



CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY REGULAR MEETING DRAFT MINUTES

Tuesday, December 15, 2009 at 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

Mayor Cline called the meeting to order at 7:03 p.m. with four Council Members present. Council Member Fergusson arrived at 7:08 p.m.

Pledge of allegiance was led by Mayor Cline.

ANNOUNCEMENTS – None

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

1. Consider applicants for an appointment to fill one vacancy on the Housing Commission, two vacancies on the Finance & Audit Committee and one vacancy on the Dumbarton Rail Citizens Advisory Panel ([Staff report #09-172](#))

Action: The Dumbarton Rail Citizens Advisory Panel appointments were pulled from the agenda to contact the current members and come back to the Council in January.

Action: Motion by J. Boyle and appointed by acclamation Brigid Van Randall to fill the vacancy on the Housing Commission.

Action: Motion by J. Boyle and appointed by acclamation Jeffrey Child and Stuart Soffer to serve on the Finance & Audit Committee.

2. Council discussion and possible recommendation on various seats that will be decided on at the next City Selection Committee meeting scheduled for December 18, 2009 ([Attachment](#))

Action: General direction given to the Mayor to support Jerry Deal with Burlingame for the Peninsula Corridor Joint Powers Board, if Heyward Robinson is not appointed to San Mateo County Transit District; Council Member Terry Nagel with Burlingame for the San Mateo County Transportation Authority (Central Cities).

B. PRESENTATIONS AND PROCLAMATIONS – None

C. PUBLIC COMMENT #1

- B. Moore – Thanked the Council with flowers for the dog park
- G. Sredanovic – Spoke in support of the California Fair Elections Act
- E. Blois – Spoke to Consent Calendar item 7; traffic calming not get lost and possibly resurvey for speed tables
- L. Walton – Spoke on Consent Calendar item 7; concern with congestion and fearful of the light at the corner
- S. Wolfe – Spoke on Consent Calendar item 7; concern with the maintenance aspect of the street

D. CONSENT CALENDAR

Action: Motion and second (Robinson/Fergusson) which passed unanimously approving Consent Calendar items 1, 3, 4, 6, 8, 9 and 10 with the changes submitted to the Maddy Act (D-1) and the minutes (D-10).

1. Local Appointments List (Maddy Act) ([Staff report #09-164](#))
2. Community Development Agency Board approved the Menlo Park Community Development Agency annual report for fiscal year 2008-09 ([Staff report #09-167](#)) – Item pulled by J. Boyle for questions

Action: Motion and second (Boyle/Robinson) which passed unanimously approving the item.

3. Approved the annual report on the Below Market Rate (BMR) housing program and the status of the BMR in-lieu fees collected as of June 30, 2009, in accordance with Government Code section 66000 et.seq. ([Staff report #09-168](#))
4. Reviewed the annual report on the status of the traffic impact, storm drainage, recreation in-lieu and building construction road impact fees collected as of June 30, 2009 according to Government Code section 66000 et.seq. ([Staff report # 09-169](#))

5. Adopted **Resolution No. 5898** authorizing the City Manager to execute an agreement with Vance Brown Builders in an amount not to exceed \$5,800,000 for construction of the Burgess Gymnasium and appurtenant facilities; authorized the City Manager to execute an agreement with Hoover Associates in an amount not to exceed \$150,000 for LEED certification for the Burgess Gymnasium; and authorized a total budget of \$6,110,000 for construction, contingencies, and construction administration ([Staff report #09-162](#)) – Pulled by J. Boyle for questions

Action: Motion and second (Boyle/Fergusson) which passed unanimously approving the item with an amendment to include the solar panels as an option and for staff to return with additional information and analyses.

6. Adopted **Resolution No. 5899** approving the summary abandonment of the future alley line extending from Chilco Street to Henderson Avenue ([Staff report #09-171](#))
7. Authorized the City Manager to enter into a Memorandum of Understanding (MOU) with the Town of Atherton for the Installation of a traffic signal and associated improvements at the intersection of Middlefield Road and Encinal Avenue ([Staff report #09-173](#)) – Item pulled by H. Robinson for questions

Action: Motion and second (Fergusson/Boyle) which passed unanimously to approve staff recommendation and staff has the option to bring back the design for review.

8. Adopted **Resolution No. 5900** authorizing a California Energy Commission Energy Efficiency and Conservation Block Grant application submittal ([Staff report #09-170](#))
9. Agreement terminating Owner Participation Agreement with General Motors for revenue sharing ([Staff report #09-181](#))
10. Accepted Council minutes for November 3, November 10, and November 17, and December 1, 2009 ([Attachment](#))

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

1. Adoption of a resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the American Federation of State, County and Municipal Employees (AFSCME), Local 829, for the period beginning October 25, 2009 through October 22, 2011 ([Staff report #09-176](#))

Action: Motion and Second (Robinson/Boyle) which passed unanimously adopting **Resolution No. 5901** approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the American Federation of State, County and Municipal Employees (AFSCME), Local 829, for the period beginning October 25, 2009 through October 22, 2011

2. Consideration of the Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the El Camino Real/Downtown Specific Plan ([Staff report #09-180](#))

Public comments:

- V. Bressler – Concerns with parking
- M. Flege – Surface parking and the village atmosphere
- D. Brawner – Questions why is the city doing an EIR without an approved project
- G. Slocum – The housing impacts are important and the village atmosphere and look at key public amenities

A summary of the Council member's comments is included in a separate attachment.

3. Direction to staff on revisions to Chapter 12.44, "Water Efficient Landscaping," of the Menlo Park Municipal Code pursuant to enactment of the Water Conservation in Landscaping Act (Assembly Bill 1881) ([Staff report #09-177](#))

There was no public input on the item.

Council voiced preferences for turf limitations on the BAWSCA version, landscape system requirements and audits on the MAWA version. They had no preference of applicability, exemptions enforcement and model homes.

4. Appointments of City Council representatives and alternates to various outside agencies; liaisons to City advisory bodies and Council sub-committees ([Staff report # 09-165](#))

Action: Motion and second (Robinson/Fergusson) which passed unanimously to appoint Boyle and Cline to be members of the Finance & Audit Committee. All other appointments and assignments as listed below were made by Acclamation.

REGIONAL BOARDS

	REPRESENTATIVE	ALTERNATE
Airport Community Roundtable	Cline	Cohen
Association of Bay Area Governments (ABAG)	Cline	Robinson
City/County Association of Governments of San Mateo County (C/CAG)	Fergusson	Cline

County of Santa Clara Community Resources Group for Stanford University	Cline	Cohen
Dumbarton Rail Policy Committee	Robinson	
Emergency Services Council (San Mateo County Joint Powers Authority)	Cline	Robinson
Grand Boulevard Task Force	Boyle	Cline
Peninsula Cities Consortium (PCC)	Cline and Fergusson	
Housing Endowment and Trust of San Mateo County (HEART)	Boyle	Robinson
League of California Cities (Peninsula Division)	Boyle	Cohen
Menlo Park Chamber of Commerce / City Liaison Position	Cline	Fergusson
2020 Peninsula Gateway Corridor Study Policy Committee	Boyle	Robinson
San Francisquito Creek Joint Powers Authority (JPA)	Robinson	Fergusson
San Mateo Council of Cities (Bylaws states it is the Mayor)	Cline	Boyle

COUNCIL LIAISON TO COMMISSIONS AND COMMITTEES

COMMISSION	LIAISON
Bicycle Commission	Robinson
Finance & Audit Committee (members of the Commission)	Boyle and Cline
Environmental Quality Commission	Cohen
Housing Commission	Cline
Library Commission	Robinson
Parks & Recreation Commission	Cline
Planning Commission	Fergusson
Transportation Commission	Boyle

COUNCIL SUB-COMMITTEES

SUB COMMITTEE	NEW MEMBERS
Bohannon Office / Hotel Project	Cohen / Fergusson
Business Development	Boyle / Robinson
Community Grant Funding	Boyle / Cohen
El Camino Real Downtown Visioning & Planning Process	Boyle / Cline
Goal Setting & Deliverables	Mayor and Vice Mayor
High Speed Rail	Cline-Rep Fergusson-Alt
HSR Policymaker Working Group	Cline-Rep Fergusson-Alt
Menlo Park Fire District	Cline / Cohen
Menlo Park School Districts	Cline / Boyle
Ravenswood Working Group	Robinson - Rep Fergusson - Alt
Terminal Avenue	Cline / Cohen

5. Council review and approval of the City Council Calendar for 2010
([Staff report #09-166](#))

Action: By consensus the Council tentatively approved the calendar as updated.

6. 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'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

1. Status of Institutional Network negotiations with Comcast ([Attachment](#))

J. COUNCILMEMBER REPORTS

1. Report from the City Council Subcommittee on the Menlo Gateway (Bohannon Hotel & Office) project ([Attachment](#))

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

Note: Councilmember Cohen and City Attorney McClure are recused from this item and left the Council chambers at 11:20 p.m.

K. PUBLIC COMMENT #2 – None

L. ADJOURNMENT – 11:30 p.m.

Margaret S. Roberts, MMC
City Clerk

The minutes were accepted at the Council meeting of January 26, 2010

**Menlo Park El Camino Real/Downtown Specific Plan EIR
NOP Scoping Meeting**

City of Menlo Park Council Chambers
December 15, 2009

City Staff:

Arlinda Heineck, Community Development Director
Thomas Rogers, Associate Planner
Chip Taylor, Transportation Manager

City Council:

Mayor Richard Cline
Vice Mayor John Boyle
Andrew Cohen
Heyward Robinson
Kelly Fergusson

ESA:

Reema Mahamood, EIR Project Manager
Karl F. Heisler, EIR Project Director

STAFF PRESENTATION

City Planner Thomas Rogers gave a presentation of the proposed Specific Plan background, comments received to date, anticipated schedule, and meeting objectives (see attached).

COUNCIL MEMBER INITIAL QUESTIONS/COMMENTS

City Council Member Kelly Fergusson: Determine the standard of significance for greenhouse gas (GHG) emissions analysis. Discuss the interdependence of GHG reductions and transit-oriented development and land use. Look for ways to counter traffic impacts by the proposed amenities and enhancements for pedestrians and bicyclists, even though they do not necessarily count as mitigations. Look at options to use landscape design to enhance biological resources (i.e., through native plantings).

City Council Member Heyward Robinson: Discuss the benefits of east-west connectivity and transit-oriented development. Avoid issue faced by Redwood City by conducting a shadow study for the proposed developments.

Vice Mayor John Boyle: Define the alternatives.

City Council Member Andrew Cohen: Discuss the interplay between increasing residences downtown and parking for employees and customers to understand better why the City proposes a parking structure. It is possible that some of the elements of the plan

may not happen; explain the process of making changes. Noted that the Vision document emphasized maintaining Menlo Park’s “village character,” but the Emerging Plan seems to place less emphasis on this.

Mayor Richard Cline: Clarify that even though the list of topics is long, it does not mean that impacts are significant for every topic.

City Council Member Kelly Fergusson: Analysis will include no-project alternative, comparing plan versus existing conditions.

PUBLIC COMMENT

Vincent Bressler (Planning Commission member, but speaking as private citizen): Plan proposes a lot of housing around an already-congested area. For the plan to state that it will provide two parking spaces per unit but assume that people will not drive does not make sense. With more children coming into the public school system, the City needs more recreational facilities, especially athletic fields. “Vibrancy is great as long as we don’t ruin our city.”

Mark Flegel: Menlo Park is not Redwood City or Palo Alto. Customers want to be able to shop in a comfortable environment. Existing parking conditions and traffic congestion are already a concern; the Plan will likely worsen these conditions. Look at an alternative that does not have downtown residences and maintains surface parking. Look at ways to enhance downtown by keeping the village character. If community is opposed, this will have been a wasted effort.

Don Brawner: Need to define the project before doing an EIR. The public does not want these changes. Look to cities like Burlingame, San Carlos, and Los Gatos for model, not Redwood City where garage is failing. The Plan places too heavy an emphasis on design and height, and not enough on attracting the right kind of businesses that can thrive in Menlo Park.

Gail Slocum: Discuss the need for more housing, which creates vibrancy. Look at the use of shuttles and bicycles to encourage people not to drive. Look at European towns that maintain the village feel. The area around California Avenue in Palo Alto could be a good model. Discuss amenities that the Plan can bring, such as attracting more people and increasing connectivity.

COUNCIL MEMBER COMMENT/DIRECTION

Vice Mayor John Boyle: EIR should address alternatives with and without street market (or with the street market in a different location), alternative locations for parking structure(s) such as combining a structure with Caltrain. Address increase/decrease in property value (or do it in the Fiscal Impact Analysis). Discuss the impact of parking with fee and time restrictions and look at parking patterns.

City Council Member Heyward Robinson: Discuss how the EIR would make it easier for projects to move forward, although future projects can still require additional environmental review. Look at an alternative that analyzes having less than two parking spaces per unit: there may be the potential for new residents to self-select homes that have less parking if they are attracted to a lifestyle that requires less driving.

City Council Member Kelly Fergusson: Impetus for project was receiving one-off requests for amendments; this process allows us to get ahead of curve, and avoid future battles. Highlight pros and cons of different scenarios in the alternatives discussion, to help relay trade-offs. Look at the potential for the project to help improve Caltrain's current service level. Discuss the village character in the Aesthetics and Cultural sections. Address the value of surface parking to merchants. Explore the possibility of developing a metric to better measure/define "village character."

City Council Member Andrew Cohen: Suggests that Menlo Park under baseline (existing) conditions may already be "a built-out community." If we allow higher density on Santa Cruz Avenue, people will come. Some level of change is inevitable, and city will get more crowded. Does not agree with the theory that providing less parking will lead to less driving.

Vice Mayor John Boyle: Supports the concept of accurately defining and measuring village character. Analyze services that will provide the village character. It might be counter-intuitive, but more density could generate a critical mass and result in more services and transit. Analyze parking versus driving—residents may want the flexibility of two cars, but may not necessarily use them regularly if other options are available. Look at a fully parked alternative.

Mayor Richard Cline: Process of creating a vision and now a plan lets the city control the future. Agree to current analysis, but can challenge/question limits at next stage. Analyze the maximum impact of parking.

City Council Member Kelly Fergusson: Discuss greenhouse gas emissions and transit-oriented development. Don't lose sight of positives like pedestrian and bicycle safety, and the potential for improved transit service. Alternatives should help us consider these issues as we move forward. Does not believe city is obligated to build out housing units.

City Council Member Heyward Robinson: Traffic and parking are biggest impact areas. Discuss what we can do to improve east-west connectivity since our road capacity is set.