



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

**Tuesday, January 24, 2012 at 6:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

Mayor Keith called the Closed Session to order at 6:00 with all members present.

CL1. Pursuant to Government Code Section 54956.9 to conference with legal counsel regarding existing litigation; 1 case: Schuler v. City of Menlo Park
Superior Court of California, County of San Mateo Case No. CIV500463

There were no members of the public present to comment on the Closed Session item.

Mayor Keith called the Regular Session to order at 7:06 p.m. 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 recognizing Carl Clark ([Proclamation](#))

Mayor Keith presented Mr. Carl Clark with a proclamation honoring his heroism to our county.

Public Comment

Hank Lawrence read a letter regarding Mr. Carl Clark. ([Letter](#))

Matt Henry spoke regarding the proclamation.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Library Commission quarterly report on the status of the 2-Year Work Plan
Commission report by Commissioner Jacqueline Cebrian

B2. Park and Recreation Commission quarterly report on the status of the 2-Year Work Plan
Commission report by Vice Chair James Cebrian ([Report](#))

B3. Consider applicants for appointment to fill three vacancies on the Environmental Quality Commission ([Staff report #12-012](#))

Staff presentation by Margaret Roberts, City Clerk

Public Comment

Scott Marshall and Chris DeCardy, applicants for the Environmental Quality Commission, introduced themselves to the Council.

For the one vacancy with a term ending April 30, 2014

ACTION: Chris DeCardy nominated by Ohtaki, and Scott Marshall nominated by Fergusson.

Votes for Chris DeCardy from Cohen, Ohtaki and Cline and will serve through 2014.

For the 2 vacancies with terms ending April 30, 2015

ACTION: Scott Marshall nominated by Fergusson and Mitchel Slomiak nominated by Cline. With no other nominations, Marshall and Slomiak were appointed by acclamation.

C. PUBLIC COMMENT #1

- Mark Moulton spoke regarding the Joint Powers Authority of HEART and their mission.
- Omar Chatty spoke regarding Caltrain debts and the outdated track system and bringing BART to the Peninsula.
- Elias Blawie spoke regarding public input on the Facebook project.
- Lia Gracey Maniar spoke in support of keeping the narcotics enforcement taskforce.

D. CONSENT CALENDAR

ACTION: Motion and second (Fergusson/Ohtaki) to approve Consent Calendar as submitted passes unanimously.

D1. Initiate the Menlo Park Landscape Assessment District proceedings for fiscal year 2012-13 and adopt **Resolution No. 6045** describing the improvements and directing the preparation of the Engineer's Report ([Staff Report #12-011](#))

D2. Accept minutes for January 5, January 6, January 10 and January 17, 2012 ([Attachment](#))

E. PUBLIC HEARINGS

E1. Appeal of a Planning Commission determination regarding the use of a portion of an existing accessory structure as a secondary dwelling unit on a property located in the R-1-U (Single-Family Urban Residential) zoning district at 116 O'Connor Street (**will be continued to February 14**) ([Attachment](#))

The Public Hearing was opened at 7:53 p.m.

ACTION: Motion and Second (Fergusson/Ohtaki) to continue the Public Hearing to February 14, 2012 passes unanimously.

F. REGULAR BUSINESS

F1. Implications on the 2011-12 City Budget from the dissolution of the Menlo Park Community Development Agency ([Staff Report #12-015](#)) ([PowerPoint](#))

Staff presentation by Carol Augustine, Finance Director

Public Comments

- Marjorie Rocha representing ECHO Housing, requested the Council to considering continuing funding to ECHO Housing through the end of the year.
- Elias Blawie spoke in favor of the elimination of redevelopment agencies and suggested reductions in staff and focus on the must do items.
- Stu Soffer stated the Redevelopment Agency has been dysfunctional and requested the Successor Agency operate differently.

ACTION: The Council took no formal action on the item.

F2. Consider options for operation of the Housing Division given the dissolution of the Redevelopment Agency and loss of funding for housing activities ([Staff Report #12-009](#)) ([PowerPoint](#))

Staff presentation by Cherise Brandell, Community Services Director and Carol Augustine, Finance Director

Public Comments

- Kate Comfort Harr, HIP Housing, requested a continued partnership for funding.
- Diana Ready requested the Council keep affordable housing.
- Joshua Hugg spoke in support of housing and pointed out that housing has many aspects of a person's life including health and urged the Council to keep as much of the housing program in tact as possible.
- Anne Moser strongly supports option 1 in the staff report as housing is critical and not easily understood.
- Lillian Lew-Hailer encouraged the Council to maintain some housing functions as it is critical to Menlo Park.
- Sam Sinnott spoke in support of the Below Market Rate (BMR) housing program and option 2 in the staff report.
- Duane Bay, San Mateo County Housing Director, spoke regarding housing programs in the County.

ACTION: The Council took no formal action on the item but gave general direction to pursue Option 3 in the staff report.

- F3.** Approve and adopt the first amended Enforceable Obligation Payment Schedule ([Staff Report #12-014](#))

Staff presentation by Carol Augustine, Finance Director

ACTION: Motion and second (Cline/Fergusson) to approve **CDA Resolution No. 322** approving and adopting a First Amended Enforceable Obligations Payment Schedule passes unanimously.

- F4.** Approve a framework for a draft agreement to be used as a starting point in negotiations with San Mateo County to ensure continued operation of Flood Park for FY 2012 – 13 for \$150,000 ([Staff Report #12-010](#)) ([PowerPoint](#))

Staff presentation by Cherise Brandell, Community Services Director (PowerPoint)

Public Comments

- Matt Henry stated he hopes that the Council is not willing to take over Flood Park if it is at the expense of eliminating programs in the Belle Haven neighborhood.
- Henry Riggs stated that paying other agency's bills is not the way to start and urged the Council to support contacting the County Board of Supervisors to keep open and maintain Flood Park.

ACTION: Motion and second (Cline/Cohen) to authorize staff to continue negotiating with San Mateo County, without a financial commitment by the City and not at the expense of by giving up services in another part of town passes unanimously.

- F5.** Consider the adoption of a Resolution approving an employment agreement with Alexander D. McIntyre ([Staff report #12-013](#))

Staff presentation by Bill McClure, City Attorney

ACTION: Motion and second (Fergusson/Cline) to approve **Resolution No. 6046** approving an employment agreement with Alexander D. McIntyre passes 4-1 (Cohen dissented).

- F6.** Consider state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item:

F6-A: Update on Senate Bill 654 – An act to amend sections of the Health and Safety Code relating to redevelopment ([Attachment](#))

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.

Fergusson requested that a resolution be placed on a future agenda regarding supporting progress toward completion of Bay Trail gap.

Cline requested that presentations be placed on a future agenda regarding the Boys & Girls Club awards.

K. PUBLIC COMMENT #2: None

L. ADJOURNMENT

The meeting was adjourned at 12:04 a.m. on Wednesday, January 25, 2012.

/s/

Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of February 14, 2012