



CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY SPECIAL MEETING MINUTES

Tuesday, May 5, 2009 at 5:00 p.m.
701 Laurel Street, Menlo Park, CA 94025

5:00 p.m. **CLOSED SESSION**

City Council Conference Room (In City Hall)

1. Conference with Labor Negotiators pursuant to Government Code Section §54957.6:

- Employee Groups/Associations: American Federation of State, County and Municipal Employees, (AFSCME) Local 829; Police Officers Association (POA); Police Management Association (Teamsters Local 856); Service Employees International Union (SEIU), Local 521
- Agency Negotiating parties: Glen Rojas, City Manager, William McClure, City Attorney, Starla Jerome-Robinson, Assistant City Manager and Glen Kramer, Personnel and Information Services Director

Statement from Closed Session: The Council met with city labor negotiators to discuss the existing Police Officers Association, Police Management Association and the expiring American Federation of State, County and Municipal Employees, Service Employees International Union contracts and all unrepresented employees with the purpose of providing direction to achieve reduced annual labor expenditures. Council recognized these challenging economic times and was united in directing labor negotiators to take a collaborative approach with all employees to address the opportunities to reduce labor costs for the 2009/2010 budget as well as the 2010/2011 budget. While no final decision was reached the Council provided direction to the city negotiating team to emphasize efforts to avoid layoffs and service reductions and any realignments which would best meet the service demands of the community.

7:00 p.m. **REGULAR SESSION**

Menlo Park City Council Chambers

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

- There is a Spanish language RDA meeting tomorrow evening at 7pm at the Belle Haven School and the wrap up meeting to finalize the RDA project list on May 13 at 7pm at the Senior Center
- Budget Question and Answer meeting on May 26th at 7:00 in the Council Chambers
- Bike to Work Day is next Thursday - May 14
- Rubio's Fresh Mexican Grill is hosting a Pre-Opening Celebration tomorrow at 5:30 pm. The Celebration will benefit the Boys and Girls Club of the Peninsula. A \$10 (per person) donation is requested to benefit the Boys and Girls Club. In addition, Rubio's will officially open for business on Thursday, May 7th. A Ribbon Cutting Ceremony will be held at 9:45 am on Thursday.
- Amici's East Coast Pizzeria will officially open for business on Monday, May 11th. An intimate Ribbon Cutting Ceremony is currently being coordinated for Monday, May 11th at 11:00 am.
- Feliz Cinco de Mayo! Today marks the 147th anniversary of Mexico's victory over France in the Battle of Puebla. Cinco de Mayo is celebrated on a large scale in the United States
- The comment period on the Burgess Gym EIR ends May 26, 2009

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation declaring May as Older Americans Month ([Attachment](#))

Mrs. Theresa Carr, President of Menlo Park Senior Club and Mr. Thomas Carlos Rosales accepted the proclamation

2. Proclamation declaring May 14, 2009 as Bike to Work Day ([Attachment](#))

Mary Ann Levinson – Bicycle Commission Vice Chair accepted the proclamation

C. PUBLIC COMMENT #1

- Anne Mozer congratulated City staff on the dedication ceremony for Bedwell Bayfront Park

D. CONSENT CALENDAR

Action: Moved, and seconded (Cline/Fergusson) and passed unanimously to approve the Consent Calendar with minor changes to the minutes.

1. Authorization of the Public Works Director to accept the work performed by G. Bortolotto and Company, Inc., for the Oak Grove Avenue Resurfacing Project ([Staff Report #09-063](#))
2. Acceptance of the City Council minutes for the meeting of April 21, 2009 ([Attachment](#))

E. PUBLIC HEARINGS**F. REGULAR BUSINESS**

1. Adoption of Master Fee Schedule for the Menlo Children's Center (MCC) program for fiscal year 2009-2010 ([Staff Report #09-060](#)) ([Handout at meeting](#))

Members of the public who spoke to the item (all opposed):

- Osnat Loewenthal
- Sue Paludo
- Yael Casp
- Radek Arzeszczuic
- Maria Kaval
- Cecilia Mello
- S. Danzig

Action: Moved, and seconded (Fergusson/Cohen) to table the item until the report returns from the Recreation Commission - Motion withdrawn.

Action: Moved, (Fergusson) to table this with the understanding that the Park & Recreation Commission recommendation come back to the City in a reasonable amount of time. There was no second to the motion.

Action: Moved and seconded (Boyle/Robinson) and passes 4-1 (Fergusson dissenting) to adopt the Master Fee Schedule for the Menlo Children's Center program for fiscal year 2009/2010.

2. Consideration of two distinct acquisition and rehabilitation programs in Menlo Park, including a resolution reserving \$2.5 million of the Below Market Rate (BMR) housing fund for use in the programs, and review of and direction on a program designed to prevent pending foreclosures ([Staff Report #09-061](#)) ([Frequently Asked Questions](#))

Members of the public who spoke to the item:

- Elizabeth Lasensky – Support
- Anne Moser – Support
- David Shapiro – Support
- Mark Prioleau – Support
- Phillip Kilbridge – Support
- Ash Vasudeva – Support

- Patricia Boyle – Support
- Imenda Rodriguez – Support
- David Rumler – Support
- Adam Montgomery – Opposed
- Penelope Huang – Opposed
- Eva Cuffy – Support
- Nitza Derfner – Commented
- Terry Kent – Opposed
- Carol Louchheim - Support

Action: Moved and Seconded (Fergusson/Cohen) to adopt a resolution authorizing two distinct acquisition and rehabilitation programs plus providing direction to staff to investigate the EARN Program.

Friendly amendment by Robinson (accepted by the mover) to involve the Housing Commission in the development and evaluation of the Foreclosure Prevention program.

It was decided to take the item in three motions.

Action: Moved and Seconded (Fergusson/Cohen) and passed unanimously to adopt Resolution 5852 authorizing the designation of \$500,000 from the BMR Housing Fund for the Habitat for Humanity acquisition and rehabilitation program and authorize staff to proceed with implementation of the program.

Action: Moved and Seconded (Fergusson/Cohen) and passed 4-1 (Boyle dissenting) to adopt Resolution 5853 authorizing staff to move forward with the Menlo Park Neighborhood Stabilization Program and authorize the city to dedicate \$2 Million from the BMR Housing Fund for the implementation of the program.

Action: Moved and Seconded (Fergusson/Cohen) and passed unanimously to authorize staff to proceed with using the Housing Commission to evaluate the “EARN” program ideally without the affordability restrictions, but with affordability restrictions if necessary. The Council requested periodic reporting on the City’s Habitat program and the Neighborhood Stabilization Program and to work closely with the Housing Commission in the development of the Foreclosure Prevention Program.

3. Provide direction to staff regarding optional services to be negotiated with Norcal Waste Systems for inclusion in the Menlo Park Franchise Agreement for collection of recyclables, organic materials and solid waste ([Staff Report #09-064](#)) ([PowerPoint Presentation](#))

Action: Moved and seconded (Fergusson/Cline) and passed unanimously confirming the use of default recycling and waste collection containers for residences including colors and sizes and directing staff to work with South Bayside Waste Management Authority (SBWMA) to negotiate with Norcal Waste Systems (Norcal) to include additional excess waste pick-ups and events and residential customer billing in the Menlo Park Franchise Collection Services Agreement.

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’S REPORT

H. WRITTEN COMMUNICATION

I. INFORMATIONAL ITEMS

1. Quarterly financial review of General Fund operations as of March 31, 2009
([Staff Report #09-059](#))
2. Review of the City's Investment Portfolio as of March 31, 2009 ([Staff Report #09-062](#))

J. COUNCIL MEMBER REPORTS

- R. Cline - Council of Cities
- K. Fergusson - Council of Cities - May 29 will be in Menlo Park, Breakfast for Fresh Lifeline for Youth (FLY)
- J. Boyle - Finance & Audit Committee Meeting, JobTrain breakfast of Champions, Boys & Girls Club event
- H. Robinson - ABAG meeting in San Francisco, Met with Sun Microsystems, East Palo Alto State of the City Address, Kite Day, OICW event, Vision Quest job fair, RDA Planning meeting
- A. Cohen – ABAG

1. Report from the City Council Subcommittee on High Speed Rail (HSR)

B. McClure and A. Cohen are recused from the HSR item and therefore left the meeting.

H. Robinson reported on a meeting with State Subcommittee in Sacramento regarding HSR.

K. Fergusson reported on a news article that she collaborated on regarding the Peninsula Consortium. Amicus Brief has been filed regarding the case. The subcommittee is requesting the possibility of a study session in June for a Council policy on HSR and other rail issues.

K. PUBLIC COMMENT #2

L. ADJOURNMENT – 11:57 p.m.

The minutes were accepted at the Council meeting of June 2, 2009.