



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

**Tuesday, August 23, 2011 at 7:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
City Council Chambers**

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Mayor Cline called the meeting to order at 7:01 p.m. with all members present.

The pledge of allegiance was lead by Mayor Cline.

**ANNOUNCEMENTS:** None

**A. PRESENTATIONS AND PROCLAMATIONS:** None

**B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS:**  
Gregory Klingsporn, Bicycle Commission Chair gave an update on Commission activities.

**C. PUBLIC COMMENT #1**

- David Klein – Spoke regarding the Menlo Park Legends Baseball program.
- Kathy Hamilton – Spoke regarding High Speed Rail and the Capacity Study. (Handout)
- Matt Henry – Spoke proposing the City build a new free standing Belle Haven Library and made suggestions for further improvements to Kelly Park.
- Matthew Fremont – Spoke regarding the pending sale of 1,800 rental units in East Palo Alto by Wells Fargo to Equity Rental.
- William Bryan Webster – Spoke regarding the pending sale of 1,800 rental units in East Palo Alto by Wells Fargo to Equity Residential.

**D. CONSENT CALENDAR**

**ACTION:** Motion and second (Fergusson/Keith) to approve Consent Calendar items D1, D2, D5, D6, D7, D8, and D9 as submitted passes unanimously.

**D1.** Waive the reading and approve **Ordinance No. 974** adopting local amendments to the 2010 California Green Building Standards Code to include additional sustainable building requirements ([Staff Report #11-141](#))

**D2.** Authorize the City Manager to enter into a joint permitting agreement with the City of East Palo Alto and the Midpeninsula Regional Open Space District for the Cooley Landing Project ([Staff Report #11-145](#))

**D3.** Approve a Resolution authorizing the destruction of obsolete City records  
([Staff Report #11-142](#))

**Note:** This item was pulled from the agenda and will be brought back at a later meeting

**D4.** Approve a Resolution amending the City Records Retention Schedule  
([Staff Report #11-148](#))

**Note:** This item was pulled from the agenda and will be brought back at a later meeting

- D5.** Authorize the Interim Public Works Director to accept the work performed by Tricon Construction, Inc. for the Belle Haven Pool Improvement Project ([Staff Report #11-146](#))
- D6.** Authorize the Interim Public Works Director to accept the work performed by O’Grady Paving, Inc. for the 2009-2010 Street Resurfacing Project ([Staff Report #11-140](#))
- D7.** Authorize the Interim Public Works Director to accept the work performed by Valley Slurry Seal Company for the 2009-2010 Slurry Seal Project ([Staff Report #11-139](#))
- D8.** Adopt **Resolution No. 6024** authorizing the City Manager to sign documents to transfer 9,177 square feet of public right-of-way as described in Attachment B to the State of California for the reconstruction of the Ringwood pedestrian overcrossing and a utility cabinet as a portion of the US 101 Auxiliary Lane Expansion Project ([Staff report #11-144](#))
- D9.** Accept Council minutes for the meetings of July 19 and 26, 2011 ([Attachment](#))

**E. PUBLIC HEARINGS**

- E1.** Consider an appeal of the Planning Commission’s decision to deny a use permit to add an off-sale beer and wine license (ABC Class 20) to an existing pharmacy and general retailer located in the C-3 (Central Commercial) zoning district  
([Staff Report #11-147](#))

Staff presentation by Thomas Rogers, Assistant Planner

The public hearing was opened at 7:35 p.m.

Public Comment:

- Dan Kramer, representing Walgreens – Urged the Council to agree with the Menlo Park Police Department, overturn the Planning Commission decision and issue the Use Permit.
- Richard Steffen, San Carlos Walgreens Manager (Oversees Menlo Park store) – Requested the City Council overturn the Planning Commission decision and allow the Use Permit.

**ACTION:** Motion and second (Fergusson/Cohen) to close the public hearing at 7:48 p.m. passes unanimously.

**ACTION:** Motion and second (Keith/Fergusson) to deny the appeal and uphold the decision of the Planning Commission denying the Use Permit passes unanimously.

**F. REGULAR BUSINESS**

- F1.** Presentation of information regarding employee compensation and receipt of public comment relating to upcoming contract negotiations with non-safety units  
([Staff Report #11-143](#))

Staff presentation by Starla Jerome-Robinson, Assistant City Manager

**ACTION:** There were no comments from the public and no action by the City Council.

- F2.** Authorize staff to enter into an agreement for executive recruitment services with William Avery and Associates, Inc. in an amount not to exceed \$23,400 and approve of the City Manager selection process ([Staff Report #11-137](#)) ([PowerPoint](#))

Staff presentation by Bill McClure, City Attorney

**ACTION:** Motion and second (Keith/Fergusson) approving an agreement for executive recruitment services with William Avery and Associates, Inc. in an amount not to exceed \$23,400 and approving the City Manager selection process passes unanimously.

**F3.** Approve and adopt a resolution of the Community Development Agency of the City of Menlo Park authorizing the Enforceable Obligation Payment Schedule pursuant to Part 1.8 of the Redevelopment Law ([Staff Report #11-138](#)) ([PowerPoint](#))

Staff presentation by Glen Rojas, City Manager

**ACTION:** Motion and second (Fergusson/Keith) to adopt **CDA Resolution No. 320** authorizing the Enforceable Obligation Payment Schedule (EOPS) pursuant to Part 1.8 of the Redevelopment Law with the revisions as shown below and authorizing the Agency Executive Director to comply with noticing and other requirements associated with the EOPS, included but not limited to filing the EOPS notice passes unanimously.

- Page 1, Lines 1-6, 8 to City of Menlo Park: indicate “Redevelopment Services Agreement dated February 8, 2011”
- Pages 2- 4, to City of Menlo Park: indicate “Public Improvement Grant and Cooperation Agreement dated February 8, 2011”
- Page 4, Line 9: should be 10) Kelly Park; indicate Kelly Park Construction (not maintenance)

**F4.** Consider 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**

There was no staff presentation on these items.

**I1.** Overview of the proposed public meeting schedule and development agreement negotiation process for the Facebook Campus Project located at the intersection of Willow Road and Bayfront Expressway ([Staff Report #11-150](#))

**I2.** High Speed Rail Briefing Information Booklet ([Staff report #11-149](#))

**Note:** City Attorney Bill McClure and Council Member Andy Cohen stated they are recused from the item due to the proximity of their property and left the Council Chambers at 8:47 p.m.

**J. COUNCILMEMBER REPORTS**

Council Members reported on meetings attended in compliance with AB1234 reporting requirements.

**K. PUBLIC COMMENT #2:** None

**L. ADJOURNMENT:** 8:54 p.m.

**/S/**

Margaret S. Roberts, MMC  
City Clerk

Minutes accepted at the Council meeting of September 13, 2011