



**SPECIAL MEETING AGENDA**

**Date:** 2/7/2023  
**Time:** 6:00 p.m.  
**Locations:** [Zoom.us/join](https://zoom.us/join) – ID# 881 1240 8882

**NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE**

Consistent with Cal. Gov. Code §54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

**How to participate in and watch the meeting**

- Submit a written comment online up to 1-hour before the meeting start time:  
[city.council@menlopark.gov](mailto:city.council@menlopark.gov)  
Please include the agenda item number you are commenting on.
- Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 881 1240 8882
- Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 881 1240 8882  
Press \*9 to raise hand to speak

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City’s website [menlopark.gov](http://menlopark.gov). The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information ([menlopark.gov/agendas](http://menlopark.gov/agendas)).

According to City Council policy, all meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

**Special Session**

- A. Call To Order**
- B. Roll Call**
- C. Closed Session**
- C1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**



Paragraph (1) of subdivision (d) of §54956.9)

Name of case: David Fogel et al. v. City of Menlo Park, Case No. 21-CIV-06674  
Not a California Environmental Quality Act (CEQA) project.

**C2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of §54956.9: (one case)

(Communications shall be available for public inspection pursuant to Government Code §54957.5.)  
Not a CEQA project.

**D. Adjournment**

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item.  
For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at [jaherren@menlopark.gov](mailto:jaherren@menlopark.gov). Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code §54954.2(a) or Section §. Members of the public can view electronic agendas and staff reports by accessing the City website at [menlopark.gov/agendas](http://menlopark.gov/agendas) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.gov/subscribe](http://menlopark.gov/subscribe). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 2/2/2023)