



**CITY COUNCIL
SPECIAL MEETING MINUTES**
Tuesday, August 28, 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 6:01 p.m. with Cline, Keith and Ohtaki present. Council Member Fergusson arrived at 6:06 p.m.

SS1. Discuss the City's Emergency Preparedness direction and readiness options
([Staff report #12-130](#))

Staff presentation by Commander Lacey Burt

Fire Chief Harold Schapelhouman addressed the Council regarding the need for the Fire District and the City to work together.

Council Member Ohtaki provided handouts and gave a PowerPoint presentation. ([Handouts](#))

Mayor Keith called the Regular Session to order 7:00 p.m. with Council Member Cohen absent.

ANNOUNCEMENTS

Local affordable housing representatives, including the Non-Profit Housing Association, Housing Leadership Council, Habitat for Humanity, Mid-Pen Housing, and the Silicon Valley Community Foundation have partnered to host an affordable housing bus tour on Saturday, September, 8th that is open to the public.

A. PRESENTATIONS AND PROCLAMATIONS: None

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

C. PUBLIC COMMENT #1

- Jennifer Frew asked the Council to direct staff to bring an item on the September 11, 2012 Council meeting to rename the Council Chambers in honor of her mother, Jaye Carr who served as the City Clerk for many years.
- Chuck Kinney spoke in support of having the Council Chambers renamed in honor of Jaye Carr. ([Comments](#))
- George Carr spoke in support of having the Council Chambers renamed in honor of Jaye Carr.
- Wynn Gereich requested support of Proposition 37 on the November ballot and spoke regarding fluoride in the water. ([Attachment](#))

ACTION: Motion by Fergusson to reconsider the design and installation of shared lane markings on Menlo Avenue between El Camino Real and University Drive and on University Drive between Santa Cruz Avenue and Middle Avenue as part of a pilot project approved on July 31, 2012, failed for lack of a second.

D. CONSENT CALENDAR

ACTION: Motion and second (Cline/Ohtaki) to approve the Consent Calendar except D1, as submitted passes 4-0-1 (Cohen Absent).

- D2.** Waive second reading and adopt **Ordinance No. 984** adding Chapter 7.14 [Prohibition of the use of polystyrene based disposable food service ware by food vendors] to Title 7 of the Menlo Park Municipal Code ([Staff report #12-128](#))
- D3.** Adopt **Resolution No. 6098** appropriating \$99,095 from the Transportation Impact Fee fund balance and award a contract to Golden Bay Construction, Inc. in the amount of \$107,398 for the Safe Routes to Hillview Middle School Project and authorize a total budget of \$144,988 for contingencies, inspection, testing and project management ([Staff report #12-127](#))
- D4.** Adopt **Resolution No. 6099** accepting dedication of public access easements and authorize the City Manager to sign the Certificates of Acceptance for the 1906 El Camino Real Frontage Improvements Project ([Staff report #12-123](#))
- D5.** Waive the reading and adopt **Ordinance No. 985** rezoning properties at 50 Terminal Avenue and 1467 Chilco Street ([Staff report #12-124](#))
- D6.** Adopt **Resolution No. 6100** appropriating \$47,461 from the Transportation Impact Fee fund balance and award a contract to Amland Corporation in the amount of \$45,239 for the Middlefield Road at Linfield Drive Lighted Crosswalk Improvement Project and authorize a total budget of \$61,073 for contingencies, inspection, testing and project management ([Staff report #12-131](#))
- D7.** Acting as the Board of the Successor Agency, approve an exclusive authorization to sell with Cassidy/Turley Commercial Real Estate Services for the sale of property located at 777-821 Hamilton Avenue and authorize the City Manager to execute the agreement on behalf of the Successor Agency ([Staff report #12-125](#))
- D8.** Accept Council minutes for the meeting of July 31, 2012 ([Attachment](#))
- D1.** Adopt **Resolution No. 6101** authorizing the destruction of obsolete City records ([Staff report #12-126](#))
- ACTION:** Motion and second (Cline/Ohtaki) to Adopt **Resolution No. 6101** authorizing the destruction of obsolete City records passes 4-0-1 (Cohen Absent).

E. PUBLIC HEARING

- E1.** Consider an appeal of the Planning Commission's decision to approve a use permit to locate a preschool at 695 Bay Road in the C-2-A (Neighborhood Shopping District, Restrictive) Zoning District ([Staff report #12-129](#))
Staff presentation by Rachel Grossman, Associate Planner

Appellant, Brynn Cahill, presented her reasons for appealing the Planning Commission's decision. ([Attachments](#))

Applicant, LeiLing Huang, presented the Council with the reason they feel the use permit should be approved. ([Document](#))

The Public Hearing was opened at 7:55 p.m.

Public comments:

- Heather Hopkins stated that Menlo Park has a shortage of flexible childcare in Menlo Park. Many people who work in Menlo Park bring their children to be in preschool here. Menlo Park lacks proper space to meet State guidelines.
- Dr. Laurence Korn stated that having a preschool in Bay Road would bring a sense of community.
- Veronica Kornberg stated that she owns the property next door and she believes the concerns are well intentions but misperceptions regarding the impacts. The noise from children will not be any worse than the loading dock at the VA. Most people in the neighborhood she talked to were enthusiastic about a preschool being in the neighborhood.
- Leslie Burke spoke against the preschool at that location due to unsafe traffic for children and the increase in noise.
- Jenny Fruermuth stated that she is opposed to preschool and the noise that will come from the school and the increase in traffic. There are enough preschools in Menlo Park but it is unknown if there is enough daycare.
- Danielle Liebermuth is opposed to the preschool in a residential neighborhood due to the noise, traffic and safety.
- Ted Tudor resides four doors away and he is opposed to the traffic and the parking overflowing onto the streets.
- Britt Von Thaden stated Bay Road is not set up for the increased traffic the preschool could produce and she also has safety concerns.
- Brandee Winikoff spoke in favor of the preschool in the neighborhood so that she can walk her children to the school and would be an asset to the families in the neighborhood.
- Matt Winter spoke in favor of the project and stated that it would be a benefit to the neighborhood.
- Henry Riggs noted that the traffic would apply to any street in any neighborhood. Multiple small preschools seem better than large preschools. This small and well located preschool will be popular and he urged support.

ACTION: Motion and second (Cline/Ohtaki) to close the Public Hearing at 8:31 p.m. passes 4-0-1 (Cohen Absent).

ACTION: Motion and second (Ohtaki/Fergusson) to uphold the action of the Planning Commission approving a preschool at 695 Bay Road, thereby denying the appeal, and approving the findings, actions and conditions of approval for the use permit and requesting staff to address the safety concerns passes 4-0-1 (Cohen Absent).

F. REGULAR BUSINESS

F1. 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 Members reported on meetings attended in compliance with AB1234 reporting requirements.

A report regarding the Housing Element public workshops and the Housing Element Steering Committee was provided.

NOTE: City Attorney, Bill McClure announced a conflict due to the proximity of his business and left the meeting at 8:52 p.m.

A report from the High Speed Rail sub-committee was provided.

K. PUBLIC COMMENT #2: None

L. ADJOURNMENT

The meeting was adjourned at 9:03 p.m.

A handwritten signature in blue ink that reads "Margaret S. Roberts". The signature is written in a cursive, flowing style.

Margaret S. Roberts, MMC

City Clerk

Minutes accepted at the Council meeting of October 9, 2012