



**CITY COUNCIL
SPECIAL AND REGULAR MEETING MINUTES**

Tuesday, March 27, 2012 at 6:15 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

Mayor Keith called the meeting to order at 6:20 p.m.

Council Member Cohen is recused from the item and therefore not present for the Closed Session.

Council Member Fergusson arrived at 6:35 p.m.

There were no members of the public to speak on the item and the Council adjourned into Closed Session.

CL1. 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)

Mayor Keith called the Study Session to order at 7:05 p.m. with all members present.

REPORT FROM CLOSED SESSION

ACTION: There was no reportable action from Closed Session.

ANNOUNCEMENTS

Nancy Nuckolls is retiring this Friday after 31 years with the City of Menlo Park. Nancy has held just about every job in the Community Services Department, most recently as Social Services Manager where she has been responsible for the City's child care programs and the senior center. Nancy has been instrumental in modernizing the City's on-line registration system, in updating the Community Services Department's business processes and in supporting staff to improve customer service while increasing cost recovery.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation: National Library Week ([Attachment](#))

The proclamation was presented to members of the Library Foundation Board and Friends of the Library.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS: None

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

- Dick Angus, Menlo Park Historical Association, made a presentation of a book to City Manager Alex McIntyre.
- Terri Cochran, American Cancer Society, spoke regarding the upcoming Relay for Life event in Menlo Park on August 4-5, 2012.

D. CONSENT CALENDAR

ACTION: Motion and second (Fergusson/Cline) to approve the Consent Calendar with Council Member Ohtaki not voting on Item D3 (recused) and amended letters on Item D4 passes unanimously.

D1. Update on commission recruitment for 2012 and consider consolidating the 2012 Planning Commission vacancies by extending the term of one Planning Commissioner from April 30 to August 31, 2012 ([Staff report #12-049](#))

D2. Adopt **Resolution No. 6055** authorizing the City Manager to accept the Highway Safety Improvement Program (HSIP) Cycle 4 Federal Grant in the amount of \$49,550 and execute Program Supplement Agreement No. N012 to administering agency-state agreement for Federal-Aid Project No. 04-5273, covering preliminary engineering, and authorize the City Manager to execute all other agreements to implement the installation of an in-pavement lighted crosswalk system at the intersection of Oak Grove Avenue and Merrill Street
([Staff report #12-051](#))

D3. Authorize the City Manager to enter into a Joint Use Agreement with the Menlo Park City School District for Hillview and Oak Knoll Schools and Nealon Park and Nealon Tennis Courts ([Staff report #12-052](#))

NOTE: Council Member Ohtaki is recused from the item due to the proximity of his home and therefore did not vote on the item.

D4. Authorize Mayor Keith to send a letter to the San Mateo County Mosquito & Vector Control District requesting improved financial control and oversight ([Staff report #12-050](#))
(Revised Letter)

D5. Adopt **Resolution No. 6056** increasing the City Manager's contract approval up to \$100,000 for contract City Attorney services for review of the El Camino Real/Downtown Specific Plan and appropriate \$50,000 from the General Fund ([Staff report #12-055](#))

D6. Accept Council minutes for the meetings of March 6th and 13th ([Attachment](#))

E. PUBLIC HEARINGS

E1. Adopt a resolution amending the City's Master Fee Schedule to incorporate proposed changes in fees to become effective immediately or July 1, 2012 or as required by statute for the following departments: Community Development, Community Services, Library and Public Works ([Staff report #12-048](#))

Staff presentation by John McGirr, Revenue and Claims Manager

The Public Hearing was opened at 7:22 p.m.

Public Comments

Michael Brandt, MCC Parents Group, spoke against the fee increases for the Menlo Children's Center (MCC) and asked what cost recovery rate is enough.

ACTION: Motion and second (Cline/Fergusson) to close the Public Hearing at 7:26 p.m. passes unanimously.

ACTION: Motion by Council Member Fergusson to adopt the fee schedule as submitted except cutting the percentage of the proposed increase in half for the MCC programs. With the lack of a second, the motion failed.

ACTION: Motion and second (Ohtaki/Cline) to adopt **Resolution No. 6057** amending the City's Master Fee Schedule to incorporate proposed changes in fees to become effective immediately or July 1, 2012 or as required by statute for the following departments: Community Development, Community Services, Library and Public Works and directing staff to do a market study on MCC programs prior to next year's review of fees passes unanimously.

F. REGULAR BUSINESS

F1. Adopt a resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and Service Employees International Union, Local 521 (SEIU) for the period beginning March 25, 2012 through October 31, 2013 ([Staff report #12-047](#))
Staff presentation by Starla Jerome-Robinson, Assistant City Manager

ACTION: Motion and second (Cline/Cohen) to adopt **Resolution No. 6058** approving a Memorandum of Understanding (MOU) between the City of Menlo Park and Service Employees International Union, Local 521 (SEIU) for the period beginning March 25, 2012 through October 31, 2013 passes unanimously.

F2. Adopt a resolution of the City Council of the City of Menlo Park of its finding and intention to sell that certain real property located behind properties fronting on the north side of Terminal Avenue, consisting of the Beechwood School property and vacant land between the school and Menlo Park Fire Protection District Station No. 77 and south of the Joint Powers Authority owned railroad right Of way, and 297 Terminal Avenue to the California Family Foundation Pursuant to Government Code Section 37420 et seq.
([Staff report #12-054](#))

Staff presentation by Bill McClure, City Attorney

ACTION: Motion and second (Ohtaki/Cline) to adopt **Resolution No. 6059** approving the City Council's finding and intention to sell that certain real property located behind properties fronting on the north side of Terminal Avenue, consisting of the Beechwood School property and vacant land between the school and Menlo Park Fire Protection District Station No. 77 and south of the Joint Powers Authority owned railroad right Of way, and 297 Terminal Avenue to the California Family Foundation Pursuant to Government Code Section 37420 et seq. passes unanimously.

F3. 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 Member Fergusson updated the Council regarding the potential of a San Francisco ballot initiative proposing to drain the Hetch Hetchy reservoir. ([Attachment](#))

NOTE: Council Member Cohen and City Attorney McClure are recused from discussions on High Speed Rail (HSR) and left the meeting at 8:01 p.m.

Council Member Cline, on behalf of the HSR Subcommittee updated the Council on issues surrounding HSR and a Metropolitan Transportation Commission (MTC) hearing scheduled for tomorrow and comments submitted by the subcommittee. A request was made to add an item to the next City Council agenda for discussion.

K. PUBLIC COMMENT #2: None

L. ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

/s/
Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of April 17, 2012