



**CITY COUNCIL
COMMUNITY DEVELOPMENT AGENCY
REGULAR MEETING MINUTES**

**Tuesday, June 16, 2009 AT 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

5:30 p.m. CLOSED SESSION

1. Conference with Legal Counsel - Existing Litigation

(Pursuant to subdivision (a) of Government Code § 54956.9)

Medina, et al. v. City of Menlo Park, et al. United States District Court Case CV -08-3946

At 7:11 p.m. the Regular Session was called into order.

There was no reportable action from the above Closed Session.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

- Block Parties – June 24 and August 12
- The second El Camino Real/Downtown Specific Plan Community Workshop will take place this Thursday, June 18 at 7:00 p.m.
- Summer Concert Series on Wednesdays in the park

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B. PRESENTATIONS AND PROCLAMATIONS

1. LAFCo Municipal Services Review (MSR) on Menlo Park ([Attachment](#)) ([PowerPoint](#))
Presentation done by Martha Poyatos, Executive Officer of San Mateo LAFCo.

2. Bay Area Earthquake Alliance
Presentation done by Steve Walter, Earthquake Hazards Team of the US Geological Survey.
(PowerPoint)

C. PUBLIC COMMENT #1

Alex Cannara – Sharon Heights Park and the goats ([Handout](#))

Aldora Lee – The impacts on the Library traffic and parking with the Burgess Gym project

Tim Goode – Against the current gymnasium proposal

Cedy Fisher – Against hiring a consultant to conduct a parking study on parking downtown

Glen Rojas, City Manager will follow up Public Works staff and then a memo to Council regarding the comments made by Mr. Cannara.

D. CONSENT CALENDAR

Action: Moved and seconded (Cline/Fergusson) and passed unanimously approval of Consent Calendar items 1, 2, 4, and 6 with the submitted amendments to the minutes of June 2, 2009.

1. Adoption of Resolution No. 5863 authorizing the installation of an approximately 36-foot long No Parking zone on O'Brien Drive between the driveways at 1200 O'Brien Drive and 1330-1360 O'Brien Drive ([Staff report # 09-078](#))
2. Adoption of Resolution No. 5864 requesting the Metropolitan Transportation Commission (MTC) to allocate Fiscal Year 2009-10 Transportation Development Act (TDA) Article 3 Pedestrian and Bicycle Funding for the installation of the San Mateo County north-south bike route signage on Middlefield Road, Willow Road, and Willow Place ([Staff report # 09-076](#))
3. Authorization for the Director of Public Works to accept the work by Graniterock Company, Pavex Construction Division, for the 2007-08 Street Resurfacing Project ([Staff report #09-082](#))

The item was pulled by J. Boyle for clarification questions.

Action: Moved and seconded (Robinson/Boyle) and passed unanimously accepting the work Graniterock Company, Pavex Construction Division, for the 2007-08 Street Resurfacing Project.

4. Authorize the City Manager to enter into a four year agreement with Stars and Stripes Mechanical for the preventative maintenance and repair services for Heating, Ventilation and Air Conditioning systems within City buildings, and authorize a renewal option for three additional years ([Staff report #09-084](#))
5. Authorization of the City Manager to enter into an agreement in the amount of \$64,925 with Wilbur Smith Associates for the Menlo Park Downtown Parking Study ([Staff report # 09-081](#))

The item was pulled by J. Boyle for clarification questions.

Action: Moved and seconded (Fergusson/Cline) and passed 4-1 (Cohen dissenting) authorizing the City Manager to enter into an agreement in the amount of \$64,925 with Wilbur Smith Associates for the Menlo Park Downtown Parking.

6. Acceptance of the City Council minutes for the meeting of June 2 and June 9, 2009 ([Attachment](#)) ([Amendments](#))

E. PUBLIC HEARINGS

F. REGULAR BUSINESS

1. Adopting the 2009-10 Budget and Capital Improvement Program for the City of Menlo Park; establishing the appropriations limit for Fiscal Year 2009-10; and establishing a consecutive temporary tax percentage reduction in Utility Users Tax rates ([Staff report # 09-080](#)) ([PowerPoint](#))

Action: Moved and seconded (Boyle/Cline) and passed unanimously the following resolutions:

- Resolution No. 5865: A Resolution of the City Council of the City of Menlo Park adopting the Budget for fiscal year 2009-10 and adopting the Capital Improvement Program for the fiscal year

- Resolution No. 5866: A Resolution of the City of Menlo Park establishing appropriations limit for fiscal year 2009-10
 - Resolution 5867: A Resolution of the City of Menlo Park establishing a temporary tax percentage reduction in the Utility Users Tax pursuant to Section 3.14.130 of the City of Menlo Park Municipal Code
2. Community Development Agency adoption of Resolutions approving the 2009-10 Agency Budget; approving a loan from the City for the 2009-10 Agency Budget and authorizing a repayment agreement; determining that Planning and Administrative expenses are necessary for the production, improvement and preservation of Low and Moderate Income Housing; and approving the use of funds for production of such housing outside the Las Pulgas Project Area ([Staff report # 09-079](#))

Action: Moved and seconded (Fergusson/Cline) and passed unanimously the following resolutions:

- CDA Resolution 299: Resolution of the Agency Board of the Menlo Park Community Development Agency adopting the Community Development Agency Budget for fiscal year 2009-10
- CDA Resolution 300: Resolution of the Menlo Park Community Development Agency approving a loan from the City of Menlo Park to finance Agency activities for the fiscal year 2009-10 budget and authorizing the Executive Director to execute an agreement to repay funds to the City of Menlo Park
- CDA Resolution 301: Resolution of the Menlo Park Community Development Agency determining that planning and administrative expenses are necessary for the production, improvement and preservation of low and moderate income housing
- CDA Resolution 302: Resolution of the Agency Board of the Community Development Agency of the City of Menlo Park making findings and approvals pursuant to the California Redevelopment Law in connection with the utilization of agency low and moderate income housing funds for planning and administrative expenses for production of low and moderate income housing outside the Las Pulgas Project Area

City Council adoption of Resolutions determining the Project Area benefit and need for Agency funded improvements in Fiscal Year 2009-10; approving a loan to the Agency for the 2009-10 Agency Budget and authorizing a repayment agreement; and approving the use of funds for production of Low and Moderate Income housing outside the Las Pulgas Project Area ([Staff report # 09-079](#))

Action: Moved and seconded (Fergusson/Cline) and passed unanimously the following resolutions:

- Resolution No. 5868: Resolution of the City Council of the City of Menlo Park determining the Las Pulgas Project Area benefit and financing need for Community Development Agency funded improvements in fiscal year 2009-10
- Resolution No. 5869: Resolution of the City Council of the City of Menlo Park appropriating \$13,946,668 to the Community Development Agency 2009-10 Budget and authorizing execution of a repayment contract with the Menlo Park Community Development Agency
- Resolution No. 5870: Resolution of the City Council of the City of Menlo Park making findings and approvals pursuant to the California Redevelopment Law in connection with the utilization of Agency low and moderate income housing funds for planning and administrative expenses for production of low and moderate income housing outside the Las Pulgas Project Area

3. Adoption of a General Fund Unappropriated Balance Policy ([Staff report # 09-083](#)) ([PowerPoint](#))

By consensus, the draft policy will be presented to the Finance & Audit Committee for input and staff will continue to work with the policy to bring back to the Council for consideration at a later date.

4. 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

G. CITY MANAGER'S REPORT

H. WRITTEN COMMUNICATION

I. INFORMATIONAL ITEMS

1. Menlo Gateway (Bohannon-Hotel Mixed-Use) Project Subcommittee Report ([Staff report # 09-085](#))

J. COUNCIL MEMBER REPORTS

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

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

Morris Brown – spoke to legislative items on the High Speed Rail

K. PUBLIC COMMENT #2

L. ADJOURNMENT - 11:39 p.m.

Margaret S. Roberts, MMC
City Clerk

The minutes were accepted at the Council meeting of July 21, 2009