



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, April 16, 2013 at 5:30 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

Mayor Ohtaki called the Closed Session to order at 5:34 p.m. with all Council Members present.

CL1. Closed Session pursuant to Government Code section 54957.6 to conference with labor negotiators regarding labor negotiations with the Police Officers Association (POA) and Police Management Association (PMA)

Attendees: Alex McIntyre, City Manager, Starla Jerome-Robinson, Assistant City Manager, Bill McClure, City Attorney, Gina Donnelly, Human Resources Director, Robert Jonsen, Police Chief, Dave Bertini, Commander

Public Comment

- Mickie Winkler read from a handout that she provided to the Council which included suggestions on reducing employee costs (*Handout*)

The Council went into Closed Session at 5:42 p.m.

Mayor Ohtaki called the Regular Session to order at 7:13 p.m. with all members present.

Mayor Ohtaki led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Ohtaki announced that the meeting would be closed in Memory of Beverly "BJ" Perkins, Secretary in the City Manager's Office from 1994-2007.

Mayor Ohtaki stated that thoughts and prayers go out to the victims of the bombing at the Boston Marathon yesterday.

REPORT FROM CLOSED SESSION

There was no reportable action from Closed Session.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation declaring April 19th as "Menlowe Ballet Day" ([Attachment](#))
Mayor Ohtaki presented the proclamation to Lisa Shiveley, Executive Director, Menlowe Ballet.

A2. Presentation of Environmental Quality Awards
Mitch Slomiak, Environmental Quality Commission Chair, presented the following Environmental Quality Awards:

For Climate Action:

- Facebook, accepted by Lauren Swezey

- Menlo Business Park, accepted by Ron.

For Environmental Education:

- Backyard Composting, accepted by Carolyn Dorsch

For Resource Conservation:

- Pacific Bioscience, accepted by Deborah Martin and Paul Intriери

For Sustainable Building:

- Hillview Middle School, accepted by School Board Member Ahmad Sheikholeslami and Giesel

A3. Presentation regarding San Francisquito Creek Community Outreach Plan Program EIR for projects upstream of Highway 101 and Pope/Chaucer Bridge Project by Len Materman, SFCJPA Executive Director

Len Materman, SFCJPA Executive Director, provided information on the San Francisquito Creek Community Outreach Plan Program EIR for projects upstream of Highway 101 and Pope/Chaucer Bridge Project. (*PowerPoint*)

A4. Bay Area Water Supply and Conservation Agency (BAWSCA) update by Representative Kelly Fergusson

Kelly Fergusson provided a report on the activities of BAWSCA.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Consider applicants for appointment to fill three vacancies on the Parks and Recreation Commission; and one vacancy on the Transportation Commission ([Staff report #13-061](#))

Staff presentation by Margaret Roberts, City Clerk

Public Comments

- James Morgan spoke in support of Adina Levin for the Transportation Commission.
- Henry Riggs spoke in support of Philip Mazzara for the Transportation Commission.
- Nell Triplett spoke in support of Adina Levin for the Transportation Commission.
- Gita Dev spoke in support of Adina Levin for the Transportation Commission.
- Andrew Boone spoke in support of Adina Levin for the Transportation Commission.

ACTION: By acclamation the following appointments were made for the Parks and Recreation Commission:

- Noria Zasslow – Term ending April 30, 2014
- Marianne Palefsky – Term ending April 30, 2015
- Kristin Cox – Term ending April 30, 2016

ACTION: Rich Cline nominated Adina Levin and Catherine Carlton nominated Philip Mazzara and with a unanimous vote Adina Levin was appointed to fill the unexpired term through April 30, 2014.

C. PUBLIC COMMENT #1

- Elizabeth Houck read a letter into record regarding the General Plan. (*Letter*)
- Matt Henry stated that he made two points at the last Council meeting that were taken Belle Haven should be loaded with trees because of the Facebook West Campus. The

only place that should have three stories is at the Haven site. Belle Haven is a one story community and trying to jam in more houses would not work.

- Michael Francois spoke regarding chemicals in the water and provided a handout to the Council. (*Handout*)
- Patti Fry requested that the Specific Plan be placed on a Council agenda with a date specific for review.
- Susan Connely requested that the Specific Plan be placed on a Council agenda with a date specific for review and requested a moratorium on all office space throughout Menlo Park.
- Osnat Lowenthal requested that the Specific Plan be placed on a future agenda for review.

D. CONSENT CALENDAR

ACTION: Motion and second (Keith/Cline) to approve the Consent Calendar Items D1, D3 and D5 passes unanimously .

D1. Adopt **Resolution No. 6138** accepting dedication of a public access easement and authorizing the City Manager to sign the certificate of acceptance for the 1035 O'Brien Drive Frontage Improvements Project ([Staff report #13-058](#))

D3. Approve the response to the San Mateo Grand Jury Report "Can We Talk? Law Enforcement and Our Multilingual County" ([Staff report #13-063](#))

D5. Authorize the City Manager to enter into an agreement with Municipal Revenue Advisors, Inc., to perform sales and use tax services in connection with the Development Agreement for the Facebook West Campus Project and approval of **Resolution No. 6139** authorizing the examination of sales and use tax records by Municipal Revenue Advisors, Inc. ([Staff report #13-064](#))

D2. Adopt amended Resolution of Intention to abandon a portion of Louise Street ([Staff report #13-057](#))

Item pulled by Council Member Keith for discussion

NOTE: Vice Mayor Mueller announced he is recused due to the proximity of his property and left the Council Chambers at 8:44 p.m.

ACTION: Motion and second (Keith/Cline) to approve **Resolution No. 6140** an Amended Resolution of Intention to abandon a portion of Louise street passes 4-0-1 (Recused: Mueller)

NOTE: Vice Mayor Mueller returned to the meeting at 8:46 p.m.

D4. Receive the San Francisquito Creek Joint Powers Authority projects update and approve the Project Community Outreach Plan ([Staff report #13-062](#))

Item pulled by Council Member Carlton for discussion

ACTION: Motion and second (Carlton/Cline) to receive the update and approve the Project Community Outreach Plan passes unanimously.

D6. Accept minutes from the Council meetings of March 26 and April 2, 2013 ([Attachment](#))
Item pulled by Council Member Carlton for discussion

Council Member Carlton would like any amendments to the minutes to be documented in the minutes. Vice Mayor Mueller added that he would like additional comments in the minutes regarding the Council discussion on the Capital Improvement Plan.

ACTION: By consensus the Council held over the minutes to the next Council meeting.

E. PUBLIC HEARINGS

E1. Conduct a Public Hearing and consider a resolution approving a Conditional Development Permit amendment for the property located at 401 Pierce Road ([Staff report #13-059](#))
Staff presentation by Thomas Rogers, Senior Planner

Mayor Ohtaki opened the Public Hearing at 8:56 p.m.

There were no comments made during the Public Hearing.

Motion and second (Cline/Keith) to close the Public Hearing at 8:57 p.m. passes unanimously.

ACTION: Motion and second (Keith/Cline) taking the following actions passes unanimously:

Adopt the finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current CEQA Guidelines; and

Adopt **Resolution No. 6141** approving the Conditional Development Permit amendment for the addition of 747 square feet of gross floor area to an existing private recreation facility and to increase the maximum FAR to 45 percent, subject to the requirements of the Conditional Development Permit and removing paragraphs 5.1(recordation) and 7.1 (Indemnity by Owner).

F. REGULAR BUSINESS

F1. Consideration of a Mixed-Use Development Proposal at 500 El Camino Real, including options for the project review process ([Staff report #13-066](#))

NOTE: Vice Mayor Mueller announced he is recused due to the proximity of his property and left the Council Chambers at 8:59 p.m.

Staff presentation by Thomas Rogers, Senior Planner

Applicant presentation by Steve Elliott showing the proposed project at 500 El Camino Real (*PowerPoint*)

Public Comment

- Barbara Hunter spoke in opposition to the project
- Tim Straight spoke in opposition to the project
- Clem Molony spoke in favor of the project
- Perla Ni spoke in opposition to the project and regarding safety issues
- Stefan Petry spoke in opposition to the project and presented a report card rating of the project
- Kevin Vincent Sheehan spoke in opposition to the project and regarding traffic
- Nancy Borgeson spoke in opposition to the project
- Mike Lauza spoke in opposition to the project
- Gail Svedanesis spoke in opposition to the project

- Henry Riggs spoke in favor of the project and asked Council to consider under crossings
- Gita Dev spoke regarding the need for a jobs-housing balance
- Adina Levin spoke regarding housing and traffic and asked Council to consider establishing an infrastructure fund
- Frank Carney spoke in opposition to the project
- George Fisher discussed concerns regarding the project
- Cherie Zaslowky spoke in opposition of the project
- Andrew Boone spoke regarding traffic and safety issues
- Peter Hart spoke in opposition to the project and expressed concerns regarding the process
- Hugh MacDonald cited the following quote: “A small leak can sink a great ship.”
- Vincent Bressler spoke in opposition to the project and regarding lack of public benefit
- Joanne Goldberg asked Council to take a closer look at the project
- Kristy Holch spoke regarding the impact of the project on the City’s character
- Heyward Robinson expressed concerns regarding the process
- Barrett Moore spoke regarding traffic and safety issues
- Paul Osborn discussed traffic concerns and the need for more information
- Erin Craig asked that modifications be made to the project based on the public’s input
- Veneta Kanelakos spoke in opposition to the project and expressed concern regarding the size of the project
- Don Brawner spoke in opposition to the project
- Hilary Holmquest expressed concern regarding the size of the project and the impact on the City’s character
- Fran Dehn spoke regarding the process
- Mark Nanevicz spoke regarding traffic concerns and public benefit
- Elizabeth Houck spoke in opposition to the project

ACTION: Motion and second (Cline/Ohtaki) to appoint a Council Subcommittee of Council Members Keith and Carlton for project refinement, facilitate compromise with the applicant and the residents and a timeline for review of the specific plan.

NOTE: Vice Mayor Mueller returned to the meeting at 1:25 a.m.

F2. Adopt a resolution taking the following actions: 1. Appropriating an additional \$715,000 to the Santa Cruz Avenue Irrigation Replacement Project from the General Fund CIP fund balance; 2. Authorizing the City Manager to award a contract to the lowest responsible bidder for the Santa Cruz Avenue Irrigation Replacement Project authorizing a total budget of \$1,060,000 for construction, contingencies, material testing, and construction administration; and 3. Awarding contracts up to \$250,000 for the purchase and installation of the downtown benches and solid waste and recycling bins ([Staff report #13-065](#))

Staff presentation by Ruben Nino, Assistant Public Works Director

Public Comment

- Fran Dehn, Chamber of Commerce, stated that the Chamber supports staff recommendation. They also encourage an additional investment for additional improvements including relocating the newspaper racks.

1. **ACTION:** Motion and second Mueller/Carlton adopting **Resolution No. 6142** and taking the following actions passes unanimously: Appropriating an

additional \$515,000 to the Santa Cruz Avenue Irrigation Replacement Project from the General Fund CIP fund balance;

2. Authorizing the City Manager to award a contract to the lowest responsible bidder for the Santa Cruz Avenue Irrigation Replacement Project authorizing a total budget of \$860,000 for construction, contingencies, material testing, and construction administration; and
3. Awarding contracts up to \$250,000 for the purchase and installation of the downtown benches and solid waste and recycling bins.

F3. Consider appointing a Councilmember to serve on the Blue Ribbon Task Force as proposed by the City of Redwood City regarding South Bay Waste Management Authority (SBWMA) board governance ([Staff report #13-060](#))

ACTION: Motion and second (Keith/Cline) to appoint Vice Mayor Mueller to serve on the Blue Ribbon Task Force as proposed by the City of Redwood City regarding South Bay Waste Management Authority (SBWMA) board governance passes unanimously.

F4. Consider appointment of a director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water Supply Financing Authority ([Attachment](#))

ACTION: Motion and second (Mueller/Cline) to appoint Council Member Keith as the director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water Supply Financing Authority passes unanimously.

F5. 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 report given.

H. WRITTEN COMMUNICATION

There were no written communications.

I. INFORMATIONAL ITEMS

There were no informational items.

J. COUNCILMEMBER REPORTS

There were no reports given.

K. PUBLIC COMMENT #2

There were no public comments made.

L. ADJOURNMENT

The meeting was adjourned at 1:45 a.m. in memory of Beverly "BJ" Perkins, Secretary in the City Manager's Office from 1994-2007.



Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of July 16, 2013.