



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

Tuesday, February 23, 2010 at 6:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

6:00 p.m. CLOSED SESSION (Council Conference Room, 1st floor of City Hall)

Mayor Cline called the special meeting to order at 6:00 p.m. with all Council Member Cohen absent.

- 1. Conference with Legal Counsel pursuant to subdivision (a) of Government Code § 54956.9:** 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 on closed session – no reportable action

7:00 P.M. REGULAR SESSION

Mayor Cline called the meeting to order at 7:07 p.m. with all members present.

Pledge of allegiance was led by Mayor Cline.

ANNOUNCEMENTS

- 2010 Census is coming April 1

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS – None

B. PRESENTATIONS AND PROCLAMATIONS – None

C. PUBLIC COMMENT #1

- Todd Lewis spoke regarding Consent item D-2 – LED Street Lights; put out to bid
- Charlie Bourne spoke regarding Consent item D-1 – LED Street Lights; urged to do the project and to consider adding light fixtures on Santa Cruz Avenue
- Daren Shapiro spoke regarding Consent item D-1 – LED Street Lights; put out to bid

D. CONSENT CALENDAR

1. Second reading and adoption of **Ordinance 966** renumbering Chapter 12.48, “Woodburning Appliances”, as Chapter 12.52 and correcting cross-references to that chapter in the Code ([Staff report # 10-023](#))
2. Authorization for City Manager to execute agreements with Pacific Gas and Electric Company to replace existing streetlights with LED fixtures in an amount not to exceed \$163,154 for Energy Efficiency and Conservation Block Grant (EECBG) funding and in an amount not to exceed \$160,000 for Community Development Non-Housing Fund, and authorization for City Manager to appropriate \$160,000 Community Development Non-Housing Fund for LED streetlight retrofits within the Las Pulgas Community Development Project Area ([Staff report # 10-022](#))

This item was pulled by H. Robinson to address questions raised during public comment.

K. Steffens addressed the questions and City Attorney Bill McClure advised that the open bid that PG&E went through meets the requirements for the public bid process.

Action: Motion and second (Fergusson/Robinson) to approve the Consent Calendar item 2 and to have staff consider the map presented by C. Bourne when bringing forward the 5-year plan and to consider maintaining a light for additional street lights passes 4-1 (Boyle dissenting).

3. Acceptance of Council minutes for the meetings of February 2 and February 9, 2010 ([Attachment](#))

Action: Motion and second (Robinson/Boyle) to approve the Consent Calendar items 1 and 3 passes unanimously.

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

1. Consideration and direction for the disposition of the BMR condominium unit acquired by the City at 1155 Merrill Street, #107, Menlo Square Project and authorizing the City Manager to execute all necessary documents to dispose of the unit ([Staff report #10-021](#))

Action: Motion and second (Robinson/Fergusson) which passes 4-1 (Boyle dissenting) to approve **Resolution No. 5913** authorizing the City Manager to execute any and all necessary documents to transfer title of the condo unit located at 1155 Merrill Street, Unit 107, Menlo Park to a BMR purchaser and that the sale price is to be not less than the original sale price of \$190,540.

2. Acceptance of the 2009-10 mid-year financial summary and adoption of a resolution approving the recommended amendments to the 2009-10 operating and capital budgets ([Staff report #10-024](#)) ([PowerPoint Presentation](#))

Public Comments:

- Twana Karney with Acterra's Green @ Home Program: appreciate the assistance from the Council for their program, which is alive and doing well.

Action: Motion and second (Fergusson/Cohen) to approve staff recommendation and reduce the transfer to the CIP General Fund by \$420,000.

J. Boyle requested a friendly amendment, which was not accepted by the maker of the motion, to add the deferral of 3 projects; Onetta Harris Community Center Gymnasium Floor, Solar Panels at the Corporation Yard and the Council Chambers Upgrade.

Action: Substitute Motion and second (Boyle/Cline) to approve (**Resolution No. 5914**) staff recommendation except reduce the transfer from the General Fund to the CIP by \$245,000 and to defer the Solar Panels at the Corp Yard and the Council Chambers Upgrade Projects to next year passes unanimously.

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 – **None**

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS – None

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

Note: Councilmember Cohen and City Attorney McClure are recused from this item and left the Council chambers at 10:48 p.m.

K. PUBLIC COMMENT #2

- Michael Francois – spoke to February being Black History Month and suggested that the Council and public look at Dprogram.net.

L. ADJOURNMENT – 11:07 p.m.

Margaret S. Roberts, MMC
City Clerk

The minutes were accepted at the Council meeting of March 9, 2010