



CITY COUNCIL SPECIAL MEETING MINUTES

Tuesday, December 11, 2012 at 6:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

Councilmember Mueller participated by telephone from:
225 S. Olive Street, Apt. 2003
Los Angeles, CA 90012
(650) 776-8995

Mayor Ohtaki called the Study Session to order at 6:11 p.m. with Vice Mayor Mueller participating via telephone and all other members present.

SS1. Discussion of a Metropolitan Transportation Commission Complete Streets Policy
([Staff report #12-197](#))

Staff presentation by Charles Taylor, Public Works Director ([PowerPoint](#))

Public Comments

- Thomas Gaston spoke regarding the Sidewalks Master Plan ([PowerPoint](#))
- Michelle Daher spoke about the method used by MTC for grant funding.
- Sam Sinnott read an email that he previously sent to the Council regarding the draft resolution.
- Barbara Tyler spoke regarding the policy and the sidewalks in Allied Arts. .
- Mickie Winkler spoke regarding a 2002 transportation project and asked 13 questions.
- Jamie Morgan stated that Complete Streets is an opportunity to improve street safety.
- Jonathon LeBlanc supports all statements for sidewalks in Allied Arts.
- Mike Reinhold spoke in opposition of sidewalks in Allied Arts.
- Tim Johnston spoke in opposition of sidewalks in Allied Arts.
- Cynthia Dusel-Bacon spoke regarding the canopy on Princeton Road and not supportive of sidewalks in Allied Arts.
- Charles Bacon spoke in opposition of sidewalks in Allied Arts.
- Thomas Szymanski spoke in opposition of sidewalks in Allied Arts.
- Manfred Ropiska spoke in opposition to the proposed policy.
- Henry Riggs made suggestions for changes in the proposed policy.
- Kevin Sheehan spoke in opposition of sidewalks in Allied Arts.
- Charles Irby spoke in opposition of sidewalks in Allied Arts.
- Adina Levin spoke in support of Complete Street and suggested the City adopt a resolution specific to Menlo Park. She also spoke against the metrics being used.
- Steve Schmidt spoke regarding each jurisdiction to determine if there is a project the City would do that required MTC funding, the City should use the resolution provided by MTC.
- John Kadwany stated that this is not the only policy regarding sidewalks that the other policies regarding sidewalks should be considered as soon as possible.

The Council provided individual comments regarding the proposed policy.

Mayor Ohtaki called the Regular Session to order at 7:38 p.m. with Vice Mayor Mueller participating via telephone and all other members present.

Mayor Ohtaki led the Pledge of Allegiance

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation honoring Code Enforcement Officer Elizabeth Fambrini ([Proclamation](#))
Mayor Ohtaki read and presented a proclamation to Code Enforcement Officer Elizabeth Fambrini for her years of service to the community.

A2. Proclamation honoring Commander Lacey Burt ([Proclamation](#))
Mayor Ohtaki read and presented a proclamation to Commander Lacey Burt for her years of service to the community.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Transportation Commission 2-year Work Plan update
Commission Vice Chair Walser updated the Council on the progress made to the Commission's 2-year Work Plan.

C. PUBLIC COMMENT #1

- Kate Comfort Harr with HIP Housing provided the annual calendar and gave an update on the Willow Road property.
- Martha Hubly spoke regarding the development plans for 1825 Santa Cruz Avenue.
- Carol Thomson spoke in opposition of the fees as in the staff report regarding impact fees (Consent Calendar Item D3).
- Heather spoke suggesting impact fees be waived for daycare centers (Consent Calendar Item D3)
- Amy Burnett suggested adding the designation for child care centers in relation to Consent Calendar Item D3.
- Vince Bressler spoke regarding changes to the Housing Element (Consent Calendar Item D9).
- Cheri Zaslowsky spoke regarding the changes being considered in the revision of the General Plan (Consent Calendar Item D9)

D. CONSENT CALENDAR

ACTION: Motion and second (Cline/Keith) to approve the Consent Calendar items D1, D2, D5, D6, and D8 as submitted passes unanimously by a roll call vote.

D1. Notify the City Council of the Local Appointment List (Commonly known as The Maddy Act) ([Staff report #12-185](#))

D2. Adopt **Resolution No. 6115** electing to participate in the Bay Area Water Supply and Conservation Agency (BAWSCA) bond issuance to prepay capital debt owed to San Francisco ([Staff report #12-189](#))

D5. Adopt **Resolution No. 6116** requesting the Board of Administration of the Public Employees' Retirement System to approve an extension of allowed employment for a retired employee pursuant to California Government Code Section 21221(h) ([Staff report #12-198](#))

D6. Waive the second reading and adopt **Ordinance No. 988** rezoning the property located at 1 and 20 Kelly Court from M-2 (General Industrial) to M-2(X) (General Industrial, Conditional Development) ([Staff report #12-194](#))

D8. Adopt **Resolution No. 6117** to a) Determine that Apex Engineering & Construction (Apex) has abandoned the contract for the Alpine Road Bike Improvement Project and rescind the award of contract to Apex from Resolution No. 6106; b) Reject the second lowest bid from Wickman Development and Construction as non-responsive; c) Award a Contract to the third lowest bidder, Interstate Grading & Paving, Inc., in the amount of \$152,994.75 for construction of the Alpine Road Bike Improvement Project; d) Authorize a budget increase of \$8,340 for a total budget of \$210,000 for construction, contingencies, testing, inspection, engineering and construction administration ([Staff report #12-196](#))

D3. Review of the annual report on the status of the Transportation Impact, Storm Drainage, Recreation in-lieu and Building Construction Road Impact fees collected as of June 30, 2012 according Government Code § 66000 et seq. ([Staff report #12-190](#))
Item was pulled for discussion by K. Keith

ACTION: There was a consensus to add to a future agenda a discussion of impact fees.

ACTION: Motion and second (Cline/Keith) to receive the annual report on the status of the Transportation Impact, Storm Drainage, Recreation in-lieu and Building Construction Road Impact fees collected as of June 30, 2012 according Government Code § 66000 et seq. passes unanimously by a roll call vote.

D4. Approve the Annual Report on the Below Market Rate (BMR) Housing Program and the status of the BMR in-lieu fees collected as of June 30, 2012, in accordance with Government Code §66000 et seq. ([Staff report #12-193](#))
Item was pulled for discussion by K. Keith

ACTION: Motion and second (Cline/Keith) to approve Annual Report on the Below Market Rate (BMR) Housing Program and the status of the BMR in-lieu fees collected as of June 30, 2012, in accordance with Government Code §66000 et seq. passes unanimously by a roll call vote.

D7. Adopt **Resolution No. 6118** authorizing the joint filing of an application with the Town of Atherton for the One Bay Area Grant (OBAG) First Funding Cycle Funds and committing the necessary matching funds and stating the assurance to complete bicycle and pedestrian improvement projects ([Staff report #12-195](#))
Item pulled for discussion by C. Carlton

ACTION: Motion and second (Keith/Carlton) to approve **Resolution No. 6118** authorizing the joint filing of an application with the Town of Atherton for the One Bay Area Grant (OBAG) First Funding Cycle Funds and committing the necessary matching funds and stating the assurance to complete bicycle and pedestrian improvement projects passes unanimously by a roll call vote.

D9. Authorize the City Manager to submit Errata to the Draft Housing Element of the General Plan to the State Department of Housing and Community Development and approve an updated project schedule for the Housing Element and General Plan Consistency updates ([Staff report #12-199](#))
Item was pulled for discussion by K. Keith

Public Comments

- Matt Henry stated he is concerned with the rezoning for higher density for the sites in the Belle Haven neighborhood as they are already at three times the density compared to the remainder of Menlo Park.

ACTION: Motion and second (Keith/Cline) authorize the City Manager to submit Errata to the Draft Housing Element of the General Plan to the State Department of Housing and Community Development with modification to be created by the City Attorney and staff related to the term “services” and approve an updated project schedule for the Housing Element and General Plan Consistency updates passes unanimously by a roll call vote.

E. PUBLIC HEARING

There were no public hearings scheduled.

F. REGULAR BUSINESS

- F1.** Provide feedback on the Commonwealth Corporate Center Project located at 151 Commonwealth Drive and 164 Jefferson Drive and authorize the City Manager to approve an augment to a contract with Atkins North America, Inc. in the amount of \$194,457 (for a total contract of \$236,769) and future augments as may be necessary to complete the environmental review for the project ([Staff report #12-192](#))

Staff presentation by Rachel Grossman, Associate Planner

Public Comments

- Richard Truempler and John Sobrato, applicant, gave a brief overview of the project. They requested the Council to consider the community benefit fees, penalties related to trip caps and the traffic mitigation reimbursement. ([PowerPoint](#))
- Sharon Williams, Job Train, spoke in favor of the project.
- Pastor Paul Bains, St. Samuel Church, spoke in support of the Sobrato family and the project.
- Luisa Buada, Ravenswood Family Health Center, spoke in support of the project.
- Christine Hitchcock, InnVision Shelter Network, spoke in support of the project.
- Maria DeLaVega, Ravenswood City School District, spoke in favor of the project.
- Peter Fortenbough, Boys & Girls Club, spoke in favor of the project.
- Fran Fehn, Chamber of Commerce, spoke in favor of the project.

ACTION: The Council provided general feedback on the Commonwealth Corporate Center Project regarding community benefits, trip caps and traffic mitigation reimbursements.

ACTION: Motion and second (Keith/Cline) to authorize the City Manager to approve an augment to a contract with Atkins North America, Inc. in the amount of \$194,457 (for a total contract of \$236,769) and future augments as may be necessary to complete the environmental review for the project passes unanimously by a roll call vote.

- F2.** Appoint City Council representatives and alternates to various regional agencies; liaisons to City advisory bodies and Council sub-committees and consider a letter of interest from Former Mayor Fergusson regarding the Bay Trail Gap Project ([Staff report #12-186](#))

Staff presentation by Margaret Roberts, City Clerk

ACTION: The Council made the following appointments:

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

NAME OF REGIONAL COMMITTEE	REGULAR	ALTERNATE
Airport Community Roundtable	Rich Cline	Kirsten Keith
Association of Bay Area Governments (ABAG)	Peter Ohtaki	Ray Mueller
Caltrain Modernization Local Policy Group	Rich Cline	Kirsten Keith
City/County Association of Governments of San Mateo County (C/CAG)	Kirsten Keith	Ray Mueller
City/County Association of Governments of San Mateo County (C/CAG) Legislative Committee	Catherine Carlton	Not Needed
County of Santa Clara Community Resources Group for Stanford University	Kirsten Keith	Catherine Carlton
County of San Mateo - Regional Housing Needs Assessment (RHNA) Policy Advisory Committee (PAC)	Kirsten Keith	Not Needed
Dumbarton Rail Policy Committee	Kirsten Keith	Rich Cline
Emergency Services Council (San Mateo County JPA)	Peter Ohtaki	Catherine Carlton
Grand Boulevard Task Force	Kirsten Keith	Peter Ohtaki
League of California Cities (Peninsula Division)	Peter Ohtaki	Catherine Carlton
Menlo Park Chamber of Commerce / City Liaison Position	Ray Mueller	Kirsten Keith
Peninsula Cities Consortium (PCC)	Rich Cline	Catherine Carlton
2020 Peninsula Gateway Corridor Study Policy Committee	Catherine Carlton	Ray Mueller
San Francisquito Joint Powers Authority	Kirsten Keith	Catherine Carlton
San Mateo Council of Cities	Mayor	Votes by Vice Mayor and then by Council seniority

CITY COUNCIL LIAISONS TO THE CITY'S ADVISORY BODIES

Bicycle Commission	Kirsten Keith	Not Needed
Environmental Quality Commission	Rich Cline	Not Needed
Finance and Audit Committee	Kirsten Keith (1 YEAR)	Ray Mueller (2 YEARS)
Housing Commission	Peter Ohtaki	Not Needed
Library Commission	Kirsten Keith	Not Needed
Parks and Recreation Commission	Catherine Carlton	Not Needed
Planning Commission	Ray Mueller	Not Needed
Transportation Commission	Ray Mueller	Not Needed

COUNCIL SUB-COMMITTEES

Community Grant Funding - typically meet in October and in November if needed	Catherine Carlton	Kirsten Keith
Emergency Operations	Peter Ohtaki	Catherine Carlton
Facebook	Rich Cline	Kirsten Keith
High Speed Rail - Usually the first and third Monday of the month (1st Monday is public meeting)	Rich Cline	Catherine Carlton
Menlo Park Fire district	Peter Ohtaki	Ray Mueller
Menlo Park School Districts (Liaisons)	Peter Ohtaki	Ray Mueller

F3. City Council discussion and possible recommendation on various seats for determination at the next City Selection Committee meeting scheduled for December 14, 2012
([Staff report #12-187](#))

ACTION: The Council discussed the nominations and provided a recommendation of Alicia Aguire for Metropolitan Transportation Commission (MTC), Mary Ann Nihart for Chair of the City Selection Committee and Marie Chuang for Vice Chair of the City Selection Committee.

F4. Council review and approval of the City Council meeting schedule for 2013
([Staff report #12-188](#))

Staff presentation by Margaret Roberts, City Clerk

ACTION: Motion and second (Cline/Keith) to approve the City Council meeting schedule as amended (cancelling July 30) for 2013 passes unanimously by a roll call vote.

F5. Approve extension of an existing agreement with Capital Advocates to provide legislative and regulatory advocacy on rail related issues ([Staff report #12-200](#))

Note: City Attorney Bill McClure announced he has a conflict on the item and left the meeting. Vice Mayor Mueller announced his conflict and disconnected from the meeting.

Council Member Cline provided information on the Council Sub-committee's recommendation to extend the agreement.

ACTION: Motion and second (Keith/Carlton) to discontinue the agreement with Capital Advocates passes 3-1-1 (Cline dissenting, Mueller Recused)

F6. Consider state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item
There were no legislative items discussed.

G. CITY MANAGER'S REPORT

There was no City Manager's report.

H. WRITTEN COMMUNICATION

There were no written communications.

I. INFORMATIONAL ITEMS

There were no informational items.

J. COUNCILMEMBER REPORTS

Council members reported in compliance with AB1234 requirements.

K. PUBLIC COMMENT #2

There were no comments made.

L. ADJOURNMENT

The meeting was adjourned at 11:43 p.m.



Margaret S. Roberts, MMC

City Clerk

Minutes accepted at the Council meeting of January 8, 2013