



REGULAR MEETING MINUTES

Date: 8/17/2021

Time: 5:00 p.m.

Regular Meeting Location: [Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930

Closed Session ([Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930)

A. Call To Order

Mayor Combs called the meeting to order at 5:07 p.m.

B. Roll Call

Present: Combs, Mueller (arrived at 5:15 p.m.), Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira Doherty, Assistant City Attorney Nicholas Muscolino

C. Agenda Review

The City Council pulled items L1., L2., and N2.

Staff reported that items M1. and M2. will be presented together.

D. Closed Session

D1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code § 54956.9)
Michael Zeleny v. Rob Bonta, et al (Case No. 17-cv-07357-RS)

Claimant: Michael Zeleny

Agency Claimed Against: City of Menlo Park

D2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Case number: 21-CIV-01717

D3. Closed session conference pursuant to Government Code §54957(b)(1) regarding public employee performance evaluation of the City Attorney

E. Adjournment

Mayor Combs adjourned to the regular session at 7:50 p.m.

Regular Session ([Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930)

F. Call To Order

Mayor Combs called the meeting to order at 7:56 p.m.

G. Roll Call

Present: Combs, Mueller, Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira Doherty, City Clerk Judi A. Herren

H. Report from Closed Session

No reportable actions.

I. Presentations and Proclamations

I1. Certificates of Recognition: Boy Scout Troop 222 ([Attachment](#))

Mayor Combs read the certificates of recognition ([Attachment](#)).

J. Public Comment

None.

K. Study Session

K1. Provide direction on parks projects and the use of remaining Measure T bond funds ([Staff Report #21-153-CC](#)) ([Presentation](#))

Public Works Director Nikki Nagaya made the presentation ([Attachment](#)).

The City Council received clarification on bond payments and impacts to tax payers, costs and efficiencies associated with issuing bonds once or twice, impacts to current projects, the recreation in-lieu fee funds, prioritization and resourcing options, and park capital projects.

The City Council discussed how Measure T funds are allotted and the need for equity across the Districts.

The City Council directed staff to proceed with issuing Measure T bonds for the total remaining amount (\$14.3 million), proceeding with using \$8.8 million in funds for the Menlo Park Community Campus (MPPC) and existing parks projects in the capital improvement plan after returning to City Council for the mid-year budget amendment expected in early 2022. Any additional future expenditures of Measure T funds are to return to the City Council prior to budgeting those funds.

L. Consent Calendar

L1. Receive Finance and Audit Committee's recommendation and adopt Resolution No. 6651 approving the 2021-22 investment policy for the City and the former Community Development Agency of Menlo Park ([Staff Report #21-146-CC](#))

The City Council directed staff to update the "Delegation of authority" as the "administrative services director or designee". The City Council also requested an information item to provide transparency and clarification on successor agency (Resolution No. OB18-001 and [Staff Report #18-001-OB](#)).

L2. Approve the 2021-22 Finance and Audit Committee work plan ([Staff Report #21-147-CC](#))

The City Council discussed fossil fuel investments and updating the investment policy, climate action plan (CAP) costs related to the Finance and Audit Committee (FAC) scope, timeline, and environmental and social responsibility.

The City Council directed staff to strike analysis of the CAP from the FAC work plan.

- L3. Adopt Resolution No. 6652 to reduce the posted speed limit in school zones consistent with the California Vehicle Code ([Staff Report #21-149-CC](#))
- L4. Award an on-call construction contract to Catos General Engineering, Inc. for the on-call asphalt and concrete repair services project ([Staff Report #21-150-CC](#))
- L5. Award a construction contract to Terramark General Engineering Contractors, Inc. for the Sharon Park walkways reconstruction project ([Staff Report #21-151-CC](#))
- L6. Award a construction contract to Tricon Construction for the Burgess Pool chemical room renovations ([Staff Report #21-152-CC](#))
- L7. Adopt Resolution No. 6653 to authorize the city manager to accept the grant deed for 1155 Merrill St. Unit 209, execute all documents necessary to complete the purchase and approve the appropriation of below market rate housing funds not to exceed \$355,000 to purchase and retain the property in the below market rate housing program ([Staff Report #21-154-CC](#))
- L8. Establish the Reimagining Public Safety Ad Hoc Subcommittee and appoint City Councilmembers Taylor and Wolosin ([Staff Report #21-155-CC](#))

ACTION: Motion and second (Nash/ Combs) to approve the consent calendar with an update to the investment policy's "Delegation of authority" as the "administrative services director or designee", striking the analysis of the CAP from the FAC work plan, and returning an information item on the successor agency, passed unanimously.

M. Regular Business

- M1. Adopt Resolution No. 6648 to ratify successor agreement between the City of Menlo Park and the Service Employees International Union Local 521 expiring June 30, 2023 ([Staff Report #21-144-CC](#)) ([Presentation](#))
- M2. Adopt Resolution No. 6649 to ratify a successor agreement between the City of Menlo Park and the American Federation of State, County, and Municipal Employees Local 829 expiring June 30, 2023 ([Staff Report #21-145-CC](#)) ([Presentation](#))

Interim Human Resources Director Kristen Strubbe made the presentation (Attachment).

The City Council requested clarification on stipends and/or CalPERS credit for advisory bodies and received clarification on questions regarding year 1 and year 2 versus the compounded amounts summed for both years.

ACTION: Motion and second (Combs/ Taylor) to adopt Resolution No. 6648 to ratify successor agreement between the City of Menlo Park and the Service Employees International Union Local 521 expiring June 30, 2023, passed unanimously.

ACTION: Motion and second (Combs/ Taylor) to adopt Resolution No. 6649 to ratify a successor agreement between the City of Menlo Park and the American Federation of State, County, and Municipal Employees Local 829 expiring June 30, 2023, passed unanimously.

- M3. Receive report and recommendation from the city manager recruitment services request for proposals subcommittee, select a firm to perform the recruitment, authorize Mayor to execute professional services agreement with the selected firm, and appoint a City Council Ad Hoc Subcommittee for City Manager Recruitment ([Staff Report #21-156-CC](#))

City Attorney Nira Doherty and City Councilmembers Taylor and Wolosin introduced the item.

The City Council received clarification on the cost of The Hawkins Company proposal.

The City Council discussed the value of the Hawkins Company, the City Council Ad Hoc Subcommittee for City Manager Recruitment, and the current city manager's engagement in the recruitment, and public engagement.

ACTION: Motion and second (Nash/ Taylor) to select The Hawkins Company to perform the recruitment, authorize Mayor to execute professional services agreement with The Hawkins Company, passed unanimously.

ACTION: Motion and second (Nash/ Wolosin) to establish a City Council Ad Hoc Subcommittee for City Manager Recruitment appointing City Councilmembers Taylor and Wolosin, passed 4-1 (Mueller dissenting).

ACTION: By acclamation, the City Council continued the meeting past 11 p.m.

- M4. Adopt Resolution No. 6650 of the City Council of the City of Menlo Park determining that the City Council shall take an appeal of the Planning Commission's June 21, 2021, approval of the Menlo Uptown Development Project ([Staff Report #21-148-CC](#))

City Attorney Nira Doherty introduced the item.

The City Council received clarification on a City Council versus City Councilmember appeal.

ACTION: Motion and second (Nash/ Combs) to adopt Resolution No. 6650 of the City Council of the City of Menlo Park determining that the City Council shall take an appeal of the Planning Commission's June 21, 2021, approval of the Menlo Uptown Development Project, passed unanimously.

N. Informational Items

- N1. City Council agenda topics: August to September 2021 ([Staff Report #21-157-CC](#))
- N2. Update on the Menlo Park local hazard mitigation plan annex to the San Mateo County hazard mitigation plan ([Staff Report #21-158-CC](#))

The City Council received clarification on the multijurisdictional local mitigation plan timeline.

O. City Manager's Report

None.

P. City Councilmember Reports

- P1. Confirm voting delegate for the League of California Cities annual conference ([Attachment](#))

ACTION: By acclamation, the City Council selected Mayor Combs as the voting delegate and City Councilmember Wolosin and Vice Mayor Nash as alternates for the League of California Cities annual conference.

Q. Adjournment

Mayor Combs adjourned the meeting at 11:29 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of August 31, 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/publiccommentAugust17 *
 - Access the meeting real-time online at:
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

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).