



SPECIAL MEETING AGENDA

Date: 6/1/2020
Time: 5:00 p.m.
Closed Session Location: Teleconference

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 meeting
 - Submit a written comment online:
menlopark.org/publiccommentJune1*
 - Record a comment or request a call-back when an agenda topic is under consideration:
 Dial 650-474-5071*
- *Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.

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).

Closed Session (Teleconference)

- A. Call To Order
- B. Roll Call
- C. Closed Session

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

- C1. Public Employee Performance Evaluation (California Government Code Section 54957(b)(1):
Title: City Manager
Purpose: Request by city manager for quarterly check in

[Web from public comment on item C1.](#)

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. 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: 5/31/2020)

Agenda item C1

Joseph Adelson, Menlo Park resident

Given the sad events throughout our country during the last week and documented instances of police forces seeming to escalate tense situations, I believe that the timing of negotiations between the police union and the city provides an appropriate opportunity to consider enacting regulations that will help ensure the Menlo Park police department continues to operate as an empathic and positive institution in our community.

My suggestions include adopting regulations for our police force based on laws that have been passed in other states and communities:

1. Connecticut HB 7103. Signed into law in 2015. Makes it illegal for the police department to hire officers who were previously fired or who resigned while being investigated for serious misconduct and/or excessive force. <https://www.cga.ct.gov/2015/ACT/PA/2015PA-00004-R00HB-07103SS1-PA.htm>
2. Tennessee's Deadly Force law. Legally requires police use every available alternative before shooting. https://www.lawserver.com/law/state/tennessee/tn-code/tennessee_code_39-11-620
3. HB 330. Signed into law in Montana in 2015. Bans police from receiving military weapons from the federal government including tanks, armored vehicles, drones, grenade launchers, aircraft. <https://legiscan.com/MT/text/HB330/id/1198338>
4. The original form of Colorado HB12-64. A modified version was signed to law 2016. Makes it a crime for officers to use chokeholds or any other form of neck restraint except if a person poses an imminent threat of death/serious injury. [http://www.leg.state.co.us/clics/clics2016a/csl.nsf/billcontainers/F5A2A727B31083DD87257F45007E DDCE/\\$FILE/1264_01.pdf](http://www.leg.state.co.us/clics/clics2016a/csl.nsf/billcontainers/F5A2A727B31083DD87257F45007E DDCE/$FILE/1264_01.pdf)

5. Illinois HB58. Signed into law in 2017. Requires any officer who shoots someone to submit to mandatory drug and alcohol testing within one hour of the shooting.
<http://ilga.gov/legislation/fulltext.asp?DocName=10000SB0058&GA=100&SessionId=91&DocTypeID=SB&LegID=99371&DocNum=58&GAID=14&Session=&print=true>
6. Oakland's Measure LL. Passed in 2016. Creates a strong community oversight structure.
<https://cao-94612.s3.amazonaws.com/documents/oak062931.pdf>
7. Article I(5) of the 1993 Chemical Weapons Convention. 1993. Bans use of tear gas as a weapon in war. I advocate for banning police use of indiscriminate chemical weapons such as tear gas.
<https://www.opcw.org/chemical-weapons-convention/articles/article-i>
8. New Mexico HB 560. Ends civil asset forfeiture without a conviction.
<https://www.nmlegis.gov/Sessions/15%20Regular/final/HB0560.pdf>

To be clear, I am not suggesting that I am discontent with the Menlo Park police department. Rather, I wish for our city government to codify a set of reasonable standards that will allow wary members of our community who are tired of witnessing police violence on the news to feel good about supporting our local police. Unfortunately, I am not familiar enough with California's police bill of rights to know how feasible it would be for Menlo Park to enact all these measures, but I do know that doing so would increase the trust of members of the community who are witnessing abuses of power elsewhere in our country.