



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

Tuesday, October 20, 2009

**Special Meeting, 5:30 p.m. – Council Conference Room  
701 Laurel Street, Menlo Park, CA 94025**

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**Regular Meeting, 7:00 p.m. – Council Chambers  
701 Laurel Street, Menlo Park, CA 94025**

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**5:30 p.m. SPECIAL MEETING – CLOSED SESSION (Council Conference Room)**

**Public comment on the items will take place prior to adjourning to Closed Session**

1. Closed Session pursuant to Government Code section 54957.6 to conference with labor negotiators regarding labor negotiations with the Local 521 Service Employees International Union (SEIU) and the American Federation of State, County, and Municipal Employees Local 829 (AFSCME). Parties present: Bill McClure, City Attorney, Starla Jerome-Robinson, Assistant City Manager and Glen Kramer, Personnel and Information Services Director

**Adjourn to Regular Meeting**

**7:00 p.m. REGULAR MEETING (Council Chambers)**

The Council convened in regular session at 7:10 p.m.

All Council Members are present. Also present is Assistant City Manager, Starla Jerome-Robinson; City Attorney, Bill McClure; City Clerk, Margaret Roberts

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

**REPORT FROM CLOSED SESSION**

The Council had no reportable action.

**ANNOUNCEMENTS**

The Council has added two meetings to their calendar: October 27 and November 10.

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

1. Environmental Quality Commission Report ([Attachment](#))  
Mitch Slomiak, Environmental Quality Commission Chairperson, gave a report to Council on the activities of the Commission

**B. PRESENTATIONS AND PROCLAMATIONS - None**

**C. PUBLIC COMMENT #1**

- **John Lomax:** Spoke about the San Francisco flooding and the need to be prepared
- **Barbara Franklin:** Spoke about the upcoming scheduled meeting for second hand smoke
- **Vincent Bressler:** Spoke regarding Menlo Gateway and the vote last week during the Council meeting and the need for some clarification from the developer

- **Morris Brown:** Spoke about to reconsidering the vote on the Visioning Process to receive more public input
- **Elizabeth Lasensky:** Spoke about Consent Calendar item D1 – 1300 El Camino Real – consider the housing element and affordable
- **Patti Fry:** Spoke about the El Camino Real Downtown Project and involving more stakeholders
- **Mitch Slomiak:** Spoke about Consent Calendar item D1 – 1300 El Camino Real – mitigating the greenhouse emissions for the project
- **Elias Blawie:** Spoke about Consent Calendar item D1 – 1300 El Camino Real – oppose the reference on page 2 of the staff report regarding good faith effort; The Downtown Visioning Process is flawed
- **Richard Draeger:** Spoke about Consent Calendar item D1 – 1300 El Camino Real – reconsider the specific plan from the last Council meeting to include more downtown business owners; asked the Council to relocate the permit parking that is allowed downtown

#### D. CONSENT CALENDAR

1. Waiver of the reading of an Ordinance and adoption of an Ordinance rezoning property located at 1300 El Camino Real from C-4 (General Commercial District – Applicable to El Camino Real) to PD (Planned Development District) and ratification of the final wording of the Conditions of Approval contained in the Planned Development Permit ([Staff report # 09-145](#))

The item was pulled by Councilmember Boyle

**Action:** Motion and second (Cline/Fergusson) and passed 4-1 (Boyle dissenting) waiving of the reading of Ordinance and adoption of **Ordinance 965**<sup>1</sup> rezoning property located at 1300 El Camino Real from C-4 (General Commercial District – Applicable to El Camino Real) to PD (Planned Development District) and ratification of the final wording of the Conditions of Approval contained in the Planned Development Permit.

2. Adopt a Resolution approving the form of and authorizing the execution and delivery of a purchase and sales agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith ([Staff report #09-143](#))

The item was pulled by Councilmember Boyle to confirm that this would be 100% financing and no cost to the city, which the City Attorney confirmed.

**Action:** Motion and second (Boyle/Cline) and passed unanimously approval of **Resolution No. 5891** approving the form of and authorizing the execution and delivery of a purchase and sales agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

3. Acceptance of the City Council minutes for the meetings of September 15, 2009, September 22, 2009 and October 6, 2009 ([Attachment](#))

**Action:** Motion and second (Fergusson/Cline) and passed unanimously to the minutes with the submitted changes.

<sup>1</sup> The Ordinance number was corrected when a typographical error was discovered

## E. PUBLIC HEARINGS

1. Consideration of request for a Use Permit, Architectural Control, Tentative Map, Below Market Rate Housing Agreement and Environmental Review for construction of a new two-story 10,148-square-foot office building for medical/dental use and related on-site and off-site improvements at 1706 El Camino Real in the C-4 (General Commercial Applicable to El Camino Real) Zoning District and adoption of a Resolution establishing a No Parking zone along the property frontage on Buckthorn Way ([Staff report #09-144](#))

Staff presentation by Deanna Chow, Senior Planner and Lorraine Weiss, Contract Planner

Mayor Robinson opened the Public Hearing.

The following members of the public commented on the item:

- **Joe Colonna:** Applicant made a statement and identified what they have done to comply with the conditions
- **Morris Brown:** Not a fan of the project and has met with the developer of the project, he has concerns regarding the landscape reserve, parking, and other issues as submitted in his letter to the Council
- **Alan Bushell:** He was part of the review process and appreciates the staff and developer working with the neighborhood; he is concerned about the potential parking impacts when this property is no longer available for overflow parking from other businesses

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

Council discussion ensued.

**Action:** Motion and second (Boyle/Cohen) and passed 4-1 (Fergusson dissenting) to approve the project as recommended by staff and approving **Resolution No. 5892** authorizing the installation of a no parking zone on the south side of Buckthorn Way between El Camino Real and the eastern property line of 1706 El Camino Real.

## F. REGULAR BUSINESS - None

## G. CITY MANAGER'S REPORT

1. 2010 and Beyond update on findings and changes made to date  
([Staff report #09-147](#))

Staff presentation by Assistant City Manager Starla Jerome-Robinson.

- **Elias Blowie:** City is overstaffed at the upper management level, development is over utilizing city resources.

## H. WRITTEN COMMUNICATION

1. Request of Councilmembers Fergusson and Cohen to agendize consideration of a Resolution regarding proposed Cargill/DMB Project  
([Attachment](#))

- **Elizabeth Lasensky:** Spoke in favor of the proposed resolution
- **Pat Walker:** Spoke in favor of the proposed resolution – this is a regional problem
- **Morris Brown:** Spoke in favor of the proposed resolution – this is a regional problem

Councilmember Boyle stated for the record that it was inappropriate that the proposed resolution was out in the public including the press prior to the entire Council having the information.

**Action:** Motion and second (Cohen/Fergusson) and passed 4-1 (Boyle dissenting) to bring back the resolution opposing the Cargill/DMB Project and to invite Redwood City to present an overview of the project. The report for this agenda item should also include the 2007 letter sent by the City Manager, the description of the project as advertised in the local media and the resolution proposed by Cohen and Fergusson. Council requested this item be agendized as soon as possible, ideally by January or February 2010.

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

1. Financial Review of General Fund Operations as of June 30, 2009: Un-audited Budgetary Comparison Schedule ([Staff report #09-146](#))

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

**Action:** Motion and second (Cohen/Robinson) and motion failed 1-4 (Cohen voting Aye) to reconsider the action taken by the City Council at the October 13, 2009 Council meeting approving the Emerging Plan and Next Steps for the El Camino Real/Downtown Specific Plan.

1. Report from the City Council Subcommittee on High Speed Rail  
Councilmember Cohen and City Attorney McClure are recused and vacated the Council chambers at 10:41 p.m.

Report presented by the City Council Subcommittee on High Speed Rail.

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

#### **L. ADJOURNMENT – 10:47 p.m.**

Margaret S. Roberts, MMC  
City Clerk

The minutes were accepted at the Council meeting of November 3, 2009