



REGULAR MEETING AGENDA

Date: 10/12/2021

Time: 5:00 p.m.

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

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, the meeting will not be physically open to the public and all members will be teleconferencing into the meeting via a virtual platform. To maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

- How to participate in the meeting
 - Submit a written comment online up to 1-hour before the meeting start time:
menlopark.org/publiccommentOctober12*
 - 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

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 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.

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

A. Call To Order

B. Roll Call

C. Agenda Review

Agenda Review 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

Public Comment on these items will be taken before adjourning to Closed Session.

- D1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with unrepresented management; City Attorney and; City Manager

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Legal Counsel Charles Sakai, Interim Human Resources Manager Kristen Strubbe

- D2. 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

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

E. Adjournment

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

F. Call To Order

G. Roll Call

H. Report from Closed Session

I. Presentations and Proclamations

- I1. Proclamation: Recognizing Hispanic Heritage Month ([Attachment](#))

- I2. Proclamation: Domestic Violence Awareness Month ([Attachment](#))

[Web form public comment on item I2.](#)

- I3. Presentation: Update on the Menlo Park Community Campus Project ([Presentation](#))

J. Study Session

- J1. Provide direction on purchasing options for renewable microgrid, electric vehicle charging, and solar thermal pool heating for the Menlo Park Community Campus project ([Staff Report #21-203-CC](#)) ([Presentation](#))

[Web form public comment on item J1.](#)

K. Public Comment

Under “Public Comment,” the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under public comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under public comment other than to provide general information.

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

L. Consent Calendar

- L1. Accept the City Council meeting minutes for September 8, 14, and 20, 2021 ([Attachment](#))
- L2. Authorize the Mayor to sign the City’s response to the San Mateo County’s Civil grand jury report: “Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act” ([Staff Report #21-191-CC](#))
- L3. Adopt Resolution No. 6672 supporting the City’s shuttle program for application for the sustainable transportation planning grant fiscal year 2022-23 ([Staff Report #21-189-CC](#))
- L4. Award a construction contract to Casey Construction, Inc. for the 2021 water main replacement project for Haven Avenue ([Staff Report #21-190-CC](#))
- L5. Waive the second reading and adopt Ordinance No. 1078 repealing and replacing Menlo Park Municipal Code Section 16.86.025 ([Staff Report #21-192-CC](#))
- L6. Adopt Resolution No. 6673 authorizing the city manager to accept a grant for fiscal years 2021-2023 of up to \$350,000 from County of San Mateo to implement the Big Lift at the Belle Haven Child Development Center and to execute a contract to enhance services to complete the scope of work ([Staff Report #21-193-CC](#))
- L7. Adopt Resolution No. 6675 authorizing the city manager to enter into a memorandum of understanding with the South Bayside Waste Management Authority to implement Senate Bill 1383 Short-Lived Climate Pollutants regulations ([Staff Report #21-200-CC](#))
- L8. Adopt Resolution No. 6676 to authorize the city manager to enter in a memorandum of understanding with the County of San Mateo for the establishment of an Edible Food Recovery

Program ([Staff Report #21-201-CC](#))

- L9. Receive and file the annual inflation protection adjustment of \$0.50 per hour for an approved local minimum wage effective January 1, 2022 of \$15.75 per hour ([Staff Report #21-199-CC](#))
- L10. Receive and file climate action plan progress report, reporting methodology and goal clarity going forward, and Environmental Quality Commission recommendations ([Staff Report #21-198-CC](#)) ([Presentation](#))

[Web form public comment on item L10.](#)

Recess

M. Regular Business

- M1. Adopt Resolution No. 6671 to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public ([Staff Report #21-194-CC](#))
- M2. Request for a subdivision ordinance variance to reduce the front setback requirement for a single-family residential property at 491 Middle Court ([Staff Report #21-202-CC](#)) ([Presentation](#))
- M3. Adopt the Transportation Management Association feasibility study final report ([Staff Report #21-184-CC](#)) ([Presentation](#)) – **continued from September 21, 2021**
- M4. Approve an update to the Complete Streets Commission 2021-22 work plan and adopt Resolution No. 6674 to support Seamless Transit Principles ([Staff Report #21-196-CC](#)) ([Presentation](#))

N. City Council Initiated Items

- N1. Engage an outside consultant to conduct an Independent 360 degree evaluation of the city attorney and an independent analysis of legal billings for the current and past three fiscal years ([Staff Report #21-197-CC](#))

O. Informational Items

- O1. City Council agenda topics: October – November 2021 ([Staff Report #21-195-CC](#))

P. City Manager's Report

Q. City Councilmember Reports

R. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 10/7/2021)