



CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY REGULAR MEETING MINUTES

Tuesday, June 2, 2009 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

At 7:00 p.m. the Regular Session was called into order.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

- Block Parties – June 24 and August 12

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B. PRESENTATIONS AND PROCLAMATIONS

C. PUBLIC COMMENT

D. CONSENT CALENDAR

Action: Moved and seconded (Cline/Fergusson) and passed unanimously approval of the Consent Calendar with the submitted changes to the minutes of May 12 and May 19.

1. Adoption of a Resolution No. 5857 of Intention to abandon portions of public rights of way along Alma Street and Mielke Drive for future construction of the Burgess Gymnasium ([Staff Report #09-073](#))
2. Award of contract to JJR Construction, Inc. in the amount of \$117,745 for the Citywide Sidewalk Repair Project; and authorization of a total budget of \$166,745 for construction, contingencies, engineering, testing and construction administration ([Staff Report #09-071](#))
3. City Council minutes for May 5, May 12, and May 19, 2009 ([Attachment](#)) ([Amendments](#))
4. Adoption of a Resolution No. 5858 giving preliminary approval of the Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2009-10, which proposes a five percent increase to the Tree portion of the assessment; and adoption of Resolution No. 5859 of Intention to order the levy and collection of assessments for the Menlo Park Landscaping District for Fiscal Year 2009-10 ([Staff Report #09-075](#))

E. PUBLIC HEARINGS

1. Review of the City Manager's Proposed 2009-10 Budget and Capital Improvement Program for the City of Menlo Park; consideration of the Revised Long-Term Financial Forecast; and discussion of the continuation of the current reduced rate of Utility Tax beyond September 30, 2009 ([Staff Report #09-069](#)) ([PowerPoint Presentation](#))

The Public Hearing was opened.

- Morris Brown – spoke regarding the budget document is not a “balanced budget” Moved and seconded (Boyle/Cline) and passed unanimously to close the Public Hearing.

2. Adoption of a Resolution authorizing collection of a regulatory fee at the existing rate to implement the local City of Menlo Park Storm Water Management Program for Fiscal Year 2009-10 ([Staff Report #09-070](#))

Action: Moved and seconded (Fergusson/Cohen) and passed unanimously to close the Public Hearing.

Action: Moved and seconded (Fergusson/Cline) and passed unanimously approval of Resolution No. 5860 authorizing collection of a regulatory fee at the existing rate to implement the City of Menlo Park Storm Water Management Program for fiscal year 2009-10.

3. Adoption of a Resolution recommending that the San Mateo County Flood Control District impose basic and additional charges for funding the Fiscal Year 2009-10 countywide National Pollutant Elimination System (NPDES) General Program ([Staff Report #09-072](#))

Action: Moved and seconded (Fergusson/Cohen) and passed unanimously to close the Public Hearing.

Action: Moved and seconded (Fergusson/Cline) and passed unanimously approval of Resolution No. 5861 recommending that the San Mateo County Flood Control District impose basic and additional charges for funding the Fiscal Year 2009-10 countywide National Pollutant Elimination System (NPDES) General Program.

F. REGULAR BUSINESS

1. Adopt Resolutions of the City of Menlo Park and the City of Menlo Park Joint Powers Public Financing Authority Authorizing the Issuance and Sale of General Obligation Bonds, Which May Include the Use of Build America Bonds (BABs) Financing, to Fund Parks and Recreation Facilities (Measure T) in an Amount Not to Exceed \$13,000,000 and Approve the Related Legal Bond Documents ([Staff Report #09-074](#)), ([PowerPoint Presentation](#)), ([Buy America Bonds Presentation](#))

Action: Moved and seconded (Fergusson/Cline) and passed 4-1 with Councilmember Cohen dissenting approval of Resolution No. 5862 authorizing issuance and sale of up to \$13,000,000 of principal in bonds, approving the form of the paying agent agreement, authorizing the execution and delivery of a bond purchase agreement by and among the City of Menlo Park, the City of Menlo Park Joint Powers Public Financing Authority and Piper Jaffray & Co. and approving the form and distribution of an official statement and authorizing certain actions in connection with the issuance, sale and delivery of such bonds and to set a \$400,000 threshold for use of Build America Bonds, noting that staff has the discretion to include the calamity call .

Action: Moved and seconded (Fergusson/Cline) and passed 4-1 with Councilmember Cohen dissenting approval of JPPFA Resolution 09-01 authorizing the execution and delivery of a bond purchase agreement by and among the City of Menlo Park, the City of Menlo Park Joint Powers Agreement Public Financing Authority and Piper Jaffray & Co.

2. 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
 - AB 715 – (Caballero) City Ordinances: Publishing and Posting Requirements ([Attachment](#))

Action: Moved and seconded (Boyle/Fergusson) and passed unanimously authorizing a letter in support to be sent.

G. CITY MANAGER'S REPORT

H. WRITTEN COMMUNICATION

1. Consideration of policy preference with regard to proposed Caltrain service reductions ([Attachment](#)), ([Proposed letter](#))

Note: Councilmember Cohen and City Attorney McClure are recused from this item and left the Council chambers.

I. INFORMATIONAL ITEMS

J. COUNCIL MEMBER REPORTS

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

K. PUBLIC COMMENT #2

L. ADJOURNMENT at 10:35 p.m.

Margaret S. Roberts, MMC
City Clerk

The minutes were accepted at the Council meeting of June 16, 2009