# CITY COUNCIL
# SPECIAL AND REGULAR MEETING AGENDA

**Tuesday, October 9, 2012**
**5:30 p.m.**
**Menlo Park Council Chambers**
**701 Laurel Street, Menlo Park, CA 94025**

**5:30 P.M. CLOSED SESSION**

**CL1.** Discussion with legal counsel pursuant to Government Code Section 54956.9 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)*

**CL2.** Conference with legal counsel pursuant to Government Code Section 54956.9 regarding existing litigation: *City of Menlo Park vs. Ma Theresa Sylvia R. Salcedo, et al. San Mateo County Superior Court Case No.: CIV487703*

**7:00 P.M. REGULAR SESSION**

**ROLL CALL** – Cline, Cohen, Fergusson, Keith, Ohtaki

**PLEDGE OF ALLEGIANCE**

**REPORT FROM CLOSED SESSION**

**ANNOUNCEMENTS**

**A. PRESENTATIONS AND PROCLAMATIONS**

**A1.** Presentation by Assemblyman Rich Gordon regarding State activities

**A2.** Quarterly report from High Speed Rail legislative advocate

**A3.** Presentation by Marian Lee regarding Caltrain Modernization Program

**A4.** Presentation by CalTrans regarding the Willow/101 Interchange Reconstruction Project update

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

**B1.** Consider applicants for appointment to fill three vacancies on the Planning Commission (*Staff report #12-147*)

**B2.** Report from the Environmental Quality Commission with a recommendation on consideration of potential groundwater irrigation well (*Attachment*)

**B3.** Bicycle Commission quarterly report on the status of their 2-year Work Plan

**B4.** Housing Commission quarterly report on the status of their 2-year Work Plan

**C. PUBLIC COMMENT #1 (Limited to 30 minutes)**

Under "Public Comment #1", the public may address the Council on any subject not listed on the agenda and items listed under the Consent Calendar. Each speaker may address the Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Council cannot act on items not listed on the agenda and, therefore, the Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

**D. CONSENT CALENDAR**

**D1.** Approve a resolution amending the City's Conflict of Interest Code and biennial review (*Staff report #12-146*)

**D2.** Approve the response to the San Mateo County Civil Grand Jury Report, "Does San Mateo County Need 13 Separate Dispatch Centers?" (*Staff report #12-144*)

**D3.** Authorize the Public Works Director to accept the work performed by West Valley Construction Company, Inc. for the Chrysler Pump Station Discharge Pipe Replacement Project (*Staff report #12-143*)

**D4.** Reject the bid for the Santa Cruz Avenue Irrigation Replacement Project (*Staff report #12-145*)

**D5.** Authorize the City Manager to enter into an agreement with West Bay Sanitary District to provide equipment maintenance services (*Staff report #12-148*)

**D6.** Award a construction contract for the 2012 Resurfacing of Federal Aid Routes Project [Federal Aid Project No. 04-5273(021)] to G. Bortolotto & Co. Inc., in the amount of $435,169.39 and authorize a total budget of $572,169.39 for construction contingencies, material testing, and construction administration (*Staff report #12-150*)

**D7.** Abolish one Management Analyst position within the Police Department (*Staff report #12-149*)

**D8.** Accept minutes for the Council meetings of August 28, September 11, and September 18, 2012 (*Attachment*)

**E. PUBLIC HEARING**

**E1.** Adopt an interim Ordinance establishing a temporary moratorium on the establishment of payday lenders and auto title lenders within the City of Menlo Park (*Staff report #12-153*)

**F. REGULAR BUSINESS**

**F1.** Adopt a resolution to appropriate and authorize an increase of $300,000 from the General Fund CIP Fund Balance for the City's portion of local match of the East Palo Alto and Menlo Park Tidal Flooding Protection, Ecosystem Restoration, and Recreation Project, including staff support for this project, a joint project between the San Francisquito Creek Joint Powers Authority, East Palo Alto and Menlo Park (*Staff report #12-154*)

**F2.** Provide direction on whether to (A) continue the native tree and shrub planting project at Bedwell Bayfront Park funded by a State grant, (B) discontinue the project and try to renegotiate the grant with the State to plant trees in the Belle Haven Neighborhood, or (C) discontinue the grant (*Staff report #12-152*)

**F3.** Approve the change from High Speed Rail Council Subcommittee to Rail Council Subcommittee and provide direction on the Rail Council Subcommittee Mission Statement and Statement of Principles, and Council's current position on Rail/High Speed Rail issues (*Staff report #12-151*)

**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 - None

## J. COUNCILMEMBER REPORTS

## K. PUBLIC COMMENT #2 *(Limited to 30 minutes)*

Under "Public Comment #2", the public if unable to address the Council on non-agenda items during Public Comment #1, may do so at this time. Each person is limited to three minutes. Please clearly state your name and address or jurisdiction in which you live.

## L. ADJOURNMENT

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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 Mayor, either before or during consideration of the item.
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