



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, April 1, 2014
6:00 P.M.

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

6:00 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Mueller called the Closed Session to order at 6:00 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 7:20 p.m. with all members present.

Mayor Mueller led the pledge of allegiance.

REPORT FROM CLOSED SESSION

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

At this point, Mayor Mueller called Agenda Items A1 and A2 out of order.

A1. Proclamation for National Library Week (April 13-19, 2014)([attachment](#))
Library Director Susan Holmer, Library Commissioner Jacqueline Cebrian and Library Foundation President Jill Parker accepted the proclamation.

A2. Presentation of Commendations to Menlo-Atherton High School Robotics Team Coach Jeff DeCurtins and members of the robotics team accepted the commendations.

SS. STUDY SESSION

SS1. Review and possibly provide direction on the requested abandonment of the Burgess Drive reserved right-of-way for the SRI International Campus Modernization Project
([Staff report #14-056](#))(*presentation*)

A staff presentation was made by Community Development Manager Justin Murphy.

Public Comment:

- Tom Furst of SRI spoke regarding the constructive and helpful feedback from staff as well as from the commissions as part of the outreach for this project.

Mr. Furst and Mr. Murphy responded to Council questions regarding safety and security in the right of way, potential bike lanes, traffic, and negotiating the development agreement.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation for National Library Week (April 13-19, 2014)

This item was called earlier in the agenda.

A2. Presentation of Commendations to Menlo-Atherton High School Robotics Team

This item was called earlier in the agenda.

A3. Quarterly update from Trustee of the Mosquito and Vector Control District ([presentation](#)) Menlo Park Trustee Valentina Cogoni gave a brief presentation.

Trustee Cogoni responded to Council questions regarding mosquitos, catch bins and public outreach.

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.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Parks & Recreation Commission quarterly report on the status of their 2 Year Work Plan
Commissioner Tom Cecil gave an update regarding the following Commission activities: research of social services and recreational opportunities in Belle Haven, research and evaluation of opportunities to support arts programs in Menlo Park, research and evaluation of City parks for their short and long term vitality.

C. PUBLIC COMMENT #1

- Phillip Bahr spoke regarding traffic issues

D. CONSENT CALENDAR

D1. Authorize the Police Department to purchase radio console equipment for \$133,000 from a sole-source (Avtec) and enter into an agreement with Telecommunications Engineering Associated to install replacement radio console equipment, in an amount not to exceed \$48,000 pursuant to approved Capital Improvement Program project ([Staff report #14-049](#))

D2. Adopt **Resolution 6189** supporting Senate Bill (SB) 1014 (Jackson) Home-Generated Pharmaceutical Waste Collection and Disposal Act and authorizing the Mayor to sign a letter of support ([Staff report #14-054](#))

D3. Approve a comment letter to the Metropolitan Transportation Commission on the Dumbarton Rail Corridor Project ([Staff report #14-052](#))

D4. Authorize the Public Works Director to accept the work performed by Nor Cal Concrete for the 2012-2013 Citywide Sidewalk Repair Project ([Staff report #14-051](#))

D5. Authorize the City Manager to approve expenditures of up to \$124,000 for labor and employee relations consulting services to the Law Office of Renne, Sloan, Holtzman, and Sakai ([Staff report #14-050](#))

D6. Accept minutes for the Council meeting of March 18, 2014 ([Attachment](#))

Councilmember Cline requested Item D-1 be pulled from the Consent Calendar for further discussion.

ACTION: Motion and second (Keith/Ohtaki) to approve items D2 – D6 on the Consent Calendar passes unanimously.

In response to Councilmember Cline, Police Commander Dave Bertini discussed the sole-source aspect of this purchase and installation.

ACTION: Motion and second (Cline/Keith) to authorize the Police Department to purchase radio console equipment for \$133,000 from a sole-source (Avtec) and enter into an agreement with Telecommunications Engineering Associated to install replacement radio console equipment, in an amount not to exceed \$48,000 pursuant to approved Capital Improvement Program project passes unanimously.

At this time, Mayor Mueller called Agenda Item F-3 out of order. At 8:35 p.m., City Attorney McClure recused himself and exited the Council chambers due to the proximity of his business office to the rail location. Special Counsel Greg Rubens was present on behalf of the City.

F3. Approve a comment letter on the Draft Environmental Impact Report for the Peninsula Corridor Electrification Project ([Staff report #14-057](#))([presentation](#))
A staff presentation was made by Senior Transportation Engineer Nicole Nagaya. Marian Lee of Caltrain was present.

Public Comment:

- Kathy Hamilton expressed concerns regarding public rail meetings, railroad agreements, quiet zones and trees, noise and dust

Ms. Lee and staff responded to Council questions regarding railroad agreements with Union Pacific, quiet zones, parking structures, and CEQA issues.

Motion and second (Mueller/Carlton) to have the Rail Council Subcommittee review the letter in a meeting open to the public and give authority to the subcommittee to modify the letter with Councilmember Keith's friendly amendment that language regarding CEQA and dust be included prior to the public subcommittee meeting passes unanimously.

At 9:25 p.m. City Attorney McClure returned to the Council chambers.

At this time, Mayor Mueller called Agenda Item F-2 out of order.

F2. Approve by resolution a Memorandum of Agreement regarding funding to share in the cost of an animal care shelter on Airport Boulevard in San Mateo to serve Menlo Park and other local municipalities ([Staff report #14-055](#))([presentation](#))

A staff presentation was made by Clay Curtin, Assistant to the City Manager. Pam Mercado, San Mateo County Project Manager, was present and responded to Council questions.

ACTION: Motion and second (Cline/Ohtaki) to continue this item to the April 29th Council meeting in order to receive more information passes unanimously.

E. PUBLIC HEARINGS

E1. Consider the Planning Commission recommendation to approve the Housing Element of the General Plan and associated Housing Element Implementation Zoning Ordinance Amendments, and Environmental Review ([Staff report #14-053](#))([presentation](#))([additional correspondence](#))

A staff presentation was made by Senior Planner Deanna Chow.

Mayor Mueller opened the Public Hearing.

Public Comment:

Sandy Lee asked how front and rear setbacks are determined within a cul de sac.

Motion and second (Cline/Carlton) to close the Public Hearing passes unanimously.

At 10:17 p.m. Mayor Mueller exited the Council chambers and Mayor Pro Tem Carlton presided over the meeting. Mayor Mueller returned at 10:20 p.m.

Staff responded to Council questions and discussion ensued regarding setbacks, parking requirements, secondary dwelling units and lots, R2 zoning, and accessory structures versus buildings.

ACTION: Motion and second (Keith/Carlton) to take the following actions passes unanimously:

1. Approve **Resolution 6190** adopting a Negative Declaration for the Housing Element Update and associated Zoning Ordinance amendments
2. Approve **Resolution 6191** updating the Housing Element for the 2015-2023 planning period
3. Introduce an Ordinance adding Chapter 16.99 [Emergency Shelter for the Homeless Overlay] and amending Chapter 16.04 [Definitions] to Title 16 [Zoning] of the Menlo Park Municipal Code
4. Introduce an Ordinance amending and adding definitions in Chapter 16.04 [Definition] of Title 16 [Zoning] of the Menlo Park Municipal Code
5. Introduce an Ordinance adding Chapter 16.83 [Reasonable Accommodation] to Title 16 [Zoning] of the Menlo Park Municipal Code

ACTION: Motion and second (Cline/Carlton) to continue the Public Hearing regarding introduction of ordinances pertaining to Secondary Dwelling Units and Accessory Buildings and Structures to the April 29, 2014 Council meeting passes unanimously.

F. REGULAR BUSINESS

F1. 2013 Annual Report on the status and progress in implementing the City's Housing Element (2007-2014) of the General Plan ([Staff report #14-058](#))
Community Development Manager Justin Murphy introduced the item.

ACTION: Motion and second (Carlton/Keith) to accept the 2013 Annual Report on the status and progress in implementing the City's Housing Element (2007-2014) of the General Plan passes unanimously.

F2. Approve by resolution a Memorandum of Agreement regarding funding to share in the cost of an animal care shelter on Airport Boulevard in San Mateo to serve Menlo Park and other local municipalities

This item was called earlier in the agenda.

F3. Approve a comment letter on the Draft Environmental Impact Report for the Peninsula Corridor Electrification Project

This item was called earlier in the agenda.

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS – None

J. COUNCILMEMBER REPORTS

J1. Proposed Ballot Initiative Review Subcommittee Report

Mayor Mueller stated that the subcommittee will be meeting on April 7th. Councilmember Othaki discussed addressing One Bay Area grants at the ABAG Spring Assembly. Councilmember Keith reported on a telephone conference she participated in regarding groundwater in Menlo Park and East Palo Alto. Mayor Pro Tem Carlton reported on discussions with SBWMA regarding public water. Mayor Mueller stated that in the future Councilmembers may submit the topics they will report on in advance of the Council meetings.

K. PUBLIC COMMENT #2

There was no public comment.

L. ADJOURNMENT at 11:05 p.m.


Pamela Aguilar
City Clerk

These minutes were approved at the Council meeting of April 29, 2014.