



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

Tuesday, October 6, 2009

7:00 p.m.

701 Laurel Street, Menlo Park, CA 94025  
City Council Chambers

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**7:00 p.m. REGULAR MEETING**

All Council Members are present. Also present is City Manager, Glen Rojas; Assistant City Manager, Starla Jerome-Robinson; City Attorney, Bill McClure; Pam Aguilar, Deputy City Clerk; Executive Assistant, Pat Carson

**PLEDGE OF ALLEGIANCE** – Led by Mayor Robinson

**REPORT FROM CLOSED SESSION**

Mayor Robinson stated that there is no reportable action from this evening's closed session regarding labor negotiations.

**ANNOUNCEMENTS**

Mayor Robinson made the following announcements:

- Downtown Menlo Park Parking Study Public Meeting, Wednesday, October 7<sup>th</sup>, 7pm at the Menlo Park Presbyterian Social Hall, 700B Santa Cruz Avenue. City staff and consultants will introduce the Downtown Menlo Park Parking Study purpose, scope and schedule as well as discuss parking management concepts and best practices. This is the first of 3 public meetings, please come with your concerns and suggestions for parking in the downtown area.
- Grand Opening celebration of the Menlo Atherton High School Center for Performing Arts will be Saturday, October 10 from 7 – 8:30pm. Tours of the Center will be given from 6 - 7pm

Mayor Robinson suggested that Regular Business Item F-1, Approval of Guidelines for the Neighborhood Stabilization Program, be taken out of order and addressed prior to the Public Hearing.

**Action:** Motion & second (Robinson/Cline) to consider Item F-1 out of order passes (4-1; Boyle dissents).

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

1. Bicycle Commission Report ([Attachment](#))

Robert Steele, Bicycle Commission Chairperson, gave a report to Council on the activities of the Bicycle Commission during the last two quarters

2. Consider Commission applicants for appointments to fill vacancies on the Environmental Quality, Housing, Library, Parks and Recreation and Transportation Commissions ([Staff report # 09-139](#))

Environmental Quality Commission (1 seat):

**Action:** Councilmember Fergusson nominated Lawrence Byers

**Action:** Lawrence Byers was appointed by acclamation

Transportation Commission (2 seats):

**Action:** Councilmember Cohen nominated Charlie Bourne and Don Brawner, Councilmember Fergusson nominated Maurice Shiu, Councilmember Boyle nominated Katherine Strehl and Councilmember Cline nominated Ash Vasudeva

**Action:** Charlie Bourne (4 votes), Maurice Shiu (3 votes) were appointed

Parks and Recreation Commission (2 seats):

**Action:** Councilmember Fergusson nominated James Cebrian, Councilmember Boyle nominated Jim Tooley and Councilmember Cline nominated John Gregory

**Action:** James Cebrian (3 votes) Jim Tooley (5 votes) were appointed

Library Commission: (3 seats):

**Action:** Councilmember Fergusson nominated Amita Vasudeva, Councilmember Cohen nominated Michelle Wangberg, Councilmember Boyle nominated Amy Hamilton and Councilmember Cline nominated George Yang

**Action:** Amy Hamilton (4 votes), Amita Vasudeva (2 votes), Michelle Wangberg (5 votes) were appointed

Housing Commission (3 seats):

**Action:** Councilmember Boyle nominated John Bautista, Councilmember Cohen nominated Carolyn Clarke, Councilmember Cline nominated Katherine Strehl and Mayor Robinson nominated Brigid Van Randall

**Action:** John Bautista (4 votes), Carolyn Clarke (4 votes), Katherine Strehl (5 votes) were appointed

**B. PRESENTATIONS AND PROCLAMATIONS - None**

**C. PUBLIC COMMENT #1**

- **Elias Blawie** spoke regarding the Bohannon project
- **Jean Baronas** asked Council to consider tasking Commission candidates who are not appointed to help with the work of the Commissions
- **Joy Koso** spoke regarding labor negotiations
- **John Liotti** spoke regarding the Foreclosure Prevention Program
- **Gloria Portillo** thanked Council for supporting the Habitat for Humanity projects in Menlo Park
- **Tracie Van Hook** thanked Council for supporting the Habitat for Humanity projects in Menlo Park
- **Deven Richardson** thanked Council for supporting the Habitat for Humanity projects in Menlo Park
- **Maria Ibarra** thanked Council for supporting the Habitat for Humanity projects in Menlo Park

Councilmember Boyle requests Item D-6 of the Consent calendar, Approval of a Resolution authorizing the Foreclosure Prevention Program and the dedication of \$1 million from the Below

Market Rate Housing Fund for equity investment in homes to increase the affordability of those homes ([Staff report # 09-133](#)), be pulled for further consideration.

#### D. CONSENT CALENDAR

1. Approval of the Monte Rosa Drive Neighborhood Traffic Management Measures to remain permanent ([Staff report # 09-134](#))
2. Waiver of reading and adoption of **Ordinance 964** establishing a Transportation Impact Fee for the City of Menlo Park and approval of **Resolution No. 5889**<sup>1</sup> setting the Transportation Impact Fee rates ([Staff report # 09-135](#))
3. Award of a contract to ABG Group dba Home Line, Inc. in the amount of \$164,540 for the Menlo Park Public Library Children's and Young Adult Library Interior Renovation Project; and authorization of a total budget of \$210,000 for construction, contingencies and construction administration ([Staff report # 09-140](#))
4. Approval of the First Addendum to Agreement between the County of San Mateo and the City of Menlo Park to Toll Statutes of Limitations for Claims Regarding Property Tax Administration Fees ([Staff report # 09-136](#)) (**Resolution No. 5893**)
5. Approval of the reimbursement of Habitat for Humanity of Greater San Francisco for the purchase of three homes in their Neighborhood Revitalization Program and authorize staff to reimburse for the final two home purchases as they are purchased ([Staff report # 09-132](#))

**Action:** Motion and second (Fergusson/Cohen) to approve Items D-1 through D-5 on the Consent calendar passes unanimously.

Housing Manager Doug Frederick responded to Councilmember Boyle's question regarding Item D-6, that the City's equity is always repaid before the homeowner's equity is repaid.

**Action:** Motion and second (Boyle/Cline) to approve Item D-6 passes unanimously.

#### F. REGULAR BUSINESS: Item F-1 is taken out of order

1. Approval of the Program Guidelines for the Neighborhood Stabilization Program and authorize staff to implement the program ([Staff report # 09-137](#))

Doug Frederick, Housing Manager, presented the staff report and responded to Council questions.

- **Adam Montgomery** commented on the item.

**Action:** Motion and second (Cline/Cohen) to approve the program guidelines for the Neighborhood Stabilization Program and authorize staff to implement the program passes unanimously with the addendum that the RFQ be thoroughly evaluated.

#### E. PUBLIC HEARINGS

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<sup>1</sup> Resolution number changed due to a clerical error 11/16/2009 – Margaret S. Roberts, City Clerk

1. Consideration of a request for a Rezoning, Planned Development Permit, Tentative Parcel Map, Below Market Rate Housing Agreement, Heritage Tree Removal Permit, and Environmental Impact Report to construct two commercial buildings totaling 110,065 square feet on a 3.4-acre parcel located at 1300 El Camino Real  
([Staff report # 09-131](#))

Staff presentation by Megan Fisher, Associate Planner, and Justin Murphy, Development Services Manager.

Applicant Jeff Warmoth made an opening statement and project architect Kenneth Rodrigues made a presentation. Both responded to Council questions. Mayor Robinson opened the Public Hearing.

The following members of the public commented on the item:

- **Elizabeth Lasensky** stated that the Housing Commission approved this project and supports including housing. She also requested curb cuts be included.
- **Steve Schmidt** supports including housing as part of this project.
- **Anne Moser** stated that housing is needed near transit areas and supports including housing and BMR units as part of this project as it is in an ideal area
- **John Curran** spoke regarding the letter his firm submitted to staff prior to this evening's meeting
- **Richard Draeger** spoke regarding retail tax revenue and redeveloping the Draegers' property
- **Kathy Hamilton** spoke in support of the project, is open to new grocery retail and inquired about the two-year option
- **Morris Brown** spoke in support of the project and stated the visioning process is still in its early stages

EIR Consultant Adam Weinstein generally addresses the letter and attachments regarding the project received by staff at 5:00 p.m. prior to the Council meeting.

Applicant makes closing statement. Council discussion ensued.

**Action:** Motion and second (Cline/Fergusson) to close the Public Hearing passes unanimously.

**Action:** Motion and second (Robinson/Fergusson) to approve the project as recommended by staff passes 4-1 (Boyle dissenting) (**Resolution No. 5890**) with the following amendments:

- (1) Within 200 days, demolish and remove major structures, keep property in acceptable condition.
- (2) Applicant to make a good faith effort to work with the City and community to explore housing alternatives.
- (3) Greenhouse gas emissions associated with building energy consumption (i.e. electricity and natural gas) be offset in order achieve a zero carbon footprint.
- (4) Maintain a minimum of 10 feet for a pedestrian walking path between tree wells and project obstructions.
- (5) Modify landscape plan with emphasis on native landscaping.
- (6) The Community Development Director shall apply strict criteria for any extensions of the PD permit.

## **G. CITY MANAGER'S REPORT**

City Manager Rojas stated that an oversight had been made in the 2009-2010 budget regarding accrued leave, which leaves the budget unbalanced. He stated that measures will be taken to ensure that this will not happen again in the future, but that the budget process is a good one. A review is currently being conducted to see where corrections can be made.

Councilmember Boyle directed staff to provide a status report on this item before December or as soon as possible.

City Manager Rojas reported that construction of the Police Substation has begun.

#### **H. WRITTEN COMMUNICATION - None**

#### **I. INFORMATIONAL ITEMS**

1. Biannual update of schedules for Priority Projects ([Staff report # 09-138](#))

Staff presentation by Kent Steffens, Public Works Director

#### **J. COUNCILMEMBER REPORTS**

1. Election for League of California Cities Division of Executive Committee
- Run off election between Alicia Aguirre, Councilmember, Redwood City and Omar Ahmad, Councilmember, San Carlos

**Action:** Councilmember Boyle nominated Alicia Aguirre. Councilmember Cohen nominated Omar Ahmad.

**Action:** Alicia Aguirre received 1 vote. Omar Ahmad received 4 votes.

2. Report from the City Council Subcommittee on High Speed Rail  
Councilmember Cohen and City Attorney McClure are recused and vacated the Council chambers at 11:56 p.m.

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

- **Morris Brown** spoke regarding the High Speed Rail law suit and other High Speed Rail issues.

#### **L. ADJOURNMENT at 12:21 a.m.**

Pamela Aguilar  
Deputy City Clerk

These minutes were accepted at the Council Meeting of October 20, 2009