proclamation in celebration of National Library Week.** ([attachment](#))
Action: The Mayor presented a proclamation in celebration of National Library Week.
2. **Proclamation in celebration of Arbor Day.** ([attachment](#))
Action: The Mayor presented a proclamation in celebration of Arbor Day.

C. PUBLIC COMMENT #1

Peter Fortenbaugh introduced Julia Cook, a junior at Menlo Atherton High School, the Boys and Girls Club Peninsula Youth of the Year, and the Boys and Girls Club Northern California Youth of the Year.

Julia Cook spoke about her academic goals of maintaining a 3.6 GPA while taking honors classes, so that she can go to college and better her future instead of repeating her past. She talked about growing up with adversity and the challenges she has had to overcome. She acknowledged that the Boys and Girls Club has been one of the major positive influences in her life.

D. CONSENT CALENDAR - None

E. PUBLIC HEARING - None

F. REGULAR BUSINESS

1. **Adoption of a resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the Menlo Park Police Officers' Association (POA) for the period beginning July 1, 2008 through June 30, 2011.** ([Staff Report #08-046](#))

City Manager Rojas presented the staff report. He informed the Council that this contract is for a three year period and has been the result of seven months of negotiations. He stated that a major objective was to come up with a contract that would

provide incentives for retention of police officers and result in a stable police force. He noted that the contract includes salary adjustments designed to elevate the salary and benefit ranking of the police officers from 10th out of 12 comparison cities to 3rd or 4th over a three year period. Mr. Rojas outlined the details of the contract as described in the staff report and attached Memorandum of Understanding. He stated he has formed a Task Force to work on recruitment, retention, community involvement, and other issues within the Police Department.

Personnel Director Glen Kramer responded to questions raised by Council Member Boyle regarding the pay scales for police officers and the incentive program for police officer referrals.

Members of the public commented as follows:

Jeff Keegan, President of the Menlo Park Police Officers' Association, said the process was started early with a stated goal. He commented that of the three contracts he has been part of negotiating with the City, this has been the most stress-free and direct process he has been involved in. He thanked the Council and staff for their support for this process and announced that the POA is very supportive of this MOU and comments made by the City Manager.

Felicia Byars, Vice President of the POA, said she was optimistic when negotiations started and she was not disappointed by the process or results. Officer Byars informed the Council that in the last three years 30 officers have left the department to join other police departments and that remaining officers have had to carry the burden of mandatory overtime to just cover work shifts. She stated it is imperative the department recruit and retain police officers and that the department becomes a department of choice and not just a career stepping stone for police officers. Officer Byars thanked the Council and the City Manager for listening to the concerns of the police officers and helping them come up with a solution. She asked that the Council approve the contract.

Chuck Bernstein said that he supports the Police Department, but questioned whether or not the City can afford the financial portion of this contract. He also expressed the belief that the City, in the past, has balanced its budget, by not filling vacant police officer positions and hoped that would not occur in the future. Mr. Bernstein questioned if this contract will really solve the problem.

Vice Mayor Robinson thanked the City Manager and his team for taking on this challenge and also his fellow council members for speaking with a unified voice on police staffing issues. The Vice Mayor also expressed his thanks and support of the police officers who provide excellent service to the community.

Council Member Boyle acknowledged that this is a good contract, but that there are still challenges that need to be addressed. He cautioned that the City can not afford to increase the pay scales of police officers every time another jurisdiction does. Council Member Boyle stated that the security of the City's residents has to be a top priority for the City and that the City and the Police Department will need to continue to work together to find sustainable solutions rather than quick fixes. He also expressed his support and thanks for the services provided by members of the Police Department.

Council Member Fergusson echoed comments of other council members and stated she is proud to be approving this contract. She said that we ask police officers to put their lives on the line every day and the situation of mandatory overtime on a regular basis is not acceptable. Council Member Fergusson stated that the Council would like the Menlo Park Police Department to be seen as a destination for police officers and that this contract takes a significant step in making this happen. She thanked the police officers for all of their hard work.

Council Member Cline said that he supports this contract because the contract will help fix some problems including improving police morale and retention. He pointed out that this contract will have some significant impacts on the City's budget, which will need to be addressed. Council Member Cline stated that the City has a great police force and that the Council and the community appreciate the work that they do.

Mayor Cohen commented that he, as well as many members of the community, live in Menlo Park by choice and that he would like to see police officers join the Police Department as their first choice. He said approving this contract is the first step in making this happen. The Mayor thanked the police officers for their work and asked that they continue to partner with the City to keep Menlo Park a city of choice.

Action: Moved, seconded (Fergusson/Cohen) and carried unanimously to adopt Resolution No. 5792 approving a Memorandum of Understanding between the City and the Police Officers' Association for the period beginning July 1, 2008 through June 30, 2011.

2. Adoption of a resolution in support of Measure O proposing a one-eighth cent retail transaction and Use Tax for Park and Recreation purposes in San Mateo County.

[\(Staff Report #08-045\)](#)

Community Services Director Barbara George informed the Council that Measure O, a ballot measure that would impose a one-eighth cent retail transaction and use tax for parks and recreation purposes in San Mateo County, will be on June 3, 2008 ballot. Ms. George introduced Julia Bott, Executive Director for the San Mateo County Parks and Recreation Foundation.

Ms. Bott gave a presentation on Measure O. She stated that Parks for the Future is an effort to secure a dedicated source of revenues to support the parks and recreation related activities in San Mateo County, the cities located within the County, the Ladera and Highlands Recreation Districts and the Midpeninsula Regional Open Space District. She said if this measure is approved the sales tax increase from 8.25% to 8.375% would be in place for a period for 25 years and the estimated annual revenue to be raised through this measure is approximately \$16,000,000. She explained that through negotiations a distribution formula has been arrived at, with 52% of the revenues going to the cities, 42% to the county, and 6% to special districts. She estimated that Menlo Park would receive approximately \$325,000 a year in revenues.

Ms. Bott stated that this tax measure requires that the new funds supplement, not supplant, existing parks and recreation budgets, but there is a provision that does allow entities to cut their parks budgets during times of budget deficits. She stated the revenues will be administered by C/CAG and will have a self-reporting requirement.

Ms. Bott reviewed the history of Measure A, a similar measure which did not pass in 2006, and the work that has been done since then. She said they believe that putting Measure O on the June 2008 ballot has the best chance of getting a two-thirds vote of approval. She pointed out that it will be important to have a good campaign, both financially and through volunteer outreach. Ms. Bott asked the City to adopt a resolution in support of Measure O.

In response to questions raised by members of the Council, Ms. Bott stated that the revenue sharing percentages are the same as those negotiated for Measure A and that each city decides on how to use Measure O funds. She also said that the County would bear the cost of this election if the measure fails and that if the measure passes, the cost of the election would come out of first quarter revenues. Ms. Bott said that members of the public could get involved, either by contributing monies or volunteering.

Vice Mayor Robinson suggested that the Parks and Recreation Foundation work with the City's Parks and Recreation Commission. He cautioned that the message should be clear that these funds won't be sufficient to fund all of the needs for parks and recreation programs in the City.

Members of the public commented as follows:

Elizabeth Lasensky, a member of Friends of Bayfront Park, said that they are in complete support of Measure O and would like to offer assistance in performing outreach.

Action: Moved, seconded (Boyle/Cline) and carried unanimously to adopt Resolution No. 5793 supporting Measure O, which proposes a one-eighth cent retail transaction and use tax for parks and recreation purposes in San Mateo County.

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.**

Action: None

G. WRITTEN COMMUNICATION - None

H. INFORMATION ITEMS - None

I. COUNCIL MEMBER REPORTS

Vice Mayor Robinson reported on a Safe Routes to School Group meeting with representatives from the cities of Menlo Park and Atherton, San Mateo County, the Sequoia Union School District, and the Menlo Park School District. He said that as a point of information the School District provided enrollment data that shows there are almost 10,000 students enrolled in all of the public and private schools in Menlo Park. He also said that they learned that the County has recently passed an ordinance that requires two-thirds approval of residents of a street for any changes to occur on a street and that this could make some future planning more difficult.

J. PUBLIC COMMENT #2 - None

K. ADJOURNMENT – Adjourned at 8:35 p.m.

Respectfully submitted,

Sherry M. Kelly
City Clerk

Approved at the Council meeting of April 22, 2008