



SPECIAL MEETING MINUTES
Date: 10/21/2020
Time: 4:00 p.m.
Closed Session: Teleconference

Closed Session (Teleconference)

A. Call To Order

Mayor Taylor called the meeting at 4:05 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller (arrived at 6:08 p.m.), Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros,
Interim City Attorney Cara Silver, Interim Police Chief David Spiller

C. Closed Session

C1. Public employment (Gov. Code section 54957) city attorney recruitment

[Web form public comment on item C1.](#) (Attachment).

No reportable actions.

C2. Conference with legal counsel – Anticipated litigation: Significant exposure to litigation pursuant to § 54956.9(b)

Number of cases – 1

No reportable actions.

C3. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the Menlo Park Police Sergeants Association (PSA) and Menlo Park Police Officers' Association (POA)

[Web form public comment on item C3.](#) (Attachment).

No reportable actions.

D. Adjournment

Mayor Taylor adjourned the meeting at 6:34 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of November 10, 2020.

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/publiccommentOctober21*
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-5071*
*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.

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.

Agenda Item C1
Soody Tronson, Resident

For over a year, we have been waiting on a resolution regarding hiring a City Attorney and moving away from the same firm's 60+ years reign on the City of Menlo Park.

While we do elect city council members (who are not subject to term limits), we have no direct control over the positions that drive the City's direction even more than council members. Should these positions be elected positions? Do we need a ballot measure for the next election?

I understand that specific labor issues are subject to confidentiality laws. However, discussions about compensation, final candidates, their backgrounds, assessment criteria, and those who are making the decision are not confidential. Furthermore, as each day passes, those who support the same firm continue its control over the City's politics and financial decisions and gain more leverage.

The secrecy with which this process is hidden from the residents is not unhealthy and undemocratic.

Best
Soody Tronson
Resident.

Agenda Item C3
Soody Tronson, Resident

We have been having discussions regarding the Menlo Park police department, accountability and size. While some Council members have held community discussions to yet collect more data (I don't when enough data is enough and if we don't have enough why not put the required measures in place), we have heard nothing that is tangible, measurable, and impactful. While the City of MPPD is one of the better departments, the overall problem is not going away and each city must do its responsibility to seek and implement improvement.

Before committing to more labor negotiations, residents deserve and have the right to know where we are regarding this ongoing issue.

Best
Soody Tronson
Resident

Agenda Item C1
Lynne Bramlett, Resident

Hello Council. As you know, I've been an advocate for a different City Attorney solution. Since Menlo Park's incorporation in 1927, the City has had five City attorneys. Since 1961, the City Attorney position has been filled by lawyers working for the Jorgenson, Siegel, McClure & Flegel, LLP law firm in a "family business" way. Clearly our last City Attorney had a sweet deal as he left with a pension although he technically was a contract employee.

The prior City Attorney (William McClure) and the current interim City Attorney (Cara Siver) are listed in the Real Estate, Land Use and Environmental and Municipal and Public Law. I would like to see the City choose a City Attorney without any possible appearance of a Conflict of Interest. I would like to see a firm chosen that either only served non profits and municipalities or one where there is a strict "fire-wall" between the real estate and municipality practice areas because the same lawyers don't work in both practice areas.

I sure hope that as part of your deliberations you have discussed the need for a higher bar for legal decisions. I still wonder why a major property owner in Belle Haven had a seat on the Connect Menlo Advisory Committee. To me, seems like a major conflict of interest that the City Attorney should have flagged. The same developer also gets a seat on the Housing Element Update Advisory Committee as per a Developer Contract that had a legal review.

I also think it's time to give the public an update on the process and also Council's policy changes into the focus of the role. In other words, please build in a focus where the City Attorney's job description includes a focus on protecting the public good.