



**CITY COUNCIL  
COMMUNITY DEVELOPMENT AGENCY  
MINUTES**

Tuesday, December 9, 2008 at 5:30 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:**

- Holiday parking downtown is from December 15, 2008 to January 4, 2009

**A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS - None**

**B. PRESENTATIONS AND PROCLAMATIONS**

**Proclamation honoring Reserve Police Officer Jensen ([attachment](#))**

Jeff Keegan, with the Menlo Park Police Officers Association presented Officer Jensen with a plaque in honor of her years of service with the Police Department. Mayor Robinson read the proclamation and presented it to Officer Jensen. Chief Goitia spoke regarding the years of service provided and the appreciation of the remarkable service provided by Officer Jensen. Sgt. Kaufman presented Officer Jensen with a plaque and a letter from the Office of the Governor, and a letter from the White House from George W. Bush.

**C. PUBLIC COMMENT #1**

Ash Vasudeva spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. He stated there are good ideas for productive solutions other than using this site.

Matt Henry spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. Education should be put first and that site would better benefit the school.

Alexander Hoermann spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. He stated the school is the jewel of Belle Haven and there are other locations in Menlo Park for below market rate (BMR) housing.

Lupe Guzman spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. She provided statistics from the school and the impact that adding 22 homes on the proposed site would have to the school

Rose Bickerstass spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. She challenged the Council to make objectives decisions and to be fair to the entire community.

Sheryl Bims spoke in opposition of using the current proposed site for the Habitat for Humanity project adjacent to the Beachwood School. Her chief objects for her opposition is that it would prohibit Beachwood School from expansion. She pointed out that with a quality education it is possible to go anywhere.

K. Fergusson asked about distribution for affordable housing and the number within the city including BMR units. W. McClure stated there are in excess of 100.

**D. CONSENT CALENDAR**

- 1. Adoption of a Resolution approving the City Council Subcommittee recommendations regarding the allocation of 2008-09 Community Funding in the amount of \$80,000 ([Staff Report# 08-178](#))**
- 2. Approval of City Council minutes for the meeting of October 7, 2008 ([attachment](#))**

**Action:** Moved, seconded, (Cline/Cohen) and carried unanimously to approve the minutes for the meeting of October 7, 2008.

J. Boyle asked that D1 be removed to address the potential conflict. After the formation of the sub-committee his wife was appointed to the board for the Boys and Girls Club. It was determined after consultation with the City Attorney that there was no conflict and he participated in the committee and will vote on the item tonight.

K. Fergusson asked about the \$5,000 decrease from last year to the Peninsula Volunteer allocation. A. Cohen stated the committee looked at who is served and looking at all of the applicants, the number of Menlo Park residents served. It was a fairly low amount of residents being served. J. Boyle confirmed that to be the case and that other factors were taken into account. C. Augustine stated that the application from Peninsula Volunteer was for a Rosnerhouse program and the prior year it services 27 residents. Shelter Network program serves 136 individuals in the prior year. K. Fergusson stated that people need these services and this is seed money to assist in fundraising efforts as well.

**Action:** Moved, seconded (Fergusson/Cline) and carried unanimously to approve Resolution No. 5837 approving the City Council Subcommittee recommendations regarding the allocation of 2008-09 Community Funding in the amount of \$80,000.

**E. PUBLIC HEARINGS – None**

**F. REGULAR BUSINESS**

- 1. Consideration of appeal of staff approval of encroachment permit for driveways and frontage improvements associated with the Oak Knoll Elementary School Modernization, Renovation and New Facilities Project ([Staff Report# 08-182](#))**

L. Ekers stated that the item has been before the Council in the past and staff recommendation is to deny the appeal and issue the encroachment permit. A PowerPoint presentation was given on the process to date.

City Attorney McClure explained that normally projects of this size go through a city process; however because it is a school district project it is regulated by State Code and the School District

Board are exempt from our Zoning Ordinance and Regulation; under state law they do not have to come to the city for discretionary review and approval. They only approval that they needed to come to the city for would be curb cuts and encroachment permits to build improvements within the City right-of-way. This is a non-discretionary, ministerial permit. Staff has the authority to issue the permit but since it is a controversial item, it was brought to the Council. The community wanted to speak to the item and bringing it to the Council provided a forum for them to do that. It came to the Council and at that time it was explained there was an appeal process. The process in the Code specifically states that the applicant can appeal a denial or if they are dissatisfied with conditions of approval, they can appeal to the City Council. The Code also provides that the Council has authority under public safety to rescind a permit for a curb cut. After staff issued the permit, there would be an appeal process. It was determined to treat it as an appeal and notice was given to the district and those who appeared before the Council and gave the notice of the period for appeal. This was scheduled at the earliest meeting after the appeal was received so that there would be no delay for the school district to review bids as they came in.

Appellants:

Kurt Hafer advised that his concerns are that the project be safe, not adversely effect traffic in the neighborhood, neighbors, storm water drainage, or the safety of the children to and from school. The project has numerous of these problems. As a city, you have responsibilities to both the school district and to members of the community and he will hold both parties to their responsibilities. This process has been based on an adversarial relationship rather than a cooperative one. Most of the meetings over the past 18 months have been at his request or from others in the community and he has yet to receive any meaningful communication regarding his concerns. While the city does not have jurisdiction on the heritage trees on the school site it does have jurisdiction to the tree on his property. Any impact from the parking lot to his tree is the City's responsibility and he will hold the City to that responsibility. He sees significant safety problems with the project.

Kristin Duriseti thanked the city for the courtesy of this process. It is an acknowledgement that the process by the school district has not been open and transparent. The school district exempting themselves from obeying City Ordinances is indicative of this. She pointed out about the absence of discussion of Oak Knoll Lane, her comments from the October 7 meeting are absent and the appeal was missing pages on the website. She has concerns with the emergency access in the plans. There are new regulations for drop off lanes must be 30 feet wide and the clarification that she received that the transportation lanes cannot be used. She would like red markings or postings so that they cannot be used for drop off. Enforcement issues; who is she going to call? The school district has not done a good job and she has concerns and would like it addressed. She feels it will fall to the city and that is not fair. In the Negative Declaration, she does not understand how a regulation soccer field, theatre, baseball field will not additional use or traffic impacts. There will be impacts after school hours with the additional facilities. This process demonstrates the City's open and transparent desire to the public.

Mr. Hafer stated that the site line distance from the curb cut on Oak Knoll; parents pull up and throw their kids over the fence but he has concerns about site line distance and will cars be allowed on either side of the curb cut? If cars are there, the site line is irrelevant as you cannot see. What is being proposed around the curb cut? This should be addressed so it is a safe location for the students.

Applicant:

Deputy County Council Timothy Fox representing the Menlo Park City School District (“District” spoke to the matter. The District is grateful to staff for the patience, cooperation and review of the permit application and their review for this project. The District has been nothing but impressed of the quality and approach by every member of city staff regarding this project. The District strongly supports the findings, observations regarding this issuance and the special conditions for this permit. The District defers to the training and professional experience of the engineers employed by the city and their review of the project. The District asks that the Council deny the appeal on the basis of the findings of staff and uphold the decision of staff and to only impose the condition and project modifications that were recommended by staff in their professional judgment in issuing ministerial permits. These were recommended and discussed at great length during the October 7, 2008 Council meeting.

Public Comment:

R. Collins stated that the playground will get plowed under. He has genuine concerns for safety not only for the students but for the residents and the public at large. There is a potential liability to the city. He displayed a picture of the vision of cyclists and automobiles traversing the speed hump, cars entering and exiting the new driveway (perhaps not carefully) and those who may pull into the driveway to drop off. The monitoring and policing of this is of great concern. He suggested for consideration is to only allow right in and right out of the new curb cut. Put white plastic bollards down the center line for 30-40 feet. The Fire Marshall has designated an area is to swing let and a sharp turn diagonal across Oak Avenue into the driveway and up to the building. He is concerned about the restrictive site distances, the turning movements and the many cyclists, joggers and pedestrians who may lose control once they traverse the speed hump and somebody is late for work and thinks they can sneak in and drop a child off. He requested restricted parking on both sides. There is a need to avoid parents parking on both sides of the street, making it very unsafe and forcing pedestrians to go out into the roadway. Is there any way that the construction workers could be forced to park on-site during this whole process? Trucks would cause a hazard if they park on the street. He feels it is a simple request and with the acreage that is available, they should be able to park on the site.

R. Cline asked about the parking on the street, construction parking, the transportation drop off lane and if the self-exemption on school projects is typically done. C. Taylor advised that on Oak Avenue, parking is allowed on the opposite side of the street but there area areas where parking is not allowed as the roadway is not wide enough. The City does not regulate the fire safety issues and to date the plans have been approved and they would be able to utilize it as drop off. There could be “No Parking / No Stopping” signs added to clearly demonstrate the areas. Mr. Fox advised that he not aware of the staging areas during construction and the District has not disputed that the City is responsible for the right-of-the-way and blocking traffic. W. McClure advised that he has never heard of a school district not exempting themselves from City zoning.

K. Fergusson asked about the enforcement, and who would the residents call if there is an issue. B. McClure stated that if there is a violation for drop-off area, it would be a violation of the permit and the City could take away the curb-cut. If they are allowing the gate to remain open or providing keys to others, the City can take measures to correct it. Right turn only is a policing issue. If it is violated consistently the installation of measures can be done to disallow turning left. Complaints would come to Code Enforcement for investigation. The missing pages of the staff report were emailed out to the Council and uploaded to the website yesterday a soon as it was discovered they were missing the pages.

The City does not have any legal authority to force the school district to have mitigating measures in place regarding trees. K. Fergusson asked about the Oak Avenue curb cut and its potential to limit options for sidewalk in the future, and is it possible to have a circulation plan from the District. She commented that there have been emails accusing the City of delaying the project. Has the encroachment process slowed down the construction? C. Taylor stated that in the future if the school wanted to put a sidewalk adjacent to the school modifications could be made however, there has been no analysis done to see if Oak Avenue is wide enough for sidewalks to be installed. L. Ekers advised that with the application traffic control plans, including circulation would be submitted. The possibility of using the public right-of-way may be requested to be used for staging of materials which would require a permit. Staff did not see a need for right in and right out as there is an adequate line of site. The City has not been a cause of delay on the project; initially the school district's initial plan for bids was September and final plans were only received last week.

J. Boyle asked about granting encroachment in terms of safety. Is it safe or as safe as currently exists – is there a comparison or blank assessment? What about the process in general and is there an estimate of how much tax payer money the permit has cost? Does it meet state and local guidelines and also any uniqueness of the area? C. Taylor stated it is a combination that is used to determine safety. L. Ekers explained that the school district has been given an estimate and the cost to date, future inspections is a little less than \$40,000 and \$14,000 included in that amount is for plan review. Currently the city has expended \$30,000 in processing the permit, the appeal and quite a bit of notifications with school district and neighbors.

A. Cohen asked for clarification on the portion of the street on Oak Knoll where parking is prohibited or restricted. The larger soccer field, base ball diamond and is it anticipated that they will be used more during non-school hours. A. Cohen stated that there was concern from Bike Commissioners that people were not observing the restrictions during drop off. What types of violations have occurred in the past; is it feasible to put bollards in the center of the street? Is there an additional need for parking during non-school hours? C. Taylor stated that there was no increase in activity used in the analysis. It would have to be evaluated to determine if additional parking restrictions would be warranted. The Police Department has increased enforcement in this area but he has not heard of any significant violations. It is currently one way in and one way out and there is no need to put something in the median to prevent the left hand turns. The right turn only is during school hours only and it is expected to remain the same.

H. Robinson stated that the concerns are regarding the project. There is clear direction from the City Attorney as to what is out of the City Council's purview. There needs to be a good working relationship with the neighbors and the school district in making this work. Good communication between the various parties is needed. The school district continues to modify the plans and he encouraged all parties to continue discussing the item.

A. Cohen stated there is a sub-committee that meets with the school district. H. Robinson stated that there are two and he sits on both. A. Cohen stated this is one vehicle to express concerns.

**Action:** Moved, seconded (Fergusson/Boyle) and passed unanimously to deny the appeal of staff approval of encroachment permit for driveways and frontage improvements associated with the Oak Knoll Elementary School Modernization, Renovation and New Facilities Project and to direct city staff to add no parking/no stopping sign on Oak Knoll Avenue along the property frontage and for staff to create a clear process for neighbors to communicate with the city potential violations of the encroachment permit.

## **2. Approval of the Request for Proposal (RFP) for the Willows Area-Wide Traffic Study** **[\(Staff Report# 08-177\)](#)**

C. Taylor provided background on the item including the additions to the RFP as directed by the Council at the October 28, 2008, meeting and taking the item to the Transportation Commission (November 12, 2008). The transportation Commission made four additional recommendations for the RFP, which are outlined in the staff report including staff's recommendation for addressing each of their concerns.

Chief Goitia provided information on what the Police Department has been doing in the Willows neighborhood as well as throughout Menlo Park over the last 6-12 month period. These include increase in patrols, uniform bike patrols, and a truancy program. The importance of the neighborhood watch group in the Willows neighborhood is one of the most robust in the city and the most active in providing information.

A. Cohen asked for some history on the previous study. C. Taylor stated there have been a couple of analyses done in that area that looked at similar concerns (speeding and cut through traffic). From that stop signs, speed humps and traffic circles were installed. After a trial period some were removed. In early 2000s there was a hotel development and there were additional analysis done and items installed. A. Cohen stated that there was street furniture removed and he would like to know why. W. McClure stated the traffic calming measures were installed for a trial period. After the trial period there was not adequate support however some have been made permanent. A. Cohen stated that East Palo Alto decided to allow Menlo Park to do this as long as no street was closed. W. McClure stated that there was some discussion about having some street calming in East Palo Alto but they were not cooperative in allowing some items to be implemented in their city. A. Cohen asked about the series of meetings in the Willows neighborhood and what was the nature, the number of meetings and the outcomes. Chief Goitia stated the first meeting was called due to two violent shootings and the neighbors came in to ask what they could do to make it a safer neighborhood. The second meeting brought up some traffic volumes and access from surrounding neighborhoods. The third meeting was done in an effort to separate the two issues (crime and traffic). A. Cohen asked about the neighborhood watch program and he is concerned that some of the crime that is taking place would indicate that the neighborhood watch program could be more effective. Has the Chief considered way to strengthen the program? Chief Goitia stated that they are reliant on email and the department has tried to get them to meet with individuals and there has not been much interest. A. Cohen asked if the Media Center could air certain training videos about neighborhood watch, best practices. Chief Goitia stated press releases and email outreach has been done. Any avenue to use would be beneficial. He is sure that he could find some crime prevention videos. A. Cohen stated the District of Columbia banned handguns but it has been adjudicated. Is there a potential for a ban on handguns in Menlo Park? Have any other cities on the Peninsula considered such a ban? Did he attend any of the meetings? W. McClure stated that with the constitution and current case law, a ban would not be feasible and he is unaware of any other city considering this. He attended one meeting. A. Cohen asked if there was a sense at the meetings of their desire for action to be taken. Chief Goitia stated that any time people have a public safety concern, they want action taken.

J. Boyle stated that the Council received a detailed account of what happened from Eric Doyle when this first got started. He also talks about the traffic calming being unpopular and are the statistics he provided accurate? C. Taylor stated that he did not get any specific information and he does not know if they are accurate. J. Boyle asked why we are not requiring the same overriding safety concerns. C. Taylor advised that it was broken out into traffic issues and crime issues. Through the discussions, many of the participants felt that the volume and speed should be reduced. Based on community input staff felt it important to include. There will be an extensive community

engagement process. Through the process some items may drop off and may revert back and some of the items may not be utilized. J. Boyle asked that with a controversial RFP, did staff consider doing the survey before the RFP process. C. Taylor stated that the study was developed from public input at the meetings and that as part of the community engagement process the survey would be completed. The meetings had a very diverse group of people at the meetings. J. Boyle stated that some times the RFP talks about traffic calming, bicycle traffic and they are not all the same. What is the real intent? C. Taylor stated that it was traffic volume and cut through traffic. They want to identify cut through traffic and identify ways to get that traffic back on the main roadways. J. Boyle asked about crime being on the rise throughout town. He has not seen a recent precinct report on crime rates. The last he saw did not place this neighborhood with the highest crime rate in town. Chief Goitia stated that some preliminary numbers had Beat 2 (includes the Willows but also other areas) had an increase of 46% increase. The type of crimes – there is a significant increase in the Willows of property crimes while in the Belle Haven area it is crimes against persons. J. Boyle asked if specific types of crime is tied to traffic? (No) Could redevelopment funds be partially used for this since it is redevelopment area? Yes, it could be partially covered and staff would need to determine if there is a direct benefit to the redevelopment area.

K. Fergusson stated that she is struggling with the separation of crime and traffic. She appreciated the new verbiage included in the RFP regarding safety. She is nervous about guns in cars and how is that type of safety problem with this study. C. Taylor stated that through the analyses the cut through routes would be done and would identify how to get the cut through traffic to use a different route. It would be addressed through a stakeholder process and the Police Department would be a large stakeholder. K. Fergusson stated that being so vehicle focused that there are going to be opportunities missed. Some blocks may not have a lot of volume for speeding but they are still good candidate for calming. C. Taylor stated that the main focus is volume and speed and with these studies there will be hot spots. It could require some different type of analysis that needs to be done. K. Fergusson stated that it will be up to the Police Department to bring those issues to the forefront. It is perfectly reasonable to bring in where the vehicle gun violence has occurred and provide it to the consultant.

R. Cline how will the stakeholders will be selected? Will the city control that process? C. Taylor stated that it will be a combination of both and it will be with the hope of having focused discussions. The city will be utilizing the website substantially for outreach. R. Cline confirmed that traffic and crime needs to be looked at separately. How is the crime aspect going to be looked at? How will that clear priority of the community be completed? Chief Goitia stated that it is being handled regionally and Menlo Park has not had an increase in violent crimes, but that is not the case in neighboring communities. R. Cline asked if it will be a formal study. G. Rojas stated that it would not be a formal study, but would be looked at by the Police Departments in the region. R. Cline stated they are distinctly different but some of the property thefts need to have a mode of transportation. Chief Goitia stated that the juvenile arrests with the burglaries did not involve a vehicle, although obviously some would need a vehicle as they are too large. R. Cline stated that he challenges that if somebody does not vote it is a “no” vote. The parameters need to be set high. Will that be able to be set during this process? Is that a challenge that needs to be taken on separately? C. Taylor stated that it is a Council policy and would need to be a separate study. Ultimately the section was modified that the NTMP process can be modified by the Council. R. Cline asked about the previous study using license plates and is the data reliable. C. Taylor advised that there is concern that it might not be reliable, but the data does have usefulness. When a vehicle stops at a business or home in the area, it would not be considered to be cut through traffic. Depending on the historical data, which the consultant will be required to go through, the study will be able to provide changes in traffic. Through the community engagement process, it is a way to engage the community and obtain good input. The neighborhood has shifted through time and that

can be captured. At the end of the process with the survey, it can be taken to the neighborhood to see if that is what they would like to see happen.

H. Robinson stated that the first meeting will be big with a wide range of input. C. Brandell stated that it is exciting to see the input because there is a lot of discussions in the community. She is confident in the model and it will allow the process to provide an outcome. If the conversation begins with outcomes, dreams, concerns it usually is where a level of agreement is reached. The next phases are identification of alternatives and the shaping of those alternatives that were reached during the values created. Agreements are reached throughout the process to reach a consensus in the end. An alternative method in engaging people is through having a meeting in a box in homes. This process makes it available to everybody. There is not a cap on who can participate in the process. H. Robinson is looking forward to this process being utilized as it will build trust. C. Brandell stated that this type of process builds neighborhoods in coming together. H. Robinson appreciates the RFP addressing crime to some extent. He understands the approach, but the Police Department would need to answer how somebody got into the area. There is some correlation with traffic and crime. Chief Goitia stated that when crime trending is analyzed as many components as possible are looked at. Generally, whether they arrived in a vehicle is not a high priority in the analysis process. Access in and out of an area is a consideration for crime analysis. H. Robinson asked if some type of traffic calming is implemented, does the appeal to commit crime in the neighborhood decrease. C. Taylor stated it is difficult for him to answer but there could be a decrease. If decreasing speed happens, it could have a spill-over to a decrease in crime. Chief Goitia stated that crime is not looked at in regard to vehicles because most use a vehicle to get there. H. Robinson stated that he is concerned with waiting until January to issue the RFP. C. Taylor stated that is possible as some consultants are finishing up work for year end however if the deadline is extended it is possible.

A. Cohen asked about the lawsuit in the last 15-20 years regarding this type of issue. W. McClure stated that there was a lawsuit with the City of Menlo Park with the Demonay Company and a settlement was reached. The developer provided funds for future studies for traffic calming in the University Avenue area. He believes it was \$80,000 and those funds have been used. A. Cohen asked if more than \$80,000 was requested. W. McClure stated that it was based on the fact that impacts for Menlo Park streets were not considered. A. Cohen asked if the city staff done anything to determine what Page Mills property has in mind. G. Rojas stated that there is no plan for development to date. The City Manager's office has not made the initiative to ask.

Barbara Hunter stated that the Council re-think the expenditure of \$120,000 for a traffic study. For two years, the Willows fought City Hall and the city was repeatedly asked for expenses to remove concrete. The consultant is re-inventing the wheel. Why is Menlo Park, again, doing an expensive study? It is the same group of citizens who have brought this up. They are using crime as a call for this study. That should be left up to the Police Department. The streets are public and any person has the right to drive on any city street in Menlo Park. She suggested taking the \$120,000 to move towards solving the deficit problem. People in the city government does not know what took place 15 years ago is happening again.

Charlie Bourne read a letter regarding his concerns with the RFP. There are a number of issues that still need to be addressed. There are no dates with deliverables, there are no indications as to how the stakeholders will be identified, minutes are to be provided – but what meetings, the speed and volume of traffic are to take place on 50 streets with half done by the city – which half, the objective about safety is limited, it is not clear to what extent the consultant will be required to use the community engagement process and there is a difference of opinion as to who will deliver the meeting in a box materials.



Ross Wilson stated that the anticipated factor is not mentioned, especially with the Page Mill property. Many people are concerned with the significant financial outlay for this study. Menlo Park is to be included East Palo Alto but there is no benefit coming from that city. Regarding the linking to crime and traffic; more traffic means more crime. There is an uncontestable link between crime and traffic.

Penelope Huang stated there is some disconnect as to the university circle traffic project and Eric's information is Eric's opinion. The facts are in a box in Transportation. The 101 interchange went away. The numbers are in black and white as to which streets were mostly impacted. She provided information to the Council on statistics. Why would a developer in this time want to have a beautiful, empty building? These are scare tactics with this project and Cherise Brandell has her work cut out for her to reach consensus.

K. Fergusson suggested additions for the RFP:

- Page A1 of the staff report, first paragraph, second sentence: The addition of the words "closure of" in front of the words an on-ramp.
- Page A2 of the staff report under Project Objectives: second sentence: Change "One of the main objectives of" to "This study is to" increase safety....
- Page A3 of the staff report under Task #1 – correction of a typo.
- Page A5 of the staff report under Task #5 – The City Council will receive the full range of options.

J. Boyle stated that she agrees with Ms. Hunter and there are better ways to spend the \$120,000. The neighborhood should be surveyed first to determine what their true concerns are. The RFP is not clear as to the problem that is attempting to be solved. On Page A3, a change is that the residents can sign up and he verified anybody can sign up. (Yes) Regarding Page Mills property – they have been in disputes with East Palo Alto and it would be speculation to include in the study. He is not comfortable with the project given that all of the level 2 items will be considered. It is a mistake that has been made in the past. The \$120,000 is for the study only and no roll-out or trial period.

A. Cohen stated the concept of spending \$120,000 without a clear understanding without knowing what went on in 1993 and what lessons were learned and how the process could be more focused is a major concern. There are ways to save money and one is that there is a community engagement manager and is there a way to pare down the RFP if the City were to use the skills of C. Brandell.

R. Cline asked if the study will actually be able to be used. If it can be used then the \$120,000 would be worth it. He has concerns when speakers address the Council and say that nothing is wrong. The two positions on this item need to be watched. There has been a shift in traffic flow and there is some validity to this. How is this going to be done right? He entrusted in the hiring of somebody who can do this. It is unfortunate that we have to go back 15 years to a study that would have been better used 5 years after it was completed. He believes that crime should be separated out. He does not want the crime issue ignored, he wants it addressed and the Chief has assured him of that. If this study does not conclude with some positive action to be taken, it would be a problem. There are extreme measures – such as barriers, street closures, half street closures etc. and they are dangerous implementations.

H. Robinson stated that he starts with the belief that there is a problem; both speed and volume. There is a population increase and we are a mobile society. He participated in at least one or more

of the community meetings held last year that led to this RFP. Solutions are where we start to see the battle lines start to be drawn. It is important and not necessary to go back to 1993, but we do need to be careful and take what we can from that time, but also address what is on the ground today. It will be helpful to do a history of the Willows during the community engagement process. If there is significant process in reducing volumes and speeds, \$120,000 is well worth it. We need to go in with eyes wide open with the challenges. There needs to be some delicacy as it is fragile and there is a lot of mistrust. There are set opinions on this issue. He is confident with utilizing the community engagement plan during this process. It allows for some dialog that otherwise would not take place. The RFP is not perfect, but the city needs to move on. The consultant can bring something to the table and look at it in a different way. As much as the staff can engage other communities would be beneficial.

A. Cohen stated that there have been many projects with sub-committees. I this starts to go sideways is there a way out or to provide some guidance along the way. He would suggest a sub-committee of two Council Members and two members of the Transportation Commission. He would like C. Brandell to also be a part of the process.

Moved by J. Boyle approval of staff recommendations incorporating K. Fergusson's edits, issuing the RFP this month and deleting the exemption for the Level 2 NTMP exemptions. There was no second to the motion.

**Action:** Moved, seconded (Fergusson/Robinson) and passed (4-1 – Boyle dissenting) approval the RFP with the following 2 changes; incorporate her edits (as listed below) and put out the RFP as soon as possible. **Edits:**

- Page A1 of the staff report, first paragraph, second sentence: The addition of the words “closure of” in front of the words an on-ramp.
- Page A2 of the staff report under Project Objectives: second sentence: Change “One of the main objectives of” to “This study is to” increase safety....
- Page A3 of the staff report under Task #1 – correction of a typo.
- Page A5 of the staff report under Task #5 – The City Council will receive the full range of options.

J. Boyle thanked the Transportation Commission's input on the RFP as it has been helpful. He reminded the Council that the \$120,000 is just a study and does not include any implementation funding. He explained his views on the Level 2 items in the NTMP exemptions.

**3. Appointments of City Council representatives and alternates to various outside agencies and liaisons to commissions and committees ([Staff Report# 08-175](#))**

**Action:** Moved, seconded (Boyle/Fergusson) and passed unanimously to accept staff recommendations with the above changes to assignments.

**4. 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 - None**

G. **CITY MANAGER REPORT - None**

H. **WRITTEN COMMUNICATION**

**Council discussion of the Menlo Park School Districts request to send a letter to Congress supporting funding ([attachment](#))**

**Action:** By consensus the letter will be sent.

**I. INFORMATION ITEM**

**Council review and approval of the City Council Calendar for 2009 ([Staff Report# 08-184](#))**

There was a discussion regarding the goal setting session being set for a Saturday in December 2009. The goal setting set for January will need to change and staff will advise the Council as soon as the new date is determined.

**Action:** By consensus, the calendar was approved with the removal of the goal setting on Saturday, December 5, 2009 and replacing the study session on December 8, 2009 with the goal setting on 12/08/09 in the evening.

**J. COUNCILMEMBER REPORTS**

A. Cohen

- Continuing to work on the foreclosure issue.

H. Robinson

- Fergusson and H. Robinson attended an event today at Tesla where they presented the car keys for the hundredth car produced.
- Goal setting was held on December 5, 2008 and was a positive meeting.

**K. PUBLIC COMMENT #2 - None**

**L. ADJOURNMENT** – Adjourned at 11:32 p.m.

Margaret S. Roberts, MMC  
City Clerk

Approved at the Council meeting of January 13, 2009