



**EMERGENCY MEETING AGENDA – CALIFORNIA GOVERNMENT CODE §54956.5**

**Date:** 1/5/2023  
**Time:** 7:00 p.m.  
**Location:** [Zoom.us/join](https://zoom.us/join) – ID# 879 9814 6046

**NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE**

Consistent with Cal. Gov. Code §54953(e), and in light of the declared state of emergency, and 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:  
[city.council@menlopark.gov](mailto:city.council@menlopark.gov)  
Please include the agenda item number you are commenting on.
- Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 879 9814 6046
- Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 879 9814 6046  
Press \*9 to raise hand to speak
- Watch meeting:
  - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:  
Channel 26

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 website [menlopark.gov](http://menlopark.gov). 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.gov/agendas](http://menlopark.gov/agendas)).

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.

## Special Session

### A. Call To Order

### B. Roll Call

### C. Regular Business

- C1. Adopt a resolution ratifying the Director of Emergency Service's proclamation of local emergency, pursuant to Government Code Section 54956.5 ([Attachment](#))

### D. 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](mailto: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 Ca. Gov. Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the city website at [menlopark.gov/agendas](http://menlopark.gov/agendas) and can receive email notification of agenda postings by subscribing at [menlopark.gov/subscribe](http://menlopark.gov/subscribe). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 1/5/2023)

**RESOLUTION NO. XXXX****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND  
RATIFYING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL  
EMERGENCY BY THE CITY MANAGER, ACTING AS THE DIRECTOR OF  
EMERGENCY SERVICES OF THE CITY OF MENLO PARK**

WHEREAS, Government Code Section 8630 allows the governing body of a city or an official designated by ordinance adopted by that governing body, to proclaim a local emergency; and

WHEREAS, Menlo Park Municipal Code Sections 2.44.045 and 2.44.050 empower the City Manager, acting as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, and;

WHEREAS, on January 4, 2023, the City Manager, acting as Director of Emergency Services proclaimed the existence of a local emergency finding that conditions of extreme peril to the safety of persons or property had arisen within the City, caused by the extreme atmospheric river rain events occurring in the final days of December 2022 and threatening to continue in the coming hours and days of January 2023, which events had caused flooding in and around San Francisquito Creek and the Atherton Channel, as well as areas that drain to these waterways;

WHEREAS, the Director of Emergency Services' January 4, 2023 proclamation is attached hereto, as Exhibit A, and incorporated herein by this reference;

WHEREAS, on January 3, 2023, the Board of Supervisors of the County of San Mateo proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within San Mateo County due to the damage and impacts resulting from the extreme and unprecedented levels of rainfall and associated severe weather over the last several days;

WHEREAS, on January 4, 2023, the Governor of California proclaimed a state of emergency throughout California to support the ongoing response to recent winter storms;

WHEREAS, on December 30 and 31, 2022, the San Francisco Bay area experienced a heavy rain storm, after storms had passed through the region several days prior as well;

WHEREAS, on December 31, the Atherton Channel experienced flooding. Overtopping of the Atherton Channel occurred at Haven Avenue near Marsh Road twice on December 31 before rain levels diminished and flooding subsided;

WHEREAS, on December 31, the San Francisquito Creek also experienced flooding with overtopping of the top of bank occurring along Woodland Avenue at Oak Court and Euclid Avenue, at the Pope-Chaucer bridge, near Laurel Avenue and near Lexington Drive;

WHEREAS, while water levels are high in the San Francisquito Creek and Atherton Channel, especially during high tides, stormwater that would otherwise drain into these waterways is impeded, resulting in water that backs up on to roadways such as Woodland Avenue at Emma Lane, Middlefield Road, Laurel Street, Alma Street and El Camino Real (State Route 82);

WHEREAS, on and since December 31, saturated soils and high winds caused trees to fall resulting in power outages and blocked roads in various neighborhoods;

WHEREAS, the local emergency may require financial and other assistance from the County, State, and/or Federal governments, and may require ongoing mutual aid with other jurisdictions and regional partners;

WHEREAS, the City Council finds and declares that storm events and flooding have and continue to threaten to cause property damage, dislocation of businesses and residents, and pose extreme safety concerns to persons and property within the City;

NOW, THEREFORE, BE IT RESOLVED, that a local emergency now exists throughout said City and said local emergency severely impairs and threatens to severely impair public health and safety, and;

IT IS FURTHER RESOLVED, that the proclamation of the existence of a local emergency, adopted by the City Manager acting as the Director of Emergency Services of the City of Menlo Park, is hereby ratified, and;

IT IS FURTHER RESOLVED that the City Manager is authorized to request financial and other assistance from the County, State, and Federal government on behalf of the Menlo Park community.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the fifth day of January, 2023, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_ day of January, 2023.

---

Judi A. Herren, City Clerk

Exhibits:

A. Director of Emergency Services' January 4, 2023 proclamation

## PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY BY THE CITY MANAGER, ACTING AS THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF MENLO PARK

**WHEREAS**, Government Code section 8630 allows the governing body of a city or an official designated by ordinance adopted by that governing body, to proclaim a local emergency; and

**WHEREAS**, Menlo Park Municipal Code sections 2.44.045 and 2.44.050 empower the City Manager, acting as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, and;

**WHEREAS**, the City Manager, acting as Director of Emergency Services does find that conditions of extreme peril to the safety of persons or property have arisen within the City, caused by the extreme atmospheric river rain events occurring in the final days of December 2022 and threatening to continue in the coming hours and days of January 2023, which events have caused flooding in and around San Francisquito Creek and the Atherton Channel, as well as areas that drain to these waterways;

**WHEREAS**, on January 3, 2023, the Board of Supervisors of the County of San Mateo proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within San Mateo County due to the damage and impacts resulting from the extreme and unprecedented levels of rainfall and associated severe weather over the last several days;

**WHEREAS**, the storm events and flooding have and continue to threaten to cause property damage, dislocation of businesses and residents, and pose extreme safety concerns to persons and property within the City;

**WHEREAS**, the City Council is not in session and cannot be immediately called into session;

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED**, that that a local emergency now exists throughout said City, and;

**IT IS FURTHER PROCLAIMED AND ORDERED**, that during the existence of said local emergency the powers, functions and duties of the emergency organization of this City shall be those prescribed by state law, and by ordinances and resolutions of this City, and that this emergency proclamation shall expire on January 5, 2023 unless ratified and extended by the City Council of the City of Menlo Park.

DocuSigned by:

*Justin Murphy*

C542D394801C47D...

Justin Murphy, City Manager  
Acting as Director of Emergency Services  
City of Menlo Park  
January 4, 2023