



# CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, May 13, 2014  
6:45 P.M.

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

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## 6:45 P.M. CLOSED SESSION (1<sup>st</sup> floor Council Conference Room, Administration Building)

Mayor Mueller called the Closed Session to order at 6:45 p.m. Councilmember Keith was not present.

### Public Comment:

Whitney Loy, Menlo Park employee, expressed concern regarding the length of the negotiation process.

**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 7:09 p.m. with all Councilmembers present.

Mayor Mueller led the pledge of allegiance.

**ANNOUNCEMENTS** - None

### REPORT FROM CLOSED SESSION

There was no reportable action from Closed Session. Mayor Mueller stated the Closed Session will continue after the Regular Meeting.

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

**A1.** Proclamation declaring Public Works Week: May 18-24, 2014 ([proclamation](#))

Public Works Director Chip Taylor gave a brief presentation of the department's accomplishments. Public Works employees Hugo Torres and Rene Punsalan were also individually recognized for their work.

**A2.** Proclamation presented to Diana Sunshine and Josh Becker and Las Lomitas School District Measure S school bond campaign chairs ([proclamation](#))

Diana Sunshine and Josh Becker accepted the proclamation.

At this point, Mayor Mueller called **Item C**, Public Comment, out of order. City Attorney Bill McClure is recused from hearing public comment regarding the El Camino Real/Downtown Specific Plan due to the proximity of his business office to the subject location and exited the Council chambers at 7:35 p.m.

**C. PUBLIC COMMENT #1**

- Steve Schmidt spoke in support of the Save Menlo initiative and asked Council to adopt the proposed ordinance
- Paul Collachi asked Council to review a past public benefit feasibility study when reviewing current impact reports that they will receive
- Jack Morris spoke in support of the initiative petition
- Heyward Robinson spoke in support of the initiative petition
- Kelly Fergusson spoke in support of the initiative petition
- Mary Jo Borak asked Council to take a closer look at the Specific Plan
- Patti Fry spoke in support of the initiative petition and stated that during the circulation period they were able to register new voters
- Andy Cohen spoke regarding the past study on public benefit

At this point, Mayor Mueller called **Items B1 and B2** out of order. City Attorney McClure returned to the Council chambers at 7:55 p.m.

**B1.** Environmental Quality Commission quarterly report on the status of their 2-year work plan  
Commission Chair Chris DeCardy gave an update regarding the commission's work in the areas of climate, trees and water.

**B2.** Housing Commission quarterly report on the status of their 2-year work plan  
Commission Chair Carolyn Clarke asked that this item be continued.

**SS. STUDY SESSION**

**SS1.** Review and generally affirm the proposal from MidPen for a \$3.2 million loan from the Below Market Rate Fund for an affordable senior housing development at 1221-1275 Willow Road ([Staff report #14-068](#))([presentation](#))

Assistant City Manager Starla Jerome-Robinson introduced the item and provided a brief overview of the project. Presentation by Matt Franklin and Jan Lindenthal of Mid-Pen Housing ([2<sup>nd</sup> presentation](#)).

There was consensus among Council to direct staff to proceed with the funding proposal from Mid-Pen Housing.

**A. PRESENTATIONS AND PROCLAMATIONS**

**A1.** Proclamation declaring Public Works Week (May 18-24, 2014)  
This item was called earlier in the meeting.

**A2.** Proclamation presented to Diana Sunshine and Josh Becker and Las Lomitas School District Measure S school bond campaign chairs  
This item was called earlier in the meeting.

**B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS**

**B1.** Environmental Quality Commission quarterly report on the status of their 2-year work plan  
This item was called earlier in the meeting.

**B2.** Housing Commission quarterly report on the status of their 2-year work plan  
This item was called earlier in the meeting.

**C. Public Comment #1:** This item was called earlier in the meeting.

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## D. CONSENT CALENDAR

- D1.** Adopt **Resolution 6199** giving preliminary approval of the Engineer's Report for the Menlo Park Landscaping District for fiscal year 2014-15 which proposes an increase of 2.99 percent to the tree portion of the assessment and no increase to the sidewalk portion of the assessment; adopt **Resolution 6200** of Intent to order the levy and collection of assessments for the Menlo Park Landscaping District for Fiscal Year 2014-15; and set the date for the Public Hearing for June 17, 2014 ([Staff report #14-081](#))
- D2.** Adopt a resolution to amend and replace Resolution No. 6165 which conditionally approved vacation and abandonment of a portion of Louise Street ([Staff report #14-084](#))
- D3.** Waive the reading and adopt ordinances amending the Zoning Ordinance to address Housing Element Implementation Programs related to Secondary Dwelling Units and Accessory Buildings and Structures ([Staff report #14-082](#))
- D4.** Accept Council minutes for the meeting of April 29, 2014 (continued from May 6, 2014 Council meeting) ([Attachment](#))

Mayor Mueller pulled Item D3 from the Consent Calendar and continued Item D4 to the next Council meeting.

Item D-2, *Adopt a resolution to amend and replace Resolution No. 6165 which conditionally approved vacation and abandonment of a portion of Louise Street*, was pulled from the Consent Calendar for further discussion.

**ACTION:** Motion and second (Cline/Keith) to approve Item D1 on the Consent Calendar passes unanimously.

Mayor Mueller is recused from hearing Item D2 due to the proximity of his residence property to the subject location and exited the Council chambers at 9:01 p.m. City Attorney McClure stated that a modification was made to the resolution presented with the staff report for Item D2.

**ACTION:** Motion and second (Cline/Keith) to adopt **Resolution 6201** as amended to amend and replace Resolution No. 6165 which conditionally approved vacation and abandonment of a portion of Louise Street passes (4-0-1, Mueller recused)

Mayor Mueller returned to the Council chambers at 9:06 p.m.

**ACTION:** Motion and second (Ohtaki/Cline) to waive the second reading and adopt **Ordinances 1005 and 1006** to address Housing Element Implementation Programs related to Secondary Dwelling Units and Accessory Buildings and Structures passes 4-1 (Mueller dissents).

## E. PUBLIC HEARING – Continued from the April 29, 2014 Council meeting

- E1.** Adopt a resolution amending the City's Master Fee Schedule to incorporate proposed changes in fees to become effective July 14, 2014 for the Community Development Department and provide guidance regarding potential fee reductions or waivers for secondary dwelling units ([Staff report #14-085](#)) ([presentation](#))  
Staff presentation by Community Development Manager Justin Murphy.

Mayor Mueller opened the Public Hearing. There was no public comment.

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

**ACTION:** Motion and second (Cline/Keith) to adopt **Resolution 6202** amending the City's Master Fee Schedule to incorporate proposed changes in fees to become effective July 14, 2014 for the Community Development Department and provide guidance regarding potential fee reductions or waivers for secondary dwelling units passes 4-1 (Ohtaki dissents)

## **F. REGULAR BUSINESS**

**F1.** Request for City Council to consider adoption of a resolution or introduction of an ordinance regarding the use of Automated License Plate Readers and neighborhood surveillance cameras ([Staff report #14-083](#))([presentation](#))  
Staff presentation by Police Commander Dave Bertini and Chief Bob Jonsen.

Councilmember Ohtaki made a motion to adopt a resolution regarding the use of Automated License Plate Readers and neighborhood surveillance cameras. Without a second, the motion dies.

**ACTION:** Motion and second (Cline/Keith) to introduce an ordinance regarding the use of Automated License Plate Readers and neighborhood surveillance cameras passes 3-2 (Carlton, Ohtaki dissent)

At this time, Mayor Mueller called **Item F3** out of order.

**F3.** Discuss and provide direction regarding the following pieces of legislation: a) HR 29 (Gomez) Relative to outsourcing public services, b) AB 2126 (Bonta) Meyers-Milias-Brown Act: mediation, c) AB 1522 (Gonzalez) Employment: paid sick days, d) AB 2378 (Perea) Worker's Comp: temp disability payments, and e) AB 1690 (Gordon) Local Planning: Housing Elements ([Staff report #14-086](#))  
City Manager Alex McIntyre introduced the items.

Public Comment:

- Jeremy Dennis, Office of Assemblyman Rich Gordon, spoke regarding AB 1690 and was available for Council questions

**ACTION:** Motion and second (Carlton/Cline) to support AB 1690 and to table the remainder of the legislative items to a future meeting passes 4-1 (Keith dissents).

**ACTION:** Motion and second (Ohtaki/Keith) to prepare a position paper in opposition to HR 29 passes unanimously.

**F2.** Approve a modification to the Fiscal Year 2013-14 budget to appropriate \$30,000 from the Capital Improvement Program Fund Balance for the Santa Cruz Avenue Enhanced On-Street Seating Pilot Program as well as the design for the Santa Cruz Avenue Enhanced On-Street Seating Pilot Program ([Staff report #14-087](#))([presentation](#))([handout](#))  
Staff presentation by Economic Development Manager Jim Cogan

**ACTION:** Motion and second (Ohtaki/Carlton) to approve a modification to the Fiscal Year 2013-14 budget to appropriate \$30,000 from the Capital Improvement Program Fund Balance for the Santa Cruz Avenue Enhanced On-Street Seating Pilot Program as well as the design for the Santa Cruz Avenue Enhanced On-Street Seating Pilot Program passes unanimously.

## **G. CITY MANAGER'S REPORT**

City Manager McIntyre gave a brief report on the status of the Administrative Services review.

## **H. WRITTEN COMMUNICATION – None**

**I. INFORMATIONAL ITEMS**

- I1. Quarterly financial review of General Fund operations as of March 31, 2014  
([Staff report #14-080](#))
- I2. Review of the City's Investment Portfolio as of March 31, 2014 ([Staff report #14-079](#))
- I3. Consultant selection for 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 #14-088](#))
- I4. 2014 Q2 Economic Development Update ([Staff report #14-089](#))
- I5. 2014 Menlo Park Economic Development Strategic Plan Phase 1: Economic Trends Report ([Staff report #14-090](#))

**J. COUNCILMEMBER REPORTS**

Mayor Mueller reported that he received an advice letter from the FPPC regarding his travel to China with other Silicon Valley mayors to explore international business relations and opportunities with China.

**K. PUBLIC COMMENT #2**

There was no public comment.

**L. ADJOURNMENT** to Closed Session in the Council Conference Room of City Hall at 11:20 p.m. All Councilmembers were present.

The Closed Session adjourned at 12:30 a.m. on May 14, 2014 with no reportable action.



Pamela Aguilar  
City Clerk

These minutes were approved at the Council meeting of June 3, 2014.