



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

**Tuesday, January 10, 2012 at 5:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
City Council Chambers**

---

The meeting was called to order at 5:08 p.m. with all members present. There were no members of the public present for comments on the closed session items.

- CL1.** Pursuant to Government Code Section 54957.6 to conference with labor negotiators regarding labor negotiations with the Service Employees International Union (SEIU)  
Attendees: Starla Jerome-Robinson, Interim City Manager, Bill McClure, City Attorney, and Glen Kramer, Interim Personnel Director
- CL2.** Pursuant to Government Code Section 54956.9(c) regarding potential/anticipated litigation;  
1 case
- CL3.** Pursuant to Government Code Section 54956.9 to conference with legal counsel regarding existing litigation; 2 cases:  
(1) Town of Atherton, et al. v. California High Speed Rail Authority  
*Superior Court of California, County of Sacramento, Case No. 34-2008-80000022 (Atherton 1)*  
  
(2) Town of Atherton, et al. v. California High Speed Rail Authority  
*Superior Court of California, County of Sacramento, Case No. 34-2010-80000679 (Atherton 2)*
- CL4.** Pursuant to Government Code § 54957(b)(1) PUBLIC EMPLOYMENT  
Title: City Manager

The Regular Session was called to order at 7:05 p.m. by Mayor Keith with all members present.

The pledge of allegiance was led by Mayor Keith.

**REPORT FROM CLOSED SESSIONS**

There was no reportable action from Closed Session.

**ANNOUNCEMENTS:** None

**A. PRESENTATIONS AND PROCLAMATIONS**

- A1.** Proclamation in remembrance of Dr. Hattie L. Bostic ([Attachment](#))

Mayor Keith presented a proclamation in remembrance of Dr. Hattie L. Bostic to her five sons.

- A2.** Presentation recognizing Fred Berghout for crime intervention

Chief Roberts presented Mr. Berghout with a certificate of appreciation in recognition of his efforts in crime prevention.

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

**B1.** Bicycle Commission quarterly report on the status of the 2-Year Work Plan  
Presentation by Commission Vice Chair Scott Lohman

S. Lohman gave a presentation to the Council regarding the progress on the Bicycle Commission 2-Year Work Plan.

**B2.** Housing Commission quarterly report on the status of the 2-Year Work Plan  
This item was removed from the agenda.

**C. PUBLIC COMMENT #1**

- Anne Moser asked the Council to have the public benefits regarding Facebook to go before the Housing Commission.
- Jim Lewis spoke regarding reestablishing the Arts Commission and provided the Council with a letter. ([Letter](#))
- Kathy Hamilton spoke regarding the letter to the California High Speed Rail Authority (Item D1) regarding the Business Plan.

**D. CONSENT CALENDAR**

**ACTION:** Motion and second (Cline/Ohtaki) to approve Consent Calendar Items D2 and D3 as submitted passes unanimously.

**D1.** Approve a comment letter on the Draft California High Speed Rail Business Plan  
([Staff Report #12-007](#))

Item removed by Council Member Fergusson for comments. A revised Attachment A was provided. (Revised Attachment)

**NOTE:** Council Member Cohen and City Attorney Bill McClure are recused from Item D1 and left the Council Chambers at 7:44 p.m.

**ACTION:** Motion and second (Cline/Fergusson) to approve Item D1, approving a comment letter on the Draft California High Speed Rail Business Plan with the Mayor and staff making some revisions and to have the Mayor draft a letter to the Governor on the issue passes 4-0-1 (Cohen recused).

Council Member Cohen and City Attorney Bill McClure returned to the meeting at 7:56 p.m.

**D2.** Accept the 2011 Advisory Body Attendance Reports ([Staff Report #12-002](#))

**D3.** Accept the Minutes for December 13 and 15, 2011 ([Attachment](#))

**E. PUBLIC HEARINGS:** None

**F. REGULAR BUSINESS**

**F1.** Waive the second reading and adopt a City Ordinance approving a contract amendment with the California Public Employees' Retirement System, providing for section 20475 (different level of benefits), section 21353 (2% at 60 full formula) and section 20037 (three-year final compensation), applicable to local miscellaneous plan members within a non-pooled plan entering membership for the first time in a miscellaneous classification after the effective date of this amendment to contract ([Staff Report #12-006](#))

Staff presentation by Bill McClure, City Attorney

**ACTION:** Motion and second (Ohtaki/Cohen) to approve **Ordinance 977** adopting a City Ordinance approving a contract amendment with the California Public Employees' Retirement System, providing for section 20475 (different level of benefits), section 21353 (2% at 60 full formula) and section 20037 (three-year final compensation), applicable to local miscellaneous plan members within a non-pooled plan entering membership for the first time in a miscellaneous classification after the effective date of this amendment to contract passes unanimously.

**F2.** Consider requests from the City of East Palo Alto and the Sierra Club Loma Prieta Chapter to extend the public comment period on the Draft Environmental Impact Report for the Facebook Campus Project located at the intersection of Willow Road and Bayfront Expressway ([Staff Report #12-003](#))

Staff presentation by Justin Murphy, Development Services Manager

Public Comments:

- Mark Moulton, representing Housing Leadership Council of San Mateo County, requested the Council extend the comment period.
- Nancy Cash, representing the Mt. Olive Church, asked the Council to resist on extending the comment period.
- Brent Butler, representing the City of East Palo Alto, requested the Council to extend the comment period until at least February 6, 2012.
- Gita Dev, representing the Sierra Club, requested the Council to extend the comment period to February 6, 2012.
- Adina Levin stated she strongly supports Facebook however she is requesting that the Council extend the comment period to be a full 60 days.
- Matt Henry, President of Belle Haven Neighborhood Association, urged the Council not to extend the comment period. He pointed out the numerous programs that East Palo Alto residents participate in the Belle Haven neighborhood.

**ACTION:** Motion and second (Fergusson/Ohtaki) to extend the comment period by one week, ending on January 30, 2012, passes unanimously.

**F3.** Adopt a Resolution authorizing the direct placement refinancing of the City's 2002 Series General Obligation Bonds, and approve the related legal bond documents ([Staff Report #12-004](#))

Staff presentation by Carol Augustine, Finance Director

**ACTION:** Motion and second (Fergusson/Cline) to approve **Resolution No. 6042** authorizing the direct placement refinancing of the City's 2002 Series General Obligation Bonds, and approve the related legal bond documents passes unanimously.

**F4.** Adopt a Resolution electing that the City serve as Successor Agency/Successor Housing Agency to dissolving Redevelopment Agency ([Staff Report 12-005](#)) ([PowerPoint](#))

Staff presentation by Carol Augustine, Finance Director

Public Comments:

- Jennifer Bestor spoke in favor of the dissolution of the Redevelopment Agency.

**ACTION:** Motion and second (Fergusson/Cline) to approve **Resolution No. 6043 as amended** electing that the City serve as Successor Agency/Successor Housing Agency to the dissolving Redevelopment Agency passes unanimously.

**F5.** Appoint City Council representatives and alternates to various regional agencies, City advisory bodies and Council sub-committees ([Staff Report #12-001](#))

Staff presentation by Margaret Roberts, City Clerk

**ACTION:** The following appointments were made:

**CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES**

<b>NAME OF REGIONAL COMMITTEE</b>	<b>REGULAR</b>	<b>ALTERNATE</b>
Airport Community Roundtable	Richard Cline	Kirsten Keith
Association of Bay Area Governments (ABAG)	Kirsten Keith	Peter Ohtaki
Bay Area Water Supply & Conservation Agency (BAWSCA) and San Francisco Regional Water System Financing Authority (SFA)	Kelly Ferguson (Term ends 06/2013)	Not Needed
City/County Association of Governments of San Mateo County (C/CAG)	Kirsten Keith	Peter Ohtaki
City/County Association of Governments of San Mateo County (C/CAG) Legislative Committee	Andrew Cohen	Not Needed
County of Santa Clara Community Resources Group for Stanford University	Richard Cline	Andrew Cohen
County of San Mateo - Regional Housing Needs Assessment (RHNA) Policy Advisory Committee (PAC)	Andrew Cohen	Kirsten Keith
Dumbarton Rail Policy Committee	Kelly Fergusson	Kirsten Keith
Emergency Services Council (San Mateo County JPA)	Peter Ohtaki	Richard Cline
Grand Boulevard Task Force	Peter Ohtaki	Kirsten Keith
Housing Endowment and Trust of San Mateo County (HEART) – Member Agency Committee	Andrew Cohen	Kelly Fergusson
League of California Cities (Peninsula Division)	Andrew Cohen	Kirsten Keith
Menlo Park Chamber of Commerce / City Liaison Position	Andrew Cohen	Peter Ohtaki
Peninsula Cities Consortium (PCC)	Richard Cline	Kelly Fergusson
2020 Peninsula Gateway Corridor Study Policy Committee	Andrew Cohen	Kirsten Keith
San Francisquito Joint Powers Authority	Kirsten Keith	Peter Ohtaki
San Mateo Council of Cities	Kirsten Keith	The remainder of the Council in seniority order

**CITY COUNCIL LIAISONS TO THE CITY'S ADVISORY BODIES**

Bicycle Commission	Richard Cline	Not Needed
Environmental Quality Commission	Kelly Fergusson	Not Needed
Finance & Audit Committee	Peter Ohtaki (1 YEARS)	Kirsten Keith (2 YEAR)
Housing Commission	Andrew Cohen	Not Needed
Library Commission	Kirsten Keith	Not Needed
Parks & Recreation Commission	Richard Cline	Not Needed
Planning Commission	Andrew Cohen	Not Needed
Transportation Commission	Peter Ohtaki	Not Needed

**COUNCIL SUB-COMMITTEES**

Business Development	Richard Cline	Kelly Fergusson
Community Grant Funding	Kelly Fergusson	Kirsten Keith
El Camino Real Downtown Visioning & Planning Process	Richard Cline	Kirsten Keith
Emergency Operations	Peter Ohtaki	Richard Cline
Facebook	Rich Cline	Kirsten Keith
High Speed Rail	Richard Cline	Kelly Fergusson
Menlo Park Fire district	Peter Ohtaki	Richard Cline
Menlo Park School Districts (Liaisons)	Richard Cline	Kirsten Keith

**F6.** Selection of a date for a City Council Goal Setting ([Staff Report #12-008](#))

Staff presentation by Starla Jerome-Robinson, Interim City Manager

This item was deferred to a future meeting.

**F7.** 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:** None

**J. COUNCILMEMBER REPORTS**

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

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

**L. ADJOURNMENT**

The meeting was adjourned at 10:54 p.m. in memory of Dr. Hattie Bostic.

/s/

Margaret S. Roberts, MMC  
City Clerk

Minutes accepted at the Council meeting of January 24, 2012