



CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY SPECIAL MEETING MINUTES

Tuesday, July 14, 2009 at 6:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

6:00 p.m. CLOSED SESSION

The Closed Session was called to order at 6:00 by Mayor Robinson.

Present: Robinson, Cline, Boyle, Fergusson
Recused: Cohen (due to the proximity of his home)

1. Conference with Legal Counsel pursuant to subdivision (a) of Government Code § 54956.9

Case: Town of Atherton, Planning and Conservation League, City of Menlo Park et al. v. California High Speed Rail Authority, Sacramento Superior Court, Case No. 34-2008-80000022

Report from Closed Session: There was a settlement offer, which Menlo Park did not participate in. The Council took public comment from Morris Brown ([handout](#)) and then in closed session discussed the lawsuit further.

REGULAR SESSION

The Council convened in open session at 7:05 p.m. with all members present.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

- Upcoming meetings on the "Menlo Gateway" project, which is also known as the Bohannon hotel/office proposal. These public outreach meetings will serve to educate the community in general about the proposed project, as well as provide an opportunity to receive input, in particular around the topic of public benefit needs. The initial meetings will take place next Thursday, July 23, and the following Wednesday, July 29. Full details are available on a citywide postcard mailing, in an advertisement in this week's Almanac, as well as on the City's web site, which includes a project page for this proposal. Interested community members are also encouraged to sign up for automatic email updates on the project page.

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

1. Council appointment designating the Voting Delegate and Alternate for the League of California Cities Annual Conference – September 16-18 ([Attachment](#))

Action: By consensus, Mayor Robinson will be the voting delegate and the Alternate.

B. PRESENTATIONS AND PROCLAMATIONS

1. Update presentation on San Francisquito Creek Joint Powers Authority (JPA) programs and projects (PowerPoint Presentation)

Action: Len Materman, Executive Director of the JPA gave a PowerPoint presentation.

Fran Dehn with the Chamber of Commerce made comments on the Block Parties, the assistance of City staff for bee relocation and upcoming events this weekend.

C. PUBLIC COMMENT #1

- Uschi Joshua spoke to the tree trimming in front of her property.

D. CONSENT CALENDAR

Action: Moved and seconded (Cline/Fergusson) and passed unanimously approval of Consent Calendar items D1, D3, D4, D5, D6, D7 with D8 being continued and D2 pulled by Boyle for discussion.

1. Approval of Administrative Services procedure entitled "Identity Theft Prevention Program" for compliance with the Fair and Accurate Credit Transactions Act of 2003 (Red Flag Rule) ([Staff report # 09-087](#))
2. Adoption of Resolution No. 5875 approving participation in a countywide Neighborhood Stabilization Collaborative to acquire and rehabilitate vacant foreclosed properties for resale to qualified low-income homebuyers and to designate the City's Neighborhood Stabilization Program funding as matching funds for the grant application ([Staff report # 09-092](#))

Action: Moved and seconded (Robinson/Cohen) and passed unanimously adoption of the resolution.

3. Authorization for the City Manager to execute amendment one to agreement entitled "San Francisquito Creek Joint Powers Authority and Its Member Agencies Roles and Responsibilities Regarding the Army Corps of Engineers Feasibility Cost Share Agreement" ([Staff report # 09-098](#))
4. Adoption of Resolution No. 5871 ratifying a contract with the State of California Department of Education to reimburse the City up to \$749,671 for child care services at the Belle Haven Child Development Center ([Staff report # 09-094](#))
5. Approval of Resolution No. 5872 authorizing the City Manager to enter into Master Professional Agreements with Kutzman and Associates; Shums Coda Associates; John Heneghan; and Ralph Osterling Consulting Inc. for the purpose of continuing the provision of contract plan check, geological plan check, and consulting arborist services on an as-needed basis to supplement the staff of the Community Development department ([Staff report # 09-095](#))
6. Adoption Resolution No. 5873 authorizing the City Manager to amend existing contracts funded by project applicants to exceed the \$300,000 limit for the preparation of Environmental Impact Reports with PBS&J for the Menlo Gateway Project and with LSA Associates for the 1300 El Camino Real Project ([Staff report # 09-099](#))
7. Adoption of Resolution No. 5874 supporting the Peninsula Partnership Leadership Council's Bill of Rights for Children and Youth of San Mateo County ([Staff report # 09-93](#))
8. Acceptance of the City Council minutes for the meeting of February 24, 2009 and June 16, 2009 ([Attachment](#)) ([Correct version of 02/24/09 minutes](#))

Action: This item was continued to the July 21, 2009 Council meeting.

E. PUBLIC HEARINGS

1. Consideration of a Resolution approving the final report of the City Manager regarding unpaid garbage collection fees for Fiscal Year (FY) 2009-10 and approving the placement of unpaid single-family garbage service fees on the FY 2009-10 property tax roll ([Staff report # 09-086](#))

The public hearing was opened and there were no comments.

Action: Moved and seconded (Boyle/Fergusson) and passed unanimously to close the public hearing.

Action: Moved and seconded (Fergusson/Cohen) and passed unanimously approval of Resolution No. 5876 approving the final report of the City Manager regarding unpaid garbage collection fees for Fiscal Year (FY) 2009-10 and approving the placement of unpaid single-family garbage service fees on the FY 2009-10 property tax roll

2. Consideration of a Resolution overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments at the existing fee rates for the sidewalk assessment and at a 5% increase for the tree assessment for the City of Menlo Park Landscaping Assessment District for FY 2009-10 ([Staff report # 09-088](#))

The public hearing was opened and there were no comments.

Action: Moved and seconded (Cline/Fergusson) and passed unanimously to close the public hearing.

Action: Moved and seconded (Fergusson/Cohen) and passed unanimously approval of Resolution No. 5877 overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments at the existing fee rates for the sidewalk assessment and at a 5% increase for the tree assessment for the City of Menlo Park Landscaping Assessment District for FY 2009-10 and directed staff to measure and provide feedback on the tree trimming.

3. Continuation of adoption of a Resolution to abandon Mielke Drive and a portion of Alma Street and to establish public street easements over Alma Street and Burgess Drive and reserve a public utilities easement over Mielke Drive to the July 21, 2009 hearing date ([Staff report # 09-089](#))

The public hearing was opened and there were no comments.

Action: Moved and seconded (Robinson/Cohen) and passed unanimously to continue the public hearing to the Council meeting of July 21, 2009.

Action: Moved and seconded (Robinson/???) and passed unanimously to continue the public hearing to the Council meeting of July 21, 2009.

F. REGULAR BUSINESS

1. Approval of the relocation and installation of a solar wireless lighted crosswalk system and signage in combination with an enhanced crosswalk with reddish textured pavement treatment on Middlefield Road at Linfield Drive as the preferred improvement alternative ([Staff report # 09-091](#)) ([PowerPoint Presentation](#))

Public comments:

- Rhoda Alexander, representing the Transportation Commission spoke to the Commission's recommendations on the item ([Handout](#))
- Roger Crawley – in favor of a full traffic signal
- Fran Dehn – spoke to her many concerns
- Omar Adham – against a full traffic signal; in favor of staff recommendation; increased cut through traffic on Linfield if a full traffic signal

Action: Moved and seconded (Boyle/Cline) and passed 4-1 (Fergusson dissenting) approval of the relocation and installation of a solar wireless lighted crosswalk system and signage in combination with an enhanced crosswalk with reddish textured pavement treatment on Middlefield Road at Linfield Drive as the preferred improvement alternative. Direction to staff to include:

- 1 – Consideration of an audible warning
- 2 – Consideration a radar detection system to show vehicles they are speeding
- 3 – Exploration of adding one more flexile divider from Middlefield at Santa Maria
- 4 – Suggest that the remaining funds to be kept for one year after construction completion and earmarked for this intersection

2. Direct the City of Menlo Park representative to the South Bayside Waste Management Authority (SBWMA) Board to vote to approve the bond documents and issuance of bonds in the maximum amount of \$56,500,000 to fund improvements to the Shoreway Recycling and Disposal Center ([Staff report # 09-090](#)) ([PowerPoint Presentation](#))

Action: Moved and seconded (Boyle/Cline) and passed unanimously directing the City of Menlo Park representative to the South Bayside Waste Management Authority (SBWMA) Board to vote to approve the bond documents and issuance of bonds in the maximum amount of \$56,500,000 and a maximum interest rate of 6.75% to fund improvements to the Shoreway Recycling and Disposal Center.

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

G. CITY MANAGER'S REPORT

H. WRITTEN COMMUNICATION

I. INFORMATIONAL ITEMS

J. COUNCIL MEMBER REPORTS

1. Report from the City Council Subcommittee on High Speed Rail
A. Cohen and B. McClure are recused from this item and they left the meeting at 10:56 p.m.

K. PUBLIC COMMENT #2

C. L. ADJOURNMENT - 11:04 p.m.

Margaret S. Roberts, MMC
City Clerk

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