



## SPECIAL AND REGULAR MEETING MINUTES

**Date:** 7/14/2020

**Time:** 5:00 p.m.

**Regular and Special Meeting Location:** Joinwebinar.com – ID# 303-493-835

CITY OF  
MENLO PARK

### 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/publiccommentJuly14](https://menlopark.org/publiccommentJuly14)\*
  - Record a comment or request a call-back when an agenda topic is under consideration:  
Dial 650-474-5071\*
  - Access the special meeting real-time online at:  
[joinwebinar.com](https://joinwebinar.com) – Special Meeting ID 303-493-835  
\*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](https://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](https://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](https://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# 303-493-835)**

**A. Call To Order**

Mayor Taylor called the meeting to order at 5:07 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

**C. Public Comment**

[Web form public comment for item C.](#) (Attachment).

None.

**D. Study Session**

The City Council continued item D1. to the July 16, 2020 City Council meeting.

~~D1. Provide direction to select Transportation Management Association models for further study  
([Staff Report #20-148-CC](#)) – moved to July 16, 2020.~~

**E. Consent Calendar**

City Councilmember Carlton pulled items E4., E5., and E7.

City Councilmember Nash pulled items E2. and E6.

Mayor Taylor pulled item E3.

E1. Accept the City Council meeting minutes for May 22, 26, and 28, 2020 ([Attachment](#))

**ACTION:** Motion and second (Nash/ Carlton) to accept the City Council meeting minutes for May 22, 26, and 28, 2020, passed unanimously.

E2. Adopt Resolution No. 6573 notifying Peninsula Library System Joint Powers Authority of City of Menlo Park's intent to withdraw effective July 1, 2021 ([Staff Report #20-145-CC](#))

The City Council received clarification on the advantages and disadvantages of withdrawing from the Peninsula Library System. The City Council had consensus for City Councilmember Mueller to discuss the withdrawal with other elected officials serving on the Joint Powers Authority. Interim City Attorney Cara Silver clarified that the Joint Powers Authority governing board is comprised of library directors and not elected officials.

**ACTION:** Motion and second (Carlton/ Combs) to adopt Resolution No. 6573 notifying Peninsula Library System Joint Powers Authority of City of Menlo Park's intent to withdraw effective July 1, 2021 and ask City Councilmember Mueller to discuss the withdrawal with other elected officials, passed 3-2 (Mueller and Nash dissenting).

- E3. Adopt Resolution No. 6564 submitting to the voters a ballot measure authorizing amendment of the City's transient occupancy tax to allow the collection of an additional one percent pursuant to the 2016 Facebook campus expansion development agreement ([Staff Report #20-143-CC](#))

The City Council received clarification on the 2020 and 2022 election timelines and costs and the guaranteed amount in the development agreement.

**ACTION:** Motion and second (Carlton/ Nash) to postpone this item until 2022 in time for consideration for the 2022 election, passed 4-1 (Combs dissenting).

- E4. Approve Resolution No. 6574 to re-authorize a \$5,000 minimum penalty for heritage tree violations until a new penalty schedule is adopted ([Staff Report #20-146-CC](#))

City Councilmember Mueller was recused and exited the meeting at 6:06 p.m.

The City Council received clarification on the past and best practices for levying penalties.

**ACTION:** Motion and second (Carlton/ Combs) approve Resolution No. 6574 with updated language including carrying over current penalties and a not to exceed amount of \$5,000, passed 3-1-1 (Nash dissenting and Mueller recused).

City Councilmember Mueller rejoined the meeting at 6:21 p.m.

- E5. Authorize the Mayor to sign a letter of support for CARES funding for Caltrain ([Staff Report #20-147-CC](#))

The City Council received clarification on CARES funding.

**ACTION:** Motion and second (Nash/ Carlton) to authorize the Mayor to sign a letter of support for CARES funding for Caltrain, passed unanimously.

- E6. Award a construction contract to EPS, Inc. dba Express Plumbing for the hydration station project ([Staff Report #20-144-CC](#))

The City Council received clarification between the traditional fountain and hydration station maintenance, funding and contact changes.

**ACTION:** Motion and second (Combs/ Mueller) to award a construction contract to EPS, Inc. dba Express Plumbing for the hydration station project included in base bid and Alternate B, passed 4-1 (Nash dissenting).

- E7. Approve waiver of late penalties for transient occupancy tax collected between January 1, 2020 and June 30, 2020, if remitted by October 31, 2020 and receipts are reported to the City monthly ([Staff Report #20-149-CC](#))

The City Council received clarification on the communication and engagement with the hotel operators.

**ACTION:** Motion and second (Combs/ Carlton) to approve waiver of late penalties for transient occupancy tax collected between January 1, 2020 and June 30, 2020, if remitted by October 31, 2020 and receipts are reported to the City monthly, passed 4-1 (Nash dissenting).

The City Council took a break at 6:44 p.m.

The City Council reconvened at 7:09 p.m.

## F. Regular Business

- F1. Receive and file the Environmental Quality Commission's 2030 climate action plan and adopt Resolution No. 6575 to adopt the climate action plan as amended with staff's implementation strategy ([Staff Report #20-152-CC](#))

[Web form public comment for item F1.](#) (Attachment).

Sustainability Manager Rebecca Lucky introduced the item.

Environmental Quality Commissioners (EQC) Ryann Price and Josie Gaillard made the presentation (Attachment).

- Adina Levin spoke in support of the climate action plan.
- Jen Wolosin spoke in support of the climate action plan.
- Dashiell Leads spoke in support of the climate action plan.
- Janelle London spoke in support of the climate action plan.
- Scott Marshall spoke in support of the climate action plan.
- Karen Grove spoke in support of the climate action plan.
- Bruce Naegel spoke in support of the climate action plan.
- Kevin Gallagher spoke in support of the climate action plan.
- Norma R. spoke in support of the climate action plan.

The City Council discussed working with stakeholders and the community. The City Council received clarification on pending litigation on other cities REACH Codes. The City Council had consensus around updating the language regarding "exploring conversion of 95 percent" as opposed to 100 percent electric conversion by 2030.

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6575 to adopt the 2030 Climate Action Plan as amended with staff's implementation strategy that would initiate work this year on three of the six actions which are No. 1 (existing building electrification), No. 3 (electric vehicle infrastructure), and No. 5 (greenhouse gas free municipal operations); and update action No. 1 to explore the conversion of 95% of existing buildings to all electric by 2030; and for Environmental Quality Commission to prepare advice this year in partnership with staff on how to accomplish the remaining three actions (No. 2, 4, and 6), passed unanimously (Attachment).

- F2. Add institutionalized bias reform as a top priority for City staff in 2020-21 and provide input to staff on how to address police ([Staff Report #20-150-CC](#))

[Web form public comment for item F2.](#) (Attachment).

Assistant City Manager Nick Pegueros introduced the item.

- Lynn Bramlett spoke on concerns with the process as presented and offered suggestions.
- Adina Levin spoke in support of training and partnerships.
- Karen Grove spoke in support of police department reforms.
- Pamela Jones suggested the reports be prepared by experts.
- Norma R. spoke in support of reallocating the police beat 4 to other services within the City.
- Edwin Magana-Lopez spoke on concerns of a Menlo Park police officer.
- Kevin Gallagher commented that “racism” should be included in the agenda title and supported police funding reallocated to other City services.
- Aram James spoke on concerns regarding the interim and standing police chief recruitment.

The City Council discussed the Senate Bill’s addressed in the staff report. The City Council provided direction to the city manager on the police chief recruitment process and directed staff to return on August 11 with more information on the institutional bias project.

The City Council continued items F2. and G1. to the July 16, 2020 City Council meeting.

#### **G. Informational Items**

- G1. City Council agenda topics: July 2020 to September 2020 ([Staff Report #20-142-CC](#))

##### **City Manager's Report**

None.

#### **H. City Councilmember Reports**

None.

#### **I. Adjournment**

Mayor Taylor adjourned the meeting at 10:52 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of August 11, 2020.

## Agenda item C Teresa Beltramo, resident

Honorable Members of the City Council,

I am opening a shop on Santa Cruz Ave., selling fine antique furniture, and I would like to express my hope that the Santa Cruz Ave. roadblocks be removed as soon as possible.

The road closure is bad for Menlo Park because:

1. It is not needed for restaurants.
2. It is hurtful to downtown businesses.
3. It is unsafe for pedestrians.

1. It is not needed for restaurants because there is plenty of room for distanced outdoor seating using adjacent parking spaces. Restaurants can be given as many spaces as they need, including on side streets.

2. It hurts businesses because:

- The most convenient parking spaces are eliminated, and overall parking is made even more scarce (we don't have parking structures like Palo Alto).
- Storefronts no longer have exposure to cars driving by.
- Santa Cruz Ave. can no longer be used as a way to find your destination before you park. (People don't always know which back parking lot corresponds to their SCA store.)

3. Pedestrians are less safe because:

- The elderly, or parents with children, must walk farther to their car while carrying bags.
- The cross streets that zig zag across SCA are a hazard to pedestrians who think they are walking on a street with no cars.
- With street parking closed, more cars and people are forced onto the side streets and back parking lots - which is especially unsafe when you have frustrated shoppers trying to find their destination.

So I urge the council to reconsider the roadblocks. This is no longer a theoretical debate. I look out my shop window every day, and there are continually fewer and fewer people walking by.

Downtown Menlo will only be vibrant if it has a critical mass of services to bring people to the downtown. Being able to run errands is a part of the mix. However, people want to be able to run errands quickly, especially with COVID-19, and the last thing they want to do is deal with the maze that is now Santa Cruz Avenue.

Every day that Menlo keeps the SCA roadblocks is another day of people getting used to shopping (and eating) elsewhere.

Thank you for your consideration,

Teresa Beltramo  
Teresa's Antiques

## Agenda item F1 Catherine Martineau, resident

July 10, 2020 Via email: city.council@menlopark.org

Dear Mayor Taylor, Vice Mayor Combs, and Councilmembers,

On June 24, on behalf of Canopy, Scott Marshall wrote to the members of the Environmental Quality Commission (EQC) and the Climate Action Plan (CAP) subcommittee, urging them to go much further in the CAP in recognizing the climate-change and other benefits of protecting and planting trees and increasing the city's tree canopy. Scott also spoke at the EQC meeting that was reviewing the draft CAP and, in particular, recommended incorporating an urban forest master plan into the CAP. Our requests were denied on grounds of budget and weighing down the path to carbon neutrality. This denial is short-sighted. Nature-based climate solutions are among the least costly climate strategies and offer a wealth of co-benefits. They should be fully integrated into the city's CAP.

The CAP is a long-term plan. Its bold goal is zero emissions by 2030. Although your time and the city staff's time and attention have necessarily shifted to addressing the health risks and economic consequences of the COVID-19 pandemic, the CAP should look beyond the current crisis. Moreover, the pandemic underscores the need for a robust tree canopy in every neighborhood. While we all stay closer to home, the green in our own neighborhoods matters more.

Trees play a direct role in combating climate change by sequestering carbon, combating the urban heat island effect, cooling buildings, and promoting walking and biking on city streets. A single tree can both store hundreds of pounds of carbon over its lifetime and reduce energy use by a home or business. Trees also remove pollutants from air and water, reduce stormwater runoff, provide habitat for wildlife, increase property values, muffle noise, create green spaces to enjoy, and improve public health--both physical and mental. Now is the perfect time to look to trees: they provide a low-cost strategy that comes with more co-benefits than any other.

One of the recommendations of the 2018-19 Heritage Tree Task Force was to develop an urban forest master plan. As far as we know, work on this recommendation has not started and, additionally, the implementation of the Heritage Tree Protection Ordinance update has been delayed. While Pandemic-related budgetary constraints and disruptions are understandable, it is worth noting that several surrounding communities, including Palo Alto and Mountain View, already have urban forest master plans. The CAP provides an opportunity for Menlo Park to ensure a consistent, coordinated, efficient approach to both climate change and urban forestry.

The six-step pared down plan leaves out nature-based climate solutions entirely. The June 2020 draft CAP includes Moderate and Bold Plans that mention "Carbon Removal" in their lists of actions. Under both, the city would research options for achieving 10% carbon removal. The Moderate Plan mentions trees through exploring a plan for reforestation with the Peninsula Open Space Trust or other partner, conducting an Arbor Day mass tree planting, and increasing the urban tree canopy in Belle Haven. These proposals do not go far enough. By comparison, Palo Alto's draft Sustainability and Climate Action Plan includes an express Natural Environment section with goals and key actions; Sacramento's Mayor's Commission on Climate Change Final Report includes specific Urban Greening and Forestry recommendations in its section on Community Health and Resiliency.

The CAP should include specific actions to gain all the advantages that nature-based climate-change solutions provide, such as:

- Prepare an urban forest master plan to measure the city's tree canopy cover, establish a baseline for carbon storage of the tree canopy, and address canopy inequities across the city.
- Increase the city-wide tree canopy to a specified percentage by 2030, to be determined in the urban forest master plan.
- Coordinate implementation of the urban forest master plan, heritage tree protection ordinance, parks and recreation and water systems facilities master plans, and other city-wide functions through interdepartmental collaboration of the City's sustainability leadership team.
- Ensure no net tree canopy loss for all private and public development and CIP projects.

On behalf of the Canopy board and advocacy committee, thank you for your consideration.

Warm regards,

Catherine Martineau  
Executive Director

Agenda item F1

Ingrid Rogers, resident

I strongly support the action plan to phase out fossil gas use in homes & buildings of Menlo Park. I am also in favor of advancing the transition to electric vehicles and reducing traffic to make the City easier to navigate without a car. Every effort to eliminate the use of fossil fuels is important and imperative. Please adopt Resolution #6575.



Agenda item F1  
Pamela Sperli, resident

I fully support item #f-1 Menlo Park's proposal to go carbon neutral by 2030. Thanks to city council efforts to protect our future!

Agenda item F1  
Andrea Chan, resident

Thank you for your consideration and effort to adopt the 2030 climate action plan, I am very much for the City of Menlo Park showing the way.

Agenda item F1  
Michael Crager, resident

I am in favor of the climate action plan for Menlo Park to become carbon neutral by 2030. We need to stop watching the climate disaster unfold in slow motion and take drastic action now!

Agenda item F1  
Lee Crager, resident

I am in favor of Menlo Park adopting a plan to be carbon neutral by 2030. If adopted, I will feel proud to live in a city that is thinking about future generations.

Agenda item F1  
Ruedi Brunner, resident

I fully support Menlo Park in taking strong action today with the 2030 climate action plan, for a better tomorrow.

Agenda item F1

Ken Rogers

I support the new 2030 Climate Action Plan.

## Agenda item F1 Adina Levin, resident

The Complete Streets Commission has taken a straw poll, and supports the recommendation with the following comments and additions

- 1) Many thanks to the EQC for moving this forward at a difficult time during the pandemic recession, because the climate crisis is not waiting.
- 2) Second, thank you for including VMT reduction as an important strategy, since transportation is the largest source of greenhouse gas emissions.

We support the strategies proposed by the EQC as follows:

Reduce vehicle miles traveled (VMT) by 25%: Reduce VMT, especially by gasoline vehicles, through a two-pronged approach: 1) Change zoning to encourage higher density (esp. for housing) near transit 2) Make the City easier to navigate without a car by accelerating implementation of the Transportation Master Plan with an emphasis on developing a clear network of protected pedestrian/bike paths throughout town

With regard to resources, the staff report recommends to "Explore in 2021 or 2022 after current projects for housing and transportation are completed"

There are staff positions to implement the transportation master plan and land use planning that are frozen in the current budget, that may need to be unfrozen in order to advance this measure. At the meeting where it approved the current budget, City Council members expressed a willingness to use up to a million dollars in reserves to advance goals that are expected to be coming forward, and they specifically referenced the Climate Action Plan. Therefore, we recommend that the Council unfreeze the needed positions in line with the Council's willingness to use reserves to advance the CAP.

3) There are two provisions relating to electric vehicles, which we support.

a) Set citywide goals for increasing EVs and decreasing gasoline sales. Announce and promote citywide goals of 1) making all new vehicles be electric by 2025 and 2) reducing gasoline sales each year by 10%, based on the total reported in 2018. Track progress on both goals publicly on an annual monthly basis. For implementation, the plan proposes to "Influence regional agency to lead"

b) Expand access to EV charging. Install or assist building owners in installing EV chargers throughout the City, siting them preferably where they will be used during daylight hours (when solar electricity is abundant on our grid) and also where residents of multi-family housing can access them  
Implementation via Sustainability Manager, Contract Analyst

Many thanks to the EQC. We urge the Council to approve the Climate Action Plan with funding to move forward.

# THE PLAN

Action	#	Description	2030 GHG Reduction (tons/yr)	Estimated Initial Investment for FY 2020-2021
Explore policy/program options to convert 95% of existing buildings to all-electric by 2030	1	Two basic options: 1) Announce the “end of flow” of natural gas in the City by 2030 <b>OR</b> 2) Enact a “burn-out ordinance” requiring that when gas appliances expire, they must be replaced by electric (preferably high efficiency heat pump) alternatives; phase in for large commercial, small commercial, residential; may require follow-on compliance ordinance as current permit compliance for residential gas appliances is low; will require follow-up “cash-for-clunkers” program to achieve 2030 goal; relies on PCE subsidies to reduce or eliminate cost differential; may require use of UUT funds to cover additional cost differential for low-income residents. Extend burnout ordinance to expiring air conditioners, to be replaced with heat pumps, eliminating need for separate gas heating.	1) 86,465* <b>OR</b> 2) 51,636*	\$195,000 to \$275,000  *Initial investment to hire contract staff (building official, legal aid, energy analyst) and provide policy options that would lead to adoption of a policy, ordinance, and/or program
Set citywide goal for increasing EVs and decreasing gasoline sales	2	Announce and promote goals of 1) increasing the purchase of all new vehicles to be electric by 2025 and 2) reducing gasoline sales each year by 10%, based on the total reported in 2018. Track progress on both goals publicly on an annual basis.	<7,120*	\$0-\$20,000 to influence regional agency or organization to lead on behalf of the city
Expand access to EV charging for multifamily and commercial properties	3	Install or assist building owners in installing EV chargers throughout the City, siting them preferably where they will be used during daylight hours (when solar electricity is abundant on our grid) and also where residents of multi-family housing can access them. Current project to explore and evaluate policy options for existing multifamily properties.	7,370* <13,000* for multifamily	\$140,000 *Initial investment for contract analyst to evaluate multifamily properties
Reduce vehicle miles traveled (VMT) by 25% or an amount recommended by the Complete Streets Commission	4	Reduce VMT, especially by gasoline vehicles, through a two-pronged approach: 1) Change zoning to encourage higher density (esp. for housing) near transit 2) Make the City easier to navigate without a car by accelerating implementation of the Transportation Master Plan with an emphasis on developing a clear network of protected pedestrian/bike paths throughout town  Current projects underway that help achieve this goal: SB2 Housing grant, Transportation Management Plan, Transportation Management Association, and implementation of new VMT guidelines for new development	31,743*	Explore in 2021 or 2022 after current and complimentary projects are completed
Eliminate the use of fossil fuels from municipal operations	5	Replace 100% of the following municipal assets with efficient electric substitutes for: 1) Gas pool heating equipment 2) Gas and diesel municipal fleet vehicles 3) Gas furnaces 4) Gas hot water heaters 5) Gas-powered gardening equipment	879*	Currently budgeted for end of life assets/appliances, and new community center/library
Develop a climate adaptation plan to protect the community from sea level rise and flooding	6	Develop a climate adaptation plan focused on protecting areas of the community vulnerable to sea level rise and flooding, as forecasted by the National Oceanic and Atmospheric Administration (NOAA) and California State agencies. Consider requiring developers to fund efforts to protect the community.	0	Flood and Sea Level Rise Resiliency District to Lead
<b>TOTAL</b> (assumes option 2 is chosen in action #1)			<b>98,748+</b>	<b>\$355,000 - \$435,000</b>
<b>*GHG emission reductions have been estimated and have not been verified</b>				



Agenda item F2  
Grace Blocker, resident

Hi, my name is Grace Blocker. I am a resident of Menlo Park California, and my message is hello city council members and mayor Taylor. I'm calling in regards to agenda item F to today's meeting 71420. I wanted to make it very clear to members of this Council how current an issue police targeting of people of color is in this area. Just this week end of mine was driving home and had a cop make an erratic driving maneuver. In order to cross two lanes of traffic to follow my friend on the officer stopped by friend. He gave a very clearly ridiculous reason that I'm right person would ever be pulled over for I hope that the council takes these reforms and the many more to come after them very seriously. Thank you, bye-bye