



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, January 28, 2014
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)

CL1. Closed Session pursuant to Government Code Section §54957 to conference with labor negotiators regarding labor negotiations with the Police Officers Association (POA) and Service Employees International Union (SEIU)

REPORT FROM CLOSED SESSION

There was no reportable action as the closed session scheduled at 5:30 p.m. was cancelled.

ANNOUNCEMENTS – None

Mayor Mueller called the Study Session to order at 6:20 p.m. Councilmembers Carlton, Keith and Ohtaki, were present. Councilmember Cline was absent.

6:15 P.M. STUDY SESSION (Council Chambers)

SS1. Study Session to review options for appellate procedures in peace officer discipline cases ([Staff report #14-017](#)) ([presentation](#))

Human Resources Director Gina Donnelly introduced the item.

Jeff Sloane of Renne Sloan Holtzman & Sakai, LLP and Michael Rains of Rains, Lucia & Stern gave a presentation regarding the Public Safety Officers Bill of Rights (PSOBR), basic requirements for appeals from punitive action, range of options for appeals from punitive action under PSOBR and the pros and cons of binding arbitration for public safety officers.

Public Comment:

- Sean Howell of Mastagni Holstedt Amik Miller & Johnson, counsel for the Police Officers Association (POA), spoke regarding retired judges as arbitrators, the cost of arbitration and protection against due process violations.

7:00 P.M. REGULAR SESSION

Mayor Mueller led the pledge of allegiance.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation recognizing Hillview Middle School Principal Erik Burmeister ([Attachment](#)) Erik Buremeister accepted the proclamation, thanked the teachers on his staff and stated that it is an honor to serve the community.

A2. Proclamation recognizing Menlo Park City School District Board Member Laura Rich ([Attachment](#))

Laura Rich accepted the proclamation and stated that it has been a pleasure to serve the community and that the schools are in great shape for the future.

A3. Proclamation for Retirement of Canine Officer Gert ([Attachment](#))

Police Officer Steve Knoff accepted the proclamation and spoke regarding this bond with Gert through the years.

A4. Joint presentation by Menlo Park School District and Public Works Department regarding new school on the O'Connor site in the Willows neighborhood ([School District presentation](#)) ([Public Works presentation](#))

At 7:41 p.m., Councilmember Keith recused herself from considering this item because she resides within 500 feet of the subject location and exited the Council chambers.

Menlo Park School District Superintendent Maurice Geyesels and School Board Member Amhad Sheikholeslami gave a presentation regarding benefits of the new school, planning and work schedule, school design plans and access design options.

Staff presentation given by Chip Taylor regarding the City's role in the process, trip comparison and traffic impact information, existing and improving access and connectivity.

Public Comment:

- Noel Berghout made a brief presentation and spoke regarding safety issues ([powerpoint](#))
- Bob Arabian made a brief presentation and spoke regarding design considerations ([powerpoint](#))
- Todd Brahana spoke regarding traffic mitigation and safety issues, fairness and design
- Chuck Bernstein spoke regarding the changing traffic patterns, the Willows neighborhood character and against access to the school through Oak Court
- Carrie Farrell spoke regarding traffic and parking, and the amount of time to walk or bike to school
- Judith Jones spoke regarding condensed peak time traffic and safety
- Shu Rosenthal spoke regarding parking
- Brenda Kinaan stated to keep the street safe for pedestrians and bicyclists

At 9:55 p.m. this item concluded and Councilmember Keith returned to the Council chambers.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Consider applicants for appointment to fill two vacancies on the Parks and Recreation Commission ([Staff report #14-013](#))

ACTION: Councilmember Keith nominated James Cebrian and Christopher Harris. Mayor Pro Tem Carlton nominated Thomas Stanwood.

ACTION: With a majority of votes (Carlton, Keith, Mueller and Ohtaki) James Cebrian is reappointed to a term expiring April 30, 2017.

ACTION: With a majority of votes (Keith, Mueller and Ohtaki) Christopher Harris is appointed to a term expiring April 30, 2017.

C. PUBLIC COMMENT #1

- Kim Rubin made a brief presentation regarding train noise ([powerpoint](#))
- Omar Chatty spoke regarding extending BART

D. CONSENT CALENDAR

- D1.** Authorize the City Manager to submit revisions to the Draft Housing Element to the State Department of Housing and Community Development ([Staff report #14-015](#))
- D2.** Initiate the Menlo Park Landscape Assessment District proceedings for fiscal year 2014-15 and adopt a resolution describing the improvements and direct preparation of the Engineer's Report ([Staff report #14-009](#))
- D3.** Approve a budget appropriation in the amount of \$76,362 from the General Fund balance; award a construction contract for the El Camino Real Trees Phase III Project to Del Conte Landscaping, Inc. in the amount of \$225,362 and authorize a total budget of \$285,362 for construction, contingencies, and project management ([Staff report #14-010](#))
- D4.** Approve a budget appropriation in the amount of \$130,000 from the Transportation Impact Fee fund balance and authorize the City Manager to enter into an agreement with Whitlock & Weinberger Transportation, Inc. Consultant to develop the El Camino Real Corridor Study in the amount of \$459,713 ([Staff report #14-012](#))
- D5.** Accept minutes for the Council meetings of November 19, 2013 and January 14, 2014 ([Attachment](#))

ACTION: Motion and second (Ohtaki/Keith) to approve all the items on the Consent Calendar passes 4-0-1 (Cline absent)

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

- F1.** Review and approve an agreement for Emergency Preparedness Services between the City of Menlo Park and the Menlo Park Fire District ([Staff report #14-016](#))
Staff presentation by Commander Dave Bertini

ACTION: Motion and second (Keith/Ohtaki) to approve an agreement for Emergency Preparedness Services between the City of Menlo Park and the Menlo Park Fire District passes 4-0-1 (Cline absent)

- F2.** Request by Mayor Pro Tem Carlton to reconsider approval of the logo update and development of graphic standards from the January 14, 2014 Council meeting
(Note: Council will not discuss the merits of the item. If reconsideration is approved, the item will be agendaized for a future meeting)

ACTION: Motion and second (Ohtaki/Mueller) to reconsider approval of the logo update and development of graphic standards from the January 14, 2014 Council meeting and agendaize for a future meeting. The motion fails (2-2-1; Keith and Carlton dissent, Cline absent).

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

No staff presentations.

I1. 2013 Commissions Attendance Report ([Staff report #14-014](#))

Mayor Pro Tem Carlton stated that consistent attendance is important and supports removing Commissioners who fall below the attendance threshold.

I2. Guidelines for use of traffic modeling software in Transportation Impact Analyses (TIAs) ([Staff report #14-011](#))

J. COUNCILMEMBER REPORTS

J1. Clarification of C/CAG assignment

There was consensus that Councilmember Keith will remain the C/CAG representative for 2014 and Mayor Mueller will remain the alternate and that Mayor Mueller will assume the representative position in 2015.

Councilmember Keith reported on the SFCJPA and flood walls. She stated there will be a meeting on January 29th to gather public feedback regarding replacement of the Chaucer-Pope bridge.

K. PUBLIC COMMENT #2

There was no public comment.

L. ADJOURNMENT at 10:55 p.m.



Pamela Aguilar
City Clerk

These minutes were approved at the Council meeting of February 11, 2014