



SPECIAL AND REGULAR MEETING MINUTES - DRAFT

Date: 3/14/2017 Time: 6:30 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

6:30 p.m. Closed Session (City Hall Administration Building, 1st floor conference room)

Mayor Pro Tem Ohtaki called the closed session to order at 6:35 p.m. Mayor Keith and Councilmember Carlton were absent.

There was no public comment.

CL1. Closed session conference with legal counsel pursuant to Government Code section 54956.9 (a) regarding existing litigation: 1 case

Case Name: Schuler v. City of Menlo Park

Case Number: Workers Compensation Case Numbers ADJ7111589; ADJ9611265; ADJ3718259 and ADJ318183

Attendees: Assistant City Manager Chip Taylor, City Attorney Bill McClure, Special Counsel for Workers Compensation Bill Armstrong, Administrative Services Director Nick Pegueros, Human Resources Manager Lenka Diaz, City Manager Alex McIntyre will participate by telephone from Washington, DC

7:00 p.m. Regular Session

A. Call To Order

Mayor Pro Tem Ohtaki called the regular session to order at 7:08 p.m.

B. Roll Call

Present: Cline, Keith, Ohtaki, Mueller, Mayor Keith and Councilmember Carlton participated by conference call from Washington, DC

Absent: None

Staff present: City Manager Alex McIntyre (by conference call from Washington, DC), City Attorney Bill McClure, City Clerk Pamela Aguilar

C. Pledge of Allegiance

Mayor Pro Tem Ohtaki led the pledge of allegiance.

D. Report from Closed Session

There was no reportable action from the closed session.

E. Presentations and Proclamations

E1. Musical performance by Lucia Comnes in celebration of Saint Patrick's Day

F. Commissioner Reports

F1. Sister City Committee update to the City Council on proposed two-year work plan

Committee Chair Kristy Holch gave the report ([Attachment](#)).

G. Public Comment

- Jim Lewis gave an update regarding Two Menlos ([Handout](#))
- Steve Van Pelt spoke regarding grade separations and the Ravenswood rail crossing and on Consent item H4

H. Consent Calendar

H1. Approve the 2017-19 Sister City Committee 2-year work plan and goals ([Staff Report #17-058-CC](#))

H2. Waive the reading and adopt an ordinance to amend the 2016 California Green Building Standards Code to increase the number of required electric vehicle charging stations in the life sciences, office and residential-mixed use zoning districts ([Staff Report #17-053-CC](#))

H3. Review and accept the annual report on the status and progress in implementing the City's Housing Element for 2016 and the annual Housing Successor Report ([Staff Report #17-052-CC](#))

H4. Authorize the City Manager to enter into an agreement with AECOM for the Middle Avenue Pedestrian and Bicycle Rail Crossing Study and authorize the City Manager to enter into all necessary agreements for the project ([Staff Report #17-059-CC](#))

In response to an inquiry by Mayor Pro Tem Ohtaki, Assistant Public Works Director Nikki Nagaya stated that part of the study will include development of access connections.

H5. Authorize the City Manager to amend the contract amount for 2016-2017 Public Works maintenance services contracts up to the City Council amended budget amount ([Staff Report #17-060-CC](#))

H6. Award a construction contract to Day's Generator Service for the Administration Building Emergency Generator Replacement Project ([Staff Report #17-055-CC](#))

H7. Reject all bids for the Sand Hill Reservoir No. 2 Roof Replacement Project ([Staff Report #17-054-CC](#))

H8. Authorize the Mayor to sign a Letter of Support for the South Bay Salt Pond Restoration Project ([Staff Report #17-057-CC](#))

H9. Review and consider adopting a resolution approving a Standard Industrial/Commercial SingleTenant Lease – Net with Xuereb Enterprises, Inc., a California corporation, for the premises commonly known as The Willow Oaks Park Recreation Building, 490 Willow Road, Menlo Park, with Guaranty by Sylvia Xuereb, and a Lease Termination Agreement with Building Kidz, Inc., a California corporation, with Vineeta Bhandari, as Guarantor ([Staff Report #17-061-CC](#))

ACTION: Motion and second (Cline/Mueller) to approve all items on the Consent Calendar passes unanimously.

I. Regular Session

11. Consider authorizing the City to join amicus briefs and/or other pleadings in *County of Santa Clara v. Trump*, Case No. 5:17-cv-00574 (N.D. Cal.) and *City and County of San Francisco v. Trump*, Case No. 3:17-cv-00485 (N.D. Cal.) challenging President Trump's executive order threatening to withhold federal funds from so-called "sanctuary jurisdictions" ([Staff Report #17-051-CC](#))

Public Comment:

- Jennifer Mazzon spoke in support of joining the amicus brief
- Anjuli Gupta spoke in support of protection for immigrants
- Betty Howell spoke in support of joining the amicus brief
- Kathleen Daly, business owner, spoke in support of joining the amicus brief and for a sanctuary city ordinance
- Pamela Jones spoke in support of joining the amicus brief for human reasons and not just monetary
- Gail Slocum, People Power.org, spoke in support of joining the amicus brief ([Handout](#))
- Karen Segar Salty spoke in support of joining the amicus brief
- Adina Levin spoke regarding using City resources to keep residents safe

City Attorney Bill McClure provided an overview of the amicus brief and process.

ACTION: Motion and second (Mueller/Keith) to authorize the City to join amicus briefs and/or other pleadings in *County of Santa Clara v. Trump*, Case No. 5:17-cv-00574 (N.D. Cal.) and *City and County of San Francisco v. Trump*, Case No. 3:17-cv-00485 (N.D. Cal.) challenging President Trump's executive order threatening to withhold federal funds from so-called "sanctuary jurisdictions" passes unanimously.

12. Approval of performance bonus for City Manager Alexander D. McIntyre ([Staff Report #17-063-CC](#))

ACTION: Motion and second (Keith/Carlton) to approve a \$4400 performance bonus for City Manager Alexander D. McIntyre passes unanimously.

J. Informational Items

- J1. Update on the Water System Master Plan (WSMP) and staffing for operations and maintenance of functions ([Staff Report #17-056-CC](#))
- J2. Review of the City's Investment Portfolio as of December 31, 2016 ([Staff Report #17-062-CC](#))

K. City Manager's Report

There was no report.

L. Councilmember Reports

Mayor Keith reported that she is currently in Washington D.C. with Councilmember Carlton attending the National League of Cities' annual conference and that she will give a report when they return.

M. Adjournment

Mayor Pro Tem Ohtaki adjourned the meeting at 8:31 p.m.

A handwritten signature in blue ink that reads "Pamela Aguilar". The signature is written in a cursive style with a large initial 'P'.

Pamela Aguilar, CMC
City Clerk