



SPECIAL MEETING AGENDA MINUTES

Date: 5/1/2020

Time: 3:30 pm

Meeting Location: JoinWebinar.com – ID# 336-758-411

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
 - Submit a written comment online:
menlopark.org/publiccommentMay1 *
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-4071 *
 - Access the special meeting real-time online at:
joinwebinar.com – Regular Meeting ID 336-758-411
- *Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:
Channel 26
 - Online:
menlopark.org/streaming

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

Special Session ([JoinWebinar.com](https://www.joinwebinar.com) – ID# 336-758-411)

A. Call To Order

Mayor Taylor called the meeting to order at 3:38 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren, Deputy City Clerk Neetu Salwan

C. Consent Calendar

C1. Review and confirm the need for continuing the local emergency ([Staff Report #20-097-CC](#))

ACTION: Motion and second (Nash/ Carlton) to approve the consent calendar, passed unanimously.

D. Regular Business

D1. Provide direction on re-activating construction work and related inspections ([Staff Report #20-098-CC](#))

Web form public comment on item D1 (Attachment).

Deputy City Manager Justin Murphy made the presentation (Attachment).

- Jacqueline Cort requested information on construction permit issuance.
- Mallory Crawford requested information on resuming pending construction inspections.

The City Council directed staff to respond to the public comments.

The City Council received clarification on prioritizing construction permit issuance process, new safety guidelines for the City inspectors and had consensus to align with County safety guidelines.

ACTION: Motion and second (Carlton/ Nash) to the approval on re-activating construction work and related inspection, and directed staff to add the priority list to the City's website, passed unanimously.

E. Adjournment

Mayor Taylor adjourned the meeting at 4:22 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of May 26, 2020.

Agenda item D1

Daniel Francisco, Menlo Park resident

With the resumption of construction please consider the following:

1. To increase permit throughput would it be possible to allow for issued permits to be emailed to the requestor to minimize in person contact and visits to the city offices?
2. As you prioritize construction projects can you consider including solar + storage on the list of projects to inspect first. These provide for protection against power shutoffs which is especially important during shelter in place and the upcoming fire season (where the last thing you'll want is a rush on grocery stores). In fact, Santa Clara County explicitly considered these projects to be essential during the past month of shelter in place: "These installations that provide backup power, like a solar plus storage system or a battery system, protect against impacts of a Public Safety Power Shutoff or an outage event that causes a temporary loss of power."
(see: <https://www.sccgov.org/sites/covid19/Pages/public-health-orders.aspx#construction>)

Daniel Francisco

Agenda item D1
Dolores Bernardo, Menlo Park resident

Hi,

A quick technical issue: D1. Is missing from the drop down menu above on "Agenda item".

I would like to provide a comment on D1. I think we should do our best to re-activate construction projects. Note that OSHA and this industry in general is heavily regulated for safety and those organizations are used to working with safety protocols. I hope we re-active (with safe working conditions at the earliest possible date).

Best, Dolores

Agenda item D1

Theron Miller, Menlo Park resident

PLease allow construction to start at 1275 El Camino Real. South Bay construction is the general contractor on the project and all Covid-19 protocols are in place and PPE will be worn by all crew members.

Thank you

Agenda item D1

Eric Corrigan, Menlo Park resident

In consideration of the San Mateo County revised Shelter In Place, and allowing ALL construction to continue during the shelter in place, Commercial Construction projects are better prepared to comply with new Covid Guidelines than residential projects. Typically, the General Contractor (GC) on commercial contracts has a more regional approach and an understanding of compliance across many cities or counties. Although the GC on commercial projects is typically larger than residential projects, most of the subcontractors hired by the GC are still small businesses desperately ready to get back to work. In my opinion, the best way to get construction responsibly re-started may to begin with larger projects which are more prepared to be in compliance with new field requirements for Covid-19

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CITY COUNCIL MEETING

Construction reactivation and related inspections





BACKGROUND

- **March 3:** San Mateo County declares local health emergency
- **March 4:** California declares state of emergency
- **March 10:** County ratifies & extends local health emergency
- **March 11:** Menlo Park proclaims/ratifies local emergency
- **March 16:** County issues health order limiting construction
- **March 19:** State issues stay at home order
- **March 23:** City temporarily suspends construction activity
- **March 31:** County issues health order further limiting construction
- **April 29:** County issues health order allowing construction activity per safety protocols effective May 4



DIRECTOR OF EMERGENCY SERVICES LOCAL ORDERS

- **Order No. 1:** Temporarily suspending all construction activity
- **Order No. 2:** Closing certain public facilities
- **Order No. 3:** Closing Bedwell Bayfront Park
- **Order No. 4:** Proposed reactivation of construction activity (rescinds and supersedes Order No. 1)



ORDER NO. 4: REACTIVATION OF CONSTRUCTION ACTIVITIES

- Effective 11:59 p.m. on May 3

- Construction activity allowed provided it complies with the applicable construction project safety protocol published by San Mateo County
 - Enforceable by Menlo Park Police Department

- City Manager reserves right to modify order under certain circumstances



RESUMING INSPECTION SERVICES

- Focus on safety of inspectors and construction workers
- Pilot program for virtual inspections during this emergency for certain types of inspections
- Phasing in inspections services the week of May 4 as follows:
 - Projects already scheduled for inspection prior to the shutdown
 - Existing projects that have been granted emergency status
 - Any project that affects the livability of a residential unit
 - Other single-family residential projects and public works projects
- Inspections for all other projects targeted to commence during week of May 11
- City Hall remains closed to the public – limited appointments available for permit holders



RECOMMENDATION

- Staff recommends that the Council provide direction on re-activating construction work and related inspections as described in the proposed director of emergency services Order No. 4 (Attachment A)



THANK YOU