



**CITY COUNCIL
COMMUNITY DEVELOPMENT AGENCY
SPECIAL AND REGULAR MEETING MINUTES**

**Tuesday, November 15, 2011 at 6:00 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

Mayor Cline called the Special Session to order at 6:03 in the Council Conference Room, first floor of City Hall with Council Member Cohen absent. There were no members of the public present for comments on the closed session item.

1. Closed Session with real property negotiators pursuant to Government Code section 54956.8 regarding terms of sale of (a) a portion of APN 055-260-170 (Beechwood School site and vacant land between Beechwood School site and Menlo Park Fire District Station 77) consisting of 2.70 acres of land and (b) the property commonly known as 297 Terminal Avenue, Menlo Park, CA

Negotiators: Glen Rojas, City Manager and William McClure, City Attorney

Mayor Cline called the Regular Session to order at 7:07 p.m. with Council Member Cohen absent.

The pledge of allegiance was led by Mayor Cline.

REPORT FROM CLOSED SESSION

There was no reportable action from Closed Session.

ANNOUNCEMENTS: None

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation declaring November Pancreatic Cancer Awareness Month ([Attachment](#))
Mayor Cline announced that the City was proclaiming November as Pancreatic Cancer Awareness Month.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Consider approval of the 2-year Work Plan for the Environmental Quality Commission ([Staff report #11-182](#)) ([PowerPoint](#))

Staff presentation made by Margaret Roberts, City Clerk

Commission presentation made by Kristen Kuntz-Duriseti, Commission Chair

ACTION: Motion and second (Keith/Ohtaki) to approve the 2-year Work Plan for the Environmental Quality Commission passes 4-0-1 (Cohen absent).

B2. Consider applicants for appointment to fill two vacancies on the Transportation Commission ([Staff report #11-181](#))

ACTION: The Council appointed Nathan Hodges and Bianca Walser to the Transportation Commission by the following votes:

VOTE #1	Nominated By	Cohen	Ohtaki	Cline	Keith	Fergusson	Total
Term expires April 30, 2015							
Don Brawner		Absent					0
Leslie Denend	Oktaki	Absent	X				1
Nathan Hodges	Fergusson	Absent	X	X		X	3
Jamie Morgan	Keith	Absent			X	X	2
Bianca Walser	Ketih	Absent		X	X		2
Nathan Hodges received 3 votes during Vote #1 and was appointed.							
VOTE #2	Nominated By	Cohen	Ohtaki	Cline	Keith	Fergusson	Total
Term expires April 30, 2015							
Jamie Morgan		Absent			X	X	2
Bianca Walser		Absent	X	X			2
With no applicant receiving 3 votes during Vote #2 the Council moved to Vote #3.							
VOTE #3	Nominated By	Cohen	Ohtaki	Cline	Keith	Fergusson	Total
Term expires April 30, 2015							
Jamie Morgan		Absent				X	1
Bianca Walser		Absent	X	X	X		3
Bianca Walser received 3 votes during Vote #3 and was appointed.							

B3. Update from the Library Commission ([Attachment](#))
Commission update presented by Commissioner Michelle Wangberg.

C. PUBLIC COMMENT #1

- Marilu Serrano spoke regarding Julio Cesar Hernandez who was struck by a car on his way to school on April 5, 2011. ([Attachment](#))
- Marvin Feinstein requested Council's consideration of a sound wall along the side of the Corporation Yard.
- Bob Wilkes spoke regarding the development of a well to provide water to Sharon Heights Golf Country Club.

D. CONSENT CALENDAR

ACTION: Motion and second (Keith/Fergusson) to approve Consent Calendar items D2, D3, D5, D6, D7 as submitted passes 4-0-1 (Cohen absent).

- D1.** Consider approval of the 2-year Work Plan for the Transportation Commission
([Staff report #11-183](#))

Pulled for questions by Kirsten Keith

ACTION: Motion and second (Keith/Ohtaki) to approve the Work Plan with a change in wording to Priority 2 and would therefore read "Review for potential revisions of the Neighborhood Traffic Management Program (NTMP)" passes 4-0-1 (Cohen absent).

- D2.** Approve **Resolution No. 6031** amending the City Records Retention Schedule
([Staff report #11-185](#))

- D3.** Approve **Resolution No. 6032** authorizing the destruction of obsolete City records
([Staff report #11-186](#))

- D4.** Authorize the City Manager to enter into a service agreement with Granicus, Inc. for web streaming of City meetings ([Staff report #11-184](#))

Pulled for questions by Kirsten Keith

ACTION: Motion and second (Keith/Fergusson) to authorize the City Manager to enter into a service agreement with Granicus, Inc. for web streaming of City meetings passes 4-0-1 (Cohen absent).

- D5.** Authorize the Interim Public Works Director to accept the work performed by Fermin Sierra Construction, Inc. for the Water Main Construction Project ([Staff report #11-189](#))

- D6.** Approve **Resolution No. 6033** for the request to the Metropolitan Transportation Commission by the City of Menlo Park for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year 2011-2012 for Alpine Road from the City Limit to approximately 250 feet east ([Staff report #11-193](#))

- D7.** Authorize implementation of Lawn Be Gone Rebate Program in Partnership with the Bay Area Water Supply and Conservation Agency (BAWSCA) ([Staff report #11-194](#))

- D8.** Approve **Resolution No. 6034** to Support External Agency Funding for a Sound Wall Adjacent to Kelly Park ([Staff report #11-195](#))

Pulled for questions by Kelly Fergusson

ACTION: Motion and second (Fergusson/Keith) to approve **Resolution No. 6034** to support external agency funding for a sound wall adjacent to Kelly Park passes 4-0-1 (Cohen absent).

E. PUBLIC HEARINGS – None

F. REGULAR BUSINESS

- F1.** Adopt a Resolution approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the American Federation of State, County and Municipal Employees (AFSCME), for the period beginning October 23, 2011 through October 31, 2013
([Staff report #11-187](#))

Staff presentation by Glen Kramer, Interim Personnel Director

ACTION: Motion and second (Keith/Fergusson) to approve **Resolution No. 6035** approving a Memorandum of Understanding (MOU) between the City of Menlo Park and the American Federation of State, County and Municipal Employees (AFSCME), for the period beginning October 23, 2011 through October 31, 2013 passes 3-1-1 (Ohtaki, no; Cohen, absent).

F2. Adopt a Resolution modifying the Management Benefit Plan to eliminate retiree health credits and specify the lower second tier retirement plans for new hires
([Staff report #11-188](#))

Staff presentation by Glen Kramer, Interim Personnel Director

ACTION: Motion and second (Keith/Fergusson) to approve **Resolution No. 6036** modifying the Management Benefit Plan to eliminate retiree health credits and specify the lower second tier retirement plans for new hires passes 4-0-1 (Cohen absent).

F3. Authorize the City Manager to amend the agreement with Infrastructure Engineering Corporation to complete Phase 3 of the Emergency Water Supply Project, by an amount not to exceed \$318,873 and authorize staff to gather additional information to evaluate the feasibility of easement establishment or purchase of non-City owned Tier 2 and Tier 3 Properties ([Staff report #11-192](#)) ([PowerPoint](#))

Staff presentation by Matt Oscamou, Interim Engineering Services Manager and Pam Lowe, Associate Engineer

Public Comments

- Joan Gorham spoke regarding the locations of the proposed well sites and submitted a petition from her residents on Waverly. ([Petition](#))
- Alex Ho spoke regarding the locations of the proposed well sites.
- Michael Francois spoke regarding the location in proximity to East Palo Alto.

ACTION: Motion and second (Keith/Ohtaki) authorizing the City Manager to amend the agreement with Infrastructure Engineering Corporation to complete Phase 3 of the Emergency Water Supply Project, by an amount not to exceed \$318,873 and authorize staff to gather additional information to evaluate the feasibility of an easement establishment or purchase of non-City owned Tier 2 and Tier 3 Properties passes 4-0-1 (Cohen Absent).

F4. Second-year review of the Zoning Ordinance Amendment relative to the clarification of the definition of gross floor area ([Staff report #11-190](#))

Staff presentation by Deanna Chow, Associate Planner

ACTION: Motion and second (Keith/Ohtaki) to approve the Planning Commission recommendation to make the Zoning Ordinance amendments and to include an implementation plan as a project in the CIP process passes 4-0-1 (Cohen absent).

F5. Consider of state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item:
None

G. CITY MANAGER'S REPORT: None

H. WRITTEN COMMUNICATION: None

I. INFORMATIONAL ITEMS

- I1.** Update on the Public Meeting and Development Agreement Negotiation Process and the Council Subcommittee Formation for the Facebook Campus project located at the intersection of Willow Road and Bayfront Expressway ([Staff report #11-191](#))
Justin Murphy, Development Services Manager responded to questions from Council.

J. COUNCILMEMBER REPORTS

- J1.** Vice Mayor Keith
Consider authorizing the Mayor to sign a letter of support to be submitted with a State, Department of Water Resources grant application being submitted by the City of East Palo Alto and the San Francisquito Joint Powers Authority for a local levee assistance program grant ([Attachment](#))

Introduction of the item by K. Keith

Len Materman, Executive Director with the San Francisquito Creek Joint Powers Authority spoke regarding the assistance program and what the application would be seeking.

East Palo Alto Mayor Carlos Romero addressed the Council regarding the grant application.

ACTION: Motion and second (Ohtaki/Fergusson) to authorize the Mayor to sign a letter of support to be submitted with a State, Department of Water Resources grant application being submitted by the City of East Palo Alto and the San Francisquito Joint Powers Authority for a Local Levee Assistance Program Grant passes 4-0-1 (Cohen absent).

Council Members reported on meetings attended in compliance with AB1234 reporting requirements.

K. PUBLIC COMMENT #2:

- Michael Francois spoke regarding floride in the water. ([Attachment](#))

L. ADJOURNMENT: 9:57 p.m.

/s/

Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of December 13, 2011