



# CITY COUNCIL COMMUNITY DEVELOPMENT AGENCY REGULAR MEETING MINUTES

Tuesday, July 21, 2009 at 7:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
City Council Chambers

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## REGULAR SESSION

The Council convened in open session at 7:02 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.
- There is one vacancy on the Housing Commission and one vacancy on the Library Commission due to resignations. For those interested in applying, an application may be obtained from the City's website under City Commissions or from the City Clerk's office.
- Congresswoman Anna Eshoo will hold a special Town Hall Meeting to discuss the issue of High Speed Rail. Experts from the High Speed Rail Authority and Caltrain will make presentations and answer questions related to what is being planned. The meeting will be held on Saturday, July 25 from 2:00 p.m. to 3:30 p.m. at the Menlo Park Council Chambers.

## A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

## B. PRESENTATIONS AND PROCLAMATIONS

### 1. Proclamation: Parks and Recreation Month

**Action:** The Proclamation was accepted by Andrew Kirkpatrick, Parks and Recreation Commission Chairperson. He spoke regarding the positive parks and recreation assets that the City has to offer including Kelly Park, Burgess Gym and Nealon Dog Park. He commented on the benefit of the Field Study.

### 2. Presentation: Outcome of Second Issuance of Measure T Bonds (2009 Series General Obligation Bonds)

**Action:** A presentation was made by Mark Curran of Piper Jaffrey. He thanked City staff for facilitating the bond financing process and stated that the process went smoothly.

### 3. Presentation: Acknowledgment of two 2008 City Solar Awards presented to the City of Menlo Park

**Action:** Mayor Robinson stated that the City received two awards from the NorCal Solar Energy Association at a recent celebration event. Menlo Park was ranked as one of the top three cities in the categories for – (1) Number of Systems and (2) Systems Per Capita Installed

### C. PUBLIC COMMENT #1

The following speakers made public comment:

- Frank Carney spoke regarding the recent retirement of Environmental Programs Coordinator Diane Dryer and encouraged Council to hire a qualified successor and to continue the environmental programs
- Matt Henry expressed his opposition to – an new County jail in Menlo Park
- Betty Meisser spoke regarding the recent Connoisseur's Marketplace
- John Slater spoke regarding Linfield Park and the development plan disclosure
- Kristi Breisch spoke regarding a recent National Volunteerism Conference and the Service America Act
- Joy Kosobayashi spoke regarding salary negotiations for City employees and requested more information
- Claudia Lopez Guzman spoke regarding her concern about youth violence in the community and encouraged Council to invest in more youth programs. She expressed her willingness to help in this effort.
- Osnat Loewenthal spoke regarding the Menlo Children's Center and some recent activities of the parents' association
- Darrell Warren expressed his opinion that racial profiling is occurring in East Menlo Park

### D. CONSENT CALENDAR

Mayor Robinson inquired whether any member of the public wished to speak on Item D-1. No one came forward to speak.

**Action:** Moved, seconded (Fergusson/Cline) and passed unanimously to approve the Consent Calendar.

1. Adoption of **Resolution 5878** approving placement of a tax lien on a property at 557 Willow Road and 24 Iris Lane regarding a public nuisance
2. Authorize the City Manager to execute an amendment to the Agreement between the City of Menlo Park and the City and County Association of Governments (C/CAG) for the operation of the Marsh Road, Willow Road, and Midday shuttle bus services
3. Acceptance of the City Council minutes for the meeting of February 24, June 16, and July 14, 2009

### E. PUBLIC HEARINGS

1. Consideration of (1) Resolution adopting findings for certification of the Final Environmental Impact Report and a statement of overriding considerations and approving a Mitigation Monitoring and Reporting Program for the Burgess Gymnasium and Gymnastics Center Projects; (2) Resolution abandoning public right of way and reserving a public utilities easement along Mielke Drive and abandoning portions of public right of way and establishing a new street easement along Alma Street between Ravenswood Avenue and Burgess Drive; (3) Approval of a Heritage Tree removal permit and (4) Approval of architectural control for the Burgess Gymnasium Project

Mayor Robinson opened the public hearing and the following speakers made public comment:

- Patricia Watkins spoke in support of the project
- Pearce Wagner spoke in favor of the project and encouraged physical activity for adults and children in order to combat obesity
- Frank Carney spoke in favor of the project but expressed his concern regarding the size of the gym, parking and traffic

- Gail Gorton expressed concern regarding the size of the gym, traffic and funding
- Suetelang Paludo spoke in opposition of the project
- Claudia Lopez Guzman supports the community's needs
- Vincent Bressler expressed concern regarding parking, doing the project right and not piece meal
- Don Brawner spoke in opposition of the project
- Nick Naclerio spoke in favor of the project
- Howard Lee spoke in favor of the project
- Timothy Goode spoke in favor of a gym, but not at the expense of the library
- Tom McDonough clarified remarks made by Timothy Goode regarding the Library Commission's input on the project

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

Recess – 10:03 p.m.

Reconvene – 10:09 p.m.

Council discussion.

**Action:** Moved, seconded (Boyle/Cline) and approved 4-0-1 (Cohen abstained) to (1) Adopt **Resolution 5879** adopting findings for certification of the Final Environmental Impact Report and a statement of overriding considerations and approving a Mitigation Monitoring and Reporting Program for the Burgess Gymnasium and Gymnastics Center Projects; (2) Adopt **Resolution 5880** abandoning public right of way and reserving a public utilities easement along Mielke Drive and abandoning portions of public right of way and establishing a new street easement along Alma Street between Ravenswood Avenue and Burgess Drive; (3) Approve a Heritage Tree removal permit and (4) Approve architectural control for the Burgess Gymnasium Project with the following amendments:

- Move employee parking out of Lot 6
- Replace all trees removed with native trees
- Conduct 3 parking studies during the first year; at 3 months, 6 months and at the end of the year; have these studies reviewed by several of the Commissions
- Create a mitigation plan to manage parking during large events
- Hold a neighborhood meeting to discuss the construction plan prior to construction
- Explore low cost traffic control alternatives for Laurel Street

**Action:** Moved, seconded (Fergusson/Robinson), and approved 3-1-1 (Boyle dissented, Cohen abstained) to amend the budget to include LEED certification of the Burgess Gym (Silver level or higher) in an amount not to exceed \$250,000 and to direct staff to pursue the most cost efficient means possible for certification.

## F. REGULAR BUSINESS

1. Appointment of a Council subcommittee to review applications and make recommendations for the Menlo Park community funding grant program for Fiscal Year 2009-10

**Action:** Moved, seconded (Robinson/Cline) and approved unanimously to appoint Council members Boyle and Cohen to serve on a Council subcommittee to review applications and make recommendations for the Menlo Park community funding grant program for fiscal year 2009-10.

2. Consider consolidating the recruitment of city commissions so that appointments to all commissions are made in March; Extend the terms of the current commissioners whose terms will expire and/or reach the term limit prior to March; and Consider appointment of a Council subcommittee to interview all commission applicants

Public speaker:

- Anne Moser spoke regarding her concern that the Commissions were not adequately notified that this item was coming before Council.

**Action:** Moved, seconded (Fergusson/Boyle) and approved 4-1 (Cohen dissented) to continue this item and direct staff to present additional information regarding consolidating commission recruitments on an annual basis, to open the recruitment process as usual for all commission terms that will expire between now and September and extend the recruitment for these terms through mid-September. Per policy, current commissioners may remain on the Commission until their successor is appointed.

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**

City Manager Rojas reported on the status of the State budget and highlighted several specific impacts on local government.

#### **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 12:23 a.m.

#### **K. PUBLIC COMMENT #2**

#### **C. L. ADJOURNMENT – 12:43 a.m.**

Pamela Aguilar  
Deputy City Clerk

The minutes were accepted at the Council meeting of August 25, 2009