



# CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY SPECIAL MEETING MINUTES

Tuesday, September 1, 2009 at 5:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
City Council Chambers

---

The Council convened in study session at 5:07 p.m. with all members present.

## STUDY SESSION #1

- Consider the results of the Transportation Impact Fee (TIF) Study and provide guidance on parameters for the preparation of an Ordinance ([Staff report # 09-116](#))

Staff presentation by Charles Taylor, Transportation Manager in conjunction with TJKM Transportation Consultants Joy Bhattacharya and Chris Kinzel.

Comments from the public on the item:

- Fran Dehn - relationship between this and the construction impact fee; the list of cities should be more like Menlo Park; look at a staged approach or no change until after a preferred or specific plan for downtown is complete

Questions for the Council:

- Are the included improvements measures the appropriate improvement measures to include?

The consensus of the Council was that the types of improvements and the mix of improvements were appropriate and should be included. There were some suggestions for the inclusion of other items into the study such as Bus Rapid Transit lanes, pedestrian overcrossing especially near Bayfront and to provide an emphasis on other modes of travel such as walking, transit and biking.

- Should the Transportation Impact Fee be set at the maximum rate?

The consensus of the Council was that the maximum fee based on the TIF study should be set in the ordinance. The Council had concerns regarding the higher fee for retail and restaurant projects.

- Should a credit to the fee be provided for projects that construct improvement measures included in the fee?

The consensus of the Council was that credit towards the fee should be given to projects that provide construction of improvements that are included in the plan.

- How should existing land uses be credited toward the TIF?

The consensus of the Council was that a credit should be provided toward the TIF based on previous land use square footage and/or dwelling units.

## STUDY SESSION #2

- Consideration of the Parks and Recreation Commission's recommendation to provide direction to staff regarding Menlo Children's Center (MCC) toddler, early preschool and preschool care at the Civic Center ([Staff report # 09-121](#))

Staff presentation by Starla Jerome-Robinson, Assistant City Manager

Comments from the public on the item:

- **Yael Caspi** – provided a handout and spoke to the increase in participants and income to the program

- **Diana Pohlman** – spoke regarding getting a business plan together for the program
- **Beau De LeMenie** – spoke to the great quality of the program
- **Yan Li** – supports the program
- **Jennifer Shade** – supports the teachers
- **Amarel Green** – She enjoys the program due to the longevity of the teachers
- **Asnat Loewenthal** – She praised the program over the past few months, discussed the improvements, and encouraged the City to keep the program going and not privatize it.
- **Kristi Breisch** – Spoke on the discussions over the past few months and tonight; this is a bigger issue than MCC
- **Ritika Suri** – Spoke to the success of the program and do not privatize

The consensus of the Council was to bring the item back with a quarterly update in November with a plan to prepare a Request for Proposals (RFP) should it be desired.

The Council took a brief recess from 8:21 to 8:29 p.m.

### **REGULAR SESSION**

The Council convened in regular session at 8:29 p.m. with all members present.

**PLEDGE OF ALLEGIANCE** – Led by Mayor Robinson

### **ANNOUNCEMENTS**

- The September 15<sup>th</sup> Study Session of the City Council will be held at Belle Haven -
- City Clerk is accepting applications for the Environmental Quality, Housing, Library, Parks & Recreation and the Transportation Commissions. Deadline is end of business on September 15<sup>th</sup>
- Work on the American Recovery and Reinvestment (ARRA) of 2009 – funded street resurfacing project is anticipated to start on September 7. Pavex Construction will be installing new accessible curb ramps then placing new rubberized asphalt paving on Live Oak Avenue, Monte Rosa Drive and Haven Avenue. The construction is expected to last through September. The City will receive up to \$635,000 in stimulus funds, depending on the final cost of construction.

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

#### **B. PRESENTATIONS AND PROCLAMATIONS**

1. Proclamation: International Literacy Day ([Attachment](#))

The proclamation was presented to members of Project Read including students, tutors and staff.

#### **C. PUBLIC COMMENT #1**

- Barbara Franklin – Second hand smoke ordinance

#### **D. CONSENT CALENDAR**

1. Adoption of a **Resolution No. 5856** approving the revised investment policy for the City and the Community Development Agency of Menlo Park, to become effective immediately ([Staff report # 09-104](#))

J. Boyle pulled the item for discussion and advised that the Finance Committee did not review the final draft after providing all of their input.

Selection of banks and savings bank – the minimum requirement was dropped at the advice of MBIA  
Long term corporate notes – should have been removed from policy (amendment to the Exhibit)

**Action:** Moved, seconded (Cline/Fergusson) and passed unanimously to approve Resolution No. 5856 with Exhibit A being amended.

**E. PUBLIC HEARINGS**

1. Consideration of an appeal of the Planning Commission's decision to approve a Use Permit for a real estate office on the ground floor of an existing commercial building located at 825 Santa Cruz Avenue in the C-3 (Central Commercial) Zoning District (Open and continue Public Hearing) ([Attachment](#))

The public Hearing was opened and there were no comments.

**Action:** Moved, seconded (Cline/Boyle) and passed unanimously to continue the Public Hearing to September 22, 2009.

**F. REGULAR BUSINESS**

1. Approval of the City's response to the Civil Grand Jury report "TRASHTALK: Rethinking the Waste Management RFP Process by the South Bayside Waste Management Authority" ([Staff report # 09-115](#))

Comments from the public on the item:

- Tom Mein – A member of the Grand Jury did not agree with K. Fergusson's comments

**Action:** Moved, seconded (Cline/Robinson), and passed unanimously approving the City of Menlo Park response to the 2008-09 San Mateo County Civil Grand Jury Report on "TRASHTALK: Rethinking the Waste Management RFP Process by the South Bayside Waste Management Authority" with changes.

2. 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. Rojas advised that he will send a letter opposing AB 155 on behalf of the City.

**G. CITY MANAGER'S REPORT**

**H. WRITTEN COMMUNICATION**

**I. INFORMATIONAL ITEMS**

**J. COUNCIL MEMBER REPORTS**

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

**K. PUBLIC COMMENT #2**

- Marilu Serrano –Ravenswood School Board
- Morris Brown – High Speed Rail

**L. ADJOURNED TO CLOSED SESSION**

The Council adjourned to closed session at 9:33 p.m. on the following item:

1. Closed Session pursuant to Government Code section 54957.6 to conference with labor negotiators regarding labor negotiations with the Local 521 Service Employees International Union (SEIU) and the American Federation of State, County, and Municipal Employees Local 829 (AFSCME). Parties present: Glen Rojas, City Manager, Bill McClure, City Attorney, Starla Jerome-Robinson, Assistant City Manager and Glen Kramer, Personnel and Information Services Director

**M. REPORT ON CLOSED SESSION**

The Council returned to open session with no reportable action and with no further business the meeting was adjourned at 10:40 p.m.

**N. FINAL ADJOURNMENT (10:40 p.m.)**

Margaret S. Roberts, MMC  
City Clerk

The minutes were accepted at the Council meeting of November 3, 2009