



Agenda and Meeting Information

City Council and Community Development Agency

THE CITY COUNCIL WELCOMES YOUR ATTENDANCE AT AND PARTICIPATION IN THIS MEETING. THE CITY SUPPORTS THE RIGHTS OF THE PUBLIC TO BE INFORMED ABOUT MEETINGS AND TO PARTICIPATE IN THE BUSINESS OF THE CITY

ASSISTANCE FOR PERSONS WITH DISABILITIES

PERSONS WITH DISABILITIES, WHO REQUIRE AUXILIARY AIDS OR SERVICES IN ATTENDING OR PARTICIPATING IN CITY COUNCIL MEETINGS, MAY CALL THE CITY MANAGER'S OFFICE AT 650/330-6610 OR THE CITY CLERK'S OFFICE AT 650/330-6620 PRIOR TO THE MEETING.

PUBLIC TESTIMONY

Members of the public may directly address the City Council on items of interest to the public, before or during the City Council's consideration of the item, that are within the subject matter jurisdiction of the City Council. It is preferred that non-agenda matters be first submitted in writing. Any writing given to the Council should be provided to the City Clerk for distribution. Ten copies are preferred in order to provide the City Council, City Clerk, City Manager, Assistant City Manager and City Attorney a copy. If a person would like to use the projector they must supply their own computer or provide the materials to the City Clerk prior to 1:00 on the day of the meeting.

Speaker Request Card: Please complete a speaker request card for each agenda item you intend to address and submit it to the City Clerk prior to the agenda item being discussed by the City Council; cards are available on the tables at the back of the Chamber.

Use of Microphone: When you are recognized by the Mayor, please move to the closest microphone, state your name and address (optional), who you represent if not yourself, and the subject of your remarks.

Time Limit: Each speaker may address the City Council for **three minutes**.

Documents: If a speaker has documents for Council please provide 7 copies to the City Clerk, preferably in advance.

Public Comment: Under this item, you may address the City Council on any issue that is not listed on the Agenda but is within the subject matter jurisdiction of the City Council. Generally, the City can not act on non-agenda items and, therefore, the City Council cannot respond immediately to issues brought up under this item other than to provide general information if appropriate. Public Comment #1 will be limited to thirty minutes in duration. Those not able to address the Council then, may do so later under Public Comment #2. You may only address the City Council once under Public Comment.

Consent Calendar: Items on the Consent Calendar are generally routine in nature, require no discussion by the City Council, and may be acted on in one motion unless a Councilmember requests separate discussion. You may address the City Council on Consent Calendar items under Public Comment #1.

MEETING TIME

Unless otherwise posted, the starting time of regular meetings is 7:00 p.m. Meetings will end no later than 12:00 midnight unless extended at or before 11:00 p.m. by a three-fourths vote of the City Council.

DISORDERLY CONDUCT

Any member or other person using profane, vulgar, loud or boisterous language at any meeting, or otherwise interrupting the proceedings, and who refuses to be seated or keep quiet when ordered to do so by the Mayor or the Mayor Pro Tem is guilty of a misdemeanor. It shall be the duty of the Chief of Police or his/her designee, upon order of the presiding officer, to eject any such member or person from the meeting room.

COUNCIL MEETING PROCEDURES POLICY/AGENDA REPORTS

Copies of City policy and agenda reports are available during working hours by contacting the City Clerk's offices at (650) 330-6620. City Council agenda packets are available after they have been printed and made available for the City Council. All agenda reports are available on the City's website.

SMOKING

Smoking is **NOT PERMITTED** in the Chamber or in the Administration Building.

RESTROOMS

The door to the men's restroom is located outside the northeast corner of the Chamber. The women's restroom is in the southeast corner of the Chamber.

If you have further questions about the City Council meetings or the services of the City, please contact the City Clerk's Office at 650/330-6620.



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

**Tuesday, December 15, 2009 at 7:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

1. Consider applicants for an appointment to fill one vacancy on the Housing Commission, two vacancies on the Finance & Audit Committee and one vacancy on the Dumbarton Rail Citizens Advisory Panel ([Staff report #09-172](#))
2. Council discussion and possible recommendation on various seats that will be decided on at the next City Selection Committee meeting scheduled for December 18, 2009 ([Attachment](#))

B. PRESENTATIONS AND PROCLAMATIONS - None

C. PUBLIC COMMENT #1 (Limited to 30 minutes)

Under “Public Comment #1”, the public may address the Council on any subject not listed on the agenda and items listed under the Consent Calendar. Each speaker may address the Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Council cannot act on items not listed on the agenda and, therefore, the Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information

D. CONSENT CALENDAR

1. Local Appointments List (Maddy Act) ([Staff report #09-164](#))
2. Community Development Agency Board approval of the Menlo Park Community Development Agency annual report for fiscal year 2008-09 ([Staff report #09-167](#))
3. Approval of the annual report on the Below Market Rate (BMR) housing program and the status of the BMR in-lieu fees collected as of June 30, 2009, in accordance with Government Code section 66000 et.seq. ([Staff report #09-168](#))
4. Review of the annual report on the status of the traffic impact, storm drainage, recreation in-lieu and building construction road impact fees collected as of June 30, 2009 according to Government Code section 66000 et.seq. ([Staff report # 09-169](#))

5. Adoption of a Resolution authorizing the City Manager to execute an agreement with Vance Brown Builders in an amount not to exceed \$5,800,000 for construction of the Burgess Gymnasium and appurtenant facilities; authorization for the City Manager to execute an agreement with Hoover Associates in an amount not to exceed \$150,000 for LEED certification for the Burgess Gymnasium; and authorization of a total budget of \$6,110,000 for construction, contingencies, and construction administration ([Staff report #09-162](#))
6. Adoption of a Resolution approving the summary abandonment of the future alley line extending from Chilco Street to Henderson Avenue ([Staff report #09-171](#))
7. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the Town of Atherton for the Installation of a traffic signal and associated improvements at the intersection of Middlefield Road and Encinal Avenue ([Staff report #09-173](#))
8. Adoption of a Resolution authorizing a California Energy Commission Energy Efficiency and Conservation Block Grant application submittal ([Staff report #09-170](#))
9. Agreement terminating Owner Participation Agreement with General Motors for revenue sharing ([Staff report #09-181](#))
10. Acceptance of Council minutes for November 3, November 10, and November 17, and December 1, 2009 ([Attachment](#))

E. PUBLIC HEARINGS - None

F. REGULAR BUSINESS

1. Adoption of a resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the American Federation of State, County and Municipal Employees (AFSCME), Local 829, for the period beginning October 25, 2009 through October 22, 2011 ([Staff report #09-176](#))
2. Consideration of the Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the El Camino Real/Downtown Specific Plan ([Staff report #09-180](#))
3. Direction to staff on revisions to Chapter 12.44, "Water Efficient Landscaping," of the Menlo Park Municipal Code pursuant to enactment of the Water Conservation in Landscaping Act (Assembly Bill 1881) ([Staff report #09-177](#))
4. Appointments of City Council representatives and alternates to various outside agencies; liaisons to City advisory bodies and Council sub-committees ([Staff report # 09-165](#))
5. Council review and approval of the City Council Calendar for 2010 ([Staff report #09-166](#))
6. 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 - **None**

G. CITY MANAGER'S REPORT - None

H. WRITTEN COMMUNICATION - None

I. INFORMATIONAL ITEMS

1. Status of Institutional Network negotiations with Comcast ([Attachment](#))

J. COUNCILMEMBER REPORTS

1. Report from the City Council Subcommittee on the Menlo Gateway (Bohannon Hotel & Office) project ([Attachment](#))
2. Report from the City Council Subcommittee on High Speed Rail

K. PUBLIC COMMENT #2 (*Limited to 30 minutes*)

Under "Public Comment #2", the public if unable to address the Council on non-agenda items during Public Comment #1, may do so at this time. Each person is limited to three minutes. Please clearly state your name and address or jurisdiction in which you live.

L. ADJOURNMENT

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at <http://www.menlopark.org> and can receive e-mail notification of agenda and staff report postings by subscribing to the "Home Delivery" service on the City's homepage. Agendas and staff reports may also be obtained by contacting the City Clerk at (650) 330-6620. Copies of the entire packet are available at the library for viewing and copying. (Posted: 12/10/09)

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the Office of the City Clerk, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours. Members of the public may send communications to members of the City Council via the City Council's e-mail address at city.council@menlopark.org. These communications are public records and can be viewed by any one by clicking on the following link: <http://ccin.menlopark.org>

City Council meetings are televised live on Government Access Television Cable TV Channel 26. Meetings are re-broadcast on Channel 26 on Thursdays and Saturdays at 11:00 a.m. A DVD of each meeting is available for check out at the Menlo Park Library. Live and archived video stream of Council meetings can be accessed at http://menlopark.granicus.com/ViewPublisher.php?view_id=2

Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at (650) 330-6620.