



# CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY AGENDA

Tuesday, December 19, 2006  
7:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
Menlo Park City Council Chambers

There will be two  
Closed Sessions  
starting at 5:30  
p.m. in the  
Admin. Building.

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## **5:30 p.m. CLOSED SESSIONS** (First Floor Conference Room – Administration Building)

1. Closed Session pursuant to Government Code Section §54956.9 regarding [San Mateo County Superior Court Case Number CIV 452721](#) litigation Bonner versus the City of Menlo Park. Parties present: David Boesch, City Manager, and William McClure, City Attorney.
2. Closed Session conference with legal counsel-anticipated litigation significant exposure to litigation pursuant to subdivision (b) of Government Code Section §54956.9 two (2) cases: 75 Willow Road and 321 Middlefield Road. Parties present: David Boesch, City Manager, William McClure, City Attorney, and Arlinda Heineck, Community Development Director.

## **Reconvene in Open Session and Report on Aforementioned Closed Session.**

## **7:00 p.m. REGULAR MEETING** (Menlo Park City Council Chambers)

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

## **PLEDGE OF ALLEGIANCE**

### **A. COMMISSION VACANCIES, AND REPORTS**

1. There is one vacancy on the Housing Commission to fill an un-expired term that ends July 2009. The deadline for applications is Monday, January 8, 2007.
2. There are two vacancies on the Parks and Recreation Commission to fill two un-expired terms. The terms expire September 2008 and September 2009. The deadline for applications is Monday, January 8, 2007.
3. There are two vacancies on the Transportation Commission to fill two un-expired terms. The terms expire September 2007 and July 2009. The deadline for applications is Monday, January 8, 2007.
4. Commission members and Chamber of Commerce reports.

### **B. PRESENTATIONS AND PROCLAMATIONS - None**

### **C. PUBLIC COMMENT #1 (*Limited to 60\* minutes*)**

Under “Public Comment #1”, the public may address the Council on any subject not listed on the agenda and items listed under the Consent Calendar. Each speaker may address the Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live, e.g., Menlo Park, Woodside, and San Mateo County. The Council cannot act on items not listed on the agenda and, therefore, the Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

\*Note: In order to give as many people as possible an opportunity to contribute their ideas as input into the Council’s goal-setting, Public Comment #1 on December 19 has been extended to 60 minutes.

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

1. Approval of 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, 2006, in accordance with Government Code Section 66000 et. seq. ([Staff Report #06-225](#))
2. Community Development Agency Board approval of the Menlo Park Community Development Agency annual report for Fiscal Year 2005-06. ([Staff Report #06-226](#))
3. Review of 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, 2006 according to Government Code Section 66001. ([Staff Report #06-227](#))
4. Authorization of the Public Works Director to accept the work performed by Casey Construction, Inc., for the Oak Avenue Storm Drain Improvement Project. ([Staff Report #06-229](#))
5. Approval of the minutes for the City Council meetings of October 10, 2006, ([attachment](#)); October 17, 2006, ([attachment](#)); October 24, 2006, ([attachment](#)); and November 14, 2006 ([attachment](#)).

#### **E. PUBLIC HEARING - None**

#### **F. REGULAR BUSINESS**

1. Discussion and possible direction to staff on previous Council actions taken relative to property located at 321 Middlefield Road. (Continued from Written Communication G-1 of the City Council Meeting of December 12, 2006.) ([Staff Report #06-228](#))
2. Discussion and possible direction to staff on previous Council actions taken relative to property located at 75 Willow Road. (Continued from Written Communication G-1 of the City Council Meeting of December 12, 2006.) ([Staff Report #06-228](#))

#### **G. WRITTEN COMMUNICATION - None**

#### **H. INFORMATION ITEM**

1. Implementation of the voter-approved Utility Users Tax (UUT). ([Staff Report #06-230](#))

#### **I. COUNCIL MEMBER REPORTS**

#### **J. PUBLIC COMMENT #2 (Limited to 30 minutes)**

Under "Public Comment #2", the public if unable to address the Council on non-agenda items during Public Comment #1, may do so at this time. Each person is limited to three minutes. Please clearly state your name and address or jurisdiction in which you live, e.g. Menlo Park, Woodside, and San Mateo County.

#### **K. ADJOURNMENT**

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