



REGULAR MEETING MINUTES

Date: 1/24/2017
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

7:00 P.M. Regular Session

A. Call To Order

Mayor Keith called the meeting to order at 7:06 p.m.

B. Roll Call

Present: Carlton, Cline, Keith, Mueller, Ohtaki
Absent: None
Staff: City Manager Alex McIntyre, Assistant City Attorney Leigh Prince, City Clerk Pamela Aguilar

C. Pledge of Allegiance

Mayor Keith led the pledge of allegiance.

D. Presentations and Proclamations

D1. Certificate of recognition to Menlo Park child chess champion Shawnak Shivakumar ([Certificate](#))

Shawnak was present to receive his certificate.

D2. Proclamation recognizing 100 Anniversary of the Rotary International Foundation ([Proclamation](#))

Police Commander and Assistant Governor to Rotary District 5150 Dave Bertini and Menlo Park Rotary President Maya Sewald accepted the proclamation. A short video of the Rotary Club's work was presented.

D3. Proclamation recognizing Sustainability Manager Heather Abrams ([Proclamation](#))

Ms. Abrams was present to receive the proclamation.

E. Commissioner Report

E1. Transportation Commission update to Council on 2-year work plan

Commission Chair Philip Mazzara presented the report to Council.

E2. Bicycle Commission update to Council on 2-year work plan

Commission Chair Cindy Welton presented the report to Council.

F. Public Comment

- Judy Adams spoke regarding keeping the Menlo Park Guild Theater
- Martha Morey spoke regarding the need for a downtown parking garage
- David Mooring spoke regarding the 827 Santa Cruz Avenue outdoor structure and expressed safety concerns and the impact on the value of his nearby properties ([Handout](#))
- Jen Wolosin, Parents for Safe Routes, spoke regarding prioritizing and funding safe routes to schools ([Handout](#))
- Katherine Strehl spoke regarding traffic on Middlefield and Willow and the impact on the Willows neighborhood
- Lisa Owens and Allen Fish, Raptors Are The Solution, honored the Council with the Owl Wise Leader Award and presented the City Council with a bird box
- Mary Gilles spoke regarding traffic, an electric bus system, and tunneling El Camino Real
- Gary Lauder spoke regarding the Willow/101 Interchange Project ([Handout](#))
- Laurie Sobel spoke regarding safe routes to schools

G. Consent Calendar

Mayor Keith announced that any items pulled from the Consent Calendar would be heard at the end of the agenda. Items G1, G2, G6 and G8 were pulled from the Consent Calendar.

- G1. Approve the Transportation Commission 2-year work plan goals for years 2016-2018 ([Staff Report #17-011-CC](#))

Public Comment:

- Henry Riggs spoke regarding the Transportation and Bicycle Commissions on whether the work is supporting the City Council

- G2. Approve the Bicycle Commission 2-year work plan goals for years 2016-2018 ([Staff Report #17-010-CC](#))

Public Comment:

- Dr. Thomas Weiser, Lucille Packard Children's Center, spoke regarding trauma center data of children struck by cars

- G3. Authorize the Public Works Director to accept the work performed by W. Bradley Electric, Inc. for the Sand Hill Road Traffic Signal Interconnect Project ([Staff Report #17-012-CC](#))

- G4. Adopt **Resolution 6363** to relocate the stop signs on Hamilton Avenue at the Hollyburne Avenue and Madera Avenue intersections to the Windermere Avenue and Sevier Avenue intersections and to reduce the speed limit on Hamilton Avenue between Willow Road and Chilco Street from 30 mph to 25 mph ([Staff Report # 17-017-CC](#))

- G5. Adopt **Resolution 6364** to approve installation of a No Parking zone on Chilco Street between Dumbarton Railroad tracks and Hamilton Avenue ([Staff Report# 17-014-CC](#))

- G6. Adopt a resolution authorizing the filing of an application to receive \$619,000 for 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project ([Staff Report #17-016-CC](#))

- G7. Adopt **Resolution 6365** accepting the right-of-way dedication of a portion of land along the property frontage of 161 Constitution Drive for the Menlo Gateway Project ([Staff Report #17-018-CC](#))
- G8. Accept the 2016 commissions attendance report and approve an update to the commission attendance policy ([Staff Report #17-009-CC](#))

Public Comment:

- Allan Bedwell, Environmental Quality Commissioner, spoke regarding the EQC's attendance report and asked that a full audit be conducted of the report.

- G9. Request City Council approve funding for Resiliency Immersion Training for Police Department Personnel and appropriate \$59,000 from the general fund balance ([Staff Report #17-019-CC](#))

Regarding Item G9, Mayor Keith expressed her support for the training that the Police Department will participate in. Councilmember Mueller stated that in speaking with Police Chief Jonson, the cost for the selected training location would be more economical than holding it locally.

ACTION: Motion and second (Ohtaki/Cline) to approve all items on the Consent Calendar except G1, G2, G6, G8 passes unanimously.

H. Public Hearing

At this time, Mayor Keith called item H3 out of order. City Attorney Leigh Prince recused herself from hearing this item due to a conflict of interest that her business office is in proximity of the property that is the subject of this item. Special Counsel Barbara Kautz is present.

- H3. Consider the Planning Commission's recommendation to approve the Final EIR, architectural control, Development Agreement, tentative map, use permit, heritage tree removal permits, and Below Market Rate (BMR) housing agreement for the 1300 El Camino Real (Station 1300) Project ([Staff Report #17-021-CC](#)) ([Staff Presentation](#)) ([Applicant Presentation](#))

Principal Planner Thomas Rogers made a presentation. Also present are the City's CEQA consultants Erin Efner of ICF International and Mark Spencer of W Trans.

The following made a presentation for the applicant Greenheart:

Steve Pierce and Bob Burke, David Israel of BAR Architects and Bruce Jett of JETT Landscape Architecture + Design

Mayor Keith opened the public hearing.

Public Comment:

- Amanda Montez, Silicon Valley Leadership Group, spoke in support of the project ([Handout](#))
- Patrick Lane, Stanford Park Hotel, spoke regarding his past experience with the vacant lot on this property and supports vibrancy in this area through this project
- Nina Rizzo, TransForm, stated that this project meets green trip certification standards
- Patrick Peegri-O'Day, Greenbelt Alliance, spoke in support for the project
- David Roise spoke in opposition to the project
- Mary Gilles spoke in support of the project
- Rachele Trigueros, Bay Area Council, spoke in support of the project

- Fred Kriebel spoke in support of the project
- Frank Wasko, Clean Coalition, expressed approval of the project design and supports the project
- Katie Ferrick, former Planning Commissioner, spoke in support of the project
- Ryan Patterson, Facebook, spoke in support of the project and the vitality and amenities it will bring
- Erica Rippe, Center for Creative Land Recycling, spoke in support of the project
- David Wright spoke in support of the project
- Jon Moeller thanked the Council for its work and spoke in support of the project
- Scott Marshall, EQC Commissioner, spoke regarding the need to work together to preserve heritage trees when developing similar projects in the future
- Howard Crittenden provided a history of the project site and supports the project
- Skip Hilton spoke in support of the project and its amenities and sustainability
- Fran Dehn, Chamber of Commerce, spoke in support of the project and the vitality it will bring to the area
- Cindy Welton spoke in support of the project
- Gary Lauder spoke regarding traffic impacts and mitigation measures

ACTION: Motion and second (Cline/Ohtaki) to close the Public Hearing. By acclamation, Mayor Keith closed the public hearing.

Staff and the applicants responded to Council questions and discussion ensued regarding travel lanes and parking on Oak Grove Avenue, selecting appropriate retail options, properly utilizing the public spaces, BMR housing preference, and vehicular access.

ACTION: Motion and second (Ohtaki/Cline) to approve the following staff recommendations passes unanimously:

Environmental Review

Adopt **Resolution 6368** of the City Council of the City of Menlo Park Adopting Findings Required by the California Environmental Quality Act, Including a Statement of Overriding Considerations, Approving a Mitigation Monitoring and Reporting Program, and Certifying the Final Infill Environmental Impact Report for the 1300 El Camino Real Project, Located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane

Architectural Control, Use Permit, and Tentative Map

Adopt **Resolution 6369** of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control, Use Permit, and Tentative Map for the 1300 El Camino Real Project located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane

Adopt **Resolution 6370** of the City Council of the City of Menlo Park Ordering the Vacation and Abandonment of Derry Lane, Public Right-of-Way and Public Utility Easements Within the Property at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane

Heritage Tree Removal Permits

Adopt **Resolution 6371** of the City Council of the City of Menlo Park Approving the Heritage Tree Removal Permits for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane

Below Market Rate (BMR) Housing Agreement

Adopt **Resolution 6372** Approving a Below Market Rate Housing Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane

Development Agreement

Introduce an Ordinance of the City Council of the City of Menlo Park Approving the Development Agreement with Real Social Good Investments, LLC for for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real

At this time, Mayor Keith called Regular Business item I1 out of order.

I. Regular Business

- I1. Review and consider adopting a resolution affirming Menlo Park's commitment to a diverse, supportive, inclusive and protective community; review and consider introducing an ordinance adding Chapter 2.58, National Registry Participation Prohibited, to the Menlo Park Municipal Code; and review and consider alternatives ([Staff Report # 17-24-CC](#))

City Attorney Leigh Prince introduced the item.

Public Comment:

- Jennifer Mazzon spoke in support of adopting a Sanctuary City ordinance
- Marisol Tiznado spoke in support of Menlo Park being a Sanctuary City
- Sue Kayton read a letter from Menlo-Atherton student Isaac in support of a Sanctuary City ordinance
- Cheryl Milles shared her story and spoke in support of Menlo Park being a Sanctuary City
- Patrick Daly spoke in support of adopting a Sanctuary City ordinance
- Nina Wouk read a letter from Marilyn Reed and spoke in support of Menlo Park being a Sanctuary City
- Gwyn Murray spoke in support of immigrants and of adopting a Sanctuary City ordinance
- Amado Tiznado spoke in support of Menlo Park being a Sanctuary City
- Chad Raphael stated that the current government should not be allowed to
- Betty Achinstein stated that we should not allow the current government to make unwise decisions using the threat of defunding
- John Boyle encouraged the Council to consider the timing of making a decision on this item and to defer action
- Hannah Rosenfeld spoke in support of adopting a Sanctuary City ordinance
- Jason Primuth spoke in support of Menlo Park being a Sanctuary City
- Fran Dehn spoke in support of an inclusive community
- Tricia Barr spoke in support of adopting a Sanctuary City ordinance

Police Commander Dave Bertini responded to Council questions regarding policy, procedures and protections when making arrests.

ACTION: Motion and second to (Carlton/Keith) adopt **Resolution 6367** affirming Menlo Park's commitment to a diverse, supportive, inclusive and protective community with a modification to add the word 'sexism' in the first whereas paragraph passes unanimously.

There was consensus by the City Council to request that the City Attorney bring back the non-registry and sanctuary city ordinances within the next 90 days and monitor actions at the federal level.

At this time, Mayor Keith resumed with the remainder of the agenda.

G. Consent Calendar

Council considered the items that were previously pulled from the Consent Calendar.

G1. Approve the Transportation Commission 2-year work plan goals for years 2016-2018

Councilmember Mueller requested the following two items be added to the Transportation Commission work plan: (1) look at cut-through traffic in the Willows neighborhood (2) look at safe routes to school on Encinal and Nativity

By acclamation, the City Council will discuss this item after the goal setting meeting on January 27.

G2. Approve the Bicycle Commission 2-year work plan goals for years 2016-2018

ACTION: By acclamation, the Bicycle Commission 2-year work plan goals for years 2016-18 are approved

G6. Adopt a resolution authorizing the filing of an application to receive \$619,000 for 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project

Councilmembers Cline, Mueller and Ohtaki are recused from this item due to a conflict of interest because their residences are within 500 feet from the subject location. In this instance a straw poll was taken to determine which councilmember will participate in the vote on this item. Councilmember Cline was selected.

ACTION: Motion and second (Carlton/Cline) to adopt **Resolution 6366** authorizing the filing of an application to receive \$619,000 for 2018-19 Santa Cruz and Middle Avenues Rehabilitation Project passes with 3 affirmative votes by Mayor Keith and Councilmembers Cline and Carlton. Mayor Pro Tem Ohtaki and Councilmember Mueller are recused.

G8. Accept the 2016 commissions attendance report and approve an update to the commission attendance policy

By acclamation the City Council directed the City Clerk to review the report for discrepancies and bring the report back for approval at a future Council meeting.

H. Public Hearing

H1. Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to child day care homes and centers ([Staff Report #17-013-CC](#))

Principal Planner Thomas Rogers introduced the item.

Mayor Keith opened the Public Hearing. There was no public comment.

ACTION: Motion and second (Ohtaki/Carlton) to close the Public Hearing. By acclamation, Mayor Keith closed the Public Hearing.

ACTION: Motion and second (Cline/Carlton) to approve and ordinance amendment relating to the child day care homes and centers passes unanimously.

- H2. Consider the Planning Commission's recommendation to approve zoning ordinance amendments relating to secondary dwelling units ([Staff Report #17-015-CC](#))

Principal Planner Thomas Rogers introduced the item.

Mayor Keith opened the Public Hearing. There was no public comment.

ACTION: Motion and second (Cline/Ohtaki) to close the Public Hearing. By acclamation, Mayor Keith closed the Public Hearing.

ACTION: Motion and second (Carlton/Ohtaki) to approve and ordinance amendment relating to the secondary dwelling units with the deletion of the provision mandating minimum 30 day tenancy passes unanimously.

I. Regular Business

- I2. Appoint City Council representatives and alternates to various regional agencies, to City Council subcommittees, and as liaisons to City Council advisory bodies; Provide direction regarding open seats to be voted on at the January 27, 2017 City Selection meeting ([Staff Report #17-004-CC](#))([Attachment](#))

ACTION: Council discussed and made its regional and local appointments. ([Attachment](#))

Council recommended the following candidates for the open regional seats to be voted on by the City Selection Committee at its meeting on January 27:

Association of Bay Area Governments (ABAG) – Councilmember Catherine Mahanpour of Foster City
Housing Endowment and Regional Trust (HEART) – Mayor Charles Bronitsky of Foster City

J. Informational Items

- J1. Update on 2016 City Council goals and City Council 2017 work plan preparation ([Staff Report # 17-23-CC](#))
- J2. General Plan Implementation Update ([Staff Report #17-020-CC](#))
- J3. Informational update on potential for the City of Menlo Park to join commute.org ([Staff Report # 17-022-CC](#))

K. Councilmember Reports

The Council briefly discussed the Willow/Hwy101 overpass project in regards to signage and queue jumping. There was consensus to allow staff to communicate with Caltrans regarding any issues with the project.

L. City Manager's Report

There was no report.

M. Adjournment

Mayor Keith adjourned the meeting at 12:50 a.m. on Wednesday, January 25, 2017.



Pamela Aguilar, CMC
City Clerk

These minutes were approved at the City Council Meeting of February 7, 2017.