



**CITY COUNCIL
COMMUNITY DEVELOPMENT AGENCY
MINUTES**

Tuesday, January 27, 2009 at 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
Menlo Park City Council Chambers

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS:

- Item F2, by consensus of the City Council was moved to the Consent Calendar.

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS - None

1. Appointment of El Camino Real/Downtown Specific Plan Oversight and Outreach Committee Members ([Staff Report #09-016](#))

Action: By unanimous acclamation, Jeff Warmouth, Tom Hilligoss, Todd Temple, Elizabeth Weiss, Vincent Bressler, Ben Eired, J. Michael Guillard and Clark Kepler were reappointed to the Committee.

Action: Nomination from Fergusson for Charles Catalano, nomination from Cohen for Fran Dehn, nominations from Boyle for Charles M. Kenney and Watson “Scott” Lohmann.

Action: Charles Catalano was appointed to the Committee with affirmative votes from Fergusson, Cline and Robinson.

2. Consider applicants for an appointment to fill one vacancy on the Transportation Commission and one vacancy on the Environmental Quality Commission ([Staff Report #09-019](#))

Action: By acclamation the Council appointed to the Transportation Commission: Penelope Huang

Action: Nomination for the Environmental Quality Commission from Boyle to appoint Lawrence (Butch) Byers; Nomination from Cline to appoint Megan Gutelius:

Votes: L. Byers (Boyle), Gutelius (Cline, Cohen, Fergusson, Robinson)

Action: With a majority vote of the City Council, Megan Gutelius was appointed to the Environmental Quality Commission.

3. Advisory body attendance reports for 2008 ([Staff Report #09-011](#))

Action: Moved, Seconded (Fergusson/Robinson) and passed unanimously to accept the report.

4. Report from the Environmental Quality Commission ([attachment](#))

Chairman Mitchel Slomiak gave a report on behalf of the Commission.

B. PRESENTATIONS AND PROCLAMATIONS - None

C. PUBLIC COMMENT #1 –

Dana Shields, Penelope Huang and Omar Kinaan spoke regarding item 2D on the consent calendar. John Pesqueira spoke regarding sewer laterals.

Matt Henry spoke regarding comments in a newspaper article made by Mayor Robinson.
Barbara Franklin spoke regarding a ban on smoking.

D. CONSENT CALENDAR

Action: Moved, seconded, (Cohen/Fergusson) and carried unanimously to approve the Consent Calendar with items D2 and F2 (which was moved to consent at the beginning of the meeting) pulled for discussion.

- D1. Community Development Agency authorization of the Public Works Director to accept the work performed by Zaccor Companies, Inc., and authorization of the City Manager to increase the contract of the agreement with Erler & Kalinowski, Inc., in the amount of \$30,000 for environmental consultant services for the Terminal Avenue Site Remediation Project ([Staff Report #09-010](#))
- D3. Approval of Resolution No. 5842 authorizing collection of the State mandated building permit fees and retention of a portion of those fees for administrative costs and code enforcement education in accordance with Health & Safety Code Section 18931.6 ([Staff Report #09-018](#))
- D4. Approval of the City Council minutes for the meetings for the meetings of November 06, 2007 and September 23, 2008 ([Attachment](#))

The following two items were pulled from the Consent Calendar for discussion:

- D2. Approval of Woodland Avenue from Menalto Avenue to Euclid Avenue as the street segment to prepare a preliminary design of sidewalk and re-survey resident support for the implementation of Fiscal Year 2008-09 Sidewalk Accessibility Project ([Staff Report #09-009](#))

Action: Moved, seconded, (Cline/Cohen) and passed unanimously approval of (D2) Woodland Avenue from Menalto Avenue to Euclid Avenue as the street segment to prepare a preliminary design of sidewalk and re-survey resident support for the implementation of Fiscal Year 2008-09 Sidewalk Accessibility Project.

- F2. Approval of a raised crosswalk on Menlo Avenue and increased wattage to the streetlight on the Southeast corner at the intersection of Menlo Avenue and University Drive ([Staff Report #09-012](#)) (This item was moved under the Consent Calendar, then pulled for discussion)

Action: Moved, seconded (Fergusson/Robinson) approval of a raised crosswalk on Menlo Avenue and increased wattage to the streetlight on the Southeast corner at the intersection of Menlo Avenue and University Drive.

Action: Substitute motion, seconded (Boyle/Cohen) approval of the increased wattage to the streetlight on the Southeast corner at the intersection of Menlo Avenue and University Drive and to have staff do a safety analyses and possibly include some type of survey of the neighbors.

Action: To entertain the substitute motion passed 3-2 with Fergusson and Robinson dissenting.

Action: Moved, seconded (Boyle/Cohen) and passed with Fergusson and Robinson dissenting approval of the increased wattage to the streetlight on the Southeast corner at the intersection of Menlo Avenue and University Drive and to have staff do a safety analyses and possibly include some type of survey of the neighbors.

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

- 1. Approval of “Conceptual Plan D” for the Kelly Park Improvements Project, authorization for the City Manager to amend the contract with Callander Associates to add \$343,584 to the existing

\$42,917 agreement amount for the development of environmental and construction documents, and determination that the Citywide Sports Fields Study is complete ([Staff Report #09-013](#))

Action: Moved, seconded (Fergusson/Cohen) and passed unanimously approval of “Conceptual Plan D” for the Kelly Park Improvements Project and to take Matt Henry’s suggestions if appropriate into consideration as well as other good ideas that make the design better, authorization for the City Manager to amend the contract with Callander Associates to add \$343,584 to the existing \$42,917 agreement amount for the development of environmental and construction documents, and determination that the Citywide Sports Fields Study is incomplete and to have staff and the Park & Recreation Commission to continue discussions of field concepts and joint use agreement at Flood Park.

2. This item was moved under the Consent Calendar, see above for action (see above)
3. 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 REPORT

H. WRITTEN COMMUNICATION

Request from Vice Mayor Cline to agendize the letter to determine if Council would like the item to come to Council for action at a future meeting requesting a four-month moratorium on new home construction in the Stanford Gardens overlay ([Attachment](#))

Action: The item will not be agendized for a future meeting.

I. INFORMATION ITEM

1. Quarterly Financial Review of General Fund Operations as of December 31, 2008 ([Staff Report #09-015](#))
2. Review of the City’s Investment Portfolio as of December 31, 2008 ([Staff Report #09-017](#))

J. COUNCILMEMBER REPORTS

Report from City Council Subcommittee on High Speed Rail and discussion by Council Members

K. PUBLIC COMMENT #2 - None

L. ADJOURNMENT – Adjourned at 11:33 p.m.

Margaret S. Roberts, MMC
City Clerk

Approved at the Council meeting of March 24, 2009