



CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Tuesday, January 27, 2015 at 5:30 PM
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

5:30 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Carlton called the Closed Session to order at 5:45 p.m. All Councilmembers are present. Staff present: City Manager Alex McIntyre, Special Counsel Greg Rubens (for Closed Session #1 only), Director of Public Works Jesse Quirion, Interim Transportation Manager Nikki Nagaya

CL1. Closed session pursuant to Government Code Section 54956.9. Conference with Legal Counsel regarding anticipated litigation: One (1) Case

Public Comment:

- Kathy Hamilton
- Adina Levin
- James Janz
- Roxy Rorapaugh

CL2. Closed session pursuant to Government Code Section 54956.8 regarding real property negotiations (1 matter):

Property: 1000 El Camino Real, Menlo Park

City Negotiators: Bill McClure, City Attorney, Alex McIntyre, City Manager

Negotiating Parties: City of Menlo Park (Lessor) and MPOC Investors, LLC (Lessee)

Under Negotiation: Potential amendment to Ground Lease, including extension of Term, annual rent and other terms

There was no Public Comment on Closed Session #2.

7:00 P.M. REGULAR SESSION

Mayor Carlton called the meeting to order at 7:16 p.m. All Councilmembers are present. Staff present: City Manager Alex McIntyre, City Attorney Bill McClure, City Clerk Pamela Aguilar

Mayor Carlton led the pledge of allegiance.

REPORT FROM CLOSED SESSION

Mayor Carlton stated that the Council supports Caltrain electrification. Council has given direction to initiate litigation pending negotiations. If mitigation issues are met, the City will not pursue litigation.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Certificate of Recognition awarded to Mia Wurster for participating in MasterChef Junior competition ([Attachment](#))

Mia Wurster accepted the award.

A2. Proclamation recognizing January as a National Anti-HumanTrafficking Month ([Attachment](#))

Katrina Rill of Congresswoman Jackie Speier's office accepted the proclamation.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS – None

C. PUBLIC COMMENT #1

- Aaron Kiesler, Office of Congresswoman Jackie Speier, spoke regarding Healthcare 411 Event
- Aram James spoke regarding demographics on the Palo Alto City Council
- Brielle Johnck spoke regarding Communications Consultant Malcolm Smith
- Don Tyler spoke regarding the permit for the Connosseurs' Marketplace
- Kip Husty spoke regarding human trafficking
- Heyward Robinson spoke regarding his Public Records Act requests pertaining to Measure M

D. CONSENT CALENDAR

In response to Mayor Carlton, City Attorney McClure advised that it is at her discretion whether to recuse herself from voting on Item D6 because her children participate in the program that is the subject of the item.

Councilmember Ohtaki requested Items D1 and D7 be pulled for further discussion.

D1. Approve and authorize the Mayor to execute Cultural Exchange Agreements between the City of Menlo Park and the Xinbei District, China; City of Kochi, India; and City of Bizen, Japan ([Staff Report #15-020](#))

D2. Authorize the City Manager to execute the Water Main Cost Sharing Agreement with Anton Menlo, LLC and Greystar GP, LLC ([Staff Report #15-009](#))

D3. Authorize the Public Works Director to accept the work performed by C.F. Archibald Paving Inc. for the 2014-2015 Resurfacing of Federal Aid Routes Project (Federal Aid Project No. STPL 5273 023) ([Staff Report #15-013](#))

D4. Initiate the Menlo Park Landscape Assessment District proceedings for fiscal year 2015-2016 and adopt **Resolution 6252** describing the improvements and direct preparation of the Engineer's Report ([Staff Report #15-008](#))

D5. Waive the reading and adopt **Ordinances 1012 and 1013** rezoning properties located at 700 Oak Grove Avenue and 1231 Hoover Street and amendment to the P-F (Public Facilities) zoning district related to the construction of a new fire station ([Staff Report #15-012](#))

D6. Approve a contract with Q2Kicks Inc., (Menlo Park Kuk Sool Won) for rental of space in the Arrillaga Family Recreation Center beginning January 1, 2015 through December 31, 2015 ([Staff Report #15-015](#))

D7. Approval of Economic Development Plan Goals ([Staff Report #15-019](#))

D8. Accept Council minutes for the meeting of January 13, 2015 ([Attachment](#))

ACTION: Motion and second (Cline/Keith) to approve items D2 – D6 and D8 on the Consent Calendar passes unanimously.

Regarding Item D1, Councilmember Ohtaki requested the Mayor be given discretion to amend any of the cultural agreements so long as the City is not bound to any financial obligation(s).

ACTION: Motion and (Ohtaki/Keith) to authorize the Mayor to execute Cultural Exchange Agreements between the City of Menlo Park and the Xinbei District, China, City of Kochi, India and City of Bizen, Japan with the discretion to make amendments as appropriate so long as the City is not bound to any financial obligation(s) passes unanimously.

In response to Council questions regarding Item D7, Economic Development Manager Jim Cogan stated that a consultant would assist with developing tactical strategies and that public benefit and parking would be addressed.

ACTION: Motion and second (Ohtaki/Keith) to approve Economic Development Plan Goals passes with direction to staff to revise Goal #10 regarding parking passes unanimously.

E. PUBLIC HEARING - None

F. REGULAR BUSINESS

F1. Provide direction for the expansion of the Santa Cruz Avenue Enhanced On-Street Seating Pilot Program ([Staff Report #15-018](#))

Economic Development Manager Jim Cogan introduced the item and ED Specialist Amanda Wallace gave a presentation. ([presentation](#))

Public Comment:

- Fran Dehn spoke in support of the program and addressed maintenance and parking

ACTION: Motion and second (Keith/Ohtaki) to direct staff to expand the program by pursuing Options 1 and 2 as presented by staff in its report passes unanimously.

F2. Request by Councilmember Mueller to Modify the City Code Relating to Purchasing Authority ([Staff Report #15-022](#))

Councilmember Mueller introduced the item. City Manager Alex McIntyre made a brief statement on the item.

Public Comment:

- Heyward Robinson thanked Council for discussing this topic

ACTION: Motion and second (Ohtaki/Cline) to direct the City Attorney to draft language related to the City Manager's purchasing authorization with options regarding the reporting of contracts for the City Council to review. Councilmember Cline added review of the purchasing policy and reporting of consultants broadly. The motion passes unanimously.

- F3.** Authorize travel to Kochi, India by Mayor Catherine Carlton and approve the expenditure of city funds not to exceed \$2,000 for travel expenses to sign a cultural exchange agreement ([Staff Report #15-017](#))

Mayor Carlton introduced the item.

ACTION: Motion and second (Ohtaki/Cline) to authorize travel to Kochi, India by Mayor Catherine Carlton and approve the expenditure of city funds not to exceed \$2,000 for travel expenses to sign a cultural exchange agreement passes unanimously.

- F4.** Review and discuss the Police Department's Policy on the use of body cameras and the retention of recordings and determine whether Council desires to adopt a policy or ordinance ([Staff Report#15-014](#))

Police Chief Bob Jonsen introduced the item. Commander Dave Bertini gave a presentation regarding the body camera policy.

Public Comment:

- Aram James spoke regarding transparency
- Elias Blawie spoke regarding retention timeframe

Council recommended edits be made to the language of the policy to reflect that officers should turn on body-worn cameras "prior to arrival" at any in-progress "or" serious "or" high priority situation, to obtain feedback from the Chief's community advisory group regarding retention timeframes and recordings of confidential informants and report back in April/May and to bring the item back in one year for review.

- F5.** Consider a resolution ratifying the Menlo Park Fire Protection District's ordinance for the adoption of and local amendments to the 2013 California Fire Code ([Staff Report #15-011](#))

Assistant Community Development Director Ron LaFrance introduced the item.

Public Comment:

- Church Bernstein spoke in support of adopting the ordinance

ACTION: Motion and second (Cline/Keith) to adopt **Resolution 6253** ratifying the Menlo Park Fire Protection District's ordinance for the adoption of and local amendments to the 2013 California Fire Code passes unanimously.

- F6.** Status update and possible Council feedback on the Environmental Review for the 1300 El Camino Real Project – Continuation to February 24, 2015 ([Staff Report #15-016](#))

At 11:30 p.m., City Attorney McClure left the chambers because he is recused from this item.

- F7.** Discuss recommendations for various vacant seats on regional boards to be voted on at the City Selection Committee meeting of January 30, 2015
([Staff report #15-023](#))

City Clerk Pamela Aguilar introduced the item.

ACTION: Council recommended that the voting delegate select Councilmember Alicia Aguirre for the MTC seat and Councilmember Cary Weist for the LAFCo seat.

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

No staff presentations.

- I1.** Update on the Priority Conservation Area Program and a potential application partnering with the City of East Palo Alto, City of Palo Alto and the Midpeninsula Open Space District for the Baylands ([Staff Report #15-021](#))
- I2.** 2014 Commissions Attendance Report ([Staff Report #15-010](#))

J. COUNCILMEMBER REPORTS

Mayor Carlton reported on attending the Conference of Mayors in Washington, D.C. and the League of California Cities New Mayors Conference. Councilmember Keith reported on C/CAG and Community Choice Aggregation, and a Safer Bay discussion by Len Materman of SFCJPA and the League's Revenue and Taxation Committee meeting. Councilmember Cline reported that the Stanford subcommittee held its first meeting. Councilmember Ohtaki reported on the League's Housing, Communities and Economic Development meeting.

K. PUBLIC COMMENT #2

Wynne Grcich was not present but submitted a DVD regarding fluoride.

L. ADJOURNMENT at 11:42 p.m.



Pamela Aguilar
City Clerk

These minutes were approved at the Council meeting of February 24, 2015