



**CITY COUNCIL
REGULAR MEETING MINUTES**
Tuesday, November 13, 2012 at 7:00 p.m.
Menlo Park Council Chambers
701 Laurel Street, Menlo Park, CA 94025

Mayor Keith called the Regular Session to order 7:02 p.m. with Council Member Cohen absent.

Mayor Keith led the Pledge of Allegiance.

ANNOUNCEMENTS: None

A. PRESENTATIONS AND PROCLAMATIONS: None

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Environmental Quality Commission quarterly report on the status of their 2-year Work Plan Presentation by Commission Chair Mitch Slomiak

C. PUBLIC COMMENT #1

- Matt Henry spoke suggesting the placement of cameras in the Belle Haven neighborhood.
- Steve Van Pelt spoke regarding Caltrain schedules.
- Michelle Lindeman, Brocade, spoke regarding the upcoming Turkey Trot.
- Kathleen King, Silicon Valley Turkey Trot Committee, spoke regarding the upcoming Turkey Trot.

D. CONSENT CALENDAR

ACTION: Motion and second (Cline/Ohtaki) to approve the Consent Calendar Items D1, D2, D4, D5 as presented passes 4-0-1 (Cohen absent).

- D1.** Adopt **Resolution No. 6107** accepting dedication of a public access easement and a public utility easement at 135-139 O'Connor Street; Authorize the City Clerk to sign the parcel map; and authorize the City Manager to sign the subdivision agreement ([Staff report #12-165](#))
- D2.** Adopt **Resolution No. 6108** accepting dedication of a public access easement and authorize the City Manager to sign the Certificate of Acceptance for the 1706 El Camino Real Frontage Improvements Project ([Staff report #12-166](#))
- D4.** Approve an additional .25 full time equivalent to create one full-time Office Assistant for the Arrillaga Family Gymnasium and approve an increase of \$7,000 to the Public Works Building Maintenance Fund for increased custodial services at the new Arrillaga Recreation Facilities ([Staff report #12-167](#))
- D5.** Accept the minutes of the June 5 and October 30, 2012 Council meetings ([Attachment](#))
- D3.** Authorize the City Manager to Execute a New Proposal to an Existing Agreement with Pacific Gas and Electric Company to Replace Existing Streetlights with LED Fixtures in an Amount Not to Exceed \$47,129 for Energy Efficiency and Conservation Block Grant Phase

2 Funding; to Appropriate \$49,629 from the General Fund CIP Fund Balance in FY 12-13; and to Execute Future Proposals with Pacific Gas and Electric Company to Replace Existing Streetlights with LED Fixtures for Future Energy Efficient and Conservation Block Grant Funding ([Staff report #12-173](#))

This item was pulled by Council Member Fergusson for questions.

ACTION: Motion and second (Fergusson/Ohtaki) to authorize the City Manager to Execute a New Proposal to an Existing Agreement with Pacific Gas and Electric Company to Replace Existing Streetlights with LED Fixtures in an Amount Not to Exceed \$47,129 for Energy Efficiency and Conservation Block Grant Phase 2 Funding; to Appropriate \$49,629 from the General Fund CIP Fund Balance in FY 12-13; and to Execute Future Proposals with Pacific Gas and Electric Company to Replace Existing Streetlights with LED Fixtures for Future Energy Efficient and Conservation Block Grant Funding passes 4-0-1 (Cohen absent).

E. PUBLIC HEARING

E1. Adopt an interim ordinance of the City Council of the City of Menlo Park extending the temporary moratorium on the establishment of payday lenders and auto title lenders within the City of Menlo Park ([Staff report #12-163](#))

Staff presentation by Commander Dave Bertini

The Public Hearing was opened at 7:26 p.m.

There were no comments from members of the public.

ACTION: Motion and second (Fergusson/Cline) to close the Public Hearing at 7:26 p.m. passes 4-0-1 (Cohen absent).

ACTION: Motion and second (Cline/Fergusson) adopted **Interim Ordinance No. 987** extending the temporary moratorium on the establishment of payday lenders and auto title lenders within the City of Menlo Park passes 4-0-1 (Cohen absent).

F. REGULAR BUSINESS

F1. Approve a purchase and sale agreement with Greenheart Land Company for the sale of property owned by the former Redevelopment Agency located at 777-821 Hamilton Avenue and authorize the Executive Director of the Successor Agency to execute the agreement ([Staff report #12-172](#)) ([Revised Legal Description](#))

Note: The City Council will be acting as the Board of the Successor Agency of the Community Development Agency for Item F1

It was noted that the legal description provided in the staff report was revised after the issuance of the agenda however the property being sold has not changed.

Staff presentation by Dan Siegel, Acting City Attorney

ACTION: Motion and second (Fergusson/Ohtaki) to approve a purchase and sale agreement with Greenheart Land Company for the sale of property owned by the former Redevelopment Agency located at 777-821 Hamilton Avenue and authorize the Executive Director of the Successor Agency to execute the agreement passes 4-0-1 (Cohen absent).

F2. Consider submitting a letter of interest to the San Mateo County Transportation Authority for Measure A eligible grade separation projects in Menlo Park ([Staff report #12-174](#))

Staff presentation by Chip Taylor, Public Works Director

NOTE: Acting City Attorney Dan Siegel has a conflict of interest due to the location of the attorney's office property and left the meeting at 7:44 p.m.

Public Comments

- Steve Van Pelt stated he is concerned with the plans for the Caltrain corridor and asked several questions.
- Adina Levin spoke in favor of sending a letter to the San Mateo County Transportation Authority and suggested a community process to discuss grade separations.
- Fran Dehn, Chamber of Commerce, stated that Menlo Park needs to be on the list for projects when the funds become available.

ACTION: Motion and second (Cline/Ohtaki) to submit a letter of interest to the San Mateo County Transportation Authority for Measure A eligible grade separation projects in Menlo Park to focus on Ravenswood, keeping it at two tracks and a study of all four crossings passes 4-0-1 (Cohen absent).

F3. Appoint a Councilmember representative and alternate to the Caltrain Modernization Local Policymaker Group ([Staff report #12-171](#))

Staff presentation by Chip Taylor, Public Works Director

ACTION: By consensus Council Member Cline was appointed as the representative and Council Member Keith was appointed as the alternate to the Caltrain Modernization Local Policy Group.

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 were no presentations on the Informational Items.

I1. Biannual update of schedules for Capital Improvement Projects ([Staff report #12-169](#))

I2. Quarterly financial review of General Fund operations as of September 30, 2012 ([Staff report #12-168](#))

I3. Review of the City's investment portfolio as of September 30, 2012 ([Staff report #12-170](#))

I4. Quarterly update on Council goals and deliverables ([Staff report #12-164](#))

I5. Update on the Draft Housing Element submitted to the State Housing and Community Development Department ([Staff report #12-175](#))

J. COUNCILMEMBER REPORTS

Council members reported in compliance with AB1234 requirements.

Request to add an agenda item to an upcoming meeting regarding the letters of support for the City Selection Committee appointments.

K. PUBLIC COMMENT #2

- Wynn Greich, Fluoride Action Network, spoke regarding fluoride in the water being a toxin.

L. ADJOURNMENT

The meeting was adjourned at 9:27 p.m.



Margaret S. Roberts, MMC

City Clerk

Minutes accepted at the Council meeting of November 27, 2012