



CITY COUNCIL MEETING MINUTES

Tuesday, January 29, 2008

7:00 p.m.

Menlo Park City Council Chambers

701 Laurel Street

Menlo Park, CA 94025

JOINT STUDY SESSION – MENLO PARK CITY COUNCIL AND TOWN OF ATHERTON COUNCIL

A. ROLL CALL

Menlo Park - Council Members Cohen*, Robinson, Boyle, Cline and Fergusson

Town of Atherton – Town Council – Janz*, Carlson, Marsala and McKeithen

Staff present - Menlo Park - City Manager Rojas and City Clerk Kelly. Other staff present in the audience. Town of Atherton – Town Manager Gruber and Town Attorney Hynes

PLEDGE OF ALLEGIANCE

B. PUBLIC COMMENT

Loren Gruner, speaking of the project at 1906 El Camino Real, expressed concern for the neighborhood due to the requirement by the City of Menlo Park to require vehicles leaving this building to make a right into the neighboring streets. He informed the Atherton Town Council that the City of Menlo Park has required the developer to put monies in an escrow account and has asked the developer to work with the Town of Atherton to come up with alternatives such as a traffic light or signage and a left-turn onto El Camino Real. He asked that the Atherton Town Council work with the neighbors to come up with an alternate solution.

Ram Duriseti, Dave Lewis, and Rich Rollins talked about the negative impacts related to the proposed renovations of the Oak Knoll School. They informed the councils that the design plan does away with the green space, a play area, and includes a new parking lot. They stated that there is no space for sidewalks, no crosswalk, and no space for bike lanes. They also spoke about the negative impacts on the environment and the City's storm drain system. They asked that the City of Menlo Park request a full Environmental Impact Report (EIR) and require mitigation measures.

C. STUDY SESSION – CALTRAIN GRADE SEPARATION ALTERNATIVES

1. **Discussion of potential Caltrain Grade Separation Alternatives with the Town of Atherton.** ([Staff Report #08-014](#))

* Mayors Cohen and Janz recused themselves because of a potential conflict of interest due to the proximity of their residences to the train tracks. They announced that while they could not participate as elected officials, they are able to sit in the chambers and speak as members of the public.

Menlo Park Public Works Director Kent Steffens reminded the Council that the Council held a study session on grade separations on November 27, 2007. He stated the purpose of this study session is: 1) to identify common interest between Menlo Park and Atherton; 2) to understand constraints created by limitations in railroad profile; and 3) to discuss the need for further studies. He informed the councils that the City of Menlo Park retained BKF Engineers to conduct a grade separation study in 2002; that the initial feasibility study report was issued in June 2003; and that the second phase of the study was presented in October 2004. He pointed out that the studies: 1) assumed that the tracks would be expanded from two to four and 2) evaluated all four Menlo Park crossings and four alternative methods of separating grade. Mr. Steffens gave an overview and findings of the trench, overpass, underpass and split alternatives studied.

Duncan Jones, Atherton Public Works Director, reviewed the Caltrain track profile for the trench alternative at locations in Atherton. He acknowledged that the cost impacts of each of the alternatives have not been quantified. Mr. Jones pointed out that at a minimum there would be: 1) temporary construction impacts to home and businesses and possible loss of business; 2) severance damages, which could exceed the value of adjacent properties; 3) mitigation of heritage trees removed; 4) mitigation for impacts on parks; and 5) mitigation for impacts on historic property. He noted that if high speed rail comes through the two cities, there would be a need for special engineering, which could require more clearance, crash walls, and deeper roadways.

Mr. Jones reviewed current plans by Caltrain for additional safety measures in Atherton, which include: 1) pedestrian gates on all four quadrants on Fair Oaks Lane; 2) pedestrian gates on the south side of Watkins and a barricade on the north side; 3) pavement and fencing extensions to tie into pedestrian gates; and 4) small median islands on both sides of Fair Oaks and the east side of Watkins. He said that if high speed rail comes in, any median improvements and gates would need to be taken out, but that the gates could be used at other locations.

Mr. Steffens stated improvements planned for Menlo Park are: 1) pedestrian gates on all four crossings; 2) minor fencing extensions to tie into pedestrian gates; 3) small median islands on the west side of Encinal and east side of Glenwood to prevent cars from going around gates; and 4) new electronic signage on streets parallel to the tracks with turn restrictions when the gates are down.

Mr. Steffens stated that further studies would be necessary to: 1) better understand the cost differences between the various grade separation alternatives; 2) better understand traffic patterns if some roadways are closed, bridged, or rerouted; 3) evaluate potential impacts from various alternatives such as noise, aesthetics, and station configuration; and 4) evaluation of alternatives not included in the prior studies – a fully depressed train (trench) and a fully elevated train.

Staff responded to questions raised by members of the councils regarding issues raised in the staff reports and the staff presentations.

Members of the public commented as follows:

Jack Ringham expressed his appreciation for the joint study session and his disappointment in the small public turnout. He stated that unfortunately the public that will be voting on high speed rail in November will be uninformed.

Mike McPherson stated his support for adding the gates at all intersections as the most effective safety measure.

Greg Conlon, said that he is on the Atherton Rail Committee, and referred to the poor safety record of rail systems. He suggested that the councils focus on safety and that while grade separations solve the safety problem, installing the quad gates is a big step in preventing accidents.

David Montague recommended the councils go on record opposing high speed rail. He stated he is in favor of grade separation for safety and traffic reasons. He questioned the adequacy of the prior studies and felt the councils should take the view that three tracks are enough and should stay within the current right-of-way.

Judith Orasanu informed the councils that the train runs across the street from her home and that she is concerned about grade separations for the following reasons: 1) impact during construction including noise and viability to local businesses; 2) loss of property values; and 3) the aesthetics including loss of trees, privacy, and views. She asked that any future study be expanded to consider the impact to residents along the entire corridor. Ms. Orasanu said she does support adding quad gates as a safety measure.

James Janz, mayor of the Town of Atherton, stated that this is the start of a dialogue between the two cities. He pointed out that it is important that they are not surprised by what might happen in case high speed rail does come through these cities and if the cities end up with grade separations. Mr. Janz stated that if high speed rail does not pass, it was his understanding that Caltrain would not put in grade separations without local consent. He also said it would be premature for Caltrain to start working on grade separations at this time.

Steve Van Pelt said he was encouraged by the study session. He said he is in favor of a four track system, with or without high speed rail, and is interested in alternative grade separation designs. He pointed to rail systems in other countries and stated that the United States is behind in how it provides local transit service.

Don Brawner felt that people who live close to the tracks will sell their property if grade separations are put in and that there will be a loss of parks and other public facilities.

Andy Cohen, mayor of Menlo Park, expressed his support for urban and regional mass transit and his disappointment that there is no coordinating umbrella agency that integrates the various carriers to provide optimal service to the largest possible population. He pointed out that it is uneconomical for individual carriers to compete for scarce funding and for passengers. He noted that this is industry driven and it would be a mistake to think that local communities will get the kind of consideration they deserve from Caltrain. He stated his support for full exploration of improvements to existing systems before undertaking new expensive projects.

William Grindle echoed comments made by both mayors.

David Speer thanked the councils for holding the joint session. He questioned if high speed rail doesn't pass, whether or not Caltrain has the authority to force local entities to put in more tracks and to condemn properties.

Morris Brown said he is encouraged by the study session. He stated his opposition to high speed rail and suggested that the councils pursue getting Caltrain to put in quad gates.

Robert Cronin felt that people tend to fear change and suggested that if grade separations already existed and there was a plan to replace them, people would also oppose that. He stated that the present grade crossings are outdated, and that grade separations need to be put in place to improve traffic flow and safety.

In response to questions raised by members of the councils, staff reported that it would cost approximately half a million dollars per crossing to upgrade the current gates to quad gates and that the process could take a couple of years. Several council members also questioned whether or not they would be required to have four tracks if high speed rail comes in.

Council Member Boyle cautioned that, while quad gates add a measure of safety, they don't ensure that trains won't blow their horns and he questioned who would have the liability if the gates fail. He acknowledged that while grade separations have a lot of problems, the City should study this more to determine if they work for the City of Menlo Park and what variations can be implemented at different locations. He pointed out that they are safer than gates and are the only solution that decreases the noise and provides traffic relief.

Several council members also expressed their views that high speed rail would not be a positive addition for their two cities and that the word needs to get out that the high speed rail measure needs to be defeated. It was suggested that any future study for high speed rail should include alternatives for the Peninsula, a tunneling option, possibly funded by the Transportation Authority, and a cost/benefit analysis for each of the alternatives along with some hybrids of the alternatives discussed. It was also suggested that they think about how to maximize utilization of this transportation corridor, including other modes of transportation besides rail.

Members of the two councils expressed appreciation for the staff presentations and the cooperation of their fellow council members in agreeing to work together on this important issue. They noted that many of the issues have been identified and now they need to: 1) gather their facts; 2) look at the cost/benefits of the alternatives; 3) prepare for all possibilities; and 4) work with Caltrain on several issues including quad gates and the number of tracks being proposed by Caltrain.

The joint meeting adjourned at 10:05 p.m.

CITY COUNCIL STUDY SESSION – 10:10 p.m.

D. ROLL CALL – Cohen, Robinson, Boyle, Cline and Fergusson

Staff present: City Manager Rojas, City Attorney McClure and City Clerk Kelly. Other staff were present in the audience.

E. PUBLIC COMMENT - None

F. STUDY SESSION – MUNICIPAL WATER POLICIES AND PRACTICES

1. Discussion of Municipal Water Policies and Practices. ([Staff Report #08-015](#))

Public Works Director Kent Steffens, Jennifer Ng, Senior Civil Engineer, and Regina Wheeler, Environmental Programs, presented the staff report covering the following topics: 1) exploring the implications of keeping water purchases below the City's current contractual supply assurance from the City and County of San Francisco; 2) potential increase in budgeting for conservation methods – BAWSCA and city budgets; 3) considering action to become a signatory to the California Urban Water Conservation Council's (CUWCC) Memorandum of Understanding to implement best management practices for urban water conservation; 4) considering the adoption of the landscaping principles and guidelines promoted by StopWaste.org; 5) reviewing the sufficiency of the current and planned diversity of water sources serving the City; 6) a large landscape audit program and other current BAWSCA led conservation programs; 7) drought-tolerant landscaping education program; 8) C/CAG Utilities Task Force participation; and 9) considering policy actions to implement increasing block water rate structures that send a conservation signal to the customer and are consistent with Proposition 218.

Mr. Steffans stated that residents receive their water supply from the following service providers: 1) the Menlo Park Municipal Water District serves approximately one-third of the population; 2) the California Water Service Company-Bear Gulch District serves most of the remaining residents; 3) O'Connor Tract Co-operative Water Company and 4) Palo Alto Park Mutual Water Company serve a smaller portion of the area.

In response to questions raised by Council Member Cline regarding emergency water and conservation needs, Mr. Steffens stated that staff believes ground water wells are a better alternative for the City than reclamation projects. He stated that ground water wells can be used for many purposes, where reclamation is primarily used for large commercial irrigation projects.

In response to questions raised by Council Member Fergusson, Mr. Steffens responded that any local water conservation and landscaping ordinances would need to be coordinated with the other agencies that provide water to residents and businesses in the City and that the state is in the process of updating a model ordinance that will need to be reviewed as well. He also said that staff would look at hosting some landscape maintenance classes in the City.

Mr. Steffens replied that staff would need to perform analysis prior to recommending signing onto the CUWCC Memorandum of Understanding as the MOU does include specific performance standards, reporting requirements, and an expectation that the programs be implemented.

Council Member Fergusson questioned if the City followed the StopWaste.org guidelines and if the City shouldn't consider putting more money into the BAWSCA

programs. Mr. Steffens stated that the City does promote these guidelines and that staff believes that the programs are adequately funded at this time.

Council Member Boyle said he is impressed with how much the City is already doing. In response to questions raised, Mr. Steffens reviewed the process required to raise rates. He also stated that staff either has or is able to obtain data in the areas of: 1) breakdown of usage by customers and 2) cost of drilling wells versus benefit of conservation by large commercial customers. Mr. Steffens also pointed out the Menlo Park Municipal Water District's rates are, and have been, lower than the other agencies for quite some time.

Vice Mayor Robinson questioned water usage projections based on population estimates and make up of businesses and whether or not staff has or could perform an analysis of what the sustainable rate of withdrawal would be for ground water wells. Mr. Steffens replied that some studies already exist, but the intent would be to put in monitoring devices. He stated that it is staff's belief that there are sufficient groundwater resources available to meet the needs of the industrial customers.

Members of the public commented as follows:

Erica Sabelman felt there is good work being done, but that the weakness is in public education. She suggested that rebates be wrapped into an education program and that more attention be paid to large landscape users.

Gail Sredanovic informed the Council that there is a controversial proposal to drain the Tuolumne River. She recommended that conservation brochures be put in the libraries and mailed to the public as a means of educating people. She also asked the Council to consider a program that would allow residents to bring medications to a facility for disposal and a program that would discourage excessive amounts of asphalt. She also suggested the Council invite the California Water Service Company-Bear Gulch District to give the Council an overview of their conservation program.

Tomer Hasson, representing the Tuolumne River trust, encouraged the City to sign onto CUWCC and to send a letter to BAWSCA wholesale agencies asking them not to take more water from the Tuolumne River.

Peter Drekemeier said that the Tuolumne River diversion program is very controversial and will have a great impact on the environment. He encouraged the City to sign the CUWCC agreement and asked the City not to rule out reclamation projects.

Patty Boyle suggested that the City consider an incentive program for sustainable landscape. She also expressed her concern for protecting the Tuolumne River.

Council Member Fergusson suggested the Council direct staff as follows: 1) encourage the use of well water for irrigation; 2) work with BAWSCA to revive the low-flow toilet program; 3) evaluate the City's landscaping and water conservation ordinances; 4) provide training to landscape staff on best practices; 5) consider adopting a resolution that endorses the principals of StopWaste.org; 6) track consumer response to price increases to better understand any relationship; 7)

encourage BAWSCA to promote new efficient conservation programs and to pursue agricultural conservation; 8) pursue the agreement with CUWCC; 9) coordinate with Cal Water on programs and invite them to present their conservation program to the Council; and 10) obtain more detailed analysis as recommended by council members.

Council Member Boyle commended staff on the job they are doing and suggested that, in the absence of an imminent crisis, the Council's position might better be to stay the course as there are limited staff resources and the need to focus on other projects and priorities.

Council Member Cline acknowledge that Council Member Fergusson's recommendations are good things to work toward, but stated that he believed the first step would be to have staff put together a plan and a timeline on what it would take to implement these recommendations so the Council could prioritize them.

Mayor Cohen stated his agreement with this approach.

By Council agreement, with the exception of Council Member Boyle, the Council directed the City Manager to report back on a timeline and estimated cost of staff time for staff to prepare a plan that would address the actions proposed by Council Member Fergusson.

G. WRITTEN COMMUNICATION

- 1. Memorandum from Council Member Fergusson regarding Council consideration to place on a future agenda authorization to sign up for Pacific Gas and Electric Company's Climate Smart program. ([attached](#))**
Action: By consensus the Council agreed to continue this matter to the meeting of February 5, 2008.

H. ADJOURNMENT – Adjourned at 12:00 a.m.

Respectfully submitted,

Sherry M. Kelly, City Clerk

Approved at the Council meeting of March 25, 2008