



**REGULAR MEETING MINUTES**

**Date:** 5/11/2021

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

**Location:** Zoom

**Closed Session**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:09 p.m.

**B. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Human Resources Director Theresa DellaSanta, Legal Counsel Charles Sakai

**C. Agenda Adoption**

Agenda Adoption provides advance notice to members of the public and City staff of any modifications to the agenda order and any requests from City Councilmembers under City Councilmember reports.

**D. Closed Session**

**D1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Case number: 21-CIV-01717

**D2. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and unrepresented management**

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Human Resources Director Theresa DellaSanta

**D3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

(One potential cases)

**E. Adjournment**

Mayor Combs adjourned to the regular session at 8:15 p.m.

The City Council took a recess at 8:15 p.m.

The City Council reconvened at 8:35 p.m.

## **Regular Session**

### **F. Call To Order**

Mayor Combs called the meeting to order at 8:37 p.m.

### **G. Roll Call**

Present: Combs, Nash, Wolosin, Mueller (joined the meeting at 8:47 p.m.), Taylor (joined the meeting at 8:58 p.m.)

Absent:

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira F. Doherty, Public Engagement Manager Clay Curtin

### **H. Report from Closed Session**

City Attorney Nira Doherty reported out on item D3. that the City Council unanimously voted to initiate an action.

### **I. Presentations and Proclamations**

#### **I1. Proclamation: Recognizing May 2021 as Bike Month (Attachment)**

Mayor Combs read the proclamation (Attachment).

- Adina Levin spoke in support of the May as Bike Month.

#### **I2. Proclamation: Recognizing May 2021 as Mental Health Month (Attachment)**

Web form public comment received on item I2. (Attachment).

- Samina Kaushek spoke in support of May as Mental Health Month.
- Karen Grove commented on the State eviction moratorium expiration in June 2021.

Mayor Combs read the proclamation (Attachment).

### **J. Public Comment**

None.

### **K. Consent Calendar**

#### **K1. Accept the City Council meeting minutes for April 20 and April 27, 2021 (Attachment)**

#### **K2. Authorize the city manager to execute an agreement with HdL Companies to provide transient occupancy tax administration and audit services for a fixed fee and short term rental transient occupancy tax enforcement for a performance-based revenue share (Staff Report #21-098-CC)**

Web form public comment received on item K2. (Attachment).

#### **K3. Authorize the creation of a sub-fund of the general fund titled "one-time revenue" into which significant, largely unrestricted and non-recurring revenues are recorded**

(Staff Report #21-101-CC)

**ACTION:** Motion and second (Nash/ Wolosin) to approve the consent calendar, passed 4-0-1 (Taylor absent).

## L. Public Hearing

L1. Adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water (Staff Report #21-104-CC)

Web form public comment received on item L1. (Attachment).

Assistant Public Works Director Chris Lamm made the presentation (Attachment).

City Attorney Nira Doherty provided clarification on the vote requirements.

Mayor Combs opened the public hearing.

- Anders Frisk spoke in opposition of the proposed water rates.
- Jay Siegel spoke in opposition of the proposed water rates.

Mayor Combs closed the public hearing.

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water, failed 3-2 (Mueller and Taylor dissenting) due to voting requirement of three-fifths for passage.

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water and remove the health and safety code language, passed 3-2 (Mueller and Taylor dissenting).

## M. Regular Business

M1. Adopt Resolution No. 6623 to authorize a grant to Habitat for Humanity Greater San Francisco (Habitat) of \$1.2 million for preservation of existing housing through their Homeownership Preservation Program and authorize the city manager to execute all related agreements and documents (Staff Report #21-099-CC)

Deputy Community Development Director Rhonda Coffman and Habitat for Humanity representatives made the presentation (Attachment).

The City Council discussed the Housing Commission and staff recommendation of below market rate (BMR) funds of \$1.2 million.

The City Council directed staff to amend Resolution No. 6623 title to add "owner occupied homes in Menlo Park".

**ACTION:** Motion and second (Taylor/ Mueller) to adopt Resolution No. 6623 to authorize a grant to Habitat for Humanity Greater San Francisco (Habitat) of \$1.2 million for preservation of existing housing through

their Homeownership Preservation Program and authorize the city manager to execute all related agreements and documents with the amended language, add “owner occupied homes in Menlo Park” to the resolution, passed unanimously.

- M2. Adopt purpose statements for City Council subcommittees, formally appoint Wolosin to the Climate Action Plan subcommittee and Combs and Wolosin to the Housing Element subcommittee (Staff Report #21-097-CC)  
Assistant City Manager Nick Pegueros introduced the item.

The City Council continued the purpose statements for City Council subcommittees to a future meeting.

**ACTION:** Motion and second (Mueller/ Combs) to replace City Councilmember Mueller with City Councilmember Wolosin on the Climate Action Plan subcommittee and appoint Mayor Combs and City Councilmember Wolosin to the Housing Element subcommittee, passed unanimously.

- M3. Adopt Resolution No. 6624 creating a special revenue fund titled “City Services Contribution – 301-309 Constitution Drive” restricted to services that benefit the safety of the local community (Staff Report #21-102-CC)

Assistant Administrative Services Director Dan Jacobson introduced the item.

- JT Faraji, Tha Hood Squad representative, spoke on equity disparities in the community and how funds can assist.

The City Council continued item M3. to a future meeting.

## **N. Informational Items**

- N1. City Council agenda topics: May – June 2021 (Staff Report #21-096-CC)
- N2. Transmittal of City Manager's proposed fiscal year 2021-22 budget (Staff Report #21-100-CC)

Web form public comment received on item N2. (Attachment).

- Joanna Goldberg spoke in support of quiet zones in the budget and requested the scope of services include all four rail crossings.

The City Council received clarification on the scope of services for the quiet zones.

The City Council requested a printed version of the budget.

- N3. San Francisco Public Utilities Commission implements voluntary water reductions to 2019 peak levels this summer per annual memorandum on water supply availability estimates (Staff Report #21-103-CC)

## **O. City Manager's Report**

City Manager Starla Jerome-Robinson provided an update on the newspaper racks.

**P. City Councilmember Reports**

Vice Mayor Nash requested an update on redistricting.

Vice Mayor Nash reported out on the Stanford Searsville Watershed Restoration Projects Advisory Group and Delaware Senator Tom Carper meetings.

City Councilmember Wolosin reported out on the Housing Endowment and Regional Trust (HEART) Board Member Agency Committee (MAC) meeting.

**Q. Adjournment**

Mayor Combs adjourned the meeting at 11:47 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of June 22, 2021.

## 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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentMay11](https://menlopark.org/publiccommentMay11) \*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 998 8073 4930
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 998 8073 4930  
Press \*9 to raise hand to speak

\*Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch 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](http://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 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 I2 Susan Kokores, Resident

Public Comment to the Menlo Park City Council  
Re: City Council Proclamation supporting May as Mental Health Awareness Month

Good evening Mayor Combs and Menlo Park Council members.

My name is Susan Kokores and I am a longtime resident of Menlo Park and tonight, I'm here as a Commissioner on the San Mateo County Commission on the Status of Women.

On behalf of the Commission ---we want to thank the City of Menlo Park for acknowledging that mental health and freedom from substance abuse issues are fundamental to the overall health and well-being of all members of our community. Everyone at this meeting tonight needs no reminder of the toll the pandemic has taken on the mental and emotional health of all of our residents.

As a Commissioner on the Commission on Status of Women.... I want to take a moment to draw attention to the disproportionate negative impact the pandemic has had on women.

- 60% of job losses during the pandemic were borne by women.
- Women were the majority of workers in high-risk jobs such as childcare and healthcare.
- Women bear the brunt of care responsibilities – for aging parents or sick family members, childcare when it's no longer available, and specific to the pandemic, home schooling when schools were closed and/or partially in session.
- Expectant mothers and those with young children have reported a 3-5-fold increase in anxiety and depression symptoms.
- Tragically, women have been the target of a dramatic increase in domestic violence during the pandemic.

To our women council-members and all the women in the audience this evening, please know:

1. During these unprecedented times come stress, sadness, and anxiety, you are not alone.
  - Sharing your emotions with supportive listeners can alleviate stress and improve your mood.
  - Practicing self-compassion is a must. Too often we are kind to others and dismissive to our own distress.
2. Seek out professional help – it's not a sign of weakness; it's a sign of strength!

I wanted to share some valuable resources you may not be aware of through the San Mateo County's Behavioral Health & Recovery Services:  
[smchealth.org/mental-health-month](http://smchealth.org/mental-health-month).

I encourage everyone, not just women and girls, to access this website which lists a wide range of free online events. Presentations are practical, meaningful, provided in multiple languages and reflect different cultures. Topics include for example, meditation, yoga, music and art techniques, book reviews, expressive arts and youth-led discussions. In addition, mental health and substance abuse services are described as well as how to access providers.

In closing, as the Council's Proclamation noted, if mental health is fundamental to overall health, then a focus on your behavioral wellness is the best prevention.

Thank you again to the Menlo Park leadership for raising awareness about mental health!

Agenda item K2  
C.J. Jameson, Resident

If we didn't have a plan to collect and audit the tax and fee revenue for ANY program, why enact it?

Also, collecting revenue should be a core competency of our government, not delegated to contractors. Why can't the city do it ourselves!?



Agenda item L1  
Jay Siegel, Resident

My name is Jay Siegel and I'm a resident of Sharon Heights in the Menlo Park Water District. I've made my views on the proposed new water rates clear in previous comments in council meetings and there is no need to repeat them tonight.

I want to commend the staff on the report they presented tonight for being straightforward and transparent on the issues surrounding the proposed new water rates. Especially for surveying the rate structures of the surrounding water districts and presenting the results in the eye-opening Table 2 of their report. That table shows that 13 of our sister water districts recognized the issue of single meter multi-family residences and figured out how to set fair and equitable rates.

In the paragraph following table 2, the report lays out an alternative -- the council members can vote tonight for a 6 month postponement and redo the water rate study.

While the staff recommends, the decision to postpone the rates is up to you, our council members, who were elected to stand up for families of all income levels in our fair city. I urge you to make the decision tonight that is right for ALL families in the Menlo Park Water District and postpone the new water rates.

It is never too late to do the right thing.

Thank you.

## Agenda item L1 Anders Frisk, Resident

Thoughts to be presented at the Water rates public hearing May 11, 2021

My name is Anders Frisk. I'm a resident of Menlo Park.

Earlier I have presented multiple examples of how the proposed water rates discriminate against families in multi-family housing. Tonight I will just give you one more example to think about as you decide on the proposed rates.

Was fairness even a goal... How do you explain the fairness in that the monthly water bill for a typical single-family home (12 ccf) will go DOWN by -7% for the first year, while my multi-family housing monthly bill (6 ccf per family, half the volume of the single-family home) will go UP by +17%. This is comparing current rates with the proposed 2021-22 rates.

Most importantly - Why was only the single family home example included in the notice for tonight's hearing?  
How do you think an apartment resident, who doesn't receive an individual water bill, will be able to make a comparison and express an opinion?

Did everyone just forget about the families in multi-family housing?

Please stop the discrimination. Stop the proposed water rates now and start over with rates and drought mitigation policies that treat all people equally.

Here are some questions that I urge you to consider when you work on fair water rates and drought mitigation.

Do tiered rates really result in lower water use? Are monthly water use reports that enable families to compare their water use to others in the community a better alternative?

Can fair water conservation be achieved if you don't consider the water use per family?

Please show that you are prepared to stand up against discrimination. Vote against the proposed water rates.

Respectfully,  
Anders Frisk

Agenda item N2  
Alex Beltramo, Resident

Menlo Park City Council,

I thank and commend the council for including a Caltrain Quiet Zone Investigation as a priority. But I was surprised to see that the Oak Grove and Ravenswood crossings were not included.

I understand that those crossing may have different issues because of their proximity to the station. But we should fully understand those issues and what the options are. Quiet Zones could transform the quality of life for this part of the city, and it is too early to be making assumptions about what is or isn't feasible.

My grandfather used to say, "Measure twice, cut once." This investigative phase is not the time for half measures.