



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, March 18, 2014
5:45 P.M.

701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

5:45 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Mueller called the Closed Session to order at 5:50 p.m. with all members present.

There was no public comment.

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)

Attendees: Alex McIntyre, City Manager, Starla Jerome-Robinson, Assistant City Manager, Bill McClure, City Attorney, Gina Donnelly, Human Resources Director, Drew Corbett, Finance Director, and Charles Sakai, Labor Attorney

7:00 P.M. REGULAR SESSION

Mayor Mueller called the meeting to order at 7:03 p.m. with all members present.

Mayor Mueller led the pledge of allegiance.

SS. STUDY SESSION

SS1. Discuss implementing a Property Assessed Clean Energy (PACE) Financing Program ([Staff report #14-047](#)) ([presentation](#))

Environmental Programs Manager Rebecca Fotu made a presentation. John Law, Director for Municipal Development for HERO (at Renovate America), was present to answer the commission's questions.

Environmental Quality Commissioner Kirsten Kuntz-Duriseti spoke in support of implementing the PACE program. Jim Law responded to questions from Council.

There was consensus among Council to support the implementation of a PACE program.

REPORT FROM CLOSED SESSION

There was no report from the Closed Session held earlier this evening.

ANNOUNCEMENTS

The City is currently recruiting for multiple seats on the Environmental Quality, Housing, Library, Planning and Parks & Recreation Commissions. Applications are available online or from the City Clerk, and are due April 14th.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation declaring March as American Red Cross Month ([Attachment](#))
Mayor Mueller presented the proclamation to Steve Taffee of the Bay Area Chapter.

A2. Presentation of commendations to the Boys and Girls Club Youth of the Year Award and Leadership Class participants

Mayor Mueller presented commendations to Stacie Foreman and Dudley Rider. A proclamation was also presented to Executive Director Peter Fortenbaugh ([Attachment](#)).

Mr. Fortenbaugh and the recipients thanked the Mayor and the Council for the recognition.

A3. Presentation by the California State Coastal Conservancy regarding the South Bay Salt Pond Restoration Project ([presentation](#))

Engineering Services Manager Fernando Bravo introduced the item. A presentation was made by John Bourgeois, Executive Project Manager.

Mr. Bourgeois stated that he would like to formalize a partnership with the City through a Memorandum of Understanding.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Environmental Quality Commission quarterly report on the status of their 2-Year Work Plan Chair Chris DeCardy gave a status report regarding trees, greenhouse gas emissions, the General Plan and San Francisquito Creek

B2. Consider applicants for appointment to fill three citizen vacancies on the Finance and Audit Committee ([Staff report #14-042](#))

ACTION: Councilmember Ohtaki nominated Leslied Denend, Mayor Pro Tem Carlton nominated Aimee Campbell, Councilmember Keith nominated Laura Phelps, Councilmember Cline nominated Anne Craib and Mayor Mueller nominated Stu Soffer.

ACTION: With a majority of votes, the Council made the following appointments

- Anne Craib (Cline, Mueller, Keith) for a 2-year term expiring April 2016
- Leslie Denend (Cline, Ohtaki, Mueller, Carlton) to a 3-year term expiring April 2017
- Laura Phelps (Cline, Ohtaki, Carlton, Keith) to a 2-year term expiring April 2016

C. PUBLIC COMMENT #1

There was no public comment.

D. CONSENT CALENDAR

D1. Authorize the City Manager to exceed his purchase authority and approve the purchase of a mobile stage from APEX Stages for an amount not to exceed \$75,000 ([Staff report #14-041](#))

D2. Approve an amendment to the Below Market Rate For-Sale Agreement for the 389 El Camino Real Project ([Staff report #14-043](#))

D3. Award of a four-year contract to Badawi and Associates in the amount of \$176,446 for annual financial auditing services ([Staff report #14-045](#))

D4. Approve the letter in support of Senate Bill 1345 (Water Legislation) ([Staff report #14-046](#))

D5. Accept minutes for the Council meetings of February 25, 2014 and March 4, 2014 ([Attachment](#))

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

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

At this time, Mayor Mueller called Item F2 out of order.

- F2.** Provide general direction on the 5-year Capital Improvement Plan including capital and other projects to be included in the City Manager's proposed 2014-15 Budget ([Staff report #14-044](#)) ([presentation](#))

A staff presentation was made by Public Works Director Chip Taylor.

Public Comment:

- David Silverman spoke in support of the current location of the dog park at Nealon Park
- Susan Silverman spoke in support of the current location of the dog park at Nealon Park
- Kathy Schoendorf spoke in support of the current location of the dog park at Nealon Park
- Mary Kuechler spoke in support of the current location of the dog park at Nealon Park
- Amy Poon spoke in support of the current location of the dog park at Nealon Park
- Janet Storz spoke in support of the current location of the dog park at Nealon Park
- Alex Gould spoke in support of the current location of the dog park at Nealon Park
- Larry Marks spoke in support of the current location of the dog park at Nealon Park

Staff stated that the goal of including Nealon Park in the CIP is to determine the best possible configuration for the dog park and the best possible configuration for the sports field at Nealon Park and to include the public in the process. This item will not be reviewed until 2017, no decisions or changes regarding the park will be made at this point.

At 9:10 p.m., Council tabled Item F2.

- F1.** Approve an appropriation of \$150,000 and authorize the City Manager to execute agreements, not to exceed a total of \$150,000, with consultants to provide professional analyses of the potential impacts related to the proposed ballot initiative which would amend the Menlo Park El Camino Real/Downtown Specific Plan ([Staff report #14-048](#)) ([presentation](#))

At 9:12 p.m. City Attorney McClure exited the Council chambers due to a conflict of interest in that his office building is located within a portion of the area that is the subject of the proposed ballot initiative.

A staff presentation was made by Economic Development Manager Jim Cogan.

Public Comment:

- George Fisher spoke against authorizing professional analyses and stated that members of the public requested similar studies in the past
- Steve Schmidt spoke in favor of authorizing an unbiased analysis
- John Kadwany spoke in favor of authorizing the analyses and focusing on development patterns and strategic issues

Staff responded to Council questions regarding transportation issues, open space and architectural control. Council discussion ensued regarding the need for a thorough and unbiased analysis, Council input regarding the scopes of work, cost and timeframe.

ACTION: Motion and second (Cline/Ohtaki) to approve an appropriation of \$150,000 and authorize the City Manager to execute agreements, not to exceed a total of \$150,000, with consultants to provide professional analyses of the potential impacts related to the proposed ballot initiative which would amend the Menlo Park El Camino Real/Downtown Specific Plan

with a friendly amendment to appoint Mayor Mueller and Councilmember Cline to a Council subcommittee to review the Scopes of Work passes unanimously.

At 10:12 p.m. City Attorney McClure returned to the Council chambers and Council continued discussion on **Item F2, Provide general direction on the 5-year Capital Improvement Plan including capital and other projects to be included in the City Manager's proposed 2014-15 Budget.**

Staff responded to Council questions and discussion ensued. Staff will include the projects funded during fiscal year 2014-2015 as part of the budget approval process.

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS – None

J. COUNCILMEMBER REPORTS

Mayor Pro Tem Carlton reported on the Human Trafficking Law Enforcement protocol and the press conference hosted by Congresswoman Jackie Speier.

K. PUBLIC COMMENT #2

- Omar Chatty spoke regarding BART and Bay Saves Lives

L. ADJOURNMENT at 11:03 p.m.



Pamela Aguilar
City Clerk

These minutes were approved at the Council meeting of April 2, 2014.