



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, June 3, 2014
6:30 P.M.

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

6:30 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Mueller called the Closed Session to order at 6:30 p.m. Council member Keith was absent.

Public Comment:

Dani O'Connor, Menlo Park employee, asked Council to bring the negotiations to a close and stated that SEIU employees take their responsibilities very seriously. She stated that the delay is affecting employee morale.

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 7:07 p.m. with all Council members present.

Mayor Mueller led the pledge of allegiance.

REPORT FROM CLOSED SESSION

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

ANNOUNCEMENTS

Mayor Mueller stated that the agenda has been amended to move two items previously under Regular Business now to Informational Items. See Items I3 and I4.

At this time, Mayor Mueller called **Item C**, *Public Comment*, out of order.

Public Comment:

- Henry Riggs spoke in opposition to the Specific Plan initiative and supports the community engagement process used to adopt the current Specific Plan
- Sara Leslie spoke in opposition to the Specific Plan initiative and supports the City Council
- Katie Ferrick spoke in favor of the Downtown Specific Plan that was approved and the process that was used
- Roy Thiele-Sardina gave a brief presentation regarding traffic on El Camino Real in relation to the current Specific Plan and the Specific Plan initiative
- Scott Lohman spoke regarding the potential overcrowding of schools that might occur as a result of the Specific Plan initiative
- Skip Hilton spoke in opposition of the Specific Plan initiative and stated that it has not gone through a proper review and has not been vetted by the community

- Peter Carpenter spoke in opposition to the Specific Plan initiative and its unintended unknown consequences ([handout](#))
- Mickie Winkler spoke in opposition to the Specific Plan initiative and the voter approval requirement for all future changes if the initiative is adopted
- Edward Moritz expressed concerns regarding the Specific Plan initiative
- Katherine Strehl expressed concerns regarding the signature gathering and information relayed regarding the Specific Plan initiative
- Richard Li spoke regarding misinformation being relayed by the Specific Plan initiative proponents
- John Boyle urged the Council to carefully examine and challenge the Specific Plan initiative ([handout](#))
- Adina Levin spoke regarding unintended environmental and economic consequences of the Specific Plan
- Jim Wiley spoke regarding Agenda Item D6 and recommended approval of the funding

At this time, Mayor Mueller called **Item A1**, *Proclamation*, out of order.

A1. Proclamation for Menlo Park City School District Measure W ([proclamation](#))

Mayor Mueller presented the proclamation to Tricia Barr, Stephanie Chen, Katie Ferrick, Stacey Jones, Andrea Potischman, Sarah Leslie

Superintendent Maurice Ghysels recognized the efforts and leadership of the recipients.

At this time, Mayor Mueller called **Item B1**, *Bicycle Commission Quarterly Report*, out of order.

B1. Bicycle Commission quarterly report on the status of their 2-year work plan

Chair William Kirsch reported that the commission has added three new members and that they are working on their next 2-year Work Plan, also facilitating a Complete Streets policy. He highlighted some of the commission's recent achievements including installation of green lane treatments and identification of funding.

SS. STUDY SESSION

SS1. Information on the City's Water Policy, Including Sources, Uses, and Conservation
([Staff report #14-101](#))([presentation](#))

Joint presentation by Public Works Director Chip Taylor, Nicole Sandkulla of the Bay Area Water Supply and Conservation Agency (BAWSCA) and Iris Priestaf of Todd Groundwater

Public Comment:

- Scott Marshall, Environmental Quality Commission (EQC) Chairperson, conveyed the recommendation of the EQC
- Allan Bedwell, EQ Commissioner, supports a comprehensive water policy for the City and specifically criteria for use requests under drought conditions or growth situations
- Mitch Slomiak, EQ Commissioner speaking as an individual, spoke regarding the need for long term policy guidelines for water management, creek protection, and the fair allocation of water usage
- Steve Steinhart, Sharon Heights HOA, encouraged Council to gather and ascertain options for water storage, distribution and management
- Bill Beasley, Sharon Heights, urged the Council to seek alternative water sources and not to use drinking water
- Paul Kirincich supports the comments of Bill Beasley
- Lorne Eltherington inquired whether the Council will allow a definitive study to be conducted on this topic
- Peter Drekmeier, Tuolumne River Trust, spoke regarding the resolution on groundwater and the benefit of collaborating with other local agencies

- Rich Petit stated that the Sharon Heights should switch to using groundwater and that the golf course is willing to pay the costs for drilling, construction and maintenance
- Ed Sarraillt urged the Council to carefully review different options
- Tim Robertson asked Council to proceed with a study, use ground water to replace drinking water and broaden water uses
- Richard Recht asked Council to consider all options regarding water
- Phil Scott, West Bay Sanitary District, briefly reviewed the District's recycled water project
- Mark Melbye stated the City would benefit from further research
- Mary Kuechler spoke regarding water conservation and discouraged the Council from allowing a privacy entity to sponsor the drilling of a well.
- Chris Straube encouraged Council to consider all proposals
- Jerry Hearn spoke regarding the resolution on groundwater and encouraged Council to engage stakeholders in gathering information and decision making
- Tess Byler spoke in support of the groundwater resolution
- Robin Driscoll urged dialogue to establish a working relationship between the water company and the largest irrigation customer
- Remy Malan stated he lives near Jack Lyle Park and expressed concerns regarding subsidence and the drilling of a well
- Steve Schmidt expressed concerns allowing a private entity to use public water
- Eric Brandenburg supports the use of ground water during drought conditions
- Brielle Johnck expressed concern regarding the language of the proposed resolution
- David Alfano supports the City proceeding with a water policy, reviewing best practices in other jurisdictions and discouraged any further consideration of drilling a well
- Adina Levin supports proceeding with a water management policy, partnering with neighboring jurisdictions and deferring consideration of a new well
- Marjorie Zimmerman supports a model water policy for good water management
- Steve Nachtseim supports collaboration to gather more information regarding groundwater and recycled water in order to allow Council to make informed decisions

Council discussion ensued regarding due diligence in conducting further research, considering the use of groundwater as an alternative source, the use and fair allocation of recycled water, refresh rates during a drought, desalination, and the need for a groundwater management plan.

There was no consensus among Council to support the Sharon Heights Golf Course well yet. There was support to continue discussions among staff, West Bay Sanitary District and the Sharon Heights Golf and Country Club regarding the possibility for recycled water as an alternate source for irrigation to go forward on a dual path. In addition, Council directed staff to evaluate the City-wide water policy.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation for Menlo Park City School District Measure W
This item was called earlier in the meeting.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

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

B2. Consider applicant for appointment to fill one vacancy on the Bicycle Commission
([Staff report #14-103](#))

ACTION: Councilmember Keith nominated Jonathan Weiner and was seconded by Councilmember Ohtaki. By acclamation Jonathan Wiener is appointed to the Bicycle Commission for a term to expire on April 30, 2016.

C. PUBLIC COMMENT #1

This item was called earlier in the meeting.

D. CONSENT CALENDAR

- D1.** Waive the second reading and adopt **Ordinance 1007** regarding the use of automated license plate readers and neighborhood surveillance cameras ([Staff report #14-091](#))
- D2.** Authorize the Public Works Director to accept the work performed by Omega Electric to furnish and install a new uninterruptible power supply system for the Administration Building ([Staff report #14-092](#))
- D3.** Award a contract for the replacement of the boiler and expansion tank at the Menlo Park public library to American Air Conditioning in the amount of \$74,466 and authorize a total project budget of \$90,466 for the equipment, contingency and administration ([Staff report #14-093](#))
- D4.** Adopt **Resolution 6203** accepting dedication of a storm drainage easement at 20 Kelly Court and authorize the City Manager to sign the certificate of acceptance for the easement ([Staff report #14-094](#))
- D5.** Authorize the Public Works Director to accept the work performed by Bear Electrical Solutions, Inc. for the Oak Grove Avenue and Merrill Street Intersection In-Pavement Lighted Crosswalk Project ([Staff report #14-097](#))
- D6.** Authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101 ([Staff report #14-098](#))
- D7.** Approval of the lease dated April 29, 2014 with Peninsula Volunteers, Inc. for the Little House located in Nealon Park, 800 Middle Avenue, Menlo Park, California ([Staff report #14-102](#))
- D8.** Accept Council minutes for the meetings of April 29, 2014, and May 6, 13, and 20, 2014 ([Attachment](#))

Mayor Mueller pulled Item D6 for public comment and further discussion.

ACTION: Motion and second (Keith/Ohtaki) to approve items D1-D5 and D7-D8 on the Consent Calendar with the notation that Mayor Pro Tem Carlton and Councilmember Ohtaki vote NO on Item D1, *Waive the second reading and adopt **Ordinance 1007** regarding the use of automated license plate readers and neighborhood surveillance cameras*, passes unanimously.

D6. Authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101.

Public Comment:

- Brielle Johnck asked that project elements and preferred projects be clearly defined
- Mitch Slomiak asked Council to include language in the agreement directing the City Manager to communicate the City's request to remove floodwalls from the list of solution options

- Steve Schmidt supports the removal of floodwalls as a consideration
- Len Materman, San Francisquito Creek JPA Director, spoke regarding projects the JPA is currently reviewing and undertaking

There was consensus among Council to have the topic of floodwalls brought forth as a Council Digest item.

ACTION: Motion and second (Keith/Ohtaki) to authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101 passes unanimously.

E. PUBLIC HEARING

E1. Adopt a resolution authorizing collection of a regulatory fee at existing rates to implement the local City of Menlo Park Storm Water Management Program for Fiscal Year 2014-15 ([Staff report #14-095](#))

Staff presentation by Assistant Public Works Director Ruben Nino

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

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

ACTION: Motion and second (Keith/Ohtaki) to adopt **Resolution 6204** authorizing collection of a regulatory fee at existing rates to implement the local City of Menlo Park Storm Water Management Program for Fiscal Year 2014-15 passes unanimously.

E2. Adopt a resolution recommending that the San Mateo County Flood Control District impose basic charges at the existing rate and increase the additional charges for funding the Fiscal Year 2014-15 Countywide National Pollutant Discharge Elimination System General Program ([Staff report #14-096](#))

Staff presentation by Assistant Public Works Director Ruben Nino

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

Motion and second (Keith/Ohtaki) to close the Public Hearing passes unanimously.

ACTION: Motion and second (Cline/Ohtaki) to adopt **Resolution 6205** recommending that the San Mateo County Flood Control District impose basic charges at the existing rate and increase the additional charges for funding the Fiscal Year 2014-15 Countywide National Pollutant Discharge Elimination System General Program passes unanimously.

E3. Public Hearing on Fiscal Year 2014-15 budget and capital improvement program ([Staff report #14-099](#))([presentation](#))

Staff presentation by City Manager Alex McIntyre and Finance Director Drew Corbett

Mayor Mueller opened the Public Hearing.

Public Comment:

- Bill Weseloh requested Council to budget funds to restore Rachel Bentley paintings ([handout](#))
- Adina Levin supports adding a staff position to help achieve Council's goals regarding climate action and to also examine transportation issues as they relate to greenhouse gas reduction
- Mitch Slomiak requested Council to budget a full-time position to focus on climate action

- Mickie Winkler spoke regarding outsourcing and insourcing services

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

At 12:04 a.m. Mayor Mueller exited the Council chambers and Mayor Pro Tem Carlton presided the meeting. At 12:09 a.m. Mayor Mueller returned.

ACTION: Motion and second (Keith/Ohtaki) to approve an amendment to the budget that two thousand dollars be allocated for the restoration of Rachel Bentley paintings passes unanimously.

F. REGULAR BUSINESS - None

G. CITY MANAGER'S REPORT

City Manager McIntyre announced that Public Works Director Chip Taylor has accepted a job with the City of Millbrae and has named Transportation Manager Jesse Quirion Interim Public Works Director.

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

11. Update on multi-city affordable housing nexus study and impact fee feasibility for commercial and residential development ([Staff report #14-100](#))
12. Update on the consultant selection process for the General Plan Update and M-2 Area Zoning Update ([Staff report #14-104](#))
13. Memorandum of Understanding on Friendship Cooperation between the City of Menlo Park and Changping District, Beijing, the People's Republic of China ([Attachment](#))
14. Memorandum of Understanding supporting a prosperous Sister City relationship between the City of Menlo Park and Luan in Anhui Province, the People's Republic of China ([Attachment](#))

Regarding Items 13 and 14, there was consensus among Council to form a subcommittee comprised of Mayor Mueller and Mayor Pro Tem Carlton to review these items and bring back them for Council consideration at a future meeting in August.

J. COUNCILMEMBER REPORTS - None

K. PUBLIC COMMENT #2

There was no public comment.

L. ADJOURNMENT at 12:26 a.m. on June 4, 2014.


Pamela Aguilar
City Clerk

These minutes were approved at the Council meeting of August 19, 2014.