



CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY REGULAR MEETING MINUTES

Tuesday, March 15, 2011 at 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

Mayor Cline called the meeting to order at 7:00 p.m. with all members present.

Pledge of allegiance was led by Mayor Cline.

ANNOUNCEMENTS

- The City and the American Institute of Architects held a Design Charrette on Saturday, March 5 at the new Facebook Campus.
 - 174 professional participated, including 124 licensed architects
 - The Charrette was 13 hours.
 - 4 design teams having 4 or 5 sub-teams each worked on different areas.
 - 22 Students participated from USC, Cal Berkeley, San Luis Obispo and College of San Mateo.
 - 20 City staff members attended, including all City Council Members.
 - 4 Tour buses were used to take the participants on a tour of the area.
 - Mark Zuckerberg, Facebook founder, attended the afternoon session.
 - Job Train provided 3 meals for the participants.

- **Update on the Downtown Specific Plan**
 - The target date for release of the EIR is the end of March or early April. A specific release date will be confirmed when available. Staff will conduct substantial notification and outreach a firm date is determined.
 - Following the Draft EIR release/comment period, the Planning Commission will take the lead with an expanded set of meetings to review/comment on the draft plan, although this may be preceded by a Council study session to set overall goals and criteria for the Planning Commission's review. The Council will be holding its full consideration of the Planning Commission's recommendations and consideration of the Draft Specific Plan after the summer break.
 - Staff anticipates final action on the Plan and EIR, in the late fall unless there are significant changes to the draft plan/EIR.

- In accordance with the policy adopted by the Council on 03/01/2011, staff will be presenting a regular business item on the April 5, 2011 agenda relating to upcoming formal negotiations with the Menlo Park Police Officers Association (POA) and the Menlo Park Police Sergeant's Association (PMA).

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

1. **Commission vacancies for terms beginning May 1, 2011 – Application Due Date: April 1, 2011:**
 - Bicycle Commission – 3 vacancies
 - Library Commission – 2 vacancies
 - Planning Commission – 1 vacancy

(Applicants recently interview for the Planning Commission vacancy will be considered for the upcoming vacancy)
A recent resignation has created a vacancy on the Environmental Quality Commission for the unexpired term with **application due date of April 15, 2011.**

2. Appointment of a Council member to Regional Housing Needs Assessment (RHNA) Policy Advisory Committee ([Attachment](#))

Staff presentation by Margaret Roberts, City Clerk

Action: By acclamation the regular member will be Andrew Cohen and the alternate will be Peter Ohtaki.

B. PRESENTATIONS AND PROCLAMATIONS

1. Presentation: Recognition of citizens who assisted in injury DUI arrest
Chief Roberts presented Janet Digioia, Rob Silano and Alex Raanes with a Certificate of Recognition and a small token of appreciation from the Police Department for their assistance in the arrest of an intoxicated driver causing injury.

C. PUBLIC COMMENT #1

- Steve VanPelt – Spoke regarding the lack of pick-up service for garbage and recycling.
- Mark Flegel – Complimented the Public Works Department on the maintenance of the downtown.
- Barbara Hunter – Spoke regarding the Willows Traffic Study and the Stanford Hospital project. ([Handout](#))

D. CONSENT CALENDAR

1. Acceptance of Council minutes for the meeting of March 1, 2011 ([Attachment](#))

Action: Motion and second (Keith/Ohtaki) to accept the minutes passes unanimously.

2. Adopt a Resolution amending the budget to appropriate an additional \$308,158 from the grant funds received by the City from the Community Development Agency to provide additional improvements to the Belle Haven Swimming Pool Improvement Project; b) Awarding a contract for the construction of the Belle Haven Swimming Pool Improvement Project to Tricon Construction, Inc., DBA Tricon Aquatics, in the amount of \$423,158; and c) Authorizing a budget of \$478,158 for construction, contingencies, engineering, inspection and administration ([Staff report #11-036](#))

Action: Motion and second (Fergusson/Cohen) to approve **Resolution No. 5987** amending the budget to appropriate an additional \$308,158 from the grant funds received by the City from the Community Development Agency to provide additional improvements to the Belle Haven Swimming Pool Improvement Project; b) Awarding a contract for the construction of the Belle Haven Swimming Pool Improvement Project to Tricon Construction, Inc., DBA Tricon Aquatics, in the amount of \$423,158; and c) Authorizing a budget of \$478,158 for construction, contingencies, engineering, inspection and administration passes unanimously.

E. PUBLIC HEARINGS

1. Adoption of a Resolution approving a rate increase of 15 percent in solid waste collection base rates for all Menlo Park single family residential, commercial and multi-family residential customers and adoption of a Resolution approving new fees for supplemental services not covered by solid waste base rates effective April 1, 2011 ([Staff report # 11-031](#))

Staff presentation by John McGirr, Revenue & Claims Manager

Mario Puccinelli, General Manager of Recology answered questions from the City Council.

The public hearing was opened at 8:11 p.m.

Public Comments:

- Thomas Forrest – Spoke against the increase to the solid waste collection rates, but to increase the incentive to reduce garbage.
- Douglas Hamilton – Spoke about not being able to pay the solid waste through his tax bill, against rate increases and his dissatisfaction with service.
- Catherine Carlton – Spoke against the increase to the solid waste collection rates due to salary increases to the collector's employees. On behalf of the Sharon Heights Neighborhood Association she spoke regarding the lack of pick-up.
- Bob Ridenour – Stated he appreciates the weekly pick-up of recycling however he is concerned with the increase in rates.
- Dan Finlay – Expressed concern that weekly pick-ups are not necessary. He suggested the Council to look at alternatives, such as burning the trash versus sending it to a landfill.

Action: Motion and second (Keith/Fergusson) to close the public hearing at 8:27 p.m. passes unanimously.

Information requested from the Council:

- Franchise Agreement with Allied
- Franchise Agreement with Recology
- 2009 Revised Audit Report
- 2010 Report Audit Report (when available)
- Number of Allied employees (line level and executive staff) now working for Recology

Action: Motion and second (Fergusson/Cohen) to approve **Resolution No. 5988** approving a rate increase of seven percent in solid waste collection base rates for all Menlo Park single family residential, commercial and multi-family residential customers and adoption of **Resolution No. 5989** approving new fees for supplemental services not covered by solid waste base rates effective April 1, 2011 and the stipulation of the following information passes 3-2 (Keith and Ohtaki dissenting):

- Franchise Agreements for Allied and Recology
- Any audited information, even if in not final be provided to the Council and posted to the website as soon as possible
- Letter to South Bayside Waste Management Authority (SBWMA) to agendize at an upcoming meeting the unreasonable increase in Allied costs
- The number of Allied employees, including executive staff, now employed by Recology
- Schedule of upcoming SBWMA meetings

F. REGULAR BUSINESS

1. Acceptance of the 2010-11 mid-year financial summary and adoption of a Resolution approving the recommended amendments to the 2010-11 operating and capital budgets ([Staff report # 11-037](#))

Staff presentation by Glen Rojas, City Manager and Carol Augustine, Finance Director ([PowerPoint for items F1, F2 and F3](#))

Public Comments:

- Catherine Carlton – Suggested cutting down the side fund for CalPers and suggested the Council be creative with ideas.

Action: Motion and second (Fergusson/Keith) to accept the mid-year financial summary and approve a revised resolution, approving the recommended amendments to the 2010-11 operating and capital budgets failed 2-3 (Ayes: Cline, Fergusson; Noes: Cohen, Keith, Ohtaki).

Action: Motion and second (Keith/Ohtaki) to accept the mid-year financial summary and approve the revised **Resolution No. 5990** with modifications including the Housing Authority and special funds that came from the CDA. Direction was given to further reduce expenditures by \$117,000 to achieve a balanced budget. The City Manager has the discretion for the additional reductions, first looking at operational expense reductions then looking at either deferral or modification of contribution to the Capital Improvement Fund by removing or deferring a project. The motion passes unanimously.

2. General direction on a revised 5-Year Capital Improvement Plan (CIP); General direction on capital and other projects to be included in the City Manager's proposed 2011-12 budget ([Staff report # 11-033](#))

Staff presentation by Glen Rojas, City Manager and Carol Augustine, Finance Director

Action: Motion and second (Fergusson/Ohtaki) to approve the general direction on the Revised 5-Year Capital Improvement Plan as outlined in the staff report and further development of the plan will be accomplished through the budget process and as the status of Redevelopment Agencies becomes clear passes unanimously.

3. Discussion and direction regarding the 2011-12 budget process ([Staff report # 11-034](#))

Staff presentation by Glen Rojas, City Manager and Carol Augustine, Finance Director

Public Comments:

- Barbara Hunter – Asked what the appropriation in the transportation budget of \$400,000 for the Willows Traffic Study included.
- Fran Dehn – Stated the business community would like the Downtown Specific Plan, Willows Business Area – M-2, and Parking Plaza 2 and 7 renovations be included in the 2011-12 budget
- Matt Henry – Stated that he would like to see the funding for the Onetta Harris Solar Panel project be used for a better project such as an awning over the patio area at the Senior Center and to install a dome to be able to keep the pool open year round.

Council Comments:

Mayor Cline

- There is a need for more information on the RDA.
- He supports looking at outsourcing; especially of park maintenance, but not for sports fields.
- Staff should look at the Housing Division to determine if productivity is low.
- Reductions should not affect the “high churn areas” like Business Licenses.
- Potentially reduce Traffic Division. It is understood that it serves a major purpose but in times like these, difficult decisions must be made.
- He does not support the elimination of the Child Development Center (CDC) – that is at the bottom of his list

Council Member Ohtaki

- First he would like staff to look at the 10 year projection revenues. He is nervous about the jump of \$1.2 million between 2010-11 and 2011-12 in revenues. Staff should plan for half of that in this economy.
- The budget must be balanced.
- Staff should evaluate alternative services for service reductions.
- It would be helpful to have pro’s and con’s for understanding the options for outsourcing services.
- Evaluate whether a private provider can be found to take over the CDC and Menlo Children’s Center (MCC).
- Staff should look at shared services for IT (prior discussions have referenced sharing with the Fire District).
- The larger dollar impacts will be his priority.
- He needs more information on the impact of an across the board 3% salary reduction for all employees making more than \$100,000.

Council Member Cohen

- He supports maintenance of CDC.
- He disagrees with cutting subsidizing East Palo Alto residents through Belle Haven programs because Belle Haven benefits from many East Palo Alto programs such as youth sports.
- He appreciated Peter’s comments on the costs.
- Maintenance of the fields is not critical to keep in-house.
- His priorities are a balanced budget, Public Safety and CDC.

Council Member Fergusson

- She wants to protect the childcare programs (CDC and MCC).
- The City has surpluses to use for transfer to the CIP as a short term strategy. It is not fair to tax payers to let surpluses just sit.
- Staff should look at potentially outsourcing the Senior Center with Peninsula Volunteers.
- Outsourcing of median maintenance and right-of-way-maintenance instead of fields.

Vice Mayor Keith

- She does not support use of reserves.
- Staff should evaluate the Housing Division for productivity.

- Maintenance should be outsourced including sports fields. If done, the RFP should have exact expectations.
- She would rather outsource services rather than reduce services.
- Staff should look at a cut for those making more than \$100,000.
- Cutting CDC would be her last choice.
- She is looking forward to hearing more on shared services.

Themes amongst the Council

- Consider outsourcing maintenance.
- Retain preschool services (CDC & MCC).
- Look at Housing Division.
- 3% salary cuts for higher wage earners.
- Evaluate alternative services for service reductions.

4. Adoption of a resolution authorizing payment of up to \$7,160,158 to pay off the CalPERS Safety Pension Plan Side Fund; and adoption of a Resolution of the Community Development Agency of the City of Menlo Park to pay the pro-rata share of this pension liability from the Agency's non-housing fund ([Staff report # 11-032](#))

Staff presentation by Carol Augustine, Finance Director

Action: Motion and second (Ohtaki/Keith) to approve **Resolution No. 5991** authorizing payment of up to \$7,160,158 to pay off the CalPERS Safety Pension Plan Side Fund passed unanimously.

Action: Motion and second (Ohtaki/Keith) to approve **CDA Resolution No. 313** authorizing payment of the pro-rata share of this pension liability from the Agency's non-housing fund passed unanimously.

5. 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:

(a) Update – Proposed elimination of RDA

Staff presentation by Glen Rojas, City Manager

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

1. Biannual update of schedules for priority projects ([Staff report # 11-035](#))

J. COUNCILMEMBER REPORTS

1. Council Member Keith's report regarding appointment to the League of California Cities Employee Relation Policy Committee ([Handout](#))
2. Council Member Fergusson's report on travel to Washington, D.C. regarding High Speed Rail ([Handout](#))

NOTE: Councilmember Cohen and City Attorney McClure are recused from the item due to proximity of their properties and they left the chambers at 1:03 a.m.

K. PUBLIC COMMENT #2 – None

L. ADJOURNMENT – 1:22 a.m. on March 16, 2011

Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of April 26, 2011