



**SPECIAL AND REGULAR MEETING MINUTES**

**Date:** 12/15/2015  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**5:45 p.m. Closed Session (City Hall Administration Building, 1<sup>st</sup> floor conference room)**

Mayor Cline called the closed session to order at 5:55 p.m. All Councilmembers were present except for Councilmember Carlton.

Public Comment:

- Menlo Park resident Henry Riggs commented on this item.

**CL1.** Closed Session pursuant to Government Code Section §54957.6 to confer with labor negotiators regarding current labor negotiations with the Menlo Park Police Officers Association (POA) and upcoming labor negotiations with the American Federation of State, County and Municipal Employees (AFSCME), Local 829 and Service Employees International Union (SEIU), Local 521

Attendees: City Manager Alex McIntyre, Administrative Services Director Nick Pegueros, City Attorney Bill McClure, Interim Human Resources Director Dave Bertini, Interim Finance Director Clay Curtin, Labor Counsel Charles Sakai, Compensation Consultant Koff & Associates, Georg Krammer

Council adjourned to the regular meeting at 6:55 p.m.

**7:00 p.m. Regular Session**

**A. Call To Order**

Mayor Cline called the meeting to order at 7:07 p.m.

**B. Roll Call**

Present: Cline, Keith, Mueller, Ohtaki (arrived at 7:25 p.m.); Councilmember Carlton joined the meeting via telephone from China at 8:20 p.m.

Absent: Councilmember Carlton was absent for agenda items A – I and J – M

Staff: City Manager Alex McIntyre, City Attorney Bill McClure, City Clerk Pamela Aguilar

**C. Pledge of Allegiance**

Mayor Cline led the pledge of allegiance.

**D. Report from Closed Session**

## **E. Presentations and Proclamations**

- E1. Presentation by Menlo Park Boys and Girls Club of their Service Learning Project ([Presentation](#))

Desiree Caliguiran, Unit Director and Maribel Guzman, Middle School Director were present with the following students who will made a presentation entitled 'Food Desert':

Shontelle Watkins, Jackie Baltiera, Jennifer Zarate, Nateja Hill, Tatiana Jackson, LaMarrisha Clemons, Mariah Noblin, Adrian Estrabo

Mayor Cline presented certificates for Outstanding Community Service to each student.

- E2. Presentation of Helen Putnam Award to the Menlo Park Police Department

Due to illness, the League of California Cities representative was unable to appear and this item is continued to a future Council meeting.

## **F. Commission/Committee Vacancies and Appointments, and Reports**

- F1. Quarterly update from the Transportation Commission

Commission Chair Bianca Walser gave the report and Commission Michael Meyer gave an update regarding the Oak Grove Avenue bike boulevard.

- F2. Quarterly update from the Parks and Recreation Commission ([Attachment](#))

Vice Chair Christopher Harris gave the report.

## **G. Public Comment**

- David Arthur Dailey spoke regarding transportation, traffic and police activities
- Art Roose expressed a complaint regarding a sign on his building
- Kate Comfort Harr, HIP Housing, distributed the 2016 HIP Housing calendar

## **H. Consent Calendar**

Mayor Cline pulled items H9 and H10 and Councilmember Keith pulled item H5 for further discussion.

- H1. Approve the annual report of the Below Market Rate (BMR) Housing Program, including the status of the BMR in-lieu fees collected as of June 30, 2015 in accordance with Government Code Section 66000 et.seq ([Staff Report# 15-182-CC](#))
- H2. Review of the annual report on the status of the Transportation Impact, Storm Drainage, Recreation In-Lieu and Building Construction Road Impact Fees collected as of June 30, 2015, and make findings regarding funds collected but not expended ([Staff Report# 15-181-CC](#))
- H3. Approve a letter to the California Public Utilities Commission (CPUC) regarding power charge

indifference adjustment fees charged by PG&E for Community Choice Energy (CCE) customers  
([Staff Report# 15-192-CC](#))

- H4. Award a construction contract of the Sand Hill Road Signal Interconnect Project to W. Bradley Electric, Inc. in the amount of \$568,713 and authorize a total construction contract budget of \$740,000 ([Staff Report# 15-185-CC](#))
- H5. Adopt a resolution of the City of Menlo Park supporting the Middle Avenue Pedestrian and Bicycle Undercrossing Project and submitting an application of Measure A Pedestrian and Bicycle Program Funding ([Staff Report# 15-186-CC](#))
- H6. Adopt **Resolution 6295** accepting fiscal year 2015-16 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000; and approve a spending plan ([Staff Report# 15-184-CC](#))
- H7. Adoption **Resolution 6296** approving the City Council subcommittee recommendations regarding the 2015-16 Community Funding allocation in the amount of \$177,750 ([Staff Report# 15-188-CC](#))
- H8. Adopt **Resolution 6297** and award a construction contract for the Belle Haven Youth Center Playground Replacement Project to Ross Recreation in the amount of \$169,595.87, and authorize a total budget of \$228,485 for construction, contingencies, inspection and project management ([Staff Report# 15-187-CC](#))
- H9. Approve 2016 City Council meeting schedule ([Staff Report# 15-190-CC](#))
- H10. Approve minutes for the City Council meetings of November 10 and 17 and December 1, 2015 ([Attachment](#))

**ACTION:** Motion and second (Keith/Ohtaki) to approve all items on the Consent Calendar except H5, H9 and H10 passes 4-0-1 (Councilmember Carlton absent).

Councilmember Keith commented on item H5 expressing that is a great grant opportunity to facilitate the Middle Avenue Pedestrian/Bicycle Undercrossing Project.

**ACTION:** Motion and second (Keith/Ohtaki) to adopt **Resolution 6298** of the City of Menlo Park supporting the Middle Avenue Pedestrian and Bicycle Undercrossing Project and submitting an application of Measure A Pedestrian and Bicycle Program Funding passes 4-0-1 (Councilmember Carlton absent).

Council made the following changes to item H9, the 2016 City Council meeting schedule:

- Move the November 8, 2016 meeting to November 1, 2016 (due to the Presidential election)
- Delete the July 12 and August 16, 2016 meetings

**ACTION:** Motion and second (Keith/Ohtaki) to approve item H9 with the proposed modifications passes 4-0-1 (Councilmember Carlton absent).

Regarding item H10, the Council meeting minutes of November 10<sup>th</sup>, City Clerk Pam Aguilar clarified that information was obtained after the council meeting indicating that no time change will take place in parking Lot 4 and data on that lot will be collected throughout the trial period.

Councilmember Mueller requested that regarding item H10, the Council meeting minutes of November 17<sup>th</sup> Agenda Item G1, two items - public benefit and measures for encouraging retail - be added to the list of considerations for staff to review regarding the El Camino/Downtown Specific Plan.

**ACTION:** Motion and second (Ohtaki/Mueller) to approve item H10 with the proposed modification passes 4-0-1 (Councilmember Carlton absent).

## I. Regular Business

City Attorney McClure was recused from participating in the following item due to a conflict of interest that his business location is in proximity of the subject of this item and left the Council chambers at 8:00 p.m.

### 11. Review of Council direction on the El Camino Real/Downtown Specific Plan Biennial Review ([Staff Report# 15-194-CC](#))

Principal Planner Thomas Rogers gave a brief verbal presentation.

**ACTION:** Motion and second (Keith/Ohtaki) to accept items 1-10 listed in the staff report as items Council agreed by consensus at its November 17<sup>th</sup> meeting to direct staff to pursue passed 4-0-1 (Councilmember Carlton absent).

Public Comment:

- Andrew Barnes spoke regarding residential density along the El Camino Real/Specific Plan corridor
- Skip Hilton commended Council for approving the grant request for the Middle Avenue undercrossing and spoke regarding parking in-lieu fees
- Adina Levin spoke regarding transportation demand management and housing

At this point, the City Council addressed items 1 through 8 listed under the analysis of the staff report.

### 1. Hotel Incentives

**ACTION:** Motion and second (Ohtaki/Keith) to pursue the Public Benefit Bonus FAR as recommended passes 4-0-1 (Councilmember Carlton absent).

**ACTION:** Motion and second (Ohtaki/Mueller) to direct staff to report through the GPAC regarding potential hotel incentive options and to later come before the City Council passes 4-0-1 (Councilmember Carlton absent).

Councilmember Carlton joined the meeting via telephone at 8:20 p.m.

2. Infrastructure project list, outreach

**ACTION:** Motion and second (Mueller/Keith) for staff to report back with a public benefit list in a study session at which time Council can amend as appropriate; further, staff should determine which projects are infrastructure versus public amenity; if an infrastructure project, staff to provide fiscal modeling, expected cost, and funding mechanism; last, the public benefit list should be reviewed by the appropriate commissions. The motion passes unanimously.

3. Encouragement of housing, in particular affordable housing

**ACTION:** Motion and second (Keith/Ohtaki) to add additional encouragements and/or incentives for affordable housing, including the recommendation to revise the Specific Plan to cite the existing Affordable Housing Overlay (AHO) option, and authorizing staff to work with a consultant passes unanimously.

4. Downtown parking garage and entertainment uses

**ACTION:** Motion and second (Keith/Carlton) with friendly amendments from Councilmembers Ohtaki and Mueller to direct staff to review a non-parking component that incorporates primarily entertainment uses and mixed use with parking passes 4-1 (Mayor Cline dissents).

5. Downtown style guide

Councilmember Ohtaki withdraws his previous request to pursue this item.

6. Middle Ave., grade-separated crossing

The City Council is satisfied with the current progress on this item.

7. Parking in-lieu fees

The City Council concurs with staff's recommendation on this item.

8. Massing and modulation requirements

The City Council concurred there are no changes required on this item at this time.

There was consensus among Council to review the preservation of small businesses and retail, including protection, incentivizing and tools for consideration. City Manager McIntyre suggested holding a study session on this topic.

12. Appoint City Council representatives and alternates to various regional agencies and liaisons to City advisory bodies and Council subcommittees ([Staff Report# 15-191-CC](#)) ([Exhibit A](#))

**ACTION:** Motion and second (Ohtaki/Mueller) to approve the Council assignments as outlined in

Exhibit A to the minutes passes 4-0-1 (Councilmember Carlton participated in the discussion, but left the meeting prior to the vote being taken)

## **J. Informational Items**

- J1. Update on and next steps for community engagement activities supporting 2015-16 Capital Improvement Projects for parks ([Staff Report# 15-189-CC](#))

Councilmember Carlton submitted a written comment that Council put the dog park on the CIP as a place holder for a future decision and not as a vote in favor.

Councilmember Ohtaki stated that staff has removed green space near playground at Nealon Park from consideration and instead two possible locations are being reviewed: the area near the tennis courts by Middle Avenue and the site where the large oak tree was removed by Little House. An open house meeting on this topic will be held in March.

Community Services Director Cherise Brandell responded to Mayor Pro Tem Keith's questions regarding an irrigation system, water fountains and lighting at the potential dog park. She also stated that postcard updates will be sent to the community as well as flyers in the park.

- J2. Information on Police Department audio/video recording destruction request and waiver ([Staff Report# 15-183-CC](#))

Councilmember Mueller thanked staff for its work on this item.

## **K. Councilmember Reports**

- K1. Provide direction to the City's voting delegate to the City Selection Committee regarding regional vacancies to be voted on at the December 18, 2015 meeting ([Staff report# 15-195-CC](#))

Council discussed the one contested seat to be voted on at the City Selection Committee meeting and, by acclamation, agreed that Councilmember Maureen Freschet of San Mateo will be recommended for the San Mateo County Transportation Authority Central Cities seat.

Mayor Cline reported on the recent Rail Subcommittee meeting and announced that the Council goal setting meeting will be on January 25, 2016.

Councilmember Mueller thanked staff for its work on the grade separation and reported that he attended a San Mateo County Housing Task Force meeting where a tool kit of best practices was discussed to be implemented throughout the county.

## **L. City Manager's Report**

City Manager McIntyre reported that the City Hall Administration offices will be closed from December 23, 2015 through January 3, 2016. Public Works staff will be on-call in case of emergencies, and the Police, Library and Community Services departments will maintain normal business hours during that time.

**Public Comment:**

- Michael Francois thanked Council for its decision on Round-Up and mentioned the potential raising of interest rates

**M. Adjournment**

Mayor Cline adjourned the meeting at 10:20 p.m.



Pamela Aguilar

City Clerk

These minutes were approved at the City Council meeting of January 12, 2016.

# 2016 CITY COUNCIL ASSIGNMENTS

(Minutes 12.15.2015)

<b>MAYOR ASSIGNMENTS</b>	<b>Primary</b>	<b>Alternate</b>
Association of Bay Area Governments (ABAG)	Rich Cline	Kirsten Keith
League of California Cities (LCC)	Rich Cline	Kirsten Keith
League of California Cities (Peninsula Division)	Rich Cline	Kirsten Keith
Council of Cities City Selection Committee	Rich Cline	Kirsten Keith
Menlo Park School District Subcommittee	Rich Cline	Kirsten Keith
Menlo Park Chamber of Commerce / City Liaison Position	Rich Cline	Kirsten Keith
Facebook Development Agreement Negotiation	Rich Cline	Kirsten Keith
<b>REGIONAL ASSIGNMENTS</b>	<b>Primary</b>	<b>Alternate</b>
Airport Community Roundtable	Peter Ohtaki	Ray Mueller
Caltrain Modernization Local Policy Group - <i>same as rail subcommittee</i>	Rich Cline	Kirsten Keith
City/County Association of Governments of San Mateo County (C/CAG)	Catherine Carlton	Ray Mueller
County of Santa Clara Community Resources Group for Stanford University	Peter Ohtaki	Kirsten Keith
Dumbarton Rail Policy Committee - <i>same as rail subcommittee</i>	Rich Cline	Kirsten Keith
Emergency Services Council (San Mateo County JPA)	Catherine Carlton	Peter Ohtaki
Facebook Community Fund	Ray Mueller	N/A
Grand Boulevard Task Force	Kirsten Keith	Peter Ohtaki
2020 Peninsula Gateway Corridor Study Policy Committee	Catherine Carlton	Ray Mueller
San Francisquito Creek Joint Powers Authority	Kirsten Keith	Catherine Carlton
South Bayside Waste Management Authority Joint Powers Authority	Ray Mueller	Catherine Carlton
<b>COMMISSION LIAISONS</b>	<b>Member 1</b>	<b>Member 2</b> <i>(when applicable)</i>
Bicycle Commission	Kirsten Keith	
Environmental Quality Commission	Ray Mueller	
Finance and Audit Committee (2 members)	Rich Cline	Peter Ohtaki
General Plan Advisory Committee (2 members)	Peter Ohtaki	Ray Mueller
Housing Commission	Peter Ohtaki	
Library Commission	Ray Mueller	
Parks and Recreation Commission	Catherine Carlton	
Planning Commission	Catherine Carlton	
Transportation Commission	Ray Mueller	
<b>CITY COUNCIL SUBCOMMITTEES</b>	<b>Member 1</b>	<b>Member 2</b>
Community Grant Funding	Catherine Carlton	Ray Mueller
Emergency Operations (Disaster Preparedness)	Catherine Carlton	Peter Ohtaki
Rail Committee	Rich Cline	Kirsten Keith
Menlo Park Fire District	Catherine Carlton	Peter Ohtaki
Economic Development	Kirsten Keith	Ray Mueller
International Friendship Agreements and/or Sister City Agreements	Catherine Carlton	Peter Ohtaki
Stanford Parcel Negotiation	Rich Cline	Kirsten Keith
<b>AD HOC COMMITTEES</b>	<b>Member 1</b>	<b>Member 2</b>
SRI Development Agreement	Catherine Carlton	Kirsten Keith