



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, August 27, 2013
5:30 P.M.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

5:30 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Ohtaki called the Closed Session to order at 5:47 p.m. with all members present.

There was no one from the public present to make public comment.

CL1. Closed Session pursuant to Government Code section 54957.6 to conference with labor negotiators regarding labor negotiations with the Police Sergeants Association (PSA), Police Officers Association (POA), American Federation of State, County and Municipal Employees (AFSCME), and Service Employees International Union (SEIU)

Attendees: Alex McIntyre, City Manager, Starla Jerome-Robinson, Assistant City Manager, Bill McClure, City Attorney, Gina Donnelly, Human Resources Director

Adjourned at 6:55 p.m.

7:00 P.M. REGULAR SESSION

ROLL CALL – Mayor Ohtaki called the meeting to order at 7:07 p.m. with all members present.

Mayor Ohtaki led the pledge of allegiance.

REPORT FROM CLOSED SESSION

There is no report from the Closed Session held earlier.

ANNOUNCEMENTS

Mayor Ohtaki announced that Supervisor Warren Slocum will hold a public forum at Café Zoe on September 4th.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation: Sister City Friendship Agreement with Galway, Ireland ([Attachment](#))

Public Comment:

- Fran Dehn provided a brief summary of the two Menlos ([Presentation](#))

ACTION: Motion/second (Keith/Cline) to proceed with the Friendship Agreement as amended passes unanimously.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Transportation Commission quarterly report on the status of their two-year Work Plan ([Attachment](#))

Bianca Walser, Commission Chair, provided a report.

Public Comment:

- Adina Levin spoke regarding the TMA

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

- Elizabeth Houck spoke regarding the need to review the Specific Plan

*Mayor Pro Tem Mueller exited the dias at 7:24 pm due to a conflict of interest regarding the subject of the speaker's public comment.

Mayor Pro Tem Mueller returned to the dias at 7:28 p.m.

D. CONSENT CALENDAR

D1. Adopt **Resolution 6166** authorizing the installation of on-street parking restrictions on Hamilton Avenue, adjacent to the new Menlo Park Neighborhood Services Center
([Staff report #13-130](#)) **Continued from the August 20, 2013 Council meeting.**

D2. Approve the response to the San Mateo Grand Jury Report "South Bay Waste Management Authority Board: Elected Officials or Senior Management Level Staff"
([Staff report #13-148](#))

D3. Approve the re-installation of shared lane markings within the center area of the travel lane on Menlo Avenue between El Camino Real and University Drive and on University Drive between Santa Cruz Avenue and Oak Lane and authorize staff to seek approval from the California Traffic Control Devices Committee for the installation of green backed shared lane markings ([Staff Report #13-149](#))

D4. Adopt **Resolution 6167** supporting the Ravenswood Avenue Grade Separation Analysis Project and submitting an application for Measure A Grade Separation Program Funding
([Staff Report #13-151](#))

D5. Approve **Resolution 6168** authorizing the annual destruction of records
([Staff Report #13-147](#))

D6. Accept minutes for the Council meeting of August 19, 2013 ([Attachment](#))

ACTION: Motion and second (Cline/Keith) to approve the Consent Calendar passes unanimously.

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

F1. Authorize the City Manager to execute a 5-year agreement not-to-exceed \$335,000 annually with Redflex Traffic Systems, Inc. for a photo red light enforcement program, authorize an additional red light camera at Bayfront Expressway and Chilco Street, and increase the red light camera facilitator position from 0.75 FTE to 1.0 FTE
([Staff report #13-140](#)) **Continued from the August 20, 2013 Council meeting.**

Commander Dave Bertini introduced the item and Sargent Sharon Kaufman provided additional information regarding right-turn violations and the bid process.

City Attorney McClure and Redflex Account Manager Ray Torres clarified and responded to questions regarding options for terminating a contract.

Public Comment:

- Adina Levin spoke regarding right-on-red violations
- Andrew Boone spoke regarding a study by the Insurances for Auto Safety as a good data reference
- Stu Soffer stated that violation of the red light camera at Chilco imposes a tax on the Belle Haven area
- Rollan Kelly spoke against the revenue system from red light cameras and regarding right-turn violations and safety

Councilmember Carlton requested Council delay taking action in order to conduct further research.

ACTION: Motion and second (Keith/Mueller) with a friendly amendment for a privacy policy that requires that the data for non-violations be maintained for 30 days, data for violations be maintained for the duration of proceedings, data can only be released to another law enforcement agency by court ordered subpoena and only pursuant to a criminal investigation and a second amendment that once amortization expires, the vote returns to 3/5 if the City elects to terminate contract, passes 4-1 (Carlton dissents).

F2. Consider approval of the terms of an agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association ([Staff report #13-137](#)) **Continued from the August 20, 2013 Council meeting.**

Gina Donnelly, Human Resources Director, introduced the item.

Staff responded to questions regarding arbitration. Councilmember Keith stated that binding arbitration should be conducted by a retired judge of the San Mateo County Superior Court. She would like a Study Session on binding arbitration and alternatives within the next year.

ACTION: Motion and second (Mueller/Carlton) to table this item until later in the agenda and take action tonight passes unanimously.

At 8:50 p.m. Mayor Ohtaki called **Item F4**, *Accept the 500 ECR Subcommittee Final Report*, and **Item F5**, *Approve the Scopes of Work and authorize the City Manager to enter into agreements with W-Trans for two separate agreements: (1) Plan Review and Traffic Engineering Analysis, and (2) Neighborhood Cut-Through Analysis for the Stanford 500 El Camino Real Project*, out of order.

At this time, Mayor Pro Tem Mueller exited the Council chambers due to a conflict of interest on these items.

F4. Accept the 500 ECR Subcommittee Final Report ([Staff report #13-152](#))
Staff presentation by Jim Cogan, Economic Development Manager ([Presentation](#)).

F5. Approve the Scopes of Work and authorize the City Manager to enter into agreements with W-Trans for two separate agreements: (1) Plan Review and Traffic Engineering Analysis, and (2) Neighborhood Cut-Through Analysis for the Stanford 500 El Camino Real Project ([Staff report #13-153](#))
Staff presentation by Jesse Quirion, Transportation Manager ([Presentation](#)).

Public Comment:

- Steve Elliott ([Presentation](#)) provided a brief overview of the Stanford project and stated that a number of changes have been made based on input and concerns from the community
- George Fisher spoke against the Stanford project and stated that the process is flawed

- Kevin Sheehan expressed concern regarding unexpected surprises arising during the process, lack of communication and traffic issues
- Stefan Petry urged Council not to accept the subcommittee report and that approving the traffic scopes of work would be premature
- Bill Kirsch expressed concern regarding traffic and asked Council to move forward on the study of reconfiguring El Camino Real
- Perla Ni spoke regarding safety, reasonable development, size of the project and taxes
- Elizabeth Houck spoke regarding traffic issues and review of and accountability for the project
- Lynore Banchoff spoke regarding traffic and safety issues and maintaining the character of the city
- Gita Dev spoke regarding the size of the project and the jobs-housing balance
- Martha Morey urged Council to take community input into consideration when making decisions regarding the project
- Susan Connelly spoke regarding the size and scale of the project and that there is no benefit to the city
- Kris Swanson expressed concern regarding traffic and safety and preserving the neighborhood character
- Vera Goupille spoke regarding to size and scope of the project and taking a look at similar projects in the area
- Adina Levin spoke regarding traffic data and issues
- Mike Lanza spoke against the project and urged Council to represent the wishes of the residents
- Nancy Hosay requested Council to suspend making any decisions on the project and hold a moratorium in order to develop the best project for the community
- Janet Poses spoke regarding traffic and safety
- Valerie Brooke Wilke spoke regarding parking
- Don Ellis spoke regarding traffic and density issues
- Martin Patterson expressed concerns regarding the size and scale of the project
- Patty Fry spoke regarding the process and that it should be more structured, manageable and predictable
- Pamela Wilhelms expressed concern regarding the size and scope of the project and open space issues
- Vincent Bressler spoke regarding the need for a project review and a development agreement

ACTION: Motion and second (Cline/Ohtaki) to approve the Scopes of Work and authorize the City Manager to enter into agreements with W-Trans for two separate agreements: (1) Plan Review and Traffic Engineering Analysis, and (2) Neighborhood Cut-Through Analysis for the Stanford 500 El Camino Real Project passes 4-0-1 (Mueller recused).

There was consensus among Council to accept the final report of 500 El Camino Real Subcommittee.

At 12:05 a.m. August 28, 2013, Mayor Pro Tem Mueller returned to the Council chambers. Agenda item F2 is revisited for discussion.

F2. Consider approval of the terms of an agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association.

ACTION: Motion and second (Cline/Mueller) to approve the terms of an agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association passes 4-1 (Keith dissents).

- F3.** Select a voting delegate and alternate to the League of California Cities Annual Conference and provide direction to the voting delegate related to the resolutions to be voted on at the League of California Cities Annual Conference ([Staff report #13-139](#))
Continued from the August 20, 2013 Council meeting.

ACTION: Motion and second (Ohtaki/Cline) to designate Mayor Ohtaki as the Voting Delegate, Councilmember Keith as Alternate #1 and Councilmember Carlton as Alternate #2 passes unanimously.

ACTION: There was a motion and second (Ohtaki/Carlton) and consensus by Council to approve both resolutions and to endorse all the Peninsula Division candidates for office as they are all uncontested.

- 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: **None**

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

- I1.** Quarterly Financial Review of General Fund Operations as June 30, 2013
([Staff report #13-143](#)) **Continued from the August 20, 2013 Council meeting.**
- I2.** Review of the City's Investment Portfolio as of June 30, 2013 ([Staff report #13-142](#))
Continued from the August 20, 2013 Council meeting.
- I3.** Office of Economic Development Quarterly Update ([Staff report #13-144](#))
Continued from the August 20, 2013 Council meeting.
- I4.** Update on City Council goals ([Staff report #13-145](#)) **Continued from the August 20, 2013 Council meeting.**

Public Comment:

Adina Levin asked Council to include improving safety on El Camino Real as part of its goals.

- I5.** Initiation of the General Plan Update ([Staff report #13-150](#))
- I6.** Update on the draft public outreach and Development Agreement negotiation process for the SRI International Campus Modernization Project ([Staff report #13-146](#))

J. COUNCILMEMBER REPORTS

Councilmember Cline reported that the Housing Element subcommittee held a meeting.

K. PUBLIC COMMENT #2

There was no public comment.

L. ADJOURNMENT at 12:30 a.m.



Pamela Aguilar
Acting City Clerk

These minutes were approved at the Council meeting of September 24, 2013