



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

**Tuesday, October 5, 2010 at 6:00 00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

6:00 CLOSED SESSION

Mayor Cline called the special meeting to order at 6:05 p.m. with all members Council Members present.

1. Closed session with legal counsel to receive advice regarding potential claim against the State of California to recover costs associated with implementing new permit requirements pursuant to the 2009 Municipal Regional Stormwater Permit and potential authorization to file a claim for recovery of such costs with the California State Unfunded Mandate Commission

At 7:00 the Council reconvened in open session, called the regular meeting to order with all members present.

Pledge of allegiance was led by Mayor Cline.

REPORT FROM CLOSED SESSION

Action: City Attorney McClure announced that the Council voted 5-0 to authorize the City Manager to file a claim on behalf of the City with the California State Unfunded Mandate Commission to recover costs associated with implementing new permit requirements pursuant to the 2009 Municipal Regional Stormwater Permit.

ANNOUNCEMENTS

- Item I-1 will be taken out of order and prior to F-3
- The City Clerk's Office is accepting applications for the Environmental Quality Commission – 1 vacancy due to a resignation – term expires 04/30/2014
- The Arrillaga Family Gymnasium Grand Opening Celebration and Open House is scheduled for Saturday, October 16 from 10am – 1pm at 600 Alma Street – just look for the big new building. The event will include a ribbon cutting, guided tours, demonstrations, family games and open play and the first 100 people get a free Arrillaga Family Gymnasium water bottle! Please wear tennis shoes if you want to go into the new gym – see everyone there!
- The 2010 Menlo Park Community Survey has been sent out to 1200 Menlo Park residents and everyone who received a survey is encouraged to return it in the next couple of weeks.

A. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS – None

B. PRESENTATIONS AND PROCLAMATIONS – None

C. PUBLIC COMMENT #1 – None

D. CONSENT CALENDAR

1. Approval of the second addendum to agreement between the County of San Mateo and the City of Menlo Park to toll statutes of limitations for claims regarding property tax administration fees ([Staff report #10-141](#))

Action: Motion and second (Fergusson/Robinson) to adopt **Resolution No. 5964** approving the second addendum to the agreement between the County of San Mateo and the City of Menlo Park to toll statutes of limitations for claims regarding property tax administration fees passes unanimously.

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

1. Approval of well siting criteria and public outreach process for the Menlo Park Municipal Water District Emergency Water Supply Project ([Staff report #10-138](#))

Staff presentation by Pamela Lowe, Associate Engineer and Charles Taylor, Engineering Services Manager ([PowerPoint](#))

Public Comments:

- Rich Shane – Had questions regarding the height of the well structure, status of other wells in the area, and the staff presentation

Action: Motion and second (Boyle/Fergusson) to adopt staff recommendations with the provision that the model be used as a guide and not be mandatory passed unanimously.

2. Approval of architectural control for the Burgess Gymnastics Center Project consisting of the demolition of the existing 17,400-square foot gymnastics center and construction of a new 19,400-square foot gymnastics center in the same location, and approval of the removal of six heritage trees ([Staff report #10-140](#))

Staff presentation by Matt Oscamou, Senior Civil Engineer

Public Comments:

- Vincent Bressler – Expressed concern that a program change is going to take place, that no drop-off location is included, questioned the parking load, and the possibility of subsidy
- Don Brawner – Stated that there was no public input on this project, expressed his concern with parking, addressed concerns with the agreement with SRI to provide parking, concerned with additional staff needed to run the programs, and expressed his objection to approving the project as it short changes the public.

Action: Motion and second (Robinson/Fergusson) to approve the architectural control for the Burgess Gymnastics Center Project consisting of the demolition of the existing 17,400-square foot gymnastics center and construction of a new 19,400-square foot gymnastics center in the same location, and approval of the removal of six heritage trees as listed in attachment A of the staff report and provided the following direction. The motion passes unanimously with the following points:

- Staff should work with the Planning Commission subcommittee to find solutions to the four concerns identified by the Planning Commission in their statement to the City Council. There is a strong desire that the Planning Commission sub-committee support the final project plans; and

- Staff should further analyze and consider a drop-off area; and
- Staff should look beyond the parking management plan to address potential problems associated with all-day parking in lot #3; and
- Staff should evaluate the ability to relocate the pathway along the ball fields as part of this project to create more field space.

Note: Item I-1 was taken out of order at this time.

The Council recessed at 9:46 p.m. and reconvened at 9:52

3. Consideration of and direction to staff on whether to create a Resolution either declaring that the City Council has No Confidence in the High Speed Rail Authority and High Speed Rail Project or a Resolution opposing the High Speed Rail Project ([Staff report #10-139](#))

NOTE: Councilmember Cohen and City Attorney McClure are recused from the item due to proximity of their properties and they left the chambers at 9:56 p.m.

Staff presentation by Charles Taylor, Engineering Services Manager

The Council was provided with a copy of the resolution that the City of Palo Alto adopted and a suggested resolution from the Community Coalition on High Speed Rail. ([Attachments](#))

Public Comments:

- Don Barnby and Kathy Hamilton – Suggested using the strongest letter possible and separating High Speed Rail from CalTrain

Action: Motion and second (Robinson/Fergusson) to adopt the resolution approving **Resolution No. 5965** urging the California State Legislature to exercise effective management control over the California High-Speed Rail Authority subject to revising the wording of the resolution to include Council comments with the final wording to be approved by the Mayor passes by the following votes: (Ayes: Cline, Fergusson, Robinson; Noes: Boyle; Recused: Cohen).

4. Consideration of state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

NOTE: This item was taken prior to Item F-3

1. One-year review of Zoning Ordinance Amendment relative to the clarification of the gross floor area definition ([Staff report #10-0137](#))

Action: Motion and second (Cohen/Fergusson) to table the item to a future meeting passed 3-2 (Boyle and Robinson dissenting).

J. COUNCILMEMBER REPORTS

1. Report from the City Council Subcommittee on High Speed Rail

K. PUBLIC COMMENT #2 – None

L. ADJOURNMENT – 10:40 p.m.

Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of November 16, 2010