



SPECIAL AND REGULAR MEETING MINUTES

Date: 4/18/2017
Time: 5:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

5:00 p.m. Interviews of Planning Commission Applicants (City Hall Administration Building)

Mayor Keith, Councilmember Carlton and Councilmember Cline interviewed the following Planning Commission applicants:

- Michael Doran
- Camille Kennedy
- Katherine Strehl

5:30 p.m. Closed Session (City Hall Administration Building, 1st floor conference room)

Mayor Keith called the closed session to order at 5:35 p.m. All Councilmembers were present.

There was no public comment on these items.

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

Attendees: City Manager Alex McIntyre, Administrative Services Director Nick Pegueros, Human Resources Manager Lenka Diaz, City Attorney Bill McClure, Labor Counsel Charles Sakai, Human Resources Analyst II Dan Jacobson

- CL2.** Closed session conference with legal counsel pursuant to Government Code section 54956.9 (d)(1) regarding existing litigation: 1 case - City of East Palo Alto v. City of Menlo Park et al., San Mateo County Superior Court Case No. 16CIV03062

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure, Assistant City Manager Charles Taylor

- CL3.** Closed Session pursuant to Government Code Section §54956.9(d)(2) to confer with legal counsel regarding pending litigation: 1 case

Attendees: City Manager Alex McIntyre, Special Legal Counsel Greg Rubens, Assistant City Manager Charles Taylor

7:00 p.m. Regular Session

A. Call To Order

Mayor Keith called the meeting to order at 7:21 p.m.

B. Roll Call

Present: Carlton, Cline, Keith, Mueller, Ohtaki

Absent: None

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

C. Pledge of Allegiance

Menlo Atherton High School student reporter Jackson Confer assisted Mayor Keith in leading the pledge of allegiance.

D. Report from Closed Session

Mayor Keith reported the following regarding Closed Session item CL3:

The City Council requested staff for a legal interpretation from the Transportation Authority (TA) of the requirements for the third passing track and whether they interpret the grant as required a full design of a passing track through the city. The response pointed to the TA's recommended policy that the project study report should include at least one alternative that is consistent with the blended system and that the project study report not preclude Caltrain's future planning needs. The design only needs to show three tracks in the project area not the whole city and all the designs are consistent with this.

E. Presentations and Proclamations

E1. Proclamation celebrating Earth Day ([Attachment](#))

Environmental Quality Commissioner Chair Deborah Martin and Executive Director of Menlo Spark Diane Bailey accepted the proclamation.

E2. Proclamation recognizing National Fair Housing Month ([Attachment](#))

Housing Commission Chair Michele Tate and Nevada Merriman, MidPen Housing, accepted the proclamation.

F. Commissioner Reports

F1. Environmental Quality Commission report to Council ([Attachment](#))

Commission Chair Deborah Martin gave the report.

G. Commission/Committee Vacancies and Appointments

G1. Consider applicants and make appointments to fill vacancies on the various City Commissions ([Staff Report #17-088-CC](#))

Public Comment:

- Sarah Shenk spoke on her own behalf regarding her qualifications to serve on the Parks and Recreation Commission
- Erin Reuther spoke on her own behalf regarding her qualifications to serve on the Parks and Recreation Commission
- Evan Goldin spoke on his own behalf regarding his qualifications to serve on the the Complete Streets Commission

City Clerk Pam Aguilar facilitated the voting.

ACTION: The following were appointed to fill the various commission vacancies:

Complete Streets Commission: 4 year terms expiring April 30, 2021

Bill Kirsch (Nominated by: Ohtaki; Affirmative votes: unanimous)

Cindy Welton (Nominated by: Cline; Affirmative votes: Cline, Keith, Ohtaki)

Environmental Quality Commission: 4 year term expiring April 30, 2021

Deborah Martin (By acclamation)

Finance and Audit Committee: 2 year term expiring April 30, 2021

Ron Shepherd (Nominate by: Carlton; Affirmative votes: (Carlton, Ohtaki, Mueller)

Housing Commission: 4 year terms expiring April 30, 2021

Nevada Merriman (Nominated by: Keith; Affirmative votes: Keith, Carlton, Mueller)

Michele Tate (Nominated by: Cline; Affirmative votes: unanimous)

Library Commission: 4 year term expiring April 30, 2021

Ester Bugna (Nominated by: Mueller; Affirmative votes: Mueller, Cline, Ohtaki)

Parks and Recreation Commission: 4 year terms expiring April 30, 2021

Christopher Harris (Nominated by: Ohtaki; Affirmative votes: Ohtaki, Cline, Keith, Mueller)

Sarah Staley Shenk (Nominated by: Mueller; Affirmative votes: unanimous)

Planning Commission: 4 year term expiring April 30, 2021

Katherine Strehl (Nominated by: Mueller; Affirmative votes: unanimous)

H. Public Comment

- Steve Peckler spoke regarding the traffic and construction on El Camino Real
- Sarah Shenk, Suburban Park Neighborhood Association, spoke regarding the construction on the Bohannon project and noise

I. Consent Calendar

11. Authorize the City Manager enter into an agreement with California Tree and Landscape Consulting, Inc. for the Heritage Tree Ordinance Update for an amount not to exceed \$70,000 (Staff Report #17-093-CC)

12. Authorize the City Manager to enter into an agreement with CB&I Environmental & Infrastructure, Inc.(CB&I) for the Operation and Maintenance of the Bedwell Bayfront Park Landfill Leachate and Gas Collection and Control Systems (gas system) for a period of five years in the amount of \$796,000 with an additional not to exceed \$250,000 for as-needed maintenance repairs (Staff Report #17-082-CC)I3. Click here to enter text.
13. Award a construction contract to Stockbridge General Contracting, Inc. for the Nealon Park Booster Pump Project (Staff Report #17-085-CC)
14. Approve an additional extension of the current lease agreement with Team Sheeper Inc. for operation of Burgess and Belle Haven pools through September 30, 2017 (Staff Report #17-089-CC)
15. Approve minutes for the City Council meeting of March 28, 2017 (Attachment)
16. Authorize the Mayor to sign a letter to the Menlo Park Fire Protection District Board of Directors regarding the use of eminent domain for Station 77 (Staff Report #17-091-CC)

Public Comment:

- Sheryl Brims thanked the City Council for taking this action

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

J. Regular Business

- J1. First Reading of an Ordinance adding chapter 2.58, Immigration and Sensitive Information; adopting a resolution joining the Welcoming Cities and Counties Initiative; and authorizing the Mayor to sign a letter in support of SB 54 (Staff Report #17-084-CC)(Presentation)

Assistant City Attorney Leigh Prince gave a presentation. Commander Dave Bertini was also present to respond to City Council questions.

Public Comment:

- Jen Mazzon spoke in support of adopting a sanctuary city ordinance to build trust between the community and law enforcement
- Marcus Tjernlund spoke in support of adopting a sanctuary city ordinance
- Angela Evans spoke in support of adopting a sanctuary city ordinance
- Arden Wells and Nina Randazzo, Science Action Committee, spoke in support of sanctuary policies and human rights and regarding crime and employment data
- Gail Sredanevic, Economic and Social Justice Task Force – San Mateo County Democracy for All, spoke regarding criminal data and in support of a sanctuary city ordinance
- Karen Grove spoke in support of adopting a sanctuary city ordinance and offered some edits to the proposed ordinance
- Jim Dickerson spoke in support of adopting a sanctuary city ordinance
- Jason Primuth spoke in support of adopting a sanctuary city ordinance and federal funding
- Dorothy Fadiman spoke in support of adopting a sanctuary city ordinance and human rights
- Beatrice Mazzon spoke in support of adopting a sanctuary city ordinance
- Gwyn Firth Murray spoke regarding DACA students and in support of a sanctuary city ordinance

- Betty Achinstein and Desmond Hosein spoke in support of a sanctuary city ordinance and welcoming cities and counties and SB 54
- Chad Raphael spoke regarding crime rates
- Lisa Rosenberg spoke regarding ethnic profiling
- Diana Gibson spoke in support of adopting a sanctuary city ordinance
- Geoff Browning spoke in support of adopting a sanctuary city ordinance to build trust with law enforcement
- Erin Cooke, Mid-Peninsula Solidarity Standup, spoke in support of the immigration ordinance for safety, stability, security and opportunity
- Nancy Prouty spoke in support of the immigration and sensitive information ordinance for an inclusive and protected community

ACTION: Motion and second (Cline/Carlton) to adopt **Resolution 6382** joining the Welcoming Cities and Counties Initiative, authorize the Mayor to sign a letter in support of SB54, appoint Mayor Keith and Councilmember Mueller to a subcommittee to work with staff and the City Attorney to modify and bring back two proposed ordinances at the May 23 City Council meeting passes unanimously.

- J2. Provide direction on the next steps for the Oak Grove University Crane Bicycle Improvement Project and authorize the City Manager to increase the consultant contract with Alta Planning & Design (Staff Report #17-086-CC)(Presentation)

City Attorney Bill McClure recused himself from participating in this item due to a conflict of interest that his business office is in proximity of the subject location.

Assistant Public Works Director Nikki Nagaya and Assistant Transportation Engineer Michael Tsai gave a presentation.

Public Comment:

- Christine Semler, Nativity School parent/ Nativity Church Parishioner, spoke regarding the many activities that take place at the church and school and how parking will be impacted
- Lisa Breakey, Oak Grove Condo Association, requested clarification of the data
- Kelly Crowley spoke regarding safety and in support of the bike improvement project
- Kerry D. Horton spoke in opposition of the bicycle improvement project
- Sister Maria Christine, Corpus Christi Monastery, requested that the project be postponed until the fall, and suggested restricting and modifying parking and electronic speed monitoring
- John Conway spoke regarding safety
- Marie Moran spoke regarding Americans with Disabilities Act (ADA) compliance and access for emergency vehicles
- Steven Otellini spoke regarding the impact on parking for the activities at Nativity Church
- Susan Foster, Principal of Nativity School, spoke in support of Option 1
- Diane Bailey, Director of Menlo Spark, spoke regarding safety and in support of the project
- Shannon Sullivan spoke in support of Options 1 or 3
- Ciya Martorana, Downtown Business Coalition, spoke in support of Option 1 and working together with downtown businesses
- Jen Wolosin, Parents for Safe Routes, spoke in support of the project (Handout 1) (Handout 2)
- Jamie Morgan spoke regarding in support of Option 2
- Matt Levin, Refuge Restaurant, spoke regarding more outreach and working together with the community and businesses

- Bill Kirsch spoke in support of the pilot project
- Betsy Nash spoke in support of the pilot project and Option 2
- Cindy Welton spoke in support of the pilot project for the safety of the community
- Bianca Walser spoke regarding safety and in support of the project
- Erin Glanville spoke against parking removal on Oak Grove ([Handout](#))
- Shane Goudey expressed the concerns of Nativity school parents and to address issues of all stakeholders
- Jonathan Weiner spoke in support of Option 2
- Fran Dehn, chamber of commerce, addressed the implications of all the options
- Marijane Leonard spoke in support of the project as is
- Steve Castillo spoke the impact of removing parking ([Handout](#))
- Katie Behroozi spoke in support of the project

ACTION: Motion and second (Keith/Ohtaki) to direct staff proceed with Option 2, but with modifications to the current plans to allow on-street parking on Saturdays and Sundays between on Oak Grove Avenue between Laurel Street and the City limit and to allow on-street parking to occur for 15 Nativity Church special events during the year, bring forward recommendations for Pine Street and Marcussen Drive to manage potential overflow parking passes; and approve the increase to the consultant contract with Alta Design & Planning passes. (3-0-2; Councilmembers Carlton and Mueller abstain)

K. Informational Items

Informational Items were continued to the May 2, 2017 City Council meeting.

- K1. Funding agreement for creating a 4th police unit ([Staff Report #17-087-CC](#))
- K2. Update on the Transportation Master Plan consultant selection process ([Staff Report #17-083-CC](#))
- K3. Update on the Bayfront Canal Bypass Project ([Staff Report #17-081-CC](#))
- K4. Transferrable downtown parking permits ([Staff Report #17-080-CC](#))
- K5. Update from the Fire District Subcommittee ([Staff Report #17-092-CC](#))

L. City Manager's Report

There was no report.

M. Councilmember Reports

There were no reports.

N. Adjournment

Mayor Keith adjourned the meeting at 1:19 a.m. on April 19, 2017



Pamela Aguilar, CMC
City Clerk

These minutes were approved at the City Council meeting of May 2, 2017.