



# CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY MINUTES

Tuesday, October 28, 2008 at 6:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
Menlo Park City Council Chambers

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

Closed Session pursuant to Government Code Section §54957.6 to conference with labor negotiators regarding labor negotiations with Teamsters 856 (PMA) representing Police Sergeants.

**Action:** There was no reportable action.

## **PLEDGE OF ALLEGIANCE**

Announcements:

- Item F2 – Regarding South Bayside Waste Management Authority was removed from the agenda due to the facility Advisory Committee was not formed
- Item H1 – Regarding the San Francisco Public Utilities Commission was removed from the agenda at the request of Heyward Robinson.

## **A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS**

1. **Commission members and Chamber of Commerce reports** - None

## **B. PRESENTATIONS AND PROCLAMATIONS**

### 1. **Environmental Quality Awards**

Dianne Dryer, Environmental Quality Coordinator introduced John Nash the Chair for the Environmental Quality Commission to make the award presentations. The awards went to:

Maddie Napel for Historic

Mitchell Slomiak, Linda Herreshoff, Jordan Gruber and Gail Slocum for Residential architecture

Bob and Carol Mince for Residential landscaping

Pollock Financial for 321 Middlefield for Commercial architecture and landscape

John Mooney (1157 Willow) for Conservation – Multi-family

Tyco Electronics for Water Conservation

Tyco Electronics for Lighting Conservation

## **C. Public Comment #1 -**

Marilu Serrano addressed the City Council regarding the upcoming election.

Russ Peterson requested the City Council consider at a future meeting a variance on his house. Mr. Rojas suggested he meet with Mr. Peterson to determine how to proceed with the request.

## **D. CONSENT CALENDAR**

**Action:** Moved, seconded, (Cline/Fergusson) and carried unanimously to adopt the consent calendar items D2-D6. Item D1 was pulled by Councilmember Boyle.

1. **Adoption of a Resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and Service Employees International Union (SEIU), Local 521, Temporary Employees Unit for the period beginning October 26, 2008 and ending October 22, 2011** ([Staff Report# 08-166](#))

Councilmember Boyle asked what raises are in store for the upcoming contract. G. Kramer advised that there are no raises between now and June 2009. J. Boyle asked for some background on the positions that are

receiving pay increases. G. Kramer advised that they were to realign from the permanent unit wages. The other item being discussed is the change to the maintenance worker which has been discussed since 2001. J. Boyle asked what the likely outcome would be if the Council determined it would be the original 2% as provided in the current contract. Mr. Rojas advised that in terms of impact, there is a potential that there would be a reduced number of workers. The idea is to attempt to keep these employees at current market rate. J. Boyle asked if this would create a separate scale for temporary employees versus permanent employees. G. Kramer advised that the pay scale would remain equal; it would only impact those SEIU currently employed by the City.

R. Cline confirmed that the salary goes away when the current employees leave. How many employees does this effect? G. Kramer advised it is approximately 100 but will dwindle over time as the seasonal employees leave employment.

A. Cohen asked about the financial impact on the city. G. Kramer advised the maximum impact would be approximately \$25,000 annually. There is some flexibility in meeting the budget numbers.

J. Boyle stated that this would set a precedent that temporary employees will make more than the permanent employees.

A. Cohen asked about the staff recommendation and why this is a good thing. G. Rojas stated that being fair to the employees is what they are trying to accomplish. When the permanent employees received an enhanced benefit the temporary employees did not receive that benefit. This would allow for some equity. G. Kramer advised that this would go through 2011.

H. Riggs stated this is the second request and he is not to speak on the merit of the increase. He stated that he does not expect a pay increase in the near future due to the economy. There is a large staff represented by SEIU and in the Almanac it showed 2 councilmembers that received campaign contributions from SEIU. If for ethics clarity, he requests that this councilmember be recused from this matter.

H. Robinson asked if any person represented by SEIU was involved in the negotiations process. G. Kramer advised no person represented by the union was involved. B. McClure stated that the Fair Political Practices Commission is clear that there is no requirement to recuse themselves due to campaign contributions.

J. Boyle believes that there is a timing issue in terms of accepting funds for a campaign donation. He believes that the candidate should recuse themselves.

Motion and second (Cline/Robinson) to approve the item.

K. Fergusson stated that these are some of the lowest paid employees in the city. This is an equity issue for her. H. Robinson stated that this does not require a budget adjustment and although there are economic difficulties ahead, we need to take care of the employees. J. Boyle stated that these positions are well above minimum wage.

**Action:** Moved, seconded, (Cline/Robinson) and carried 4-1 (Boyle dissenting) adopting Resolution No. 5833 approving a Memorandum of Understanding (MOU) between the City of Menlo Park and Service Employees International Union (SEIU), Local 521, Temporary Employees Unit for the period beginning October 26, 2008 and ending October 22, 2011.

**2. Authorize the City Manager to execute an amendment to the Agreement between the City of Menlo Park and the City and County Association of Governments (C/CAG) to provide funding in the amount of \$116,089 for Fiscal Year 2008-09 and an extension of time for the operation of the Marsh Road and Willow Road, Midday, and Shopper's Shuttle Bus Services ([Staff Report# 08-161](#))**

**Action:** Moved, seconded, (Cline/Fergusson) and carried unanimously authorizing the City Manager to execute an amendment to the Agreement between the City of Menlo Park and the City and County Association of Governments (C/CAG) to provide funding in the amount of \$116,089 for Fiscal Year 2008-09 and an extension of time for the operation of the Marsh Road and Willow Road, Midday, and Shopper's Shuttle Bus Services.

3. **Award of a contract to Shaw Environmental, Inc., in an amount not to exceed \$120,000 for engineering services to monitor, operate, maintain, repair, and sample the Bedwell Bayfront Park Leachate Pumping Control System; and authorization for the City Manager to extend the contract annually for up to four additional years** ([Staff Report# 08-159](#))

**Action:** Awarded a contract to Shaw Environmental, Inc., in an amount not to exceed \$120,000 for engineering services to monitor, operate, maintain, repair, and sample the Bedwell Bayfront Park Leachate Pumping Control System; and authorization for the City Manager to extend the contract annually for up to four additional years.

4. **Award of contract to ABC Service in an amount not to exceed \$65,000 for Storm Drain Cleaning and Video Services and authorization for the City Manager to extend the contract for up to four additional years** ([Staff Report# 08-164](#))

**Action:** Awarded a contract to ABC Service in an amount not to exceed \$65,000 for Storm Drain Cleaning and Video Services and authorization for the City Manager to extend the contract for up to four additional years.

5. **Authorize the City Manager to enter into agreements with West Valley Construction and with Casey Construction for On-Call Emergency Water System Services and authorize the City Manager to extend the agreements for up to three additional years** ([Staff Report# 08-162](#))

**Action:** Authorized the City Manager to enter into agreements with West Valley Construction and with Casey Construction for On-Call Emergency Water System Services and authorize the City Manager to extend the agreements for up to three additional years.

6. **Waiver of the full reading and adoption of an ordinance adding chapter 2.42 (purchasing system)** ([Staff Report# 08-168](#))

**Action:** Adopted Ordinance 962 adding Chapter 2.42 (Purchasing System).

E. **PUBLIC HEARINGS** - None

F. **REGULAR BUSINESS**

1. **Approval of the request for proposal for the Willows Area Wide Traffic Study** ([Staff Report# 08-165](#))  
C. Taylor provided the project history including the previous analysis that was completed in the Mid 90's and 2002-2003, series of public meetings designated as "Willows Traffic Task Force" in 2007, generated ideas on how to address traffic issues and developed a project to analyze entire neighborhood. The project objectives were to address neighborhood concerns related to cut-through traffic, traffic volumes, speeding and to utilize extensive community engagement. The project givens were an area-wide neighborhood which includes a portion of East Palo Alto, it does not include the hotel and office complex adjacent to University Avenue, the implementation will follow the Neighborhood Traffic Management Plan (NTMP) from the survey section and the project will not follow NTMP section related to street closures. The city will be utilizing the community engagement process, including an overview survey, Meeting in a Box, stakeholder interviews, focus groups, community workshops, transportation commission and City Council. The ongoing tasks include a project website, an electronic newsletter, meeting minutes and a Meeting in a Box (used by the Community Engagement Manager).

The tasks are outlined as follows:

Task 1 – Project start up

Task 2 – Community discussion

Task 3 – Review historical and collect new data

Task 4 – Draft improvement alternatives

Task 5 – Development of draft specific plan

Task 6 – Development of final plan

The next steps in the process would be to send the Request for Proposals to consultants, interview consultants in late November, Council approval of the scope of work and contract in January, approximately 8 months to complete. There is no implementation as part of this project – it is just a study.

A. Cohen asked when the original study was conducted and what changes have taken place in the neighborhood since then. C. Taylor advised 2002-2003 and he is unsure of the exact changes.

K. Fergusson asked how this project will interact with the community engagement plan. C. Taylor advised that an overarching survey was done, then there are stakeholder interviews to get an idea of what their issues and concerns would be, and community meetings. Meeting in a Box is designed for use in a smaller setting for those who might not be comfortable in a large group. Typically a Meeting in a Box is not attended by staff, it is set up for the public to conduct. K. Fergusson asked how it might tie into the Safe Routes to School program. C. Taylor advised that staff would attempt to reach out to those who have expressed concerns about this issue. Some of these issues will also come out during the process. K. Fergusson asked about utilizing the NTMP and the petition aspect seems to be a hurdle for people to overcome and she is happy to see that other means will be used for this portion. From staff perspective, it could not move forward if the criteria was not met but it could be brought to the Council and they could determine to move forward. K. Fergusson asked about the recent projects that went through the road count. C. Taylor advised Spruce and Oak Avenue. Spruce did not meet the criteria of the NTMP and Council approved it even though it did not meet the requirement for traffic and speed.

R. Cline asked for clarification for the original study in 1993 which included East Palo Alto. C. Taylor advised that it would be put on the consultant to review those materials. R. Cline asked about the NTMP being ratified four years ago and there must be proof that there is an issue. The idea was that if you don't vote it is a no vote; and can that be modified to obtain a certain percentage? C. Taylor advised that can be done. R. Cline stated in May 2003 the study came out and license plates were taken down and there was some challenge as to the accuracy to that. C. Taylor advised that with only 3 digits, the data could be skewed with another vehicle leaving with the same three digits. There is inherently going to be some error in data collection when collecting 3 digits from license plates. K. Steffens stated that at the time the 2003 study was done there was a concern with the data. One issue about data was that the criteria used if a specific car was entering and exiting within five minutes it was considered cut-through traffic. If the same vehicle did not enter and exit within five minutes it was considered that they had a destination in the neighborhood. There was some question as to how many really fell into the five minute time period. R. Cline asked if the study has any use. K. Steffens advised that the study identified some cut-through routes. While the numbers cannot be certified, the data is useful; it identified the pattern and what streets of choice where when cutting through from University Avenue to Willow. C. Taylor stated that the traffic volume in that area would be evaluated. There are a certain number of residents in that area. R. Cline stated that this would be based on cut-through traffic. C. Taylor advised that is one issue but pure volume will be evaluated.

H. Robinson asked how East Palo Alto would be considered in the survey. C. Taylor advised that their residents will not be surveyed, they would not be considered cut through traffic but would be a stakeholder. The initial survey is to get the concerns of the Willows neighborhood. H. Robinson asked if Menlo Park residents would be asked what their destination would be. Will we get a sense of number of households, numbers in the households? C. Taylor stated that there would be volume data but not household numbers. H. Robinson asked what ideas or potential ideas would the city be looking to get from the consultant. C. Taylor advised some of the turning volume, traffic counts but animation tools will not be a part of this. There is potential that they could create a model, but they can manually do things that they can show the traffic movement. H. Robinson stated that thinking about the problem as a whole is a good thing, but also a problem.

C. Taylor stated that there could be an overlay with the original traffic and another overlay that could show a change that can be shown visually. H. Robinson would like the language made stronger in the RFP in this area. C. Taylor stated the speed data can be collected by a radar speed survey and the 85 percentile is what the speed should be on the roadway. That would be used to look at against the speed limit. If the speed limit is more than 5 mph different then the NTMP process would be utilized. H. Robinson asked is the high speeder is captured in the data collection. C. Taylor advised that it is captured and there is always going to be speed above and beyond the normal flow of traffic.

J. Boyle stated he did not notice that the consultant should consider stakeholders such as Menlo Park Police, East Palo Alto (EPA) Police, fire and city personnel. C. Taylor advised that ultimately emergency services and city staff for both cities would be included in the stakeholder meetings. J. Boyle asked about the second survey through NTMP to determine if they are happy with it. C. Taylor advised that there is a permanent survey and it is in the follow up stage. J. Boyle stated that as staff proposes, EPA is not being included in the voting process. C. Taylor advised that they are not being considered cut-through traffic. They will be contacted mainly through the EPA staff. J. Boyle asked about the voting and he understands it that 55% but a non-vote is a no vote. J. Boyle asked how the minority vote is protected. C. Taylor stated that ultimately there might be pockets of votes because some areas might not be impacted by the plan. J. Boyle asked how the pockets of votes would be taken into consideration and would Council be the only way to not impact those areas. C. Taylor stated that it all depends how the study areas are done. If there is a smaller study area, a vote could be taken by only those who would be impacted. Council would have the ultimate authority to change it. J. Boyle stated that there are some comments received that are not reflective in the presentation. There has been some comment that it be more stringent. C. Taylor advised that there was one email that stated the entire NTMP process be followed, which came in after the staff report was completed. C. Taylor advised he does not know money or staff time spent during the previous study. J. Boyle asked about the impacts on other streets, how is that modeled? C. Taylor stated that staff is looking to the consultant for that type of information. A lot of that has to be done through the analyses and there is not an easy modeling tool.

K. Fergusson stated that the first paragraph of the RFP addresses “due to traffic concerns” and she would like “and crime” which is a part of why this is brought forward. C. Taylor advised that some of those overarching goals could be included, such as increasing safety for pedestrians, bicycles.

C. Bourne stated that his understanding is the Council is being asked to approve the document. These should be run through the Transportation Commission for review and some of the issues could be ironed out prior to coming to the City Council. The Transportation Commission did not have the opportunity to review this. He finds the RFP unacceptable for many reasons; it is poorly written and should not go out in its current form. E. Doyle stated that he had a misunderstanding of how this was going to happen. He applauds counting EPA residents as non-cut-through traffic. He hears a vague set of rules to adapt to whatever situation arises. He would like to see the NTMP used through out the entire project, as it is clear as to how decisions are made. He defends the voting of the NTMP as there is good reason to how it is done. The reason is to determine that the entire or majority of the neighborhood has bought into the project prior to moving forward. He has a lot of information on the 2003 study.

R. Wilson stated that the 2003 study was done by volunteers and entered it into a spreadsheet. The question on the 1990s – the neighborhood is now overrun with children. You cannot extrapolate the 1990 data. Regarding the issue of the polling, with 51% of the residents and that a ballot not returned should be a no vote. The NTMP under the previous City Council has put this on as a deterrent to any traffic mitigation. He has some problems with involving EPA residents as they do not have an investment to the neighborhood. This area will be a horrendous traffic problem. Don't turn a blind eye to the neighbors development and it should be included in the plan.

P. Huang stated that as a member of the Transportation Commission, she believes that it should have come to them prior to coming to the City Council. The discussion taking place is not going to be included in the RFP. There needs to be graphic information included in the RFP and should be spelled out. The city of EPA has quite clearly expressed having the west side of 101 commercial. There are probably 2500 households in the EPA area. The same argument is taking place today as twenty years ago.

P. Montgomery stated that he is concerned about crime increases and speeding. There have been many attempts to bring this issue to the Council and nothing has been done. The processes set up is nothing can be done. His belief is that the City Council is their representative and as such should represent the residents here. It is clear that any solution that is decisive will never get the 51% and therefore the solution must be inclusive of the neighborhood. He suggested that the process not include NTMP and to include the input and output of the Willows. The Willows represents the lower end of Menlo Park and any increase in property value would have a positive impact fiscally for the city.

O. Kinaan advised he is a stakeholder and he appreciates the opportunity to take part in the discussion. The staff presentation is better representative than the RFP. The Willows Task Force agreed that the area was too large to follow the NTMP process. He would hope that the Council would be very specific with the direction given to staff. The study area has missed the point. .

M. Iverson stated she is newer to the neighborhood and it makes her worried that they have been at it for 15 years. She is hopeful that the Council will listen to those involved. She encouraged the Council to be proactive and not reactive. Relying on the NTMP for this project is unrealistic. She thanked the staff for the work on this project.

H. Robinson asked what happens with the EPA part of this and how is that accounted for. C. Taylor advised that currently there are no redevelopment projects before EPA however if there comes a redevelopment project, an EIR would need to be done and mitigation would be addressed. H. Robinson stated to be careful about that moving forward. With the threshold issue of 51% - this is to have a majority of households to actually say they want it to happen. Is this a reasonable threshold? C. Taylor stated that he does not believe it is unreasonable but in a large area such as this it could be hard to meet. H. Robinson stated the general concern about some of the information presented tonight is not included in the RFP. C. Taylor advised that staff feels that the intent is that what was presented tonight is part of the RFP.

J. Boyle asked about the slice of EPA included in the boundaries. Is that part of the Menlo Atherton High School District? K. Steffens confirmed that is the case. J. Boyle stated he agrees with staff recommendation to include the EPA area that staff has included.

R. Cline asked if EPA included Menlo Park in the University Circle project. B. McClure advised that it went to litigation for resolution. R. Cline stated that it is undemocratic that because people may not vote are therefore not interested in the issue. There must be better ways to obtain the information. There should be a two part threshold; 70-75% response then look at the number of respondents. You should not do it by shutting people out. Trying to assume what the development will be in the area is unknown. Dialogue with EPA early could provide better information. Trying to get information from the previous studies in an effort to compare apples to apples. Why did this not go to the Transportation Commission? C. Taylor stated that typically RFP would not even come to the City Council but the Council specifically requested this RFP come before them. R. Cline stated that the input from the Transportation Commission would have been beneficial. He would like to see another reiteration of the RFP. There were some issues brought up that need to be addressed.

K. Fergusson stated that the 1990s has been held up as something terrible. She believes the islands on Woodland are good for traffic calming. It has made a huge difference in terms of safety. Hopefully through the community engagement process some of this will be ironed out. It would be good to have some type of statement in the RFP about future development. The developers in EPA are very aggressive. In terms of University Circle, the onramp was closed and Woodland was widened to four lanes and now MP is in a safety deficit due to the EPA project. It is important to welcome EPA residents to our meetings. Better decisions are made with more opinions and input received. It is important to have a statement in the RFP about the higher purpose or principle; that being safety and security of neighborhood streets. She likes the idea of making it have a certain requirement for responses. Promoting alternatives such as ways to get people out of cars by making the streets more bicycle and pedestrian friendly. She is struck by the Fair Oaks neighborhood when it comes to traffic calming. She hopes that what they did is part of the solution. It is a way to close the boundary without closing the street. She would be in favor of seeing a different version.

J. Boyle stated that University Circle caused an impact, but we should not lose sight that the neighborhood also had some benefits due to the development. There are challenges but don't lose sight that the development did bring benefit to the area. He would prefer the wording that the staff has discussed that is focused to the safety of traffic; if you open it up to other types of safety it could cause other problems. This should be focused on traffic as recommended by staff; speed and safety. If we want to do other things to make it safer in terms of crime, then other avenues could be explored. The items need to be separate as the answers to each of the problems could be different. If somebody wants to change something that was in place it should require a supermajority. The city went through the process and the answer was to have a 51% yes vote. He would like to see the Council move forward.

A. Cohen stated that there was an unfortunate experience when University Avenue was put in place that ended up in litigation. There have been some excellent points made and the Council has heard them. The part that is not clear is when there is a bad experience with a neighboring city, are the errors just made again? He has heard a lot of reference of crime, or rather the avoidance of crime. He is content to have it go to the Transportation Commission and he would like to see the NTMP not mentioned in the document and a great outreach process utilized. He has great hope that the Community Engagement process will have a positive impact.

H. Robinson acknowledged that there has been a lot accomplished to get to this point. Not everybody is happy with the RFP but the fact that it is being discussed is an accomplishment. There have been some things implemented that have made a difference. There should be outcomes that make a difference. Maybe it is not universally accepted but there is some debate on traffic issues. It is appropriate to include EPA in the study area. There has been a fair amount of discussion about development of the EPA area and if it changes to commercial, it will change to cut-through traffic. It might actually bring some opportunity that would require more action. It is important that the RFP be very clear as to exactly which parts of the NTMP is going to be used during the process. It should be a goal that the 51% criteria should be used as it makes it inclusive and broad. He is concerned about the speed criteria of 85%. C. Taylor advised that is the industry standard. H. Robinson understands why the cut-through traffic survey is not being redone, but it must be recognized that there are significant changes. The residents may want to take it on themselves to get the three digits in a survey.

J. Boyle asked if staff would recommend anything different than what was presented tonight. C. Taylor stated that the NTMP would be spelled out better and that process would be utilized after this process and it is not critical to the RFP. Some other comments could be included such as bicycle and pedestrian safety.

Moved, seconded (Boyle/Robinson) to proceed as written with the modifications C. Taylor just mentioned.

H. Robinson suggested that staff take the input heard tonight and put together a new revised version of the RFP and post it to the website so that residents and Council can review it. It could be brought back on consent. He prefers to get it solved through this process. J. Boyle stated that his motion does not include the RFP coming back for approval but to allow staff to do their job.

J. Boyle stated that it should be clear that the NTMP voting process be used, but Council reserves the right to look at the data and determine if it makes sense to go with a different decision. It should be clear that we are going to use 51% affirmative voting.

K. Fergusson stated that the project history is important and a statement about the development context is important. It is important to explicitly state that EPA residents are welcome at the meetings.

Statement about the project background and history that when University Circle was widened to four lanes and the ramp was closed caused impacts to the streets. The development of the Willows is a large area and should be mentioned. J. Boyle stated that if the development is done, the city can always revisit the issue and make changes.

A. Cohen stated that we have not learned from our mistakes. He called the question, which failed with Boyle and Cohen voting in favor and Cline, Fergusson and Robinson dissenting.

R. Cline suggested that the commission should be involved. With this much feedback he would think that it would come back to the Council. The issue is that the Transportation Commission has asked to review it and the Council said no.

H. Robinson asked if the RFP is taken and the input included and then taken to the Transportation Commission and then to the City Council, what would the timeline would it be. C. Taylor stated that it could go to the Commission in November and then a minimum of three to four weeks to bring to Council (mid-December) and then move forward from there. Is there a way to take the NTMP out and deal with it when the item comes back for a scope of work? J. Boyle is worried about utilizing that approach, as it needs to be as clear as possible up front. He would be willing to ask staff to take the modifications agreed upon to the Transportation Commission and if the Commission approves it substantially, then it comes back to the Council as a consent item. If the Commission does not approve or makes major changes then it would need to come back to the Council for discussion.

R. Cline stated that would allow it to go before the Commission and that is one of his concerns. He needs clarity on the redline version from Mr. Kinaan and asked that staff get that clarification.

H. Robinson stated that he would concur with taking to the Transportation Commission and with three of the commissioners present they can take the comments to the commission.

A. Cohen stated that he would be the sole dissenter as he is not comfortable with this. He has been working for months trying to find out about the commercial development in EPA and getting no information. This is not something he wants to ignore until construction begins. He wants to find out what is going on. He is not comfortable with the NTMP being left in.

**Action:** Moved, seconded, (Boyle/Robinson) and carried (4-1 with Cohen dissenting) to refer the matter to the Transportation Commission with changes as directed / outlined by the Council and return to the council; if significant changes are made by the Commission it will be regular item however if changes are not significant it would be on the consent calendar for final approval.

2. Appointment of a Council representative to the Facility Advisory Committee for the South Bayside Waste Management Authority, if such committee is established ([Staff Report# 08-169](#))

**Action:** This item was removed from the agenda at the beginning of the meeting.

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.

G. **CITY MANAGER REPORTS** – None

H. **Review memo from Vice Mayor Heyward Robinson requesting adoption of a resolution and authorization to send a letter to the San Francisco Public Utilities Commission related to the diversion of water from the Tuolumne River** ([attachment](#))

This item was removed from the agenda at the beginning of the meeting.

I. **INFORMATION ITEM**

1. **Review of the City's Investment Portfolio as of September 30, 2008** ([Staff Report# 08-167](#))

J. Boyle stated the Finance and Budget Committee was comfortable with the report.

H. Robinson asked about the downward movement in sales tax. C. Augustine stated that the sales tax analysis showed a downward movement. Year over year there was still an increase but not what was expected. H. Robinson asked if the data could be looked at and what businesses are having trouble.

J. **COUNCILMEMBER REPORTS**

H. Robinson stated the San Mosquito Creek JPA met last week and they have relocated to the rear of the Fire Station.



J. Boyle discussed attending the Housing and Regional Trust meeting last week. All entities of San Mateo County have joined. He attended a county meeting on the SBWMA; both the subcommittee and the entire SBWMA board meeting.

K. Fergusson stated that BAWSCA – received a memo from executive director summarizing a report on progress for the new water agreement between the wholesale customers and the SFPUC. She announced the meeting tomorrow regarding the pipeline project. Minimize the impact on Menlo Park residents when the project is complete. Thursday is the water supply improvement project; the EIR will go before the SF Planning Commission and later in the evening the SF PUC.

K. **PUBLIC COMMENT #2** – None

L. **ADJOURNMENT** – Adjourned at 10:18 p.m.

Margaret S. Roberts, MMC  
City Clerk

Approved at the Council meeting of November 18, 2008