



SPECIAL MEETING AGENDA – AMENDED

Date: 6/9/2020

Time: 5:00 p.m.

Closed Session: Teleconference

Special Meeting Location: Joinwebinar.com – ID# 932-476-515

This amended agenda updates item J3. to item H8.

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/publiccommentJune9*
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-5071*
 - Access the special meeting real-time online at:
joinwebinar.com – Special Meeting ID 932-476-515
*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.
- Watch special 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 regular 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 (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. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, Labor Negotiator Charles Sakai

Special Session (Joinwebinar.com – ID# 932-476-515)

D. Call To Order

E. Roll Call

F. Report from Closed Session

G. Commission/Committee Vacancies and Appointments

- G1. Consider applicants and make appointments to fill vacancies on the various city commissions and committees ([Staff Report #20-094-CC](#))

H. Consent Calendar

- H1. Accept the City Council meeting minutes for May 12, 18 and 19, 2020 ([Attachment](#))
- H2. Adopt Resolution No. 6560 authorizing the submittal of a grant application for the Local Early Action Planning grant program and authorize the city manager to execute required application and agreement documents ([Staff Report #20-114-CC](#))
- H3. Authorize the city manager to enter into a contract with ICF International (ICF) to prepare an

environmental impact report (EIR) for the proposed approximately 100,000 square foot life science, office and retail building at 1075 O'Brien Drive and 20 Kelly Court for the amount of \$364,016.93 and future augments as may be necessary to complete the environmental review for the proposed project ([Staff Report #20-115-CC](#))

- H4. Authorize the city manager to execute master agreements with consulting firms for on-call architectural, landscape architectural, civil engineering, construction inspection, municipal engineering, and materials testing services ([Staff Report #20-116-CC](#))
- H5. Authorize the city manager to sign a letter of commitment for construction of the Bayfront Canal and Atherton Channel flood protection and habitat restoration project ([Staff Report #20-117-CC](#))
- H6. Adopt Resolution No. 6561 approving the final map for a condominium project located at 975 Florence Lane; authorizing the city clerk to sign the final map; and authorizing the city manager to sign the agreements required to implement the conditions of project approval ([Staff Report #20-118-CC](#))
- H7. Waive the 15-day early release staff report requirement of City Council Procedure No. CC-11-0001 titled Public Input and Outreach regarding Labor Negotiations for any concessions agreed by labor units before June 30, 2020 ([Staff Report #20-119-CC](#))

[Web form public comment on item H7.](#)

- H8. Authorize city manager to execute an amendment to the professional services agreement with Team Sheeper, Inc. for operation of the Burgess Pool and Belle Haven Pool during the reactivation stages, until the local emergency concerning the COVID-19 pandemic is terminated and direct the city manager to revise Emergency Order No. 2 to allow for the reopening of the pools ([Staff Report #20-121-CC](#)) – previously item J3.

[Web form public comment on item H8.](#)

I. Public Hearing

- I1. Public hearing on proposed fiscal year 2020-21 budget ([Staff Report #20-122-CC](#))

[Web form public comment on item I1.](#)

J. Regular Business

- J1. Update the City Council and public on COVID-19 health emergency and the City's response ([Attachment](#))
- J2. Review and provide feedback on proposed vehicle miles travel thresholds for environmental review of development and capital projects ([Staff Report #20-120-CC](#))
- J3. See item H8.

K. Informational Items

- K1. City Council agenda topics: June 2020 to August 2020 ([Staff Report #20-112-CC](#))

L. City Manager's Report

M. City Councilmember Reports

N. 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: 6/7/2020)



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-094-CC

Commission Reports

Consider applicants and make appointments to fill vacancies on the various city commissions and committees

Recommendation

Staff recommends making appointments to the Complete Streets, Environmental Quality, Finance and Audit, Housing, Library, Parks and Recreation, Planning, San Mateo County Mosquito and Vector Control District, and Sister City commissions/committees.

Policy Issues

City Council Policy CC-19-004 (Attachment A) establishes the policies, procedures, roles and responsibilities for the City's appointed commissions and committees, including the manner in which commissioners are selected.

Background

Annually, staff conducts a recruitment to fill commission/committee vacancies that exist due to commissioners being termed out or regular terms ending April 30 (excluding the San Mateo County Mosquito and Vector Control District which expires December 31, 2021.) At the April 21 City Council meeting, City Council extended the current terms through May 31 and extended recruitment for all advisory bodies through May 22. This recruitment period involved a four-month period of advertisements and announcements. Incumbent commissioners who were not terming out were informed of their ability to apply for reappointment and previous applicants were notified of current vacancies.

Following City Council's appointment, the city clerk's office provides onboarding and orientation for the new commission/committee members. This includes the oath of office, commissioner handbook, introduction of commission/committee liaison staff, Form 700 Statement of Economic Interests filing (if applicable) and Brown Act training. For appointments made annually in April, the city clerk's office coordinates with the City Attorney's Office to provide this training jointly in May of each year. For all other appointments that are made throughout the year, the city clerk's office handles all aspects of commission/committee member training.

The city clerk's office regularly reviews all agendas and minutes, tracks attendance (Attachment D) and serves as the principal staff contact for all commissions/committees.

Analysis

Pursuant to City Council Policy CC-19-004, commission members must be residents of the City of Menlo Park and serve for designated terms of four years, or through the completion of an unexpired term or as otherwise designated. Residency for all applicants has been verified by the city clerk's office. In addition, the

City Council's policy states that the selection/appointment process shall be conducted before the public at a regularly scheduled meeting of the City Council. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the City Councilmembers present shall be appointed.

Appointments will be for four-year terms expiring April 30, 2024, except for:

- One Complete Streets Commission appointment to fill an unexpired/unexpected vacancy term ending April 30, 2022.
- Two Finance and Audit Committee appointments (designated to be two-year terms) expiring April 30, 2022.
- Two Library Commission appointments to fill unexpired/unexpected vacancies term ending April 30, 2021 and April 30, 2022.
- One San Mateo County Mosquito and Vector Control District appointment to fill an unexpired term ending December 31, 2021 (designated to be two-year term per City Council approval January 14.)
- One Sister City Committee appointment to fill unexpired/unexpected vacancy term ending October 1, 2020.

Applications are provided as Attachment B. The City Council has the opportunity to ask applicants if they would consider appointments to an alternate commission. These appointments can be made by the City Council at this meeting.

The City received the following applications, presented by commission/committee and listed in alphabetical order by last name.

Complete Streets Commission – three vacancies (two regular terms and one unexpired term:)

- Katie Behroozi
- Petrice Espinosa
- John Pimentel (also applied for Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Park and Recreation Commission, and Planning Commission)
- Isaac Wyatt

Environmental Quality Commission – two vacancies (two regular terms:)

- Leah Elkins
- James Payne
- Janelle London
- John Pimentel (also applied for Complete Streets Commission, Finance and Audit Committee, Housing Commission, Library Commission, Park and Recreation Commission, and Planning Commission)
- Desta Raines

Finance and Audit Committee – two vacancies (two regular terms:)

- Theo Keet (also applied for Planning Commission)
- John Pimentel (also applied for Complete Streets Commission, Environmental Quality Commission, Housing Commission, Library Commission, Park and Recreation Commission, and Planning Commission)
- Roger Royse

Housing Commission – one vacancy (one regular term:)

- John Pimentel (also applied for Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Library Commission, Park and Recreation Commission, and Planning Commission)

Library Commission – four vacancies (two regular terms and two unexpired term:)

- Mayrin Bunyagidj
- Sukanya Guha (also applied for Park and Recreation Commission)
- Katie Hadrovic
- John Pimentel (also applied for Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Park and Recreation Commission, and Planning Commission)
- Yen Tran

Parks and Recreation Commission – two vacancies (two regular terms:)

- Jennifer Baskin
- Joyce Friedrichs
- Sukanya Guha (also applied for Library Commission)
- Jennifer Johnson
- John Pimentel (also applied for Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission and Planning Commission)

Planning Commission – two vacancies (two regular terms:)

- Andrew Barnes
- Theo Keet (also applied for Finance and Audit Committee)
- John Pimentel (also applied for Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Park and Recreation Commission)
- Henry Riggs
- Jeff Schmidt

San Mateo County Mosquito and Vector Control District – one vacancy (one regular term:)

- No applicants

Sister City Committee – one vacancy (one unexpired term:)

- Lynn Auslander
- Anna Tavora Enerio

Impact on City Resources

Staff support for commissions and funds for recruitment advertising are provided in the annual budget.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. City Council Policy CC-19-004
- B. Applications for advisory bodies
- C. List of applicants by district
- D. Hyperlink – March 26 City Council Staff Report #20-053-CC:
menlopark.org/DocumentCenter/View/24570/H2-20200326-CC-Commission-attendance-SR

Report prepared by:
Judi A. Herren, City Clerk

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Procedure #CC-19-004
 Effective 6/5/2019
 Resolution No. 6477

ATTACHMENT A



Purpose
To define policies and procedures and roles and responsibilities for Menlo Park appointed commissions and committees.
Authority
Upon its original adoption, this policy replaced the document known as "Organization of Advisory Commissions of the City of Menlo Park."
Background
<p>The City of Menlo Park currently has eight active Commissions and Committees. The active advisory bodies are: Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, and the Sister City Committee. Those not specified in the City Code are established by City Council ordinance or resolution. Most of these advisory bodies are established in accordance with Resolution 2801 and its amendments. Within specific areas of responsibility, each advisory body has a primary role of advising the City Council on policy matters or reviewing specific issues and carrying out assignments as directed by the City Council or prescribed by law.</p> <p>Seven of the eight commissions and committees listed above are advisory in nature. The Planning Commission is both advisory and regulatory and organized according to the City Code (Ch. 2.12) and State statute (Government Code 65100 et seq., 65300-65401).</p> <p>The City has an adopted Anti-Harassment and Non-Discrimination Policy (CC-95-001), and a Travel and Expense Policy (CC-91-002), which are also applicable to all advisory bodies.</p>
Policies and Procedures
<p><u>Relationship to City Council, staff and media</u></p> <ul style="list-style-type: none"> • Upon referral by the City Council, the commission/committee shall study referred matters and return their recommendations and advise to the City Council. With each such referral, the City Council may authorize the City staff to provide certain designated services to aid in the study. • Upon its own initiative, the commission/committee shall identify and raise issues to the City Council's attention and from time to time explore pertinent matters and make recommendations to the City Council. • At a request of a member of the public, the commission/committee may consider appeals from City actions or inactions in pertinent areas and, if deemed appropriate, report and make recommendations to the City Council. • Each commission/committee is required to develop an annual work plan which will be the foundation for the work performed by the advisory body in support of City Council. The plan, once finalized by a majority of the commission/committee, will be formally presented to the City Council for direction and approval no later than September 30 of each year and then reported out on by a representative of the advisory body at a regularly scheduled City Council meeting at least annually, but recommended twice a year. The proposed work plan must align with the City Council's adopted work plan. When modified, the work plan must be taken to the City Council for approval. The Planning Commission is exempt from this requirement as its functions are governed by the Menlo Park municipal code (Chapter 2.12) and State law (Government Code 65100 et seq., 65300-65401). • Commissions and committees shall not become involved in the administrative or operational matters of City departments. Members may not direct staff to initiate major programs, conduct large studies or establish department policy. City staff assigned to furnish staff services shall be available to provide general staff assistance, such as preparation of agenda/notice materials and minutes, general review of

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

2

department programs and activities, and to perform limited studies, program reviews, and other services of a general staff nature. Commissions/Committees may not establish department work programs or determine department program priorities. The responsibility for setting policy and allocating scarce City resources rests with the City's duly elected representatives, the City Council.

- Additional or other staff support may be provided upon a formal request to the City Council.
- The staff liaison shall act as the commission/committee's lead representative to the media concerning matters before the commission/committee. Commission/Committee members should refer all media inquiries to their respective liaisons for response. Personal opinions and comments may be expressed so long as the commission/committee member clarifies that his or her statements do not represent the position of the City Council.
- Commission/Committee members will have mandatory training every two years regarding the Brown Act and parliamentary procedures, anti-harassment training, ethics training, and other training required by the City Council or State Law. The commission/committee members may have the opportunity for additional training, such as training for chair and vice chair. Failure to comply with the mandatory training will be reported to the City Council and may result in replacement of the member by the City Council.
- Requests from commission/committee member(s) determined by the staff liaison to take one hour or more of staff time to complete, must be directed by the City Council.

Role of City Council commission/committee liaison

City Councilmembers are assigned to serve in a liaison capacity with one or more city commission/committee. The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the City Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, City Councilmembers may elect to attend commission/committee meetings periodically to observe the activities of the advisory body or simply maintain communication with the commission/committee chair on a regular basis.

City Councilmembers should be sensitive to the fact that they are not participating members of the commission/committee, but are there rather to create a linkage between the City Council and commission/committee. In interacting with commissions/committee, City Councilmembers are to reflect the views of the City Council as a body. Being a commission/committee liaison bestows no special right with respect to commission/committee business.

Typically, assignments to commission/committee liaison positions are made at the beginning of a City Council term in December. The Mayor will ask City Councilmembers which liaison assignments they desire and will submit recommendations to the full City Council regarding the various committees, boards, and commissions which City Councilmembers will represent as a liaison. In the rare instance where more than one City Councilmember wishes to be the appointed liaison to a particular commission, a vote of the City Council will be taken to confirm appointments.

City Staff Liaison

The City has designated staff to act as a liaison between the commission/committee and the City Council. The City shall provide staff services to the commission/committee which will include:

- Developing a rapport with the Chair and commission/committee members.
- Providing a schedule of meetings to the City Clerk's Office and commission/committee members, arranging meeting locations, maintaining the minutes and other public records of the meeting, and preparing and distributing appropriate information related to the meeting agenda.
- Advising the commission/committee on directions and priorities of the City Council.
- Informing the commission/committee of events, activities, policies, programs, etc. occurring within the scope of the commission/committee's function.
- Ensuring the City Clerk is informed of all vacancies, expired terms, changes in offices, or any other changes to the commission/committee.

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

3

- Providing information to the appropriate appointed official including reports, actions, and recommendations of the committee/commission and notifying them of noncompliance by the commission/committee or chair with City policies.
- Ensuring that agenda items approved by the commission/committee are brought forth in a timely manner taking into consideration staff capacity, City Council priorities, the commission/committee work plan, and other practical matters such as the expense to conduct research or prepare studies, provided appropriate public notification, and otherwise properly prepare the item for commission/committee consideration.
- Take action minutes; upon agreement of the commission, this task may be performed by one of the members (staff is still responsible for the accuracy and formatting of the minutes).
- Maintain a minute book with signed minutes.

Recommendations, requests and reports

As needed, near the beginning of City Council meetings, there will be an item called "Commission/Committee Reports." At this time, commissions/committees may present recommendations or status reports and may request direction and support from the City Council. Such requests shall be communicated to the staff liaison in advance, including any written materials, so that they may be listed on the agenda and distributed with the agenda packet. The materials being provided to the City Council must be approved by a majority of the commission/committee at a commission/committee meeting before submittal to the City Council. The City Council will receive such reports and recommendations and, after suitable study and discussion, respond or give direction.

City Council referrals

The City Clerk shall transmit to the designated staff liaison all referrals and requests from the City Council for advice and recommendations. The commissions/committees shall expeditiously consider and act on all referrals and requests made by the City Council and shall submit reports and recommendations to the City Council on these assignments.

Public appearance of commission/committee members

When a commission/committee member appears in a non-official, non-representative capacity before the public, for example, at a City Council meeting, the member shall indicate that he or she is speaking only as an individual. This also applies when interacting with the media and on social media. If the commission/committee member appears as the representative of an applicant or a member of the public, the Political Reform Act may govern this appearance. In addition, in certain circumstances, due process considerations might apply to make a commission/committee member's appearance inappropriate. Conversely, when a member who is present at a City Council meeting is asked to address the City Council on a matter, the member should represent the viewpoint of the particular commission/committee as a whole (not a personal opinion).

Disbanding of advisory body

Upon recommendation by the Chair or appropriate staff, any standing or special advisory body, established by the City Council and whose members were appointed by the City Council, may be declared disbanded due to lack of business, by majority vote of the City Council.

Meetings and officers

1. *Agendas/notices/minutes*

- All meetings shall be open and public and shall conduct business through published agendas, public notices and minutes and follow all of the Brown Act provisions governing public meetings. Special, canceled and adjourned meetings may be called when needed, subject to the Brown Act provisions.
- Support staff for each commission/committee shall be responsible for properly noticing and posting all regular, special, canceled and adjourned meetings. Copies of all meeting agendas, notices and minutes shall be provided to the City Council, City Manager, City Attorney, City Clerk and other

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

4

appropriate staff, as requested.

- Original agendas and minutes shall be filed and maintained by support staff in accordance with the City's adopted records retention schedule.
- The official record of the commissions/committees will be preserved by preparation of action minutes.

2. *Conduct and parliamentary procedures*

- Unless otherwise specified by State law or City regulations, conduct of all meetings shall generally follow Robert's Rules of Order.
- A majority of commission/committee members shall constitute a quorum and a quorum must be seated before official action is taken.
- The chair of each commission/committee shall preside at all meetings and the vice chair shall assume the duties of the chair when the chair is absent.
- The role of the commission/committee chair (according to Roberts Rules of Order): To open the session at the time at which the assembly is to meet, by taking the chair and calling the members to order; to announce the business before the assembly in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote; to protect the assembly from annoyance from evidently frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if s/he thinks it advisable; to restrain the members when engaged in debate, within the rules of order, to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal to the assembly by any two members) unless when in doubt he prefers to submit the question for the decision of the assembly; to inform the assembly when necessary, or when referred to for the purpose, on a point of order to practice pertinent to pending business; to authenticate by his/her signature, when necessary, all the acts, orders, and proceedings of the assembly declaring it will and in all things obeying its commands.

3. *Lack of a quorum*

- When a lack of a quorum exists at the start time of a meeting, those present will wait 15 minutes for additional members to arrive. If after 15 minutes a quorum is still not present, the meeting will be adjourned by the staff liaison due to lack of a quorum. Once the meeting is adjourned it cannot be reconvened.
- The public is not allowed to address those commissioners present during the 15 minutes the commission/committee is waiting for additional members to arrive.
- Staff can make announcements to the members during this time but must follow up with an email to all members of the body conveying the same information.
- All other items shall not be discussed with the members present as it is best to make the report when there is a quorum present.

4. *Meeting locations and dates*

- Meetings shall be held in designated City facilities, as noticed.
- All commissions/committees with the exception of the Planning Commission, Finance and Audit Committee and Sister City Committee shall conduct regular meetings once a month. Special meetings may also be scheduled as required by the commission/committee. The Planning Commission shall hold regular meetings twice a month. The Finance and Audit Committee and Sister City Committee shall hold quarterly meetings.
- Monthly regular meetings shall have a fixed date and time established by the commission/committee. Changes to the established regular dates and times are subject to the approval of the City Council. An exception to this rule would include any changes necessitated to fill a temporary need in order for the commission/committee to conduct its meeting in a most efficient and effective way as long as proper and adequate notification is provided to the City Council and made available to the public.

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

The schedule of Commission/Committee meetings is as follows:

- Complete Streets Commission – Every second Wednesday at 7 p.m.
- Environmental Quality Commission – Every third Wednesday at 6:00 p.m.
- Finance and Audit Committee – Third Wednesday of every quarter at 5:30 p.m.,
- Housing Commission – Every first Wednesday at 6:30 p.m.
- Library Commission – Every third Monday at 6:30 p.m.
- Parks and Recreation Commission – Every fourth Wednesday at 6:30 p.m.
- Planning Commission – Twice a month at 7 p.m.
- Sister City Committee – Quarterly; Date and time to be determined

Each commission/committee may establish other operational policies subject to the approval of the City Council. Any changes to the established policies and procedures shall be subject to the approval of the City Council.

5. *Off-premises meeting participation*

While technology allows commission/committee members to participate in meetings from a location other than the meeting location (referred to as “off-premises”), off-premises participation is discouraged given the logistics required to ensure compliance with the Brown Act and experience with technological failures disrupting the meeting. In the event that a commission/committee member believes that his or her participation is essential to a meeting, the following shall apply:.

- Any commission/committee member intending to participate from an off-premise location shall inform the staff liaison at least two weeks in advance of the meeting.
- The off-premise location must be identified in the notice and agenda of the meeting.
- Agendas must be posted at the off-premise location.
- The off-premise location must be accessible to the public and be ADA compliant.
- The commission/committee member participating at a duly noticed off-premises location does not count toward the quorum necessary to convene a meeting of the commission/committee.
- For any one meeting, no more than one commission/committee member may participate from an off-premise location.
- All votes must be by roll call.

6. *Selection of chair and vice chair*

- The chair and vice chair shall be selected in May of each year by a majority of the members and shall serve for one year or until their successors are selected.
- Each commission/committee shall annually rotate its chair and vice chair.

G. Memberships

Appointments/Oaths

- The City Council is the appointing body for all commissions/committees. All members serve at the pleasure of the City Council for designated terms.
- All appointments and reappointments shall be made at a regularly scheduled City Council meeting, and require an affirmative vote of not less than a majority of the City Council present.
- Before taking office, all members must complete an Oath of Allegiance required by Article XX, §3, of the Constitution of the State of California. All oaths are administered by the City Clerk or his/her designee.
- Appointments made during the middle of the term are for the unexpired portion of that term.

Application and selection process

- The application process begins when a vacancy occurs due to term expiration, resignation, removal or death of a member.
- The application period will normally run for a period of four weeks from the date the vacancy occurs.

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective 6/5/2019

6

If there is more than one concurrent vacancy in a Commission, the application period may be extended. Applications are available from the City Clerk's office and on the City's website.

- The City Clerk shall notify members whose terms are about to expire whether or not they would be eligible for reappointment. If reappointment is sought, an updated application will be required.
- Applicants are required to complete and return the application form for each commission/committee they desire to serve on, along with any additional information they would like to transmit, by the established deadline. Applications sent by email are accepted; however, the form submitted must be signed.
- After the deadline of receipt of applications, the City Clerk shall schedule the matter at the next available regular City Council meeting. All applications received will be submitted and made a part of the City Council agenda packet for their review and consideration. If there are no applications received by the deadline, the City Clerk will extend the application period for an indefinite period of time until sufficient applications are received.
- Upon review of the applications received, the City Council reserves the right to schedule or waive interviews, or to extend the application process in the event insufficient applications are received. In either case, the City Clerk will provide notification to the applicants of the decision of the City Council.
- If an interview is requested, the date and time will be designated by the City Council. Interviews are open to the public.
- The selection/appointment process by the City Council shall be conducted open to the public. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the City Council present shall be appointed.
- Following a City Council appointment, the City Clerk shall notify successful and unsuccessful applicants accordingly, in writing. Appointees will receive copies of the City's Non-Discrimination and Sexual Harassment policies, and disclosure statements for those members who are required to file under State law as designated in the City's Conflict of Interest Code. Copies of the notification will also be distributed to support staff and the commission/committee chair.
- An orientation will be scheduled by the City Clerk following an appointment (but before taking office) and a copy of this policy document will be provided at that time.

Attendance

- An Attendance Policy (CC-91-001), shall apply to all advisory bodies. Provisions of this policy are listed below.
- A compilation of attendance will be submitted to the City Council at least annually listing absences for all commissions/committee members.
- Absences, which result in attendance at less than two-thirds of their meetings during the calendar year, will be reported to the City Council and may result in replacement of the member by the City Council.
- Any member who feels that unique circumstances have led to numerous absences can appeal directly to the City Council for a waiver of this policy or to obtain a leave of absence.
- While it is expected that members be present at all meetings, the chair and staff liaison should be notified if a member knows in advance that he/she will be absent.
- When reviewing commissioners for reappointment, overall attendance at full commission meetings will be given significant consideration.

Compensation

- Members shall serve without compensation (unless specifically provided) for their services, provided, however, members shall receive reimbursement for necessary travel expenses and other expenses incurred on official duty when such expenditures have been authorized by the City Council (See Policy CC-91-002).

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

7

Conflict of interest and disclosure requirements

- A Conflict of Interest Code has been updated and adopted by the City Council and the Community Development Agency pursuant to Government Code §87300 et seq. Copies of this Code are filed with the City Clerk. Pursuant to the adopted Conflict of Interest Code, members serving on the Planning Commission are required to file a Statement of Economic Interest with the City Clerk to disclose personal interest in investments, real property and income. This is done within 30 days of appointment and annually thereafter. A statement is also required within 30 days after leaving office.
- If a public official has a conflict of interest, the Political Reform Act may require the official to disqualify himself or herself from making or participating in a governmental decision, or using his or her official position to influence a governmental decision. Questions in this regard may be directed to the City Attorney.

Qualifications, compositions, number

- In most cases, members shall be residents of the City of Menlo Park and at least 18 years of age.
- Current members of any other City commission/committee are disqualified for membership, unless the regulations for that advisory body permit concurrent membership. Commission/Committee members are strongly advised to serve out the entirety of the term of their current appointment before seeking appointment on another commission/committee.
- Commission/Committee members shall be permitted to retain membership while seeking any elective office. However, members shall not use the meetings, functions or activities of such bodies for purposes of campaigning for elective office.
- There shall be seven (7) members on each commission/committee with the exception of:
 - Complete Streets Commission – nine (9) members

Reappointments, resignations, removals

- Incumbents seeking a reappointment are required to complete and file an application with the City Clerk by the application deadline. No person shall be reappointed to a commission/committee who has served on that same body for two consecutive terms; unless a period of one year has lapsed since the returning member last served on that commission/committee (the one year period is flexible subject to City Council's discretion).
- Resignations must be submitted in writing to the City Clerk, who will distribute copies to City Council and appropriate staff.
- The City Council may remove a member by a majority vote of the City Council without cause, notice or hearing.

Term of office

- Unless specified otherwise, the term of office for all commission/committee shall be four (4) years unless a resignation or a removal has taken place.
- If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term.
- Terms are staggered to be overlapping four-year terms, so that all terms do not expire in any one year.
- If a member resigns before the end of his/her term, a replacement serves out the remainder of that term.

Vacancies

- Vacancies are created due to term expirations, resignations, removals or death.
- Vacancies are listed on the City Council agenda and posted by the City Clerk in the City Council Chambers bulletin board and on the city website.
- Whenever an unscheduled vacancy occurs in any commission/committee, a special vacancy notice shall be posted within 20 days after the vacancy occurs. Appointment shall not be made for at least

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

10 working days after posting of the notice (Government Code 54974).

- On or before December 31 of each year, an appointment list of all regular advisory commissions/committees of the City Council shall be prepared by the City Clerk and posted in the City Council Chambers bulletin board and on the City’s website. This list is also available to the public (Government Code 54972, Maddy Act).

Roles and Responsibilities

Complete Streets Commission

The Complete Streets Commission is charged primarily with advising the City Council on multi-modal transportation issues according to the goals and policies of the City’s general plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City. The Complete Streets Commission's responsibilities would include:

- Coordination of multi-modal (motor vehicle, bicycle, transit and pedestrian) transportation facilities
- Advising City Council on ways to encourage vehicle, multi-modal, pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan
- Coordination on providing a citywide safe routes to school plan
- Coordination with regional transportation systems
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.028

Environmental Quality Commission

The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement and sustainability. Specific focus areas include:

- Preserving heritage trees
- Using best practices to maintain city trees
- Preserving and expanding the urban canopy
- Making determinations on appeals of heritage tree removal permits
- Administering annual Environmental Quality Awards program
- Organizing annual Arbor Day Event; typically a tree planting event
- Advising on programs and policies related to protection of natural areas, recycling and waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation.

Finance and Audit Committee

The Finance and Audit Committee is charged primarily to support delivery of timely, clear and comprehensive reporting of the City’s fiscal status to the community at large. Specific focus areas include:

- Review the process for periodic financial reporting to the City Council and the public, as needed
- Review financial audit and annual financial report with the City’s external auditors
- Review of the resolution of prior year audit findings
- Review of the auditor selection process and scope, as needed

Housing Commission

The Housing Commission is charged primarily with advising the City Council on housing matters including housing supply and housing related problems. Specific focus areas include:

- Community attitudes about housing (range, distribution, racial, social-economic problems)
- Programs for evaluating, maintaining, and upgrading the distribution and quality of housing stock in the City
- Planning, implementing and evaluating City programs under the Housing and Community Development Act of 1974

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective 6/5/2019

9

- Members serve with staff on a loan review committee for housing rehabilitation programs and a first time homebuyer loan program
- Review and recommend to the City Council regarding the Below Market Rate (BMR) program
- Initiate, review and recommend on housing policies and programs for the City
- Review and recommend on housing related impacts for environmental impact reports
- Review and recommend on State and regional housing issues
- Review and recommend on the Housing Element of the General Plan
- The five most senior members of the Housing Commission also serve as the members of the Relocation Appeals Board (City Resolution 4290, adopted June 25, 1991).

Library Commission

The Library Commission is charged primarily with advising the City Council on matters related to the maintenance and operation of the City's libraries and library systems. Specific focus areas include:

- The scope and degree of library activities
- Maintenance and protection of City libraries
- Evaluation and improvement of library service
- Acquisition of library materials
- Coordination with other library systems and long range planning
- Literacy and ESL programs

Parks and Recreation Commission

The Parks and Recreation Commission is charged primarily with advising the City Council on matters related to City programs and facilities dedicated to recreation. Specific focus areas include:

- Those programs and facilities established primarily for the participation of and/or use by residents of the City, including adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities and equipment
- Adequacy, operation and staffing of recreation programs
- Modification of existing programs and facilities to meet developing community needs
- Long range planning and regional coordination concerning park and recreational facilities

Planning Commission

The Planning Commission is organized according to State Statute.

- The Planning Commission reviews development proposals on public and private lands for compliance with the General Plan and Zoning Ordinance.
- The Commission reviews all development proposals requiring a use permit, architectural control, variance, minor subdivision and environmental review associated with these projects. The Commission is the final decision-making body for these applications, unless appealed to the City Council.
- The Commission serves as a recommending body to the City Council for major subdivisions, rezoning's, conditional development permits, Zoning Ordinance amendments, General Plan amendments and the environmental reviews and Below Market Rate (BMR) Housing Agreements associated with those projects.
- The Commission works on special projects as assigned by the City Council.

Sister City Committee

The Sister City Committee is primary charged with promoting goodwill, respect and cooperation by facilitating cultural, educational and economic exchanges

- Develop a mission statement and program plan consisting of projects, exhibits, contacts and exchanges of all types to foster and promote the objectives of the mission statement
- Implement the approved program plan upon request of the City Council
- Keep the community informed concerning the Sister City program
- Advise the City Council on matters pertaining to any sister city affairs

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

- Perform other duties as may be assigned to the committee by the City Council

Special Advisory Bodies

The City Council has the authority to create standing committees, task forces or subcommittees for the City, and from time to time, the City Council may appoint members to these groups. The number of persons and the individual appointee serving on each group may be changed at any time by the City Council. There are no designated terms for members of these groups; members are appointed by and serve at the pleasure of the City Council.

Any requests of city commissions or committees to create such ad hoc advisory bodies shall be submitted in writing to the City Clerk for City Council consideration and approval.

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935

ATTACHMENT B



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 4/8/2020

Commission or committee of interest: Complete Streets Commission

Name: Katie Behroozi

Education: MA Education/MBA (Stanford); BA English (Princeton)

Civic affiliations and community activities, including service on other commissions or committees:
Parents for Safe Routes (leadership team)
Trinity Church (choir)
MPC Ready (block coordinator)
Second Harvest Food Bank (distribution volunteer)

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
The CSC serves as an important conduit between the broader Menlo Park community and the city council. We advise council on transportation-related decisions, share insights into city processes and policies with the broader community, and share community input with staff and council members. In subcommittees we often do deeper dives into proposals, e.g. the Transportation Master Plan. I've served on this commission (and the bicycle commission) for the past four years and am currently applying for a second term. I also draw on my personal experience as a driver/pedestrian/bike commuter/recreational cyclist/Hillview parent.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
I believe that our city's complete streets policy, if faithfully executed, has the potential to improve community safety and health while mitigating local traffic pain and greenhouse gas emissions. In the approaching economic uncertainty, our council will need to make tough choices about how to spend our resources (including staff time). As an experienced commissioner I hope to continue developing my advisory relationship with the city council, engaging the broader community in city transportation planning processes and helping to ensure a good two-way information flow between council/staff and community, and building a functional and effective commission that supports staff without overburdening them

[Redacted Signature]

Signature

4/8/2020
Date

OFFICE USE ONLY:

Application received: _____	Address verified in City Limits (if necessary): <input type="checkbox"/> By: _____
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If appointed, term ends: _____	

Personal information:			
Name: Katie Behroozi	Number of years as a Menlo Park resident: 18		
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: n/a	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website			
<input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>current commissione</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: May 13, 2020

Commission or committee of interest: Complete Streets Commission

Name: Petrice Espinosa

Education: Bachelor of Arts, Smith College, Northampton, MA

Civic affiliations and community activities, including service on other commissions or committees:

This would be my first public service volunteer position. However, I have over 20 years of volunteer service at our local schools.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I began commuting by bike from my home in the Willows to my office in downtown Menlo Park in August 2016. I now commute via bike & Caltrain to Mountain View and San Francisco. I am the type of bike rider who falls into the "interested but concerned" category and I know many others do too. If we can continue to make the streets safer for cyclists, we will succeed at getting more people out of their cars and making the roads safer for our children and adults who wish to use bicycles as forms of transportation. In Feb 2019, I joined Bikos Make Life Better, a company dedicated to helping

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

[Redacted Signature]

Signature

May 13, 2020

Date

OFFICE USE ONLY:

Application received: _____
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name: Petrice Espinosa		Number of years as a Menlo Park resident: 24	
Resident address: [REDACTED]	City: MP	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone: [REDACTED]			
Registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>FACEBOOK</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Business phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Control

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:
 Menlo Atherton Little League (Coach 6 years)
 Hillview Middle School (Coach 3 years)
 Menlo Atherton High School Mentor program (3 years)
 Boys and Girls Clubs of the Peninsula College Mentor Program
 Big Brothers / Big Sisters of Sacramento (Big Brother)
 San Mateo County Civics 101 Course
 Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
 I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.

[Redacted Signature]

10/21/19

Signature

Date

OFFICE USE ONLY:

Application received: _____ Address verified in City Limits (if necessary): By: _____

Considered by City Council: _____ Appointed: Yes No (Initials)

Considered by City Council: _____ Appointed: Yes No

Considered by City Council: _____ Appointed: Yes No

If appointed, term ends: _____

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 2020-05-04

Commission or committee of interest: Complete Streets Commission

Name: Isaac Wyatt

Education: MBA - Michigan State University, BBA - Siena Heights University

Civic affiliations and community activities, including service on other commissions or committees:

My wife and I are frequent patrons of local small businesses and community services like libraries. We are pedestrians of local parks, engaged in our neighborhood MPC-Ready, and we also utilize our community's various transit options (in normal times), like roads and train, in addition to daily walks to downtown Menlo Park, and jogging paths.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

- Coordination of multi-modal (motor vehicle, bicycle, transit and pedestrian) transportation facilities
 Not only do I use each of these types transit options, but I also frequently see opportunities for how we could create safer, higher throughput intersections. Not only does my MBA from a top Supply Chain school provide great grounding for managing complex flows like transit, but I also work in business optimization where different flows have different costs and values which apply to different activity types.
- Advising City Council on ways to encourage vehicle, multi-modal, pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan
 I have a strength in outlining problems, working with stakeholders to define the problem, supporting it with data, and collaborating on a decision that is aligned with broader community objectives.
- Coordination on providing a citywide safe routes to school plan
 Key to community stability and growth is providing safety for children to and from school in all aspects from vehicles, lighting, people, sidewalks, and more. Any single incident is one too many.
- Coordination with regional transportation systems
 Networking is a key strength of what I do at work, and something that I can bring to coordinating with other transit systems. Additionally, (in normal times), my wife and I are both inter-county commuters which gives us a perspective on using transit systems that connect with Menlo Park's own.
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.02
 My wife and I often observe the effects parking has on transit flows, but also the supply and demand for parking. I'm very interested in how I can better serve the community by optimizing parking restrictions and permitting.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

Serving on the Complete Streets Commission is an opportunity to help everyone enjoy safer, more efficient transit, regardless of the mode or intent of transportation. As a four year resident of Menlo Park, I want to not only increase our community's own satisfaction, but provide a sustainable practice as our community continues to grow.

Isaac _____
Digitally signed by Isaac
 Date: 2020.05.04 20:16:11 -07'00'
 Signature

2020-05-04 _____
 Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: Isaac Wyatt		Number of years as a Menlo Park resident: 4	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.	
Date: May 5, 2020	
Commission or committee of interest: Environmental Quality	
Name: Leah Elkins	
Education: JD, 1990, UC Davis	
Civic affiliations and community activities, including service on other commissions or committees:	
Block Preparedness Coordinator with Menlo Park Ready, CERT Area 28 Volunteer Local Lead for Moms Demand Action, gun sense activist group	
Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:	
I understand that the EQC works as an advisory body for the City Council regarding environmental and sustainability issues, including property development within our city, pollution reduction, resource conservation and protecting green space.	
I have no professional qualifications in the environmental arena but I am a lifelong recycler and environmental advocate who tries to "walk the walk" and always look for new ways to sustain and	
Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:	
I think I can help the City Council balance the needs of the populace with the need to preserve the planet and to protect Menlo Park's "Tree City" reputation. We are experiencing great external pressures from global climate change to increased traffic to housing shortages and the EQC can help make sure that the environment always has a seat at the table when important policy decisions are being made.	

Signature

May 5, 2020

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name:		Number of years as a Menlo Park resident: 22	
Resident address	[REDACTED]	City:Menlo Park	State:CA Zip:94025
Mailing address (if different):		City:	State: Zip:
Phone	[REDACTED]	Email	[REDACTED]
Business address:		City:	State: Zip:
Business phone:			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>friend</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone:	<input type="radio"/> Yes <input type="radio"/> No
		Business phone:	<input type="radio"/> Yes <input type="radio"/> No
		Home phone:	<input type="radio"/> Yes <input type="radio"/> No
		Email:	<input checked="" type="radio"/> Yes <input type="radio"/> No

COMMISSION & COMMITTEE APPLICATION

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3/7/16

Commission or Committee of Interest: EQC

Name: M. Janelle London

Education: JD, UC Berkeley; Bachelor of Arts, Stanford University

Civic affiliations and community activities, including service on other commissions or committees:
 President, Friends of Menlo Park Gymnastics; Co-Chair, La Entrada Spelling Bee; Coach, La Entrada Math Team.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 Please see attached.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
 Please see attached.

[Redacted Signature]

Signature

3/7/16
 Date

OFFICE USE ONLY:	
Application Received: _____	Address Verified in City Limits: <input type="checkbox"/> Yes <input type="checkbox"/> No By: _____ (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If Appointed Term ends: _____	

Personal Information:			
Name: M. Janelle London	Number of years as a Menlo Park resident: 14		
Resident Address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing Address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business Address:	City:	State:	Zip:
Business Phone: [REDACTED]			
Registered Voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Newspaper <input checked="" type="checkbox"/> Email <input type="checkbox"/> City's Website <input type="checkbox"/> Nextdoor.com <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the City's website:	Cell Phone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Business Phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home Phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

3/7/16 Application of M. Janelle London to Menlo Park Environmental Quality Commission

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I understand that the Environmental Quality Commission advises the City Council on matters involving environmental protection, improvement, and sustainability, including the following:

- Implement the city's Climate Action Plan.
- Help develop environmental policies and programs, focusing on:
 - Sustainable building policies and programs
 - Community-wide environmental sustainability policy and success metrics
 - Resource conservation and pollution prevention, including solid waste reduction and water conservation
 - Programs and policies for maximizing the urban tree canopy

My experience relates to these responsibilities as follows:

Current:

Menlo Spark's Director of Sustainability: Developing and implementing measures, programs and partnerships to help Menlo Park reach climate neutrality by 2025, with a focus on community and youth engagement.

In this role I've gained experience and understanding of Menlo Park's environmental policies, programs, issues and priorities that will be relevant for service on the EQC.

Previous:

Director, DaVita Inc. (Fortune 500 dialysis provider): 13+ years of experience developing, branding, marketing, implementing and promoting programs for 170,000 dialysis patients and their families, and 60,000 employees and their families. For each of these programs, our team developed and tracked progress metrics.

One such program was DaVita's sustainability program, which met these goals:

- Reduce energy consumption by 15%
- Reduce office paper consumption by 20% and move toward paperless clinics
- Reduce water consumption by 10%
- Increase environmentally preferable procurement by 15%
- Increase employee awareness by implementing one new program each year

This experience relates to the role of advising City Council on development of programs and tracking success metrics.

3/7/16 Application of M. Janelle London to Menlo Park Environmental Quality Commission

Executive Director, Dialysis Patient Citizens: Founded Dialysis Patient Citizens (DPC), a 501(c)(4) patient advocacy group. As its executive director, I recruited the board of directors, started the organization and grew its membership to 20,000, and worked with the board to develop DPC's policies and programs.

Attorney, O'Melveny & Myers: 7 years as an associate at a large corporate law firm gave me experience with understanding and analyzing policies, rules and regulations, similar to those the EQC might consider.

Board/Committee service: I have served on the board of directors of the American Association of Kidney Patients, and on the United Network for Organ Sharing's Patient Affairs Committee and Ethics Committee, and most recently, a middle school committee to draft Administrative Regulations.

These board and committee experiences have prepared me to work effectively with the other members of the EQC and with City Council.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

Menlo Park is a wonderful place to live, work and raise a family. I am passionate about protecting the environment of our great city, and about developing policies and programs to promote sustainability here. As a Commission member, I hope to work with the other Commissioners to advise the City Council on measures that will make a substantial, positive impact on the environment, and keep our city healthy, safe and beautiful. Also, I hope to contribute to making Menlo Park a role model for other cities in how to protect the environment and promote sustainability.

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: March 5, 2020

Commission or committee of interest: Environmental Quality Commission

Name: James Payne

Education: BS in Chemistry and BA in Astronomy, UIUC; MS and PhD in Chemistry, University of Chicago

Civic affiliations and community activities, including service on other commissions or committees:

I have served as a commissioner on this commission for the past two years. This past year, I have served as the Vice Chair of this commission, and I have been an active member of the Climate Action Plan subcommittee. In addition, I have served as an election judge in the past and have volunteered in various capacities for science outreach to children, including as a judge at the Chicago Public Schools Science Fair for three years. I also organized a biomedical research symposium between the University of Chicago, Northwestern University, and the University of Illinois at Chicago.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

The EQC serves as an advisor body to City Council on topics relating to environmental protection, preservation, and the sustainability of our city. In addition, the EQC hears appeals from citizens regarding the removal of heritage trees. My professional work is focused on green chemistry - the development of methods for chemical synthesis that reduce the waste and harm needed for chemical manufacturing. As a result, I have experience with analyzing multiple potential solutions to a problem and balancing competing considerations of waste, toxicity, efficiency, etc. in order to determine which solution is the most sustainable. I am also as of this year a part of the Rising Environmental Leaders Program at the Stanford Woods Institute for the Environment, where we receive training on how to effectively translate scientific research into environmental policy and communicate it to the community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I am broadly interested in environmental sustainability - I intend to focus in my professional career on helping to reduce society's impact on the climate, and I would like to dedicate some of my personal time to tackling similar problems closer to home. If I am able to continue my service on the EQC, I hope to continue with the progress we have made on reducing the greenhouse gas emissions of our city, as we were able to help accomplish with the passage of the Reach Codes last year. In particular, we are currently working to develop a new Climate Action Plan for Menlo Park, and I would like to see the development of the plan to completion and help with the implementation of the policies that will be needed to reach the goals set in that plan.

James Payne

Digitally signed by James Payne
Date: 2020.03.05 19:03:40 -08'00'

Signature

March 5, 2020

Date

OFFICE USE ONLY:

Application received: _____
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name: James Payne		Number of years as a Menlo Park resident: 4	
Resident address: [REDACTED]	City: Menlo Park	State: California	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: 708-408-4774	Email: [REDACTED]		
Business address: [REDACTED]	City: Stanford	State: California	Zip: 94305
Business phone: [REDACTED]			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <small>Currently on EQC, applying for second term</small>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Comm

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Atherton Little League (Coach 6 years)
- Hillview Middle School (Coach 3 years)
- Menlo Atherton High School Mentor program (3 years)
- Boys and Girls Clubs of the Peninsula College Mentor Program
- Big Brothers / Big Sisters of Sacramento (Big Brother)
- San Mateo County Civics 101 Course
- Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.



10/21/19

Signature

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

QUESTION: Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities.

ANSWER:

My background and expertise can contribute to the commission priorities in the following ways:

Priority 1: Assist in developing sustainable building policies and programs for private and public development projects. Related to development projects, my experience in ethical procurement and policy and programmatic development and implementation would support these efforts in Menlo Park. (refer to resume for more detail)

Priority 2: Develop a community-wide environmental sustainability policy with metrics to measure and evaluate progress. Having reviewed the existing sustainability policy and implementation status I feel I can help with the prioritization and trade-offs needed for Menlo Park to meet and/or adjust its goals. I have the skills, ability and collaborative personality to work with others on the commission, residents and Menlo Park staff to help collectively figure out how to best support this work.

Priority 3: Develop and evaluate resource conservation and pollution prevention programs and policies, such as solid waste reduction and water conservation. My work experience has been focused on water pollution from manufacturing facilities and preventative measures, and I can provide support to the commission on this topic from a topical analytical perspective.

Priority 4: Implement Climate Action Plan. I would like to work with the other commissioners, community members and staff on strategy and help to find creative ways to effectively implement Menlo Park's CAP.

Priority 5: Maximize the urban canopy through programs and policies. I can be a solid contributor, analyzing and offering opinions on how to best maintain and grow the urban canopy in Menlo Park.

QUESTION: Describe why you want to serve on this commission or committee and what you hope to accomplish as a member.

ANSWER:

Having a career that focuses on supply chain sustainability issues at the global level I would like to take my passion, interest and experience and apply it at the local level too. I have been a resident in Menlo Park for three years and as time has gone by I have become more interested in engaging at the local level.

A recent example of this is pointing out to city councilmember candidate Jen Wolosin the potential safety issues on the path connecting Menlo Park to Palo Alto at the end of Alma Street. Not only did we talk about it, I also invited her to walk the path with me at night so she could see the potential risks. She then went on to contact city departments in both Palo Alto and Menlo Park to address this issue.

Similarly, I want to use my role as a commissioner to work collaboratively and proactively to implement existing plans while also looking for opportunities for the city of Menlo Park to use its limited resources to achieve maximum results. As we look at the areas the commission is responsible for, we need to consider things like ethical clauses in procurement contracts and how to continue to collaborate and find creative solutions to the sustainability challenges that we all face as residents here.

Personal information:			
Name: Desta A. Raines		Number of years as a Menlo Park resident: 2 years	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: [REDACTED]	City: Oakland	State: CA	Zip: 94612
Business phone: [REDACTED]			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>Jen Wolosin, city council candidate</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

DESTA A. RAINES

Summary of Qualifications

A proven professional who successfully designs and implements transformational programmatic and policy approaches focused on sustainability and corporate social responsibility for global organizations

- ◆ Collaborative leader
- ◆ Detailed and organized
- ◆ Cost efficient
- ◆ Outcomes focused

Experience

FAIR TRADE USA, OAKLAND, CA

Senior Director, Factory Support Services, Apparel & Home Goods Jan 2018-present

- ◆ Leading the successful revamping and rollout of all operational aspects related to the delivery and scaling of Fair Trade USA's global Factory Support Services program in 15 countries for the Apparel & Home Goods category. Includes global talent management and expansion, process design, tools, training, policy formation and strategic stakeholder engagement.
- ◆ Service redesign has led to a 50% reduction of on boarding times for new factories and has generated significant cost savings for Fair Trade USA.
- ◆ In charge of a 12-person team, budget and defining and delivering on strategic targets.
- ◆ Work closely with brand partners such as Target, West Elm, Patagonia, PrAna, JCREW and others to ensure they and their factories are engaged and benefitting from the Fair Trade factory program.

APPLE, INC., CUPERTINO, CA

Human Rights & External Engagement, Supplier Responsibility

Feb 2016-Jan 2018

Labor & Human Rights Manager, Supplier Responsibility

Apr 2012-Feb 2016

- ◆ Developed Apple's international Labor & Human Rights (LHR) approach focused on supply chain. Targeted areas included: trafficking and bonded labor; conflict minerals; responsible sourcing of materials; working hours; student and child labor; worker engagement; ethical recruitment and more.
- ◆ Propelled Apple's global recognition as a leader in labor rights and conflict free minerals.
- ◆ Created the first-ever engagement approach at Apple focused on supply chain, including outreach to national governments, NGO's, multi-lateral organizations, socially responsible investment funds, businesses and unions.
- ◆ Responsible for a multi-million dollar budget and 11-person team in the US and China.

THE JONES GROUP, BRISTOL, PA

Compliance Manager

Mar 2005-Feb 2012

- ◆ Oversaw all aspects of the Jones Group's factory monitoring program globally.
- ◆ Created curriculum and delivered training for factories, agents, key stakeholders and internal staff.
- ◆ Managed an international worker-manager pilot training program in partnership with the Solidarity Center (AFL-CIO) in Guatemala, Thailand and Cambodia.

- ◆ Presented on trade and labor issues at international conferences, universities and events at the United Nations, World Bank, US State Department, American Bar Association, etc.

SOCIAL ACCOUNTABILITY INTERNATIONAL, NEW YORK, NY

Corporate Involvement Program Manager

Jan 2004-Mar 2005

Vietnam Director

Nov 2002-Mar 2005

Communications & Vietnam Program Manager

Apr 2001-Nov 2002

- ◆ Directed an innovative US State Department-funded program that used the SA8000 voluntary workplace standard to improve labor conditions and promote rule of law and economic development in Vietnam.
- ◆ Delivered assessment services to review company's supply chain management systems. Included development of auditing protocols, headquarters and field visits, multi-stakeholder panel review of findings and public reporting analysis for companies like Timberland, Gap, McDonald's and Toys "R" Us.

THE AMERICAN CHAMBER OF COMMERCE IN VIETNAM, HANOI

Executive Director

Jul 1997-Apr 1999

- ◆ Represented American business interests at meetings and events with US, Vietnam and other governments' officials, trade delegations, and multilateral institutions. This included speaking to the media and presenting at events, participating on behalf of Vietnam in APCAC (the Asia Pacific Council of American Chambers of Commerce) and lobbying and liaising with Congressional and Administration representatives in Washington, DC.
- ◆ Advised new-to-market companies on Vietnam's potential, including market entry and business partnership opportunities.
- ◆ Increased chamber of commerce membership by 50 percent, despite the negative impact of the regional economic crisis, by developing customized services and programs.

Leadership & Boards

- ◆ **Top 100 Corporate Social Responsibility Influence Leaders 2019.** Recognized for efforts to establish and improve CSR programs globally.
- ◆ **Certified Sustainability CSR Practitioner.** Certification required course work and establishing a two year sustainability strategy for Fair Trade USA.
- ◆ **Leading Women in Technology (LWT), WILPower Ring Leader.** The WILPower program accelerates women's leadership profile, potential and impact.
- ◆ **Slavery & Trafficking Risk Template Development Committee.** Member of this multi-stakeholder consortium focused on the eradication of human trafficking and modern slavery from supply chains around the world.
- ◆ **Pacific Links Foundation, Advisor.** Pacific Links focuses on youth development and trafficking prevention in Vietnam and surrounding countries.
- ◆ **Responsible Sourcing Network (RSN), Advisory Board Member.** RSN is dedicated to ending human rights abuses and forced labor in raw materials supply chains including cotton and minerals.
- ◆ **National Advisory Committee for Labor Provisions of US Free Trade Agreements.** Appointed by the US Secretary of Labor 2015-2017.
- ◆ **Volunteer Lead, Apple's Global Volunteer Program.** Served as the first volunteer lead from planning through implementation for Apple's inaugural volunteer program.

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.
Date: March 7 2020
Commission or committee of interest: Finance & Audit Committee and Planning Commission
Name: Theo Keet
Education: Degree in Finance and Accounting; CPA
Civic affiliations and community activities, including service on other commissions or committees: Retirement activities <ul style="list-style-type: none">Serving as Chair of the Board of Director of the Pacific Art League of Palo Alto since 2014.Serving as mentor at the St Clara University program for Global Social Benefit Incubator since 2010.Serving as Treasurer and President of the Rotary Club of Menlo Park since 2015.Serving on the Menlo Park Environmental Quality Commission in early 2000's.
Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities: Finance and Audit Committee: Support the City Controller in maintaining adequate internal controls and safeguarding proper financial reporting Planning Commission: Approving real estate developments, remodeling and renovation in line with the City overall guidelines and securing an overall aesthetic and cohesive presentation
Describe why you want to serve on this commission or committee and what you hope to accomplish as a member: For either function my objective is to serve my community and contribute to the wellbeing and resident's focus development of the City

Signature

March 7 2020

Date

OFFICE USE ONLY:	
Application received: _____	Address verified in City Limits (if necessary): <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If appointed, term ends: _____	By: _____ (Initials)

Personal information:			
Name: Theo Keet		Number of years as a Menlo Park resident: 27	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: retired	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone:	<input type="radio"/> Yes <input type="radio"/> No
		Business phone:	<input type="radio"/> Yes <input type="radio"/> No
		Home phone:	<input type="radio"/> Yes <input type="radio"/> No
		Email:	<input type="radio"/> Yes <input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Control

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Atherton Little League (Coach 6 years)
- Hillview Middle School (Coach 3 years)
- Menlo Atherton High School Mentor program (3 years)
- Boys and Girls Clubs of the Peninsula College Mentor Program
- Big Brothers / Big Sisters of Sacramento (Big Brother)
- San Mateo County Civics 101 Course
- Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.

[Redacted Signature]

10/21/19

Signature

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone [REDACTED]	Email [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: April 7, 2018

Commission or committee of interest: Finance and Audit Committee

Name: Roger Royse

Education: BSBA, JD, LL.M

Civic affiliations and community activities, including service on other commissions or committees:

Member of Menlo Park General Plan Advisory Committee (2016-2017)

Past President of Palo Alto Area Bar Association

Tax Attorney and founder of Royse Law Firm, PC, a 30 lawyer Menlo Park tax and business law firm

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I understand that the committee facilitates the city's financial reporting and assists in reviewing the financial audit and the investment portfolio. As a member of numerous boards, tax lawyer and also a CPA (not licensed in California) I have experience with financial reporting as well as investment and can help communicate audit results and accounting processes to the community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I would like have a role in the city's financial audit and processes and I hope to assist the committee in fairly presenting the city's financial position to the public

Roger Royse

Digitally signed by Roger Royse
 DN: cn=Roger Royse, o=CITY OF MENLO PARK, ou=City of Menlo Park, email=royse@menlopark.gov

Signature

April 7, 2018

Date

OFFICE USE ONLY:

Application received: _____

Considered by City Council: _____

Considered by City Council: _____

Considered by City Council: _____

If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____

Appointed: Yes No (Initials)

Appointed: Yes No

Appointed: Yes No

Personal information:			
Name: Roger Royse		Number of years as a Menlo Park resident: 18	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different): [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Phone: [REDACTED]	Email: [REDACTED]		
Business address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Business phone: [REDACTED]			
Registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>from Soody Tronson</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Business phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Control

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Atherton Little League (Coach 6 years)
- Hillview Middle School (Coach 3 years)
- Menlo Atherton High School Mentor program (3 years)
- Boys and Girls Clubs of the Peninsula College Mentor Program
- Big Brothers / Big Sisters of Sacramento (Big Brother)
- San Mateo County Civics 101 Course
- Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.



Signature

10/21/19

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: 650-269-8933	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 5/11/20

Commission or committee of interest: Library

Name: Mayrin Bunyagidj

Education: M.Ed.

Civic affiliations and community activities, including service on other commissions or committees:

Current 1st grade teacher at Beechwood School, mother of two that attend schools in Menlo Park, and resident of Belle Haven that actively attends community events.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I have been an educator for over 20 years with experience working with K-12 students. Literacy is very important especially in the early years and for English Language learners. I would use my knowledge to help shape the direction of the libraries with materials, programs, and services that will be relevant to our community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I've been a Belle Haven resident since 2009 and have loved utilizing the library services at both locations. I would like to have the opportunity to be part of the process of creating many more oppontunities moving forward with the libraries of the future.

Signature

5/11/20

Date

OFFICE USE ONLY:

Application received: _____
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name: Mayrin Bunyagidj		Number of years as a Menlo Park resident: 11	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: 50 Terminal Ave.	City: Menlo Park	State: CA	Zip: 94025
Business phone: [REDACTED]			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-8620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 05/05/20

Commission or committee of interest: LIBRARY COMMISSION

Name: SUKANYA GUHA

Education: BSc. VISUAL COMMUNICATION ; MULTIPLE SUBJECTS TEACHING CREDENTIAL

Club affiliations and community activities, including service on other commissions or committees:

I was a part of Literacy in the classroom and garden (k-3) a few years ago in Mountain View and saw the amount of benefits associated with the outdoor part of the program, as well as the indoor part.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal opportunity or professional experience relate to these responsibilities:

The commission is responsible for the maintenance and protection of the city libraries, improvement of services and acquisition of materials. Being a teacher I would be really interested in adding to the various literacy programs and also brainstorming and coming up with new programs to benefit students.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I believe that learning never ends. Books can take everybody to a different world and being a teacher I feel its important for children to have full access to the library and its programs. I would love to come up with programs catering to the children of the district.

Signature

[Redacted Signature]

Date

05/05/20

OFFICE USE ONLY:

Application received _____

Considered by City Council _____

Considered by City Council _____

Considered by City Council _____

If appointed, term ends _____

Address verified in City Limits (if necessary): By _____ (Initials)

Appointed: Yes No

Appointed: Yes No

Appointed: Yes No

Personal information:			
Name: SUKANYA GUHA	Number of years as a Menlo Park resident: 6		
Resident address: [REDACTED]	City: MENLO PARK	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City: JP	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> City website	
<input type="checkbox"/> Nextdoor	<input type="checkbox"/> Patch.com	<input type="checkbox"/> Other _____	
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 4-7-2020

Commission or committee of interest: Library Commission

Name: Katie Hadrovic

Education: LAW SCHOOL GRADUATE

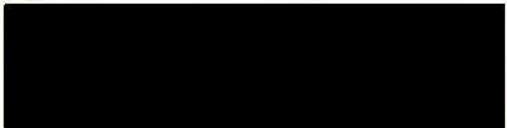
Civic affiliations and community activities, including service on other commissions or committees:
I have served on the Library Commission since 2018.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

The library commission holds monthly public meetings and also attends community events related to the library whenever feasible. We take public comments and work towards completing our work plan and assuring the library is meeting community needs.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have been on the library commission for 2 years, serving as the Chair of the commission for the past year. I believe we play an important role in assuring that the community needs are heard, communicated to the City Council and met by the service of the library. I am proud of the work the commission has done related to the building of a new Belle Haven branch and services offered at both branches and I hope to continue to do this vital work going forward.



Date 4/7/2020

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: <i>Kate Hadrovic</i>	Number of years as a Menlo Park resident:		
Resident address: [REDACTED]	City: <i>Menlo Park</i>	State: <i>CA</i>	Zip: <i>94025</i>
Mailing address: [REDACTED]	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website			
<input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Control

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Atherton Little League (Coach 6 years)
- Hillview Middle School (Coach 3 years)
- Menlo Atherton High School Mentor program (3 years)
- Boys and Girls Clubs of the Peninsula College Mentor Program
- Big Brothers / Big Sisters of Sacramento (Big Brother)
- San Mateo County Civics 101 Course
- Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.

[Redacted Signature]

10/21/19

Signature

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3/19/2020

Commission or committee of interest: Library Commission

Name: Yen Tran

Education: Bachelor's in English; Bachelor's in Art History; Masters Library and Information Science

Civic affiliations and community activities, including service on other commissions or committees:

Currently I have no civic affiliations or community activities. I was hoping that this would be the beginning of my participation (and contributions) to the community in which I am part of.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

It is my understanding that the Library Commission is an advisory group to the City Council, providing a voice on library and library systems maintenance and operations. I believe that my professional experience as an academic librarian for the last 12 years (I am currently a librarian at San Jose State University) will contribute to the Library Commission's work in advising City Council on improving or enhancing, library activities, collections and acquisitions, and services. I will also provide a unique

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

[Redacted Signature]

Signature

3/19/2020

Date

OFFICE USE ONLY:

Application received: _____
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name:	Number of years as a Menlo Park resident: 3.5 years		
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>Someone I know</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION & COMMITTEE APPLICATION

City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.
Date: 4/24/16
Commission or Committee of Interest: Parks & Recreation, Library, Environmental Quality, Planning
Name: Jennifer Baskin
Education: Columbia University BA in Economics & Political Science
Civic affiliations and community activities, including service on other commissions or committees: Volunteer through the Ambassadors for Lucile Packard Children's Hospital
Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities: Please see attached page
Describe why you want to serve on this commission or committee and what you hope to accomplish as a member: Please see attached page

[Redacted Signature]

Signature

Date 4/24/16

OFFICE USE ONLY:	
Application Received: _____	Address Verified in City Limits: <input type="checkbox"/> By: _____ (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If Appointed Term ends: _____	

Personal Information:			
Name: Jennifer Baskin		Number of years as a Menlo Park resident: 2	
Resident Address: [REDACTED]		City: Menlo Park	State: CA Zip: 94025
Mailing Address (if different):		City:	State: Zip:
Phone: [REDACTED]		Email: [REDACTED]	
Business Address:		City:	State: Zip:
Business Phone:			
Registered Voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City's Website <input type="checkbox"/> Nextdoor.com <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <i>Spoke with Kirsten Keith</i>			
If I am appointed, the City is authorized to post the following information on the City's website:		Cell Phone:	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Business Phone:	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Home Phone:	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Email:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Parks and Recreation Commission

I am deeply passionate about community and understand the great responsibilities that come with a role on the Parks and Recreation commission. I believe the role requires me to be financially aware, a champion for diversity in the community, a protector of the environment and parklands, and a liaison between the community, council and the greater public.

My background has prepared me for a role on the Parks and Recreation commission. My 12-year professional career in financial markets serving as a liaison to a diverse set of clients has equipped me with the skill set to be able to understand and respond to people, digest a large amount of information, and communicate concise and informed decisions in a timely manner. Most recently, I spent 5 years as a relationship manager at Credit Suisse helping countries raise funds (some of which were used for government sponsored projects.) My volunteer work in the communities I have lived in has also prepared me for this role as it has spanned duties and community representation across ages and socio-economic levels. My volunteer work through the Junior League has included park clean-up projects, soup kitchen service work for both adults and children and companionship to the elderly. Lastly, I manage our family's personal finances, so I am extremely financially aware and responsible.

I am eager to serve on the Parks and Recreation commission as I have fallen in love with the sense of community Menlo Park's parks and recreational activities has inspired. As a mother of two young children, I have benefitted from these as places where my children and I can grow, learn and make new friends. In just two short years as residents, I can already see why my husband (who was born and raised in Menlo Park) wanted to raise our family here. We have made many friends and spend our time out in Menlo Park's public spaces almost daily. I would like to be even more involved in the community as a member of this commission and be able to give back to my community by addressing its needs and working to provide excellent solutions.

I hope to accomplish the commission's current priorities, which according to the last minutes posted on its website, are in the process of being set. I visit both Nealon and Jack Lyle Park almost daily and have ideas and a good understanding of how to improve the parks' spaces, facilities, and usage, while maintaining their integrity. I would love to continue working on addressing the recreational arts programs and partnerships for all ages of the community. Lastly, I would love to continue to work on improving diversity in the community through the parks and programs.

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: August 14, 2019

Commission or committee of interest: Park & Recreation

Name: Joyce Friedrichs

Education: BS Education

Civic affiliations and community activities, including service on other commissions or committees:

I have not served on any city committees or commissions, but I have been very active in the Environmental Volunteers, an educational non-profit, for the past 37 years. I have served on the board for a total of 15 years and have been board chair or co-chair for six years. I also serve on three different committees with Environmental Volunteers. I am a docent at Jasper Ridge Biological Preserve (Stanford) and I also am a mentor for the non-profit Peninsula Bridge. I was a classroom volunteer in my children's schools in Menlo Park, was on site councils and was on the Jeanie Ritchie Grant Committee in the Menlo Park School District. I was very involved in the parent community when my children were at Menlo-Atherton High School.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

The Park & Recreation Committee strives to respect and affirm diversity in the community by providing high quality, inclusive programs and services that meet the needs of all community members. The committee needs to focus on financial responsibility, programmatic excellence, preservation of open spaces and parklands, positive community relations with the City Council and local schools, solid partnerships, and serving a diverse community.

I am an "outdoors" person who loves and appreciates all recreational spaces. I have frequented our local parks in the 40 years I have lived in Menlo Park. I so value the programs we provide for the community. I am keenly aware that we need to afford services for all members of our ever-changing community. My background in various aspects of education provides a healthy perspective on what's possible for children and adults.

In my career I worked on teams and held leadership roles. These experiences have given me a healthy perspective on what it means to be a team player and to lead. As an Environmental Volunteers board member and board chair I have been involved with the financial health of the organization, with the program offerings, I've worked with diverse communities and have been instrumental in the overall health of the organization.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I love living in Menlo Park. I think it's a wonderful community. Parts of what makes us such a strong community are the services we provide, the open space, and the recreational opportunities available to us. I feel deeply that because our community is diverse we need to be especially diligent about making sure we are serving all of our constituents. It's important to me that I contribute to our community and being on the Park and Recreation Committee is one way to do this. Personally, I want to find productive, interesting and useful ways to spend my time, and I would like to get to know other people who share my values. I am keenly aware that spending time outdoors (the parks part) and participating in a variety of activities (the recreation part) are essential to healthy people and a healthy community.

Regarding what I hope to accomplish, I would like to be a part of making sure we serve our community well. I feel that with my professional and volunteer experience I can contribute to a strong park and recreation committee. I am a team player, I listen well and I care.

Joyce Friedrichs

Digitally signed by Joyce Friedrichs
 Date: 2019.08.14 12:17:03 -07'00'

Signature

August 14, 2019

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: Joyce Friedrichs		Number of years as a Menlo Park resident: 41	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity: <input checked="" type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 05/05/20

Commission or committee of interest: PARKS AND RECREATION

Name: SUKANYA GUHA

Education: BSc. VISUAL COMMUNICATION; MULTIPLE SUBJECTS TEACHING CREDENTIAL

Civic affiliations and community activities, including service on other commissions or committees.

I was a part of Literacy in the classroom and garden (K-3) a few years ago in Mountain View and saw the amount of benefits associated with the outdoor part of the program.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities.

Advising and receiving community input concerning parks, open spaces, and recreation activities. As a parent and teacher I understand the importance of the above not just for children, but everybody in the community and would bring in a dual perspective.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member.

I am very passionate about making learning come alive. I feel being a teacher puts me in a great spot to understand children. Ideally I would like to recreate a similar program to Literacy in the garden in Menlo Park too.

Signature:

Date: 05/05/20

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: SUKANYA GUHA	Number of years as a Menlo Park resident: 6		
Resident address: [REDACTED]	City: MENLO PARK	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> City website	
<input type="checkbox"/> Nextdoor	<input type="checkbox"/> Patch.com	<input type="checkbox"/> Other _____	
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: March 10, 2020

Commission or committee of interest: Parks & Recreation

Name: Jennifer Johnson

Education: PhD in clinical psychology

Civic affiliations and community activities, including service on other commissions or committees:

Please see attached

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

Please see attached

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

Please see attached

Signature

Date

3/10/20

OFFICE USE ONLY:

Application received: _____

Considered by City Council: _____

Considered by City Council: _____

Considered by City Council: _____

If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____

Appointed: Yes No

Appointed: Yes No

Appointed: Yes No

(Initials)

Personal information:			
Name: Jennifer Johnson		Number of years as a Menlo Park resident: 10	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>current commissioner</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone: <input type="radio"/> Yes <input type="radio"/> No Business phone: <input type="radio"/> Yes <input type="radio"/> No Home phone: <input type="radio"/> Yes <input type="radio"/> No Email: <input checked="" type="radio"/> Yes <input type="radio"/> No	

Attachment, Parks and Recreation Commission application, Jennifer Johnson

1. Civic affiliations and community activities, including service on other commissions or committees:

- Parks and Recreation Commissioner, City of Menlo Park (2016-present)
- Developer/Coordinator for inclusive recreation classes for children with special needs (2015-present) both in Menlo Park and other areas on the Peninsula
- Vice Chair, Parks and Recreation Commission, City of Menlo Park (2017-2018)
- Chair, Parks and Recreation Commission, City of Menlo Park (2018-2019)
- Subcommittee member on Committee for park renovations (2017- 2019)
- Subcommittee member on Committee for selection of project contractor (2017)
- Subcommittee member for Parks and Recreation Master Plan Committee (2017- 2019)
- AYSO VIP Team coordinator (team for players with special needs), Redwood City, 2014-2019)
- Donate Life Ambassador, California Transplant Donor Network (2011-2017)
- Chairperson for Donate Life 5K Run/Walk (2013)
- Secretary, Special Needs PTA (2010-2013)

2. Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

The responsibilities of the Parks and Recreation Commission include acting as a liaison between the community and the Council, being accessible to the community, being responsive to the community needs for programs, preserving park lands and open spaces, promoting safety, and affirming the diversity in our community. As a current member of the Parks and Recreation Commission, I have had several years to acquire experience in these responsibilities. I have been selected for and accepted leadership roles on the Commission as well as roles on numerous subcommittees working in furtherance of the Commission's work plan. I attended a statewide conference (CPRS) to learn more about inclusive practices in playground design and implementation. I brought this information back to the Commission and utilized it in the playground subcommittee's work on renovating Nealon Park, which is now a National Demonstration site based on its unique and inclusive features. Social justice is an ideal that drives my community work. In my opinion, it is critical that all of the residents of Menlo Park are able to enjoy equitable access to programs and services that are inclusive and celebrate their diversity.

I understand how crucial attendance is for commission meetings. Except for times when I have just had surgery, I have attended all commission meetings.

3. Describe why you want to serve on this commission or committee and what you hope to accomplish as a member.

Serving on the Parks and Recreation Commission for the last 4 years has been a great privilege. I consider myself fortunate to be able to engage in community work that aims to bring people together, all people. Working toward work plan objectives with this extraordinary group of commissioners is so gratifying. Service is something that is crucial for me. I have been lucky to enjoy many of life's privileges and am motivated to give back wherever I can, both in my work and in my community.

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Comm

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Atherton Little League (Coach 6 years)
- Hillview Middle School (Coach 3 years)
- Menlo Atherton High School Mentor program (3 years)
- Boys and Girls Clubs of the Peninsula College Mentor Program
- Big Brothers / Big Sisters of Sacramento (Big Brother)
- San Mateo County Civics 101 Course
- Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.

Signature

10/21/19

Date

OFFICE USE ONLY:

Application received: _____
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3.27.20

Commission or committee of interest: Planning Commission

Name: Andrew Barnes

Education: MBA - Waseda 早稲田大学大学院 (Tokyo), BA - Penn State University

Civic affiliations and community activities, including service on other commissions or committees:

MP Planning Commission, Chair - Current
SamTrans - Citizens Advisory Committee (CAC), Chair - Current
MP Transportation Master Plan Oversight and Outreach Committee, Member - Current
MP Environmental Quality Commission, Commissioner - Previous

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

In my experience, responsibilities are primarily related to land use, policies, environmental impacts and architectural review for development. Professionally I work for the County of Santa Clara in the Office of Supportive Housing (OSH) as its Senior Housing Development Officer. OSH is the lead agency for the County's Affordable Housing Bond and is on track to build \$3.75 billion in affordable housing throughout Santa Clara County serving the neediest in the community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

During my service I hope that I've been informed and reasoned in my decision making. My hope is that I could continue to be of service by being re-appointed for a second term. Land use issues underpin our daily lives and I'd appreciate the opportunity to apply thoughtful execution to existing policies and forward-looking thinking to new policies.

[Redacted Signature]

Signature

3.27.20

Date

OFFICE USE ONLY:

Application received: _____
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name:	Number of years as a Menlo Park resident: 10		
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: [REDACTED]	City: San Jose	State: CA	Zip: 95131
Business phone: [REDACTED]			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>Current Planning Commission member</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: March 7 2020

Commission or committee of interest: Finance & Audit Committee and Planning Commission

Name: Theo Keet

Education: Degree in Finance and Accounting; CPA

Civic affiliations and community activities, including service on other commissions or committees:
Retirement activities

- Serving as Chair of the Board of Director of the Pacific Art League of Palo Alto since 2014.
- Serving as mentor at the St Clara University program for Global Social Benefit Incubator since 2010.
- Serving as Treasurer and President of the Rotary Club of Menlo Park since 2015.
- Serving on the Menlo Park Environmental Quality Commission in early 2000's.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
Finance and Audit Committee:
Support the City Controller in maintaining adequate internal controls and safeguarding proper financial reporting
Planning Commission:
Approving real estate developments, remodeling and renovation in line with the City overall guidelines and securing an overall aesthetic and cohesive presentation

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
For either function my objective is to serve my community and contribute to the wellbeing and resident's focus development of the City


Signature

March 7 2020
Date

OFFICE USE ONLY:

Application received: _____	Address verified in City Limits (if necessary): <input type="checkbox"/> Yes <input type="checkbox"/> No	By: _____ (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
If appointed, term ends: _____		

Personal information:			
Name: Theo Keet		Number of years as a Menlo Park resident: 27	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: retired	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone:	<input type="radio"/> Yes <input type="radio"/> No
		Business phone:	<input type="radio"/> Yes <input type="radio"/> No
		Home phone:	<input type="radio"/> Yes <input type="radio"/> No
		Email:	<input type="radio"/> Yes <input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 10-21-2019

Commission or committee of interest: Complete Streets Commission, Environmental Quality Commission Housing Commission Library Commission Parks and Recreation Commission Planning Commission Committees/Other, Finance and Audit Control

Name: John Pimentel

Education: San Joaquin Delta Community College (AA), Univ. of CA Berkeley (BA), Harvard University (MBA)

Civic affiliations and community activities, including service on other commissions or committees:
 Menlo Atherton Little League (Coach 6 years)
 Hillview Middle School (Coach 3 years)
 Menlo Atherton High School Mentor program (3 years)
 Boys and Girls Clubs of the Peninsula College Mentor Program
 Big Brothers / Big Sisters of Sacramento (Big Brother)
 San Mateo County Civics 101 Course
 Central California Soccer League

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 I started my career working in the California state government and ultimately served as Deputy Secretary for Transportation from 1993-1996 where I oversaw Caltrans, CA Transportation Commission and the CA Highway Patrol (amongst other agencies). This role included working with local governments on various transportation and law enforcement initiatives. I also have a strong understanding of transportation planning, construction and financing in California. For the past 15 years I have been developing renewable energy and sustainability projects for solar, wind and on-site wastewater treatment systems. This has given me deep insight into the planning process, CEQA, climate change, the threat we face from global climate change, and the economics of sustainable infrastructure. I believe we have an overriding consideration to seek local input when making rational land use decisions that consider both immediate and long-term needs for a community. I know the commissions will require multiple evenings per month. In fact, to be done correctly I assume there will be significant reading, preparation and research to be fully informed on issues that may come before the committee or commission. I also expect to use my personal and professional relationships in the transportation and sustainability field to improve options for Menlo Park in our efforts to improve transportation, housing and sustainability.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
 I have a particular interest and expertise in transportation, land use, housing and homelessness – and how those four issues are critically intertwined. I would like to help our community make good decisions that maintain our suburban, small town character while recognizing that we need to make significant investments in transportation and housing in order to accommodate the economic growth with which we have been blessed. I would like to pursue policies which improve our quality of life, preserve local control and allow our community to accommodate new residents who bring diversity, youth and vigor to our town. This means addressing the jobs/transportation/housing imbalances from which we currently suffer. I also believe it is within our resources and capability to end homelessness in California and believe it is morally indefensible for our affluent community to leave vulnerable people living unsheltered. It also means creating programs, policies and events which tie the community together from east to west in order to reduce the feeling of separateness created by the socio-economic differences between our neighborhoods and the physical north/south barriers created by infrastructure like Highway 101 or Caltrain. I also have government financial expertise from my early career managing a \$4.5 billion budget encompassing Caltrans, Highway Patrol and DMV and private sector experience in project finance and public company finance from starting and running several successful companies and sitting on a public company board of directors.

[Redacted Signature]

10/21/19

Signature

Date

OFFICE USE ONLY:

Application received: _____ Address verified in City Limits (if necessary): By: _____

Considered by City Council: _____ Appointed: Yes No (Initials)

Considered by City Council: _____ Appointed: Yes No

Considered by City Council: _____ Appointed: Yes No

If appointed, term ends: _____

Personal information:			
Name: John Pimentel		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

COMMISSION & COMMITTEE APPLICATION

City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 21 Feb 2016

Commission or Committee of Interest: **Planning**

Name: **Henry Riggs**

Education: **BFA, BArch**

Civic affiliations and community activities, including service on other commissions or committees:
Lorelei HOA, Habitat for Humanity board, Chair No on M, previous planning commissioner

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
to review projects for architectural control and use permits, assist staff and council with zoning and long range planning, act on variance requests and review EIR and other conformance documents with applications

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
Hope to add insight particularly into use permit reviews, zoning updates and potential guidelines for applicants.

[Redacted Signature]

21 February 2016

Date

OFFICE USE ONLY:

Application Received: _____	Address Verified in City Limits: <input type="checkbox"/> By: _____ (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If Appointed Term ends: _____	

Personal Information:			
Name: Henry Riggs	Number of years as a Menlo Park resident: 18		
Resident Address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing Address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business Address: same	City:	State:	Zip:
Business Phone: [REDACTED]			
Registered Voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity: <input type="checkbox"/> Newspaper <input type="checkbox"/> Email <input type="checkbox"/> City's Website <input type="checkbox"/> Nextdoor.com <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>council member</u>			
If I am appointed, the City is authorized to post the following information on the City's website:	Cell Phone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Business Phone:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Home Phone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: March 7, 2020

Commission or committee of interest: Planning Commission

Name: Jeff Schmidt

Education: San Jose State University, Bachelor's Degree

Civic affiliations and community activities, including service on other commissions or committees:

I'm currently the CEO of Ignited, a 35-year old education nonprofit that is very active in communities all across the Bay Area. I'm also a member of the SVO (San Jose) Chamber of Commerce and participating on their Education committee. I'm a regular community volunteer on projects like Habitat for Humanity, Loaves and Fishes and local community cleanup projects. And before taking my current role seven months ago, I was a member of the Silicon Valley Leadership Group's Housing and Education committees where I got to work on many of the same issues faced by the Menlo Park Planning Commission.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

The commission plays a critical role in creating and implementing Menlo Park's General Plan. I see the commission's focus as listening to the community, debating a wide variety of options and deciding on the critical issues and trade-offs required for the city's use of land. The commission also heavily influences development processes and permitting for the city, helps with issues around rezoning and protects the environment by balancing the economic needs of the business community with the social and environmental impacts of proposed developments and re-developments.

My professional and community experiences fit well with the responsibilities of the commission.

Professional - In my 25+ years of corporate experience, I've held a variety of senior leadership roles that required strategic planning, collaboration, discipline in implementation and relationship building. I'll also bring many years of experience in communicating with a wide variety of stakeholders to understand, persuade and mobilize them to action. In my current role as CEO of Ignited, I'm using all of those skills to build an education / corporate coalition that improves STEM planning and resourcing, in partnership with The Tech Interactive, the 9 County Offices of Education, Catholic Charities, SVLG and Higher Education institutions like Foothill College, CSU East Bay and SJSU. I believe my experiences related to planning, implementation, relationship and coalition building will all be valuable additions to the committee.

Community - Based on spending two years as a member of the Housing Committee of the Silicon Valley Leadership Group, I'm also able to bring relevant direct experience to the Planning Commission. Many local developers presented projects to our committee and we debated and discussed issues of land use, zoning, streamlining the development process with city government and assessing community and environmental impacts of the development projects.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I believe the Planning Commission has one of the most critical functions in our community. Deciding how we use our limited resources in a sustainable and responsible way is important to ensure we continue to preserve a high quality of life in Menlo Park for our children and grandchildren. That requires commission members to support the economic engine we've built in Silicon Valley, but balance it with the needs of the overall community and a wide variety of stakeholders. I care about these issues and helping maintain that balance, and as part of the commission, I feel like I can have a direct and meaningful impact.

There are three main things I'd want to accomplish as a member of the Planning Commission

- 1) Continue the successful implementation of the General Plan. The General Plan has been a powerful guide to help the commission strike the right balance among a wide range of stakeholders and their interests. I'd like to be an active part of that work and can help by forging strong relationships with commission members, community stakeholders and the business community. With my background in strategic planning, operations, coalition building, communications and community service, I have some valuable experiences and skills to bring to the commission's work.
- 2) Strength developer relationships. Some of the most critical relationships to cultivate locally are with the developers and construction firms working on various projects. Understanding their needs, balancing multiple viewpoints and finding common ground are all important. One part of my work at Ignited is helping the construction industry work with teachers and schools to understand the industry and build their local workforces. I can bring those ongoing experiences and relationships to the work of the Planning Commission to ensure strong partnerships in service of the city and its needs.
- 3) Help engage the community. I've had many years of communications and marketing experience and would love to bring those skills to the commission to help engage the community. Engaging more Menlo Park residents in the work of the city and the Planning Commission is an ongoing effort and I'd love to help. That could range from helping residents understand the rationale behind key decisions to creating more outreach mechanisms for the business community. I'd enjoy supporting community workshops, hosting open discussions with leaders and helping with communication campaigns as needed.

I'm excited about the opportunity to contribute to the committee and appreciate your consideration.

Jeff Schmidt

City of Menlo Park
 701 Laurel St., Menlo Park, CA 94025
 Tel: 650.330.6620 Fax: 650.328.7935
 www.ci.menlo-park.ca.us

Signature

March 8, 2020

Date

OFFICE USE ONLY:

Application received: _____

Considered by City Council: _____

Considered by City Council: _____

Considered by City Council: _____

If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____

Appointed: Yes No

Appointed: Yes No

Appointed: Yes No

(Initials)

Personal information:			
Name: Jeff Schmidt		Number of years as a Menlo Park resident: 5 months	
Resident address: [REDACTED]		City: Menlo Park	State: CA Zip: 94025
Mailing address (if different): same		City:	State: Zip:
Phone: [REDACTED]		Email: [REDACTED]	
Business address: [REDACTED]		City: Santa Clara	State: CA Zip: 95051
Business phone: [REDACTED]			
How did you hear about this opportunity: <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input checked="" type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone: Business phone: Home phone: Email:	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935

RECEIVED

APR 01 2020



City of Menlo Park
City Manager's Office

Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: March 17, 2020

Commission or committee of interest: Sister City Committee

Name: Rosalynn (Lynn) Auslander

Education: J.D. U of Miami School of Law; B.S.F.S. Georgetown University School of Foreign Service (Economics & Asia focus)

Civic affiliations and community activities, including service on other commissions or committees:

Girl Scout Leader (8 years), recipient of Council Appreciation Award
School Volunteer (14 years) including field trips, fundraisers, teacher appreciation, in-class activities, tutoring, library aide, translator, class prep, bake sales, service-leadership club advisor, among other positions.
Menlo-Atherton High School mentor in digital filmmaking
League of Women Voters
American Field Service (AFS) high school international student exchange program volunteer (orientation, transition, etc.)
AnitaB.org Pass It On Awards application reviewer
Stanford's Community Committee for International Students

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

My understanding of the responsibilities of Menlo Park's Sister City Committee are as follows:
Help decide, review, and implement the City of Menlo Park's Sister Cities International (SCI) program goals;
Work and communicate (e.g., correspondence, presentations, etc.) with the Menlo Park City Council, city staff, businesses and organizations, and SCI cities and offices;
Identify, create, support, and implement exchange events;
Review existing agreements as needed;
Supporting regional and other SCI events;
Assist Menlo Park's SCI-related administration needs; and
Attend committee meetings.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have top communication experience as a former TV new producer (at NHK Japan Broadcasting Corp Washington, DC Bureau), and in business development at ABC News, News Corp, and AOL/Time Warner/Fortune Magazine. Currently, I volunteer at M-A High School as a mentor in digital filmmaking.
My cross-culture communication skills are strong as I am a former AFS high school exchange student to Japan (12 months) and Israel (2 months). I currently volunteer with AFS as a pre-departure orientation leader teaching cross-culture communication skills. I have also lived in Switzerland, where my daughters attended a UN-focused international school, and have strong family ties in France.
As a graduate of Georgetown University's School of Foreign Service, where I studied international economics, as an attorney (FL & DC licenses), and as a selected participant in Disney/ABC's executive management training program, I understand international and local business development.
Having worked at the US Department of State in Intelligence & Research's Economic Office and interned at the US Embassy Tokyo Economic Office, I have become very familiar with high-level diplomatic practices.
Locally I volunteer with Grassroots Ecology, where I've learned about our local ecology issues. I also write and research stories for MerriSF.com focusing on events and highlights on the peninsula, which keep me current about local happenings.

[Redacted Signature]

March 17, 2020

Date

OFFICE USE ONLY:

Application received _____
Considered by City Council _____
Considered by City Council _____
Considered by City Council _____
If appointed, term ends: _____

Address verified in City Limits (if necessary): By: _____
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name: Rosalynn (Lynn) Auslander		Number of years as a Menlo Park resident: 10.5 (home 16.5)	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: n/a	City:	State:	Zip:
Business phone: n/a			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper	<input type="checkbox"/> Email	<input type="checkbox"/> City website	
<input type="checkbox"/> Nextdoor	<input type="checkbox"/> Patch.com	<input checked="" type="checkbox"/> Other <u>Bizen Sister City Chaperone Participant</u>	
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input checked="" type="radio"/> Yes	<input type="radio"/> No

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: May 18, 2020

Commission or committee of interest: sister city committee

Name: Anna Tavora Enerio

Education: Villanova University BA Mgt International Business; Thunderbird MBA International Business Minor Japanese

Civic affiliations and community activities, including service on other commissions or committees:

1. We have been host to 2 students from Bizen Aug 2019.
2. Our family has been participating in Menlo Park rec activities for decades (sports, summer camps, Easter Egg Hunt, pet parade, AYSO select team coordinator etc).
3. Our family has orgaznized our neighbors to work on city street safety on Middle Ave while working with the mayor and traffic engineer
4. I am a church volunteer for middle school sunday school at St. Raymond's Church.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 My understanding is that the sister city committee is to promote cross cultural activites between Menlo Park and its sister cities.

Our family enjoyed hosting 2 students from Bizen last summer. As someone who has lived, studied, worked and taught English in Japan, I was thrilled to have the experience to host the exchange students. I was able to help the students with the Japanese/English language and my daughters (who were approx the same age) thoroughly enjoyed hosting the girls also. I hope to learn more about the other sister cities if I'm chosen to be on the sister city committee

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

Our experience last summer hosting the girls from Japan was a fun, educational one. I think it's a fantastic program and I would like to have more kids/families involved with learning about different cultures and people.

I would like to serve on the committee to promote this special program further in our community. Since we are active members of the schools and Menlo Park, I feel very confident we can get more Menlo Park residents interested in volunteering for this special program.

[Redacted Signature]

May 18, 2020

Signature

Date

OFFICE USE ONLY:	
Application received: _____	Address verified in City Limits (if necessary): <input type="checkbox"/> By: _____
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If appointed, term ends: _____	

Personal Information:			
Name: Anna Tavora Enerio		Number of years as a Menlo Park resident: 45+	
Resident address: [REDACTED]		City: Menlo Park	State: CA Zip: 94025
Mailing address (if different):		City:	State: Zip:
Phone: [REDACTED]		Email: [REDACTED]	
Business address: n/a		City:	State: Zip:
Business phone:			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input checked="" type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>Committee members</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone:	<input type="radio"/> Yes <input type="radio"/> No
		Business phone:	<input type="radio"/> Yes <input type="radio"/> No
		Home phone:	<input type="radio"/> Yes <input type="radio"/> No
		Email:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Applications by district	
Advisory body	District
Complete Street	2
Complete Street	5
Complete Street	3
Complete Street	3
Environmental Quality	2
Environmental Quality	5
Environmental Quality	1
Environmental Quality	3
Environmental Quality	3
Finance and Audit	3
Finance and Audit	3
Finance and Audit	4
Housing Commission	3
Library Commission	1
Library Commission	4
Library Commission	2
Library Commission	3
Library Commission	3
Park and Recreation	4
Park and Recreation	3
Park and Recreation	4
Park and Recreation	5
Park and Recreation	3
Planning Commission	2
Planning Commission	3
Planning Commission	3
Planning Commission	2
Planning Commission	3
Sister City Committee	4
Sister City Committee	4



SPECIAL MEETING MINUTES – DRAFT

Date: 5/12/2020

Time: 5:00 p.m.

Special Meeting Location: Joinwebinar.com – ID# 963-935-259

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/publiccommentMay12*
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-4071 *
 - Access the special meeting real-time online at:
joinwebinar.com – Regular Meeting ID 963-935-259
*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.
- Watch special 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 regular 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 ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 963-935-259)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren

C. Commission/Committee Vacancies and Appointments

- C1. Consider applicants and make appointments to fill vacancies on the various City commissions and committees ([Staff Report #20-094-CC](#))

The City Council directed staff to extend recruitment through May 22 and make appointments to all advisory bodies on June 9.

ACTION: Motion and second (Carlton/Combs) to extend recruitment through May 22 and make appointments to all advisory bodies on June 9, passed unanimously.

D. Consent Calendar

- D1. Receive and file the investment portfolio review as of March 31, 2020 ([Staff Report #20-100-CC](#))

- D2. Adopt Resolution No. 6557 to adopt the Bay Area integrated regional water resources management plan October 2019 update ([Staff Report #20-101-CC](#))

- D3. Authorize the city manager to execute an agreement with BMS/Data911 for replacement of police mobile computers in an amount not to exceed \$116,915.93 ([Staff Report #20-102-CC](#))

The City Council received clarification that this agreement relates to the systems in police vehicles and does not impact 911 calls.

- D4. Authorize the city manager to renew the Joint-Use Library Initiative memorandum of understanding with Ravenswood City School District for the Belle Haven branch library facility and operations ([Staff Report #20-103-CC](#))

[Web form public comment on item D4](#) (Attachment).

ACTION: Motion and second (Mueller/Combs) to approve the consent calendar, passed unanimously.

E. Regular Business

- E1. Provide direction on program and service reductions for the city manager’s proposed fiscal year 2020-21 budget and authorize issuance of notice of intent to layoff affected positions ([Staff Report #20-104-CC](#))

[Web form public comment on item E1](#) (Attachment).

Assistant City Manager Nick Pegueros made the presentation (Attachment).

- Christine Padilla spoke in support of retaining all childcare services.
- David Fleishman, member of the Childcare Partnership Council and COVID-19 childcare response team, spoke in support of retaining all childcare services (Attachment).
- Carmen Lo spoke in support of retaining all childcare services (Attachment).
- Mayrin Bunyagidj spoke in support of retaining all childcare services (Attachment).
- Morgan Diolaiti spoke in support of retaining all childcare services.
- Nikhil Kohli spoke in support of retaining all childcare services.
- Gabriela Buendia spoke in support of retaining all childcare services.
- Osnat Loewenthal spoke in support of retaining all childcare services.
- Uri Golani spoke in support of retaining all childcare services (Attachment).
- Kim Bourne spoke in support of retaining all childcare services.
- James Payne spoke in support of the City’s continued action in confronting the climate crisis (Attachment).

The City Council discussed the 45-day layoff notice requirements and services with cost-recovery. The City Council had consensus of not eliminating childcare services, expending no more than four million from reserves and one-time revenues from the sale of property.

- E2. Update the City Council and public on COVID-19 health emergency and the City’s response ([Attachment](#))

City Manager Starla Jerome-Robinson made a presentation.

- Greg Conlon spoke in support of the closure of Santa Cruz Avenue to vehicle traffic.
- Fran Dehn spoke in support of the closure of Santa Cruz Avenue to vehicle traffic.

The City Council discussed the closure of Santa Cruz Avenue to vehicle traffic in order to allow restaurants larger outdoor space to comply with social distancing orders.

- E3. Approve Resolution No. 6554 amending the City’s records retention schedule ([Staff Report #20-096-CC](#))

The City Council continued item E3. to a future meeting.

F. Informational Items

- F1. Annual review of Taser program for the period beginning April 1, 2019 and ending April 1, 2020 ([Staff Report #20-080-CC](#))

- F2. Annual review of data captured by Automated License Plate Readers for the period beginning April 1, 2019 through April 1, 2020 ([Staff Report #20-087-CC](#))

The City Council received clarification there are no stationary automated license plate readers in the City.

- F3. City Council agenda topics: May 2020 to July 2020 ([Staff Report #20-095-CC](#))
- F4. Employee engagement survey results ([Staff Report #20-082-CC](#))
- F5. Pilot public art project update ([Staff Report #20-088-CC](#))
- F6. Roles of City Council, emergency services director and volunteers during a prolonged state of emergency ([Staff Report #20-099-CC](#))

G. City Councilmember Reports

City Councilmember Carlton reported out on the Santa Clara County Board of Supervisors meeting.

H. City Manager's Report

None.

I. Adjournment

Mayor Taylor adjourned the meeting.

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 5/18/2020
Time: 4:00 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/publiccommentMay18 *
 - Record a comment or request a call-back when an agenda topic is under consideration:
 Dial 650-474-4071 *

*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

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Interim Administrative Services Director Dan Jacobson, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

C. Closed Session

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

- C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, Interim Administrative Services Director Dan Jacobson, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

No reportable actions.

- C2. Conference with city attorney- anticipated litigation
Claimant: Hardeep Singh Aulakh
Authority: Government Code Section 54956.9(e)(3)

No reportable actions.

D. Adjournment

Mayor Taylor adjourned the meeting

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 5/19/2020

Time: 5:00 p.m.

Special Meeting Location: Joinwebinar.com – ID# 371-154-995

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/publiccommentMay19*
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-5071*
 - Access the special meeting real-time online at:
joinwebinar.com – Special Meeting ID 371-154-995
*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.
- Watch special 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 regular 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 ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 371-154-995)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren

C. Regular Business

- C1. Provide direction on budget balancing measures including program and service reductions for the city manager's proposed fiscal year 2020-21 budget and authorize issuance of notice of intent to layoff affected positions ([Staff Report #20-106-CC](#))

[Web form public comment for item C1.](#) (Attachment).

Assistant City Manager Nick Pegueros and Assistant Administrative Services Director Dan Jacobson made the presentation (Attachment).

- Roy Thiele-Sardiña commented on the effects of budget reduction to the community.
- Carmen Lo spoke in support of retaining childcare services.
- Lynne Bramlett spoke in support of the consideration of employee pay cuts.
- Angela Evans spoke in support of the continuation of the herbicide-free agreement.
- Cynthia Guerra spoke in opposition of service reduction in the Belle Haven neighborhood.
- Reverend Teirrah McNair spoke in opposition of service reduction in the Belle Haven neighborhood.
- Adina Levin commented on the needs of the most impacted and vulnerable to this recession.
- Andrey Konchenko spoke in support of retaining childcare services.
- Kim Morris spoke in support of protecting services to members of the community.
- Mayrin Bunyagidj spoke in support of retaining childcare services.
- Osnat Loewenthal spoke in support of retaining childcare services.
- Karen Grove spoke in support of the use of reserves to assist in balancing the budget.
- Avideh Samardar spoke in support of retaining the services in Belle Haven.

The City Council reached consensus to cut the items listed on Table 2a “Baseline budget changes, department summary” on the staff report (Administrative services summary, City Council/city attorney/city manager/city clerk/sustainability summary, Community development summary, Community services summary, Library summary, Police summary, and Public works summary) and Table 3 “Unrepresented management personnel cost reductions” (Freeze community development

director position, Freeze administrative services director position, Suspend unrepresented pay increases for 2020-21, Suspend unrepresented bonuses for 2020-21, Additional reductions to reach 25% reduction goal).

The City Council requested more discussion on the remaining budget reduction items.

D. Adjournment

Mayor Taylor adjourned the meeting.

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-114-CC

Consent Calendar:

Adopt Resolution No. 6560 authorizing the submittal of a grant application for the Local Early Action Planning grant program and authorize the city manager to execute required application and agreement documents

Recommendation

Staff recommends the City Council adopt Resolution No. 6560 (Attachment A) authorizing the submittal of a grant application to the State of California Housing and Community Development Department (HCD) for the Local Early Action Planning (LEAP) grant program; authorize the city manager or city manager's designee to execute required application submittal documents and funding agreement.

Policy Issues

The housing element adopted by City Council in 2014 includes policies and programs to help increase the production of housing. In 2017 and 2020, multiple new state laws were adopted that require the City to evaluate and amend local policies and programs to ensure they directly contribute to an acceleration in the production of housing.

Background

In the 2019-20 Budget Act, Governor Gavin Newsom allocated \$250 million for all regions, cities, and counties to do their part by prioritizing planning activities that accelerate housing production to meet identified needs of every community. Through this allocation, the HCD established the LEAP with \$119 million for cities and counties.

LEAP planning grants program

In February 2020, HCD released a notice of funding availability (NOFA) for approximately \$119 million available to cities and counties under the LEAP grant program. The LEAP grant program provides one-time grant funding to jurisdictions for the preparation and adoption of planning documents, and process improvements that accelerate housing production, and facilitation of compliance in implementing the sixth cycle of the regional housing needs allocation (RHNA.)

Maximum grant award amounts are based on the California Department of Finance population estimates as of January 1, 2019. Jurisdictions with populations of 20,000 to 59,999 are eligible for a grant maximum of \$150,000, which includes the City of Menlo Park. As part of the grant application process, HCD requires that the City Council adopt a resolution authorizing application for, and receipt of, LEAP program grant funds and the execution of HCD's standard agreement.

Eligible activities must demonstrate an increase in housing related planning activities and facilitate accelerated housing production. Eligible activities may be part of a larger planning effort (e.g., a comprehensive zoning code update) if proposed activities have not been completed before the NOFA issuance date, are distinct, and demonstrate a nexus to accelerating housing production. Eligible activities may include a variety of planning documents and processes, including, but not limited to, preparing and adopting housing elements of the general plan that include an implementation component to facilitate compliance with the sixth cycle RHNA and rezoning efforts to comply with housing element requirements.

Additional details and information on the LEAP grant program are contained in the NOFA on the HCD website referenced as a link through Attachment B.

Analysis

Staff recommends the City request the full \$150,000 to help fund the City's preparation and adoption of the housing element in compliance with the sixth cycle RHNA. Grant funds can be used to pay a portion of the costs to hire specialized consultants to assist with the implementation of this activity, which is an eligible use of funds under the LEAP grant program requirements. Staff estimates the overall cost of preparing the update to the housing element could be approximately \$1.5 to \$2 million, which is likely to include an environmental impact report, land use element amendments, zoning code update, rezonings, and creation of an environmental justice element. There is approximately \$150,000 currently budgeted in community development for long range planning services in the upcoming fiscal year, which could be used to help pay for contract services to help initiate the housing element update. Staff would need to return to City Council for additional funding and budget approval once a full project scope and costs are identified.

2023 housing element update – sixth cycle RHNA

Every jurisdiction in California is required to adopt a housing element to address the housing needs of a community. The City's current certified housing element was adopted in April 2014 for the planning period 2015-2023. Changes to housing element law impacted how jurisdictions are able to comply with the upcoming housing element update, which needs to be adopted by local jurisdictions by December 2022. Higher RHNA figures, stricter rules for identifying sites, and the elimination of streamlined review by HCD are several factors which complicate the upcoming housing element process and will require significant resources to prepare for adoption. For the upcoming sixth RHNA cycle, ABAG anticipates that the City's housing allocation could increase by as much as 225 percent based on allocations in other regions of the State.

Timeline

Upon City Council approval of the resolution, staff will submit the LEAP grant application to HCD by the July 1, deadline. HCD is awarding grants on an ongoing basis and will review applications within 30 days and target award of applications within 60 days, with subsequent standard agreements processed within 60 days of award. If awarded, grant funds must be expended no later than December 31, 2023.

Impact on City Resources

The LEAP grant will be used to help fund the project identified in this staff report. Grant funds are intended to be used to contract with consultants to carry out proposed activity, however, grant funds may also be

used for administrative costs of staff for activities directly related to the preparation and adoption of the proposed activity. Up to five percent of the grant can be used for grant administration.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. LEAP Resolution No. **6560**
- B. Hyperlink – HCD LEAP NOFA: hcd.ca.gov/grants-funding/active-funding/leap/docs/LEAP_Final_Clean.pdf

Report prepared by:

Rhonda Coffman, Deputy Community Development Director – Housing

Reviewed by:

Deanna Chow, Interim Community Development Director

RESOLUTION NO. 6560

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING CITY MANAGER TO APPLY FOR AND EXECUTE STANDARD
PROGRAM AGREEMENT FOR LOCAL GOVERNMENT PLANNING SUPPORT
GRANT PROGRAM FUNDS**

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the City Council of the City of Menlo Park desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions;

NOW, THEREFORE, the City Council of the City of Menlo Park ("Applicant") resolves as follows:

SECTION 1. The City Manager is hereby authorized and directed to apply for and submit to the Department the Application package;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager of the City of Menlo Park is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$150,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

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 ninth day of June, 2020, 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 ninth day of June, 2020

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-115-CC

Consent Calendar:

Authorize the city manager to enter into a contract with ICF International (ICF) to prepare an environmental impact report (EIR) for the proposed approximately 100,000 square foot life science, office and retail building at 1075 O'Brien Drive and 20 Kelly Court for the amount of \$364,016.93 and future augments as may be necessary to complete the environmental review for the proposed project

Recommendation

Staff recommends that City Council authorize the city manager to approve a contract with ICF International for the amount of \$364,016.93 and future augments as may be necessary to complete the environmental review for the CS Bio Project, located at 1075 O'Brien Drive and 20 Kelly Court, based on the proposed scope and budget included as Attachment A.

Policy Issues

City Council Resolution Nos. 5831, 5832, and 962, authorize the city manager to execute agreements necessary to conduct City business up to a stated award authority level which adjusts annually based on changes in the construction cost index. The current award authority is \$75,000. While the project applicant is responsible for the full cost of preparing any required EIR for a submitted project, and therefore no taxpayer funds are being used for said purpose, the City Council retains discretion for all agreements exceeding the award authority delegated to city manager.

The City Council will ultimately need to consider the merits of the proposed project, including the request for bonus level development and the associated community amenities provided through the proposed project. Staff will be reviewing the proposed project and will identify policy issues for the City Council to consider as part of its review of the requested land use entitlements for the project. Authorizing the city manager to enter into a contract with ICF would allow the City to conduct the environmental review and the housing needs analysis (HNA) for the project proposal. A separate fiscal impact analysis (FIA,) which would likely not exceed \$75,000 and could be authorized under the city manager's authority, will be conducted to provide the public and City Council with information related to the fiscal impacts of the project. Approval of the environmental review contract does not imply an endorsement of a project, but rather initiates the process to identify potential environmental impacts of the project for consideration during entitlement review. The policy implications of the project proposal are considered on a case-by-case basis, and will be informed by additional analysis as the project review proceeds.

Background

On December 19, 2019, Jason Chang (Project Applicant) submitted an application to construct a new seven-story, approximately 100,000 square foot building, with a restaurant and outdoor seating on the

ground floor, six levels of office and R&D uses, and a rooftop garden in the LS-B (life sciences, bonus) zoning district. The project is proposed at the bonus level and requires contribution of a public amenity in exchange for increased development potential. The project would replace a single-story warehouse and office building at 1075 O'Brien Drive and portions of an existing R&D building at 20 Kelly Court. As part of the project, a five-level parking structure would be constructed adjacent to the portion of the building to remain at 20 Kelly Court. A pedestrian bridge, approximately 32 feet above grade, would connect the parking structure and the proposed building. The proposal also includes a request for a new chemical storage bunker to support the life science uses on the east side of the existing building at 20 Kelly Court. The site at 20 Kelly Court is presently governed by a conditional development permit (CDP,) which was approved in 2012. An amendment to the CDP is proposed to authorize the construction of a new building with the proposed office use exceeding 20,000 square feet of gross floor area, and the new chemical storage bunker. The CDP amendment will require review and recommendation by the Planning Commission to the City Council. The Housing Commission would provide a recommendation on the below market rate (BMR) housing agreement. The City Council would be the final decision making body for the proposed project. Select plan sheets from the project plans are included in Attachment B.

The proposed building would be located at the corner of O'Brien Drive and Kelly Court. The proposed Facebook Willow campus project is located to the north of the project site and is zoned a mix of O(B) (office-bonus) and R-MU(B) (residential mixed use-bonus.) Parcels to the east are zoned LS-B and located within the Menlo Park Labs, including the proposed life science building on the adjacent parcel to the east, at 1105 O'Brien Drive. The parcel to the west of the site is also zoned LS-B and currently occupied by a warehouse. To the south of the proposed building across O'Brien Drive are parcels zoned LS, which include a general mix of low-rise life science and warehouse uses. A location map identifying the project site is included in Attachment C.

The proposed project has been reviewed by the Planning Commission at two study sessions (August 14, 2017 and August 26, 2019) and the current proposal incorporates feedback from the Planning Commission. Staff is in the process of evaluating the proposed project for consistency with the general plan and the zoning ordinance.

Analysis

The proposed project requires an EIR to evaluate potential environmental impacts of the proposal. As part of the environmental review process, the potential impacts of the proposed project will be evaluated for consistency with the program level EIR for ConnectMenlo through an initial study. The initial study will determine areas where the proposed project is consistent with the ConnectMenlo EIR and those topic areas would not be analyzed in detail in the EIR accordingly. Further, the scope for the project EIR has been structured so the EIR would comply with the settlement agreement between the City of Menlo Park and the City of East Palo Alto regarding the EIR for ConnectMenlo. Therefore, the proposed environmental analysis will, at a minimum, include a project level transportation impact analysis and a housing needs assessment, as outlined in the settlement agreement.

In addition to complying with the settlement agreement, the project level transportation impact analysis will report the vehicle miles traveled (VMT) associated with the project for consistency with Senate Bill 743. The project analysis will utilize the VMT standards to assess potential transportation impacts and continue to include level of service (LOS) metrics for reference. The City's general plan includes policies regarding LOS and compliance with the general plan LOS standards would be evaluated in the land use topic area. The transportation analysis will also use the citywide travel demand model to estimate trip distribution patterns

for the project instead of the data in the City's circulation system assessment (CSA) which was last updated in 1999. The City's Transportation Division is in the process of updating its transportation impact analysis (TIA) guidelines to include VMT and updates to the LOS procedures. The new guidelines were presented to the Planning Commission May 4 and are scheduled for City Council review June 9 and adoption June 23. VMT will be used as the environmental threshold for significance, as required by State law as of July 1.

Following authorization of the contract for ICF to conduct the environmental review, ICF will prepare an initial study for the project. The initial study will be used to inform the notice of preparation (NOP,) which will identify the topic areas to be studied in the project level EIR. Pursuant to criteria A (bonus level development project) of Resolution 6528, staff will notify the City Council and post the NOP to the City Council email log within 48 hours of its release. As part of the initial stages of the environmental and entitlement analysis, City staff will determine what, if any, additional technical analyses could be required for the proposed project and set up contracts with qualified consultants or augment the contract with ICF accordingly. Staff is recommending that the City Council provide the city manager the authority to approve future contract augmentations, if needed.

Impact on City Resources

The applicant is required to pay all planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the project. The applicant is also required to bear the cost of the associated environmental review and fiscal analysis. For the environmental review and fiscal analysis, the applicant deposits money with the City and the City pays the consultants.

Environmental Review

An EIR will be prepared for the proposed project. The EIR will utilize the program level EIR prepared for the ConnectMenlo general plan and zoning ordinance update and focus the project level EIR on specific topics accordingly.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. EIR scope and budget proposal from ICF International
- B. Project plans (select sheets)
- C. Location map

Report prepared by:
Ori Paz, Associate Planner

Report reviewed by:
Deanna Chow, Interim Community Development Director



April 16, 2020

Ori Paz, Associate Planner
City of Menlo Park Community Development Department
701 Laurel Street
Menlo Park, CA 94025

SUBJECT: Proposal to Conduct CEQA Review for the 1075 O'Brien Drive and 20 Kelly Court Project

Dear Mr. Paz:

ICF Jones & Stokes, Inc. (hereafter referred to as ICF) is pleased to present this scope and budget to prepare an Initial Study and Environmental Impact Report (EIR) for the proposed 1075 O'Brien Drive Project (hereafter referred to as the Project). This scope of work reflects the proposed Project information provided to ICF by Menlo Park staff, knowledge of the area, and prior experience with similar projects within Menlo Park. We offer a team of highly skilled environmental professionals who are familiar with the City and will produce legally defensible and comprehensive CEQA documentation allowing the Project to be developed as expeditiously as possible. Our experience on several projects in the City allows our staff to respond quickly to your needs.

The Project site is located at 1075 O'Brien Drive and 20 Kelly Court and is zoned LS-B (Life Science, bonus). The site is developed with two, 2-story concrete tilt-ups totaling 26,700 sf, plus one 3-story, 26,300-sf manufacturing facility. As currently proposed, the Project would include the demolition of the existing two 2-story buildings (totaling 26,700) and would develop a 7-story building with approximately 102,000 sf for office, research/development (R&D), and/or technology uses, plus a restaurant. In addition, a 5-story parking structure would be provided at the end of the cul-du-sac on Kelly Drive with a pedestrian bridge connecting the parking structure with the proposed building at 1075 O'Brien Drive.

This scope of work reflects recent conversations with the City and provides a solid launching point to move through the environmental review process efficiently, thoughtfully, and diligently. ICF is currently working on the 1350 Adams Court Project, the Commonwealth Corporate Center Building 3 Project, and the 1125 O'Brien Drive Project, all of which are in the vicinity of the Project. ICF is proposing a similar CEQA approach for the 1075 O'Brien Drive Project as the ones being applied to these projects. Using a similar approach will ensure schedule and budget efficiencies and consistency between the environmental documents. In addition, as demonstrated in our proposal, ICF has formed a team of expert internal staff and includes the same subconsultant team as the ones for the other three projects. The proposed team includes Keyser Marston and Associates (Housing Needs Assessment) and Hexagon (Transportation).

This proposal is valid for a period of 90 days, at which time ICF reserves the right to revise the contents or extend the validity date, if needed. Given the current impacts, both known and unknown, of the COVID-19 pandemic, for which there will likely be effects into the foreseeable future; personnel assignments, travel

restrictions and other government mandates, may constrain our ability to conduct our services and provide deliverables as envisioned in this proposal. ICF reserves all rights to revise our delivery schedule and price due to such impacts from COVID-19 and will provide written notice of such proposed changes as needed. If selected to conduct the CEQA review, ICF respectfully reserves the right to negotiate contract terms similar to those we negotiated with the City in previous contracts. Please feel free to contact Kirsten Chapman at 415.537.1702 or kirsten.chapman@icf.com. We look forward to working with you on this project.

Sincerely,



Trina L. Fisher
Contracts Administrator

Attachments

- A. Keyser Marston and Associates (Housing Needs Assessment)
- B. Hexagon (Transportation)
- C. Budget
- D. Schedule



A. Firm Profile

Founded in 1969, ICF is a leading global professional services firm that provides consulting and implementation services addressing today's most complex management, technology, and policy challenges. Our work is primarily focused in four key markets: environment and infrastructure; energy and climate change; health, human services, and social programs; and homeland security and defense. Our environmental practice provides services in environmental planning, land use planning, regulatory compliance, regulatory implementation, natural resources, and supporting environmental review. Our full-time professional staff includes environmental compliance experts, land-use and natural resource planners, wildlife and fisheries biologists, plant and wetland biologists, watershed planners, restoration experts, archaeologists, architectural historians, community affairs experts, attorneys, engineers, and information technologists. With more than 4,500 employees on six continents, we combine passion for our work with industry and technical expertise to protect and improve the quality of life.

ICF is a recognized leader in California Environmental Quality Act (CEQA) compliance, having prepared thousands of environmental impact studies and related documents since the founding of the former Jones & Stokes. Bob Jones, one of the founders of Jones & Stokes, was instrumental in drafting the legislation that ultimately became CEQA in California. Shortly thereafter, Bob joined fellow biologist Jim Stokes to form Jones & Stokes, which rose to prominence in the fields of environmental planning and natural resources management. By the time it was acquired by ICF in 2008, Jones & Stokes was one of the most well-known and well-respected firms providing NEPA and CEQA compliance services in the Bay Area and throughout the west. Although we are able to draw expertise from all west coast offices, we will service the Project primarily by our San Francisco office.

B. Key Personnel and Project Experience

We offer unique advantages with our local knowledge and experience with issues important to the City of Menlo Park (City). This deep local knowledge and familiarity with City staff and practices directly relates to enabling us to deliver high-quality environmental support by understanding the nuances of your needs. We understand the issues important to City staff as well as members of the public and, using our relevant experience on City projects, can anticipate these needs and keep projects on schedule and budget. Similar to our project management team on previous Menlo Park projects, Erin Efner will serve as Project Director, and Kirsten Chapman as Project Manager. In addition, ICF will team with Keyser Marston and Associates (Housing Needs Assessment) and Hexagon (Transportation).

This team is currently preparing three other CEQA documents for similar projects in the vicinity: 1350 Adams Court, Commonwealth Corporate Center Building 3, and 1125 O'Brien Drive. As with the Project, these three projects are within the Bayfront Area and are tiering off of the certified ConnectMenlo EIR. Since templates and processes are currently being established for these projects, ICF and the subconsultant team will apply a similar strategy to move the 1075 O'Brien Project through the CEQA process. Using the same team and techniques will allow for time and cost savings and consistency between all projects in the Bayfront Area.



In addition to the three ongoing projects listed above, plus the Willow Village Project EIR (which is proceeding as a full EIR, unlike the other ongoing projects in the area), a list of completed relevant work is presented below. This is not an exhaustive list of projects completed by ICF on the peninsula/in the Bay Area; additional project information is available upon request.

- Facebook Campus Expansion Project EIR and EIR Addendums 1 & 2—City of Menlo Park
- Menlo Park Facebook Campus Project EIR and EIR Addendum—City of Menlo Park
- Commonwealth Corporate Center EIR—City of Menlo Park
- Middle Plaza Project at 500 El Camino Real—City of Menlo Park
- 1300 El Camino Real Project—City of Menlo Park
- City Place Santa Clara EIR—Related Santa Clara (Related), Santa Clara
- SF Giants Mission Seawall Lot 337/Pier 48 EIR—Seawall Lot 337 Associates LLC
- Burlingame Point Project EIR Addendum—City of Burlingame

C. Project Understanding and General Approach

ICF has reviewed the information provided by the City and CSBio (Project Sponsor). Based on our review of project materials and experience with similar projects, particularly the 1350 Adams Court Project and the 1125 O'Brien Project, we understand that an Initial Study, followed by a focused EIR is needed. The project understanding and the general approach is discussed below.

Project Understanding¹

The Project site is located at 1075 O'Brien Drive and 20 Kelly Court and is zoned LS-B (Life Science, bonus). The site is currently developed with two, 2-story concrete tilt-ups totaling 26,700 sf, plus one 3-story, 26,300-sf manufacturing facility. The Project would include the demolition of the existing two 2-story buildings (totaling 26,700) and would develop a 7-story building with approximately 102,000 sf for office, research/development (R&D), and/or technology uses. Included within the new building would be a ground floor food hall for up to 20 vendors. In addition, a 5-story parking structure would be provided at the end of the cul-du-sac on Kelly Drive with a pedestrian bridge connecting the parking structure with the proposed building. The existing manufacturing facility would remain operational at the Project site.

General Approach

ConnectMenlo, which updated the City's General Plan Land Use and Circulation Elements and the Bayfront Area, was approved on November 29, 2016. This serves as the City's comprehensive and long-range guide to land use and infrastructure development. ConnectMenlo assumed an increase in net new development of up to 2.3 million square feet of non-residential uses, up to 4,500 residential uses, and up

¹ Please note that the Project Understanding is reflective of the site plans and project description provided to ICF in February 2020. Upon receipt of the final site plans, ICF will incorporate accordingly.



to 400 hotel rooms. The Project site is within the Bayfront Area and is within the parameters of the ConnectMenlo assumptions.

Because of the long-term planning horizon of ConnectMenlo, the ConnectMenlo EIR was prepared as a program EIR, pursuant to Section 15168 of the CEQA Guidelines. Once a program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review needs to be prepared. However, if the program EIR addresses the program's effects as specifically and comprehensively as possible, subsequent activities could be found to be within the program EIR scope, and additional environmental review may not be required (CEQA Guidelines Section 15168[c]). When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR. The ConnectMenlo Program EIR will serve as the first-tier environmental analysis for the Project.

On December 5, 2017, the City Council approved the proposed settlement agreement between the City of Menlo Park and the City of East Palo Alto to resolve the litigation regarding ConnectMenlo. The key terms of the settlement agreement are reciprocal: environmental review for future development projects, traffic studies, fair share mitigation impact fees, trip cap projects, and study of the multiplier effect. The settlement agreement will serve to inform the scope of the analysis for several topics in the EIR and provide guidance on the requirements for the Project's Housing Needs Assessment (HNA), as discussed in Attachment A.

Based on the requirements outlined in Section 15168 of the CEQA Guidelines, an Initial Study will be prepared to disclose relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Project is within the parameters of the ConnectMenlo EIR. This will scope out several topics from further evaluation. Subsequent to the Initial Study, a focused EIR will be prepared for the impacts that need further discussion and/or mitigation beyond those analyzed in the ConnectMenlo EIR. This is discussed in more detail below.

As discussed above, ICF and the proposed subconsultants are currently working on the 1350 Adams Court Project, the Commonwealth Corporate Center Building 3 Project, and the 1125 O'Brien Drive Project. All projects are within the Bayfront Area and are tiering from the ConnectMenlo EIR, as proposed for the 1075 O'Brien Project. This scope of work draws from our experience with these three projects and proposes a very similar process and approach. ICF will use the same template for the Initial Study and focused EIR as is currently being developed for these projects. This will allow for schedule and budget efficiencies, as well as consistency between the CEQA documents being prepared for all projects in the Bayfront Area.



D. Scope of Work

Task 1. Project Initiation

The CEQA documentation effort will be initiated by discussing key issues, reviewing completed environmental documents, planning data collection efforts including a site visit, and refining the schedule for completion of individual tasks. At the outset of the CEQA process, ICF will meet with City of Menlo Park staff, the Project Sponsor team, and the traffic subconsultants. At this meeting, the team will:

- Discuss data needs to complete the Initial Study/EIR.
- Confirm procedures for contacting the Project Sponsor team, City staff, and public agencies.
- Review and agree on schedules and deadlines.
- Summarize the next steps, including the NOP, Initial Study, scoping, draft Project Description, and the EIR.
- Discuss in more detail how to apply ConnectMenlo and determine which mitigation measures would apply.
- Discuss City preferences regarding Initial Study/EIR format and organization.
- Discuss CEQA baseline and cumulative projects.
- Outline Alternatives.

This task also assumes a thorough site reconnaissance to be conducted by key EIR preparers.

Deliverables

- Data needs request for the City and Project Sponsor
- Revised schedule

Task 2. Initial Study/EIR Project Description

ICF will prepare the Project Description based on discussions with Project Sponsor team, input from City staff, site visit, data needs responses, and review of the Project application, plan set, and supplemental reports. A clear and accurate Project Description is essential to the analysis. Based on discussions with City staff and on the Project Sponsor's application and plans, ICF will prepare a Project Description for both the Initial Study and the EIR that will incorporate the following topics:²

- Project Overview and Background
- Project Site Location
- Project Objectives
- Project Characteristics by including:
 - Relationship to ConnectMenlo
 - Site plan
 - Development districts and uses
 - Employment levels

² Assumes that data needs outlined in ICF's data request have been fulfilled.



- Site access, circulation, and parking
- Transportation Demand Management (TDM) Program
- Campus design, architectural themes, massing, building design, potential sustainable design features, and materials
- Amenities such as landscaping, lighting, signage, courtyards, and gathering spaces
- Utilities
- Recycling and Waste
- Phasing and Construction Scenario
- Project Approvals and Entitlements

The Project Description will be submitted to the City for review. Following receipt of comments, ICF will then revise the Project Description based on City comments and additional data needs responses from the Project Sponsor. This revised version of the Project Description will be included in the Initial Study.

Deliverables

- Electronic copies of the draft Project Description in MS Word and Adobe PDF format

Task 3. Initial Study

In the Initial Study, ICF will disclose each of the CEQA environmental topics to determine which would require additional discussion in the focused EIR, and which would present no change from what was previously analyzed in the ConnectMenlo EIR. For efficiency and consistency with other City documents, the Initial Study will follow the same format as the 1125 O'Brien Drive Project Initial Study.

- **Aesthetics** – Aesthetic impacts were determined to be less than significant in the ConnectMenlo Draft EIR. The Project would include increased development intensity; therefore, the buildings would have more mass, bulk, height, lighting, and/or glare, resulting in potentially greater visual impacts. Upon receipt of site plans, building elevations, and/or visual simulations (if available) prepared by the Project Sponsor, ICF will determine whether the Project would result in conflicts with existing plans and policies protecting aesthetic resources, as compared to what was analyzed in the ConnectMenlo EIR. However, it is not expected that impacts would be greater than those previously analyzed.
- **Agricultural and Forestry Resources** – No agricultural or forestry resources currently exist at the Project site. Therefore, no impacts would occur.
- **Air Quality** – It is anticipated that all of the air quality topics will be discussed in the EIR, rather than in the Initial Study (see Task 6, below).
- **Biological Resources** – The Project site is within an urban setting and is bordered on all sides by the Menlo Park Labs campus and industrial/warehousing uses. Although the Project site is near the Bay and the Don Edwards San Francisco Bay National Wildlife Refuge, it is separated by State Route 84 and, therefore, is not expected to have an impact on special-status species inhabiting these areas. The Project site is currently developed with buildings and surface parking lots. Trees line the southern of the Project site, along O'Brien Drive, which could provide habitat



for nesting birds. The Initial Study would consider potential impacts to nesting birds during construction. This scope assumes that the applicant will provide a Biological Resources Assessment (BRA), per Mitigation Measure BIO-1 from the ConnectMenlo EIR. ICF will review the BRA and incorporate it into the Initial Study.

- **Cultural and Tribal Resources** – The Project area was undeveloped until the 1960s and, therefore, due to the ages of the structures, may contain historic buildings. The need for documenting and evaluating historic built resources, as outlined in the ConnectMenlo EIR Mitigation Measure CULT-1, is anticipated. The Project may result in the same amount and location of ground disturbance as what was assumed in the ConnectMenlo EIR. The findings of the ConnectMenlo EIR will be reviewed to assess the potential for encountering archaeological resources, paleontological resources, and/or human remains at the Project site. It is anticipated that the magnitude of potential impacts for the Project would not change relative to the ConnectMenlo EIR and the same mitigation measures would apply. These standard mitigation measures would be referenced in the Initial Study. Results from existing archaeological technical reports, as available, will be incorporated into the Initial Study. Consultation per Assembly Bill (AB) 52 will be conducted.
- **Geology and Soils** – It is expected that construction of the proposed new building would have the same impacts related to geology and soils as previously analyzed in the ConnectMenlo EIR. Construction of the new building is expected to adhere to the California Building Code and associated recommendations and no additional impacts would result. The Initial Study would evaluate the geohazard risks specific to the Project site using the Geotechnical Report from the Project Sponsor.
- **Greenhouse Gas Emissions (GHG)** – It is anticipated that all of the GHG topics will be discussed in the EIR, rather than in the Initial Study (see Task 6, below).
- **Hazards and Hazardous Materials** – Construction and implementation of the Project would not create a significant hazard to the public or environment. The Project would likely not result in increased impacts compared to the ConnectMenlo EIR and the same mitigation measures would apply to mitigate the hazardous material impacts to a less-than-significant level. The previous analysis will be referenced here and a determination will be made as to whether the new Project would result in additional impacts.
- **Hydrology and Water Quality** – As stated above, the Project site is mostly covered in impervious surfaces with paved surface parking lots and buildings. Therefore, the demolition of the existing buildings and the construction of new buildings would likely result in minimal changes to impervious surfaces and would have less-than-significant impacts on stormwater runoff quality or quantity, flooding, or drainage. The analysis will consider how the change in building footprints and impervious surfaces compare to existing conditions would potentially affect peak flow rates. It is expected that the same hydrology impacts as analyzed in the ConnectMenlo EIR would occur. To analyze impacts specific to the Project site, ICF will review technical information received from the Project Sponsor, such as hydrology or drainage reports.



- **Land Use** – The land use and policy impacts are expected to be similar as those previously analyzed. The revised General Plan designated the Project site as an LS-B district and the zoning ordinance allows up to 1.25 FAR (plus 10 percent commercial use) and 110-foot maximum height with community benefits. The Project would be consistent with the General Plan and would comply with existing zoning and building requirements, with the bonus level development. It is not expected that additional physical environmental impacts would result beyond what was previously evaluated in the ConnectMenlo EIR.
- **Mineral Resources** – No mineral resources currently exist at the Project site. Therefore, no impacts would occur. This will be documented in the IS.
- **Noise** – Due to the development intensity at the Project site, the Project could result in greater noise levels compared to existing conditions. Increased development could result in a longer construction period, additional traffic, and more onsite activity during operation. ICF will address exposure of existing noise sensitive land uses to noise and vibration associated with construction activity. The discussion of construction noise and vibration impacts will mostly rely on the analysis in the ConnectMenlo EIR, and will include applicable mitigation measures from the certified ConnectMenlo EIR that would be required for the proposed Project. In addition, ICF will discuss exposure of existing noise sensitive land uses to operational noise from the Project site (mechanical equipment, parking lots, loading docks, etc.) and apply mitigation measures from the ConnectMenlo EIR, as needed. Since the transportation analysis will be in the Focused EIR, the traffic noise impacts will also be addressed in the Focused EIR, as explained in more detail in Task 6.
- **Population and Housing** – As discussed above, one of the key terms of the 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto is that an HNA will be prepared when the preparation of an EIR is required. Therefore, population and housing topics will be discussed in the EIR, rather than in the Initial Study (see Task 6, below).
- **Public Services and Utilities** – As stated above, the Project would intensify uses at the site compared to existing conditions and would introduce new onsite employees as well as additional demand for services and utilities. ICF will estimate the Project-generated demand for public services and utilities based on existing operational standards. Although new utility connections would be required for the intensification of the uses at the Project site, these connections are not anticipated to result in significant impacts. Compared to the analysis in the certified ConnectMenlo EIR, the Project is not expected to trigger the need for new or expanded public service facilities or utilities. This scope of work anticipates that the land use assumptions in the Water Supply Evaluation (WSE) Study prepared for ConnectMenlo were conservative. In addition, the Initial Study will discuss and evaluate the existing water flow issue for fire pressure in the area.
- **Transportation and Traffic** – As discussed above, one of the key terms of the 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto is a transportation analysis will be prepared when the preparation of an EIR is required. Therefore, all of the



transportation topics will be discussed in the EIR, rather than in the Initial Study (see Task 6, below).

Deliverables

- Electronic copies of the draft Initial Study in MS Word and Adobe PDF format

Task 4. Screencheck and Final Initial Study

ICF will address comments from the City and applicant on the draft Initial Study, revise accordingly, and submit a Screencheck Initial Study. Upon receipt of comments and edits on the Screencheck Initial Study, ICF will finalize the document and produce a Final Initial Study for public review.

Deliverables

- Electronic copies of the Screencheck Initial Study in MS Word and Adobe PDF format
- Electronic copies of the Final Initial Study that incorporates comments from the City and Project Sponsor in MS Word and Adobe PDF format.
- Ten (10) hardcopies of the Final Initial Study.

Task 5. Draft and Issue Notice of Preparation/Scope Definition

Concurrent with the finalization of the Initial Study, ICF will prepare the Notice of Preparation (NOP) for City staff review. Upon receipt of NOP comments, ICF may need to refine the scope of work based on discussions with staff (if necessary).

- **Draft and Issue Notice of Preparation.** An NOP will be prepared by ICF for City staff review. The NOP would include a description of the Project, a description and map of the Project location, the probable environmental effects of the Project, and the intersections to be analyzed in the EIR. The scope assumes that one draft and one final NOP will be prepared. The scope also assumes that ICF will distribute the final NOP and Notice of Completion (NOC) to the State Clearinghouse and that the City will distribute the NOP to the County Clerk (for posting) and oversee mailing to other interested parties and public agencies. The final Initial Study would be circulated with the NOP as an attachment.
- **Public Scoping.** ICF will attend and present at one scoping meeting (held as part of a regular Planning Commission meeting) and record comments received during the meeting. The principle objective of this scoping meeting will be to confirm or revise the list of critical environmental issues and the range of alternatives to be examined in the EIR.
- **Revised Scope of Work.** As a result of discussion at the project initiation meeting, public scoping meeting, and responses to the NOP, ICF will revise the scope of work for consideration by City staff, if necessary. The revised scope of work will fine-tune the data collection activities, refine impact methodologies and assumptions (e.g., number of locations for traffic counts, noise measurements, etc.), adjust significance criteria for key environmental and neighborhood issues, and affirm or revise expectations about the preparation process, schedule, and products.



Additionally, topics that were originally scoped out in the Initial Study may need to be analyzed further in the EIR. Accordingly, in consultation with City staff, a revised scope of work and budget may be prepared as part of this task. This would be submitted as a budget amendment.

Deliverables

- Electronic copies of draft NOP in MS Word and Adobe PDF format
- Electronic copies of the final NOP in MS Word and Adobe PDF format
- Fifteen hard copies of the final NOP to the State Clearinghouse

Task 6. Administrative Draft EIR

As discussed above, the Project site is within the ConnectMenlo area. Since the Project's site plan and development parameters are consistent with ConnectMenlo, the certified programmatic ConnectMenlo EIR is applicable to the Project. In accordance with Section 15168 of the CEQA Guidelines, the Draft EIR will be limited to those effects that: have planned characteristics that are substantially different from those defined in the ConnectMenlo EIR, require additional mitigation measures, or have specific impacts not evaluated in sufficient detail in the ConnectMenlo EIR. The purpose of this task is to prepare the focused Administrative Draft EIR. Due to the size of the Project, it is not expected to have significant impacts on the environment; any impacts would likely be reduced to a level of less than significant with incorporation of mitigation measures. However, because of the 2017 East Palo Alto settlement, the Project is required to prepare an EIR analysis for the topics of Transportation and Population and Housing. Since increases in traffic can result to impacts to Air Quality, Greenhouse Gas Emissions, Energy, and Noise (traffic), those topics will also be included in the EIR.

This task will synthesize background information for use in the existing setting, evaluate changes to those baseline conditions resulting from implementation of the Project to identify significant impacts, and identify mitigation measures to reduce potentially significant impacts to a less-than-significant level. The ICF team will collect the information necessary to define baseline conditions in the Project area. We anticipate that baseline conditions will reflect the conditions at the time of the NOP release. ICF will also refer to the certified ConnectMenlo EIR and other EIRs prepared for projects in the area (such as the 1350 Adams Court Project and the 1125 O'Brien Drive Project) for applicable background data, impact areas, and mitigation measures.

The analysis will be based on standard methodologies and techniques, and will focus on the net changes anticipated at the Project site. The text will clearly link measures to impacts and indicate their effectiveness (i.e., ability to reduce an impact to a less-than-significant level), identify the responsible agency or party, and distinguish whether measures are proposed as part of the Project, are already being implemented (such as existing regulations), or are to be considered. This approach facilitates preparation of the Mitigation Monitoring and Reporting Program (MMRP) that follows certification of an EIR, as discussed in more detail under Task 13, below.



The Administrative Draft EIR will also incorporate the alternatives and other CEQA considerations described in Task 7 (below). It is envisioned that the City's initial review of the document will consider content, accuracy, validity of assumptions, classification of impacts, feasibility of mitigation measures, and alternatives analyses. Because the impacts and mitigations are subject to revision based on staff review of the Administrative Draft EIR, the Executive Summary will be prepared only for the Screencheck Draft. The following task descriptions summarize the data to be collected, impact assessment methodologies to be used, and types of mitigation measures to be considered, by environmental issue.

Impacts Requiring No Further Analysis

Section 15128 of the CEQA Guidelines states, "An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." The issues scoped out in the Initial Study will be briefly summarized.

In addition, it is expected that traffic noise impacts would be analyzed in this section since the Project would likely not result in greater traffic noise than originally anticipated in the ConnectMenlo EIR. Our scope assumes that ICF noise specialists, along with the traffic consultants, will compare roadway segment volumes for the Project with what was assumed in the ConnectMenlo EIR. If there is no change, or if project-generated traffic volumes do not exceed what was assumed in ConnectMenlo EIR, then no additional analysis would be necessary. However, if the Project would result in a higher volume of traffic on any studied roadway segment, then additional analysis would be necessary. Our scope assumes that no more than eight segments would experience changes to volumes. For those roadway segments, existing traffic noise conditions in the Project area will be modeled using the FHWA Traffic Noise Model (TNM) version 2.5 and traffic data to be provided by Hexagon. It is assumed that traffic data provided by Hexagon will include average annual daily traffic volumes, posted speeds, and heavy truck percentages for each roadway segment analyzed. The analysis will implement all relevant mitigation measures from the certified ConnectMenlo EIR to reduce the potential traffic noise impacts to less-than-significant. This scope of work and budget assumes that the analysis tier off the analysis in the ConnectMenlo EIR, as applicable.

Air Quality

ICF will prepare an analysis of air quality impact for the Project consistent with all applicable procedures and requirements of the Bay Area Air Quality Management District (BAAQMD) and based on the findings and mitigation measures from the ConnectMenlo EIR. The air quality analysis will focus on the criteria pollutants of greatest concern in the San Francisco Bay Area Air Basin (SFBAAB) that will be generated by construction and operation of the Project. Those pollutants include ozone precursors (reactive organic gases [ROGs] and oxides of nitrogen [NOX]), carbon monoxide (CO), and inhalable particulate matter (PM10 and PM 2.5). ICF air quality specialists will prepare an air quality analysis describing existing air quality conditions, the Project's impacts to air quality, and mitigation measures (including those



recommended and required by the BAAQMD designed to reduce the significance of Project-related air impacts).

ICF will identify significant impacts using the BAAQMD's thresholds of significance, California Environmental Quality Act: Air Quality Guidelines. We will describe the air quality thresholds used to identify significant impacts based on the BAAQMD's Air Quality Guidelines, as well as the methodology used to estimate Project-related emission impacts.

Consistent with ConnectMenlo Mitigation Measure AQ-2b2 for projects that exceed the BAAQMD land use screening level sizes, ICF will quantify criteria air pollutant emissions associated with Project construction, even though the combined square footage of the Project is not anticipated to exceed the corresponding screening size of 277,000 sf. As discussed below, construction emissions will be required for the health risk assessment (HRA) during construction. As such, we will quantify construction-related emissions of ROG, NOX, CO, PM10, and PM2.5 based on the CalEEMod model and construction data (i.e., anticipated construction schedule and equipment) for the Project provided by the Project Sponsor. Where Project-specific data is unavailable, ICF will use default values from CalEEMod. The analysis will address construction-related mitigation measures required by BAAQMD (and as required by ConnectMenlo Mitigation Measure AQ-2-b1), including adherence to BAAQMD rules and regulations. Estimated construction emissions will then be compared to the BAAQMD's construction emission thresholds to determine the Project's significance for construction activities.

Consistent with ConnectMenlo Mitigation Measure AQ-2b2, potential Project construction-related impacts will be evaluated, including an assessment of increased health risks on sensitive receptors during construction. As such, ICF will prepare a detailed health risk assessment (HRA) to estimate potential health risks associated with the Project. The detailed HRA will evaluate construction-related health risks to existing sensitive receptors near the Project site. ICF will coordinate with BAAQMD staff to verify the emission sources evaluated, methodology, and models used in the HRAs to estimate emissions, sensitive receptor exposure, and health risks. The HRA will be consistent with methodologies and procedures recommended by the Office of Environmental Health Hazard Assessment (OEHHA), as well as the BAAQMD in their Recommended Methods for Screening and Modeling Local Risks and Hazards guidance document and California Air Pollution Control Officers Association in their Health Risk Assessments for Proposed Land Use Projects guidance document.

Consistent with ConnectMenlo Mitigation Measure AQ-2a and the BAAQMD Guidelines, projects that do not exceed the BAAQMD land use screening level sizes do not require a detailed analysis of operational emissions. The combined square footage of the Project's office building and parking structure would not exceed the corresponding screening level of 346,000 sf.

The Project is an office building that may require the use of a diesel generator, which is a potential source of toxic air contaminants. If a generator is proposed as part of the Project, ICF will qualitatively evaluate the TAC impacts of the generator based on guidance from the BAAQMD.



According to ConnectMenlo Mitigation Measure AQ-3a, projects that have the potential to increase traffic by more than 100 or more diesel truck trips or 40 or more truck trips with transportation refrigeration units per day and are within 1,000 feet of a sensitive land use shall prepare a health risk assessment in accordance with OEHHA and BAAQMD procedures. Although the Project site is within 1,000 feet of sensitive receptors, this scope assumes that the Project would not increase diesel truck trips by more than 100 per day and, thus, an HRA is not required. In the event that the Project Sponsor demonstrates that the Project would increase truck trips to levels specified in Mitigation Measure AQ-3a, our scope and budget will be modified to reflect preparation of an operational HRA.

ICF will qualitatively evaluate the potential for odor impacts during construction and demolition activities. Odors generated during long-term Project operation will also be considered.

In the event buildings to be demolished contain asbestos used for insulation purposes, ICF will describe and assess the potential for asbestos exposure during demolition in the air quality chapter. Potential mitigation for reducing exposure to asbestos will include compliance with BAAQMD Regulation 11, Rule 2; ARB Air Toxic Control Measures; and federal National Emission Standards for Hazardous Air Pollutants regulations.

Greenhouse Gas Emissions/Energy

ICF will prepare an analysis of climate change impacts. The climate change analysis will describe existing environmental and regulatory climate change quality conditions, followed by an analysis of the proposed Project's construction and operational impacts. The climate change analysis will focus on the greenhouse gases (GHG) of greatest concern, carbon dioxide, (CO₂), methane (CH₄) and nitrous oxide (N₂O) that will be generated by construction and operation of the Project.

ICF climate change specialists will prepare a climate change analysis describing existing conditions, the Project's impacts to climate change, and mitigation measures designed to reduce the significance of Project-related climate change impacts.

In the Project Setting section, ICF will describe the key concepts of climate change, the GHGs of greatest concern and their contribution towards climate change, and the current climate change regulatory environment as it applies to the Project. We will also summarize existing GHG levels based on GHG inventories conducted in jurisdictions in the vicinity of the Project (BAAQMD GHG Inventory). ICF will quantify construction-related emissions of CO₂ based on the CalEEMod emissions model and construction data (i.e., anticipated construction schedule and equipment) provided by the Project Sponsor. Construction-related emissions of CH₄ and N₂O will be based on factors provided by the Climate Registry.

ICF will use the traffic data from the transportation analysis (i.e., trip generation rates) and the CALEEMOD model to estimate CO₂ emissions from vehicular trips resulting from the Project, while emissions of CH₄ and N₂O will be based on assumptions provided by the U.S. Environmental Protection Agency. GHG emissions associated with operational area sources (i.e., hearth and landscaping), energy



consumption (electricity, natural gas), water consumption, and waste and wastewater generation will be quantified based on the CALLEEMOD model, as well as other accepted protocols, such as the Climate Registry's General Reporting Protocol. It is anticipated that there will no major changes to vegetation and land cover associated with the Project; these emissions will not be quantified.

The City has a Climate Action Plan (CAP), and we will include an informational discussion as to whether the Project is consistent with the City's current CAP update. However, because the CAP and its updates do not identify a specific plan to address emissions beyond 2020, it cannot be used to determine the project's significance with respect to the State's post-2020 goals. Similarly, the Bay Area Air Quality Management District (BAAQMD) does not currently have CEQA thresholds for the post-2020 period.

To assess the Project's impacts with respect to the state's 2030 GHG goal, ICF will develop a Project-specific threshold based on guidance developed by the AEP Climate Change Committee for the evaluation of project-generated GHG emissions under CEQA. The approach applies relevant reduction strategies from the *2017 Climate Change Scoping Plan* to new development in order to derive customized project-level GHG thresholds. The threshold would be developed specifically for the project based on guidelines for commercial and/or warehouse uses, and development of the threshold would involve the following general steps:

1. Identify and evaluate project consistency with all *2017 Climate Change Scoping Plan* strategies relevant to the project.
2. Calculate a 2030 threshold for the project by applying all relevant *2017 Climate Change Scoping Plan* initiatives to the project.³
3. Compare project generated emissions to the 2030 threshold.

If the Project's 2030 emissions exceed the 2030 threshold, mitigation to reduce emissions would be identified and analyzed. Once all feasible mitigation has been applied to the project, if mitigated emissions still exceed the 2030 threshold, then the GHG emissions impact would be significant and unavoidable.

For energy impacts, ICF will include a discussion of energy conservation per Appendix F of the CEQA Guidelines. In order to assure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy during construction and operation. The EIR will consider the energy implications of the Project to the extent relevant and applicable to the Project. ICF would also analyze if the Project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

³ This option assumes AEP's guidance will provide the necessary CalEEMod adjustment factors to account for the *2017 Climate Change Scoping Plan* at the project-level. If this guidance is not available at the time of a project-level analysis, or does not include these factors, additional analysis would be required to develop this threshold option for the City



Population/Housing

The Project would include office, R&D, and/or technology uses, which would result in new employees. ICF will analyze the impact of the increase in employees and, in turn, the resulting population and housing impacts. The Population/Housing chapter of the EIR will examine the Project's effect on population and housing in the City and, to a lesser extent, in the region. Both the ConnectMenlo growth projections and ABAG projections will be considered in the Draft EIR. The analysis will focus on the increase in population and the secondary effects associated housing needed to accommodate the increased employment that would result from the Project. ICF, with assistance from Keyser Marston Associates (KMA), will undertake the following tasks:

- As included in Attachment A, a HNA will be prepared by KMA. ICF will peer review the HNA and incorporate the findings into the analysis.
- Discuss the housing effect resulting from the Project in the context with the Association of Bay Area Governments (ABAG) regional household forecasts and fair share housing allocations.
- Similar to other job intensive projects, the EIR will examine the secondary housing demands based on future residential patterns for proposed employees. This discussion will be presented in the "Growth Inducement" section of the EIR.
- One of the key terms of the settlement agreement between the City of Menlo Park and the City of East Palo Alto is that an HNA will be prepared when the preparation of an EIR is required. As required by the 2017 settlement agreement, to the extent possible, the HNA prepared for the Project will include an analysis of the multiplier effect for indirect and induced employment.

Transportation/Traffic

The Project would increase the amount of life science R&D space at the Project site. An increase in traffic would likely result and the greater development could affect how previously analyzed intersections and roadway segments operate in the future. The scope of work for the Transportation analysis, prepared by Hexagon, is included as Attachment B.

Deliverables

- Five hard copies of Administrative Draft EIR
- Electronic copies of Administrative Draft EIR in MS Word and Adobe PDF format

Task 7. Project Alternatives and Other CEQA Considerations

The purpose of this task is to complete drafts of the remaining sections (Alternatives and Other CEQA Considerations) of the EIR for City staff review. This task involves preparation of other required sections examining particular aspects of the Project's effects and the identification and comparison of Project alternatives.



Other CEQA Considerations

This task involves documenting unavoidable adverse impacts, growth-inducing effects, and cumulative effects of the Project:

- The significant and unavoidable effects will be summarized from analyses performed in Task 6 (if applicable).
- Cumulative effects where relevant will be addressed as part of Task 6 and summarized as part of this section of the EIR. The future projects in the vicinity of the Project site will be considered as they relate to potential cumulative impacts. This scope assumes the City will help develop the approach for analyzing cumulative effects, typically a combination of using ConnectMenlo and a list of other reasonably foreseeable planned projects.

Alternatives

In accordance with CEQA, the alternatives to the Project must serve to substantially reduce impacts identified for the Project while feasibly attaining most of the Project objectives. ICF assumes that one Reduced Project Alternative will be quantitatively analyzed and will be based on a sensitivity analysis to reduce identified impacts. The No Project Alternative will be qualitatively analyzed. This scope assumes that the City/Project Sponsor will provide justification for dismissing offsite alternatives and other alternatives considered but rejected.

Deliverables

- Other CEQA Considerations chapter to be submitted with Administrative Draft EIR
- Alternatives chapter to be submitted with Administrative Draft EIR

Task 8. Screencheck Draft

The purpose of this task is to prepare the Screencheck Draft EIR for City staff review. ICF will prepare a Screencheck Draft EIR to respond to the City's and Project Sponsor's comments on the Administrative Draft EIR. This scope assumes that comments from multiple reviewers will be consolidated with any conflicting comments resolved, and that comments do not result in substantial revisions or additional analyses. The Screencheck Draft EIR will include an Executive Summary section, which will summarize the Project Description, impacts and mitigations, and alternatives. Impacts and mitigations will be presented in a table that identifies each impact, its significance, and proposed mitigation as well as the level of significance following adoption for the mitigation measures.

Deliverables

- Three hard copies of Screencheck Draft EIR
- Electronic copies of Screencheck Draft EIR in MS Word and Adobe PDF format



Task 9. Public Draft EIR

The purpose of this task is to prepare and submit the Draft EIR to the City for distribution to the public. ICF will revise the Screencheck Draft to incorporate modifications identified by the City. The revised document will be a Draft EIR, fully in compliance with State CEQA Guidelines and City guidelines, and will be circulated among the public agencies and the general public as well as specific individuals, organizations, and agencies expressing an interest in receiving the document. During this task, ICF will also compile the appendices that will be distributed with the Draft EIR and produce a version of the full document that can be uploaded onto the City's website. ICF will also prepare a NOC to accompany the copies that must be sent to the State Clearinghouse. This scope of work and budget assumes that ICF will send the required documents to the State Clearinghouse and that the City will distribute the Draft EIRs to all other recipients.

Deliverables

- Twenty hard copies of the Draft EIR
- Electronic copies of the Draft EIR in MS Word and in Adobe PDF format
- Notice of Completion
- Fifteen hard copies of the Executive Summary, along with 15 electronic copies of the entire Draft EIR on CD, for the State Clearinghouse

Task 10. Public Review and Hearing

The City will provide a 45-day review period during which the public will have an opportunity to review and comment on the Draft EIR. During the 45-day review period, the City will hold a public hearing to receive comments on the Draft EIR. ICF key team members will attend and participate as requested. This scope of work assumes the preparation of meeting materials (e.g., PowerPoint presentations and handouts) but does not assume the labor needed to provide meeting transcript/minutes.

Task 11. Draft Responses to Comments and Administrative Final EIR

The purpose of this task is to prepare responses to the comments received on the Draft EIR and incorporate these responses into an Administrative Final EIR for City review. The Administrative Final EIR will include:

- Comments received on the Draft EIR, including a list of all commenters and the full comment letters and public meeting transcripts with individual comments marked and numbered;
- Responses to all comments; and
- Revisions to the Draft EIR in errata format as necessary in response to comments.

All substantive comments for each written and oral comment will be reviewed, bracketed, and coded for a response. Prior to preparing responses, ICF will meet with staff to review the comments and suggest strategies for preparing responses. This step is desirable to ensure that all substantive comments are



being addressed and that the appropriate level of response will be prepared. This scope of work and budget assumes ICF will prepare responses for up to 50 substantive discrete, non-repeating comments and will coordinate integrating the responses prepared by other consultants. However, the number and content of public comments is unknown at this time. Therefore, following the close of the Draft EIR public review period and receipt of all public comments, ICF will meet with the City to revisit the budget associated with this effort to determine if additional hours are needed. Very roughly, each additional substantive discrete comment may cost an additional \$400.

Frequently raised comments of a substantive nature may be responded to in a Master Response, which allows for a comprehensive response to be presented upfront for all interested commenters. ICF will identify and recommend possible Master Responses for City consideration during the initial meeting to discuss strategies for preparing responses.

Following the strategy session, ICF will prepare Master Responses (as appropriate) and individual responses to the bracketed and coded comments. Individual responses to each comment letter will be placed immediately after the comment letter. As necessary, responses may indicate text revisions, in addition to clarifications and explanations. All text changes stemming from the responses to the comments, as well as those suggested by City staff, will be compiled into an errata included as part of the Final EIR.

Following City's review of the Administrative Final EIR, ICF will address all comments received and prepare a Screencheck Final EIR for City review to ensure that all comments on the Draft were adequately addressed.

Deliverables

- Three hard copies of the Administrative Final EIR
- Electronic copies Administrative Final EIR in MS Word and in Adobe PDF format
- Three hard copies of the Screencheck Final EIR
- Electronic copies of the Screencheck Final EIR in MS Word and in Adobe PDF format

Task 12. Final EIR

Based on comments received from City staff, the Screencheck Responses to Comments will be revised and appropriate revisions to the Draft EIR will be noted. The Final EIR will then consist of the Draft EIR and the Responses to Comments document. Revisions to the Draft EIR will be presented as a separate chapter in the Final EIR. The revised Responses to Comments document will be submitted to the City for discussion by the Planning Commission and subsequent certification by the City Council.

Deliverables

- Twenty hard copies of the Final EIR
- Electronic copies of the Final EIR in MS Word and Adobe PDF format



Task 13. Certification Hearings, MMRP, Statement of Overriding Considerations, and Administrative Record

The purpose of this task is to attend meetings to certify the EIR. Team members will attend and participate in up to two meetings to certify the EIR. If requested by City staff, ICF will present the conclusions of the EIR and a summary of the comments and responses.

As part of this task, ICF will also prepare a draft and final MMRP for the project, as required by Section 15097 of the State CEQA Guidelines. The MMRP will be in a tabular format and include:

- The mitigation measures to be implemented (including applicable mitigation measures from ConnectMenlo and project-specific mitigation measures)
- The entity responsible for implementing a particular measure
- The entity responsible for verifying that a particular measure has been completed
- A monitoring milestone(s) or action(s) to mark implementation/completion of the mitigation measure

ICF will prepare the Statement of Overriding Considerations and Findings of Fact pursuant to Section 15093 of the CEQA Guidelines, if required based on the impacts of the Project. CEQA requires the decision-making agency to balance the economic, legal, social, and technological benefits of a proposed project against its unavoidable environmental impacts. The Statement of Overriding Considerations includes the specific reasons to support its action based on the Final EIR and other information in the record.

ICF will also compile the Administrative Record, assembling background documents as well as correspondence or telephone notes that are cited as sources in the EIR.

Deliverables

- Electronic copies of the Draft MMRP in MS Word and Adobe PDF format
- Electronic copies of the Final MMRP in MS Word and Adobe PDF format
- Electronic copies of the Statement of Overriding Considerations and Findings of Fact in MS Word and Adobe PDF format
- One electronic copy (on CD or DVD) of the Administrative Record (submitted at the Draft EIR phase and the Final EIR phase)

Task 14. Project Management and Meetings

The purpose of this task is to effectively manage the above tasks, and maintain communication with City staff. ICF project management will be responsible for coordination activities, will maintain QA/QC requirements for document preparation, and will monitor schedule and performance for all EIR work tasks. Project management subtasks also include maintaining internal communications among ICF staff and subconsultants and with City staff and other team members through emails and frequent phone contact, as well as the preparation of all correspondence. The Project Manager will coordinate internal



staff, project guidance, and analysis criteria. Contracting with the City and subconsultants will be performed at the onset of the Project.

Team members will attend and participate in meetings on an as-needed basis. For purposes of the cost estimate, ICF has assumed three City staff and/or Project Sponsor face-to-face meetings (in addition to the Project Initiation meeting described in Task 1), up to three public meetings (described in Task 13), and 10 phone conference calls. Additional meetings may be appropriate during the course of this effort, and will be invoiced on a time-and-materials basis.

E. Cost

The cost estimate for the Initial Study and EIR is \$364,017, as detailed in Attachment C. Please note that the budget assumes that the certified ConnectMenlo Program EIR will serve as the first-tier environmental analysis for the Project. In addition, the budget reflects some efficiency gained from preparing concurrent CEQA documents for other projects in the City. As discussed above, ICF and the proposed subconsultants are currently working on the 1350 Adams Court Project, the Commonwealth Corporate Center Building 3 Project, the Willow Village Project, and the 1125 O'Brien Drive Project. All projects are within the Bayfront Area and are tiering from the ConnectMenlo EIR, as proposed for the 1075 O'Brien Drive Project. Therefore, this budget reflects that much of the setting, format, and analysis prepared for these ongoing projects will also be used for the 1075 O'Brien Drive Project, resulting in cost savings. This budget assumes that the 1075 O'Brien Drive Project would follow these projects in schedule. If these other projects are put on hold, or the 1075 O'Brien Project is delayed, and original analysis is needed, this scope and budget will be revisited. ICF proposes to invoice costs monthly, on a time and materials basis.

F. Schedule

The preliminary schedule is included in Attachment D. This schedule can be used for discussion at the kick-off meeting. A revised schedule will be submitted at a later date once ICF has a better understanding of the start date and applicant confirmation of the proposal. Please note that this schedule is also contingent on the timing of Planning Commission and City Council hearing dates.





KEYSER MARSTON ASSOCIATES™
ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

March 5, 2020

ADVISORS IN:
REAL ESTATE
AFFORDABLE HOUSING
ECONOMIC DEVELOPMENT

SAN FRANCISCO

A. JERRY KEYSER
TIMOTHY C. KELLY
DEBBIE M. KERN
DAVID DOEZEMA

LOS ANGELES

KATHLEEN H. HEAD
JAMES A. RABE
GREGORY D. SOO-HOO
KEVIN E. ENGSTROM
JULIE L. ROMEY

SAN DIEGO

PAUL C. MARRA

Erin Efner and Kirsten Chapman
ICF International
201 Mission Street, Suite 1500
San Francisco, CA 94105

Re: Proposed Scope of Services to Prepare a Housing Needs Assessment for the 1075 O'Brien Drive Project, including the 20 Kelly Court property

Dear Ms. Efner and Ms. Chapman:

Keyser Marston Associates, Inc. ("KMA") is pleased to present the enclosed proposed scope of services to prepare a Housing Needs Assessment ("HNA") for the City of Menlo Park addressing the proposed 1075 O'Brien Drive Project which also encompasses the property at 20 Kelly Court ("the Project").

The Project consists of approximately 37,000 square feet of office, 52,000 square feet of R&D space, an approximately 10,000 square foot restaurant / food hall, and a new parking structure. The Project replaces three existing buildings on the site consisting of a 14,523 square foot warehouse building and two R&D buildings with a combined 38,483 square feet of building area. It is understood some refinements may occur as the project description to be incorporated into the Environmental Impact Report (EIR) is finalized. KMA will use the final project description for preparation of the HNA.

KMA is exceptionally well qualified to prepare the HNA for the Project based on our broad expertise preparing housing impact studies and project-specific housing needs analyses. Our HNA experience includes three prior projects in Menlo Park: Menlo Gateway, the Facebook Campus, and the Facebook Campus Expansion Project. KMA is also currently engaged in preparation of HNAs for several additional development projects in Menlo Park.

The enclosed HNA scope of services includes preparation of an HNA addressing, to the extent possible, the following housing-related impacts of the proposed Project:

- Housing need by affordability level for on-site workers;
- Estimated geographic distribution of housing needs by jurisdiction; and

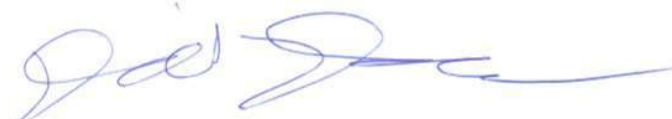
- Evaluation of the potential impacts on the housing market, including in connection with potential multiplier effects, and the degree to which the Project may contribute to rising housing costs and displacement of existing residents of lower income communities in the local area.

We understand that the HNA must be prepared consistent with the terms of the recent settlement agreement between the City of East Palo Alto and Menlo Park. The enclosed scope of service is designed to provide the analyses contemplated by the settlement agreement and is consistent with other HNAs KMA is currently engaged to prepare. The scope of services and proposed budget are provided in Attachment A.

Please let me know if you have any questions or comments regarding this proposed scope of services.

Sincerely,

KEYSER MARSTON ASSOCIATES, INC.



David Doezema

Attachment A: Scope of Services
Attachment B: KMA Rate Schedule

Attachment A
Scope of Services to Prepare a Housing Needs Assessment (HNA)
for the 1075 O'Brien Drive Project

The following scope of services is for preparation of a Housing Needs Assessment (HNA) addressing the 1075 O'Brien Drive Project. The HNA will address the following major housing-related topics:

- 1) Housing need by affordability level for on-site Project workers;
- 2) Estimated geographic distribution of housing needs by jurisdiction; and
- 3) Evaluation of potential impacts on the regional housing market and the degree to which the Project may contribute to rising housing costs and displacement of existing residents of lower income communities in the local area. The analysis of housing market effects will include, to the extent possible, consideration of potential "multiplier effects" of the Project.

These housing-related impacts are not required to be analyzed under CEQA but may be of interest to decision-makers and/or the public in evaluating the merits of the Project. These analyses are being provided consistent with the terms of a 2017 settlement agreement with the City of East Palo Alto. The pertinent paragraph from the 2017 settlement agreement states the following:

When the preparation of an EIR is required pursuant to this Agreement, concurrent with the preparation of the EIR, Menlo Park or East Palo Alto, whichever is the lead agency for the Development Project, will conduct a Housing Needs Assessment ("HNA"). The scope of the HNA will, to the extent possible, include an analysis of the multiplier effect for indirect and induced employment by that Development Project and its relationship to the regional housing market and displacement. Nothing in this section indicates an agreement that such an analysis is required by CEQA.

Task 1 – Project Initiation and Data Collection

The purpose of this task is to identify the availability of data necessary to complete the HNA, identify key analysis inputs and assumptions, and refine the approach to the assignment. As part of this task, KMA will:

- (1) Provide a list of data needs to complete the HNA and work with ICF International and the City's project team as necessary to gather the data.

- (2) Meet with City staff, its consultants, and the Project Sponsor team to: (a) discuss data and analysis alternatives (b) review technical methodology and approach (c) discuss and agree on schedule.

Task 2 – Housing Needs Assessment for On-Site Workers

KMA will quantify, by affordability level, the housing demand associated with the Project. The analysis will quantify total housing demand based on the estimated number of net new employees added by the Project (which are net new jobs in the region) and household size ratios developed from Census data. Employee compensation levels are estimated by linking generic occupational categories with local data on compensation levels. Employee compensation levels are then translated into housing need by affordability level using published income limits and accounting for the fact that households have more than one worker on average.

The primary data sources we will use for this component of the analysis are:

1. Data on occupations by industry from the Bureau of Labor Statistics. KMA will select industry categories that are representative of the expected occupancy of the Project.
2. Current employee compensation data specific to San Mateo County for the relevant occupational categories from the California Employment Development Department will be used in the analysis.

KMA has prepared similar analyses for other projects in Menlo Park including the existing Facebook Campus, the Facebook Campus Expansion Project, and the Menlo Gateway Project. KMA is also in the process of preparing similar analysis for several other projects. We have performed project-specific housing needs analyses for commercial and institutional development proposals in the cities of San Carlos, Palo Alto, Redwood City, and Napa County. Some of these analyses have been performed using employee occupation and compensation data provided by the applicant and some have been performed using generic data as is assumed in this proposal. KMA has also prepared affordable housing nexus fee studies in many cities. Roughly thirty years ago, KMA developed a methodology to perform nexus analyses in support of affordable housing impact fees using local, state and federal data sources. KMA has refined the methodology over the years and now has considerable experience adapting the approach to specific development proposals.

The end product of this task is the total number of net new employee households attributable to the development, by affordability level, who will need housing within daily commute distance.

Task 3. Analysis of Commuting and Geographic Distribution of Housing Needs

The prior tasks are to determine the total housing needs irrespective of where workers will live. This task develops information to help understand existing commute relationships and trends, and approaches to identifying how the total housing needs will be accommodated locally. KMA will analyze the commute relationships of existing jobs in Menlo Park and where job holders live (or commute from as a place of residence) using data from the U.S. Census. KMA will then apply the data to estimate Menlo Park's share of increased housing needs and the estimated distribution of housing needs throughout the region. KMA will incorporate tenant-specific commute data to the extent available.

Task 4 – Relationship to Regional Housing Market and Potential to Contribute to Displacement

This task is designed to provide an evaluation, to the extent possible, of the potential for the project to influence housing prices and rents and contribute to displacement pressures in the local area. Lower income communities in the Bay Area have become increasingly vulnerable to displacement of existing residents. Employment growth, constrained housing production, and rising income inequality are among the factors that have contributed to increased displacement pressures, especially within lower income communities in locations accessible to employment centers where many households are housing-cost burdened.

Given the complex array of factors that influence housing markets and neighborhood change, precise estimates or projections of impacts and outcomes are not feasible; rather, the analysis will seek to provide information and context that will be useful to understanding the likely magnitude or range of potential impacts.

KMA will complete the following tasks to inform an evaluation of potential impacts:

- a) *Review of Historic Real Estate trends* – KMA will review historic data on home sales and rental trends in 3 or 4 selected housing submarkets or geographic areas over a historic period utilizing data readily available from commercial data providers such as CoStar, REIS and CoreLogic. The purpose will be to provide context regarding recent housing market trends.
- b) *Review of employment trends* – KMA will assemble data on historic employment trends for the same time frame as the historic review of real estate trends. Employment trends data will be distinguished by compensation level so that growth in higher-income and lower-income jobs can be separately understood. We will also look at employment trends across different geographic scales to enable relationships to be tested at the different geographic scales.

- c) *Analysis of historic relationships* – KMA will analyze the extent to which employment growth and real estate trends have been correlated with one another. Separate findings specific to the influence of high compensation jobs will be provided as a proxy for consideration of impacts associated with potential multiplier effects. These relationships will be drawn upon to provide context for understanding the degree of influence the Project may have on local home prices and rents.

- d) *Estimated increased housing demand in East Palo Alto* – KMA will draw on the commute shed data from Task 4 to describe the estimated share of new workers likely to seek and find housing in East Palo Alto and other communities of interest. However, it may not be possible to isolate commute trends for specific neighborhoods, such as the Belle Haven neighborhood of Menlo Park, unless there is tenant-specific commute data available for the neighborhood.

KMA will discuss the likely impacts or range of impacts on housing prices and displacement that could be experienced as a result of the Project based upon the information assembled in a) through c), above. Findings will be qualitative in nature but will reference the quantitative information assembled in the analysis tasks as part of the narrative.

Task 5 – Report Preparation

The methodology, data sources, results and implications of the HNA will be documented in a written report. This scope assumes two draft versions of the report for review and one final report.

Task 6 – Responses to DEIR Comments

KMA anticipates assisting the City and ICF International in preparing responses to comments on the Draft EIR. KMA's focus will be on comments that are directly related to the HNA. We have included a time and materials budget allowance for KMA to assist with preparation of responses to comments.

Budget

KMA proposes to complete this scope of services for the 1075 O'Brien Drive Project on a time and materials basis for an amount not to exceed \$40,500 per the estimate below. A copy of our current rate schedule is attached.

Task	Budget Estimate
Task 1 - Project Initiation and Data Collection	\$3,000
Task 2 – Total Housing Need by Income	\$12,000
Task 3 – Geographic Distribution of Housing Needs	\$2,000
Task 4 – Relationship to Regional Housing Market and Displacement	\$8,000
Task 5 – Report (two drafts and one final)	\$8,500
Task 6 – T&M Allowance for DEIR responses to comments	\$4,000
Meetings in Menlo Park (one in addition to kickoff)	\$1,000
Public hearings (assume one)	\$2,000
Reimbursable Expenses (market data)	\$500
Total	\$41,000

**KEYSER MARSTON ASSOCIATES, INC.
PUBLIC SECTOR HOURLY RATES**

	<u>2019/2020</u>
CHAIRMAN, PRESIDENT, MANAGING PRINCIPALS*	\$280.00
SENIOR PRINCIPALS*	\$270.00
PRINCIPALS*	\$250.00
MANAGERS*	\$225.00
SENIOR ASSOCIATES	\$187.50
ASSOCIATES	\$167.50
SENIOR ANALYSTS	\$150.00
ANALYSTS	\$130.00
TECHNICAL STAFF	\$95.00
ADMINISTRATIVE STAFF	\$80.00

Directly related job expenses not included in the above rates are: auto mileage, parking, air fares, hotels and motels, meals, car rentals, taxis, telephone calls, delivery, electronic data processing, graphics and printing. Directly related job expenses will be billed at 110% of cost.

Monthly billings for staff time and expenses incurred during the period will be payable within thirty (30) days of invoice date.

* Rates for individuals in these categories will be increased by 50% for time spent in court testimony.



HEXAGON TRANSPORTATION CONSULTANTS, INC.

March 26, 2020

Ms. Kirsten Chapman
ICF International
201 Mission Street, Suite 1500
San Francisco, CA 94105

Re: *Proposal to Prepare a Traffic Impact Analysis for the Proposed R&D Development at 1075 O'Brien Drive and 20 Kelly Court in Menlo Park, California*

Dear Ms. Chapman:

Hexagon Transportation Consultants, Inc. is pleased to submit this proposal to prepare a Traffic Impact Analysis for the proposed research and development (R&D) project at 1075 O'Brien Drive and 20 Kelly Court in Menlo Park, California. The project consists of 116,422 square feet of office/R&D space, 9,869 square feet of restaurant space, and a six-level parking garage, which will replace the existing 53,006 square feet of lab/office/warehouse space on site. The project description will be updated based on the final submittal of the project application. Vehicular access to the project site would be provided by two driveways located at the end of the cul-de-sac on Kelly Court.

Scope of Services

The purpose of the traffic study is to identify any traffic impacts in accordance with City of Menlo Park standards and procedures. It is not anticipated that the project would generate more than 100 peak-hour trips on CMP facilities. Therefore, an analysis in accordance with the C/CAG's CMP guidelines, as well as a C/CAG checklist, will not be required. The project would only add minimal trips to the freeway ramps, therefore, a freeway ramp analysis would not be necessary. The traffic study will include an analysis of weekday AM and PM peak-hour traffic conditions and will determine the traffic impacts of the proposed project on key intersections in the vicinity of the site. Daily and peak-hour trip generation estimates for the proposed project and the existing use were based on trip rates published in the *ITE Trip Generation Manual, 10th Edition*. After applying trip credits for the existing use, pass-by trip reductions and TDM reductions, the proposed redevelopment project is estimated to generate 88 net new trips during the AM peak hour and 71 net new trips during the PM peak hour (see attached table). Because the R&D component of the project would generate a relatively small number of peak-hour trips, and the proposed restaurant would mainly serve local community, the traffic impact would extend to only a small area in the vicinity of the site. The intersections we propose to study are identified below.

Study Intersections:

1. Willow Road and Bayfront Expressway [Menlo Park]
2. Willow Road and Hamilton Avenue [Menlo Park]
3. Willow Road and Ivy Drive [Menlo Park]
4. Willow Road (SR 114) and O'Brien Drive [Menlo Park]
5. Willow Road and Newbridge Street [Menlo Park]
6. Willow Road and US 101 NB Off-ramp [Menlo Park]
7. Willow Road and SB 101 Off-ramp [Menlo Park]
8. O'Brien Drive and Kavanaugh Drive (unsignalized) [Menlo Park]



9. University Avenue and Bayfront Expressway [Menlo Park]
10. University Avenue and Adams Drive [East Palo Alto]
11. University Avenue (SR 109) and O'Brien Drive [East Palo Alto]
12. University Avenue (SR 109) and Kavanaugh Drive [East Palo Alto]

In addition, the project's effect on neighborhood traffic conditions will be evaluated on the street segments identified below.

Street Segments:

1. O'Brien Drive between Willow Road and Kavanaugh Drive, and
2. O'Brien Drive between University Avenue and Kavanaugh Drive

The tasks to be included in the traffic analysis are:

1. **Site Reconnaissance.** The physical characteristics of the site and the surrounding roadway network will be reviewed to identify existing roadway cross-sections, intersection lane configurations, traffic control devices, and surrounding land uses.
2. **Observation of Existing Traffic Conditions in the Study Area.** Existing traffic conditions will be observed in the field in order to identify any operational deficiencies and to confirm the accuracy of calculated levels of service.
3. **Data Collection.** Existing weekday AM (7:00 – 9:00 AM) and PM (4:00 – 6:00 PM) peak-hour traffic volumes at the study intersections and existing average daily traffic volumes for the study roadway segments will be obtained from the City of Menlo Park and previous studies with counts conducted in year 2019 or 2020.
4. **Evaluation of Existing Conditions.** Existing traffic conditions will be evaluated based on existing traffic volumes at the study intersections. The existing traffic conditions at the study intersections within the City of Menlo Park will be evaluated using the software VISTRO, which employs the *2010 Highway Capacity Manual* (HCM) methodology for intersection analyses. The remaining two study intersections in the City of East Palo Alto will be evaluated using the VISTRO software based on the *2010 Highway Capacity Manual* methodology, pending the approval of the City of East Palo Alto. Roadway segment analysis will be based on City of Menlo Park guidelines.
5. **Evaluation of Background Conditions.** Background traffic volumes represent the existing volumes plus the projected volumes from approved developments that have not yet been constructed and occupied. Background traffic volumes will be taken from the 1350 Adams Court traffic study. Intersection levels of service under background conditions will be evaluated.
6. **Project Trip Generation, Distribution, and Assignment.** Estimates of trips to be added to the surrounding roadway network by the proposed R&D development will be based on the trip generation rates recommended by the Institute of Traffic Engineers' *Trip Generation Manual, 10th Edition*. A 20% transportation demand management (TDM) reduction will be applied in accordance with Menlo Park requirements. This task includes a peer review of the project's TDM Plan to insure that the 20% trip reduction can be achieved. The trip generation estimate for the proposed project will give credit for the trips generated by the existing buildings on site. The trip generation of the existing buildings will be estimated using ITE rates. The directional distribution of site-generated traffic will be forecast based on the City of Menlo Park Travel Demand Model. The proposed trip generation estimation and project trip distribution patterns will be sent to the City to review.



The site-generated net traffic will be assigned to the roadway network based on the City approved trip generation and distribution pattern. Attached please find the Project Trip Generation Estimates.

7. **Evaluation of Background Plus Project Conditions.** Project-generated traffic will be added to the background condition traffic volumes. Intersection level of service calculations will be conducted to estimate project traffic conditions during the AM and PM peak hours after project completion. Intersection impacts associated with the development of the proposed project will be evaluated relative to background conditions.
8. **Cumulative Conditions.** Hexagon will use the 2040 model run results for the City of Menlo Park General Plan EIR certified in December 2016 to describe operating conditions at the study intersections under cumulative conditions. Volumes will be interpolated for study intersections not included in the model. Hexagon will determine whether the proposed project is included in the existing forecasts. If not, the forecasts will be adjusted to include the proposed project.
9. **VMT Analysis.** The vehicle miles travelled (VMT) associated with the proposed project will be estimated using a manual methodology developed in consultation with City staff. The City is currently updating its TIA guidelines to include VMT analyses to meet SB 743 requirements. Based on the project schedule, the draft EIR will likely be released after July 2020 and will require a VMT analysis that satisfies the new CEQA requirement.
10. **Site Access and On-Site Circulation.** A review of the project site plan will be performed to determine the overall adequacy of the site access and on-site circulation in accordance with generally accepted traffic engineering standards and to identify any access or circulation issues that should be improved. Sight distance will be checked at the project driveways. Parking will be evaluated relative to the City of Menlo Park Parking Code.
11. **Evaluation of Vehicle Queuing.** For selected locations where the project would add a significant number of left-turning vehicles, the adequacy of existing/planned storage at turn pockets will be assessed by means of comparison with expected maximum vehicle queues. Vehicle queues will be estimated using a Poisson probability distribution.
12. **Bicycle, Pedestrian, and Transit Facilities.** A qualitative analysis of the project's effect on transit service in the area and on bicycle and pedestrian circulation in the study area will be included in the traffic report. Any impacts of the project on the nearby facilities will be identified and improvements recommended to mitigate the impacts.
13. **Description of Impacts and Recommendations.** Based on the results of the VMT analysis, impacts of the site-generated traffic will be identified and described. The results of the level of service calculations will be used to identify the locations and types of necessary improvements or modifications. Improvements could include street widenings, lane additions, changes in lane usage, or modifications to existing traffic signals, which will be consistent with the mitigation measures proposed in the City's General Plan Update - ConnectMenlo. Improvements could also include improvements to transit, bicycle and pedestrian infrastructure, as well as the development of measures that promote multi-modal travel and reduce the use of single-occupant automobile travel for the purpose of VMT reduction goals.
14. **Meetings.** The fee estimate includes Hexagon staff attendance at three meetings in connection with the project: one staff meeting, one Planning Commission meeting, and



Ms. Kirsten Chapman
March 26, 2020
Page 4 of 6

one City Council meeting. Additional meeting attendance would be provided as additional services and will be billed based on staff time plus expenses.

15. Reports. Our findings and recommendations will be summarized in the transportation/traffic section in the project's administrative draft environmental impact report (DEIR). Hexagon will revise the EIR transportation chapter based on City comments for two rounds. Hexagon also will help the team respond to DEIR comments to produce the final EIR.

16. Additional Services. Any work not specifically referenced in the above Scope of Services—for example analyzing additional project alternatives, analyzing additional intersections, and attending additional meetings—shall be considered additional services

Time of Performance

Barring any unforeseen delays, an administrative draft traffic analysis report will be submitted approximately six weeks after 1) authorization to proceed, and (2) receipt of new count data. The final traffic report will be delivered one week after receipt of all review comments.

Cost of Services

The fee for the scope of services will be based on time and expenses up to a maximum budget of \$43,000. This scope/budget assumes that the traffic study for the project located at 1350 Adams Court will be completed first, and this traffic study will use information from that analysis. Should this project come before 1350 Adams Court, or lag significantly behind, the scope and budget may need to be revisited.

We appreciate your consideration of Hexagon Transportation Consultants for this assignment. If you have any questions, please do not hesitate to call.

Sincerely,

HEXAGON TRANSPORTATION CONSULTANTS, INC.

Gary K. Black
President



Hexagon 2020 Billing Rates

Professional Classification	Rate per Hour
President	\$285
Principal	\$245
Senior Associate II	\$230
Senior Associate I	\$215
Associate II	\$195
Associate I	\$175
Planner/Engineer II	\$155
Planner/Engineer I	\$125
Admin/Graphics	\$110
Senior CAD Tech	\$95
Technician	\$75

Direct expenses are billed at actual costs, with the exception of mileage, which is reimbursed at the current rate per mile set by the IRS.

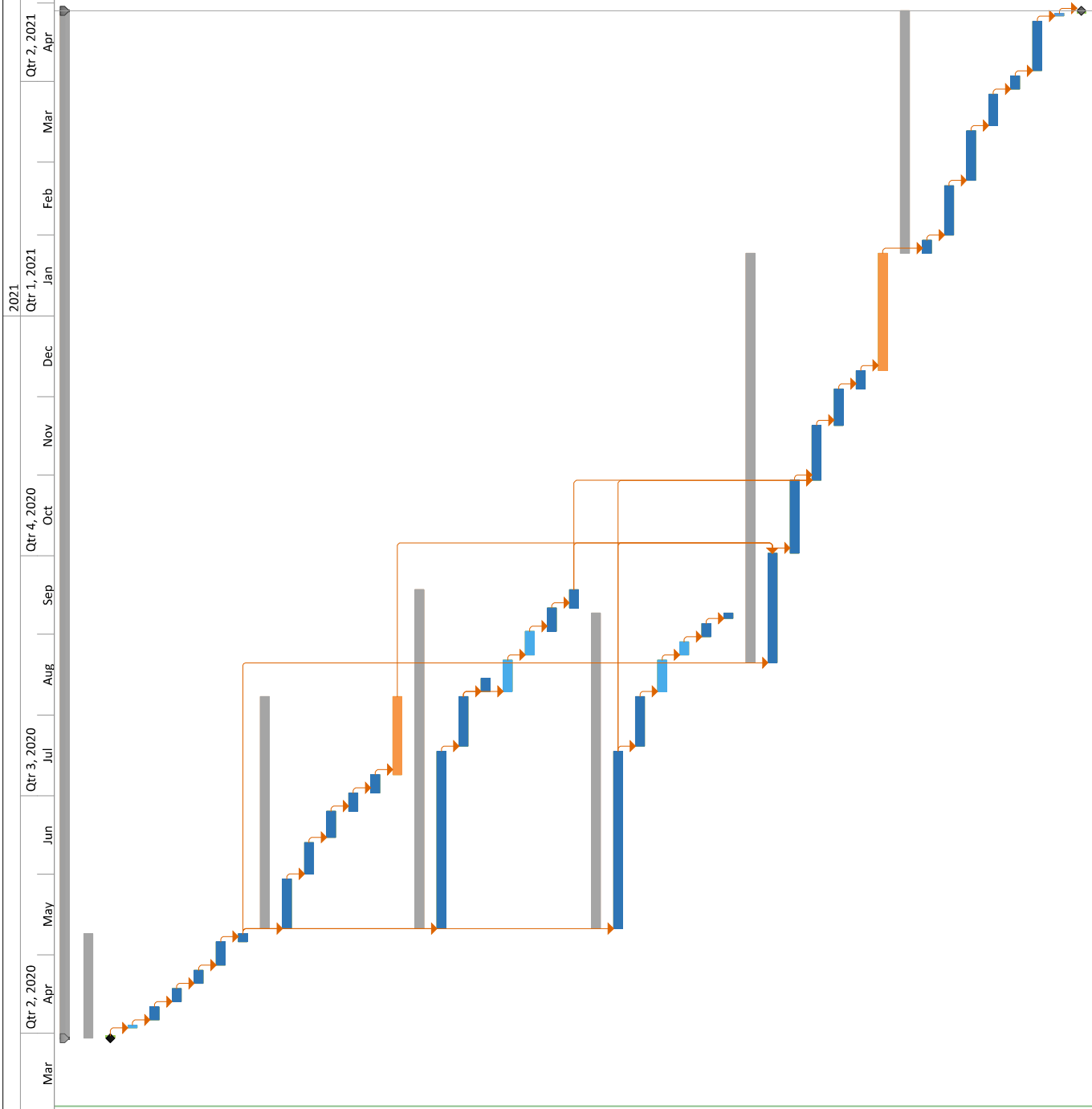
Billing rates shown are effective January 1, 2020 and subject to change January 1, 2021.



**Table 1
 Project Trip Generation Estimates**

Land Use	Size	Unit	Daily Rate	Daily Trips	AM Peak Hour			PM Peak Hour					
					Peak Rate	Trips In	Trips Out	Total Trips	Peak Rate	Trips In	Trips Out	Total Trips	
<u>Proposed Project</u>													
R&D ¹	116.4	ksf	11.26	1,311	0.42	37	12	49	0.49	9	48	57	
Mixed-Use Reduction ²				(197)		(6)	(2)	(7)		(1)	(7)	(9)	
20% TDM Trip Reduction				(223)		(6)	(2)	(8)		(2)	(8)	(10)	
				R&D Trips		891	25	8	34		6	33	38
Restaurant ²	9.9	ksf	112.2	1,107	9.94	54	44	98	9.77	60	36	96	
Mixed-Use Reduction ²				(197)		(6)	(2)	(7)		(1)	(7)	(9)	
20% TDM Trip Reduction				(182)		(10)	(8)	(18)		(12)	(6)	(17)	
PM Pass-By Reduction (43%) ³				(160)		0	0	0		(10)	(5)	(15)	
				Restaurant Trips		568	38	34	73		36	18	55
Proposed Project Trips				1,459		64	42	106		42	51	93	
<u>Existing Uses</u>													
R&D ¹	38.5	ksf	11.26	(433)	0.42	(12)	(4)	(16)	0.49	(3)	(16)	(19)	
Warehouse ⁴	14.5	ksf	1.74	(25)	0.17	(2)	0	(2)	0.19	(1)	(2)	(3)	
				Total Existing		(458)	(14)	(4)	(18)		(4)	(18)	(22)
Net Project Total				1,001		50	38	88		38	33	71	
Notes:													
All rates are from: Institute of Transportation Engineers, <i>Trip Generation, 10th Edition</i>													
1. Land Use Code 760: Research and Development Center (average rates, expressed in trips per 1,000 s.f. gross floor area)													
2. A 15% trip reduction was assumed to account for internal capture and external walking, biking, and transit trips due to mixed-use development and local area characteristics. The 15% trip reduction was applied to the smaller trip generator. The same number of trips were then subtracted from the larger trip generator to account for both trip ends.													
3. Land Use Code 932: High-Turnover (Sit-Down) Restaurant (average rates, expressed in trips per 1,000 s.f. gross floor area)													
3. Pass-by trip reduction for Land Use Code 932: High-Turnover Restaurant (ITE 932) is published in the ITE Trip Generation Handbook, 3rd Edition. Hexagon assumes no pass-by trip reduction during the AM peak hour and half of the PM peak pass-by reduction for daily trip generation.													
4. Land Use Code 150: Warehousing (average rates, expressed in trips per 1,000 s.f. gross floor area)													

Attachment D. 1075 O'Brien Drive Project Schedule



ID	Task Name	Duration
0	1075 O'Brien Drive Project	282 days
1	Project Initiation/Project Description	30 days
2	Notice to Proceed	1 day
3	Kick-Off Meeting	1 day
4	ICF Prepares Data Needs Request	5 days
5	City/Applicant Addresses Data Needs Request	5 days
6	ICF Prepares Draft Project Description	5 days
7	City/Applicant Reviews Project Description	7 days
8	ICF Prepares Final Project Description	3 days
9	NOP & IS	65 days
10	ICF Prepares First Draft NOP & IS	15 days
11	City/Applicant Reviews First Draft NOP & IS	10 days
12	ICF Prepares Second Draft NOP & Screencheck IS	8 days
13	City/Applicant Reviews Second Draft NOP	5 days
14	ICF Finalizes NOP/IS	5 days
15	30-Day Scoping Period	30 edays
16	Prepare Transportation EIR Chapter	94 days
17	Hexagon Prepares Draft Transportation EIR Chap	50 days
18	City Reviews Draft Transportation EIR Chapter	15 days
19	Hexagon Provides AQ and Noise Inputs to Team	5 days
20	Hexagon Prepares Screencheck EIR Chapter	10 days
21	City Reviews Screencheck EIR Chapter	7 days
22	Hexagon Prepares Final Transportation EIR Chap	7 days
23	City Signs off on Final Transportation EIR Chapter	5 days
24	Prepare Housing Needs Assessment (HNA)	87 days
25	KMA Prepares Draft HNA	50 days
26	City Reviews Draft HNA	15 days
27	KMA Prepares Screencheck HNA	10 days
28	City Reviews Screencheck HNA	5 days
29	KMA Prepares Final HNA	5 days
30	City Signs off on Final HNA	2 days
31	Prepare Draft EIR	111 days
32	ICF Prepares Administrative Draft EIR	30 days
33	City/Applicant Reviews Administrative Draft EIR	20 days
34	ICF Prepares Screencheck Draft EIR	15 days
35	City/Applicant Reviews Screencheck Draft EIR	10 days
36	ICF Prepares Draft EIR	5 days
37	45-Day Public Review	45 edays
38	Prepare Final EIR	67 days
39	ICF Bracket and Organize Comment Letters	5 days
40	ICF Prepares Administrative Final EIR	15 days
41	City/Applicant Reviews Administrative Final EIR	15 days
42	ICF Prepares Screencheck Final EIR	10 days
43	City/Applicant Reviews Screencheck Final EIR	5 days
44	ICF Prepares and Circulate Final EIR	15 days
45	Certification Hearings	1 day
46	Prepare Notice of Determination	1 day



**PROJECT
LOCATION**

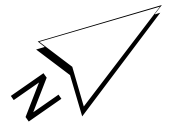


CITY OF MENLO PARK

LOCATION MAP

1075 O'BRIEN DRIVE & 20 KELLY COURT

DRAWN: TAS CHECKED: KTP DATE: 06/09/20 SCALE: 1" = 300' SHEET: 1





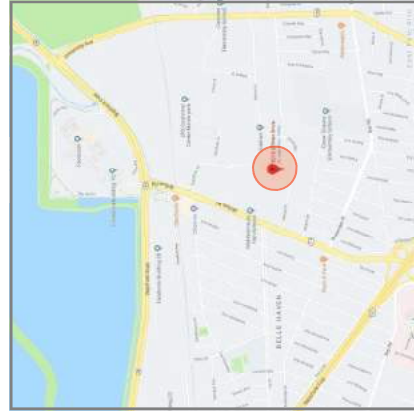
CSBio Expansion



DGA planning | architecture | interiors

1075 O'BRIEN DRIVE, MENLO PARK, CA 94025
 PLANNING COMMISSION STUDY SESSION - DECEMBER 16, 2019

VICINITY MAP



DRAWING INDEX

- 00 COVER, DRAWING INDEX
- 01 PROJECT DATA
- 02 SITE PLAN - EXISTING & PROPOSED
- 03 SITE PLAN - TREE DISPOSITION PLAN
- 04 SITE PLAN - PUBLIC OPEN SPACE
- 05 SITE PLAN - PARKING CALCULATION
- 06 SITE PLAN - BUILDING HEIGHTS
- 07 FLOOR PLANS
- 08 PARKING GARAGE FLOOR PLANS
- 09 WEST ELEVATION
- 10 NORTH & SOUTH ELEVATIONS
- 11 EAST ELEVATION
- 12 PARKING GARAGE ELEVATIONS
- 13 SECTION THRU BUILDING
- 14 AREA PERSPECTIVE
- 15 MASSING VIEW - 1
- 16 MASSING VIEW - 2
- 17 MASSING VIEW - 3
- 18 MASSING VIEW - 4

CONSULTANTS

- C-0 CONSTRUCTION NOTES
- C-01 SITE DEMOLITION PLAN
- C-2 GRADING AND DRAINAGE PLAN
- C-3 STORMWATER CONTROL PLAN
- C-4 STORMWATER CONTROL DETAILS AND NOTES
- C-5 STORMWATER CONTROL DETAILS AND NOTES
- C-6 UNDERGROUND PIPING PLAN
- C-7 DETAILS
- C-8 BMP DETAILS
- C-9 EXISTING CONDITION
- L-0.1 MATERIAL SCHEDULE
- L-1.0 ILLUSTRATIVE PLAN
- L-2.0 MATERIALS PLAN
- L-3.0 ENLARGEMENT PLAN
- L-4.0 TREE DISPOSITION PLAN
- L-5.0 PLANTING PLAN

CSBio owns two properties at 1075 O'Brien Drive and 20 Kelly Court in Menlo Park, CA. They are seeking Entitlements which would allow the construction of a new Class-A Building for Office, Research & Development and/or Technology and a Parking Structure. In order to do so, the existing Two-Story Building at 20 Kelly Court will be demolished to allow space for the proposed Parking Structure.

Existing Buildings

Address	Parcel	APN	Parcel Area (Sq. Ft.)	Building Area (Sq. Ft.)	Building Type
20 Kelly Court	1	055-433-340	35,911	12,192	Two-Story Lab/Office
20 Kelly Court	1	055-433-340	32,321	26,291	Three-Story Lab/Office
1075 O'Brien	2	055-433-250	30,464	14,523	Two-Story Warehouse/Office
TOTAL EXISTING AREAS			98,696	53,006	

Proposed Project

CSBio wishes to develop a Seven-Story Building with an approximate area of 100,000 Sq. Ft. The high-quality design of the Building and Site will contribute to the redevelopment occurring along O'Brien Drive. CSBio also proposes to provide a Parking Structure at the end of the cul-de-sac on Kelly Drive, and a Pedestrian Walkway (Bridge) to connect the Parking Structure to the new 1075 O'Brien Building.

Project Data

Building	Gross Area	Footprint
1075 O'Brien Dr. (Lab/Office Use)	90,131 Sq. Ft.	16,000 Sq. Ft.
20 Kelly Ct.	26,291 Sq. Ft.	11,564 Sq. Ft.
Utility Yard (Enclosed)	1,750 Sq. Ft.	1,750 Sq. Ft.
Hazardous Material Storage (Enclosed)	1,750 Sq. Ft.	1,750 Sq. Ft.
Parking Garage	0 Sq. Ft.	19,166 Sq. Ft.
	119,922 Sq. Ft.	50,230 Sq. Ft.
Base Floor Area Ratio	1.215	1.250 Max.
1075 O'Brien Dr. (Commercial Use)	9,869 Sq. Ft.	Included Above
Bonus Floor Area Ratio	0.100	0.100 Max.
Site Coverage		0.509 = 51%

Approvals Requested

Approvals Requested	Allowed	Proposed
Floor Area Ratio – Lab/Office Use	1.250	1.215
Floor Area Ratio – Commercial Use	0.100	0.100
Allowable Height	120 Feet	117 Feet

Concurrent Approvals

- 1. Lot Merger of existing two (2) Parcels

16.44.050 – Development Regulations

Minimum Lot Area	Bonus Level	Proposed
Minimum Lot Dimensions	25,000 Sq. Ft.	98,696 Sq. Ft.
Minimum Setback @ Street	Width 100 Ft.	130 Ft.
Minimum Interior Side & Rear Setbacks	Depth 100 Ft.	185 Ft.
Maximum Floor Area Ratio (FAR)	5 Feet	5 Feet
Height	10 Feet	10 Feet
Minimum Open Space Requirement	125% + 10%	1.315
Minimum Public Open Space Requirement	Avg. 77.5 Ft.	61.42 Ft.
	110 Ft. + 10 Ft.	117 Ft.
	20%	20%
	10%	10%

16.44.070 Community Amenities Required for Bonus Development

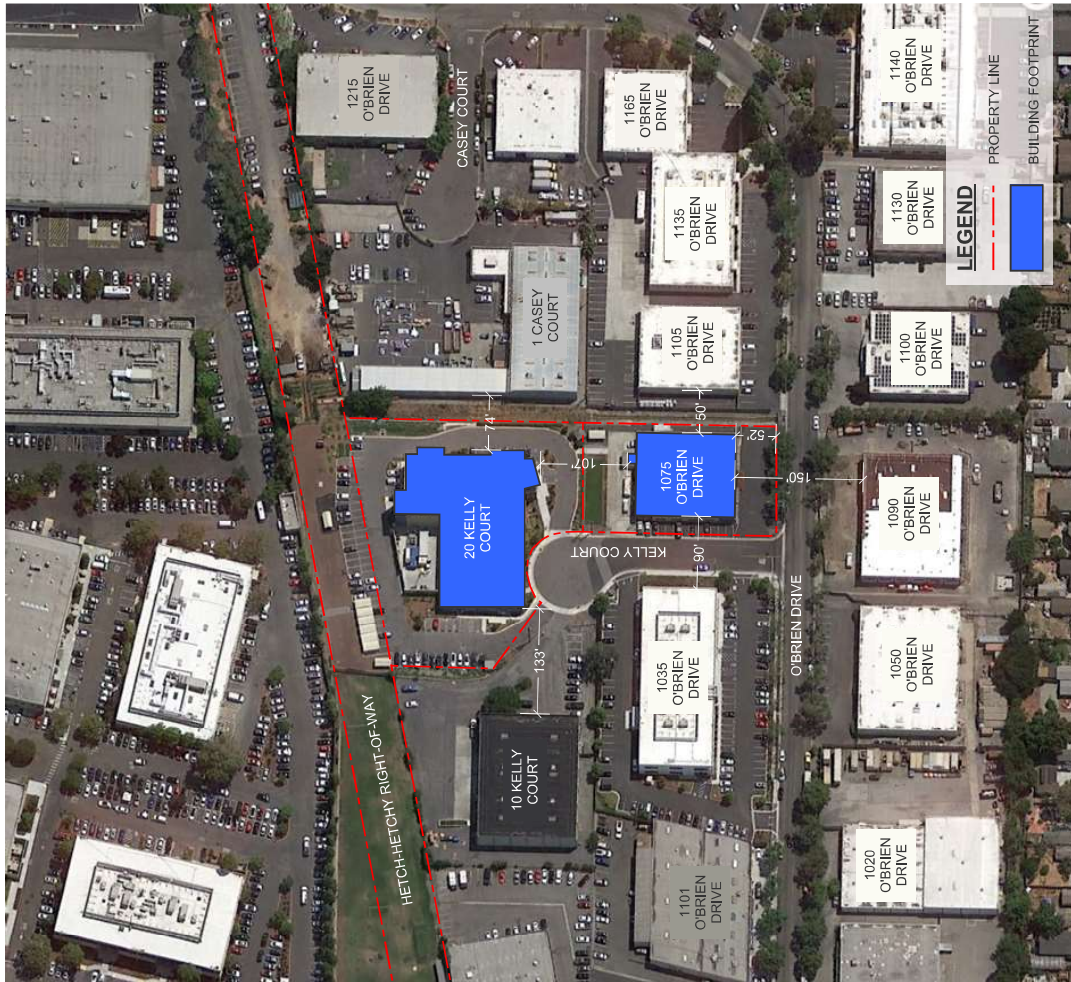
Bonus level development allows a project to develop at a greater level of intensity with an increased floor area ratio and/or increased height. There is a reasonable relationship between the increased intensity of development and the increased effects on the surrounding community. The required community amenities are intended to address identified community needs that result from the effect of the increased development intensity on the surrounding community. To be eligible for bonus level development, an applicant shall provide one (1) or more community amenities. Construction of the amenity is preferable to the payment of a fee.

Proposed Community Amenity:

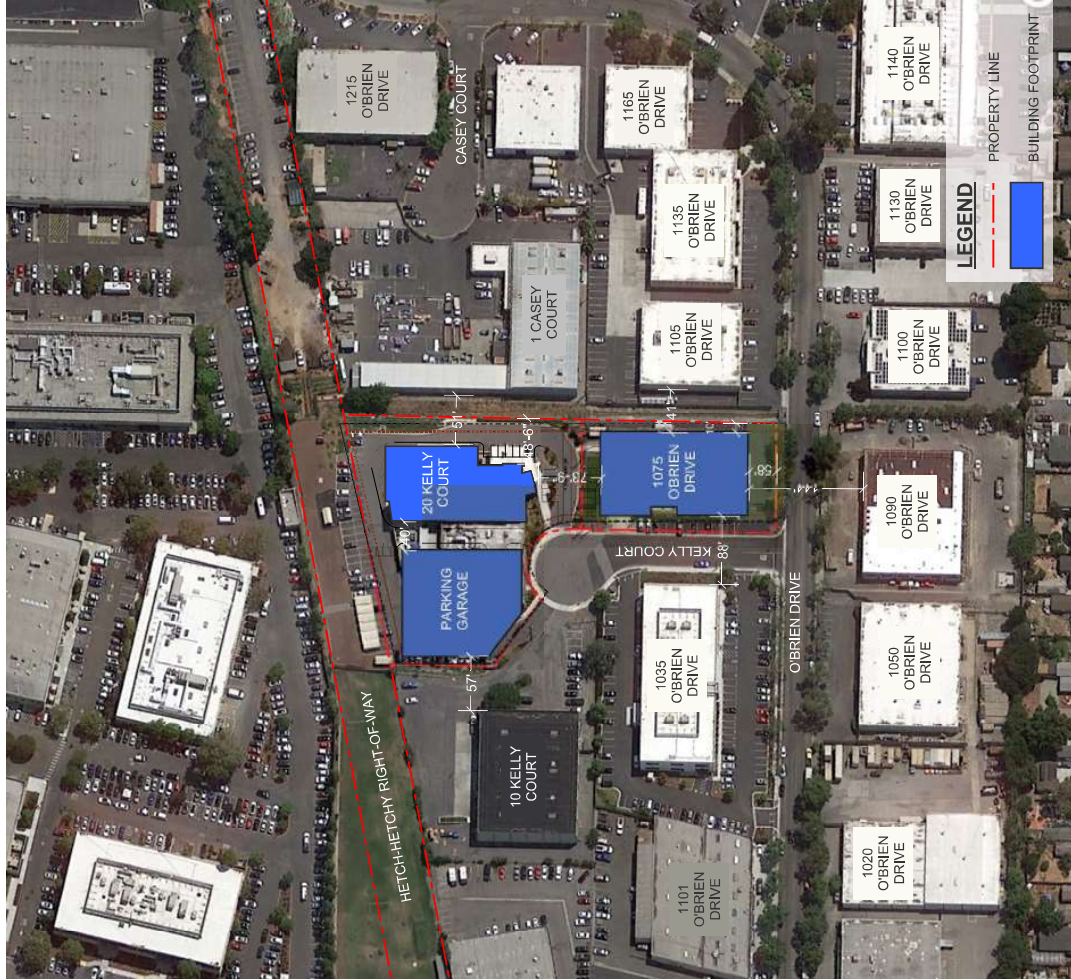
Project will consider one, or more, of the following Amenities, depending on the required value of the Amenities to be determined through a future Appraisal.

- Community Servicing Retail
 - Restaurant
 - Jobs and Training
- Education and enrichment programs for young adults
- Job opportunities for residents
- Job Training & Education Center
 - Paid internships and scholarships for young adults
- Social Service Improvements
 - Education improvements in Belle Haven
- Energy, Technology and Utilities Infrastructure
 - Underground power lines





EXISTING SITE

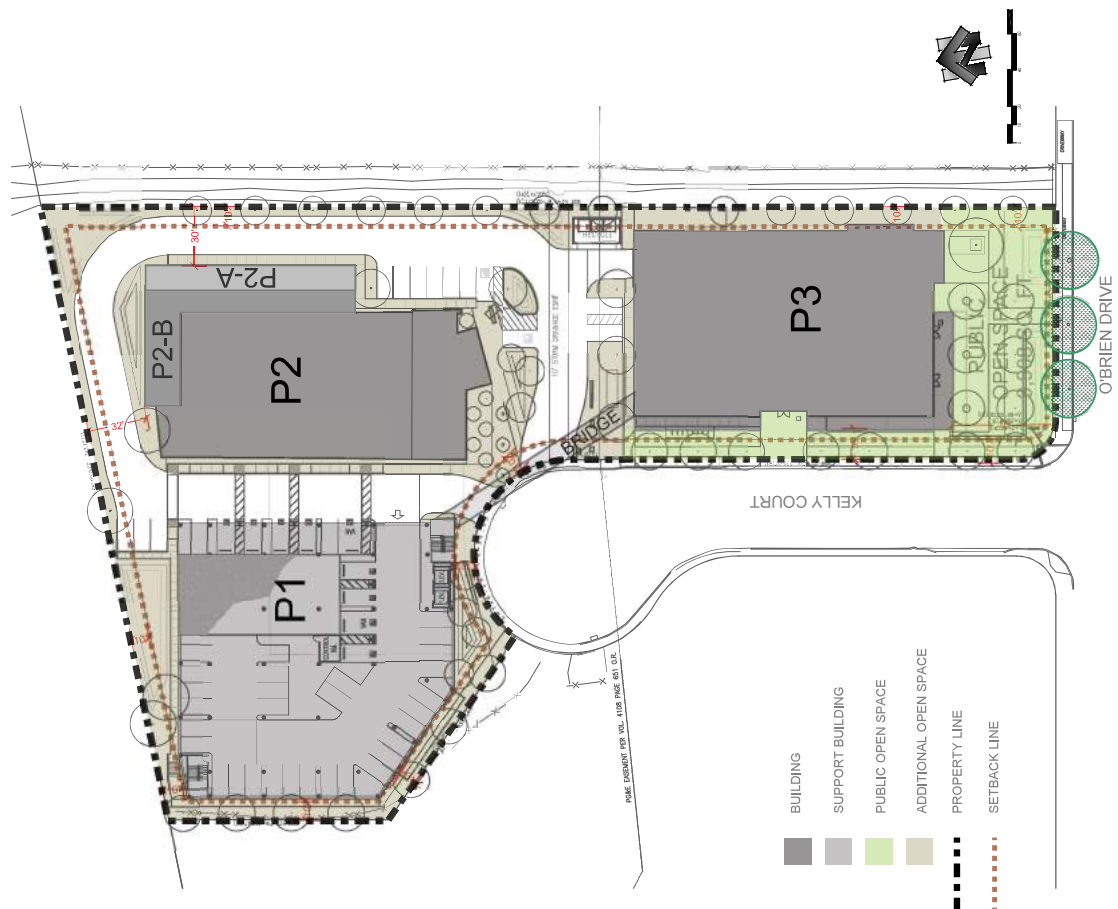


PROPOSED SITE





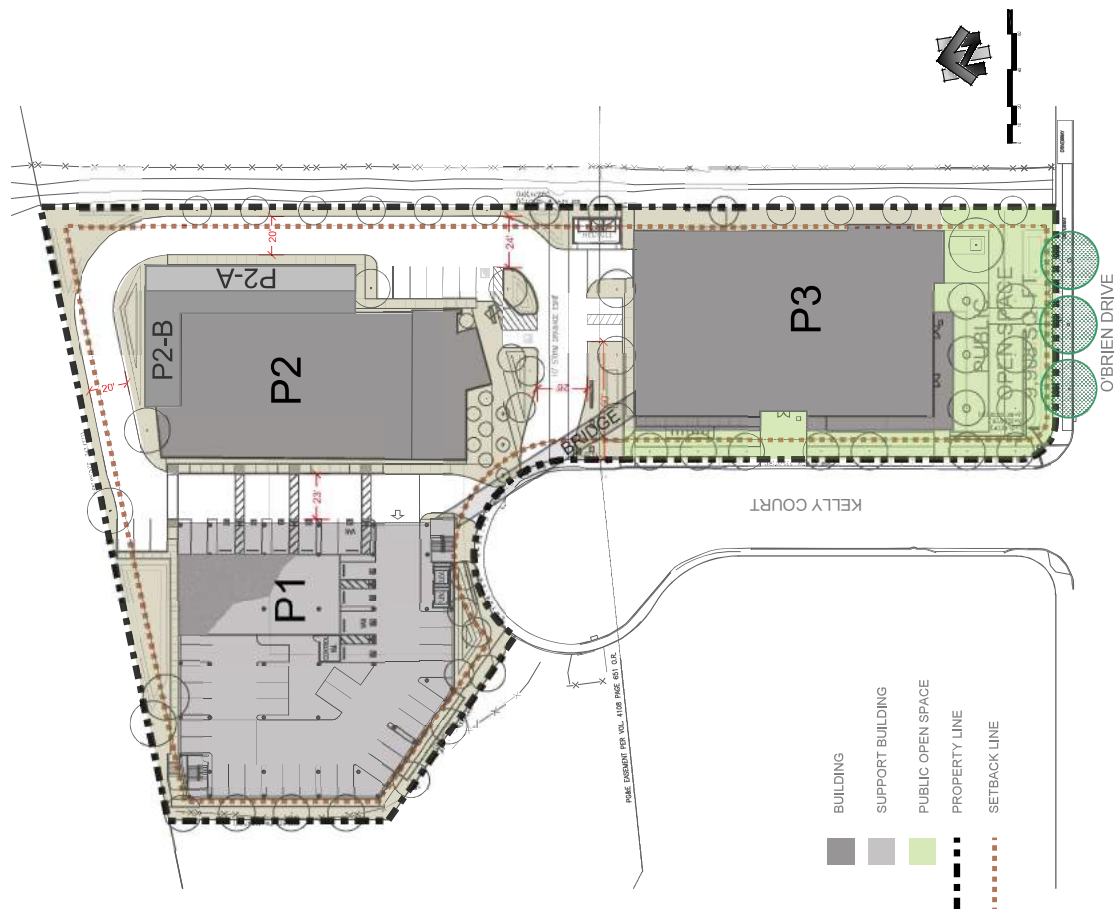
SITE PLAN - TREE DISPOSITION PLAN



<u>Open Space</u>	
20 Kelly Court	68,232 Sq. Ft.
1075 O'Brien	30,464 Sq. Ft.
	98,696 Sq. Ft.
Open Space	20%
Publicly Accessible	50%
Open Space Provided	Open Space Provided
19,739 Sq. Ft. <	20,232 Sq. Ft. OK
9,870 Sq. Ft. <	9,908 Sq. Ft. OK

SITE PLAN - PUBLIC OPEN SPACE





16.44.080 – Parking Standards
 Development in the Life Sciences District shall meet the following Parking Requirements:

Land Use	Minimum Spaces Per 1,000 SF	Maximum Spaces Per 1,000 SF	Building Area SF	Minimum	Provided	Maximum
20 Kelly Ct. R&D	1.5	2.5	26,291	40	48	66
1075 O'Brien Dr. Office	2.0	3.0	38,400	77	84	116
R&D	1.5	2.5	51,731	78	95	130
Restaurant	2.5	3.3	9,869	25	25	33
TOTALS			126,291	220	252	345

Bicycle Parking

Land Use	Spaces Required Per 5,000 SF	Building Area SF	Spaces Required	Spaces Provided
20 Kelly Ct. R&D	1	26,291	6	6
1075 O'Brien Dr. Office	1	38,400	8	8
R&D	1	51,731	11	11
Restaurant	1	9,869	2	2
TOTALS			27	27*

* 27 Spaces = 21 Long-Term Spaces + 6 Short-Term Spaces

PARKING COUNTS

PARKING GARAGE = 230 SPACES
 7 ADA SPACES
 2 VAN ADA SPACES

SURFACE PARKING = 13 SPACES
 252 SPACES

SITE PLAN - PARKING CALCULATION





Average Building Height - Volumetric Weighted - Calculation

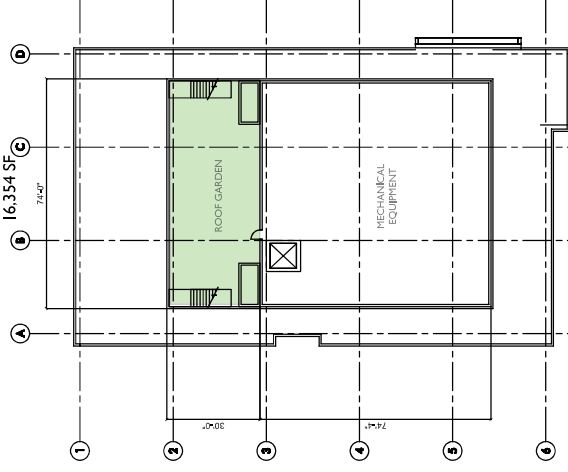
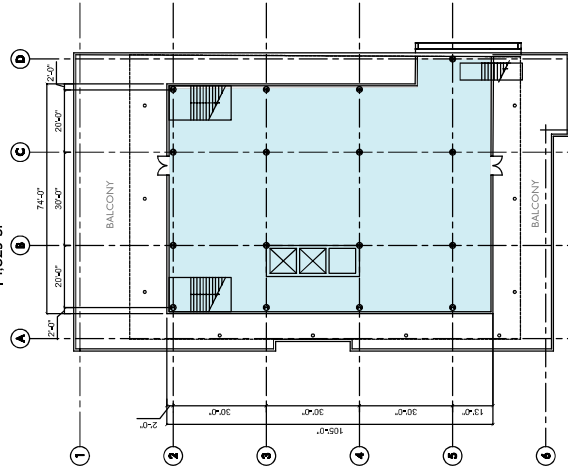
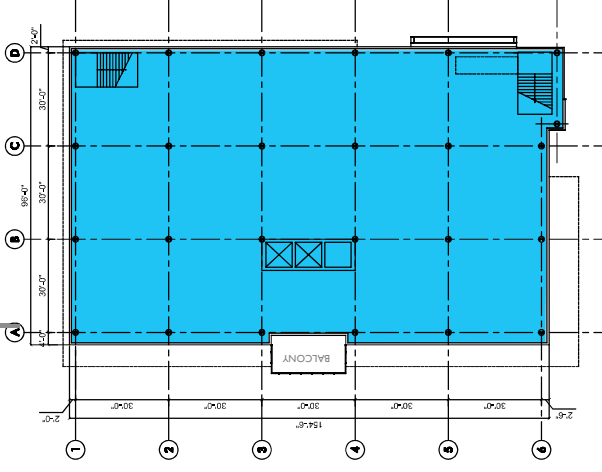
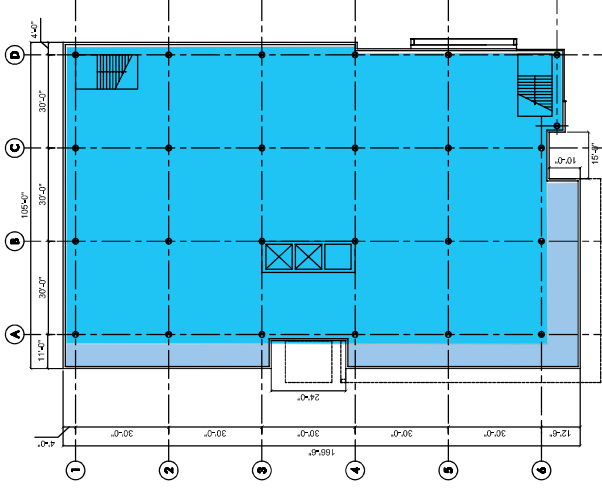
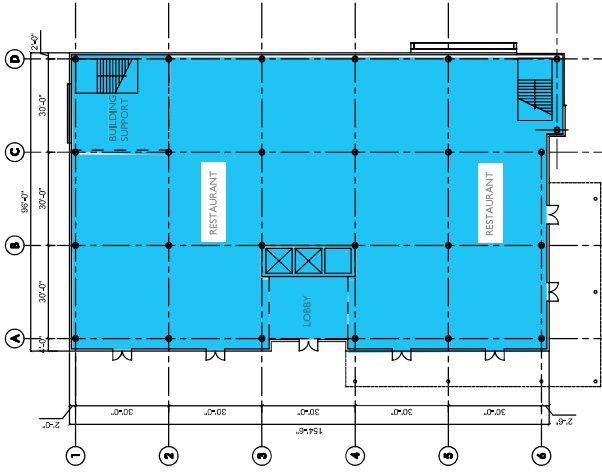
Garage	Height	Area	Floors	Height	Area	Floors	Height
P1-1	51.50 Feet	95,830 Sq. Ft.	5	10.50 Ft.	19,166 Sq. Ft.	5	10'-6" @ 2nd - 5th Floor 11'-6" @ 1st Floor
P1-2	60.00 Feet	1,926 Sq. Ft.	1	12.00 Ft.	1,926 Sq. Ft.	1	12'-0" To Roof
P1 Total Area		97,756			17,240		
20 Kelly Court							
P2-1	30.00 Feet	16,802 Sq. Ft.	2	15.00 Ft.	8,401 Sq. Ft.	2	Floor-to-Floor Avg. Per Floor
P2-2	44.00 Feet	9,489 Sq. Ft.	3	14.67 Ft.	3,163 Sq. Ft.	3	Floor-to-Floor Avg. Per Floor
P2 Total Area		26,291					
P2-A Covered Storage & P2-B HazMat Bunker							
P2-A	12.50 Feet	3,500 Sq. Ft.	1	12.50 Ft.	3,500 Sq. Ft.	1	Floor-to-Floor Avg. Per Floor
1075 O'Brien							
P3-1	45.00 Feet	3,062 Sq. Ft.	2	15.00 Ft.	1,531 Sq. Ft.	2	Floor-to-Floor Avg. Per Floor
P3-2	95.25 Feet	40,938 Sq. Ft.	6	16 Ft.	6,823 Sq. Ft.	6	Avg. Floor-to-Floor Avg. Per Floor
P3-3	110.00 Feet	10,000 Sq. Ft.	7	16.00 Ft.	8,000 Sq. Ft.	7	Avg. Floor-to-Floor Avg. Per Floor
Max + Bonus		120,000 Feet					
Proposed		117,000 Feet					
+ Parapet		5.00 Feet					
Roof		112,000 Feet					
Tower Area		56,000 Sq. Ft.					
P3 Total Area		100,000 Sq. Ft.					
Towards FAR		227,547 Sq. Ft.					
Remainder		133,240 Sq. Ft.					
							Max FAR

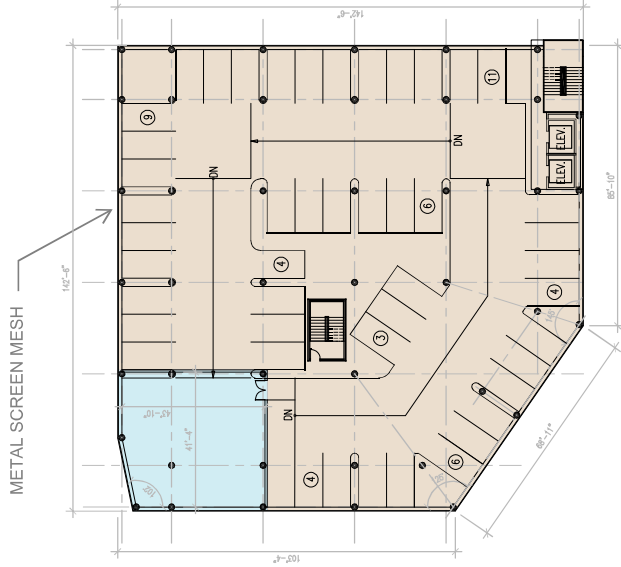
Building	Footprint (SF)	Building Height	Floors (Not in Calc)	Z = (XxY)
P1-1	17,240	51.50	5	887,860
P1-2	1,926	60.00	1	115,560
P2-1	8,401	30.00	2	252,030
P2-2	3,163	44.00	3	139,172
P2-A + P2B	3,500	12.50	1	43,750
P3-1	1,531	45.00	2	68,895
P3-2	6,823	95.25	6	649,891
P3-3	8,000	117.00	7	936,000
TOTAL	50,584			3,093,158

AVERAGE HEIGHT (TOTAL Z / TOTAL X) - Average Height is Less than Allowed: 61.15
 Maximum Average Height Allowed: 67.50 + Flood Zone Bonus 10.00 = 77.50

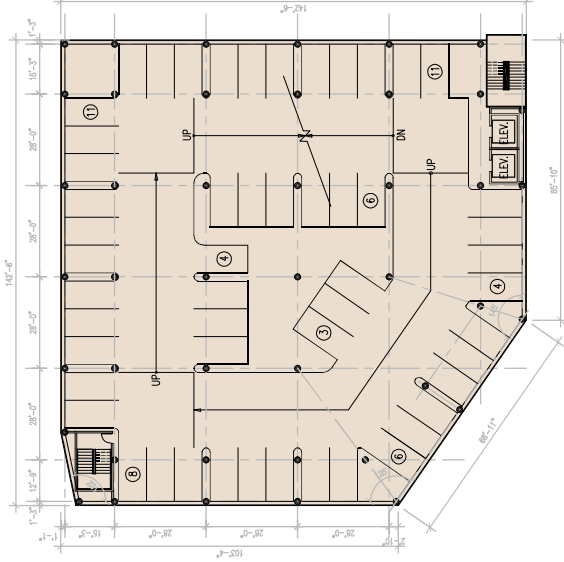
SITE PLAN - BUILDING HEIGHTS



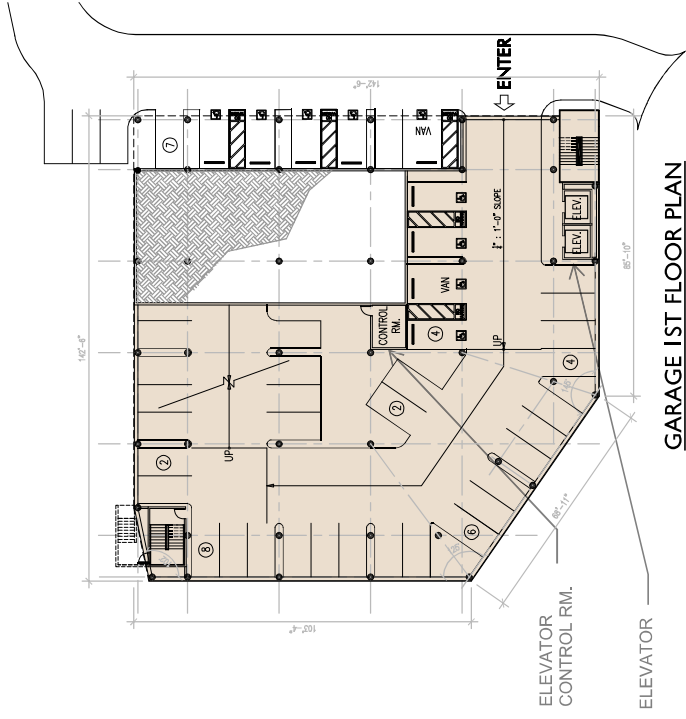




GARAGE ROOF PLAN
47 Parking Spaces
19,166 SF



TYPICAL GARAGE FLOOR PLAN
53 Parking Spaces
19,166 SF



GARAGE 1ST FLOOR PLAN
33 Parking Spaces
19,166 SF

PARKING COUNTS

FIVE LEVELS = 230 SPACES
7 ADA SPACES
2 VAN ADA SPACES

SURFACE PARKING = 13 SPACES
252 SPACES

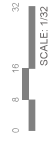


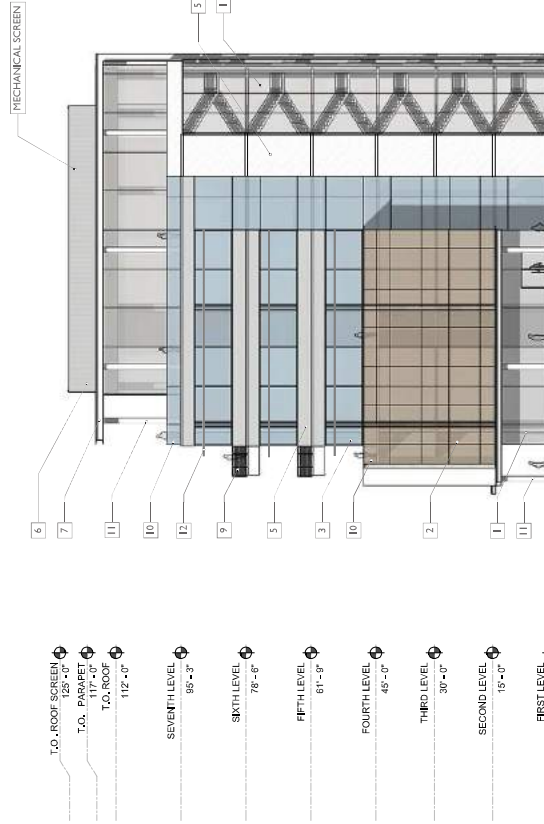


WEST ELEVATION
FACING KELLY COURT

MATERIALS LEGEND:

- 1 GLAZING - TYPE 1 CLEAR VISION GLASS
- 2 GLAZING - TYPE 2 TINTED VISION GLASS
- 3 GLAZING - TYPE 3 TINTED VISION GLASS
- 4 GLAZING - TYPE 4 SPANDREL GLASS
- 5 GEMINITTIUS PRODUCT
- 6 PROFILED METAL PANEL
- 7 C-SHAPED METAL TRIM
- 8 METAL PANEL, WOODLOOK
ALTERNATE: TRESPA WOOD GRAIN PANEL
- 9 METAL RAILING
- 10 GLASS GUARDRAIL
- 11 12" DIAMETER ALUMINUM COLUMN COVER
- 12 METAL SUNSHADE





T.O. ROOF SCREEN 129'-0"
 T.O. PARAPET 117'-0"
 T.O. ROOF 112'-0"
 SEVENTH LEVEL 95'-3"
 SIXTH LEVEL 78'-6"
 FIFTH LEVEL 61'-5"
 FOURTH LEVEL 45'-0"
 THIRD LEVEL 30'-0"
 SECOND LEVEL 15'-0"
 FIRST LEVEL 0'-0"

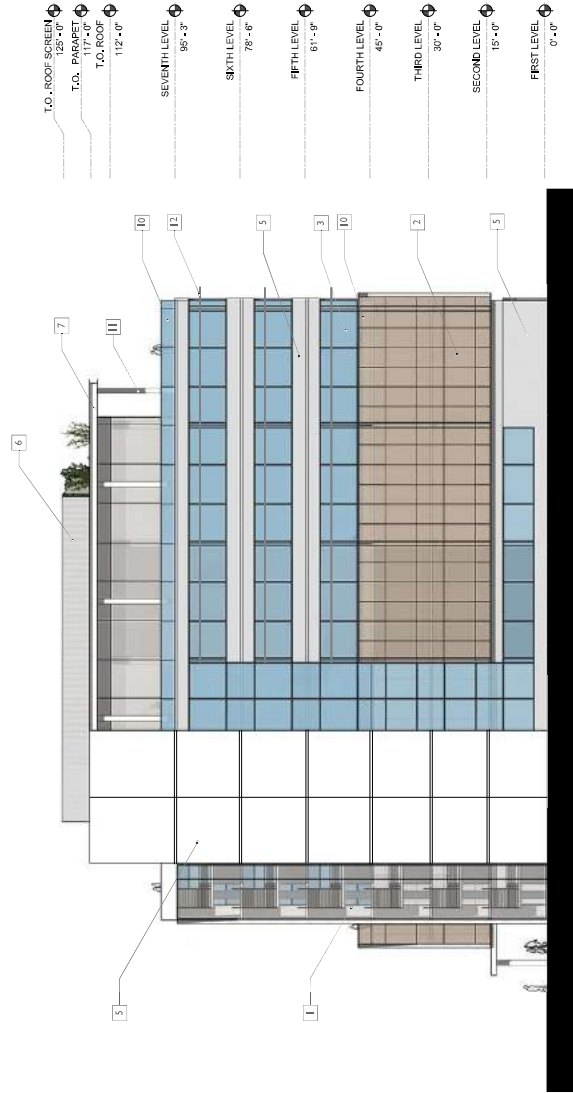
NORTH ELEVATION

MATERIALS LEGEND:

- 1 GLAZING - TYPE 1 CLEAR VISION GLASS
- 2 GLAZING - TYPE 2 TINTED VISION GLASS
- 3 GLAZING - TYPE 3 TINTED VISION GLASS
- 4 GLAZING - TYPE 4 SPANDREL GLASS
- 5 CERAMITITOUS PRODUCT
- 6 PROFILED METAL PANEL
- 7 C-SHAPED METAL TRIM
- 8 METAL PANEL, WOODLOOK
 ALTERNATE: TRESPA WOOD GRAIN PANEL
- 9 METAL RAILING
- 10 GLASS GUARDRAIL
- 11 12" DIAMETER ALUMINUM COLUMN COVER
- 12 METAL SUNSHADE



SOUTH ELEVATION
 FACING O'BRIEN DRIVE

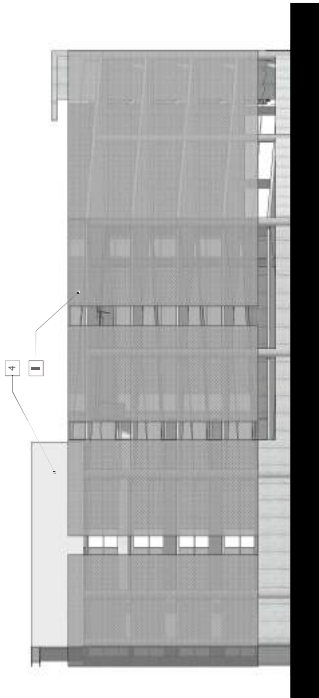


EAST ELEVATION

MATERIALS LEGEND:

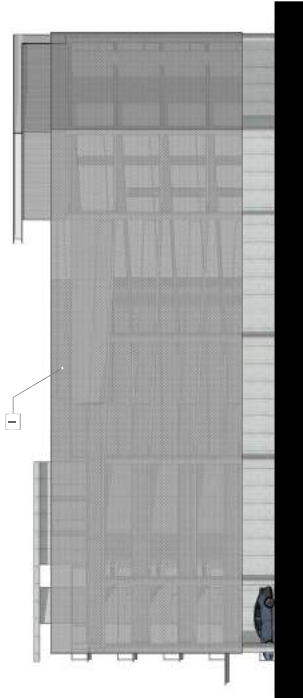
- 1 GLAZING - TYPE 1 CLEAR VISION GLASS
- 2 GLAZING - TYPE 2 TINTED VISION GLASS
- 3 GLAZING - TYPE 3 TINTED VISION GLASS
- 4 GLAZING - TYPE 4 SPANDREL GLASS
- 5 CEMENTITIOUS PRODUCT
- 6 PROFILED METAL PANEL
- 7 C-SHAPED METAL TRIM
- 8 METAL PANEL, WOODLOOK
ALTERNATE: TRESPA WOOD GRAIN PANEL
- 9 METAL RAILING
- 10 GLASS GUARDRAIL
- 11 12" DIAMETER ALUMINUM COLUMN COVER
- 12 METAL SUNSHADE



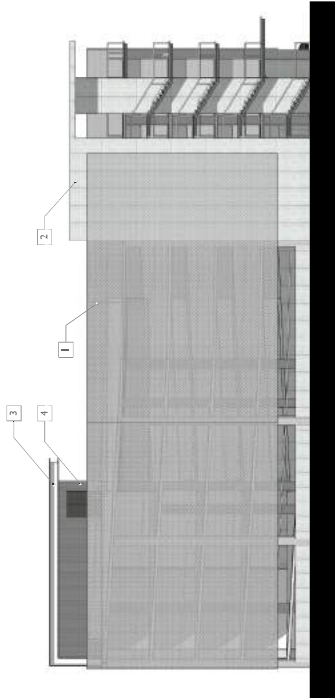


WEST ELEVATION

- ROOF LEVEL 60'-0"
- TOP OF RAMP 48'-0"
- FIFTH LEVEL 43'-0"
- FOURTH LEVEL 32'-6"
- THIRD LEVEL 22'-0"
- SECOND LEVEL 11'-6"
- FIRST LEVEL 0'-0"

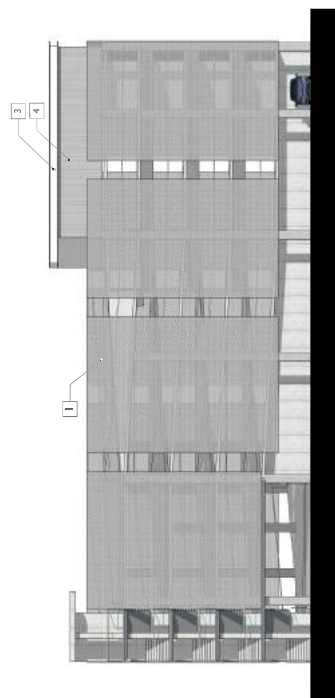


NORTH ELEVATION
FACING HETCHY-HETCHY R.O.W.



SOUTH ELEVATION
FACING KELLY COURT

- ROOF LEVEL 60'-0"
- TOP OF RAMP 48'-0"
- FIFTH LEVEL 43'-0"
- FOURTH LEVEL 32'-6"
- THIRD LEVEL 22'-0"
- SECOND LEVEL 11'-6"
- FIRST LEVEL 0'-0"



EAST ELEVATION

MATERIALS LEGEND:

- 1 METAL SCREEN MESH
- 2 CERAMITITIOUS PRODUCT
- 3 C-SHAPED METAL TRIM
- 4 PROFILED METAL PANEL





LONGITUDINAL SECTION

T.O. ROOF SCREEN	125'-0"
T.O. PARAPET	117'-0"
T.O. ROOF	112'-0"
SEVENTH LEVEL	95'-3"
SIXTH LEVEL	78'-6"
FIFTH LEVEL	61'-9"
FOURTH LEVEL	45'-0"
THIRD LEVEL	30'-0"
SECOND LEVEL	15'-0"
FIRST LEVEL	0'-0"







MASSING VIEW - ACROSS O'BRIEN DRIVE LOOKING NORTH



MASSING VIEW - ACROSS O'BRIEN DRIVE LOOKING NORTHWEST



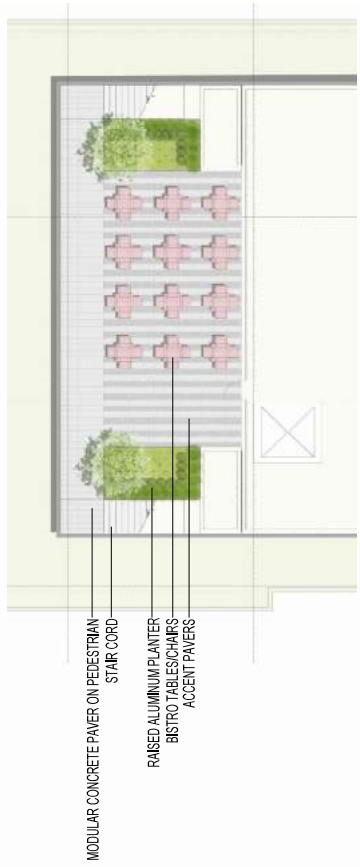
MASSING VIEW - VIEW AT EAST



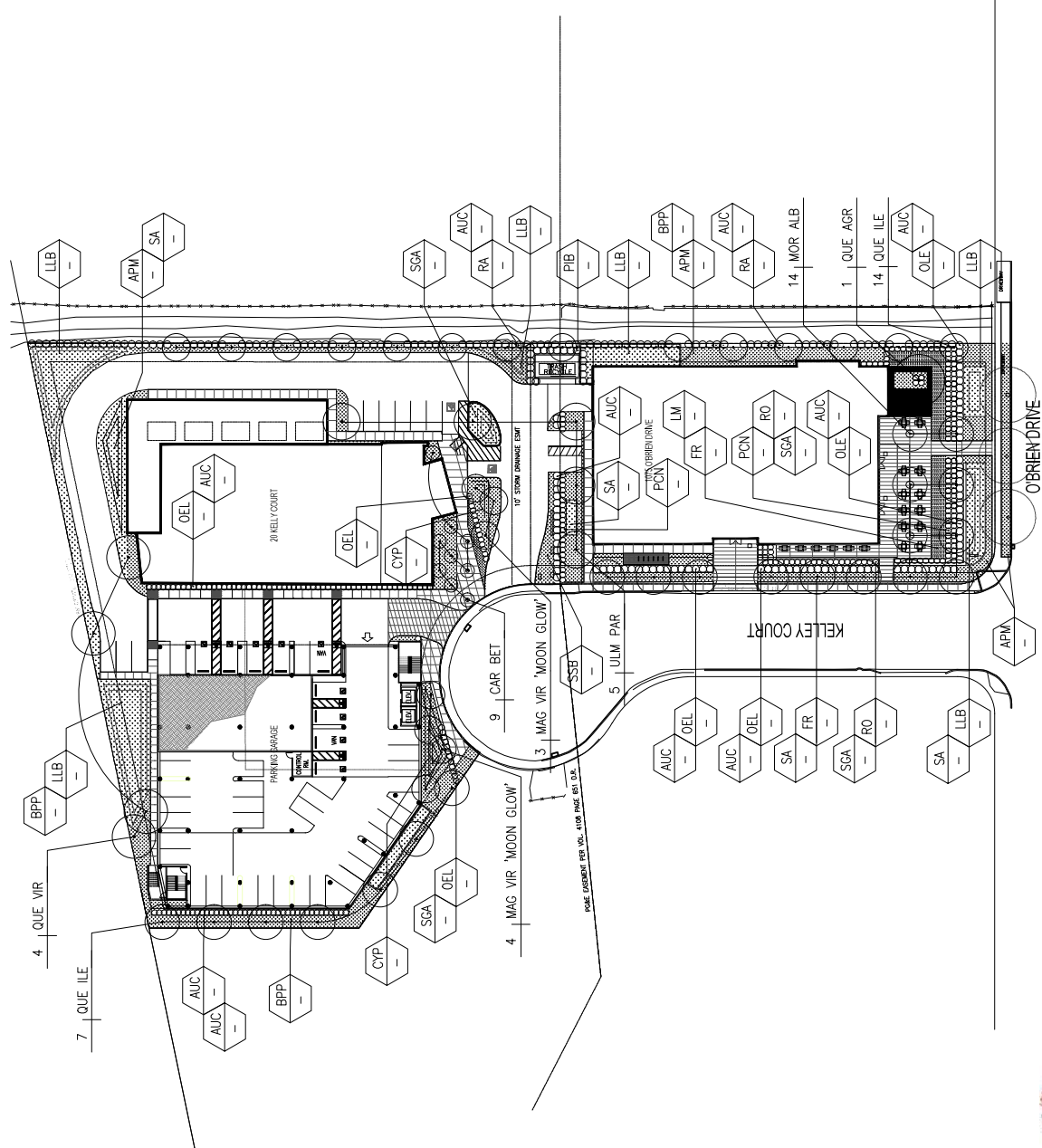
MASSING VIEW - ACROSS KELLY COURT LOOKING EAST



2 ILLUSTRATIVE SITE PLAN



1 ILLUSTRATIVE ROOFTOP GARDEN



1 PLANTING PLAN
SCALE





STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-116-CC

Consent Calendar:

Authorize the city manager to execute master agreements with consulting firms for on-call architectural, landscape architectural, civil engineering, construction inspection, municipal engineering and materials testing services

Recommendation

Staff recommends that the City Council authorize the city manager to execute three-year master agreements with multiple consulting firms for on-call architectural, landscape architectural, civil engineering, construction inspection, municipal engineering, and materials testing services with options to extend the agreements on a yearly basis for up to two additional years.

Policy Issues

The proposed action is consistent with the City's purchasing policies. Use of multiyear master agreements assists the timely delivery of capital improvement projects and programs/services to maintain the City's infrastructure. It also serves as a risk management tool to quickly address emergencies, shifting priorities and staff vacancies. The authorization of these master agreements does not award projects to any of the selected firms; it establishes a pool of resources from which to draw as project needs are identified in the future.

Background

The public works department is responsible for planning, building and maintaining the City's infrastructure. The department is comprised of engineering, maintenance, and transportation divisions managing projects per the City's capital improvement program and development service needs. Such projects may include master planning, development permit review, utility upgrades, building and park maintenance, and street and sidewalk repairs. Currently, public works projects are overseen staff engineers and inspectors, and supplemented with contract consulting services. The role of City surveyor is also currently provided through a master agreement.

Over the years, the City Council has authorized the city manager to execute master agreements with consulting firms to augment staffing resources experiencing higher demand. Master agreements have been established by the City for short-term specialized services such as engineering, surveying, transportation, inspection and materials testing. The City's current master agreements for engineering and surveying services were last authorized by the City Council in 2012, and expire at the end of fiscal year 2019-20. The last set of transportation master agreements was authorized by the City Council November 13, 2018, and may be extended through fiscal year 2024-25, so is not included in this authorization. On August 20, 2019, the City Council authorized the city manager to execute three-year master agreements for on-call architectural design, cost estimating and mechanical, electrical and plumbing (MEP) design services. While

cost estimating and MEP on-calls are not included in this authorization, staff recognized the need to expand the City’s architectural on-call support after further evaluation of current and projected workloads.

Analysis

Master agreements are an efficient tool for providing technical staff support and shorten the time needed to identify qualified firms while adhering to City purchasing policies. This enables the City to more quickly respond to needs by utilizing these consulting firms’ services on an as-needed basis for a specific activity. These services are temporary, and obtained only for the length of time needed to complete the tasks.

Master agreements that involve on-call professional services only provide a list of qualified and vetted consulting firms. Once a master agreement is in place with the listed firms, staff interacts with these firms on an as-needed basis to find the most appropriate level of expertise and knowledge to carry out a specific task. Once a specific firm from the list is identified for the temporary work, the City solicits cost information about the task(s) requested and establishes a purchase order for a not-to-exceed amount from a funding source as included in the annual budget.

The master agreement includes the same language as the City’s standard services contract and requires the consultant to provide proof of insurance and to hold the City harmless for the work performed. The agreements will be for three years with an option to extend yearly for up to two additional years.

On April 13, the City issued a request for qualifications (RFQ) for on-call architectural, landscape architectural, civil engineering, construction inspection, municipal engineering, and materials testing services to develop a list of firms to replace those with expiring master agreements. On May 14, the City received 74 submittals in response to the RFQ as summarized below:

Table 1: Response to the RFQ		
On-call service	Proposals received	Hourly rate ¹
Architectural	14	\$60-305
Landscape architectural	20	\$85-310
Civil engineering	17	\$80-400
Construction inspection	9	\$70-225
Municipal engineering	8	\$92-352
Materials testing	6	\$75-500

1. Rates range from administrative to principal staff

A selection committee of staff members divided into groups of three to rank proposals by type of on-call service. Upon review, staff identified firms that would best provide the range of specialties for each on-call service. Finalists were chosen based on a number of selection criteria including fee schedule, work methodology, overall proposal quality, availability to work, familiarity with the City of Menlo Park, and previous staff experience, amongst others. Each panelist provided their top choices per this criteria. A follow up meeting was established for group consensus before finalizing the on-call list in the event of discrepancies. Staff recommends entering into agreements with the 21 firms identified on the next page. The remaining firms did not advance based on this ranking system.

Entering master agreements with these firms will help advance funded capital improvement projects. In addition, master agreements will help relieve added workload from staff vacancies and assist project delivery in a timely manner. While these on-call services are meant to be comprehensive for work that is projected through the life of the agreement, it does not preclude the City from issuing project specific requests for future proposals, if desired.

Table 2			
Service	Firm	Hourly rates	Type of services (illustrative)
Architectural	<ul style="list-style-type: none"> • Noll & Tam • Group 4 • Ten Over Studio • KPA Group 	<ul style="list-style-type: none"> • \$110-240 • \$105-320 • \$75 - 200 • \$95 - 280 	<ul style="list-style-type: none"> • Preparation of conceptual design drawings <ul style="list-style-type: none"> • Master planning and feasibility studies • Compliance report with state or federal guidelines <ul style="list-style-type: none"> • Historic building preservation and restoration <ul style="list-style-type: none"> • Building program development • Space needs studies / interior design • Architectural design drawings and specifications <ul style="list-style-type: none"> • Public meeting presentations • Building permitting assistance • Construction administration services
Landscape architectural	<ul style="list-style-type: none"> • Callander Assoc. • Gates + Assoc. • PGAdesign • BFS 	<ul style="list-style-type: none"> • \$108-210 • \$90 - 220 • \$128-235 • \$80 - 215 	<ul style="list-style-type: none"> • Preparation of conceptual design drawings <ul style="list-style-type: none"> • Master planning and feasibility studies • Compliance report with state or federal guidelines <ul style="list-style-type: none"> • Historic landscape preservation and restoration • Landscape design drawings and specifications <ul style="list-style-type: none"> • Public meeting presentations • Construction administration services
Civil engineering	<ul style="list-style-type: none"> • BKF • Freyer & Laureta • IEC • Schaaf & Wheeler 	<ul style="list-style-type: none"> • \$70 - 251 • \$85 - 230 • \$80 - 260 • \$130-250 	<ul style="list-style-type: none"> • Master planning • Compliance report with state or federal guidelines <ul style="list-style-type: none"> • Land surveying services • Prepare mapping documents <ul style="list-style-type: none"> • Civil design • Civil construction drawings and specifications <ul style="list-style-type: none"> • Construction administration services
Construction inspection	<ul style="list-style-type: none"> • 4Leaf • Starbuilder • Swinerton 	<ul style="list-style-type: none"> • \$92 - 220 • \$90 - 120 • \$86 - 220 	<ul style="list-style-type: none"> • Assist in review of construction documents <ul style="list-style-type: none"> • Construction administration • Inspection services for construction projects
Municipal engineering	<ul style="list-style-type: none"> • Bureau Veritas • CSG • Rey 	<ul style="list-style-type: none"> • \$125-190 • \$130-330 • \$102-600 	<ul style="list-style-type: none"> • City surveyor services • Plan check for construction documents • Building/encroachment permit assistance • Construction and project management duties <ul style="list-style-type: none"> • Staff augmentation support
Materials testing	<ul style="list-style-type: none"> • Construction Testing • BAGG • Ninyo & Moore 	<ul style="list-style-type: none"> • \$90-500 • \$75-250 • \$80-185 	<ul style="list-style-type: none"> • Soils, subbase and geotechnical testing <ul style="list-style-type: none"> • Asphalt / concrete testing • Exploratory drilling and testing • Others as required per Caltrans standards or per project contract

Impact on City Resources

The authorization of these master agreements would not result in a direct expenditure of City resources. Tasks would be assigned through the master agreements to meet the needs and demands identified for each future fiscal year through the adoption of the annual budget and capital improvement program.

The contract amount for services would be identified for each project, depending on the scope of work/services, the number and type of professionals/technicians used, and the level of community engagement needed. The hourly rates for services typically range from \$60 to \$500 per hour, depending on the area of expertise and experience required to deliver the best products. The costs of these services are budgeted in the program or capital project for which the services are needed. No additional appropriations are being requested at this time.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

None.

Report prepared by:
Michael Fu, Senior Civil Engineer

Report reviewed by:
Chris Lamm, Assistant Public Works Director



STAFF REPORT

City Council
Meeting Date: 6/9/2020
Staff Report Number: 20-117-CC

Consent Calendar: **Authorize the city manager to sign a letter of commitment for construction of the Bayfront Canal and Atherton Channel flood protection and habitat restoration project**

Recommendation

Staff recommends the City Council authorize the city manager to sign a letter to the San Francisco estuary partnership expressing the City's commitment to ensuring the implementation of the Bayfront Canal and Atherton Channel flood protection and habitat restoration project (Project) by December 2021.

Policy Issues

The Project is consistent with land use element goal LU-7: Promote the implementation and maintenance of sustainable development, facilities and services to meet the needs of Menlo Park's residents, businesses, workers and visitors.

The Project is included in the proposed 2020-21 capital improvement plan, as reviewed by the City Council June 2.

Background

Located north of Highway 101 near the San Francisco Bay (Bay,) the Bayfront Canal (Canal) drains a 9.5 square mile area which includes sections of the cities of Menlo Park (City) and Redwood City, the towns of Atherton and Woodside and unincorporated areas of San Mateo County. Approximately 8,000 feet long, the Canal begins in Redwood City near Douglas Court and drains easterly along the southern edge of salt production ponds owned and operated by Cargill, Inc. The Atherton Channel, which runs along the jurisdictional boundary between Redwood City and the City between Florence Street and Haven Court, joins the Canal a few hundred feet west of Marsh Road and also receives flow from the City, Redwood City, the towns of Atherton and Woodside and unincorporated areas of San Mateo County (Attachment A.) The combined flow from the Atherton Channel and Canal empty into flood slough through a tide gate control structure that is operated and maintained by the City of Redwood City. The intended use of the tide gates is to prevent Bay water from flood slough from flowing back into the Canal. The tide gates are closed when tide levels in the Bay are high, preventing storm flow in the Canal from emptying into flood slough.

Based on the characteristics of the watershed that drains into the Canal, each of the jurisdictions contributes flow. The corresponding flow contributions per jurisdiction are presented in Table 1. As noted, the City contributes 10.5 percent of the flow during storm events.

Table 1 - Jurisdictional flow contributions		
Jurisdiction	Watershed area	Flow contribution
Town of Atherton	44%	38%
City of Redwood City	13%	26%
San Mateo County	20%	22%
City of Menlo Park	17%	10.50%
Town of Woodside	6%	3.50%

Note: Flow contribution is based on the 25-year event, the project design criteria.

The drainage areas along the Canal are subject to frequent flooding due to conveyance issues associated with the capacity of the Canal during large storm events as well as flow restrictions when tide levels in the Bay are high. Chronic flooding occurs in the East Bayshore Road area located along the Canal in Redwood City and at the Atherton Channel in the Haven Avenue and Marsh Road area of the City. The flooding typically results in road closures. During the last large storm event that occurred February 7, 2017, for example, the City’s police department closed the Haven Avenue and Marsh Road intersection due to flooding conditions. For the duration of the flooding, there was no access to the properties on Haven Avenue from Marsh Road. Access to the area was limited to East Bayshore Road via Redwood City.

The flooding problems associated with the Canal have been the subject of many past studies. In 2013, the City of Redwood City completed the Redwood City Bayfront Canal and Atherton Channel flood improvement and habitat restoration project feasibility study (Moffatt & Nichol, 2013.) As part of this assessment, the study evaluated the feasibility of routing storm flow from the Canal, across the entrance to Bedwell Bayfront Park, into managed ponds located in the Ravenswood Pond Complex of the South Bay salt pond restoration project (SBSPRP) to mitigate the flooding problems. The Ravenswood pond complex, owned and managed by the U.S. Fish and Wildlife Service, consists of a number of ponds (Ponds R3, R4, R5 and S5) that are located east of Bedwell Bayfront Park (Park.) The Project design consists of an underground concrete structure for the routing of storm flow from the Canal to Ponds R5 and S5 (R5/S5) for temporary storage which would mitigate flooding. The stormwater would flow back to the Bay during periods of low tides (Attachment B.)

While included as one of the alternatives evaluated as part of the SBSPRP environmental impact statement / environmental impact report (EIS/R) as a component of Alternative D, the Project was not included as part of the preferred alternative due to additional water quality analyses required by the Regional Water Quality Control Board.

In an effort to proceed with the environmental review, design and permitting of the Project, a multiagency collaborative was formed, consisting of the City of Menlo Park, City of Redwood City, Town of Atherton and San Mateo County. Despite contributing flow, the Town of Woodside declined to participate in the design efforts. On October 10, 2017, City Council authorized the city manager to enter into a memorandum of understanding (MOU) with the collaborative (Attachment C) for sharing costs related to development of design plans and specifications, environmental review and certification, construction permitting, and securing property access rights necessary to initiate construction bidding. Per the terms of the MOU, the City’s maximum cost share for the planning and design effort is capped at \$160,000. To date, the collaborative has completed design plan development and is in the final stages of securing project permits and property access rights to allow construction bidding to proceed.

Effective January 1, the San Mateo County Flood and Sea Level Rise Resiliency District (FSLRRD) assumed the role of lead agency for the Project. The City, along with the others in the collaborative, is a member of the FSLRRD.

Analysis

As a result of Proposition 84, the Association of Bay Area Governments (ABAG) was awarded a Department of Water Resources (DWR) Integrated Regional Water Management grant in the amount of \$20,000,000 to fund local, sub-regional and regional projects.

Subsequently, in 2014, Redwood City was awarded a sub-grant in the amount of \$1,135,000 for construction of the Project and entered into an agreement with ABAG. The San Francisco estuary partnership (SFEP) is a program under the authority of ABAG and is acting as the grant administrator.

While the original agreement terms of the Prop. 84 grant required that construction of the Project be completed by September 2018, Redwood City was successful in obtaining an amendment to extend the expiration of the term to December 31.

Although the collaborative has been successful in moving the Project forward, the process has taken longer than expected due to the location and complex nature of the Project, involving multiple partner jurisdictions, landowners and permitting agencies. As mentioned previously, the Project is in the final stages of project planning and design, but it will not be feasible to bid and construct the Project by the end of 2020.

In an effort to preserve the availability of the Redwood City grant funds, the collaborative has engaged with SFEP to explore various options. As an advocate for the Project and its beneficial impacts, SFEP was successful in obtaining preliminary approval from DWR to extend the project term for one additional year until December 31, 2021.

In order to receive final approval for amending the terms of the agreement with Redwood City, SFEP has requested all collaborative member agencies to provide formal letters (Attachment D) indicating their full commitment to ensuring the project is completed by December 2021. It should be noted that while the grant has been awarded to Redwood City, the benefit of reduced construction expenditures will be shared amongst all collaborative members.

Next steps

The collaborative will continue the process of acquiring necessary construction permits and access rights in order to close-out the planning and design effort and prepare for construction bidding and contract award. Currently, the collaborative is working to develop the terms of a new agreement to establish the cost share and responsibilities of each jurisdiction for the construction and on-going maintenance of the Project. The Project cost estimate is \$8.395 million, which includes the cost for construction, construction management, inspection and contingency. Accounting for the Prop 84 grant, the Project requires an additional \$7.26 million in funding contributions from the collaborative agencies. The anticipated City cost share is \$1.2 million which is currently proposed in the fiscal year 2020-21 CIP. Completed project maintenance cost is estimated to be \$40,000 annually, which will be shared among collaborative agencies and budgeted in the City's annual operating budget in future years once the project is completed.

Staff will return to the City Council in the future regarding the extent of City funding needed for the construction of the Project and to authorize the City Manager to enter into any applicable agreements. Meanwhile, the collaborative continues to evaluate potential grant opportunities for additional project funding.

Following approval of the construction MOU, the collaborative and City staff will continue to work collectively on the following steps:

- Advertise, bid and award a construction contract.
- Coordinate construction with planned projects in the immediate vicinity to minimize public impacts and construction durations. Planned projects are summarized in Attachment E.

Impact on City Resources

As noted above, the City's maximum contribution to the design and planning effort is capped at \$160,000. To date, approximately 88 percent of the authorized contribution has been expended. Funds from the existing Capital Improvement Project – Bayfront Canal and Atherton Channel flood protection, which currently has a balance of \$179,048, are sufficient to cover the remaining expenses for the design and planning effort, as well as necessary staff time for coordination.

In order to fulfill the City's anticipated \$1.2 million contribution to the construction of the project, those funds are proposed to be included in the fiscal year 2020-21 capital improvement program, which the City Council reviewed June 2.

Environmental Review

An Initial study/mitigated negative declaration (IS/MND), prepared by Horizon Water and Environment, identified potential adverse effects during construction. Those effects will be reduced to less-than-significant levels through the implementation of specific mitigation measures pursuant to Section 21081.6 of the California Public Resources Code as identified in the mitigation monitoring and reporting program. A 30-day public review period from July 29, 2019, to August 27, 2019 was completed in compliance with the provisions of the California Environmental Quality Act ("CEQA"). No revisions to the IS/MND were required in response to comments received.

Commencing January 1, the FSLRRD assumed the role of lead agency and authority to adopt the IS/MND. Notice of intent to adopt the IS/MND was provided and posted February 13. At its regularly scheduled meeting February 24, the FSLRRD board of directors approved a resolution certifying the IS/MND.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Figure – Project location
- B. Figure – Bayfront Canal and Atherton Channel flood protection project layout
- C. Hyperlink – October 10, 2017 City Council staff report #17-204-CC:
menlopark.org/DocumentCenter/View/15710/H4---Bayfront-Canal-Bypass-Agreement?bidId=
- D. Construction commitment letter to San Francisco estuary partnership
- E. Summary of planned projects

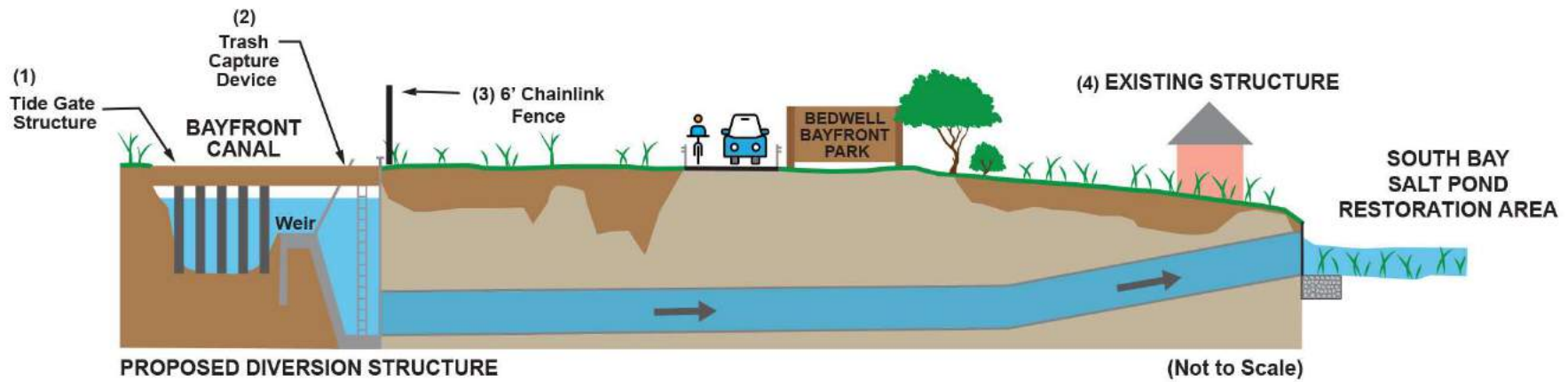
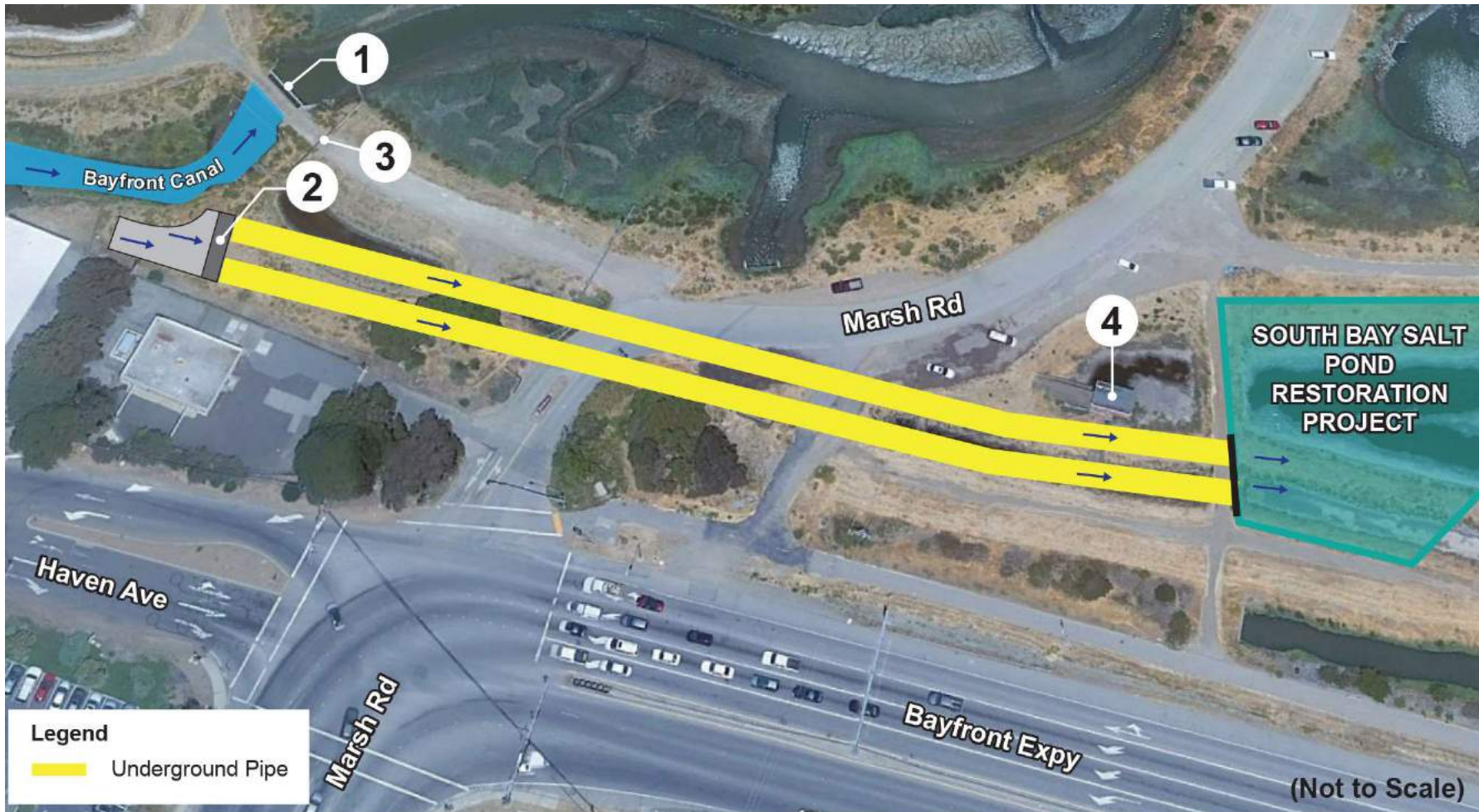
Report prepared by:
Eric Hinkley, Associate Engineer

Staff Report #: 20-117-CC

Report reviewed by:
Christopher Lamm, Assistant Public Works Director



Figure 1-1. Project Location Map





June 10, 2020

Natasha Dunn
Environmental Planner
San Francisco Estuary Partnership
375 Beale Street, Suite 700
San Francisco, CA 94105
natasha.dunn@sfestuary.org

RE: Bayfront Canal and Atherton Channel Flood Protection and Habitat Restoration Project

Dear Ms. Dunn,

We are pleased to submit this letter of commitment on behalf of City of Menlo Park for the Bayfront Canal and Atherton Channel Flood Protection and Habitat Restoration Project (Project). Our agency is fully committed to ensuring that the Project is implemented by December 2021 for the betterment and safety of the community. The \$1.135 million Proposition 84 grant awarded to this project will help us meet that commitment.

Our collective formal commitment to implement the Project began with a Memorandum of Understanding in 2017 between Redwood City, the City of Menlo Park, Town of Atherton, and County of San Mateo (the Collaborative), to design and obtain the required environmental permits. With the San Mateo County Flood and Sea Level Rise Resiliency District (District) as the lead agency on the Project, in conjunction with the Collaborative, we will alleviate the frequent and chronic flooding that has impacted the neighborhoods and disadvantaged communities adjacent to Bayfront Canal and Atherton Channel for decades. In addition to the safety and public health benefits it provides to the residents of nearly 800 mobile homes and 540 apartment units, this project will protect dozens of commercial and medical facilities, a 160 acre public park, and a major transportation corridor between Silicon Valley and the East Bay.

We cannot stress enough the importance of this regional, multi-jurisdictional, and multi-beneficial project to the affected residents and the broader community that works, recreates, and commutes through this area. We maintain our commitment to providing City of Menlo Park financial and staff resources towards completing the project. We have leveraged the combined resources of each of the Collaborative members to develop this cross-jurisdictional solution to frequent flooding and we will continue to apply similar strategies for future projects enabled by the completion of the Project.

If you have any questions, please do not hesitate to contact Eric Hinkley at (650) 330-6749.

Sincerely,

Starla Jerome-Robinson
City Manager

Summary of Planned Projects		
Project	Responsible Agency	Description
South Bay Salt Pond Restoration	U.S Fish and Wildlife Service	As identified in the SBSRP Preferred Alternative, a water control structure will be constructed across Marsh Road inside Bedwell Bayfront Park to connect Flood Slough with Pond S5 to allow for management of tidal marsh habitat. The Collaborative has been in regular contact with the SBSRP and endeavors to coordinate construction activities and schedules in order to minimize the duration of construction impacts on users of Bedwell Bayfront Park.
Bayfront Recycled Water Facility	West Bay Sanitary District	WBSD has completed a feasibility study exploring the viability of a recycled water treatment facility at the former sanitary sewer treatment plant located behind Bedwell Bayfront Park. Preliminary design efforts have identified the need for multiple distribution pipelines within the construction footprint of the Bayfront Canal and Atherton Channel Flood Protection Project. The Collaborative is working with WBSD to evaluate the possibility of constructing portions of the distribution pipelines in conjunction with the Bayfront Canal diversion structure to minimize the need for multiple excavation projects. Preparation of a Draft Environmental Impact Report is underway and is currently seeking public input on the content and focus of the environmental analysis.
Bedwell Bayfront Park Entrance Improvements	Menlo Park	The Bedwell Bayfront Park Master Plan, adopted in 2018, identified improvements to the park entrance including a vehicular turnaround, automatic entry/exit gates, improved pedestrian and bicycle access, and updated signage. In 2019, City staff applied for a Priority Conservation Area (PCA) grant and the City was awarded \$520,000 to support project development and construction. Additionally, pursuant to a funding requirement in the Menlo Gateway Development Agreement between the City of Menlo Park and Bohannon Development Company, \$362,537 was provided for capital improvements at Bedwell Bayfront Park and will be utilized for this project. To comply with the required terms of the grant, construction must be completed by the end of 2023. Given that the entrance improvements overlay portions the Bayfront Canal and Atherton Channel Flood Protection, South Bay Salt Pond Restoration, and West Bay Sanitary District Bayfront Recycled Water projects, completion of those projects is prerequisite. City staff continue to work closely with all project lead agencies to coordinate construction schedules to ensure the entrance improvements are the final construction activities performed.



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-118-CC

Consent Calendar:

Adopt Resolution No. 6561 approving the final map for a condominium project located at 975 Florence Lane; authorizing the city clerk to sign the final map; and authorizing the city manager to sign the agreements required to implement the conditions of project approval

Recommendation

Staff recommends that the City Council adopt Resolution No. 6561 (Attachment A) approving the final map for a condominium project located at 975 Florence Lane; authorizing the city clerk to sign the final map; and authorizing the city manager to sign the agreements required to implement the conditions of project approval.

Policy Issues

City Council action is required to approve final maps in accordance with Municipal Code 15.24.120.

Background

On July 16, 2019, the City Council approved the architectural control and major subdivision (tentative map) for the property at 975 Florence Lane to create eight condominium units by converting six-existing residential dwelling units and constructing two new units on one parcel in the R-3 (Apartment) zoning district. The staff report from July 16, 2019, is included in Attachment B.

Analysis

The applicant, Florence Lane Ventures LLC, has submitted a final map for the proposed subdivision. The final map (Attachment C) is in substantial compliance with the tentative map approved by the City Council July 16, 2019, and all conditions required for approval of the final map have been met. City Council action is required to approve the final map, authorize the city clerk to sign the final map, and authorize the city manager to sign the agreements required to implement the conditions of project approval.

The project plans have been approved by the engineering division of the public works department. The applicant has entered into a completion of development improvements agreement (CDIA) with the City of Menlo Park (City) and provided a bond for the completion of the work subsequent to the recordation of the final map. The CDIA is a contract between the applicant and the City that guarantees the construction of all public street improvements and requires a completion bond as a financial guarantee that all work will be completed. The CDIA and bonds are shown in Attachment D. Staff recommends the City Council authorize

the city manager to sign the CDIA and other agreements required to implement the conditions of project approval.

Impact on City Resources

The staff time costs associated with the review and approval of the final map and the improvements agreement are fully recoverable through fees collected from the applicant.

Environmental Review

The project is categorically exempt under Class 3 (Section 15301 (e) and (k). "Existing Facilities" of the current California Quality Act (CEQA) Guidelines.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Resolution No. 6561
- B. Hyperlink – July 16, 2019, City Council staff report: menlopark.org/DocumentCenter/View/22135/H1-20190716-975-Florence-Ave-CC
- C. Final map
- D. Completion of development improvements agreement and bonds

Report prepared by:
Ebby Sohrabi, Senior Civil Engineer

Report reviewed by:
Chris Lamm, Assistant Public Works Director

RESOLUTION NO. 6561

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING THE FINAL MAP FOR A CONDOMINIUM PROJECT LOCATED
AT 975 FLORENCE LANE; AUTHORIZING THE CITY CLERK TO SIGN THE
FINAL MAP; AND AUTHORIZING THE CITY MANAGER TO SIGN THE
AGREEMENTS REQUIRED TO IMPLEMENT THE CONDITIONS OF PROJECT
APPROVAL**

WHEREAS, the City Council of the City of Menlo Park on July 19, 2019 approved a major subdivision (tentative map) for the property at 975 Florence Lane to create eight condominium units by converting six-existing residential dwelling units and constructing two new units on one parcel in the R-3 (Apartment) zoning district; and

WHEREAS, Project plans have been approved by the engineering division and all conditions of the final map have been met; and

WHEREAS, the final map has been prepared for the condominium project located at 975 Florence Lane.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby approve the final map for the condominium project at 975 Florence Lane; and

BE IT FURTHER RESOLVED that said Council authorizes the City Clerk to sign the final map and authorizes the City Manager to sign the Completion of Development Improvements Agreement to implement conditions of project approval.

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 ninth day of June, 2020, 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 ninth day of June, 2020.

Judi A. Herren, City Clerk

OWNERS' STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP; AND WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY; AND WE HEREBY CONSENT TO THE MAKING AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

AS OWNERS
FLORENCE LANE VENTURES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: [Signature]
SURINDER P. GOSWAMY
AS BENEFICIARY

SECURED INCOME FUND-II, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: [Signature]
NAME: SHAFIQ TAYMUREE - EXECUTIVE VICE PRESIDENT

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN MATEO

ON APRIL 29, 2020 BEFORE ME, JIM SAKAI

A NOTARY PUBLIC, PERSONALLY APPEARED
SURINDER P. GOSWAMY

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:
SIGNATURE [Signature]
JIM SAKAI

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: SAN MATEO

COMMISSION EXPIRES: 8/26/2021

COMMISSION # OF NOTARY: 2208013

CITY CLERK'S STATEMENT:

I, JUDI HERREN, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF MENLO PARK, STATE OF CALIFORNIA, HEREBY CERTIFY THAT SAID COUNCIL BY RESOLUTION ADOPTED AT A REGULAR MEETING ON THE ___ DAY OF _____, 2020, DID DULY APPROVE THE WITHIN MAP AND SUBDIVISION.

DATE: _____
JUDI HERREN, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, CALIFORNIA

BENEFICIARY'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

ON APRIL 29, 2020 BEFORE ME, PATRICIA MCGUIRE

A NOTARY PUBLIC, PERSONALLY APPEARED
SHAFIQ TAYMUREE

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:
SIGNATURE [Signature]

PATRICIA MCGUIRE
NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: SANTA CLARA

COMMISSION EXPIRES: OCTOBER 28, 2020

COMMISSION # OF NOTARY: 2166314

SOILS REPORT STATEMENT

A GEOTECHNICAL INVESTIGATION FOR 975 FLORENCE LANE, MENLO PARK, CALIFORNIA, DATED JUNE 11, 2019, HAS BEEN PREPARED BY SILICON VALLEY SOIL ENGINEERING AND IS ON FILE WITH THE CITY OF MENLO PARK BUILDING DEPARTMENT.

CITY SURVEYOR'S STATEMENT

I, MICHAEL J. MIDDLETON, CITY SURVEYOR FOR THE CITY OF MENLO PARK, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND I AM SATISFIED THAT THE SURVEY DATA SHOWN THEREON IS TECHNICALLY CORRECT.

DATE: May 1, 2020
[Signature]
MICHAEL J. MIDDLETON, R.C.E. 29485
CITY SURVEYOR, CITY OF MENLO PARK



SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN ACCORDANCE WITH THE REQUIREMENTS OF THE "SUBDIVISION MAP ACT" AND LOCAL ORDINANCES AT THE REQUEST OF PAUL GOSWAMY IN AUGUST, 2017; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED: APRIL 28, 2020



[Signature]
DANIEL G. MACLEOD, L.S. #5304

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT THE MAP CONFORMS TO CHAPTER 2 OF THE SUBDIVISION MAP ACT; AND THAT THE MAP COMPLIES WITH LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

DATE: _____



NICOLE H. NAGAYA, R.C.E. 76085
ASSISTANT PUBLIC WORKS DIRECTOR
CITY OF MENLO PARK

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____ 2020, AT _____ M
IN BOOK _____ OF MAPS AT PAGES _____ AT THE
REQUEST OF FIDELITY NATIONAL TITLE COMPANY.

FILE NO.: _____ FEE: _____

MARK CHURCH, SAN MATEO COUNTY RECORDER

BY: _____
DEPUTY RECORDER

**975 FLORENCE LANE
A ONE LOT SUBDIVISION
FOR CONDOMINIUM PURPOSES**

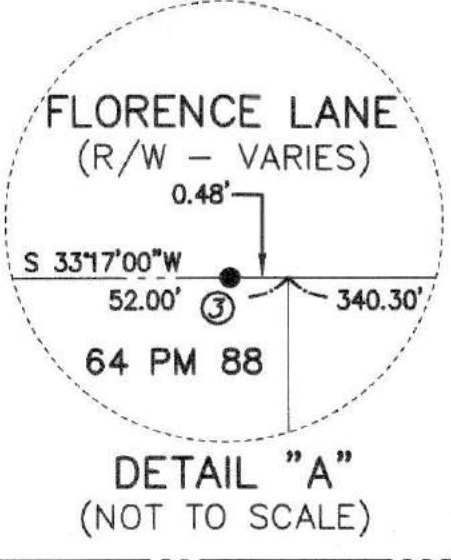
A SUBDIVISION OF THE LANDS OF FLORENCE LANE VENTURES LLC AS DESCRIBED IN DOCUMENT #2017-050072 BEING THE SOUTHWESTERLY 1/2 OF LOT 44 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF STANFORD PARK ANNEX, MENLO PARK, SAN MATEO COUNTY, CALIFORNIA, 1913", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON OCTOBER 17, 1913 IN BOOK 9 OF MAPS AT PAGE 9.

MENLO PARK SAN MATEO COUNTY CALIFORNIA

MARCH 2020

MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET • SAN CARLOS CA • 94070 • (650) 593-8580

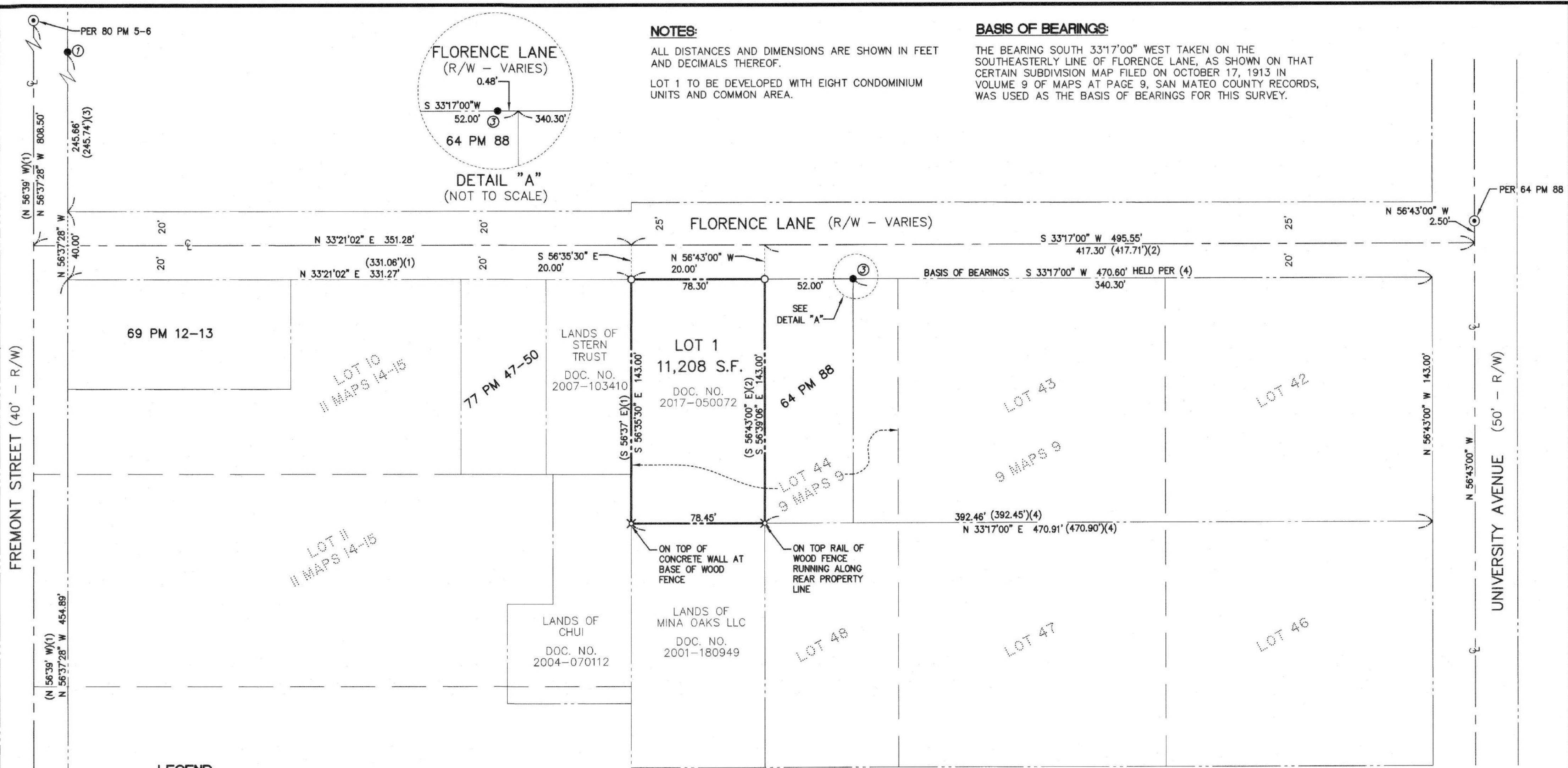


NOTES:

ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
 LOT 1 TO BE DEVELOPED WITH EIGHT CONDOMINIUM UNITS AND COMMON AREA.

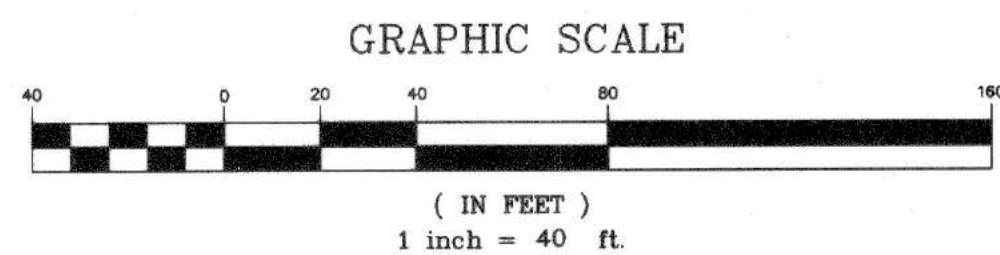
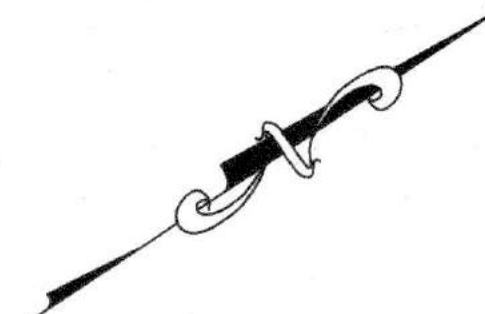
BASIS OF BEARINGS:

THE BEARING SOUTH 33°17'00" WEST TAKEN ON THE SOUTHEASTERLY LINE OF FLORENCE LANE, AS SHOWN ON THAT CERTAIN SUBDIVISION MAP FILED ON OCTOBER 17, 1913 IN VOLUME 9 OF MAPS AT PAGE 9, SAN MATEO COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.



LEGEND

- ⊙ FOUND RAILROAD SPIKE AS NOTED
- ① FOUND 3/4" IRON PIPE W/ PLASTIC PLUG & TACK, ILLEGIBLE, ASSUMED TO BE PER 62 PM 35-36
- ② FOUND 3/4" IRON PIPE, OPEN, PER 69 PM 12-13
- ③ FOUND 3/4" IRON PIPE W/ PLASTIC PLUG & TACK, "RCE 11051", PER 64 PM 88
- ⌘ SET 3/4" BRASS TAG & NAIL, "LS 5304", AS NOTED
- SET 3/4" IRON PIPE W/ PLASTIC PLUG & TACK, "LS 5304"
- ℄ CENTERLINE
- (1) RECORD DATA PER 11 MAPS 15
- (2) RECORD DATA PER 64 PM 88
- (3) RECORD DATA PER 69 PM 12-13
- (4) RECORD DATA PER 9 MAPS 9



975 FLORENCE LANE

A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

A SUBDIVISION OF THE LANDS OF FLORENCE LANE VENTURES LLC AS DESCRIBED IN DOCUMENT #2017-050072

BEING THE SOUTHWESTERLY 1/2 OF LOT 44 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF STANFORD PARK ANNEX, MENLO PARK, SAN MATEO COUNTY, CALIFORNIA, 1913", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON OCTOBER 17, 1913 IN BOOK 9 OF MAPS AT PAGE 9.

MENLO PARK SAN MATEO COUNTY CALIFORNIA
 SCALE: 1"=40' MARCH 2020

MACLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING

965 CENTER STREET • SAN CARLOS CA • 94070 • (650) 593-8580

SHEET 2 OF 2

COMPLETION OF DEVELOPMENT IMPROVEMENTS AGREEMENT

City Manager's Office
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620



Contract #:

THIS AGREEMENT FOR COMPLETION OF DEVELOPMENT IMPROVEMENTS (this "Agreement"), made and entered into, in duplicate, this 2nd day of MARCH, 2020, by and between SURINDER P. GOSWAMY, hereinafter referred to as "Applicant" and CITY OF MENLO PARK, a municipal corporation, situated in the County of San Mateo, State of California, hereinafter referred to as "City".

WITNESSETH

WHEREAS, on July 16, 2019, the City Council conditionally approved Applicant's request for a major subdivision located at 975 Florence Lane, Project Number: PLN2017-0104 (the "project") to create eight condominium units by converting six existing residential dwelling units and constructing two new units on one parcel in the R-3 (Apartment) zoning district. The project location shown on Exhibit A attached hereto and made a part hereof entitled, "Project Location Map"; and

WHEREAS, a condition of said approval was the installation of development improvements as shown in the approved project plans.

NOW, THEREFORE, IT IS AGREED as follows:

1. Applicant agrees to furnish at his/her own expense all the labor, material, equipment and inspection services necessary to complete, no later than the earlier to occur of: (a) thirty six (36) months from the date of this Agreement, or (b) the City's issuance of the first temporary certificate of occupancy for the Project, all Development Improvements as set forth and described in the Plans and Specifications prepared for said improvements, in compliance with City Standards and to the satisfaction of the City Engineer.
2. Applicant further agrees to install where required a domestic water supply and fire protection system, and a sanitary sewage system, in compliance with the regulations and requirements of the respective utility or agency.
3. Applicant further agrees, while engaged in the work provided for in this Agreement, to place and maintain suitable safeguards sufficient to prevent injury to any persons and to indemnify, defend and save harmless the City, its officers, representatives, and employees from and against any and all claims for loss, injury or damage (the "claims") resulting from the prosecution of said work except to the extent the Claim arises out of the negligence or willful misconduct of the City. Applicant agrees to maintain comprehensive commercial general liability and property damage insurance naming the City, its officers, agents, and employees as additional insured in a combined single limit of \$2,000,000 for the death and injury of any persons in any one occurrence; and for property damage in any one occurrence. A certificate of said insurance policy shall be filed with the City.
4. Applicant further agrees, contemporaneously with the execution of this Agreement, to file with the City a faithful performance surety bond or other guarantee as reasonably approved by the City, in a sum equal to the City Engineer's estimated value of the total cost of said improvements, including engineering and contingencies as set forth on Exhibit B attached hereto and made a part herein, entitled "Engineer's Cost Estimate". Said surety bond shall require the faithful performance of the terms and conditions of this Agreement; and shall be in a form satisfactory to the City Attorney.
5. Applicant further agrees to correct all defects in design, workmanship and material actually appearing during the warranty period, which period shall be one (1) year after the date of

acceptance of the Development Improvements by the City Council, and to maintain said performance bond for the warranty period or to file with the City, prior to consideration of acceptance, a surety bond for the warranty period in a sum equal to at least fifty percent (50%) of said Engineer's Cost Estimate.

- 6. Applicant further agrees that when defects in design, workmanship, and materials actually appear during the warranty period and have been corrected (the "corrections"), the warranty period and surety bond shall automatically be extended for an additional year with respect to the Corrections only, to guarantee that such defects have been effectively corrected.
- 7. Applicant further agrees that should it fail to construct or complete the construction of any or all of said Development Improvements as herein provided, the City may complete or cause to be completed said Development Improvements and Applicant agrees to reimburse the City for any and all services such as labor and materials used, for completing said work, and the bonds herein mentions shall be security therefor.
- 8. City reserves the right, without the prior consent of Applicant, Applicant's surety, or any subsequent purchaser of property underlying or adjacent to said Development Improvements to:
 - (a) Extend the period of time during which Applicant shall be required to construct all or any part of said Development Improvements;
 - (b) Eliminate any Development improvements no longer deemed necessary, and to transfer or re-convey to Applicant any interest in real property no longer needed therefor;
 - (c) Exonerate or release Applicant's surety from all or any portion of its bond;
 - (d) Accept a substitute surety bond (personal or corporate) in exchange for or in lieu of the surety bond originally deposited by Applicant herein.
- 9. If the City is compelled to file litigation to enforce the terms and provisions of this Agreement or to collect on the bond, the prevailing party in such litigation shall be entitled to recover its reasonable attorney's fees and costs, whether such litigation is resolved by settlement or judgment.

IN WITNESS WHEREOF, Applicant and City have executed these presents by their respective officers, thereunto duly authorized the day and year first herein about written.

APPLICANT

Florence Lane Ventures LLC, a California Limited Liability Company

SP Goswamy
Signature

3/2/2020
Date

SURINDER P. GOSWAMY
Name

Manager
Title

APPROVED AS TO FORM:

William L. McClure, City Attorney

Date

CITY OF MENLO PARK:

Signature

Date

Starla Jerome-Robinson

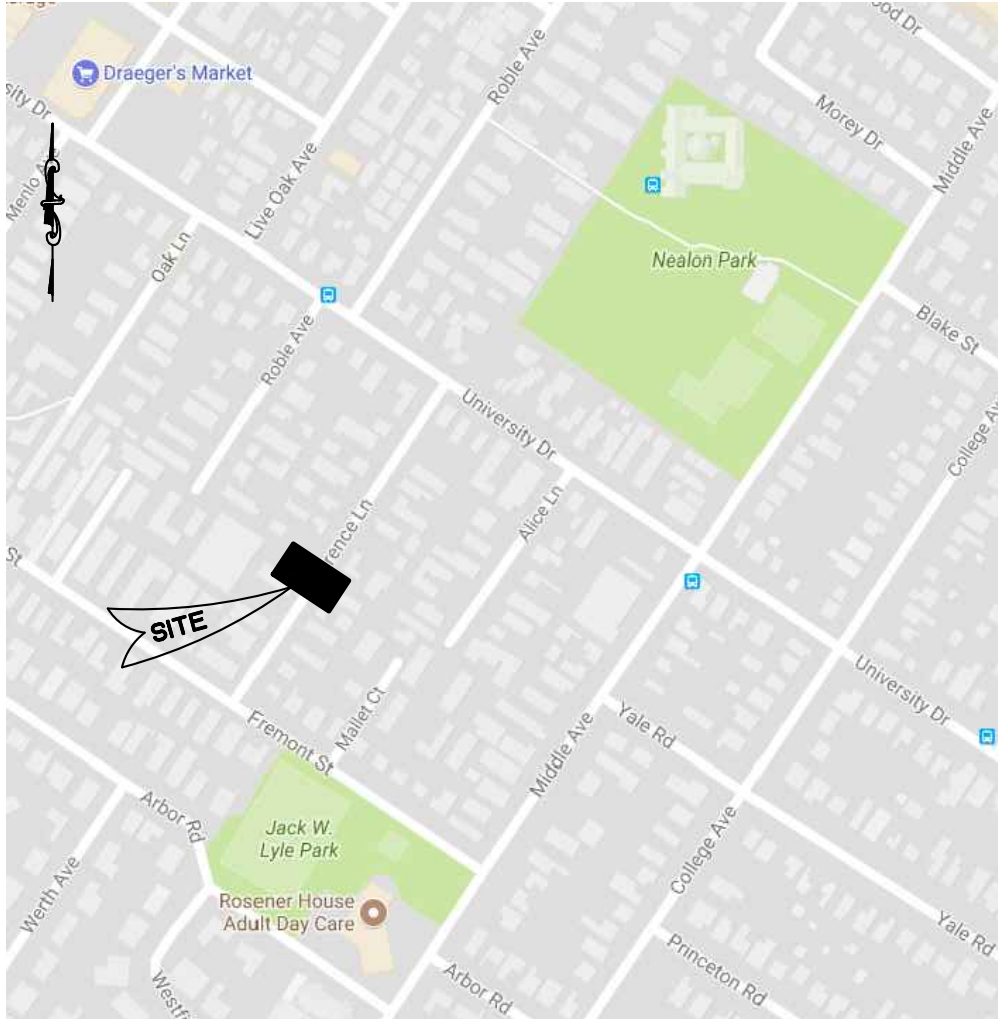
City Manager

Name

Title

EXHIBIT A

PROJECT LOCATION MAP



VICINITY MAP

(NOT TO SCALE)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Mateo)

On March 2, 2020 before me, Deborah M. Knipp, Notary Public, personally appeared Surinder Goswamy, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Deborah M. Knipp



My Commission Expires: May 26, 2020

EXHIBIT B

ENGINEER'S COST ESTIMATE

MACLEOD AND ASSOCIATES, INC.
 CIVIL ENGINEERING • LAND SURVEYING

December 5, 2019

PAGE 1 OF 1

**ENGINEER'S ESTIMATE FOR OFF-SITE IMPROVEMENTS
 975 FLORENCE LANE, MENLO PARK, CALIFORNIA
 (FOR CITY FEE CALCULATION PURPOSES ONLY)**

ITEM NO.	DESCRIPTION OF WORK	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ITEM PRICE
1.	INSTALL 4" FIRE WATER SERVICE	20	L.F.	500.00	10,000.00
2.	WET TAP 4" WATER SERVICE TO EXIST. 8"	1	L.S.	1,000.00	1,000.00
3.	REMOVE & REPLACE EXIST 4" SEWER LATERAL WITH NEW 6" LATERAL	27	L.F.	250.00	6,750.00
4.	CONNECT 6" SEWER LATERAL TO EXIST. 6" SEWR MAIN	1	EA.	500.00	500.00
5.	REMOVE & REPLACE EXIST. CONCRETE CURB AND GUTTER (ROLLED TYPE)	64	L.F.	55.00	3,520.00
6.	REMOVE & REPLACE EXIST. CONCRETE SIDEWALK	220	S.F.	35.00	7,700.00
7.	REMOVE & REPLACE EXIST. CONCRETE DRIVEWAY	96	S.F.	45.00	4,320.00
8.	INSTALL STREET LIGHT ON EXIST. POLE	1	EA.	L.S	1,500.00
9.	TRAFFIC CONTROL	L.S.	L.S.	L.S	4,000.00
				SUB-TOTAL:	\$39,290.00
				10% CONTINGENCY:	3,929.00
				TOTAL:	\$43,219.00

965 CENTER STREET • SAN CARLOS, CA 94070 • (650) 593-8580 • FAX (650) 593-8675

Bond No. 0765163

Premium \$788.00

975 Florence Lane, Project Number: PLN2017-0104

FAITHFUL PERFORMANCE BOND

WHEREAS, the CITY OF MENLO PARK, a municipal corporation of the State of California ("City"), and **Florence Lane Ventures LLC, a California Limited Liability Company** as principal ("Principal") have entered into an agreement entitled **AGREEMENT FOR COMPLETION OF DEVELOPMENT IMPROVEMENTS**, incorporated herein by reference and referred to as the "Contract," which requires Principal to install and complete certain designated public improvements; and,

WHEREAS, under the terms of the Contract and prior to commencing any work under the Contract, Principal is required to furnish a bond to City for faithful performance of the Contract.

NOW, THEREFORE, we the Principal and Harco National Insurance Company, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California ("Surety"), are held firmly bound unto the City in the sum of **Forty three Thousand Two Hundred Nineteen Dollars (\$43,219.00)**, for the payment of which sum well and truly to be made, we the Principal and Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is such that, if the Principal, Principal's heirs, executors, administrators, successors, or assigns shall in all things stand to and abide by, and well and truly keep and perform all covenants, conditions, and agreements required to be kept and performed by Principal in the Contract and any changes, additions, or alterations made thereto, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meanings, and shall indemnify and save harmless City, its officers, employees, and agents, as therein provided, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the sum specified above, there shall be included all costs, expenses, and fees, including attorney's fees,

reasonably incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the work to be performed thereunder or to the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by authorized representatives of the Principal and Surety. SIGNED AND SEALED on February 11, 2020.

PRINCIPAL:

SURETY:

**Florence Lane Ventures LLC, a
California Limited Liability Company**

Harco National Insurance Company

(Principal name)

(Seal)

(Surety name)

BY: [Signature]
(Signature)

BY: [Signature]
(Signature)

SURINDER P. GOSWAMY
(Print name and title)

Mary Baez, Attorney-in-Fact
(Print name and title)

Principal address and telephone:
1001 El Camino Real
Menlo Park CA 94025
(650) 533-5800

Surety address and telephone:
2999 Oak Road, Suite 820
Walnut Creek CA 94597
(925)256-8790 ext 16

**Affix Corporate Seals
Attach Notary Acknowledgments for All Signatures
Attach Power-of-Attorney if executed by Attorney-in-Fact**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Mateo)

On February 11, 2020 before me, Deborah M. Knipp, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Mary Baez
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~
subscribed to the within instrument and acknowledged to me that ~~he/she/it~~ executed the same in
~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~,
or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Mateo)

On March 2, 2020 before me, Deborah M. Knipp, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Surinder Goswamy
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Bond No. 0765163

Premium Included

975 Florence Lane, Project Number: PLN2017-0104

DEFECTIVE MATERIALS AND WORKMANSHIP (WARRANTY) BOND

WHEREAS, the CITY OF MENLO PARK, a municipal corporation of the State of California ("City") and **Florence Lane Ventures LLC, a California Limited Liability Company**, as principal ("Principal") have entered into an agreement entitled **AGREEMENT FOR COMPLETION OF DEVELOPMENT IMPROVEMENTS**, incorporated herein by reference and referred to as the "Contract," which requires Principal to install and complete certain designated public improvements; and,

WHEREAS, under the terms of the Contract, Principal is required to furnish a bond to City to make good and protect the City against the results of any work or labor done or materials or equipment furnished which are defective or not in accordance with the terms of the Contract having been used or incorporated in any part of the work so contracted for, which shall have appeared or been discovered, within the period of one (1) year from and after the completion and final acceptance of the work done under the Contract.

NOW, THEREFORE, we the Principal and Harco National Insurance Company, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California ("Surety"), are held firmly bound unto the City in the sum of **Twenty One Thousand Six Hundred Nine Dollars (\$21,609.00)**, for the payment of which sum well and truly to be made, we the Principal and Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is such that, if the Principal shall well and truly make good and protect the City against the results of any work or labor done or materials or equipment furnished which are defective or not in accordance with the terms of the Contract having been used or incorporated in any part of the work performed under the Contract, which shall have appeared or been discovered within said one-year period from and after completion of all work under the Contract and final

acceptance by City of said work, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any change, extension of time, alteration or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by authorized representatives of the Principal and Surety. SIGNED AND SEALED on
February 11, 2020.

PRINCIPAL:

SURETY:

**Florence Lane Ventures LLC,
a California Limited Liability Company**

Harco National Insurance Company
(Seal) (Surety name)

(Principal name)

BY: [Signature]
(Signature)

BY: [Signature]
(Signature)

SURINDER P. GOSWAMY
(Print name and title)

Mary Baez, Attorney-in-Fact
(Print name and title)

Principal address and telephone:
1001 El Camino Real
Menlo Park CA 94025
(650) 533-5800

Surety address and telephone:
2999 Oak Road, Suite 820
Walnut Creek CA 94597
(925) 256-8760 Ext 16

Affix Corporate Seals
Attach Notary Acknowledgments for All Signatures
Attach Power-of-Attorney if executed by Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Mateo)

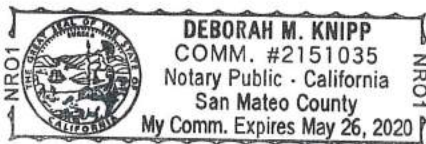
On February 11, 2020 before me, Deborah M. Knipp, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Mary Baez
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/it~~ executed the same in ~~his~~/~~her~~/~~its~~ authorized capacity~~(ies)~~, and that by his/~~her~~/~~its~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

POWER OF ATTORNEY

Bond # 0765163

**HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY**

Member companies of IAT Insurance Group, Headquartered: 702 Oberlin Road, Raleigh, North Carolina 27605

KNOW ALL MEN BY THESE PRESENTS: That **HARCO NATIONAL INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of Illinois, and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

STEVE S. SUISSA, MARY BAEZ, SYLVIA MCGOVERN, GREG MCCARTNEY

Belmont, CA

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** and is granted under and by authority of the following resolution adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of **HARCO NATIONAL INSURANCE COMPANY** at a meeting held on the 13th day of December, 2018.

"**RESOLVED**, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** have each executed and attested these presents on this 31st day of December, 2018



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman

Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2018, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, February 11, 2020

Irene Martins, Assistant Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

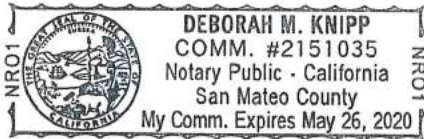
State of California)
County of San Mateo)

On March 2, 2020 before me, Deborah M. Knipp, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Surinder Goswamy
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-119-CC

Consent Calendar:

Waive the 15-day early release staff report requirement of City Council Procedure No. CC-11-0001 titled Public Input and Outreach regarding Labor Negotiations for any concessions agreed by labor units before June 30, 2020

Recommendation

City staff recommends that the City Council waive the 15-day early release staff report requirement of City Council procedure no. CC-11-0001 titled "Public Input and Outreach regarding Labor Negotiations" for any concessions agreed to by labor units before June 30, 2020.

Policy Issues

The City Council adopts procedures to govern its operations. In 2011, the City Council adopted the subject procedure to promote transparency in the periodic negotiation of labor contracts with organized labor groups.

Background

On June 3, members of American Federation of State, County, and Municipal Employees Local 829 (AFSCME) ratified a "side letter" agreement to the labor contract in force through June 30, 2021. The side letter defers the negotiated across-the-board wage increase of 2.9 percent effective July 11, in recognition of the rapid and significant decline in City services. The City Council provided authority to the City's labor negotiator, Charles Sakai of Sloan Sakai Leung Wong LLP, to negotiate concessions to the existing labor contract. The City Council's ratification of the side letter will be noticed per Procedure No. CC-11-0001 and considered at the City Council's June 23 meeting.

Analysis

City Council Procedure No. CC-11-0001 establishes noticing periods for matters on labor negotiations and labor agreements. The City is currently in closed labor contracts with all four bargaining units, each containing automatic inflation-based salary adjustments in the first pay period of July 2020. As closed contracts, the City cannot impose concessions, and the labor units are not obligated to agree to discuss potential concessions. The City's only option to reduce personnel costs in a closed contract is layoff employees. The City Council has directed the labor negotiator to discuss the possibility of concessions to avoid layoffs with all four labor units.

Discussions with only one of the four labor units, AFSCME, have matured to the point of a tentative agreement on wage deferrals. The City Council will have the opportunity to act on the tentative agreement at their June 23 meeting. Staff intends to publish the early release staff report transmitting the tentative

agreement with AFSCME in compliance with the fifteen-day noticing requirement of Procedure No. CC-11-0001.

City staff recommends that the City Council waive the 15-day early release staff report requirement of City Council Procedures No. CC-11-0001 for any concessions ratified by labor units before June 30. The waiver allows bargaining units that ratify wage deferrals similar to AFSCME to be considered at a City Council meeting before the end of the fiscal year at a duly noticed meeting open to the public.

Impact on City Resources

Waiver of this procedure's fifteen-day noticing requirement does not adversely impact the City's financial resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. City Council Procedure No. CC-11-0001

Report prepared by:
Nick Pegueros, Assistant City Manager

City of Menlo Park

City Council Policy

Department City Council	Page 1 of 1	Effective Date 03/02/2011
Subject Public Input and Outreach regarding Labor Negotiations	Approved by City Council 03/01/2011	Procedure # CC-11-0001

PURPOSE

To incorporate public input into the labor negotiations process.

BACKGROUND

The City Council has expressed a desire to improve public communication and outreach on labor relations to the extent reasonably possible.

POLICY

A regular business item shall be placed on a Council agenda in advance of formal labor negotiations that includes an opportunity for the public to comment. At least seven days prior to this meeting, staff shall post a report that contains relevant information on employee salaries and benefits, as well as the methodology used to determine a competitive and appropriate compensation package. As part of this process, a concerted effort shall be made to request public comment on the negotiations parameters.

As a general rule, staff shall engage the services of a labor attorney to participate in formal labor negotiations with bargaining units representing permanent employees.

During labor negotiations, public comment will be provided prior to the entry into closed session to discuss labor negotiations, in accordance with State law. At the conclusion of the closed session, the Council shall report out any action taken, including in the record the individual votes taken and the characterization of the deliberations. In addition, at some point in the negotiations process, staff shall submit a public report to Council that provides a general status of labor negotiations and that allows for public input prior to concluding negotiations.

Staff shall prepare and make public a staff report, at least fifteen calendar days prior to Council consideration of a tentative agreement or implementation resolution for any bargaining unit, that provides full details and costing associated with the recommended action, shall schedule the matter as a regular business item and shall provide an opportunity for the public to comment.

Agenda item H7

Soody Tronson, Menlo Park resident

- 1) Results of negotiation proceedings with labor (including those in closed sessions) should be public, before decisions re made to allow public comment.

- 2) Related to the same is that MPPD uses "service population" to calculate how many officers it needs. It is not clear from all the research, which other cities, in similar situations, use this method instead of resident population. These are important considerations which also relate to labor negotiations.



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-121-CC

Consent Calendar:

Authorize city manager to execute an amendment to the professional services agreement with Team Sheeper, Inc. for operation of the Burgess Pool and Belle Haven Pool during the reactivation stages, until the local emergency concerning the COVID-19 pandemic is terminated and direct the city manager to revise Emergency Order No. 2 to allow for the reopening of the pools

Recommendation

City staff recommends the City Council authorize city manager to execute an amendment (Attachment E) to the professional services agreement between the City of Menlo Park (City) and with Team Sheeper, Inc. (the Provider) for operation of the Burgess Pool and Belle Haven Pool during the reactivation stages, until the local emergency concerning the COVID-19 pandemic is terminated and direct the city manager to revise Emergency Order No. 2 to allow for the reopening of the pools.

Policy Issues

Responding to the COVID-19 pandemic, the State shelter in place order and the San Mateo County Health orders is a major priority of the City Council at this time. The City has taken swift action to address this health crisis, which has included the closure of public facilities to protect the safety and well-being of the community. The County's recent order allows certain public facilities, including pools, to reopen as long as operation of those facilities comply with stated guidelines. City Council direction is needed for the reopening of the Burgess Pool and the Belle Haven Pool as the current local order issued March 27, the City pursuant to City of Menlo Park director of emergency services/city manager Emergency Order No. 2 ("Emergency Order No. 2") closed all public facilities including the Burgess Pool and the Belle Haven Pool to help slow the spread of COVID-19.

Background

On March 3, the San Mateo County health officer declared a local health emergency throughout the County related to COVID-19, a novel highly contagious respiratory disease that poses a serious threat to public health. On March 4, the governor of the State of California declared a state of emergency. On March 11, the World Health Organization declared COVID-19 constituted a world pandemic. The City of Menlo Park was one of the first cities in the Bay Area to declare a local emergency doing so March 11 and the press release indicated City facilities were closed effective March 12. Menlo Park's emergency declaration empowered the city manager to take actions to preserve and protect the health and safety of its community in light of its own circumstances. On March 27, the City pursuant to Emergency Order No. 2 specifically closed all public facilities including the Burgess Pool and the Belle Haven Pool to help slow the spread of COVID-19.

Effective May 18, the San Mateo County Health Officer Dr. Scott Morrow amended the county of San

Mateo's shelter-in-place health order allowing the reopening of certain businesses which brought the county into alignment with early Stage 2 of the statewide reopening plan that was announced by Governor Gavin Newsom (the "Resilience Roadmap".) The Resilience Roadmap outlined additional businesses that can operate statewide with health and safety modifications, and if allowed by local health orders that may be stricter or call for a slower, phased reopening. County Health Order No. c19-5d – Appendix C-2 (Attachment A,) allowed additional activities that included indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities may be opened, provided they are actively monitored and managed. Subsequently, the county of San Mateo issued additional guidelines to assist in re-opening public pools.

The State, County and local orders are intended to work together. Where there are inconsistencies between orders, the most restrictive provision governs.

Analysis

On May 18, the Provider notified the City of their intention to reopen the pools per the County health order that was issued May 15. The Provider submitted a preliminary pool reactivation plan to the City May 19 and June 2, submitted an updated reactivation plan to comply with the County COVID protocols for pools issued May 22 (Attachment B). The May 22 protocols (Attachment C) for pool operation include the appropriate signage for the facilities, social distancing guidelines, measures to increase sanitation of the pools including ancillary areas such as lobbies, counters, washing stations and ensuring that locker rooms remain closed to the public, and measures to ensure the safety of employees. Highlights of the guidelines include:

- Pool operators are legally responsible for ensuring the pool's operation is compliant with the Order and must actively manage the pool's operation and compliance with the Order.
- Gatherings are still prohibited (e.g., the pool deck cannot be open for lingering/loitering of non-family members)
- Minimum of 6-foot Social Distancing (100 percent requirement, in and out of the pool)
- Face coverings are mandatory when not in the pool
- Locker rooms cannot be occupied
- Restrooms, if open, must have a rigorous cleaning and disinfection protocol
- Equipment in the pool area, including deck furniture, must be wiped down after each use

The Provider has not been able to provide recreational aquatic programming as prescribed in the professional services agreement (Attachment D) between the City and the Provider that was approved by City Council in March 27, 2018 since March 12 given the conditions of the County's shelter-in-place order and the local orders. The current local order, Emergency Order No. 2, which closes public facilities including the pools, is stricter than the County's most recent order. Because the City's order is more restrictive, the Provider is not legally allowed to operate the pools until the City modifies the order.

In addition to modifying the local order to reactivate the City's pools, the City and Provider have agreed to amend the current professional services agreement in order to memorialize the process of reopening the Burgess Pool and Belle Haven Pool throughout the stages, until the local emergency is terminated. The amendment (Attachment E) outlines the necessary conditions that the Provider must adhere to in order to operate the pools including social distancing protocols and best practices established by the County, ensures that all services are provided in the scope of services that are legally allowable under County health orders at the various stages of reactivation, and allows for services to be increased or decreased in response to changes in those orders. As it is of critical importance to the City that the Belle Haven Pool be reopened at the same time as the Burgess Pool is reopened and all members of the community have access to a pool, the amendment specifies concurrent reopening. The City has not paid the Belle Haven

management fee during the period in which Provider was unable to perform the services and the Belle Haven pool was closed. The amendment indicates that both parties are not in default and that the City will commence payment of the management fee June 1 and continue through the previously agreed upon closure of the Belle Haven pool October 1. The amendment also allows for a 30-day notice of termination in the event it is financially infeasible for the Provider to operate during the local emergency as a result of COVID-19. In the amendment, as in the existing agreement, the City and Provider agree to work together if modifications of the operation are necessary including access and scheduling which would need to be coordinated with City staff. Finally, the Provider is specifically providing indemnity for any and all potential COVID-19 related claims from employees and users of the pools.

Impact on City Resources

Per the existing agreement, the \$5,000 per month Belle Haven Pool management fee payment to Team Sheeper which corresponds to the annual funding amount that the City receives from Facebook, Inc. per section 9.1.1 of the development agreement dated December 14, 2016 and recorded in the Official Records of the county of San Mateo as Doc # 2016-133794 will resume beginning June 1 and continue until the pool is scheduled to close October 1 as was previously agreed upon in order to prepare for the construction of the new Belle Haven Community Center and Library project. Also, as part of the current agreement the City is responsible for baseline maintenance and custodial services for the pools. However, under the amendment Sheeper will take over additional maintenance and sanitary services to ensure adequate sanitation as required by County Health orders to prevent COVID-19 transmission.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. County Health Order No. c19-5d – Appendix C-2
- B. Pools reactivation plan
- C. County provided specific guidelines and protocols for pool operation
- D. Team Sheeper, Inc. professional services agreement
- E. Amendment to professional services agreement

Report prepared by:
Derek Schweigart, Community Services Director

Report Reviewed by:
Leigh F. Prince, Assistant City Attorney



Public Health, Policy & Planning
 225 37th Avenue
 San Mateo, CA 94403
 smchealth.org

Order No. c19-5d – Appendix C-2: Allowed Additional Activities

May 15, 2020

General Requirements

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected to implement an initial measured expansion of activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of activity, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact resumption of the activity will have on the number of people leaving their homes and interacting with others in the community;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the activity;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

List of Additional Activities

Notwithstanding Section 15.a regarding outdoor recreation areas and shared recreation facilities, for the purposes of this Order Additional Activities include the following:

- (1) Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities may be opened, but only if they are actively monitored and managed to ensure that the facility is either (1) only used by members of the same household or (2) used in a manner that ensures that all social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced. Any measures put in place must be reflected in the required posted written protocols.
 - a. Basis for Addition. Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities that are actively managed and monitored in a manner that ensures that the social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced, the likelihood of transmission is significantly reduced.



**Team Sheeper
Burgess and Belle Haven Pool
Covid-19 Operations
2020 Reopening
Standard Operating Procedures**

Table of Contents

General Operations.....	3
Introduction	
Phases in Reopening	
Facility Operations Burgess and Belle Haven Pools.....	4
San Mateo County Operating Guidelines	
Entrance/ Exiting	
Locker rooms/Restrooms	
Cleaning Program	
Staff Operations.....	11
Daily Health checks	
Covid-19 Positive Operations	
Daily PPE Requirements	
Emergency Operations.....	12
EAP	
Rescues	
Patient Care	
Daily PPE/Disposal of PPE	
Program Operations.....	16
Lap Swimming	
Open Swim	
Swim Lessons	
Camps	
Boot Camps	
Aqua-Fit	
Exhibits.....	19
A. Facility Map Burgess and Belle Haven	
B. Health Check Form	
C. Thermometers	
D. General PPE information	
E. County Required Documents	

General Operations

Introduction

This document has been created to operate under the safety guidelines for covid -19 to ensure the safety of staff and participants. These policies and procedures will outline staff, consumer and facility operations. This document will be updated regularly as County, City, CDC guidelines change for the covid-19 response. Our company will align daily on updates and new guidelines, and this document will change as those guidelines are updated.

Phases in Reopening

These Phases are subject to change depending on county and city guidelines. The plan outlines what could be possible for us to offer to the community under current guidelines but could change as far as timeline.

Phase 1.

This phase will open the facility with minimal programming. The programming will be limited to Lap Swimming and Summer Camps. This will ensure that the facility is operating in a manner that is safe for all and will be able to adhere to county guidelines. We hope to move to phase 2 fairly quickly, once operations are smoothly operating.

Phase 2.

This phase will begin to add small amounts of programming within the facility. These programs will be Masters Swimming, Swim Lessons and Open Swim for families in the same household in designated areas for their family. Again, this phase will last as long as it takes for smooth operations, then the next phase will be undertaken.

Phase 3.

Phase 3 will consist of adding in Aqua-fit, potential locker rooms, more restroom usage for patrons, showers, front office and youth sports.

Phase 4.

This phase will only happen when guidelines allow normal operations with full programming. This will include continued enhanced cleaning and disinfecting. This phase will continue to modify all programming as guided by the county and city recommendations.

Facility Operations

San Mateo County Operating Guidelines

A letter from the San Mateo County Health Department

Dear Pool Owners,

On Friday, May 15, 2020, the San Mateo County Pool Program received the Health Officer's Order regarding the reopening of public pools. We are excited that San Mateo County residents now have a new option for exercise during this unprecedented time. Spas must continue to remain closed per this Order.

We received many inquiries about how to safely open public pools. The attached documents are guidelines for you to use as a reference. The Order must be adhered to in its entirety while allowing your pool to operate. You must post PROTOCOLS (unique to pools per Appendix C-2) and include all required information for PROTOCOLS FOR BUSINESSES (per May 15 Order, bullet 15.h), and SIGNAGE (per May 15 Order, bullet 15.h.vii). We have attached samples to assist you, but you can create your own. Protocols and signage must be posted conspicuously at the gate entry or other easily viewable location for patrons and law enforcement to review. We recommend that these documents be laminated or placed in plastic sleeves to prevent deterioration or water damage.

Refer to the attachments for details. Feel free to add additional protocols in the attached samples for further safe practices.

Highlights to remember:

- Pool operators (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order and must actively manage the pool's operation and compliance with the Order.
- Gatherings are still prohibited (i.e., the pool deck cannot be open for lingering/loitering of non-family members)
- Minimum of 6-foot Social Distancing (100% requirement, in and out of the pool)
- Face coverings are mandatory when not in the pool
- Locker rooms cannot be occupied
- Restrooms, if open, must have a rigorous cleaning and disinfection protocol

- Equipment in the pool area, including deck furniture, must be wiped down after EACH use

We will be resuming our inspections but will leave if site conditions are unsafe for our staff. If this occurs, you may be charged a reinspection fee.

Don't hesitate to contact our office (email: ngwong@smcgov.org) if you have any additional questions.

Sincerely,

San Mateo County Swimming Pool Program

Environmental Health Services San Mateo County Health (650) 372-6200

Order No. c19-5d – Appendix C-2: Allowed Additional Activities May 15, 2020

General Requirements

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected to implement an initial measured expansion of activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of activity, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact resumption of the activity will have on the number of people leaving their homes and interacting with others in the community;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the activity;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

List of Additional Activities

Notwithstanding Section 15.a regarding outdoor recreation areas and shared recreation facilities, for the purposes of this Order Additional Activities include the following:

(1) Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities may be opened, but only if they are actively monitored and managed to ensure that the facility is either (1) only used by members of the same household or (2) used in a manner that ensures that all social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced. Any measures put in place must be reflected in the required posted written protocols.

a. Basis for Addition. Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities that are actively managed and monitored in a manner that ensures that the social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced, the likelihood of transmission is significantly reduced.

Burgess Pool

Entrance and Exiting Facility

Entrance

To enter the pool facility patrons must comply with county guidelines or will be refused service and not allowed to enter pool.

- 1.Social Distancing
- 2.Wearing a facemask
- 3.Temperature taken before entry

As patrons enter the facility there will be social distancing dots on the ground for them to line up at a minimum of 6ft apart. Patrons not wearing a mask will be asked to please put one on and if they do not have one, they will have to come back when they do have one. There will be a door monitor to ensure patrons are following facility guidelines.

Once patrons have confirmed lane reservation, they will be given a number of a lane and then taken to their appropriate lane. Swimmers will be spaced out on even and odd lanes. (See Exhibit)

Front Desk Entrance

The location of the front desk will be inside of the building where there will be two open doors to reduce high touch points in building. Patrons will wait outside the front desk area until called in by the entrance monitor. Staff will be trained and prepare to interact with the public in a safe manner. Staff will be required to wear a facemask at all times while on duty. There will be a plexiglass shield installed for the protection of the staff member and patron being served. All payments will be taken prior to patrons' arrival via

registration system online or through our App on Apple or google store or the patron may call in to the pool to reserve a space in the pool.

Extra cleaning of this area will be done on an hourly bases to the entire front desk area. Doors to the facility will be left open to ensure there is no high touch points for staff or patrons.

Exiting Pool

When Patrons lane time is up a whistle will sound and patrons will exit their lane, dress and exit through the back of the facility while continuing to follow social distancing guidelines. Patrons will have 5 minutes to exit pool and leave so that the next set of swimmers can be brought into the facility. There will be an exit door monitor to ensure no patrons enter in the through the exit and to ensure the safety of all exiting the facility. Patrons will exit to the rear of the facility. See Exhibit

Locker rooms

Locker rooms will be closed to the public for the unforeseen future (or phase 3). Patrons will have to come to the pool in their swimsuit prior to arrival to the pool.

Bathrooms

There will be one restroom available for patrons to use. This restroom with be disinfected after each use to ensure safety for anyone using the facility.

There will also be a staff restroom that will be closed to the public and will also be disinfected by a staff member after each use.

Belle Haven Pool

Entrance and Exiting Facility

Entrance

To enter the pool facility patrons must comply with county guidelines or will be refused service and not allowed to enter pool.

- 1.Social Distancing
- 2.Wearing a facemask
- 3.Temperature taken before entry

As patrons enter the facility there will be social distancing dots on the ground for them to line up at a minimum of 6ft apart. Patrons not wearing a mask will be asked to

please put one on and if they do not have one, they will have to come back when they do have one. There will be a door monitor to ensure patrons are following facility guidelines.

Once patrons have confirmed lane reservation, they will be given a number of a lane and then taken to their appropriate lane. Swimmer will be spaced out on even and odd lanes.

Front Desk Entrance

The location of the front desk will be inside building. Staff will be trained and prepare to interact with the public in a safe manner. Staff will be required to wear a facemask at all times while on duty. There will be a plexiglass shield installed for the protection of the staff member and patron being served. All payments will be taken prior to patrons' arrival via registration system online or through our App on Apple or google store.

Extra cleaning of this area will be done on an hourly bases to the entire front desk area. Doors to the facility will be left open to ensure there is no high touch points for staff or patrons.

Exiting Pool

When Patrons lane time is up a whistle will sound and patrons will exit their lane dress and exit through the back of the facility while continuing to follow social distancing guidelines. Patrons will have 5 minutes to exit pool and leave so that the next set of swimmers can be brought into the facility. There will be a exit door monitor to ensure no patrons enter in the through the exit and to ensure the safety of all exiting the facility. Patrons will exit to the rear of the facility. See Exhibit

Locker rooms

Locker rooms will be closed to the public for the unforeseen future (or phase 3). Patrons will have to come to the pool in their swimsuit prior to arrival to the pool.

Bathrooms

There will be one restroom available for patrons to use. This restroom with be disinfected after each use to ensure safety for anyone using the facility.

There will also be a staff restroom that will be closed to the public and will also be disinfected by a staff member after each use.

Cleaning/Disinfecting Program

To ensure safe operations of the facility there will be an increase of frequency, documentation and training on proper cleaning, protection and frequency of the facility.

General cleaning guidelines from the CDC

How to clean and disinfect

Clean

- **Wear disposable gloves** to clean and disinfect.
- **Clean surfaces using soap and water, then use disinfectant.**
- Cleaning with soap and water **reduces number of germs, dirt and impurities** on the surface. **Disinfecting kills germs** on surfaces.
- **Practice routine cleaning** of frequently touched surfaces.
 - - More frequent cleaning and disinfection may be required based on level of use.
 - Surfaces and objects in public places, such as shopping carts and point of sale keypads should be cleaned and disinfected before each use.
- **High touch surfaces include:**
 - Tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.

Disinfect

- **Recommend use of disinfectant**
Follow the instructions on the label to ensure safe and effective use of the product.
Many products recommend:
 - Keeping surface wet for a period of time (see product label).
 - Precautions such as wearing gloves and making sure you have good ventilation during use of the product.

Always read and follow the directions on the label to ensure safe and effective use.

- Wear skin protection and consider eye protection for potential splash hazards
- Ensure adequate ventilation
- Use no more than the amount recommended on the label
- Use water at room temperature for dilution (unless stated otherwise on the label)
- Avoid mixing chemical products
- Label diluted cleaning solutions
- Store and use chemicals out of the reach of children and pets

You should never eat, drink, breathe or inject these products into your body or apply directly to your skin as they can cause serious harm. Do not wipe or bathe pets with these products or any other products that are not approved for animal use.

- **Diluted household bleach solutions may also be used** if appropriate for the surface.
 - Check the label to see if your bleach is intended for disinfection and has a sodium hypochlorite concentration of 5%–6%. Ensure the product is not past its expiration date. Some bleaches, such as those designed for safe use on colored clothing or for whitening may not be suitable for disinfection.
 - Unexpired household bleach will be effective against coronaviruses when properly diluted.

Follow manufacturer’s instructions for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.

Leave solution on the surface for **at least 1 minute.**
 - **To make a bleach solution**, mix:
 - 5 tablespoons (1/3rd cup) bleach per gallon of room temperature water
OR
 - 4 teaspoons bleach per quart of room temperature water
- Bleach solutions will be effective for disinfection up to 24 hours.
- **Alcohol solutions with at least 70% alcohol may also be used.**

Soft surfaces

For soft surfaces such as carpeted floor, rugs, and drapes

- **Clean the surface using soap and water** or with cleaners appropriate for use on these surfaces.
- **Launder items** (if possible) according to the manufacturer’s instructions. Use the warmest appropriate water setting and dry items completely.

OR

- **Disinfect with an EPA-registered household disinfectant.** These disinfectants meet EPA's criteria for use against COVID-19.
- **Vacuum as usual.**

Electronics

For electronics, such as tablets, touch screens, keyboards, remote controls, and ATM machines

- Consider putting a **wipeable cover** on electronics.
- **Follow manufacturer's instruction** for cleaning and disinfecting.
 - If no guidance, **use alcohol-based wipes or sprays containing at least 70% alcohol.** Dry surface thoroughly.

Cleaning and disinfecting your building or facility if someone is sick

- **Close off areas** used by the person who is sick.
 - Companies do not necessarily need to close operations, if they can close off affected areas.
- **Open outside doors and windows** to increase air circulation in the area.
- **Wait 24 hours** before you clean or disinfect. If 24 hours is not feasible, wait as long as possible.
- Clean and disinfect **all areas used by the person who is sick**, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines.
- **Vacuum the space if needed.** Use vacuum equipped with high-efficiency particular air (HEPA) filter, if available.
 - Do not vacuum a room or space that has people in it. Wait until the room or space is empty to vacuum, such as at night, for common spaces, or during the day for private rooms.
 - Consider temporarily turning off room fans and the central HVAC system that services the room or space, so that particles that escape from vacuuming will not circulate throughout the facility.
- Once area has been **appropriately disinfected, it can be opened for use.**
 - **Workers without close contact** with the person who is sick can return to work immediately after disinfection.
- If **more than 7 days** since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary.
 - Continue routine cleaning and disinfection. This includes everyday practices that businesses and communities normally use to maintain a healthy environment.

Cleaning and disinfecting outdoor areas

- Outdoor areas, like **playgrounds in schools and parks** generally require **normal routine cleaning**, but **do not require disinfection.**

- Do not spray disinfectant on outdoor playgrounds- it is not an efficient use of supplies and is not proven to reduce risk of COVID-19 to the public.
- High touch surfaces made of plastic or metal, such as grab bars and railings should be cleaned routinely.
- Cleaning and disinfection of wooden surfaces (play structures, benches, tables) or groundcovers (mulch, sand) is not recommended.
- **Sidewalks and roads should not be disinfected.**
 - Spread of COVID-19 from these surfaces is very low and disinfection is not effective.

When cleaning

- **Regular cleaning staff** can clean and disinfect community spaces.
 - Ensure they are trained on appropriate use of cleaning and disinfection chemicals.
- **Wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.**
 - Additional personal protective equipment (PPE) might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
 - Gloves and gowns should be removed carefully to avoid contamination of the wearer and the surrounding area.
- **Wash your hands often** with soap and water for 20 seconds.
 - Always wash immediately after removing gloves and after contact with a person who is sick.
 - Hand sanitizer: If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.

Always read and follow the directions on the label to ensure safe and effective use.

- Keep hand sanitizers away from fire or flame
- For children under six years of age, hand sanitizer should be used with adult supervision
- Always store hand sanitizer out of reach of children and pets
- **Additional key times to wash hands** include:
 - After blowing one's nose, coughing, or sneezing.
 - After using the restroom.
 - Before eating or preparing food.
 - After contact with animals or pets.
 - Before and after providing routine care for another person who needs assistance (e.g., a child).

Training: All staff will be retrained on cleaning practices and what safety precautions are needed to clean facilities. There will be an added segment to this on infections disease and how to prevent spread of bacteria and viruses in a safe manor.

Documentation: All employees must document the time and work done for the cleaning duty. Each location in the facility will have different requirements of frequency and specifics depending on use of location.

Staff Operations

GENERAL GUIDELINES

Staff will be required to check in at the beginning of each shift with a manager at a designated location on site.

1. Temperature will be taken
2. Asked if they have had any symptoms
3. Then assigned duties for the day
4. Safety meeting and education
5. At the end of the day another temperate will be taken on their way out

During Shift:

1. Staff will have to wear a facemask at all times
2. Comply with social distancing guidelines
3. Staff will not share any items to be used for work or any other purposes

Daily Health checks

Employees will be required to fill out a digital daily health check form to ensure of their health and wellness and all others. This form will ask their name, temp, and symptoms in the last 48 hours. Once the form is filled out, they will be cleared for work

Patrons will have their temperature checked before entering the facility and signs will be posted about self-health and wellness checks. Patrons will be asked if they have felt any symptoms of illness at all that they not enter the facility or participate in any program. They will also be asked if they do test positive for covid-19 in the next 14 days of use of facility that they contact by email immediately.

Covid-19 Positive Operations

If an employee is found positive for Covid-19 and has been on site the facility will be closed for a minimum of 24 hours, until all other employees on that shift have been tested and are clear to work. Employees contacts at the facilities will be traced to ensure no others are found ill.

If a patron is found to have been at the facility and tested positive for covid-19 the facility will be shut down for a minimum of 24 hours to ensure we can trace possible infection and notify employees of possible exposure.

Daily PPE Requirements

Staff will be required to wear a facemask and sanitize their hands regularly. During an emergency there will be an increased level of PPE. This will be found in the emergency section of this document.

Patrons will be required to wear a facemask while walking through and around the facility. Patrons are allowed to remove their mask while swimming. They will be asked to wear the mask as they exit the facility.

Emergency Operations

Emergency Action Plan

Whistle Cadences

ONE BLAST: grab the attention of individual patron
TWO BLAST: grab the attention of another guard
THREE BLAST: activate the EAP
ONE LONG BLAST: clear the pool

Primary Guard

- Identify situation & activate EAP
- Approach Victim
 - Water emergency: Perform appropriate rescue
 - Land emergency: Size up the Scene & acquire Expressed Consent
- Primary assessment
- Perform appropriate care
- Secondary Assessment
- Report, Advise, Release

Secondary Guard (*most available guard*)

- Bring necessary equipment
 - Backboard
 - AED
 - First Aid
- **Bring first what is most important to the situation*
- Assign someone to call 911 & come back

- Assist Primary guard

Assisting Responders

- Clear pool & deck as needed
- Inform Front Desk of emergency
- Ensure EMS services are on their way
- Assist rescuers

When EMS Arrives

- Meet EMS on street & direct to emergency

When EMS Leaves

- *Primary guard & Leadership staff* - Report, Advise, Release

Lifeguard Emergency Response

In the event someone needs CPR staff will put on full PPE to include, Face Mask, Eye Protection and gloves.

General Prevention for COVID-19 Transmission During CPR and First Aid

While there is currently no specific data on COVID-19 transmission while performing CPR or giving first aid, it is reasonable to conclude that chest compressions have the potential to generate respiratory droplets or aerosols and close contact needed for some aspects of first aid may have risk of transmission.

PPE

For responders and those who may need to provide care to someone suspected to have COVID-19. We will require wearing PPE as recommended by CDC, this would be wearing respiratory protection using a respirator (e.g. N-95 mask), eye protection, disposable gloves and a disposable isolation gown if possible. Per CDC guidance facemasks are an acceptable alternative when there is shortage of N-95. During the COVID-19 pandemic, for all persons requiring CPR, personal protective equipment (PPE) such as gloves and face mask should be worn, if available.. We recognize that for lay responders, CPR and first aid is often performed for household members where there would have already been close contact and exposure.

We recommend placing a face mask or cloth covering over the mouth and nose of the victim may reduce the risk of transmission. If only 1 mask is available and it is a simple face mask, we recommend placing it on the victim.

Guidance for Performing a Breathing Assessment and Rescue Breaths in Children or Adults

While CPR with breaths has been shown to be beneficial when compared to compression-only CPR, during the COVID-19 outbreak, it is currently recommended that no rescue breaths be performed for adult cardiac arrest patients with confirmed or suspected COVID-19, due to the risk of disease transmission. The following measures are recommended and may be associated with a decreased risk of transmitting the virus:

- When assessing for normal breathing, we recommended that the CPR/first aid care provider looks for breathing but does not listen or feel for the victim's breathing, as this will minimize potential exposure.
- We recommend that adult victims of sudden cardiac arrest receive continuous compression-only CPR from their CPR/first aid care provider until emergency personnel arrive. *Note: Compression-only CPR saves lives compared to no CPR.*
- Cardiac arrests that occur after a breathing problem (which is often the case in infants and young children), drowning and drug overdoses may benefit from standard CPR that includes compressions and rescue breaths. *Note: It is recognized that in some of the cases, the victim may also have COVID-19. However, if a lay responder is unable or unwilling to provide rescue breathing with CPR, compression-only CPR should be initiated.*

Guidance for Compressions

Chest compressions and use if an AED is available is recommended for every cardiac arrest victim. Whether or not a cardiac arrest victim is suspected of having COVID-19, 9-1-1 should be called and, if available, an AED should be used.

Guidance for AED Application & Use

No studies to date have shown that defibrillation generates respiratory droplets or aerosols, and it is known that prompt use of AEDs save the lives of cardiac arrest victims. In addition, the current methods of automatic external defibrillation use hands-free methods via adhesive pads that allow performance without direct contact with the victim.

- If an AED is available, it should be applied and used consistently with the manufacturer's guidelines while waiting for emergency personnel to arrive.
- If gloves are available, they should be worn.
- The AED device should be cleaned with disinfectant after use.

Cleaning & Disinfection After First Aid Care

While still wearing personal protective equipment, clean and disinfect items that touched the victim. After cleaning, dispose of your personal protective equipment and perform hand hygiene. Surfaces should be cleaned using a detergent or soap and water prior to disinfection.

- For Hard Surfaces:
 - Diluted household bleach solutions, alcohol solutions with at least 70% alcohol and most common EPA-registered household disinfectants should be effective.
 - Products with EPA-approved emerging viral pathogens claims are expected to be effective against COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.). In their absence, products with label claims against human coronaviruses or other viruses should be used according to label instructions.

- For Soft or Porous Surfaces
 - For surfaces such as carpeted floor, rugs, and drapes; remove visible contamination if present, and clean with appropriate cleaners indicated for use on these surfaces.
 - After cleaning, wash items as appropriate in accordance with the manufacturer's instructions. If possible, wash items using the warmest appropriate water setting and dry completely or use products with the EPA-approved emerging viral pathogens claims that are suitable for porous surfaces.

- For Clothing:
 - Do not shake dirty laundry. This will minimize the possibility of dispersing virus through the air.
 - Launder items as appropriate in accordance with the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting for the items and dry items completely.
 - If clothing cannot be immediately laundered, store in a sealed disposable bag.

- Alternatives to EPA-registered disinfectants include:
 - Diluted household bleach: Mix 5 tablespoons (1/3 cup) bleach per gallon of water, or 4 teaspoons bleach per quart of water. Make sure you have proper ventilation and that the bleach is not expired.
 - Alcohol solutions: Ensure your solution has at least 70% alcohol.

Program Operations Burgess

Lap Swimming

Patrons will register for a lane online or by phone prior to arriving at the aquatic facility, to include payment online only. We will not be accepting cash at this time. Patrons will line up on the side gate of the pool where there will be lines for them to stand to stage for their turn to come into the facility. All social distancing guidelines will be adhered to or the patron may be ask to leave to include.

1. **Wearing a facemask** until about to get into pool
2. **Stay 6 feet apart** from each other including staff

Once checked-in patrons will be allowed to walk to their lane once the group before them has left the facility. They will have 5 minutes to get into the pool and out of the pool after their swim. Patrons will stagger at either end of the pool to ensure social distancing. **There will be only 1 person lane** (unless family in the same household is swimming with each other). Once 35 minutes are up a guard will blow a whistle signaling each swimmer has 5 minutes to get out of the pool and exit through the back gate adjacent to the pool.

Open Swim

Open swim will have designated times for families and individuals to come a reserve a space in our play pool. Each family from the same household will have a lane in one of our bigger pools or in our baby pool to ensure social distancing. Each family can reserve a space in pool online for 1-hour increments as space permits.

Swim Lessons

The swim lesson programming guidelines will fully utilize the existing facility plan for covid-19 controls. The goal is to provide the highest level of swim lesson programming while maintaining social distance, minimizing contact to high touch areas and objects, and to maintain a consistent routine of disinfecting swim equipment and facility features.

Social distancing will be adhered to when arriving to the facility, checking in and staging within a designated staging area prior to the swim lesson. Participants will store their belongs at their assigned spot within the staging area.

Lessons will be held in either a private, instructor guided parent/children's lesson, and or a single family from the same household with parent in the water with kids and instructor on the deck with a facemask on. These lessons will also be staggered to avoid gatherings of people.

Camps

The goal of our summer camps will provide care for the children of the community in a fun and safe environment while following all county, city, and cdc guidelines for covid-19. We want to create this environment give families peace of mind while being care for at our facility.

Goal to run 4 morning camps and 4 pm camps in controlled groups of 12.

We will follow guidelines as followed:

Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages. To the extent possible and compliant with any licensing requirements, these operations must also comply with the following conditions:

- 1.They must be carried out in stable groups of 12 or fewer children ("stable" means that the same 12 or fewer children are in the same group each day and for at least four consecutive weeks). No child will be added to the group if a child does not come to camp. These groups will remain the same for 3 weeks including staff.

- 2.Children shall not change from one group to another or attend more than one childcare establishment, summer camp, other educational or recreational instruction or program simultaneously.

3.If more than one group of children is at one facility, each group shall be in a separate rooms or spaces that cannot be accessed by children or adults outside the stable group. Groups shall not mix with each other.

4.Providers, educators and other staff cannot serve more than one group of children and shall remain solely with that group of children during the duration of the childcare establishment, summer camp, other educational or recreational institution or program.

Program Operations Belle Haven

Lap Swimming

Patrons will register for a lane online or by phone prior to arriving at the aquatic facility, to include payment online only. We will not be accepting cash at this time. Patrons will line up on the side gate of the pool where there will be lines for them to stand to stage for their turn to come into the facility. All social distancing guidelines will be adhered to or the patron may be ask to leave to include.

1. **Wearing a facemask** until about to get into pool
2. **Stay 6 feet apart** from each other including staff

Once checked-in patrons will be allowed to walk to their lane once the group before them has left the facility. They will have 5 minutes to get into the pool and out of the pool after their swim. Patrons will stagger at either end of the pool to ensure social distancing. **There will be only 1-person lane** (unless family in the same household is swimming with each other). Once 35 minutes are up a guard will blow a whistle signaling each swimmer has 5 minutes to get out of the pool and exit through the back gate adjacent to the pool.

Open Swim

Open swim will have designated times for families and individuals to come a reserve a space in our play pool. Each family from the same household will have a lane in one of our bigger pools or in our baby pool to ensure social distancing. Each family can reserve a space in pool online for 1-hour increments as space permits.

Swim Lessons

The swim lesson programming guidelines will fully utilize the existing facility plan for covid-19 controls. The goal is to provide the highest level of swim lesson programming while maintaining social distance, minimizing contact to high touch areas and objects, and to maintain a consistent routine of disinfecting swim equipment and facility features.

Social distancing will be adhered to when arriving to the facility, checking in and staging within a designated staging area prior to the swim lesson. Participants will store their belongs at their assigned spot within the staging area.

Lessons will be held in either a private, instructor guided parent/children's lesson, and or a single family from the same household with parent in the water with kids and instructor on the deck with a facemask on. These lessons will also be staggered to avoid gatherings of people.

Camps

The goal of our summer camps will provide care for the children of the community in a fun and safe environment while following all county, city, and cdc guidelines for covid-19. We want to create this environment give families peace of mind while being care for at our facility.

Goal: To run 1 camp in the morning and 1 in the afternoon, following

We will follow guidelines as followed:

Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages. To the extent possible and compliant with any licensing requirements, these operations must also comply with the following conditions:

- 1.They must be carried out in stable groups of 12 or fewer children ("stable" means that the same 12 or fewer children are in the same group each day and for at least four consecutive weeks). No child will be added to the group if a child does not come to camp. These groups will remain the same for 3 weeks including staff.
- 2.Children shall not change from one group to another or attend more than one childcare establishment, summer camp, other educational or recreational instruction or program simultaneously.
- 3.If more than one group of children is at one facility, each group shall be in a separate rooms or spaces that cannot be accessed by children or adults outside the stable group. Groups shall not mix with each other.

4. Providers, educators and other staff cannot serve more than one group of children and shall remain solely with that group of children during the duration of the childcare establishment, summer camp, other educational or recreational institution or program.

Exhibit A

A. Facility Map Entrance and Exit

Burgess Pool



Exhibit A Continued



Exhibit A Continued



Exhibit A Continued

Belle Haven Pool



B.


Exhibit B: Health Check Form


Questions Responses 1

Employee Covid Check-In Sheet

Form description

Full Name *
Short answer text

Today's Date *
Month, day, year 

Time *
Time 

Temperature *
Short answer text

Symptoms (If any) *
Long answer text

C.
D.


Exhibit C: Thermometers



Exhibit D: General PPE information

Taking off (Doffing) Personal Protective Equipment (PPE)

1 **Gloves**



A Grasp the outside edge of the glove near the wrist and peel away from the hand, turning the glove inside-out.

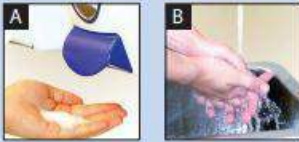
- ◆ Hold the glove in the opposite gloved hand.

B Slide an ungloved finger or thumb under the wrist of the remaining glove.

C Peel the glove off and over the first glove, making a bag for both gloves.

- ◆ Put the gloves in the garbage.


2 **HAND HYGIENE**



A Using an alcohol-based hand rub is the preferred way to **clean your hands**.

B If your hands look or feel dirty, soap and water must be used to wash your hands.

3 **Gown**




A Carefully unfasten ties.

B Grasp the outside of the gown at the back of the shoulders and pull the gown down over the arms.

C Turn the gown inside out during removal.


- ◆ Put in hamper or, if disposable, put in garbage.

4 **HAND HYGIENE**




- ◆ **Clean your hands.** (See No. 2)
- ◆ Exit the patient room, close the door and **clean your hands** again.

5 **Eye protection or face shield**



- ◆ Handle only by headband or ear pieces.
- ◆ Carefully pull away from face.
- ◆ Put reusable items in appropriate area for cleaning.
- ◆ Put disposable items into garbage.

6 **Mask or N95 respirator**



- ◆ Bend forward slightly and carefully remove the mask from your face by touching only the ties or elastic bands.
- ◆ Start with the bottom tie, then remove the top tie.
- ◆ Throw the mask in the garbage.

There are different styles of N95 respirators but all styles have the same basic steps for doffing.

7 **HAND HYGIENE**

- ◆ **Clean your hands.** (See No. 2)

EVERYONE MUST WEAR A FACE COVERING*



Covering your face is now mandatory and helps prevent the spread of COVID-19.

Masks, bandanas, scarves, and cloth can be used. *This order does not apply to those 12 years old and less.

...AND STAY 6 FEET APART

FOR MORE INFORMATION

- menlopark.org/coronavirus
- smchealth.org/coronavirus
- cdc.gov/coronavirus

EVERYONE MUST WEAR A FACE COVERING*

Covering your face is now mandatory and helps prevent the spread of COVID-19.



Masks, bandanas, scarves, and cloth can be used.

* This order does not apply to those 12 years old and less.

...AND STAY 6 FEET APART

This business is required to refuse service to anyone who does not comply.

Todos deben de usar una cobertura facial*

Cubrirse la cara ahora es obligatorio y ayuda a prevenir la propagación de COVID-19. Se pueden usar máscaras, pañuelos, bufandas y telas.

* Esta orden no aplica a aquellos que tengan 12 años de edad o menos.

...y mantenerse a 6 pies de distancia.

Este negocio está requerido a negarle el servicio a cualquier persona que no cumpla con este requisito.

每个人都必须佩带面罩*

现在要求强制性佩带面罩，帮助防止新型冠状病毒地传播。口罩，头巾，围巾和布料都可以。

* 该规定不适用于12岁及以下人群。

...并且保持6尺社交安全距离

商家不得为没有遵守规定的人提供服务。



COUNTY OF
SAN MATEO

www.smcgov.org



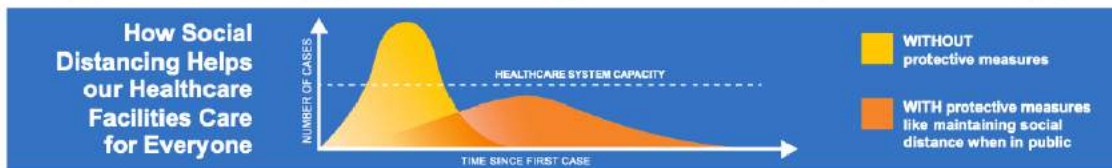
SAN MATEO
COUNTY HEALTH

SOCIAL DISTANCING DURING CORONAVIRUS

Social distancing is an action encouraged by public health officials to stop or slow down the spread of a highly contagious disease. This information is being provided to help you understand what you are being asked to do by the Health Officer.

STOP THE SPREAD OF CORONAVIRUS (COVID-19)

If you must be in a public space, maintain 6 feet of distance from others



What are social distancing measures?

Social distancing measures are taken to restrict when and where people can gather to stop or slow the spread of infectious diseases. Social distancing measures include limiting large groups of people coming together, closing buildings and canceling events. When in public spaces it is important to stay 6 feet away from other people.

Why would social distancing measures be used?

Since the start of the spread of coronavirus, social distancing measures will be used early on to slow the spread of the disease and provide our community with the valuable time needed to be better prepared.

What can I do?

Practicing good hygiene habits such as washing your hands and covering your cough will help to stop or slow the spread of many diseases. The San Mateo County Health website (www.smchealth.org) has 'Wash Your Hands' and 'Cover Your Cough' posters you can download and use.

It is important to follow any social distancing instructions from San Mateo County Health. Please stay informed and plan ahead.

IMPORTANT RESOURCES DURING THE COVID-19 PANDEMIC

For questions or concerns, please dial 2-1-1

For more information about health issues and emergency preparedness, please visit the following websites:

County Health: www.smchealth.org/coronavirus

San Mateo County: www.smcgov.org



U.S. CDC: www.cdc.gov/coronavirus/2019-ncov



SAN MATEO COUNTY HEALTH

Dial 2-1-1 for non-emergency, non-medical calls
smchealth.org/coronavirus

Exhibit F: Pool Documents



SAN MATEO COUNTY HEALTH

ENVIRONMENTAL HEALTH SERVICES

PROTECT YOURSELF & OTHERS FROM COVID-19

DO:

- Shower before entering the pool
- Stay at least 6 feet away from others to maintain social distancing
- Keep your hands clean by washing hands with soap and water, especially after going to the bathroom, before eating, and after blowing your nose, coughing, or sneezing
- Wear face coverings except in the pool or exempted by the Health Officer.

DON'T:

- Visit the pool or other public areas if you are sick with COVID-19, were recently exposed (within 14 days) to someone with COVID-19, or experience the following symptoms: *fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell*
- Gather in large group

STAY INFORMED WITH THE SOCIAL DISTANCING PROTOCOL

San Mateo County COVID-19: smchealth.org/coronavirus
COVID-19 Hotline: Dial 211



PUBLIC SWIMMING POOLS DAILY CHECKLIST AND ATTENDANCE RECORD DURING COVID-19

A separate copy of this checklist should be maintained for each day a public pool is open during the COVID-19 Shelter in Place Order. One checklist may be kept for multiple pools within the same enclosure. The checklist shall be maintained for at least 90 days for possible review by personnel from the San Mateo County Environmental Health Services.

FACILITY NAME:

DATE:

NAME OF SUPERVISING PARTY:

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Sign(s) posted at each entrance regarding Guidelines for Pool Users? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Reduced pool capacity sign posted? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Designated personnel can maintain six-foot separation? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Designated personnel has face covering? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Restrooms cleaned & disinfected frequently? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. High touch areas cleaned & disinfected frequently? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Hand washing station or hand sanitizer station stocked & available? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Tape/markings to guide six-foot distancing? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Pool water is tested prior to opening the pool? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Pool water is tested at 4 hour intervals until pool is closed? | <input type="checkbox"/> | <input type="checkbox"/> |

Time	Free Chlorine (ppm)	pH	Notes
Pool Open (i.e. 8:00 am)			
Midday (i.e. 12:00 pm)			
Pool Close (i.e. 4 pm)			



APPENDIX C-2 ALLOWED ADDITIONAL ACTIVITIES

**SAMPLE GUIDELINES FOR PUBLIC SWIMMING POOLS
 SPAS MUST CONTINUE TO REMAIN CLOSED PER THIS ORDER (MAY 22, 2020)**

FACILITY NAME

SITE ADDRESS/CITY/ZIP

THE HEALTH OFFICER'S ORDER PROHIBITS GATHERING AT THE POOL. THE POOL MUST BE ACTIVELY MONITORED AND MANAGED TO ENSURE THAT THE HEALTH OFFICER'S ORDERS ARE ENFORCED

Pool owner/operator (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order.

SIGNAGE

- Post a copy of the Social Distancing Sign at each gate entry or other easily viewable location.
- Post a copy of the Social Distancing Guidelines (Appendix C-2) at each gate entry or other easily viewable location.
- Other: _____

MEASURES TO PREVENT GATHERING AND ENSURE SOCIAL DISTANCING

- Ensure social distancing by (1) having members of the same household use the pool at the same time period or (2) in a manner that ensures the Health Officer orders are enforced (recommend dividing pool occupancy by half). Any measures put in place must be reflected in the required posted written protocols.
- Minimum six feet of social distancing is required in and out of the pool.
- No personal contact in and out of pool unless pool users are from the same household (No contact swim lessons).
- Lap swimming shall be separated by alternate lanes or maintain 6 feet social distancing. Only one person per lane.
- Face covering is required for all those on the pool deck. Do not wear a face covering while in the pool.
- Eliminate shared equipment and pool furniture in the facility or disinfect after each use.
- Place tape or other markings at least six feet apart in pool user line areas or any other area in the pool where pool users congregate (e.g. line for outdoor showers).
- Other: _____



APPENDIX C-2 ALLOWED ADDITIONAL ACTIVITIES

SAMPLE GUIDELINES FOR PUBLIC SWIMMING POOLS
SPAS MUST CONTINUE TO REMAIN CLOSED PER THIS ORDER (MAY 22, 2020)

FACILITY NAME

SITE ADDRESS/CITY/ZIP

THE HEALTH OFFICER'S ORDER PROHIBITS GATHERING AT THE POOL. THE POOL MUST BE ACTIVELY MONITORED AND MANAGED TO ENSURE THAT THE HEALTH OFFICER'S ORDERS ARE ENFORCED

Pool owner/operator (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order.

SIGNAGE

- Post a copy of the Social Distancing Sign at each gate entry or other easily viewable location.
- Post a copy of the Social Distancing Guidelines (Appendix C-2) at each gate entry or other easily viewable location.
- Other: _____

MEASURES TO PREVENT GATHERING AND ENSURE SOCIAL DISTANCING

- Ensure social distancing by (1) having members of the same household use the pool at the same time period or (2) in a manner that ensures the Health Officer orders are enforced (recommend dividing pool occupancy by half). Any measures put in place must be reflected in the required posted written protocols.
- Minimum six feet of social distancing is required in and out of the pool.
- No personal contact in and out of pool unless pool users are from the same household (No contact swim lessons).
- Lap swimming shall be separated by alternate lanes or maintain 6 feet social distancing. Only one person per lane.
- Face covering is required for all those on the pool deck. Do not wear a face covering while in the pool.
- Eliminate shared equipment and pool furniture in the facility or disinfect after each use.
- Place tape or other markings at least six feet apart in pool user line areas or any other area in the pool where pool users congregate (e.g. line for outdoor showers).
- Other: _____

MEASURES TO INCREASE SANITATION

Cleaning and Disinfecting Pools:

- Maintain proper disinfectant levels:

Type	Free Chlorine	pH
Pools With Cyanuric Acid	2-10 ppm	7.2-7.8
Pools Without Cyanuric Acid	1-10 ppm	7.2-7.8

- Ensure daily monitoring and recording of pool chemicals (chlorine, pH, and cyanuric acid). If the
- operator notices the chemicals are not within their appropriate range, the pool shall be closed until the chemicals are balanced to the correct levels.
- Recommend maintaining a checklist with attendance records to aid in contact tracing as needed.

Cleaning and Disinfecting Ancillary Areas:

- Keep locker rooms closed.
- Stock handwashing stations with liquid soap and paper towels. Provide hand sanitizer with at least 60% alcohol for pool users/visitors to use.
- Clean and disinfect frequently touched surfaces: handrails and ladders ADA lift door/gate handles surfaces of restrooms: handwashing stations diaper changing stations, and showers any multi-touch contact surface that have been identified
- *Examples of disinfectants: Alcohol solutions with at least 70% alcohol may be used for surfaces. Diluted household bleach solutions may also be used: To make a bleach solution, mix: 5 tablespoons (1/3rd cup) bleach per gallon of water as per CDC Guidelines**

MEASURES TO PROTECT EMPLOYEE HEALTH (IF APPLICABLE)

- Distribute a copy of the safety guidelines to each employee.
- Instruct employees not to come to work for at least 14 days if they are exhibiting COVID-19 symptoms and/or seek a health care provider.
- Check employees for symptoms (fever, cough, or shortness of breath) of illness prior to entering work space by following CDC guidelines.
- Employees shall wear face coverings in the workplace.
- Liquid soap, warm water, and paper towels are available to all employees for handwashing.
- Hand sanitizer (at least 60% alcohol) and other EPA approved disinfectants are available to all employees.
- Individual work stations are separated by at least six feet or with a physical barrier.

- All employees/attendants have been instructed to maintain at least six feet distance from pool users and from each other as much as practicable.
 - Sanitize all individual work stations and common touch points frequently.
 - Common areas such as break rooms and bathrooms are to be sanitized after each use.
- For indoor pools, make sure ventilation systems work properly. Increase air circulation by introducing
- outdoor air as much as possible by opening windows and doors or using fans.; however, do not open windows and doors if doing so poses a safety risk to staff, patrons, or swimmers.
 - Other: _____

Optional Measures:

For additional information refer to the latest Health Officer's order:

<https://www.smchealth.org/post/health-officer-statements-and-orders>

IT IS THE LEGAL RESPONSIBILITY OF THE POOL OWNER/OPERATOR TO ENSURE ALL APPLICABLE REQUIREMENTS ARE FOLLOWED TO PROTECT THE SAFETY OF THE POOL USERS. IF OPERATORS ARE UNABLE TO DO SO, THE POOL SHALL REMAIN CLOSED.

Contact the owner or person in charge listed below with any questions about the following safety measure protocols.

NAME _____

EMAIL _____ **PHONE NUMBER** _____

PROFESSIONAL SERVICES AGREEMENT
(Menlo Park Aquatic Facilities)

This Professional Services Agreement (“Agreement”) is made and executed as of March 27, 2018, by and between the City of Menlo Park, a municipal corporation (“City”), and Team Sheeper, Inc., a California S Corporation (“Provider”), referred to herein individually as “Party” and collectively as “Parties”.

WHEREAS, City is the owner of certain premises (“Premises”) described below, and desires to provide recreational aquatics programming for the benefit of the community at the Premises;

WHEREAS, City desires to engage Provider to provide the recreational aquatics programming, including swim instructors and certified lifeguards to provide lap swim, open swim, youth swim team, youth and adult swim lessons, youth camps, masters swim, aqua-fit classes and lane rentals for community swim teams and other community organizations at the Premises (“Services”) consistent with the current level of programming;

WHEREAS, Provider has been providing the Services pursuant to a Lease Agreement, which is expiring on March 31, 2018, and has the necessary professional expertise, qualifications and capability, and all required licenses and/or certificates to provide the services; and

WHEREAS, City and Provider desire to enter into this Agreement on the terms and conditions set forth below.

NOW, THEREFORE, the Parties agree as follows:

1. PREMISES. The Premises includes both the “Burgess Pool”, 501 Laurel Street, Menlo Park, CA and the “Belle Haven Pool”, 100 Terminal Avenue, Menlo Park, CA as defined herein. Burgess Aquatic Facility (“Burgess Pool”) consists of the fenced pool area at the City’s Civic Center campus at Burgess Park. Burgess Pool includes the lap pool, instructional pool, toddler activity pool, locker rooms and restrooms, offices, lawn area, pool mechanical room, lobby area, and all associated areas in the City of Menlo Park, County of San Mateo, State of California, as more particularly shown in Exhibit A, attached hereto and incorporated herein by reference. The Belle Haven Pool (“Belle Haven Pool”) is a six-lane x 25-meter outdoor swimming pool located adjacent to the Onetta Harris Community Center. Belle Haven Pool includes a locker room, shower facilities, mechanical room, office and small children’s wading pool in a fenced area as shown in Exhibit B, attached hereto and incorporated herein by reference.

2. SCOPE OF SERVICES. Provider shall perform the Services, as more particularly described in Exhibit C attached hereto and incorporated herein by this reference in accordance with the terms and conditions contained in this

Agreement. Performance of all Services shall be to the reasonable satisfaction of the City.

3. TERM. The term of this Agreement shall commence on April 1, 2018 and shall terminate on August 31, 2020 ("Term"). If not terminated as set forth hereinafter, this Agreement shall automatically renew for successive 12-month periods (each year an "Extended Term"), subject to all of the same terms and conditions contained in this Agreement. Not less than 180 days prior to the expiration of the Term or Extended Term, either of the Parties may provide written notice requesting either an evaluation of the terms and conditions of this Agreement or termination of this Agreement. In the event no such notice of termination is given, this Agreement shall automatically continue for an Extended Term.

4. BELLE HAVEN POOL MANAGEMENT FEE. The City shall pay Provider a management fee for the operation of the Belle Haven Pool in an amount not to exceed Five Thousand Dollars (\$5,000) per month or Sixty Thousand Dollars (\$60,000) per year, unless otherwise approved by the City Council. The City currently receives annual funding for the Belle Haven Pool from Hibiscus Properties, LLC ("Facebook") pursuant to Section 9.1.1 of the Development Agreement dated December 14, 2016 and recorded in the Official Records of the County of San Mateo as Document Number 2016-133794. In addition to the management fee, pursuant to the terms of the prior Lease Agreement, the City shall pay to Provider Five Thousand Dollars (\$5,000) per month for the period January 1, 2018 through March 31, 2018 for a total of Fifteen Thousand Dollars (\$15,000) for operating the Belle Haven Pool, subject to and upon receipt by the City of funds from Facebook covering that time period. To the extent Provider has been paid all or any portion of the management fee directly by Facebook, the City shall be relieved from the requirement to pay such amount to Provider. If and when such annual funding is reduced or terminated, the City may terminate the Services at the Belle Haven Pool after providing 30 days' advance written notice to Provider. Provider shall be paid pro rata for Services performed at the Belle Haven Pool up to the termination date. If the Services at the Belle Haven Pool are terminated, the management fee shall also terminate.

5. EXCLUSIVE USE OF PREMISES. Subject to the terms of this Agreement, Provider shall have exclusive use of the Premises for the purposes of conducting aquatics programs, including, but not limited to, a masters swim program, swim team, swim lessons, fitness training, recreational swimming, community rentals and other aquatics programs and providing for reasonable public access to and use of the Premises pursuant to Section 6 of this Agreement. Provider shall have the exclusive right to staff, supervise and contract for such use of the Premises, subject to the terms of this Agreement. The Parties specifically agree that Provider shall accommodate the SOLO swim team's use of Burgess Pool in accordance with schedule and terms set forth in Exhibit D, which shall not

be modified without mutual agreement of Provider and SOLO, unless SOLO is in breach of its contract with Provider.

Provider shall have non-exclusive use of the locker rooms, as depicted on Exhibit A and Exhibit B, to accommodate Provider's use of the Premises. The Parties agree that use of the locker rooms shall be limited to persons participating in programs and activities offered by Provider or City or other members of the public upon payment to Provider of fees for such use. Specifically, City reserves the right to use the locker rooms for any City program, including facility rentals and programs and for public use on a "pay for use" basis. Provider may only refuse locker room access when patrons fail to follow the rules of conduct approved by the City. Patrons shall have the right to appeal Provider's decision to the Director of Community Services, if the patron feels denial of locker room access was unreasonable. The Director of Community Services' decision shall be final.

6. OPERATION, COMMUNITY ACCESS AND SCHEDULING. Provider may operate the Premises between the hours of 5 a.m. to 10 p.m. seven days a week, 365 days a year. Provider currently operates the Burgess Pool from 5:45 a.m. to 8:00 p.m., and until 10:00 p.m. on Tuesdays and Thursdays Monday through Sunday and the Belle Haven Pool from 3:00 p.m. to 7:00 p.m. Monday through Friday. Provider may reasonably modify, subject to prior written approval from the City, which shall not be unreasonably withheld, the current schedule at either the Burgess Pool or the Belle Haven Pool if staffing is not possible or if it is not financially feasible to operate during certain hours. The City will provide its consent or objection to the requested change within 10 business days or the request will be deemed approved.

Provider will be responsible for the scheduling of the Premises. Provider shall provide reasonable public access and community use of the Premises. Provider will not reduce the public access and community use without prior City approval from the Director of Community Services who is authorized to finalize the City's schedule of use of the Premises. When evaluating the pool space and time allocation, Provider shall consider and give scheduling priority for programs based on the number and percentage of City residents.

Burgess Pool: Minimum public access and community use will include:

- a. Year-round lap swim, seven days per week (except holidays);
- b. Seasonal open/recreational swim daily from Memorial Day through Labor Day for a reasonable amount of time and with adequate pool space;
- c. Reasonable availability for other community organizations/users;
- d. Programs and reasonable accommodation for all ages and abilities;
- e. Inclusive programs for people with disabilities when possible; and
- f. Winter programming subject to the City's provision a dome over the instructional pool, if possible.

Belle Haven Pool: Minimum public access and community use will include:

- a. Open to the public for a minimum of 10 weeks during the summer season in June, July, and August. During that time period, the pool shall be open for a minimum of six days a week, Monday through Saturday; and
- b. Open/recreational swim hours will be at least three hours per day, six days per week but will be allowed on a “pool sharing” basis with other programming.

7. PROGRAM REGISTRATION AND FEES. Provider shall be responsible for having a method for the public to register and pay for programs. Provider shall collect all program fees for the Services provided pursuant to this Agreement. The program fees charged by Provider shall be as follows:

- a. The fees charged by the Provider for public lap swimming, open/recreational swim, and swim lessons shall be comparable to rates and fees charged by other aquatic facilities in surrounding communities and in alignment with the approved business model.
- b. Provider shall provide rental space for other community organizations and users for competitive youth swimming programs, instructional programs, fitness training, etc., on a reasonable and comparable fee basis.
- c. Review of the program fees shall be included in the annual report to the City. Although Provider is responsible for setting program fees, Provider shall consider both City input and market rates in establishing the program fees.
- d. The City will provide limited conference room space at the Arrillaga Family Gymnasium free of charge for Provider’s team meetings and trainings, subject to availability.
- e. The City will make sports field space at Burgess Park available free of charge for Provider camps and programs in exchange for pool use for City camps and programs, both subject to availability.

8. REVENUE SHARING. Provider shall maintain an annual profit and loss statement (“Statement”) during the Term and any Extended Term of this Agreement. The Parties acknowledge that the Provider’s Statement includes revenue from the Services at the Premises and also Menlo Fit/Boot Camp revenue and triathlon team revenue. If Provider’s revenue from the Services provided pursuant to this Agreement, exclusive of Menlo Fit/Boot Camp revenue and 2/3 of the triathlon team revenue, exceeds Three Million One Hundred Forty Thousand (\$3,140,000) in a single calendar year, Provider shall pay to the City 30 percent such revenue within 60 days of the end of the year.

9. PROGRAM ADMINISTRATION. Provider shall have adequate administrative staff and assistance to support all hours of operation. Policies and procedures for handling registration, refunds, and complaints are required. Provider shall maintain a customer database and appropriate records retention.

Provider shall develop sufficient communication and marketing in order to inform the public of the programs and services. The City will provide reasonable marketing space in the tri-annual activity guide for the Provider to promote their aquatics programs at the Premises, subject to availability. Provider shall be responsible for meeting the deadlines and providing accurate and sufficient information to City staff.

Provider shall take appropriate steps to maintain a high level of customer service and overall satisfaction at all times. Provider shall be engaged with City staff and regional aquatics groups throughout the year and shall attend an annual meeting convened by the City. Additionally, Provider shall prepare and provide an annual report no later than January 30 of each year to City staff, which will be presented to the City's Parks & Recreation Commission for review and comment by the Commission at its February meeting. The annual report should include the following items:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and a fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 12, below, are met;
- h. Risk management documentation, outlined in Section 13, below; and
- i. Training certifications listed by staff member.

Provider shall maintain reasonable evidence and documentation of this information and have these records accessible to the City at any time following 10 days written notice.

In the event of a third-party dispute or conflict arising out of or related to this Agreement, the City will use best efforts to notify and discuss the issue with Provider before engaging in any dialogue with the third-party involved.

10. COMPLIANCE WITH LAWS AND REGULATIONS. Provider shall comply with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. These regulators and laws include but are not limited to:

- a. City of Menlo Park
- b. Menlo Park Fire Department
- c. San Mateo County Health Department
- d. California Department of Health Services

- e. California Department of Labor
- f. Occupational Safety and Health Administration (OHSA)
- g. Emergency Medical Services Authority (EMSA)
- h. Consumer Product Safety Commission & Virginia Graeme Baker Act
- i. Americans with Disabilities Act
- j. California Department of Fair Employment and Housing

11. HEALTH AND SAFETY. Provider shall maintain health and safety standards in a reasonable and acceptable manner for the Premises, participants, and its employees in compliance with City standards and the other regulatory agencies listed in Section 10 above. These standards include but are not limited to:

- a. Employee Injury and Illness Prevention Plan
- b. Hazardous Materials Communications and Business Plan
- c. Blood borne Pathogens and Bio Hazardous Exposure Control Plan
- d. Lifting and Fall Prevention
- e. Electrical Safety
- f. Emergency Action Planning
- g. First Aid
- h. Heat Illness and Sun Protection
- i. Confined Spaces
- j. Chemical Storage
- k. Personal Protective Equipment
- l. Recreational Waterborne Illnesses (RWI's)
- m. Signage

Provider is responsible for keeping up to date with all changes, additions, or amendments to the laws, regulations and codes related to pool operations and aquatics programs.

12. STANDARD OF CARE. Provider shall provide aquatic programs and manage the Premises in a manner that is comparable to or above the standard of care that is reasonable and acceptable for a public pool in the surrounding communities. This standard of care should be demonstrated in all areas of operations including: supervision and lifeguard coverage, surveillance techniques, staff training, record keeping, basic maintenance and janitorial services during business hours, cleanliness of facilities, safety, and risk management. Provider is expected to ensure this standard of care by conducting annual audits by qualified external experts and including this information in the annual report to City staff and the City's Parks and Recreation Commission identified in Section 9, above.

13. RISK MANAGEMENT. The Provider shall take all appropriate and necessary steps to provide adequate risk management planning to minimize liability or negligence by the Provider. The Provider shall manage their risk by demonstrating proficiency in the following areas:

- a. Emergency Action Plan - staff training plan, drills conducted, emergency equipment and communication process.
- b. Facilities & Equipment - inspection, maintenance, and checklists.
- c. Supervision - quality, quantity, lesson plans and progression.
- d. Training - requirements and appropriate staff.
- e. Documentation - manuals, waivers, medical screening, skills screening, risk information provided to public, policies and evaluations.

14. EMERGENCY ACTION PLAN AND PROCEDURES. Provider shall create and maintain all emergency procedures and emergency action plans for the Premises. An emergency action plan is required under Title 29 of Federal Regulations Sections 1910.38/.120/.156, and Title 8 California Code of Regulations, Sections 3220 and 3221. The emergency action plan covers all employees and non-employees who may be exposed to hazards arising from emergency situations. It must contain information for all of the Provider's employees, including administration and line level employees using the plan in order to reduce the severity of emergency situations and minimize the risk to life and property.

15. MAINTENANCE, REPAIR, CUSTODIAL AND LANDSCAPING. The City will be responsible for the maintenance and repair of the equipment and facilities at the Premises, including:

- a. Burgess Pool: three pools, appropriate signage, offices, lobby, locker rooms and shower area, restrooms, pool decks, fences and gates, lawn area, supply storage areas, equipment/mechanical rooms, chemical storage areas, and lights.
- b. Belle Haven Pool: two pools, appropriate signage, office, locker rooms and shower area, restrooms, pool decks, fences and gates, supply storage areas, equipment/mechanical rooms, chemical storage areas, and lights.

If in the course of operating the Premises, Provider identifies any equipment, facilities or portion thereof in need of maintenance or repair, Provider shall notify the City's Public Works Director or his/her designee as soon as possible and the City shall be responsible for performing the necessary maintenance or repair work. If any maintenance or repair work requires immediate emergency attention, Provider may engage a preferred City contractor directly after obtaining consent from the City's Public Works Director or his/her designee. Provider shall be reimbursed by the City for any costs incurred by Provider in addressing the immediate/emergency maintain/repair work. If the Facilities or equipment are damaged due to the willful misconduct or negligence of Provider, its employees, subcontractors, or program participants, Provider is responsible for any necessary repair or replacement of such damage at Provider's sole cost and expense.

Provider shall employ or contract one full-time custodial support staff from 3:00 a.m. to noon, consistent with Provider's current practice. The City will provide

janitorial service during midday and Saturday and Sunday evenings. The City and Provider shall coordinate custodial services to ensure the Premises is maintained in an orderly, clean and professional condition. The City shall provide all incidental facility supplies, such as paper towels, toilet paper, etc. The City agrees to reimburse Provider, upon approval by the Public Works Director, or his/her designee, up to Two Hundred Dollars (\$200) per month for the purchase of incidental supplies. The City shall provide landscaping services for the Premises.

The City shall provide and be billed directly for all necessary pool chemicals. Provider shall employ or contract for a Certified Pool Operator. Provider shall maintain standard operation procedure manuals and maintenance records and logs. These records will include: daily pool and chemical log and checklists for routine maintenance and janitorial duties (daily, weekly, monthly, quarterly, bi-annually, and annually).

16. UTILITIES. The City shall provide, without cost to Provider, all utilities necessary to operate the Premises for the purposes identified in this Agreement, including water, sewer, stormwater, electricity, gas, telephone and internet. Provider shall modify operations to comply with any conservation requirements imposed by any utility operator. Provider shall consult with and obtain City approval prior to making any operational changes that would impact utility costs and regulatory compliance.

17. INSURANCE. Provider shall acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability relating to the Provider's use of the Premises. The insurance company or companies must be approved by the City. Provider will furnish City with certificates and copies of information or declaration pages of the insurance required. Provider would need to provide the City with 30 days' notice if any changes, cancellation, or non-renewals. Provider is required to disclose any self-insured retentions or deductibles, which shall be subject to City's approval, not to be unreasonably withheld. Provider's insurance shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of the insurer's liability (cross liability endorsement). Provider's insurance coverage shall be primary insurance with respect to City, its Council, Boards, Commissions, agents, officers, volunteers or employees, and any insurance or self-insurance maintained by City, for themselves, and their Council, Boards, Commissions, agents, officers, volunteers or employees shall be in excess of Provider's insurance and not contributory with it.

The minimum amounts of coverage corresponding to these categories of insurance per insurable event shall be as follows:

Insurance Category	Minimum Limits
Workers' Compensation	Statutory Minimum - include endorsement waiving the insurer's right of subrogation against the City, its

Employer's Liability	<p>officers, officials, employees and volunteers.</p> <p>One Million Dollars (\$1,000,000) per accident for bodily injury or disease – include endorsement adding the City, its officers, officials, employees and volunteers as additional insured for both ongoing operations as well as products and completed operations; include endorsement to provide primary insurance and waive any rights of contribution from the City's coverage.</p>
Commercial General Liability	<p>Three Million Dollars (\$3,000,000) per occurrence for bodily injury, personal injury and premises damages. Must include all areas in Insurance Service Office (ISO) Form No. CG 00 01 (including Products and Completed Operations if food is served or for repairs done by the tenant, Contractual Liability, Broad form property damage, Participants and spectators coverage, and Personal and Advertising injury liability)</p>

If Provider fails to maintain any of the insurance coverage required herein, then City will have the option to terminate this Agreement or may purchase replacement insurance or pay the premiums that are due on existing policies in order that the required coverage may be maintained. Provider is responsible for any payments made by City to obtain or maintain such insurance.

Provider shall require any subcontractor who uses the Premises more than once in any 12-month period to maintain and carry the same coverage as described above, which policies shall name the City as an additional insured. Provider shall require such subcontractor to obtain and provide a certificate of insurance evidencing said coverage to the City.

Each Party hereby waives and agrees to obtain from each insurance carrier of the insured a "subrogation waiver endorsement" waiving its right of recovery to the extent of insurance proceeds, against the other Party, the other Party's officers, directors, agents, representatives, employees, successors and assigns with respect to any loss or damages, including consequential loss or damage to the insured's property caused or occasioned by any peril or perils (including negligent acts) covered by any policy or policies carried by the Party.

18. INSPECTIONS AND AUDITS. The City reserves the right to conduct periodic and regular site inspections and operational audits.

- a. **Safety:** Provider will be required to comply with the City's safety program guidelines and protocol. Quarterly inspections by an outside vendor will be conducted and recommendations for compliance will be enforced. City staff will be responsible for following up with the Provider on specific safety issues identified in the quarterly inspection. The Provider will be required to comply with the City's requests in a timely manner. In addition, documentation demonstrating compliance with all city, county, state and federal regulations will be required to be kept up to date and reviewed on an annual basis or more frequently as deemed necessary by the City.
- b. **Maintenance:** City staff reserves the right to conduct weekly, monthly, quarterly, and annual inspections relative to Provider's responsibilities pursuant to this Agreement, including inspections relating to pool chemistry, pool equipment, and safety practices.
- c. **Operations:** An annual operational audit will be conducted by an external expert and industry professional approved by the City. An observational audit, lifeguard skills assessment, and site inspection shall be conducted annually. An overall operational audit shall be conducted every two years. This audit should include but may not be limited to: staff skills assessment, staff selection and training procedures, policies and procedures review, site inspection, code compliance and record keeping practices, and adherence to aquatic safety standards.
- d. **Financial Review/Audit:** Provider shall provide complete financials for all aquatics programs and/or programs operated out of the Premises (with administrative costs/salaries that may be related to both aquatics and non-aquatics programs fairly allocated between such programs) prepared in accordance with generally accepted accounting principles for each calendar year during the Term of this Agreement for City staff and outside consultant review. The purpose for such review shall be for determining appropriate revenue sharing, if any, pursuant to Section 8. Provider agrees, upon the City's request, to make all books and records available to the City for review such that the City is provided the opportunity to confirm the accuracy of the financial reports provided.

19. CITY ACCESS. The City shall have access to the Premises or any part thereof for municipal purposes, which may include the performance of maintenance and repairs in or upon the Premises, the inspection of the Premises, or the use, maintenance, repair of adjoining areas. When City access will be during the Provider's operational hours and may impact the provision of Services, the City shall provide prior notice and coordinate access with the Provider.

20. IMPROVEMENTS. Provider shall not make, nor cause to be made, nor allow to be made, alterations or improvements to the Premises, without the prior

written consent of City, not to be unreasonably delayed or withheld. All improvements or alterations constructed or installed shall be removed and the Premises restored to substantially the same condition existing prior to such construction or installation, upon the termination of this Agreement, unless the prior written approval of City is secured, allowing such improvements or alterations to remain in place, in which case, title thereto shall vest in City. All improvements undertaken pursuant to this Agreement will be at City's sole expense and the City will be responsible for the use and maintenance of the improvements.

21. NOISE. Except in the event of an emergency, Provider shall not use any amplified sound, whistles, bullhorns, music, etc., between the hours of 5:30 a.m. to 8:00 a.m., and/or from 8:00 p.m. to closing during any day of operation. In order to minimize impacts of major events on residents of the surrounding neighborhood, Provider will notify the City on a quarterly basis of all swimming meets or other large group events beyond normal operations to allow the City to notify the neighborhood in advance of such events.

22. PARKING. Provider shall instruct its patrons to park away from the nearest residences before 8:00 a.m. and after 8:00 p.m.

23. WAIVER OF CLAIMS. Except as it relates to claims asserted by anyone related to or arising from The City's failure to fulfill its obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, Provider waives all claims against City, its Council, Commissions, agents, officers, volunteers, contractors or employees for any damages to the improvements in, upon or about the Premises and for injuries to any employees of Provider or their agents, invitees or sub-contractors in or about the Premises from any cause arising at any time, where City had no involvement or where such damages or injuries did not arise out of the instruction or guidance of the City. In no event shall the City be responsible for loss of profits or any consequential damages to Provider.

24. INDEMNIFICATION. Except as it relates to claims asserted by anyone related to or arising from The City's failure to fulfill its obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, Provider will defend, indemnify and hold City, its Council, Commissions, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the use of the Premises by Provider, and Provider's invitees, program participants, and visitors, or from the failure of Provider to keep the Premises in good condition, including all claims arising out of the negligence of Provider, but excluding any damage or injury caused by the willful misconduct or negligence of City or its employees, agents or contractors. City will defend, indemnify and hold Provider, its members, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property,

from any cause of action arising at any time from the willful misconduct or negligence of City or its employees, agents or contractors.

Each Party's indemnification obligation set forth above will include any and all costs, expenses, attorneys' fees and liability incurred by any indemnified Party or person in defending against such claims, whether the same proceed to judgment or not. Each Party will, at its own expense and upon written request by a Party to be indemnified as provided hereinabove, defend any such suit or action brought against the Party to be indemnified, its Council, Commissions, members, agents, officers, volunteers or employees (as applicable). This Section will survive the expiration or termination of this Agreement.

25. HAZARDOUS MATERIALS. Provider shall not use or store any Hazardous Materials in, on, or about the Premises except in compliance with all applicable federal, state, and local laws, statutes, ordinances, and governmental regulations, and the highest standards prevailing in the industry for storage and use of any such Hazardous Materials, nor allow any Hazardous Materials to be brought in the Premises, except to use in the ordinary course of Provider's business, and then only after written notice to City of the Hazardous Materials to be used by Provider. Provider shall not cause or permit the escape, release, or disposal of any Hazardous Materials in the Premises.

In addition, Provider shall, at City's request, execute affidavits, representations, or other documents concerning Provider's best knowledge and belief regarding the presence of any Hazardous Materials in the Premises. Provider shall indemnify, defend, and hold harmless City from any liability, cost, or expense, including reasonable attorneys' fees, arising from the use, storage, release or disposal of any Hazardous Materials in, on, or about the Premises by Provider, its agents, employees, contractors, or invitees. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

For the purposes of this Agreement, the term "Hazardous Material" shall mean any substance or material which has been designated hazardous or toxic by any federal, state, county, municipal, or other governmental agency or determined by such agency to be capable of endangering or posing a risk of injury to, or adverse effect on, the health or safety of persons, the environment, or property, including without limitation those substances or materials described in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq.

26. ATTORNEY'S FEES. In any legal action brought by either Party to enforce the terms of this Agreement, the prevailing party is entitled to all costs incurred in connection with such an action, including reasonable attorneys' fees.

27. ARBITRATION. Any dispute regarding the breach of this Agreement shall be decided by binding arbitration pursuant to the rules of the American

Arbitration Association, and not by court action, except as otherwise provided in this Section or as allowed by California law for judicial review of arbitration proceedings. Judgment on the arbitration award may be entered in any court having jurisdiction. The Parties may conduct discovery in accordance with California Code of Civil Procedure. This provision shall not prohibit the Parties from filing a judicial action to enable the recording of a notice of pending action for order of attachment, receivership, injunction, or other provisional remedy. Venue for the resolution of any such dispute or disputes shall be in San Mateo County, California.

BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTER INCLUDED IN THE ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR BY JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION TO NEUTRAL ARBITRATION.

Provider

City

28. VENUE. Provider agrees and hereby stipulates that the proper venue and jurisdiction for resolution of any disputes between the parties arising out of this Agreement is San Mateo County, California.

29. ASSIGNMENT AND NONTRANSFERABILITY. Provider understands and acknowledges that assignment of this Agreement is absolutely prohibited without the written consent of City, and any attempt to do so without City's written consent may result in termination of the Agreement at the will of City. Notwithstanding the foregoing, City shall grant permission to Provider to contract with other entities or organizations to provide some of the programs at the Premises for certain hours, subject to prior approval by the City, which shall not be unreasonably withheld. Such use is contingent, in part, upon said entity or organization indemnifying and insuring City in the same manner and amount that Provider has indemnified and insured City under this Agreement. City, its Council, Boards, Commissions, agents, officers, volunteers and employees shall be named

as additional insureds. Any insurance policy maintained by a such an entity organization will be in addition to, and shall not replace, any insurance required of Provider.

30. LIENS AND ENCUMBRANCES. Provider shall have no authority to do anything that may result in a lien or encumbrance against the Premises. Without limiting the foregoing, however, Provider agrees to pay promptly all costs associated with the activities associated with this Agreement and not to cause, Agreement, or suffer any lien or encumbrance to be asserted against the Premises. In the event that Provider causes, leases, or suffers any lien or encumbrance to be asserted against the Premises related to activities associated with this Agreement, Provider, at its sole cost and expense, shall promptly cause such lien or encumbrance to be removed.

31. TERMINATION OF AGREEMENT.

a. Default. City or Provider shall have the right to terminate this Agreement by written notice to the other party for any default or breach of any term or condition of this Agreement by the other Party; provided, however, the non-defaulting and non-breaching Party must first deliver written notice to the other Party of any such default or breach, and if such breach or default exists for more than 30 days after the delivery of such notice without being cured, the non-defaulting and non-breaching Party may elect to terminate this Agreement by giving written notice of such termination to the defaulting Party. Termination shall be effective on the date specified in the notice, which date shall not be less than 30 days nor more than 180 days following such notice. In addition to termination, the non-defaulting and non-breaching Party shall be entitled to pursue any and all other remedies provided by law.

b. City Dissatisfaction. If City and/or Menlo Park community believes Provider has not satisfied community needs with respect to public access, service and program quality, public safety, noise restrictions and/or parking, City may deliver written notice to Provider of such dissatisfaction and the Parties shall meet and confer within 15 days of Provider's receipt of such notice. If the matter is not resolved to the City Manager's satisfaction, City may terminate this Agreement by giving written notice of such termination to Provider. Termination shall be effective not less than 90 days after the date of such notice. Provider shall have the right to appeal such termination to the City Council within 10 days of Provider's receipt of such notice. Upon receipt of Provider's timely appeal, the Council shall place the matter on the City Council agenda and make the final determination with regard to the termination of the Agreement and shall give written notice to Provider of such final determination. If the City Council determines the Agreement

should be terminated, termination of the Agreement shall be effective not less than 90 days after the date of such notice.

c. City Expense. The City may terminate this Agreement, effective 90 days from the date of the notice, if the City's costs for maintenance and repair (Section 15), and utilities (Section 16) are exceeding the amounts budgeted by the City for such costs.

d. Provider's Option. Provider may terminate the Agreement at Provider's option upon the occurrence of any of the following: (1) upon the death of Tim Sheeper; (2) upon the disability of Tim Sheeper, if such disability prevents him from running Provider's business operations for a continuous period of 60 consecutive days; or (3) upon financial hardship, which shall require not less than six month written notice to terminate Agreement based on financial hardship.

Termination shall be effective on the later of 90 days after the date of any such notice, the date of termination specified in the notice or such later effective date as is required pursuant to any specific provision of this Agreement. In the event Provider does not elect to terminate the Agreement as permitted herein, the Agreement shall remain in full force and effect for the remainder of the Term, unless subsequently terminated for another cause or event as specified herein.

32. CONDITION OF PREMISES UPON TERMINATION. Upon the effective termination of the Agreement, Provider shall restore the Premises to its condition prior to the execution of this Agreement, excluding (a) wear and tear and natural deterioration based on the passage of time, (b) items subject to the City's obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, and (c) other changes or improvements to the Premises previously approved by the City, remove all personal property, including furniture, furnishings, vehicles, and equipment, belonging to Provider or Provider's employees, invitees, and agents. Should Provider fail to perform those obligations by the effective termination date, the Parties agree to the following:

- a. Such remaining property shall be deemed abandoned and Provider waives all provisions for disposition of abandoned personal property required by California law including but not limited to California Code of Civil Procedure Section 1980 et. seq. (requiring notice for reclaiming abandoned property and public sale for disposition).
- b. City has the right to take action to remove Provider's personal property. Should City exercise this right, Provider shall be liable to City for:
 - i. the actual cost of this removal, demonstrated by valid receipts and invoices;
 - ii. a 15 percent overhead to City for reasonable costs in contracting and supervising the removal work; and

- iii. any attorneys' fees incurred by City to remove Provider from the Property after termination, if necessary. Invoices must be paid within 10 days of submission of invoice to Provider. If not paid within this time, then interest will be charged at 10 percent or the maximum extent allowed by law, whichever is less.

33. NOTICE. All notices under this Agreement shall be in writing and, unless otherwise provided herein, shall be deemed validly given if sent by certified mail, return receipt requested, or via recognized overnight courier service, addressed as follows (or to any other mailing address which the party to be notified may designate to the other party by such notice). All notices properly given as provided for in this section shall be deemed to be given on the date when sent. Should City or Provider have a change of address, the other party shall immediately be notified as provided in this section of such change.

Provider

Team Sheeper, Inc.
Attn: Tim Sheeper
501 Laurel Street
Menlo Park, CA 94025
(650) 369-7946

City

City of Menlo Park
Attn: City Manager
701 Laurel Street
Menlo Park, CA 94025
(650) 330-6610

34. COMPLETE AGREEMENT. This Agreement contains the entire agreement between the Parties with respect to the matters set forth herein and supersedes all prior or contemporaneous agreements (whether oral or written) between the Parties with respect to the matters set forth herein.

35. AMENDMENT. This Agreement may be amended only by a written instrument executed by the Parties.

36. AUTHORITY. The individuals executing this Agreement on behalf of Provider represent and warrant that they have the legal power, right and actual authority to bind Provider to the terms and conditions of this Agreement.

37. NO WAIVER. Waiver by either Party of a breach of any covenant of this Agreement will not be construed to be a continuing waiver of any subsequent breach. City's receipt of rent with knowledge of Provider's violation of a covenant does not waive City's right to enforce any covenant of this Agreement. No waiver by either Party of a provision of this Agreement will be considered to have been made unless expressed in writing and signed by all parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement by their officers therein duly authorized as of the date and year first written above.

CITY OF MENLO PARK

By: _____

ATTEST:

City Clerk

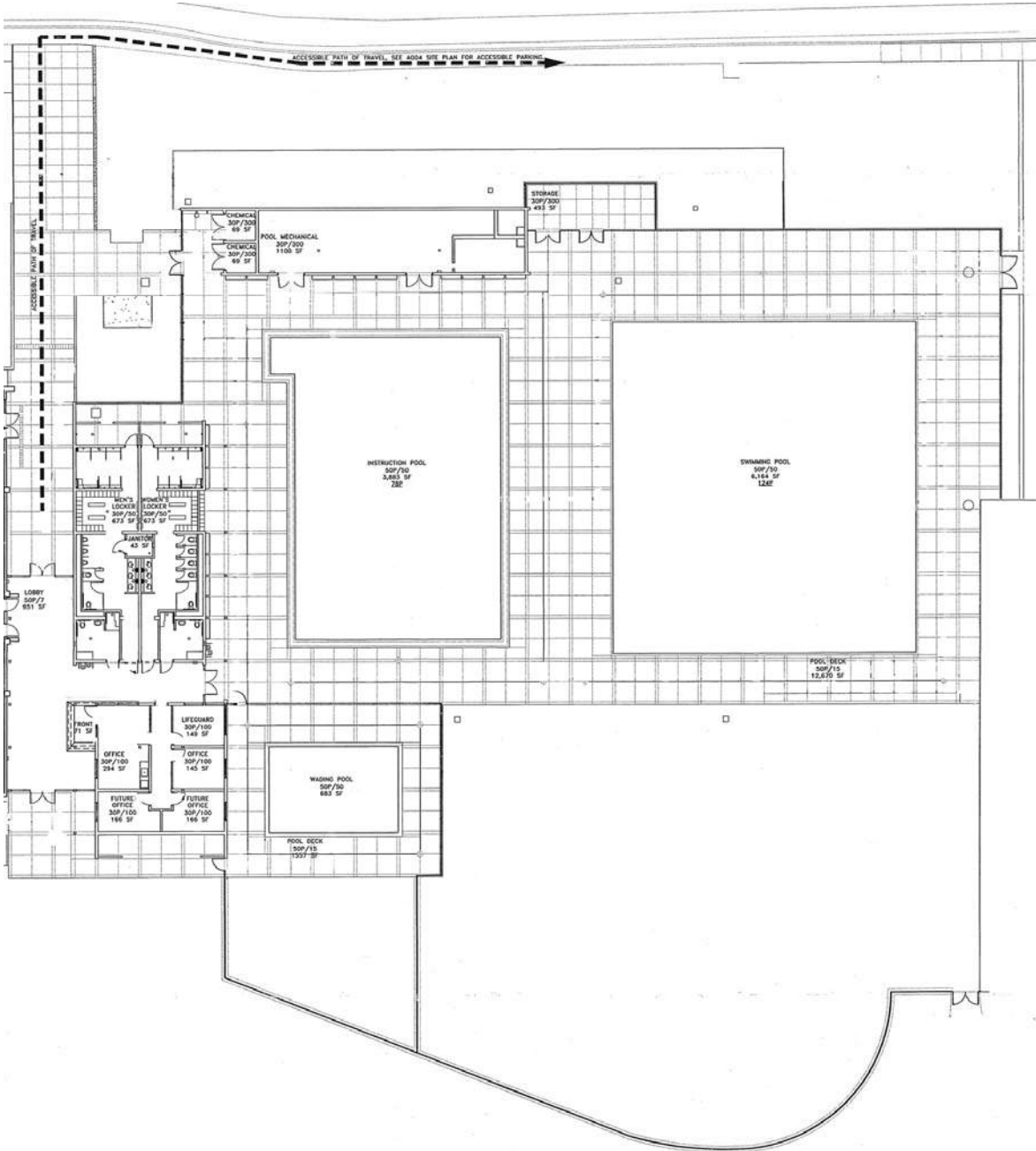
TEAM SHEEPER, L.L.C.
501 Laurel Street
Menlo Park, CA 94025

By: _____
Tim Sheeper, Chief Executive Officer

Exhibits

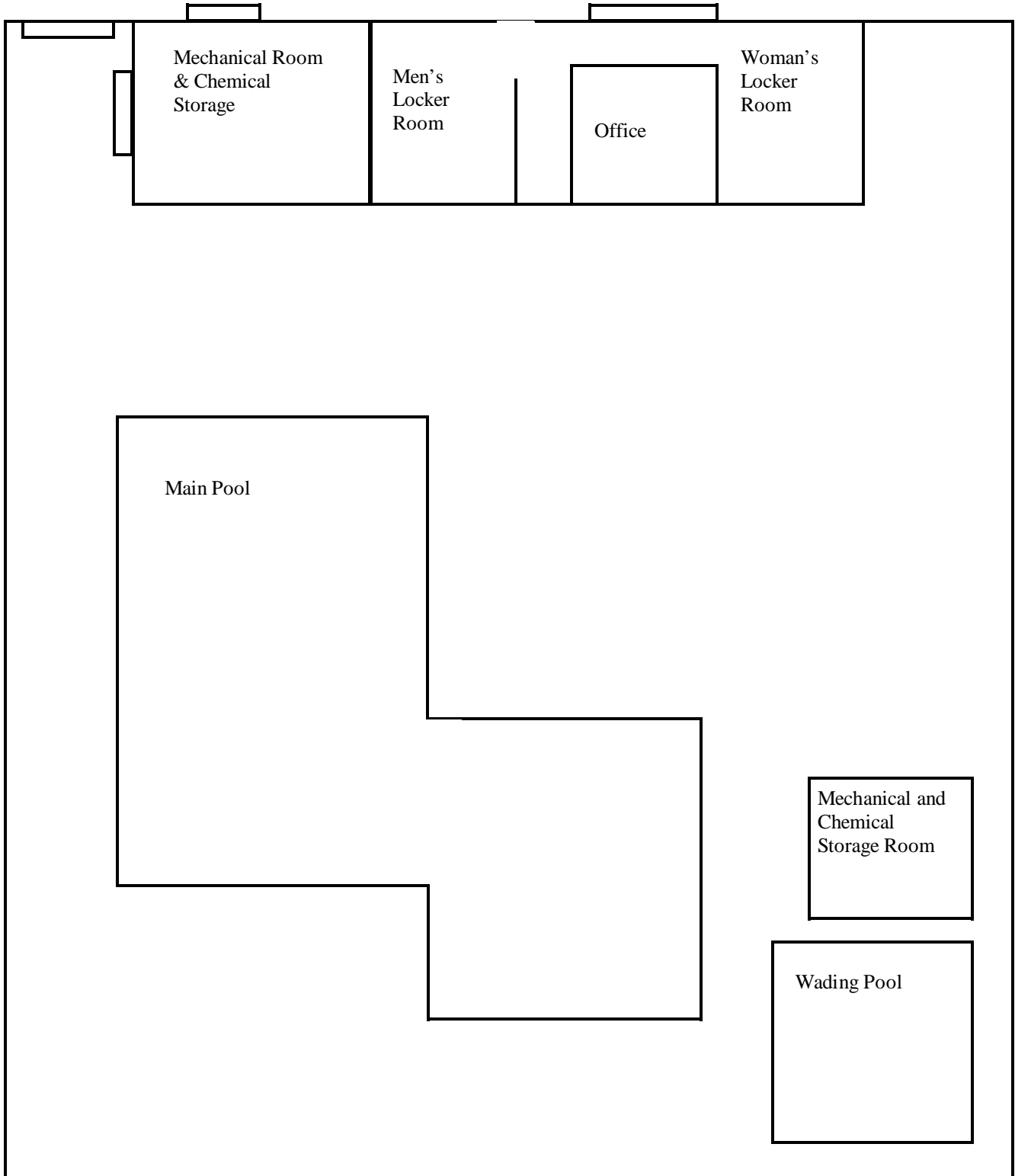
- A. Burgess Pool Site Map
- B. Belle Haven Pool Site Map
- C. Scope of Services
- D. SOLO Schedule and Terms

EXHIBIT A
BURGESS POOL MAP



BELLE HAVEN POOL MAP :

Parking Lot



Menlo Swim and Sport
2018 Scope of Services

1. Lap Swim

Description: Community based, non-structured, fitness swimming in both performance and instructional pools with the goal of having lane availability whenever the business is open. Drop-in and membership options

Frequency: 7 days/wk, year-round

Times: Opening to closing

Belle Haven: Weekdays during all open hours, year-round

2. Open Swim

Description: Community-based, non-structured, play and family time in both the performance and instructional pool. Increasing pool availability during warmer high demand seasons. Drop-in and seasonal memberships options.

Frequency: 7 days/wk, year-round

Times: Late morning to evening hours, all-day on weekends

Belle Haven: Summer focus-4 hours/daily

3. Menlo Aquatics-Youth Year-Round Swim Team

Description: Community-based, structured and programmed with performance incentives including weekend off-site coached events and competitions. Segmented and serving various age-groups from 6-18 year olds. Monthly memberships.

Frequency: 6 days/wk, year-round

Times: After school to late evening weekdays and late morning on Saturdays

Belle Haven: Full program not available, but Belle Haven is used during summer.

4. Menlo Mavericks-Youth Summer Swim Team

Description: Community-based, introductory-level, structured and coached 10-week program that is part of a regional competitive league with weekday and weekend events. Monthly memberships.

Frequency: Monday-Saturday, summer only

Times: Morning and afternoon hours throughout the summer

Belle Haven: Not available

5. Menlo Mavericks-Youth Water Polo Team

Description: Community-based, year-round team that serves introductory and intermediate level players that compete locally and regionally. Monthly memberships.

Frequency: 3 days/wk

Times: Afternoons year round

Belle Haven: Only available at Belle Haven

6. Menlo Swim School

Description: Community-based, year-round service that targets individuals 6 months to adults. Small group, semi-private and private instruction that teaches to class ability level. Various segmented levels that supports time efficient and optimum improvement. Monthly membership.

Frequency: 7 days/wk, year-round.

Times: Mornings to late evening with a long lunch break.

Belle Haven: Available spring, summer and fall

7. Camp Menlo-Summer and School Holiday Camps

Description: Community based, seasonal program that serves youth from 4.5-15 year olds with 5 different offerings of week-long camps. Pre and post camp care is available. Most campers take part in a small group swim lesson each day. Weekly fee.

Frequency: Monday-Friday for 10 weeks spanning the summer months.

Times-Early morning to late afternoon options.

Belle Haven: Not available at Belle Haven

8. Menlo Masters-Adult Swim Team

Description: Community-based, year-round team that serves introductory to advanced participants. Stroke and fitness improvement along with growth of interpersonal relationships and connection to the community are the goals. Local, regional and international competitions are a part of the curriculum. Monthly memberships and daily drop-ins available.

Frequency: Several daily workouts available

Times: Before work, lunch-time and weekend morning offerings

Belle Haven: Not available

9. Team Sheeper Triathlon-Adult Triathlon Program

Description: Community-based, year-round team that serves introductory to advanced participants. Improving personal skills and fitness along with community connection are the main goals. Monthly membership.

Frequency: A few workouts on daily basis year round

Times: Before work, lunch-times and evenings during the week and morning on weekends

Belle Haven: Not available

10. Aqua Fit-Adult Water Exercise

Description: Community based, year-round program that targets the non-swimming fitness seekers including the senior population seeking respite from gravity based land exercises. Cardio-vascular and muscular strength improvement is focused upon. Monthly memberships and daily drop-ins available.

Frequency: Offered daily, excluding Saturday

Times: Early mornings weekdays and Sunday, evenings on Tuesday and Thursday

Belle Haven: Not available

11. Aqua Wellness- Adult Water Therapy

Description: Community based, year-round program that targets individuals who need assistance with range-of-motion in joints, muscular strength and coordination or are in recovery from an illness or surgical procedure. Monthly memberships or daily drop-ins available.

Frequency: 3 mornings per week

Times: Mid to late morning hours

Belle Haven: Not available

12. Menlo Mavens-Women's Water Polo Team

Description: Community based, year-round program that attracts beginners to high level players. The uniqueness of the program serves as a connection point for many women who thrive on interacting with other inspiring and courageous women in the community. The team competes locally, regionally and internationally. Monthly membership and drop-in options available.

Frequency: 2 time per week

Times: Weekday evening and weekend morning

Belle Haven: Annual weekend tournament is hosted at Belle Haven

13. Pro Services-Private Premium Coaching

Description: Personal and tailored premium coaching available for clients who do not fit into our established group structure or for those who want the extra attention from a professional level instructor. Monthly memberships or per session fee available.

Frequency: Daily, year-round

Time: Flexible and available all open hours

Belle Haven: Available during open hours with a highly experienced professional

14. Safety Academy-Lifeguard Certification Courses

Description: Red Cross certified lifeguard classes are instructed by our Red Cross certified instructors for anyone in the community or region who are seeking their Red Cross lifeguarding certification. A 3-day, 30+ hour course that blends on-site learning and on-line learning. Certification class fee.

Frequency: Monthly year-round, and weekly during peak summer months

Times: Friday evenings, and full day Saturdays and Sundays.

Belle Haven: A portion of the classes are conducted at Belle Haven

15. Community Rentals and Clinics

Description: For profit and not for profit community based rentals agreements are entered into throughout the year. An underwater hockey team, a youth swim team (SOLO), a triathlon team (Team in Training) are the year-long agreements. Along with Boy scouts, Cub scouts, Girl Scouts and public and private schools, personal swim clinics. Full pool and individual lane rentals are available

Frequency: Daily, year-round

Time: Various times throughout the year

Belle Haven: Synchronized swimming is the predominant agreement

16. Menlo Boot Camp-Adult Land Based Exercise Classes

Description: Community based, year-round program focused on improving general functional strength and well-being for adults. Strength and endurance exercises are used in a group setting that forms community and purpose for life-long vitality and mobility. Monthly memberships and daily drop-in options available.

Frequency: Weekdays, year-round

Times: Early and mid-morning hours

Belle Haven: Not available

17. Pro Shop-Food and Merchandise

Description: Support of fuel and gear for the community members using the aquatic or surrounding campus at Burgess Park. Low prices on food and merchandise and the high accessibility of the store make it a convenience for staff and participants.

Frequency: Daily, year-round

Times: During all open hours

Belle Haven: Available on a reduced scale.

EXHIBIT D
SOLO SCHEDULE AND TERMS

The SOLO Aquatics swim team (“SOLO”) will be able to use Burgess Pool and Belle Haven Pool on the following terms:

- a. Lane space will be provided from 4:00 to 5:30 p.m., Monday through Friday, eight (8) lanes in Burgess performance pool September 1st through May 31st.
- b. Lane space will be provided from 4:00 to 5:30 p.m., Monday through Friday, four (4) lanes in Burgess performance pool June 1st through August 31st. Additional lanes may be provided at current rental rates during summer if Provider agrees and open swim attendance allows.
- c. Rental rate will be \$14 per lane hour for the term of the Agreement.
- d. SOLO may elect to opt out of any of the hours provided for herein with 30 days notice.
- e. SOLO will be billed thirty (30) days in advance and on a monthly basis. Any payment not received by Provider within fifteen (15) days of the due date shall be subject to a late payment penalty of five percent (5%) of the amount due.
- f. When the Belle Haven Pool is operational, youth swim team rental shall have the option to use the Belle Haven Pool at agreed upon rates and times.
- g. Youth swim team will have access lobby area of the Burgess Pool for marketing purposes to be approved by Provider in advance.
- h. SOLO shall provide proof of insurance listing the Provider and City as additional insureds.
- i. SOLO shall comply with all of the facilities policies and rules of conduct.
- j. SOLO may not allow any other organization or individual to use any of the privileges or services provided by the Provider
- k. SOLO is responsible for the control and supervision of all participants in their program.
- l. If storage is provided for equipment at the request by SOLO, the Provider is not responsible for any damages or losses to the SOLO’s equipment.
- m. They City and Provider reserve the right to close the pool(s) at any time for maintenance or any safety reason. Provider will make every attempt to give notice when possible and assist with informing the SOLO and its participants.
- n. Provider shall have the right to terminate its agreement with SOLO by written notice to the SOLO for any default or breach of any term or condition herein. SOLO will be provided not less than thirty (30) days notice and opportunity to cure any notice of default. Provider shall provide City with a copy of any notice of default provided to SOLO.

- o. City requires a written agreement on a form approved by the City Attorney between the two parties with a copy provided to the City no later than the commencement of the Term of the Agreement between the City and Provider; provided however, Provider shall not be considered in default of the terms and provisions of the Agreement if SOLO has refused to execute a written agreement with Provider on such form approved by the City Attorney.

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
(Menlo Park Aquatic Facilities)

This Amendment to Professional Services Agreement (“Amendment”) is made and executed as of June ____, 2020, by and between the City of Menlo Park, a municipal corporation (“City”) and Team Sheeper, Inc., a California S Corporation (“Provider”), referred to herein individually as “Party” and collectively as “Parties.” This Amendment modifies the Professional Services Agreement dated March 27, 2018 by and between the Parties regarding the provision of recreational aquatics programming (“Agreement”) and will become effective upon the approval by the City of the reopening the Burgess and Belle Haven Pools in accordance with the standards set by the San Mateo County Health Officer, as provided below.

RECITALS

The City and Provider are entering into this Amendment based on the following facts, understandings and intentions:

- A. On March 27, 2018, the Parties entered into the Agreement whereby Provider agreed to provide recreational aquatics programming at Burgess and Belle Haven Pools in the City of Menlo Park.
- B. On February 24, 2020, by mutual written agreement, the Parties agreed to terminate the Belle Haven Pool service effective October 1, 2020 in light of a pending construction project at the Onetta Harris Community Center.
- C. On March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of the novel coronavirus named COVID-19.
- D. On March 10, 2020, the San Mateo County Health Officer issued a statement that evidence existed of widespread community transmissions of COVID-19 in San Mateo County.
- E. On March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the COVID-19 world pandemic. Effective immediately, all City facilities were closed to the public.
- F. Effective March 12, 2020, Provider closed the Burgess Pool for all services with the goal of keeping people safe and preventing the spread of COVID-19.
- G. On March 16, 2020, the San Mateo Health Officer issued an order that, among other things, directed all individuals currently living within San Mateo County to shelter in their place of residence and authorized individuals to leave their residences only for certain essential activities (“Shelter-in-Place Order”).
- H. On March 27, 2020, the City pursuant to City of Menlo Park Director of Emergency Services/City Manager Emergency Order No. 2 (“Order No. 2”) closed all public facilities including the Burgess Pool and the Belle Haven Pool to help slow the spread of COVID-19.

- I. The State of California has developed a resilience roadmap that identifies four stages to reopening: stage 1 (safety and preparedness), stage 2 (lower risk workplaces), stage 3 (higher risk workplaces), and stage 4 (end of stay at home order).
- J. On May 15, 2020 the San Mateo County Health Officer issued a revised Shelter-in-Place Order, inclusive of appendixes, that in this second stage allows the reopening of public pools subject to certain safety precautions (“Revised Order”). A copy of the Revised Order is attached hereto as Exhibit A. The Revised Order was subsequently amended on May 29 to allow, with restrictions and safety measures, places of worship to hold services and retail stores to allow customers inside. The Parties anticipate that the County of San Mateo will continue to issue revised orders during this time of local emergency.
- K. On May 19, 2020, Provider submitted a plan to the City to operate the Burgess Pool in accordance with the Revised Order, but it was not legal to reopen based on the City's March 11, 2020 declaration of emergency and Order No. 2 closing public facilities, including the Burgess and Belle Haven pools. On June 2, Provider submitted a revised plan to reopen both the Burgess Pool and the Belle Haven Pool attached hereto as Exhibit B.
- L. The Parties desire to provide for a reopening process for the Burgess Pool and the Belle Haven Pool in the event the Director of Emergency Services modifies Order No. 2 and allows the opening of public facilities.
- M. The City and Provider desire to enter into this Amendment to memorialize the process of reopening the Burgess Pool and Belle Haven Pool throughout the stages, until the local emergency is terminated.

NOW THEREFORE, the Parties agree as follows:

1. The Parties agree that given the above described conditions, Provider has been unable to perform the Services described in the Agreement since March 12, 2020. The Parties further agree that until the City modifies Order No. 2, Provider is not legally allowed by the City to operate because public facilities are closed. The Parties further agree that the Agreement is in full force and effect and neither Party is in default.
2. The parties agree that Provider will resume services under the Agreement within five days, or earlier, of the Emergency Director's modification of Order No. 2 to allow the re-opening the pools.
3. While the local emergency is in effect, Provider shall adhere to the social distancing protocols and best practices established by the County of San Mateo Health Officer on May 15, 2020, a copy of which is attached hereto and incorporated herein as Exhibit C, and as may be modified from time to time. In addition, Provider shall comply with all legally required safety precautions identified in the Revised Order and any future orders issued by the Governor, the San Mateo County Health Officer or the City of Menlo Park affecting public swimming pools. Safety precautions include but are not limited to the use of personal protective equipment, social distancing requirements, symptom checks and tracking attendance. Furthermore, Provider shall continue to comply with any and all city,

county, state and federal laws and regulations related to pool and aquatic program operations as required by the Agreement.

4. It is of critical importance to the City that the Belle Haven Pool be reopened at the same time as the Burgess Pool to ensure that recreational aquatics opportunities are available to the whole community. Provider agrees to reopen both the Burgess Pool and the Belle Haven Pool concurrently within five days or earlier from the modification of Order No. 2 allowing the reopening of the pools, consistent with the phases identified in the Provider's reopening plan, attached hereto as Exhibit B and provide any and all services included in the Scope of Services which are legally allowable pursuant to the Revised Order, including but not limited to lap swim. The use of the locker rooms is not allowed in the second phase of reopening. Limited use of bathrooms will be provided for as documented in Exhibit B.
5. Provider agrees to increase the services and provide any and all services included in the Scope of Services at both the Burgess Pool and the Belle Haven Pool as soon as provision of such services is both legally allowable pursuant to any state, county or local law and Provider is reasonably able to comply with any and all legally required safety precautions. SOLO swim team will be allowed to return to pool usage as soon as the Provider and SOLO agree upon and can accommodate the safety precautions required by San Mateo County Health Order. Prior to use of the pool, SOLO shall acknowledge in writing its acceptance of such precautions and agreement to abide by the terms of this Amendment. The City understands that the application of required safety precautions at the Burgess and Belle Haven pools is nuanced and that it is possible that activities that are allowed under existing health orders and directives may still be deemed unsafe by the Provider. In such situation, Provider shall provide written notice to and obtain consent, which may not be unreasonably withheld, from the City Manager or her designee for such adjustments.
6. In accordance with Paragraph 6 of the Agreement, the Parties will work together during the second and third stage to modify operations, access and schedule as appropriate. Provider agrees to provide weekly reports regarding capacity, residents/non-residents use, and fee subsidies provided for each pool and the Parties agree to meet and confer as necessary to address any issues. Any schedule modifications shall be subject to approval by the City Manager or her designee and shall be acted on within a commercially reasonable time (typically within 48 hours of request) and shall not be unreasonably withheld. The Parties acknowledge that the situation relative to COVID-19 may change rapidly and the stage may be increased or decreased. The Parties agree to allow a commercially reasonable time to respond to requests for modification. If the City returns to stage one and public facilities are again closed, Provider will cease operations immediately without need for a modification request.
7. The term of this Amendment shall continue until the fourth stage of the County's Orders and the City's termination of the local emergency after which time this Amendment will terminate and the Agreement will continue unamended.
8. The City shall pay the Provider the Belle Haven Management Fee for the period beginning June 1, 2020 through the pool's scheduled closing on October 1, 2020, as previously agreed.

9. Provider shall be granted access to the Burgess Pool and Belle Haven Pools only for preparation for opening no later than Friday June 5 through Tuesday June 9 and then after the Emergency Director's modification of Order No. 2 reopening the pools. Any time and expense to prepare the use of the pool prior to the modification of Order No. 2 shall be Provider's sole cost and expense understanding Order No. 2 may or may not be modified on June 9.
10. The Parties acknowledge that the COVID-19 crisis has placed Provider in a precarious financial position. Nevertheless, Provider is prepared to move forward and open the pools. In consideration of this Amendment, Provider shall have the right to terminate this Amendment and the original Agreement upon demonstrating to the City Manager that continuing operation would not be financially feasible with 30 days written notice provided to City.
11. In addition to the indemnification identified in Paragraph 24 of the Agreement, Provider specifically agrees to indemnify and hold the City, its Council, Commissions, agents, officers, volunteers or employees harmless from any and all claims, legal action or causes of action related to contraction of the COVID-19 virus at either pool alleged by any source, including but not limited to Provider's employees and pool patrons, during Provider's use of the Premises. Provider's indemnification obligation as set forth herein will include any and all costs, expenses, attorneys' fees and liability incurred by the Provider or any person in defending against such claims, whether the same proceed to judgment or not. The Provider will, at its own expense and upon written request by the City, defend any such suit or action brought against the City, its Council, Commissions, members, agents, officers, volunteers or employees. This section will survive the expiration or termination of this Amendment. This indemnity obligation will not cover any COVID-19 related claims that are based on the actions or negligence of the City, its employees, representatives or contractors (other than the Provider and its employees, subcontractors and agents).
12. Except to the extent expressly modified by this Amendment, the terms of the Agreement shall remain effective without impairment or modification.
13. This Agreement shall be effective only if the City allows Provider to open the pools in accordance with the San Mateo County Health officer's guidelines on or before June 12, 2020.
14. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one Amendment.

IN WITNESS WHEREOF, the Parties have executed this Amendment by their duly authorized officers as of the date first set forth above.

CITY OF MENLO PARK

By: _____

Approved as to Form:

Interim City Attorney

ATTEST:

City Clerk

TEAM SHEEPER, L.L.C.

501 Laurel Street
Menlo Park, CA 94025

By: _____

Tim Sheeper, Chief Executive Officer

Approved as to Form:

Attorney for Team Sheeper

Agenda item H8
Hannah Steiner

I am writing to encourage you to thoughtfully consider Menlo Swim and Sport's proposed operational plan and allow the city pools to reopen.

From what I have read, swimming pools are a relatively low risk activity for viral spread and the research so far indicates that the virus cannot survive in chlorinated water. In addition, the Menlo Park public pools are outdoors, where the risk of virus transmission is considerably lower. Swimming pools were among the first public spaces that San Mateo County allowed to reopen because our county health officials consider them to be relatively low risk. In addition, as the county begins to allow higher risk public spaces to reopen, such as in-store retail and outdoor restaurant dining, it does not make sense to keep the swimming pools closed.

I strongly believe that it is possible to implement operational modifications that would allow the public swimming pools to safely open. Temporarily limiting the pools to lap swim and only allowing members of the same household to share a lane would allow the public to swim while still maintaining the recommended physical distance between individuals. Unlike many public spaces, swimming pools are already designed with physical boundaries (lane lines) that separate individuals.

The public pools are an important community resource that make swimming accessible to people across the income spectrum. Swimming provides full-body exercise that can be safely performed in hot weather and because it is low-impact it is accessible to people with various physical limitations. It would be a great loss to the community if the public pools remained closed for the rest of the summer.

Based on my review, Menlo Swim and Sport's proposed reopening plans seem to be thorough and include reasonable modifications to reduce risk such as requiring reservations and only allowing one swimmer per lane. I encourage you to thoughtfully review this plan and consider reopening the pools. If there are particular elements of the plan that you disagree with, please work with the pool staff and community to find an alternative solution. Regular swimmers such as myself are very eager to resume swimming and would prefer that the pools are opened with many restrictions and modifications rather than not opening at all. Thank you for your consideration of this issue.

Agenda item H8
Rebecca Pinto

Esteemed Council members:

The history of Team Sheeper, Inc. working with Menlo Park is long, and positive.

The community (the entire community, but we will get to that) has benefited from the swim lessons, Swim teams, Aquafit classes and summer activities, camps Jr. lifeguards, and more. Team Sheeper is known for safety, quality programs and diversity of staff, and participants. Both Belle Haven and Burgess have been improved under the guidance, supervision and vision of Team Sheeper.

But now we have an entirely new post pandemic era. I believe in the professionalism and wealth of knowledge that Team Sheeper has. I believe in the vision of Team Sheeper, and I have confidence in the innovative steps that have been outlined to begin opening the pools to the public.

The entire community needs to come together. All lives matter when it comes to aquatics. I have seen Team Sheeper 'walk the talk' when it come to hiring and training a diverse staff, representative of the Menlo Park Community.

For the community members, for the aquatic safety, for community healing, we need the pools to begin the way back to our new normal.

Thank you for your time and consideration.

Rebecca Pinto Masters Swimmer

Board of Directors Beyond Barriers Athletic Foundation

Agenda item H8
Brenda Moran, resident

Please consider reopening the pools at Burgess Park this week. There have been numerous studies that have been published that virus' can not live in large [treated] bodies of water. Menlo Swim and Sport have communicated with the public their plan for public safety in the pool areas. Direct sunlight also makes it difficult for a virus and other pathogens to live. We are now in the summer months in the northern hemisphere.

Exercise is essential in building and keeping one's immune system healthy. We need the pool open to continue our healthy lifestyle in Menlo Park.

Thank you.

Agenda item H8

Ana Pedros

Given that the pools are outdoors, and that both the use of chlorine in the water and the higher temperatures in the Summer have been demonstrated to kill covid-19, I'd recommend the swimming pool re-opens, with some distancing measures, and some swim classes resume, specially those with few kids. Reserving lanes for swimmers can help too.



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-122-CC

Public Hearing:

Public hearing on proposed fiscal year 2020-21 budget

Executive Summary

The city manager's proposed general fund budget is balanced for the fiscal year, beginning July 1. Overall, the proposed general fund budget results in a projected surplus of \$0.19 million. The proposed budget is balanced without the use of one-time money or increased revenue. Proposed general fund revenues total \$56.89 million a decline of \$13.72 million, or 19.4 percent, year-over-year. Proposed general fund expenditures total \$56.70 million, a decline of \$13.77 million, or 19.6 percent, year-over-year. The proposed budget reduces authorized full-time equivalent personnel from 286.75 in fiscal year 2019-20 to 236.75 in fiscal year 2020-21, a 17.1 percent reduction. Factors influencing the proposed budget include:

- A slow recovery of transient occupancy (hotel) and sales taxes.
- Reduction in charges for services resulting from event and program cancellations and closure of congregate facilities, including libraries, recreation centers, gymnasiums, the gymnastics center and the senior center through December 31.
- Structural program and service level reductions, including layoff of personnel, to offset revenue losses.
- No federal government assistance to help local governments such as Menlo Park.
- Rollover of baseline funding for childcare services even though baseline funding is insufficient to reactive the programs under San Mateo County Health Officer orders.

Other than the general fund, the proposed budgets for the City's additional 46 funds are substantially a rollover budget except for the capital improvement program (CIP) funds. The City Council discussed the CIP at length and ultimately deferred any significant financial changes to the CIP. Therefore, the proposed budget implements year two of the adopted 2019-20 CIP budget with several adjustments. The CIP budget retains all previously approved projects and maybe adjusted early in the fiscal year as directed by the City Council.

As the City Council reviews the proposed fiscal year 2020-21 budget, there are four additional considerations for City Council deliberation and direction. First, the program and service level reductions included in the proposed budget may be modified with replacement reductions, use of one-time money, or increased revenue. Second, the City Council has not had information sufficient to decide whether childcare programs should reactivate. Third, an update on the Belle Haven Community Services and Library project timeline may influence decisions on budget reductions. Finally, the City Council must direct the use of one-time money, if necessary, to balance the fiscal year 2020-21 budget.

Recommendation

City staff recommends that the City Council:

1. Hold a public hearing on the proposed fiscal year 2020-21 budget and capital improvement program and provide direction on any desired changes;
2. Provide direction on the reactivation of childcare services including the service fee rates and general

- fund subsidy necessary to reactivate programs;
3. Confirm the City Council's intent to maintain the temporary reduction in utility users' tax rates at the current 1 percent rate; and
 4. Direct the use of one-time money to balance the budget after City Council provide direction on changes to the proposed budget.

Policy Issues

A public hearing on the city manager's proposed budget is consistent with the city's budgeting process and represents no changes in city policy.

Background

On April 28, May 12, May 18, May 22, May 26, May 28 and June 2, the City Council met to consider budget-balancing measures necessary to offset the projected \$12.7 million revenue shortfall in fiscal year 2020-21. The City Council took action May 28 to issue layoff notices to benefited personnel and non-benefited temporary personnel impacted by \$11.7 million in program and service reductions. On June 2, the City Council directed staff to recommend an additional \$2.5 million in budget-balancing measures as reflected in the proposed budget.

Analysis

The proposed fiscal year 2020-21 budget is the City's first budget using the OpenGov's online budget tool. Prior year proposed budgets were presented as paper documents with no access to budgetary detail. OpenGov provides the City Council and members of the public access to the proposed budget through the use of graphs, tables and filters. Attachment A directs readers to the underlying financial tables comprising the fiscal year 2020-21 budget. Staff will continue to work through the end of August to buildout the budget document further and complete the transition to OpenGov.

City Council consensus budget balancing measures

The City Council reached consensus on several budget-balancing measures totaling \$11.7, as referenced in the budget document. At their June 2 meeting, the City Council directed staff to identify an additional \$2.5 million in expenditure reductions. Staff achieved the additional expenditure reductions through the merger of the community service and library departments, eliminating one department director, a further decrease to contract services, and a hard freeze on 27.25 of the City's 29.50 vacant full-time equivalent positions. As a hard freeze, the positions are not budgeted and require City Council restoration before recruitment can begin. The OpenGov narrative includes a summary of budget-balancing measures incorporated in the proposed budget.

Childcare services

At the May 19 City Council meeting, the City Council indicated a desire to reactivate the city-provided childcare programs as soon as possible, to the extent possible. City staff has prepared reactivation plans for modified childcare services at the Belle Haven Child Development Center (BHDC) and the Menlo Children's Center (MCC,) Attachment B. City staff has also developed a reactivation plan for summer camps, Attachment C. The reactivation plans modify and adapt childcare programs to ensure the safety of program participants and staff providing the services. The plans also ensure compliance with current public health orders on childcare operations. The adaptations, however, change the economics of all three programs. Before the three programs resume, staff seeks City Council approval of the financial impacts resulting from program adaptation.

Childcare staff has remained active at work by providing distance learning opportunities for program families and community-building virtual recreation opportunities, essential support with park monitoring, senior meal distribution, and safety compliance monitors at City Hall. BHDC continues to receive state grant funding until the end of the fiscal year.

Belle Haven Child Development Center – To reactivate the BHDC under current public health orders, City staff estimates that the BHDC requires an additional general fund subsidy of \$498,223 to serve 48 participants in fiscal year 2020-21. This amount is in addition to the estimated baseline general fund subsidy of \$714,860. The increased costs are the result of reduced enrollment due to COVID-19 restrictions. In the most recent school year, 49 percent of the program participants were Menlo Park residents. Considerations in evaluating the BHDC program:

- **2019-20 basic financial information.**
 - Revenue budget: \$1,292,000 (\$1,198,600 is grant funded)
 - Personnel budget: \$1,695,157
 - Operations budget: \$311,703
 - General fund subsidy: \$714,860
 - Number of resident participants: 47
 - Number of non-resident participants: 49
 - Number of benefited personnel: 14 (1 benefited personnel is paid directly through a grant)
 - Number of temporary personnel: 2
- **Baseline general fund budgeted subsidy v. actual subsidy.** While the baseline general fund subsidy is an estimated \$714,860, each of the past three years has required a much lower subsidy due to higher than anticipated grant funds and lower than budgeted expenditures due to vacant positions. As a result of staff's recommendation for a hard freeze on vacant positions, including the preschool program coordinator, the difference between budget and actual will partially offset the historical gap. Program staff is currently working with the City's state grant contract representative to determine the City's eligibility for program reimbursement for the next fiscal year. Annually, the City is notified in June regarding the state and federal grant disbursement for the next fiscal year, and once confirmed, staff will update the general fund support estimate. Also, as the State and County move through the various stages of reactivation in response to COVID-19, the program's finances will change due to a larger student population. Finance staff highlight state and federal budgetary constraints, which represent an increased risk to the reimbursement rate.
- **State grant requirements.** Due to state grant limitations, the City cannot raise the tuition on the subsidized spaces or restrict enrollment by residency. Enrollment guidelines prioritize current child protective services cases, families experiencing homelessness, and those currently receiving state aid. All families must be working, seeking employment, or actively completing education or job training. In the current year, 49 percent of program participants are Menlo Park residents.
- **Reactivation.** Staff is proposing to reactivate modified childcare services at the BHDC July 6. The BHDC typically serves more families with jobs that are not conducive to telecommuting. Of the 96 BHDC families enrolled in the current year, 54 will be graduating from the program, 31 have confirmed they need immediate childcare, five (5) families were not interested in returning, and staff is waiting to hear back from six (6) families. The reactivation of BHDC provides staff the operational experience of delivering services under the current public health orders. Attachment B transmits the reactivation plan for the BHDC.

Menlo Children's Center. To reactivate the MCC under current public health orders, City staff estimates that the MCC requires an additional general fund subsidy of \$91,448 to serve 36 participants in fiscal year 2020-21. This amount is in addition to the estimated baseline general fund subsidy of \$362,857. The increased costs are the result of reduced enrollment due to COVID-19 restrictions. In the most recent school year, 100 percent of the program participants were Menlo Park residents. Considerations in evaluating the MCC program:

- **2019-20 basic financial information.**
 - Revenue budget: \$952,000
 - Personnel budget: \$1,163,086
 - Operations budget: \$151,771
 - General fund subsidy: \$362,857
 - Number of resident participants: 59
 - Number of non-resident participants: 0
 - Number of benefited personnel: 6.75
 - Number of temporary personnel: 4
- **Cost recovery.** The City Council has historically attempted to set program fees at a rate sufficient to offset direct program costs, including staff, supplies and utilities. The City has not historically recovered capital costs or general administration support costs, such as finance and human resources. If the City Council does not desire to subsidize the MCC program, staff recommends authorizing an increase in fees by \$1,147 per month per family, equating to tuitions of \$3,100 per month for toddlers and \$2,682 per month for preschool.
- **Subscription.** The ultimate driver of the general fund subsidy is the service subscription rate. To better manage subscription rates, staff recommends that fees be paid 30 days in advance and are non-refundable. If there is insufficient enrollment, the program cost per participant increases, and participants will receive a supplemental bill. This added level of administration will increase finance staff support of the MCC programs. The City does not currently recover the costs of financial support for the MCC.
- **Reactivation.** Staff recommends activating the MCC August 10 to allow for operational experience garnered from the BHDCDC reactivation to inform the program reactivation. By July 10, families returning in August must pay the non-refundable program fee for August. On August 10, families must pay the non-refundable program fee for September. Of the current 59 MCC families, 28 will be graduating from the program, 26 need immediate childcare, and five (5) were not interested in returning after the closure. Staff will fill the additional spaces as it does each school year from MCC's waitlist of over 50 families. Fee increases may influence subscription. If the program is less than 95 percent subscribed, staff would recommend closing the program. 95 percent represents a \$182/month supplemental bill to program participants. Attachment B transmits the reactivation plan for the MCC.
- **General administration surcharge.** To support the MCC program, the City Council may consider a general administration surcharge equal to 10 percent of the program fees. If implemented, the surcharge adds up to \$268 to \$310 per month based on the cost recovery direction for program fees. An in-depth study of the cost to support the MCC program may help to refine the surcharge.
- **Capital facility surcharge.** The City has not historically charged users for the facilities used to provide the services. For fiscal year 2020-21, staff can explore establishing a surcharge equal to the annual depreciation costs of the building, fixtures, and equipment spread over the number of participants. If implemented, the surcharge would increase program fees.

Belle Haven and Burgess summer camps. Camps historically provide childcare for families. To reactivate camps under current public health orders, City staff recommends that the City Council adopt a contingency general fund subsidy of \$30,000. The contingency will offset any unforeseen program losses resulting from the program's operation under public health order guidance. Considerations in evaluating the camp programs:

- **2020-21 Belle Haven summer camp projections.**

- Revenue budget: \$15,600
- Personnel budget: \$38,700
- Operations budget: \$7,470
- General fund subsidy: \$30,570
- Number of participants: 48
- Number of non-resident participants: 33
- Number of benefited personnel: 0.5
- Number of temporary personnel: 8

- **2020-21 Burgess summer camp projections.**

- Revenue budget: \$46,644
- Personnel budget: \$41,100
- Operations budget: \$7,100
- General fund subsidy: \$1,556
- Number of participants: 39
- Number of non-resident participants: registration in progress
- Number of benefited personnel: 0.5
- Number of temporary personnel: 6

- **Reactivation.** Staff is prepared to reactivate camps July 6 for a single four-week cohort. Participants will be required to pay non-refundable fees no later than June 26. If the summer camp subscription is insufficient to achieve full cost recovery, staff will cancel the camps. Attachment C transmits the summer camp reactivation plan.

Belle Haven Community Center and Library project

The overall project schedule for the Belle Haven Community Center and Library project has been delayed. Facebook needs additional time to ensure that the proposed design for the new facility is consistent with the project budget. City staff and Facebook representatives worked the week of June 1, to establish a new best-case timeline in order to better understand the earliest date that the buildings would need be closed to start the decommissioning process and prepare for demolition. Assuming that the project is ready for City Council approval in September 2020 and work on construction drawings commences, the earliest the buildings would need to be closed in order to maintain the desired project schedule would be late March 2021, a three month delay from the previous estimates. Staff shared the new timeline with the City Council Subcommittee, comprised of Mayor Taylor and City Councilmember Carlton June 5.

Background report major revenue impacts

Attachment D transmits City staff's initial assessment of the financial impacts on City finances resulting from the COVID-19 pandemic as transmitted to the City Council April 28.

Impact on City Resources

The proposed budget is balanced. New information will change the budget and may change the budget soon after adoption. Further information includes full ratification of concession agreements with labor units,

additional economic data impacting significant City revenues, a federal stimulus to cities similar to Menlo Park, or a natural disaster or pandemic that results in added costs to the City. Notwithstanding the potential for the general fund deficit to grow as the result of new information, the City's financial position going into fiscal year 2020-21 is strong. If adopted as presented, the City retains sufficient one-time money to temper the impact of an economic calamity equal to the COVID-19 pandemic financial crisis.

Staff continues to recommend City Council restraint in the addition of programs not contemplated in this proposed budget. Any additions to the budget will require the use of one-time money or increased revenue. Staff strongly recommends against the use of one-time money for structural budget changes.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Hyperlink – Proposed 2020-21 budget summary: stories.opengov.com/menlopark/published/T913kO4zb
- B. MCC and BHCDC reactivation plan
- C. Summer camps reactivation plan
- D. Hyperlink – transmits City staff's initial assessment of the financial impacts on City finances resulting from the COVID-19: menlopark.org/DocumentCenter/View/24889/I2-20200428-CC-Budget

Report prepared by:

Adriane Lee Bird, Assistant Community Services Director
Sean Reinhart, Library and Community Services Director
Dan Jacobson, Assistant Administrative Services Director
Nick Pegueros, Assistant City Manager

CHILDCARE GUIDELINES AND ACTION PLAN

Community Services Department – Childcare Division
801 Laurel St., Menlo Park, CA 94025
tel 650-330-2260

ATTACHMENT B



Purpose
<p>The following plan outlines the measures required for the childcare division to reactivate on July 6, 2020 for BHDCD and August 10 for MCC and reduce public health risks to our community, program participants, employees and facilities. For City updates on COVID-19, please visit www.menlopark.org.</p>
Goals
<ul style="list-style-type: none">• Provide a safe and healthy working environment for City staff and students• Understand the importance of practicing and following safe working practices to ensure the safety of the team and help prevent any further City closures• Do our part to help minimize the spread of the virus• Follow City and County COVID-19 orders• Be organized and efficient to do everything possible to maintain a clean, safe childcare environment• Lead by example, show the public that we are following required guidelines that are being asked of them and understand that we as City employees are held to a higher standard• Be flexible, patient, and have an open mind in adjusting to the new working environment• Maintain communication between childcare families and community services staff• Provide excellent customer service and a safe environment for our students
Safe working practices
<ul style="list-style-type: none">• Wear required personal protective equipment (PPE) while at City facilities (gloves, masks, shoe covers, glasses)• Maintain an inventory of PPE and teacher's should wear a mask daily• Maintain social distancing as much as possible• Do not have children from different cohorts mix (stable groups of 12 children with 2 consistent teachers)• Take all measures necessary to minimize public traffic• Wash hands or utilize hand sanitizer before entering the building• Maintain a clean classroom and disinfect equipment and frequently touched surfaces every two hours.• Avoid touching your face, sharing materials, and do not shake hands• Take and log temperatures at the beginning and end of each working day. Any student or staff with a temperature above 100.4 will need to stay home for 72 hours and symptom free before returning to work.• Stay home if you are feeling sick or have come into contact with someone who has tested positive for COVID-19• Update staff of any unique situations and circumstances encountered at school as we are dealing with an ever changing environment• Use virtual meeting applications as a tool to limit the number of people into the building and interactions• Classroom groups will remain separated throughout the day. This also includes outdoor play.• Groups will observe an outdoor play yard rotation schedule. Surfaces such as poles, shared toys such as bikes and outdoor door handles will be sanitized between uses. All sensory toys such as playdoh will be removed from use as well as all soft toys that are unable to be cleaned easily.• Cleaning of surfaces such as tables will be performed before and after use as normal but also regular cleaning/disinfecting will be performed on an hourly basis. Individual toy bins that would include a single set of supplies such as scissors and glue.• Based on the County Health Order guidelines, cohorts will be capped at 12 students in each classroom.• There will be no all-school gatherings and stable cohorts of 12 will remain with consistent staff, with no mixing of children or teachers.• Discontinue meal service at MCC, only packaged snacks allowed at afterschool, require families to pack in disposable one-time use lunch bags. Will require disposable water bottles if we are unable to get the water filler.• Students will be asked to keep a pair of school-only shoes that they will change into after drop-off.• Rearrange through paths to the playground and rotate classrooms to avoid large gatherings.• Track any outside group activities that students are participating in each child's file.

Scheduling

- Ask questions in regards to COVID-19
- Ask if any members on the jobsite or in the home are experiencing symptoms of the virus
- Ask if anyone on site has been infected or in contact with someone who has the virus
- 7:30-8 a.m. – set-up of toys cleaned the night before and set-up classrooms for the day
- 8:00-4 p.m. – school session to begin with
- 4 -5 p.m. – clean up and disinfect facility
- **Arrivals** – Take temperature outside of child before child is allowed into facility. Per our handbook 99 degrees or higher they must be out of the facility for 24 hours symptom free. 100.4 degrees or higher they must be out of the facility for 72 hours symptom-free. Parents will not allowed inside facility during drop off. A staff member will help with sign-in process by keeping an individual family binder and pen. Arrival times will be staggered to prevent a large number of families arriving at once, in the case of the Belle Haven Child Development Center this will be determined based on state mandates. Students will text upon arrival and stay in car until a staff member arrives. Student will be escorted directly to room via yard door.
- **Departure** – Parents will not be allowed into the facility. A staff member will help parents with the sign out process (process will be the same as during arrival). Same parent/adult is requested to pick-up and drop-off to limit amount of different people around the facility. Only one person will be allowed at pick up or drop off.

Furniture

- Furniture will be moved to encourage social distancing.
- Play areas need to be limited on number of children allowed to prevent medium/large group play.
- Potential of moving around cubbies or cubby furniture to allow for less crowding.
- Providing assigned seating at the tables for the children (marked with pictures, etc.) and taping off squares on the floor where the chairs are to be placed. This will help prevent the children from moving into another child's space.
- Mats/Cots will follow social distancing whenever possible for placement but children should always be placed head to foot regardless.
- Parents can provide a blanket that stays at the facility and is washed by staff each week.
- Mats/Cots will be sanitized daily after use.
- Throw rugs will be replaced with vinyl matting for ease of sanitizing.
- Markers if used should be assigned to each child with name on it or assigned number (removable or tape can be used) if removable, put in a bin after use to be cleaned and then sanitized daily.

Childcare reactivation checklist

Prior to returning to work:

Staff returning before children a minimum of two weeks prior to reopening. To cleanse the facility, order supplies, reconnecting with food vendors and reconnect/invite families to return. Posting of signs for instruction such as hand washing. Fine tune procedures for families.

Calls are being made to families to gauge timeline on their return. We will not be re-enrolling graduates. If capacity becomes an issue given the new ratio requirements, CDC will fill spots according to current ranking (need-based).

Public work infrastructure needs:

- Covering of water fountains at BHCDC.
- Touchless water filler.
- Installation of hand sanitizer stations before classroom doors and handwashing station/hand sanitizer station outside of the office entry. Can be moveable to take in at the end of the night to prevent misuse
- Signs with instructions of interaction and handwashing.
- Covering of MCC entry keypad
- Deep clean on rugs and all surfaces
- Determine what regular cleaning support public works can offer the programs

New equipment to be ordered:

- Individual use outdoor toys; jump rope, hula hoops, etc.
- Non-touch thermometers
- Gloves and masks
- Pens
- Bins/Plastic
- More cleaning supplies; bleach, Clorox wipes, spray bottles, etc.
- Restocking supplies; snack food, used art supplies during closure, etc.
- Hand sanitizer station

Communication/messaging needs:

- Signage regarding handwashing/covid-19 reminders/ new operating hours/ floor markings to maintain social distancing
- COVID-19 addendum to parent handbook and waiver
- New licensing requirements

SUMMER CAMP GUIDELINES AND ACTION PLAN

Community Services Department – Childcare Division
801 Laurel St., Menlo Park, CA 94025
tel 650-330-2260



Purpose
<p>The following plan outlines the measures required for summer camps to reactivate on July 6, 2020 and reduce public health risks to our community, program participants, employees and facilities. For City updates on COVID-19, please visit www.menlopark.org.</p>
Goals
<ul style="list-style-type: none"> • Provide a safe and healthy working environment for City staff and students • Understand the importance of practicing and following safe working practices to ensure the safety of the team and help prevent any further City closures • Do our part to help minimize the spread of the virus • Follow City and County COVID-19 orders • Be organized and efficient to do everything possible to maintain a clean, safe camp environment • Lead by example, show the public that we are following required guidelines that are being asked of them and understand that we as City employees are held to a higher standard • Be flexible, patient, and have an open mind in adjusting to the new working environment • Maintain communication between camp families and community services staff • Provide excellent customer service and a safe environment for our students
Safe working practices
<ul style="list-style-type: none"> • Wear required personal protective equipment (PPE) while at City facilities (gloves, masks, shoe covers, glasses) • Maintain an inventory of PPE and camp counselors should wear a mask daily • Maintain social distancing as much as possible • Do not have children from different cohorts mix (stable groups of 12 children with 2 consistent teachers) • Take all measures necessary to minimize public traffic • Wash hands or utilize hand sanitizer before entering the building • Maintain a clean classroom and disinfect equipment and frequently touched surfaces every two hours. • Avoid touching your face, sharing materials, and do not shake hands • Take and log temperatures at the beginning and end of each working day. Any student or staff with a temperature above 100.4 will need to stay home for 72 hours and symptom free before returning to work. • Stay home if you are feeling sick or have come into contact with someone who has tested positive for COVID-19 • Update staff of any unique situations and circumstances encountered at school as we are dealing with an ever changing environment • Use virtual meeting applications as a tool to limit the number of people into the building and interactions • Classroom groups will remain separated throughout the day. This also includes outdoor play. • Groups will observe an outdoor play yard rotation schedule. Surfaces such as poles, shared toys such as bikes and outdoor door handles will be sanitized between uses. All sensory toys such as playdoh will be removed from use as well as all soft toys that are unable to be cleaned easily. • Cleaning of surfaces such as tables will be performed before and after use as normal but also regular cleaning/disinfecting will be performed on an hourly basis. Individual toy bins that would include a single set of supplies such as scissors and glue. • Based on the County Health Order guidelines, cohorts will be capped at 12 students in each classroom. • There will be no all-camp gatherings and stable cohorts of 12 will remain with consistent staff, with no mixing of children or teachers. • Only packaged snacks allowed at afterschool, require families to pack in disposable one-time use lunch bags. Will require disposable water bottles if we are unable to get the water filler. • Rearrange through paths to the playground and rotate classrooms to avoid large gatherings. • Families must commit to a single camp during the 4-week period

Drop Off/pick-up procedures

- Drop off times will need to occur between the hours of 8 a.m. – 9 a.m.
- Pick up times will need to occur between the hours of 3 p.m. – 4 p.m.
- Drop off and pick-up will need to be staggered for the health and safety of all. Staff will provide parents with a drop off and pick up window.
- Parents are not to enter the facilities. Parents will be notified of their child's pick up location. Upon arrival, parents will park near his/her child's pick up location. Staff will escort children and their belongings to the parent's car.
- Staff will bring sign in/out sheet. It is requested that parents provide their own pen and should not exit the car.
- It is advised that parents designate one or two persons that will complete all drop offs and pick-ups to reduce the number of people near the facility.

Camp cohorts

- Group sizes for each camp will not exceed 12 children within each group. Each camp group will remain in a separate area/room, and rotation of areas can only be performed if the area is cleaned, sanitized and disinfected prior to a new camp unit using it.
- Each group will have a designated area to store belongings in.
- Groups will not comingle with other groups and participants enrolled in the same camp.
- Program staff will make every effort to group siblings together.
- There will be 2-3 assigned staff to work directly with the same group for the entire camp session. Staff will remain with their assigned camp group and should not be assigned to other job functions.
- Staff should not interact with multiple camp groups during the course of a day.

Summer camp reactivation 2020

The City of Menlo Park continues to be committed to providing a quality summer camp that is both safe and fun. These guidelines align with local, state, and/or federal direction related to COVID-19. These guidelines supersede the guidelines in our camp handbooks and are subject to change.

The City of Menlo Park summer camps will operate Monday-Friday from 8 a.m. - 3:30 p.m. from July 6-31. Summer of Service Camp will operate from 9 a.m. - 3:30 p.m. We will dedicate the last hour of each day to a thorough sanitizing and disinfecting of toys, classrooms, and common areas.

Parents are expected to comply with these best practices to reduce the spread of Covid-19.

Upon arrival

Upon arrival, camp staff will have their temperatures checked and complete an informal health screening of answering a set of questions. If the temperature check and informal health screening was passed, staff will then go to the restroom and wash their hands to start their shift.

Upon a camper's arrival, staff will perform a basic physical check for each child.

Staff and parents will be required to verbally respond to the following questionnaire daily upon intake. Should staff or parents respond yes to any of these questions, staff or the camper will not be allowed to participate in the camp.

- Do you or your child live with anyone or have you or your child had close contact with anyone with signs of a communicable illness including, but not limited to: fever, cough, difficulty breathing, or any flu-like symptoms?
- Do you or your child live with anyone or have you or your child had close contact with anyone who has been diagnosed with COVID-19 within the last 14 days?
- Do you or your child have a fever, cough and/or shortness of breath? (Fever is 100.4F/ 38C or above measured using a forehead thermometer).
- Has your child taken any fever reducing medications in the prior 24 hours?
- Do you or your child have any other signs of communicable illness such as a cold or flu?
- Have you or your child experienced diarrhea or vomiting within the past 24 hours?

Healthy habits

Staff will teach, role model and practice safe distancing and social skills throughout the camp by

- Explaining to children why it's not healthy to share drinks or food, particularly when sick.
- Practice frequent handwashing (handwashing should last 20 seconds).
- Teach children to use tissue to wipe their nose and to cough inside their elbow.
- Model and practice handwashing before and after eating, after coughing or sneezing, after playing outside, and after using the restroom.

All staff will be provided with a mask, gloves, and hand sanitizer to use throughout the day. Children are not required to wear masks, but may do so if they prefer.

Lost and found items will be stored individually in clear trash bags sealed and will be stored for ten days and then disposed of by camp staff or facility supervisor.

Throughout the day each child will be required to wash their hands with soap and water or use alcohol-based hand sanitizer containing 60% alcohol before and after eating, drinking, touching eye/nose/mouth, toileting and physical contact with each other.

Toys from home will not be allowed. Participants should only bring lunches, and extra clothes. All items MUST be labeled with children's names. To help limit contamination of our facility, campers will only be allowed to bring limited personal belongings to the program.

Parents should provide their own spray or roll-on sunscreen for their child. As children will have to apply sunscreen on themselves throughout the day.

Restrooms are accessible during all camp hours. Only one-person per stall is inside the restroom facility. Markings will be placed to ensure that anyone waiting to enter the restroom are six feet apart. Staff will be responsible for cleaning and disinfecting restrooms after and between uses of each group.

Food

Lunch and snack areas will be set-up to provide six-feet of separation between each participant. Lunch and snack areas will be disinfected and sanitized by staff after each use.

Camps will offer a morning and afternoon prepackaged snack. Campers should bring their own lunch packed in a disposable bag. If all food is not eaten, lunch bags will be sent back home at the end of the day. Staff will not be using microwaves to warm up lunches. If a camper's lunch needs to be chilled, he or she will need to use an ice pack (in its own separate zip lock bag). No food sharing will be allowed.

Only disposable eating utensils and dishes may be used.

Drinking fountains will not be utilized. Participants will need to bring reusable water bottles. Staff will be responsible for refilling water bottles and will ensure no contact is created with the water bottle and the water-dispensing unit.

Each participant will need to bring 2 towels that will stay at the campsite for the entire session. One towel will be used for drying of after water play. The other towel will be used to eat on while eating lunch. Camp staff will wash these towels every Friday. Please label the towel with your child's name.

Alternate Activities

Campers will not participate in field trips or in swimming activities.

In order to maintain at least 6-feet distance from each other, children will not have access to the play structures and each child will be required to play in a pre-designated space.

There will be a variety of other activities for your child to participate in throughout the day. These activities will be offered in group and individual settings where children interact with each other while maintaining 6-feet distance from each other. For example, fuse beads will be available to each child individually with left over beads discarded of at the end of each day.

Cleaning

Staff members are assigned to disinfect regularly and thoroughly throughout the day, including but not limited to

- Door handles
- Cabinet handles
- Handle bar on ramps
- Classroom door, windows
- Light switches
- Bathroom sinks
- Toilet handles

Staff and children will wash hands or use hand sanitizer before entering the classroom at any time throughout the day.

Sick policy

Children will be monitored for signs of illness throughout the day. If a child shows signs of illness, we will immediately separate them from the group and require that they wear a mask until pick-up. To be eligible to return to the program, a parent will be required to certify that the camper's symptoms have been gone for at least 48 hours without the use of medicine. Enrollment in the program will require parents to agree to pick-up a child without delay if they are exhibiting any of the following symptoms:

- Headache or tiredness, unable to participate in routine activities or need more care than staff can provide
- Fever with behavior changes, difficulty breathing, coughing, unusually tired, persistent crying, etc.
- Open sores, rash, signs of infection, etc.
- Runny nose with colored mucus
- Diarrhea or vomiting
- Any flu like symptoms

Weekly schedule and communication

Camp newsletter will be emailed out each week.

Parents should download the Bloomz app and join our school community. This is a great way to see the projects and activities your child participated in each day.

Enrolling in multiple camps

Children may not change from one group to another or attend more than one childcare establishment, summer camp, other educational or recreational instruction or program at the same time.

Other precautions we will take

The following are additional precautions we will take to help limit exposure of children and staff to COVID-19 and other communicable illnesses:

- Review all updates from CDC, CDSS and local public health on guidance for childcare centers
- Post signage of COVID-19 risk assessment and preventative measures
- Restrict activities and visitors including parent visits
- Implement social distancing best practices including no hugs or shaking hands
- Teach and model social distancing greetings
- Keep emergency contact information up to date
- Substitute staff can only work with one group. If that dedicated substitute is unavailable, class may need to be cancelled for that day.

Agenda item I1
Nabil Saad, Menlo Park resident

To the Mayor and council members:

Are you going to responsibly step up as a council and heed the overwhelming national and local just demand to divest funds from the LARGE budget allocated to the MP police department and divert it instead to community development programs. By doing so, you'll be wisely investing in addressing the "root-cause" and practicing prevention instead of letting the known social disparity and economic inequality issues brew and fester to eventually cause the "symptoms" that your current budget is unwisely designed to "address" through the LARGE fund allocated to MPPD. Follow the lead of Californian cities such as LA and San Francisco.

Agenda item 11
Eva Archer, Menlo Park resident

As the City Council meets to discuss the 2020-21 budget, I urge you to :

Keep the Belle Haven Community Center open to provide services to Belle Haven residents, even if services must be adapted due to Covid-19

Invest in our community by investing in affordable childcare, by maintaining the program at affordable rates with reasonable policies so it continues.

Defer capital projects that can wait, and using reserve funds the City saved for emergencies.

June 3, 2020

Sean Reinhart, Library Services Director
Menlo Park Library
800 Alma Street
Menlo Park, CA 94025

Subject: Menlo Park Library Participation in Peninsula Library System

Dear Sean,

We understand that the Menlo Park City Council has been discussing budget cuts, and you have proposed budget cuts for the library which include withdrawing from the Peninsula Library System (PLS). I wanted to take this opportunity to provide you with information related to Menlo Park Library's membership in PLS.

Peninsula Library System (PLS) is a consortium of the public libraries located in San Mateo County. Members include the 11 cities in San Mateo County Library (Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, Portola Valley, San Carlos and Woodside) and the seven independent libraries: Burlingame, Daly City, Menlo Park, Redwood City, San Bruno, San Mateo, and South San Francisco. In 1971, they joined together to form the Peninsula Library System. In 1988, the San Mateo County Community College District libraries became members. With all of the branches, there are 34 libraries throughout the county.

PLS is a Joint Powers Authority agency, established in 1970, with Menlo Park joining in 1975. The consortium leverages its membership to provide services to its members and the communities they serve, for resource sharing which results in cost savings, and to leverage membership to procure discounted contracts. Revenue sources include member participation, grant funding, and funding from the state library.

PARTICIPATION IN THE JPA

I would like to call to your attention the terms of membership of PLS. Per the latest approved version of the **PLS By-Laws (August 1, 2002)**, Article IV, Section 1: Withdrawals

Any agency wishing to withdraw must do so effective on July 1 of any succeeding year and provide at least six months' written notice.

The PLS governing document is the Joint Powers Agreement of May 1982, of which Menlo Park is a member. Section 3 of the Agreement covers " Withdrawal", and states:

A. Any participating Jurisdiction wishing to withdraw from this Agreement after four years from the effective date of this Agreement, or on July 1 of any succeeding year thereafter, must provide at least six months written notice to the Governing Board of the Agency. Notice shall be in the form of a resolution adopted by the governing body of the Participating Jurisdiction wishing to withdraw. The signatories to this Agreement recognize that a substantial capital investment is required by each to implement and operate the automated circulation system and that withdrawal from this Agreement will cause substantial hardship for all remaining Participating Jurisdictions.

B. If a Participating Jurisdiction withdraws from the Agreement according to the terms and conditions set forth herein, said jurisdiction shall receive a copy of its bibliographic file, borrower file and item file if such information has been converted and filed in the automated system.

Should Menlo Park library choose to withdraw from the Peninsula Library System, such withdrawal can only be by way of the above described six months notice. A resolution of withdrawal by the City Council would be required. Because of the complex relationships involved in our consortia, there would be many details to work out, and the transfer of bibliographic data would need to be negotiated. Should Menlo Park attempt to withdraw in a manner inconsistent with the terms of the Agreement and Bylaws, it would thereby waive its right to receive the bibliographic files, and would remain financially responsible for all costs associated with the membership until proper withdrawal occurred.

We received your May 29, 2020 memorandum (attached) asserting that for emergency reasons the City will withdraw without compliance with Section 3 of the Agreement. Please understand that our counsel has reviewed this memorandum. Per our counsel's assessment, "Mr. Reinhart's memo was not accompanied by a Council resolution of withdrawal. Absent compliance with Section 3, no withdrawal can occur, and the City will remain liable for the usual costs of its membership."

FISCAL RESPONSIBILITY OF MEMBERS

Although PLS's final budget for FY 2020/21 has not yet been approved, Menlo Park's participation costs for FY 2020/21 are estimated to be approximately \$260,000, and will most likely be lower.

PLS member libraries are invoiced annually for shared services and may incur additional invoices throughout the year for other services, such as database subscriptions.

Since the novel coronavirus has spread throughout California and resulted in major economic impacts to all PLS libraries, the PLS Administrative Council has taken several steps to reduce the costs for its members for FY 2020/21. Those include:

- Reducing delivery to the minimum needed to support reductions in library services, and splitting the invoicing into two payments (July and January) to reflect the reduced staffing and vehicle costs.
- Deferring payments for vehicle replacements.
- Negotiating lower costs for database and other subscriptions, such as RBDigital eMagazine collection.

Each library has its own set of budget reductions, and PLS is mindful of this and has reduced its budget accordingly.

MEMBER BENEFITS OF PLS

Perhaps the best known and most visible shared resource for all PLS members is the shared library platform, which is accessible through a wide area network among the participating libraries. This platform, called Sierra, allows member libraries to purchase books, DVDs, CD, audiobooks, and other collections, and share them with each other. PLS has over 2.1 million shared items in Sierra. Because of its membership in PLS, Menlo Park residents can borrow materials from other libraries free of charge, and can easily access them through the custom portal.

In 2019, Menlo Park residents checked out 385,190 items. This includes residents borrowing 60,100 items (books, children's materials, DVDs, audiobooks, international language materials, etc.) from other PLS libraries, and loaning 43,375 items to other members in other communities. One of the many benefits of sharing resources is that one library does not need to purchase every title – the breadth of a collection is shared among many members, which creates a rich and dynamic selection and addresses potential shortfalls in an individual library's collection.

Another PLS economy of scale from which Menlo Park Library benefits is the shared eBook and collection through OverDrive in English, Chinese and Spanish. Over the last several years, PLS has purchased a shared collection of nearly 85,000 eBooks, which Menlo Park residents access freely, along with their own small collection. In 2019, Menlo Park residents checked out nearly 62,000 eBooks. Since the novel coronavirus forced libraries to close in March, PLS has seen a 29% increase in eBook use, and this trend is expected to continue as library services are limited. Last year, PLS negotiated reduced price for RBDigital Zinio eMagazines, which Menlo Park residents have used thousands of time. It is worth noting that should Menlo Park choose to withdraw from PLS, none of the shared eBooks would be available, due to the First Sale Doctrine. Residents would no longer have access to the shared eMagazine collection, and the library would need to negotiate its own subscription contract.

Last year the Menlo Park Library purchased Link+ as a secondary resource sharing platform. Although this is a popular way for libraries not within a consortium to share materials, there are significant limitations: Link+ only allows sharing of print materials, and DVDs only if the

participating library also loans the DVDs to other Link+ libraries. What sets PLS borrowing apart is that best-sellers, DVDs, CDs and audiobooks can all be borrowed seamlessly by its members.

PLS has negotiated contracts for shared databases at discounted prices, which are used by students and adults who reside in Menlo Park. Our available databases include the EBSCO suite for general research, A to Z Databases for business research, Safari high-tech collections, and Skillsoft for skills for job seekers. Menlo Park residents performed over 14,000 searches within Fiscal Year 2018/19, seeking information for student research, consumer advice and for scholarly research. If Menlo Park were to leave PLS, they would not have access to these collections, and would need to negotiate their own contracts.

The PLS structural support which Menlo Park benefits from includes:

- In FY 2019/20, six days a week of delivery services to the Menlo Park main library and three days a week of delivery to the Belle Haven library to ensure timely delivery of items. Should Menlo Park library leave PLS, the onus would be on the City of Menlo Park to deliver these items between the Menlo Park main and Belle Haven libraries on a regular basis.
- Participation in a secure, redundant wide area network, and a network support team on call 24/7/365. Should Menlo Park choose to leave PLS, the network support would shift to the Menlo Park IT department. Libraries take patron privacy seriously, and most, if not all city libraries have a network which is a separate network from the City's network. Menlo Park Library's WiFi network is also supported by PLS. The responsibility for designing a new library network that supports partitioned staff access to the city network and public access to the library's materials, as well as ensuring security to the library's servers, and building and maintaining the WiFi network will need to be assumed by the City. Along with this comes the responsibility of renegotiating contracts with vendors for time management and desktop security for all the public computers. To protect the library's liability and to ensure patron privacy, each public computer can be reserved for use, and after each session, all searching and data is scrubbed. The network is designed to flush all network router history daily, and reservation software data is encrypted each day to ensure patron privacy and to protect Menlo Park from liability.
- Access to the CENIC network, which is only available to public libraries that belong to a regional system, and to higher education, at 10 Gbps. This network is reserved only for these academic and library networks. For a public library to participate in CENIC, they must be a member of one of the nine state cooperatives, which, in the Bay Area, is the Pacific Library Partnership. Should Menlo Park choose to leave PLS, and by association, the Pacific Library Partnership, they would not be eligible to participate in CENIC. Currently Menlo Park Library benefits from a greatly reduced cost of the 1Gbps internal network for both its main and Belle Haven locations and access to the wide area network on CENIC, and then received an approximate 50% reduction in costs from

eRate, and then an additional 50% reduction from the California Teleconnect Fund. The current network is robust and supports the staff computers, the public computers and public network, and the WiFi with no degradation of performance. Should Menlo Park discontinue its membership with PLS, and, by association, its membership with PLP, it will lose its CENIC network and the associated discounts. Menlo Park will need to purchase one or more networks to support the library use and the heavily used WiFi so that public computer use is not degraded. An individual library entity may apply for Federal eRate discounts, and would need to follow the application period and award periods. Discounts are typically applied one to two years after an application is accepted, depending on various factors.

- PLS currently handles all subscriptions, contracts and support for the library's self checkout machines, security gates, security software on library public computers. About \$35,000 of the costs Menlo Park Library currently pays are for network contracts for their routers, switches, security gates and self checkout machines, along with costs for security software for desktop computers for the public. Support for these would shift to the library or to the City's IT Department.
- Sierra library platform, Bibliocommons catalog and Communico mobile app to access library collections; software that provides text, phone and email notification to patrons about due dates, holds, and past due items; along with other various services and subscriptions to support collections. If Menlo Park were to leave PLS, it would need to purchase a variety of new services, with the most significant purchase being a new library platform. This is a complex proprietary inter-relational database that supports the acquisitions, cataloging, and loaning of materials. The purchase, design of the new system, and data migration is very complicated, and would take months to accomplish. PLS has a dedicated Database Manager librarian to support the Sierra shared library platform. Most libraries that are not on a shared library platform have a dedicated Systems Librarian or a person at a similar level to manage their library platform.

SUMMARY

Menlo Park Library benefits from the PLS consortium through its network, collections, negotiated contracts, and support. Through the membership of PLS, Menlo Park Library is able to be a member of the Pacific Library Partnership, which offers its own set of benefits separate from PLS. Some of those benefits include the CENIC network and the ability to receive funds from the California Library Service Act.

It is our desire that Menlo Park and its residents continue to enjoy the many benefits of PLS membership, which will require Menlo Park to remain in PLS. The City's residents clearly benefit from the shared PLS collections. The many benefits of membership outweigh the limited costs

to the City. We are all stronger in San Mateo County when we cooperatively leverage our fiscal resources, for which PLS is the sole active vehicle.

Should you have any questions, please contact me at frost@plpinfo.org, or by 650-349-5538.

Sincerely,



Carol Frost
Peninsula Library System Executive Director

CC Starla Jerome-Robinson, Menlo Park City Manager
Cecilia Taylor, Mayor
Menlo Park City Council
Peninsula Library System Administrative Council

Attachment: Mr. Reinhart's May 29, 2020 memorandum



MEMORANDUM

Date: May 29, 2020
To: Carol Frost, Executive Director, Peninsula Library System
PLS Administrative Council
From: Sean Reinhart, Library Director, City of Menlo Park
Subject: **Preliminary notice of intent to withdraw from Peninsula Library System and request for waiver of six-month notice period.**

The Peninsula Library System (PLS) is a valuable and important consortium that has helped serve the library needs of San Mateo County for many years. Menlo Park has been a proud member of PLS for decades, and has benefitted greatly from membership in it throughout that tenure. Sadly, due to extreme circumstances beyond anyone's control, I am writing to notify you that unanticipated and severe revenue shortfalls have forced the City of Menlo Park to seriously consider withdrawing from membership in PLS to save costs, and to ask for a waiver of the six-month notice period in the event the Menlo Park City Council's preliminary decision to withdraw from PLS is made final.

The Covid-19 pandemic is an extreme and extraordinary public health and economic crisis the likes of which have not been experienced before in modern times. No precedent exists for a national, state, and local emergency of this severity and magnitude. The onset of the Covid-19 pandemic and accompanying economic depression were as unexpected as they were swift and devastating. No one could have known or foreseen in advance the scale of this emergency or the crushing impacts it would deliver to local government finances in a very short time.

As a direct result of these outside forces beyond anyone's ability to predict or control, the City of Menlo Park is now experiencing sudden and catastrophic revenue shortfalls unlike any the city has faced in its history.

On May 12, 2020, the Menlo Park City Council directed city staff to prepare a 25% budget reduction scenario to offset the massive revenue shortfalls created by the Covid-19 crisis. In such an extreme situation, all expenditures were seriously considered for potential reduction or elimination.

On May 26, 2020, the Menlo Park City Council preliminarily identified multiple expenditure reductions for inclusion in the City of Menlo Park Fiscal Year 2020-2021 operating budget. Included among those preliminary reductions is withdrawal from the Peninsula Library System, a difficult but necessary move that will save the City of Menlo Park hundreds of thousands of dollars in one-time and ongoing expenditures. Also on May 26, the City Council preliminarily identified a 75% reduction in the library's book budget and directed staff to issue layoff notices to thirty-one (31) library employees whose jobs are slated for elimination.

The City Council is scheduled to finalize and approve the Fiscal Year 2020-2021 operating budget, potentially including the reductions noted above, on June 23, 2020. Should the City Council include these reductions in the final adopted budget, withdrawal from PLS will be included and memorialized in the formal budget resolution.

For these reasons, as noted above, this memorandum serves as preliminary notification of the City of Menlo Park's intent to withdraw from Peninsula Library System effective July 1, 2020. Because of the unprecedented and extreme circumstances, and because the Covid-19 and economic crises only arose

two months ago, it is not practicable to provide the six months' advance notice called for in the PLS Joint Powers Agreement. It is understood that a withdrawal from PLS, if the City Council authorizes such, could not be fully implemented on July 1, but would require some period of weeks or months after that date to complete the transition. However, for all intents and purposes, it is anticipated that funding for continued membership in PLS potentially could no longer be available as of July 1, 2020. In the event funding is eliminated, City of Menlo Park staff will work closely with PLS staff and counterpart JPA members to collaboratively develop and carry out a transition plan as expeditiously as possible and in good faith.

The Contract's Elongated Notice Period Is Not Applicable Under Statutory and Common Law Principles Regarding Force Majeure, Impracticability and Impossibility

California contract law has long recognized and accommodated situations in which one party's contractual performance is made impossible or impractical by intervening and unforeseeable events notwithstanding any language in the agreement.

Equitable protection is codified in Civil Code §1511(2),¹ which provides that the performance of an obligation is excused "when it is prevented or delayed by *an irresistible, superhuman cause, or by the act of public enemies* of this state or of the United States, unless the parties have expressly agreed to the contrary." (emphasis added). California applies this equitable principle broadly, holding that "*force majeure...is not necessarily limited to the equivalent of an act of God.*" (*Pac. Vegetable Oil Corp. v. C.S.T., Ltd.* (1946) 29 Cal. 2d 228, 238).

Further, California law will not require parties to attempt the impossible. "A condition in a contract, the fulfillment of which is impossible or unlawful..., or which is repugnant to the nature of the interest created by the contract, is void. (Civil Code § 1441). Traditionally, impossibility was measured strictly and objectively such that increases in cost or difficulty in performance were insufficient. More recent cases have brought some subjectivity to the analysis, recognizing impracticability due to excessive and unreasonable difficulty or expense. (See *Christian v. Superior Court* (1937) 9 Cal.2d 526, 533).

Rest.2d, Contracts § 261 states: "Where, after a contract is made, a party's performance is made impracticable without his fault by the occurrence of an event the non-occurrence of which was a basic assumption on which the contract was made, his duty to render that performance is discharged, unless the language or the circumstances indicate the contrary." (Rest.2d, Contracts §261, entitled "Discharge by Supervening Impracticability", see also, 1 Witkin, Summary 11th Contracts § 854 (2019)).

The Second Restatement consolidates the subjects of impracticability of performance and frustration of purpose, substituting the term "impracticability" for "impossibility" as better expressing the extent of the increased burden required. While an obligor who does not wish to undertake strict contract liability may contract for a lesser obligation by various clauses (e.g., "best efforts," right to cancel, or limitation of damages for breach), **even where he or she has not limited the obligation by agreement, the court may grant relief.** "An extraordinary circumstance may make performance so vitally different from what was reasonably to be expected as to alter the essential nature of that performance." (Introductory Note, p. 309.)

"'Impossibility' is defined in section 454 of the Restatement of Contracts, as not only strict impossibility but as impracticability because of extreme and unreasonable difficulty, expense, injury, or loss involved.

¹ Civil Code § 1511(1) requires "written notice to the other party or parties, within a reasonable time after the occurrence of the event." It will also require confirmation that no other term in the agreement waives the City's rights under Section 1511.

Temporary impossibility of the character which, if it should become permanent, would discharge a promisor's entire contractual duty, operates as a permanent discharge if performance after the impossibility ceases would impose a substantially greater burden upon the promisor; otherwise the duty is suspended while the impossibility exists. (Restatement of Contracts, § 462.)" (*Autry v. Republic Prods.*(1947), 30 Cal. 2d 144, 148–49).

Generally, California courts have held that the inability to perform "must consist in the nature of the thing to be done and not in the inability of the obligor to do it." *El Rio Oils, Canada, Limited v. Pacific Coast Asphalt Co.* (1949) 95 Cal.App.2d 186. In other words, the obligation must be objectively impossible for *anyone* to perform, not merely impossible for the specific party to the contract for reasons particular to them.

In light of the unanticipated pandemic and catastrophic impact on the City's budget, the City respectfully requests a waiver from the six month notice period. This waiver request is amply supported by the above caselaw.

I look forward to hearing from you.

Agenda item 11

Soody Tronson, Menlo Park resident

- 1) In reviewing the proposed budget and the new on-line information (nice progress), it is not clear what are all the projects are grouped together as "project control" which amounts to 34% of all funds expenditure.
- 2) The City's proprieties should be cutting unnecessary or un-urgent projects/personnel and not cut the much needed community services/projects for those most affected by the economic downturn, including housing and education.
- 3) Recent events even further highlight why cities need data to review their budgets and allocations. According to the MP Open.Gov records there are currently 56.5 PD personnel other than those in administrative positions. Until the City completes its transparency Open.Gov project (thank you for the progress to date), it is impossible to clearly ascertain what departments (not just PD by the way) can be reduced, since it is not just salaries but also pension, and other perks, etc.
- 4) This is also an opportune time to revisit funding by Facebook. An Almanac article Oct 10, 2017, identified the issues related to FB, directly or indirectly, funding the PD. While the City moved those funds to an "unrestricted general fund", the City presumably, per recommendation fo Staff, the City was to create a separate fund within the general fund so that Facebook's dollars will, in effect, still be earmarked for their proposed use. IS THIS THE CASE? If so, there is no difference other than in name how this money is being treated.
- 5) Until the City can have all of the easily traceable facts in one easy to access and analyze public location, I submit that we will never really know the cost of anything. Including, the cost/benefit analysis of continuing to change the nature of Menlo Park to accommodate big employers, which now equal if not exceed the number of MP residents. What is the point of fees (whether occupancy tax, etc.) if they are to be turned around to mitigate the damage caused?

Agenda item 11

Pastor Teirrah McNair, Menlo Park resident

Greetings. My name is Pastor Teirrah McNair, Senior Pastor of Fountain of Life Global Christian Ministries in Menlo Park. I have written/spoken several times about my concern for my Belle Haven community and I am greatly alarmed about the recommendation to close Onetta Harris Community Center (OHCC). I would think that considering the social climate in the land and the vulnerability of our already marginalized community that closure of OHCC would be completely off the table for cuts or reductions. If anything, OHCC programming should be ramped up in preparation for the March construction transition. My hope is that the staff will return to the drawing board and return with a proposal that is just, compassionate and reasonable. The current recommendation is simply a travesty.

Agenda item 11

Emma Dewey, Menlo Park resident

I am writing to urge you to consider more budget cuts to the MPPD for the upcoming fiscal year, in order to preserve other city services, specifically the OHCC and Menlo Park's childcare programs. I know these are not easy decisions to make, but I firmly believe we should be investing in communities right now and not police. National events have shown us that the institution of policing in America is still not working, and it's time we start imagining new ways to keep our communities safe. That starts with redirecting funds from police and towards communities. I appreciate the cuts already made but urge you to consider what more can be done. Thank you for your time.

Agenda item 11 Sonoo Thadaney Israni

My name is Sonoo Thadaney Israni , and I am a resident of Ladera. and the MP community is mine. My children attended schools there, I shop there, I volunteer there. And more

In recent weeks our country has been devastated by the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery. These murders have led to demands, first by Black organizers in Minneapolis and now around the country, that we defund the police. I am commenting to ensure those demands are heard in Menlo Park.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country.

The American police originated as slave patrols. They were hired to catch escaped slaves and return them to their masters. Over the years, slave patrols turned into police departments--literally--and continued to terrorize Black and brown bodies. Thus, defunding the police is simply a continuation of the project of abolishing chattel slavery. This is why it is imperative we take a strong stance, right now, against the dehumanization of Black Americans and literally put our money where our mouths are.

The Menlo Park Police Department itself has a sordid history. In the 1960s and 1970s, the Department, like many others in the country, was militarized. Police forces adopted the rhetoric and violence of the military during the so-called "War on Crime" in order to kickstart the technological brutalization of police tactics, legitimate extralegal policing, and reinforce imperialist and racist structures via police power. The Menlo Park Police Chief attempted to demilitarize the department, but had limited success. The lesson to take from this is that "reforming" the police to overcome racial inequality does not work, because racial inequality--and in particular the subjugation of Black bodies--is endemic to the project of policing.

We must allocate power, money, and resources away from the police, and give it back to the community. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11
Jane Anderson

My name is Jane Anderson and I am a resident of Ladera. I regularly shop and eat in Menlo Park. In recent weeks our country has been devastated by the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery. These murders have led to demands, first by Black organizers in Minneapolis and now around the country, that we defund the police. I am commenting to ensure those demands are heard in Menlo Park. I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country. The American police originated as slave patrols. They were hired to catch escaped slaves and return them to their masters. Over the years, slave patrols turned into police departments--literally--and continued to terrorize Black and brown bodies. Thus, defunding the police is simply a continuation of the project of abolishing chattel slavery. This is why it is imperative we take a strong stance, right now, against the dehumanization of Black Americans and literally put our money where our mouths are. The Menlo Park Police Department itself has a sordid history. In the 1960s and 1970s, the Department, like many others in the country, was militarized. Police forces adopted the rhetoric and violence of the military during the so-called "War on Crime" in order to kickstart the technological brutalization of police tactics, legitimate extralegal policing, and reinforce imperialist and racist structures via police power. The Menlo Park Police Chief attempted to demilitarize the department, but had limited success. The lesson to take from this is that "reforming" the police to overcome racial inequality does not work, because racial inequality--and in particular the subjugation of Black bodies--is endemic to the project of policing. We must allocate power, money, and resources away from the police, and give it back to the community. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11
Sharat Israni

Dear Councilmembers, We have been residents of Menlo Park and nearby Ladera for 35 years. Both my children went to the MA school districts, and I go there nearly every day for shopping, work, etc.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the most underserved communities . I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country. We need to return policing to community protection, and not perform extra functions better left to social services such as mental health and substance abuse programs, and education - so police can return to police a safer and healthier community.

Let's not be left behind in this national movement.

Thank you for this opportunity.

Agenda item 11

Timi Most

I am shocked to see in the proposed budget the closure of the Onetta Harris Community Center. Menlo Park's most vulnerable residents rely on this Center. In the light of what is happening in the world today, bringing to light the disparity of treatment of people of color, I am so disappointed that this closure is slated. The amount spent on this Center is small in comparison to the \$100+million spent on our police department. I urge you to remove this closure from the budget, support our most vulnerable residents and save two employees jobs.

Agenda item 11
Nicholas O'Farrell

My name is Nicholas, and I am a resident of Atherton. I grew up attending public schools in Menlo Park and regularly shop and eat there.

In recent weeks our country has been devastated by the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery. These murders have led to demands, first by Black organizers in Minneapolis and now around the country, that we defund the police. I am commenting to ensure those demands are heard in Menlo Park.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country.

The American police originated as slave patrols. They were hired to catch escaped slaves and return them to their masters. Over the years, slave patrols turned into police departments--literally--and continued to terrorize Black and brown bodies. Thus, defunding the police is simply a continuation of the project of abolishing chattel slavery. This is why it is imperative we take a strong stance, right now, against the dehumanization of Black Americans and literally put our money where our mouths are.

The Menlo Park Police Department itself has a sordid history. In the 1960s and 1970s, the Department, like many others in the country, was militarized. Police forces adopted the rhetoric and violence of the military during the so-called "War on Crime" in order to kickstart the technological brutalization of police tactics, legitimate extralegal policing, and reinforce imperialist and racist structures via police power. The Menlo Park Police Chief attempted to demilitarize the department, but had limited success. The lesson to take from this is that "reforming" the police to overcome racial inequality does not work, because racial inequality--and in particular the subjugation of Black bodies--is endemic to the project of policing.

We must allocate power, money, and resources away from the police, and give it back to the community. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11
Amanda Kass

Dear Honorable Council Members:

My name is Amanda Kass, and my husband and I are residents of Menlo Park. As a researcher that studies state and local finance I am acutely aware of the fiscal pressures municipal governments face, and the devastating effects of the COVID-19 related economic downturn on state and local finances. While an affluent community, Menlo Park nonetheless faces a difficult budget situation for the upcoming year due to the significant revenue losses tied to the COVID-19 pandemic. I recognize that there are no easy solutions, and appreciate the opportunity to voice my concerns as the City Council finalizes the 2020-2021 budget. As our country has been gripped by protests calling for immediate and meaningful changes to policing and systemic racism I hope that the City Council will center its decisions on the values of racial and economic justice.

More specifically, I hope that the City Council will preserve childcare and keep the existing Belle Haven Community Center open. While not eliminating childcare services, the proposed fee increase for Menlo Children's Center would increase the monthly rate for toddler care by 70%, something that many families may not be able to afford. The proposed changes also do not provide a guarantee that the services will continue. Eliminating childcare services has rippling economic effects as it results in job loss for providers and hardship for working parents seeking affordable childcare. Maintaining services to the Belle Haven community is especially important given the history of redlining in Menlo Park and its destructive effects. I urge the City Council to preserve these programs and keep them affordable by using emergency funds, deferring capital projects and/or cutting other areas of the budget.

Over the past 15 years spending on the police department has far outpaced other areas of the budget. In real dollars (meaning adjusting for inflation), per-capita spending on the police department has increased by more than 50% since fiscal year 2004, while spending on Community Services has increased by just 9%. The annual budget is a reflection of Menlo Park's values, and I hope the City Council will prioritize community services and racial equity in crafting what I know is a difficult budget.

Sincerely,
Amanda Kass

Agenda item 11
John O'Farrell

My name is John O'Farrell, and I am a resident of Atherton. My firm employs almost 200 people in Menlo Park. I also regularly shop and eat in Menlo Park. My children went to public schools in Menlo Park.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country.

We must allocate power, money, and resources away from the police, and give it back to more positive community organizations. We must also demilitarize and retrain our police force. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11 Maya Israni

My name is Maya Israni, and I am a resident of Portola Valley, CA. I went to public elementary, middle, and high schools in Menlo Park, and my current employer's headquarters is also in Menlo Park.

In recent weeks our country has been devastated by the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery. These murders have led to demands, first by Black organizers in Minneapolis and now around the country, that we defund the police. I am commenting to ensure those demands are heard in Menlo Park.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country.

The American police originated as slave patrols. They were hired to catch escaped slaves and return them to their masters. Over the years, slave patrols turned into police departments--literally--and continued to terrorize Black and brown bodies. Thus, defunding the police is simply a continuation of the project of abolishing chattel slavery. This is why it is imperative we take a strong stance, right now, against the dehumanization of Black Americans and literally put our money where our mouths are.

The Menlo Park Police Department itself has a sordid history. In the 1960s and 1970s, the Department, like many others in the country, was militarized. Police forces adopted the rhetoric and violence of the military during the so-called "War on Crime" in order to kickstart the technological brutalization of police tactics, legitimate extralegal policing, and reinforce imperialist and racist structures via police power. The Menlo Park Police Chief attempted to demilitarize the department, but had limited success. The lesson to take from this is that "reforming" the police to overcome racial inequality does not work, because racial inequality--and in particular the subjugation of Black bodies--is endemic to the project of policing.

We must allocate power, money, and resources away from the police, and give it back to the community. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11
Susie Cohen

My name is Susie Cohen and I'm a resident of Stanford Weekend Acres in San Mateo County. Menlo Park is my "downtown." I regularly shop and eat in Menlo Park, get my nails done, etc. I use Burgess Park, the Gym, the library, etc.

In recent weeks our country has been devastated by the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery. These murders have led to demands, first by Black organizers in Minneapolis and now around the country, that we defund the police. I am commenting to ensure those demands are heard in Menlo Park.

I commend the decision to make modest cuts to the police department's budget. However, modest cuts are not enough--especially when some of the other cuts on the table, such as shutting down the Belle Haven community center, are going to most drastically impact the very communities in which the police continue to inflict violence. People in these communities should have the same amenities that I have.

I would like to see 20% of the police department's budget cut this year, and a plan for further cuts in future years. This tracks the demands of organizers on the ground in cities around the country.

The American police originated as slave patrols. They were hired to catch escaped slaves and return them to their masters. Over the years, slave patrols turned into police departments--literally--and continued to terrorize Black and brown bodies. Thus, defunding the police is simply a continuation of the project of abolishing chattel slavery. This is why it is imperative we take a strong stance, right now, against the dehumanization of Black Americans and literally put our money where our mouths are.

The Menlo Park Police Department itself has a sordid history. In the 1960s and 1970s, the Department, like many others in the country, was militarized. Police forces adopted the rhetoric and violence of the military during the so-called "War on Crime" in order to kickstart the technological brutalization of police tactics, legitimate extralegal policing, and reinforce imperialist and racist structures via police power. The Menlo Park Police Chief attempted to demilitarize the department, but had limited success. The lesson to take from this is that "reforming" the police to overcome racial inequality does not work, because racial inequality--and in particular the subjugation of Black bodies--is endemic to the project of policing.

We must allocate power, money, and resources away from the police, and give it back to the community. I encourage the City Council to take a first step--a meaningful step--tonight. Let's not be left behind in this national movement.

Agenda item 11

Jorge Contreras – message transcribed from Google Voice

Hi, my name is Jorge Contreras. I am a resident of Menlo Park. I am calling in regards to requesting that the owner of the hair is Community Center is kept open again, I left a previous message. And I also emailed you guys directly letting you know the importance of having the onetta Harris Community Center open. I'm not only for families like myself but the community I don't think that family should be bussed to a different area in order to receive services or be able to you know, be part of other services that are offered in other areas again, I think that the center should be kept opened. I think that everyone in the community benefits from services like this and I think and I actually believe that things to the center. I am able to allow my daughter to participate in classes such as Jazz tap dancing that otherwise, yep. Be able to afford privately again. The onetta Harris has been a huge part of my life growing up in Menlo Park for over twenty something years now. My seven-year-old has been able to be part of the community. So again, please do keep in mind families like myself and others in the community when making decisions. I am requesting that the center is kept open a a provides a lot of Services for Families in this area, and we should have a right to have these things in this community. Thank you.

Agenda item 11
Linda Fornaciari

My name is Linda Fornaciari and I am a resident of Ladera, who regularly shops and eats in Menlo Park, my children went to public schools in Menlo Park and I regularly volunteer to help students in underserved communities in our area..

I appreciate the modest cuts that the City Council has made to the budget of the Police Department. However, I hope that you consider substantive cuts of 20% or more to the Police budget and allocation of funds to other very impactful programs that will better increase the safety of our community. The Belle Haven Community Center should not have its funding cut when it provides the services needed to support Black American communities and services to people of color in our area.

We need to have the City Council respond to this national time for change of how we provide safety to our community. Please do not cut funding to the Belle Haven Community Center and please channel more of the police funding cuts to other community services.

Agenda item 11

Caitlyn and Matthew Marianacci, Menlo Park resident

To Mayor Taylor and Council members,

Our names are Caitlyn and Matthew Marianacci and we are siblings who grew up in Menlo Park and are current residents. We are unsettled by the 2019-20 budget's prioritization of funding for the police department over community services. Especially considering Menlo Park Police Department's record of racial profiling, we demand that the new budget redirect funding away from police and into social services that support our community rather than endanger citizens, especially our Black and Brown community members. Budget priorities should include community services in Belle Haven, childcare, and affordable housing. Our budget should reflect our values and we believe we should strive to be a community that doesn't need policing.

Agenda item 11
Pamela Campos

Good evening Mayor Taylor and Honorable Members of the City Council,

My name is Pamela Campos and I work for Build Up for San Mateo County's Children. Thank you for the opportunity to present a public comment regarding Agenda Item 11 of this evening's Special Meeting.

I respectfully request your attention to recommendations of the Staff Report, which proposes fiscal restrictions to the early care and learning programs at Menlo Children's Center and Belle Haven Child Development Center.

Menlo Park's child care programs are critical to the community and Build Up recommends for City Council to not authorize the closure of the Belle Haven Child Development Center and Menlo Children's Center, even if these programs dip to under 95% capacity.

In addition, we recommend that City Council does not authorize the suggested fee increase, supplemental billing structure or general admission surcharge. For many families, child care costs already make up a large portion of their expenses, sometimes more than their housing expenses. The proposed rate increase of \$1,147 per month per family would result in a substantially higher-than-market-rate tuition. The supplemental billing structure (passing costs of care to families via an unpredictable and potentially large supplemental bill) and general admission surcharge proposed in the staff report would be highly atypical for the child care sector and would likely make care unaffordable for many families.

Please oppose budget strategies that work against the community of Menlo Park who would be devastated by the loss of these spaces.

Thank you for your time.

Pamela Campos

Child Care Technical Assistance Coordinator

Agenda item 11
Katie Behroozi

Good evening Mayor Taylor and Honorable Members of the City Council,

I want to commend the young people who showed up tonight and commented on our budget and issues of race and social justice in our community. I find it so encouraging that they are using this unusual time to educate themselves and advocate for a better, more righteous, just community. It takes courage to speak up in this sort of setting and we should do what we can to sustain their engagement. Thank you, Gen Y or Z or whatever you are!

Agenda item 11
Karen Zack

The City is proposing to cut community services in Belle Haven for two years or more before a new community center is built. Belle Haven is a neighborhood that was formerly “redlined” and has historically been provided with lower quality services than the whiter and wealthier areas of Menlo Park. This budget decision would exacerbate those historical inequities. The draft budget proposes to maintain childcare services. However, the proposed changes risk failure for the program – increasing fees above market rate, adding surcharges, and closing the program if it is undersubscribed with these uncompetitive rates. Closure of the childcare services will harm the livelihood of families who depend on childcare to hold paying jobs and those who make up the child care workforce (largely women of color). Instead of cutting Belle Haven services and putting childcare at risk, I urge the City Council to defer capital projects that can wait, and use reserve funds the City saved for emergencies such as this.

Agenda item 11
Jennifer Michel

I am a graduate of Peninsula School, lived here for the past almost 10 years, and our son is an IEP student at Laurel. We absolutely support allocating funds from the police to keep Onetta Harris Community Center open. Thank you for your service.

Agenda item 11

Lisa Bebb

In the proposal it states that the tuition is increasing to \$3,100 but it also is including multiple added charges of \$182/mo supplemental bill to program participants, general administration surcharges of \$268-\$310 and the potential to also start adding capital facility surcharges. That is how the numbers referenced by the public speakers are higher than the pure \$3,100 tuition that Mr Reinhart is quoting. Why are not those additional fees addressed?

Recommendation

Councilmembers Mueller and Nash request the City Council direct the City Manager to exercise her grant of power as the Director of Emergency Services under Urgency Resolution 6550 (“URGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK RATIFYING THE PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND FURTHER PROCLAIMING THE CONTINUED EXISTENCE OF THE EMERGENCY”) to issue an order:

- 1) Temporarily closing, as soon as is practicable, the following streets, while maintaining adequate provision for access by emergency services:
 - a) Santa Cruz Avenue

Alternative A: (not recommended)
Close both directions of Santa Cruz Ave. between Evelyn St. and El Camino Real;

Alternative B (not recommended):
Close both directions of Santa Cruz Ave. between University St. and El Camino Real;

Alternative C (hybrid - recommended):
Close Santa Cruz . Northeast from University St.to El Camino Real, and Southwest from El Camino Real to Evelyn St.
 - b) Crane Street
from Ryans Lane to Santa Cruz Avenue and
from Santa Cruz Avenue to the entrances of parking plazas 5 and 6
 - c) Chestnut Street
from Ryans Lane to Santa Cruz Avenue and
from Santa Cruz Avenue to the entrances of parking plazas 6 and 7
 - d) Curtis Street
from Santa Cruz Avenue to the entrances of parking plazas 7 and 8
 - e) Doyle Street:
from Santa Cruz Avenue to the entrance of parking plaza 8

- 2) Setting forth a streamlined permit process, consistent with the provisions and timing set forth by order of the San Mateo County Public Health Officer, to temporarily allow restaurants and retail stores to operate businesses, sell goods, and serve food and drink to customers, off the sidewalk, in the aforementioned closed street areas; and

- 3) Setting forth a streamlined permit process, consistent with the provisions and timing set forth by order of the San Mateo County Public Health Officer, to temporarily allow for restaurants located in the City of Menlo Park to utilize their designated off street parking spaces, off the sidewalk, to conduct business and serve food and drink to customers.

(See attached illustration.)

Policy Issues

City of Menlo Park

Chapter 2.44 of the City's Municipal Code authorizes the Director of Emergency Services ("Director") to proclaim a local emergency subject to ratification by the City Council within 24 hours. On March 11, the Director proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within the City resulting from COVID-19. On March 11, the City Council ratified the Director's proclamation. Thereafter on May 1, 2020 the City Council ratified the decision to continue the declaration of a local emergency. As a result of the local emergency, the City is empowered to take actions to preserve and protect the health and safety of the community.

Paragraph 2, of Emergency Resolution 6550 sets forth, "During the existence of this Local Emergency, the Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and well being of the public and mitigate the effects of the Local Emergency".

To date, the City of Menlo Park director of emergency services/city manager has issued four orders regulating various parameters affecting business activity in Menlo Park.

The proposed order is necessary and reasonable to mitigate the effects of the Local Emergency on Menlo Park's local business community. Using the street to increase the physical space and capacity of business to serve customers will mitigate the lost space in business district structures caused by social distancing safety precautions. The increase in space will also aid in ensuring the health and well being of the public.

Background

The Center for Disease Control and Prevention has stated that COVID-19 is a serious public health threat. The World Health Organization has declared COVID-19 constituted a world pandemic. In response, state and local governments have taken steps to slow the transmission of COVID-19.

State action

On March 4, the Governor of the State of California declared a state of emergency. On March 19, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State

of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors. On May 6th, Governor Newsom announced guidelines for the reopening of restaurants will be released on May 11th.

National Restaurant Association COVID-19 Reopening Guidance

To protect the health and well being of restaurant patrons and employees, the National Restaurant Association has created guidance for restaurants reopening in the Covid-19 Pandemic. The document sets forth that restaurants should “Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six feet of separation between table setups. Limit party size at tables to no more than the established “maximums approved” as recommended by CDC or approved by local and state government.”

<https://restaurant.org/Downloads/PDFs/business/COVID19-Reopen-Guidance.pdf>

City Action

At the April 7th, Menlo Park City Council meeting (video 1:01:55 mark), public comment on behalf of Menlo Park business owner Kathleen Daly, requested a temporary variance to allow for street parking in front of Cafe Zoe to be used by the business to create a “socially distanced” space for the service of customers, upon the phased lifting of the Shelter in Place order and reopening of business. Thereafter, Councilmember Mueller expressed support for Cafe Zoe’s request, and further proposed the closure of Santa Cruz Ave in Downtown Menlo Park, at such time the Shelter in Place order started to be lifted in stages, to similarly allow local business and restaurants downtown to use the street to create a “socially distanced” space for the service of customers. Thereafter, over the period of the next four weeks Councilmember Nash and Councilmember Mueller met to discuss the proposal of closing Santa Cruz Ave. and began to prepare the proposal for consideration by the City Manager and City Council.

Community members have also brought forward and expressed support for the concept. On April 27, 2020, Menlo Park resident Michael DeMoss emailed the City Council with support for this concept. On May 5th, Menlo Park resident Curtis Mo posted on Nextdoor regarding the same concept. Mr. Mo’s Nextdoor Post received significant feedback and positive response.

Additionally, the nearby jurisdictions of the City of Palo Alto and the City of San Mateo have begun exploring similar concepts for business districts in their jurisdiction.

Analysis

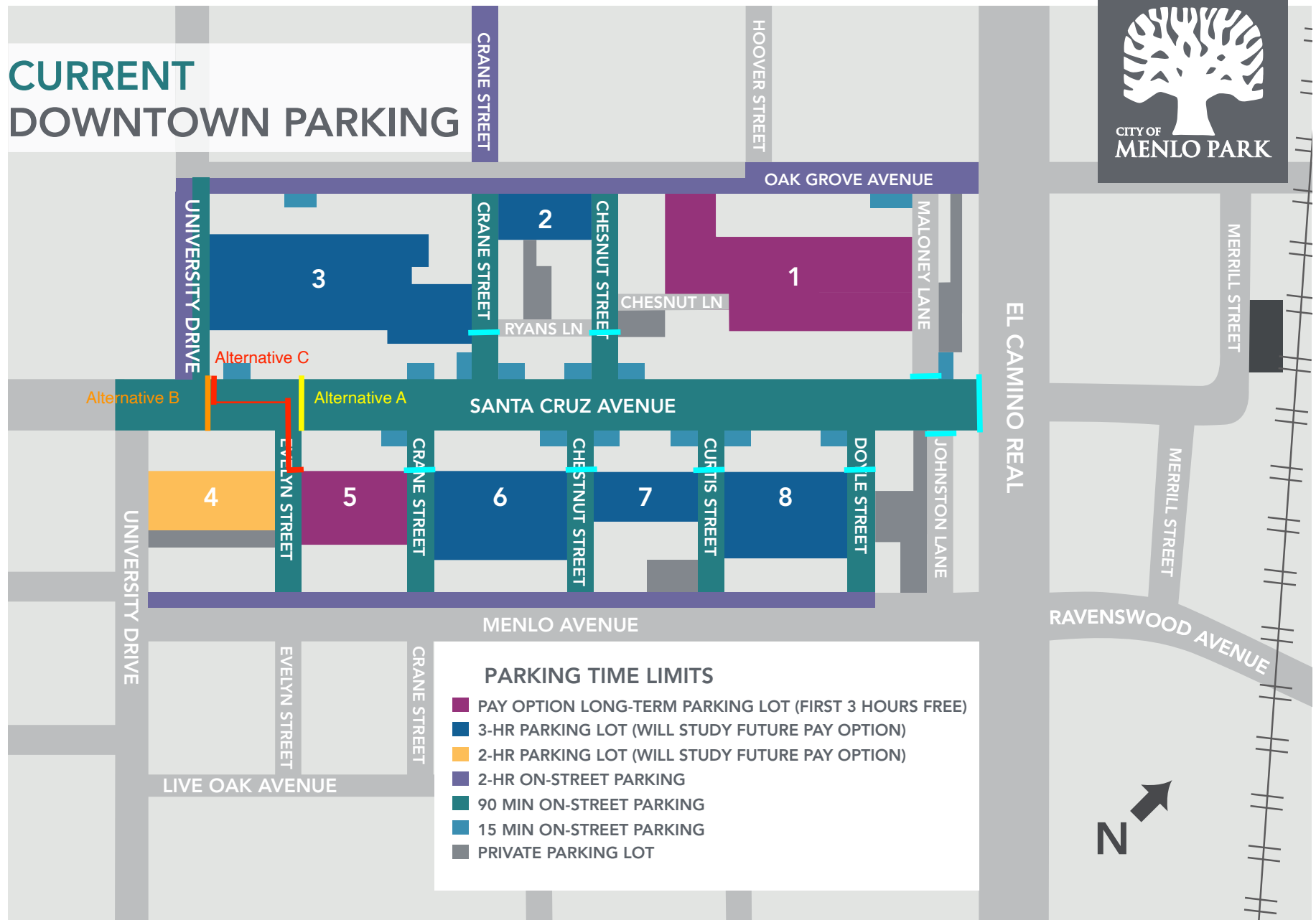
On May 6th, Governor Newsom announced guidelines for the reopening of restaurants will be released on May 11th.

The National Restaurant Association Guidance document sets forth that restaurants should “Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six feet of separation between table setups. Limit party size at tables to no more than the established “maximums approved” as recommended by CDC or approved by local and state government.”

Paragraph 2, of City of Menlo Park Emergency Resolution 6550 sets forth, “During the existence of this Local Emergency, the Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and well being of the public and mitigate the effects of the Local Emergency”..

The proposed order is necessary and reasonable to mitigate the effects of the Local Emergency on Menlo Park’s local business community. Using the street to increase the physical space and capacity of business to serve customers will mitigate the lost space in business district structures caused by social distancing safety precautions. The increase in space will also aid in ensuring the health and well being of the public.

CURRENT DOWNTOWN PARKING



DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.1

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, building construction requires regular inspection services to ensure that completed work complies with both issued permits and applicable building standards and waiving such inspections increases the risk of defective and unsafe construction;

WHEREAS, the City has extremely limited construction inspection services and protective gear to prevent inspectors from contaminated job sites and the Federal and State governments have requested that such protective gear be preserve for essential health workers;

WHEREAS, the Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths and preserve construction inspection services and the related administrative resources for the most critical projects;

WHEREAS, the Council also recognizes that housing is indeed a priority for our community and the region, but the immediacy of curbing the current health emergency must take precedence to prevent further spread of the virus;

WHEREAS, the Council desires to resume housing construction at the earliest opportunity; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the City Manager does hereby make the following order:

1. Effective immediately and until this order is terminated by the City Manager, all construction activity in the City of Menlo Park shall be temporarily suspended.
2. The City Manager will regularly review the need for this order to be in place and may elect to modify it should local circumstances or applicable law change.
3. Upon approval of the City Manager, construction activity in the government facilities and water and wastewater systems sector may be performed provided adequate social distancing mitigation measures can be achieved during both construction and inspection work.
4. The City Manager or designee may authorize limited exceptions to Section 1 of this order to protect life, health or safety provided they are consistent with Executive Order No. N-33-20 and/or subsequent applicable State or County orders.

Dated: 3/23/2020

DocuSigned by:
Starla Jerome Robinson
6BD907BD261744C...

City Manager

**CITY OF MENLO PARK DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER
EMERGENCY ORDER NO. 2**

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood, though it is highly contagious;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County; WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of a local health emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic and empowered the Director of Emergency Services to take all necessary actions;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities”, “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, Government Code Section 8634 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property;

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to

make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, the City Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths, and preserve limited resources in order to allocate them to the most critical projects; and

NOW, THEREFORE, the City Manager as the Director of Emergency Services does hereby make the following order:

1. Public Facilities Closures. For the duration of the local emergency, the following public facilities shall be closed to the public: City Hall; Arrillaga Family Recreation Center; Arrillaga Family Gymnasium; Arrillaga Family Gymnastics Center; Burgess Pool; Belle Haven Pool; Onetta Harris Community Center; Menlo Park Senior Center; Menlo Park Main Library and Belle Haven Branch Library; all public restrooms and playgrounds located in all public parks; Burgess Park skate park; all public tennis courts, and all public basketball courts.

2. Effective date. This order shall be effective immediately and shall terminate upon the earlier of (1) Director of Emergency Services order or (2) cessation of local emergency.

3. Enforcement. This order shall be enforceable as a misdemeanor as provided in Menlo Park Municipal Code Section 2.44.110.

Dated: 3/27/2020

DocuSigned by:

 6BD907BD261744C...

 Director of Emergency Services

Approved as to form:

DocuSigned by:

 CD6C53C794F6491...

 Interim City Attorney

**CITY OF MENLO PARK DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER
EMERGENCY ORDER NO. 3**

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood, though it is highly contagious;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;
WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of a local health emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic and empowered the Director of Emergency Services to take all necessary actions;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities”, “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, Government Code Section 8634 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property;

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to

make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 31, the County Health Officer extended the Shelter in Place order to May 3 and issued additional restrictions regarding construction activity, recreational activity and other essential services;

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, the City Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths, and preserve limited resources in order to allocate them to the most critical projects; and

NOW, THEREFORE, the City Manager as the Director of Emergency Services does hereby make the following order:

1. Public Facilities Closures. During the pendency of the local emergency, the following additional public facilities shall be closed to the public: Bedwell Bayfront Park (including trails, parking lot and other areas).
2. Effective date. This order shall be effective immediately and shall terminate upon the earlier of (1) Director of Emergency Services order or (2) cessation of local emergency.
3. Enforcement. This order shall be enforceable as a misdemeanor as provided in Menlo Park Municipal Code Section 2.44.110.

Dated: 4/17/2020

DocuSigned by:
Starla Jerome Robinson
 6BD907BD261744C...

 Director of Emergency Services

Approved as to form:

DocuSigned by:
Cara E. Silver
 CD6C53C794F6491...

 Interim City Attorney

DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.4

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 23, 2020, the Director issued the City of Menlo Park Director of Emergency Services/City Manager Order (“Order”) No. 1 temporarily suspending all construction activity in the City of Menlo Park. The Order was based in part on the City’s lack of personal protective gear (PPE) to protect its employees from the spread of the COVID 19 virus, the lack of established construction project safety protocols and the inability of adequate supervision and deployment of building inspectors;

WHEREAS, recognizing the need to continue to limit the transmission of COVID-19, on April 29, 2020, the County Health Officer ordered the shelter-in-place to continue through May 31, 2020. However, the order also allows some businesses to open that could not operate under the

previous order and allows some low-risk activities to resume (e.g. outdoor businesses, landscapers and gardeners). Specifically, with regard to construction, the order allows for construction so long as the project complies with specific safety protocols;

WHEREAS, given the County of San Mateo’s recent publication of construction project safety protocols, to the extent the city is able to provide sufficient PPE and building inspector personnel, the City Manager would like to re-activate construction activity in the city with a phased in approach giving priority to projects that were already scheduled for an inspection the first week of the shut down (3/16 - 3/20), existing projects that have been granted emergency status, any project that effects the livability of the house (water heater, furnace, plumbing repair, sewer main, water piping, etc.) and other single family residential projects and public works projects. Thereafter providing the city has adequate PPE and inspector capacity it would begin scheduling inspections for multi-family and commercial projects starting; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.


NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective 11:59 p.m. on May 3, 2020 Order Number 1 is hereby rescinded and superseded by this Order No. 4.
2. Construction activity in the City will be permitted to resume provided it complies with the applicable construction project safety protocol published in the County of San Mateo Health Officer Order dated April 29, 2020.
3. The City Manager reserves the right to modify this order if any of the following conditions occur:
 - a. The City is not able to secure adequate PPE for its building inspectors;
 - b. The City is not able to provide sufficient building inspectors to satisfy the demand;
 - c. Construction projects are not complying with the required safety protocols;
 - d. The number of COVID 19 cases increases significantly;
 - e. Other operational constraints make building inspection unsafe or infeasible.

Dated: 5/1/2020

DocuSigned by:

 6BD907BD261744C...
 City Manager

Approved as to Form:
 DocuSigned by:

 CD6C53C794F6491...
 Interim City Attorney

DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.5

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 23, 2020, the Director issued the City of Menlo Park Director of Emergency Services/City Manager Order (“Order”) No. 1 temporarily suspending all construction activity in the City of Menlo Park. The Order was based in part on the City’s lack of personal protective gear (PPE) to protect its employees from the spread of the COVID 19 virus, the lack of established construction project safety protocols and the inability of adequate supervision and deployment of building inspectors;

WHEREAS, recognizing the need to continue to limit the transmission of COVID-19, on April 29, 2020, the County Health Officer ordered the shelter-in-place to continue through May 31, 2020. However, the order also allows some businesses to open that could not operate under the

previous order and allows some low-risk activities to resume (e.g. outdoor businesses, landscapers and gardeners). In addition, the April 29 order allows additional outdoor recreation activity to resume provided it conforms with the social distancing and health/safety protocols contained in the order and other restrictions established by the entity that manages such area to reduce crowding and risk of transmission of COVID-19; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective 7:00 a.m. on May 9, 2020, Order Number 3 is hereby rescinded and superseded by this Order No. 5.
2. Bedwell Bayfront Park shall be open to the public subject to social distancing and health/safety protocols established by the City Manager.
3. The City Manager reserves the right to modify this order if any of the following conditions occur:
 - a. Park users are not following the social distancing and health/safety protocols established by the City Manager;
 - b. The City is not able to provide sufficient monitors to ensure the safe use of the park;
 - c. The number of COVID 19 cases increases significantly; and
 - d. Other operational constraints make park opening unsafe or infeasible.

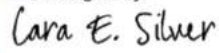
Dated: 5/8/2020

DocuSigned by:

 6BD907BD261744C

 City Manager

Approved as to Form:

DocuSigned by:

 CD66536794F8491

 Interim City Attorney



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-120-CC

Regular Business:

Review and provide feedback on proposed vehicle miles travel thresholds for environmental review of development and capital projects

Recommendation

Staff recommends that the City Council review and provide feedback on the proposed vehicle miles travel (VMT) thresholds and methods for evaluating the transportation impacts of development and capital projects pursuant to the California Environmental Quality Act (CEQA). After July 1, VMT must be used as the City's new transportation study metric. According to prior City Council direction, level of service (LOS) analysis for local roadway congestion, would remain as an existing local transportation study metric per the City's general plan circulation element.

Policy Issues

Senate Bill (SB) 743 required the Governor's Office of Planning and Research (OPR) to establish a new metric for identifying and mitigating transportation impacts within CEQA in an effort to meet the State's goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation. OPR identified VMT as the required transportation metric and beginning July 1, VMT (not LOS) is the legally required threshold for transportation impacts pursuant to CEQA. OPR has identified recommendations regarding assessment of VMT and thresholds of significance, but the City may adopt local metrics and thresholds. Adoption of a local VMT threshold requires City Council adoption before July 1. If the City does not adopt thresholds before July 1, the default guidelines suggested by OPR would be applied for consideration of project impacts. Staff intends to return to the City Council with updated transportation impact analysis (TIA) guidelines incorporating the VMT thresholds and methods before July 1.

Updating the TIA guidelines is not only consistent with SB 743, it is consistent with policies CIRC-2.5, 2.14, 3.1, 3.4, and 5.7 in the circulation element of the general plan and was added to the 2019 City Council work plan in October 2019.

Background

Development and capital projects wishing to obtain approval need to satisfy a wide array of state and local requirements, including but not limited to full disclosure of the potential environmental impacts of the project. Possible environmental impacts include but are not limited to noise, air quality, greenhouse gas emissions and transportation. For purposes of disclosing potential transportation impacts, projects in the City of Menlo Park use the City's current TIA guidelines to ensure compliance with both state and local requirements. The City's current TIA guidelines use roadway congestion or LOS as the primary study metric. The TIA guidelines also require an analysis related to traffic on local streets, pedestrian, bicycle and transit circulation. This ensures that a thorough transportation analysis occurs for all projects that might result in CEQA impacts. However, beginning July 1, pursuant to SB 743, the City can no longer use LOS as a CEQA

threshold of significance and must use VMT. As a result, the City's current TIA guidelines need to be updated to ensure continuing compliance with state law.

On January 14, the City's transportation consultant CHS Consulting Group (CHS) presented a study session to the City Council to provide background information on VMT and LOS as transportation study metrics and a scope of work outlining the steps to update the TIA guidelines. The study session staff report is included as Attachment A and included an overview of:

- State and local policy context
- VMT and LOS definitions, benefits and other considerations
- Recommended approach to incorporate VMT into current TIA guidelines

The City Council provided direction at the study session, and staff subsequently modified the scope of work to reflect the direction before proceeding with the TIA guidelines update:

- Retain LOS as a local-level roadway congestion transportation study metric by removing contradicting text (Task 2.2 and 2.3;)
- Proceed with incorporating VMT as a new transportation study metric as outlined (Task 4;) and
- Ensure preservation of citywide transportation equity by removing callout of specific areas (Task 5.)

On May 4, City staff and CHS presented the recommended TIA guideline updates to the Planning Commission. The Planning Commission voted unanimously to recommend to City Council to adopt the recommendations in the staff report. Additional Commission feedback on several related questions was solicited and will be discussed in the Analysis section below.

While City staff initially anticipated that the Complete Streets Commission would also review the modifications to the TIA guidelines in May, the Commissions meetings have been canceled since March due to the COVID-19 pandemic. Since State law requires changes to the TIA guidelines to be made on or before July 1, the Complete Streets Commissioners were requested to provide any individual feedback at the May 4 Planning Commission meeting. One Commissioner spoke in favor of adopting VMT in response to SB 743 and encouraged adding the evaluation of multimodal (e.g., walking, biking and transit) impacts to the scope.

Analysis

TIA guidelines update

As stated above, the purpose of the TIA guidelines is to define whether a project is required to conduct a transportation analysis and outline the procedure. A well-documented transportation analysis should meet both the CEQA (state) and Menlo Park (local) requirements for disclosing project compliance with state and local policies. With that objective, the proposed updates to the current TIA guidelines include:

- VMT – as a state-required metric with locally-adopted thresholds; and
- LOS – as a local metric.

VMT as a state-required metric with locally-adopted thresholds

There are four key topics of VMT analysis that should be established in the City's TIA guidelines:

- Screening criteria – what projects are exempt from VMT analysis
- Analysis procedures and methodologies – how to evaluate project VMT
- Impact threshold criteria – how to determine and assess VMT impact
- Mitigations measures – how to mitigate VMT impact

Recommendations for each topic are presented below. All of the recommendations would result in the same or stricter requirements as compared to state guidelines. Staff is seeking City Council feedback on the recommendations in each of these four areas before returning with final TIA guidelines for adoption June 23, before the July 1 deadline.

Screening criteria for project exemptions

Similar to the current TIA guidelines, some projects are anticipated to result in “less-than-significant” transportation impacts without the need to prepare a detailed analysis due to their smaller project size, location or project type. Table 1 summarizes the exemption criteria and explanations for modifying the new CEQA guidelines, if applicable.

Table 1: Proposed project exemptions			
Category	OPR guidance	Staff recommendation	Explanation
Small projects	< 110 vehicle trips / day	< 100 vehicle trips / day¹	Consistent with County Congestion Management Agency requirements
Local serving retail	≤ 50,000 s.f.	Adopt OPR guidance	Shorten existing trips to other retail sites
Residential/office	In low VMT area ² and within 1/2 mile of existing major transit stop ³	Adopt OPR guidance	Consistent with City policy CIRC-2.14 to minimize VMT
Affordable housing	Deferred to lead agency	100% affordable units, in low VMT area or within 1/2 mile of existing major transit stop	Consistent with City land use element program LU-2.C ⁴ to address residential displacement
Other project types	Deferred to lead agency	Local serving public facilities⁵ (e.g., Police, Fire, parks without sporting fields, etc.)	Shorten existing service and visitor trips
<p>Note: s.f. = square foot, e.g., = for example</p> <p>1. The equivalent of approximately: 10,200 s.f. general office space, 10 single family units, 13 multifamily units.</p> <p>2. Low VMT area: Area in which the existing VMT per capita or per employee is less than or equal to the adopted threshold.</p> <p>3. Major transit stop: a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. (Pub. Resources Code, § 21064.3)</p> <p>4. Current general plan land use element (Attachment B)</p> <p>5. For facilities with ≤ 10,000 s.f. of new space or net new space compared to existing facilities. Facility type and size outside the description shall provide evidence of local serving status to City satisfaction.</p>			

Analysis procedures and methodologies

If a project does not meet the exemption criteria identified in Table 1, a project VMT analysis would be required. The new CEQA guidelines provide guidance on methods with varying degrees of complexity. Based on experience with applicants, staff has found that providing guidelines and methods with greater specificity results in better expectations of the required steps in a TIA. As such, staff is recommending methods best applied based on project size, as summarized in Table 2.

Table 2: Proposed VMT evaluation methods

Project Size ¹	OPR guidance	Staff recommendation	Explanation
Medium project ²	Travel demand models, sketch/spreadsheet model tools, research data, as appropriate	Sketch/spreadsheet model	A simplified tool with built-in localized trip lengths and other relevant VMT information. Ideal for medium size projects with substantial localized trips
Large project ³		City travel demand model	A complex tool to assess land use-transportation interactions that captures project with substantial regional county trips
<p>Note:</p> <ol style="list-style-type: none"> 1. Small projects that generate < 100 daily vehicle trips and other qualifying projects are exempt from VMT analysis. See Table 1: Proposed project exemptions, for more details. 2. Medium projects: nonexempt, non-retail projects that generate ≤ 800 daily vehicle trips. 3. Large projects: nonexempt, non-retail projects that generate > 800 daily vehicle trips, and retail projects greater than 50,000 square feet. 800 daily trips is the equivalent of approximately: 82,100 s.f. general office, 84 single family units, 109 multifamily units. 			

Additionally, large projects that require a general plan or area plan/specific plan amendment will be required to conduct a cumulative analysis using the City’s travel demand model. A cumulative analysis will assess the project’s cumulative impact against a future “horizon” year that includes existing, approved and planned projects. The “horizon” year for the current general plan is 2040.

Impact threshold criteria

As mentioned above, the goals of using VMT as a study metric are to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions. To achieve these goals, SB 743 requires that a VMT threshold must be established to identify development projects that are not adequately contributing to meeting these goals. The new CEQA guidelines provide guidance on how to establish these thresholds based on land use types.

Locally, vehicle trips typically span more than one city. Considering that the total distance each vehicle travels is a key variable to calculating VMT, the new CEQA guidelines recommended the following when developing agency thresholds:

- Use of either a citywide or a regional VMT standard is permitted. A citywide standard captures average VMT generated within the city and a regional standard captures average VMT generated within the nine Bay Area counties.
- For regional retail developments, a net new increase in total VMT generated by the area affected by the project is considered an impact. The assessment should cover the full area in which driving patterns are expected to change due to the project.
- For residential and commercial developments, efficiency metrics such as “VMT per capita” and “VMT per employee” are more appropriate in assessing impacts, respectively.
- A 15 percent reduction below these VMT standards by future residential and commercial developments is both achievable and necessary to meet the State’s emission goals.

Using the City’s latest (year 2020) travel demand model, CHS calculated both citywide and regional “average VMT per capita” and “average VMT per employee” values for the selection of the City’s VMT impact thresholds. Based on the calculated values, the City generates shorter vehicle trips and lower VMT per capita and employee than the region (e.g., nine Bay Area counties.)

Generally, using a lower value as the threshold standard means future developments would likely need to expend more resources to achieve a 15 percent VMT reduction. This would result in fewer vehicle miles traveled and greater GHG reduction, but could discourage development if thresholds are set too low, especially in comparison to neighboring jurisdictions.

After careful consideration of the current City policies, the recommendations for VMT thresholds are summarized in Table 3. For residential developments, the regional average VMT per capita value is recommended to encourage and promote more housing to alleviate the regional job-housing imbalance. For office developments, the citywide average VMT per job value is recommended to encourage and promote more multimodal growth to reduce office related roadway congestion and GHG emissions.

Project type	OPR guidance	Staff recommendation	Explanation
Residential	< 15% below regional or citywide VMT per capita	< 15% regional VMT per capita ¹	Consistent with City policy CIRC-2.14 to minimize VMT
Office	< 15% below regional VMT per employee	< 15% citywide VMT per employee ²	Consistent with City policies CIRC-2.5 and CIRC-2.14 to minimize local congestion and VMT
Retail / hotel / school	A net increase in total VMT	Adopt OPR guidance	Consistent with City policy CIRC-5.7 to provide improvements proportion with development demand
Mixed use	Evaluate components independently or the most dominant use	Evaluate components independently	Consistent with City policy CIRC-5.7 to provide improvements proportion with development demand
Note: 1. Higher value selected (regional) to encourage and promote more housing to alleviate the regional job-housing imbalance 2. Lower value selected (citywide) to encourage and promote more multimodal growth to reduce office related roadway congestion and GHG emissions			

Both citywide and regional VMT averages and proposed thresholds are presented in Table 4 for reference. The bold type numbers are proposed for the City’s VMT thresholds of significance.

Area of influence	Residential uses: average VMT per capita (threshold) ¹	Office uses: average VMT per employee ² (threshold)
City of Menlo Park	14.5 (12.3)	14.9 (12.7)
Regional (9 Bay Area counties)	16.1 (13.7)	15.8 (13.4)
Note: 1. Capita: resident that lives in the area of influence. VMT per capita value is 14.5 (citywide) or 16.1 (regional), thus the impact threshold is calculated at 15 percent below the value or 12.3 (citywide) or 13.7 (regional). 2. Employee: worker that works in the area of influence. VMT per employee value is 14.9 (citywide) or 15.8 (regional), thus the impact threshold is calculated at 15 percent below the value or 12.7 (citywide) or 13.4 (regional).		

If a cumulative analysis is required, City staff will determine if new cumulative threshold values or existing thresholds shown in Table 3 should be utilized.

Mitigation measures

If a project is found to have a significant VMT impact, it will also need to identify feasible mitigations to reduce or eliminate the impact.

Unlike LOS mitigations that focus on increasing roadway capacity, VMT mitigation measures are meant to reduce project VMT and GHG emission by promoting multimodal and alternative travel modes. A list of potential VMT mitigation measures includes, but is not limited to:

- Develop a transportation demand management (TDM) program;
- Participate in a local/regional Transportation Management Association (TMA;)
- Orient projects toward transit, bicycle and pedestrian facilities;
- Provide traffic calming measures;
- Improve or increase access to transit; and
- Participate in an in-lieu fee program.

CHS reviewed the list and while many measures are expected to reduce project VMT, combining multiple measures could potentially diminished their individual effectiveness. As a result, CHS recommends that each project should prepare a plan to reduce VMT as part of their application materials, to be reviewed and approved at the City's discretion. The plan should demonstrate the reliability of proposed mitigation measures, through well-researched and documented case studies and/or industry accepted research results.

LOS as a local metric only

As stated above, while roadway congestion or LOS is no longer a CEQA threshold, the City Council has directed staff to retain LOS as a local requirement in compliance with the City's current general plan circulation element, which identifies LOS D as the threshold standard for signalized intersections during commute peak hours, except at the intersection of Ravenswood Avenue and Middlefield Road and at intersections along Willow Road from Middlefield Road to US 101.

By retaining LOS, future developments would need to continue to demonstrate that they do not further exacerbate congestion on the existing roadway networks beyond the levels stated in the City's current general plan circulation element. The Planning Commission and/or City Council would continue to have discretion to make findings to approve or deny projects based on compliance with general plan LOS requirements. Actions to address LOS impacts would be conditions of approval, but would not be CEQA-required mitigation measures.

To ensure continued compliance with the general plan LOS requirements and SB 743, CHS examined the current LOS practice and summarized a series of recommendations in Table 5 to formalize current practices that are not currently documented in the TIA guidelines. These recommendations do not change the impact criteria, thresholds, analysis methods or study scenarios.

Table 5: LOS analysis practice recommendations			
Topic	Current Menlo Park guidelines	Staff recommended revision	Explanation
Exempted projects	<ul style="list-style-type: none"> < 5 residential units, ≤ 10,000 s.f. net new commercial project Land use change in Bayfront area with TDM Other projects exempted by CEQA 	<ul style="list-style-type: none"> Modify the exemption criteria to match the new CEQA exemption list¹ ≤ 10,000 s.f. net new retail and other commercial project 	Provide consistency between the two metrics without substantial burden to existing transportation network
Study area (intersections / roadway segments)	Undefined	<ul style="list-style-type: none"> Intersection: ≥ 10 peak hour² vehicle trip per one travel lane (e.g., left, straight or right turns) Roadway segment: likelihood to generate impact based on existing demand 	Formalize current practice
<p>Note: s.f. = square foot, e.g., = for example</p> <p>1. The equivalent of: 10,200 s.f. general office space, 10 single family units, 13 multifamily units.</p> <p>2. One hour with the highest vehicle trip count chosen from 7 a.m. to 9 a.m., and one hour with the highest vehicle trip count chosen from 4 p.m. to 6 p.m.</p>			

Planning Commission feedback

In addition to presenting the addition of VMT and update to the LOS metrics in the TIA guidelines, staff also presented the following related questions to the Planning Commission for feedback at the May 4 meeting:

- Explore a new in lieu fee program, separate from the current TIF program, as a potential mitigation measure for VMT impacts;
- Formalize the local LOS guidelines into the zoning code to ensure full compliance; and
- Conduct a biennial review on the adequacy of the TIA guidelines, as part of the biennial general plan review process.

The feedback received from Commissioners Barnes, DeCardy, Riggs are summarized below:

- Not in favor of exploring the development of a new in lieu fee program, separate from the current TIF program, as a potential mitigation measure for VMT impacts.
- Not in favor of adding LOS requirements into the zoning code to make LOS an objective requirement as opposed to a subjective consideration for a condition of approval.
- In favor of reviewing VMT thresholds for their adequacy only when necessary as opposed to as part of the biennial general plan review process.

City Council action and other considerations

City staff is requesting City Council feedback on:

- The recommended Menlo Park specific VMT methodology and thresholds (e.g., Tables 1 to 4), which will be adopted as a City’s new local transportation study metric and the threshold for CEQA purposes; and
- The recommended LOS revisions (e.g., Table 5), which will remain as an existing local transportation study metric.

VMT thresholds biennial review

As stated above, VMT thresholds are calculated based on existing land uses and the existing transportation network. Therefore, City staff is recommending a review of the adequacy of the latest adopted VMT

thresholds as part of the biennial general plan review process. This would allow the City to better ensure that the VMT thresholds reflect the most current existing land uses and transportation network. When necessary, staff will outline recommended VMT threshold updates, which would be subject to City Council consideration and approval.

Multimodal level of service

As mentioned by the public speaker at the May 4 Planning Commission meeting, in support of the City's Complete Streets Policy and direction from the City Council, staff began exploring the possibility of incorporating multimodal level of service (MMLOS) through this TIA guidelines update effort. MMLOS methodology is the calculation of LOS for each independent travel modes, including vehicle, pedestrian, bicycle and transit.

Through staff's initial research, no local agencies have adopted MMLOS and incorporating this methodology into the current effort will require additional effort and resources. Due to the subject's complexity and schedule constraints, staff is recommending continuing this effort and report back to the City Council as part of the recommended biennial general plan review process. Staff will also continue to monitor if and how MMLOS will be applied locally and regionally, such as the City of Palo Alto and City/County Association of Governments of San Mateo County.

Next Steps

Staff will work with CHS to incorporate City Council feedback and finalize the updated TIA guidelines for the scheduled adoption June 23 as a consent calendar item before the required July 1 deadline to transition to VMT for CEQA threshold purposes. If the City does not adopt updated TIA guidelines before July 1, the OPR defaults will apply for consideration of project impacts. After adoption of the TIA guidelines, development and capital projects must complete VMT and LOS assessments according to the guidelines. VMT impacts would be addressed in the CEQA process (e.g., in an environmental impact report) and required mitigation measures applied. LOS would be addressed in the TIA and considered by decision makers in the entitlement process for conditions of approval.

Impact on City Resources

Consultant cost and City resources required to complete this update were included in the 2019-20 capital improvement program in the transportation projects (minor) project budget and City's annual operation budget. No additional resources are being requested at this time.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Hyperlink – January 14 City Council staff report: menlopark.org/DocumentCenter/View/23915/SS2-

[20200114-CC-TIA-Study-Session?bidId=](#)

B. Hyperlink – Current general plan land use element: menlopark.org/DocumentCenter/View/15014/Land-Use-Element_adopted-112916_final_figures?bidId=

Report prepared by:

Kevin Chen, Senior Transportation Engineer

Report reviewed by:

Kristiann Choy, Acting Transportation Manager

Leigh F. Prince, Assistant City Attorney



STAFF REPORT

City Council

Meeting Date:

6/9/2020

Staff Report Number:

20-112-CC

Informational Item:

City Council agenda topics: June 2020 to August 2020

Recommendation

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

Policy Issues

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

Analysis

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through August 11. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. City Council agenda topics: June 2020 to August 2020

Report prepared by:

Judi A. Herren, City Clerk

ATTACHMENT A

Tentative City Council Agenda

#	Title	Department	Item type
1	Approve contract for city attorney services	ASD	Regular
2	City Council Policy #CC-01-1996 as recommended by the City Council Community Funding sub-committee, approve revisions	ASD	Consent
3	Fiscal year 2020-21 budget and capital improvement plan, resolution adoptions	ASD	Regular
4	165 Jefferson Drive EIR contract authorization	CDD	Consent
5	Hello Housing agreement amendment (BMR admin services)	CDD	Consent
6	Inclusionary Housing Feasibility Study (BAE Study)	CDD	Consent
7	Newsrack regulations ordinance, first reading	CDD	Regular
8	Newsrack regulations ordinance, second reading and adoption	CDD	Consent
9	Short term rental regulation recommendation	CDD	Regular
10	USGS property information	CDD	Informational
11	BHCCL term sheet	CMO	Regular
12	Calling the November 2020 election, resolution adoption	CMO	Consent
13	Community electronic vehicle infrastructure policy and program analysis	CMO	Study Session
14	Discussion with chamber of commerce	CMO	Study Session
15	EQC Climate Change Impacts to Menlo Park Presentation	CMO	Presentation
16	Review and Discuss Draft Climate Action Plan and Budget	CMO	Commission Report
17	Santa Cruz closure	CMO	Regular
18	Belle Haven community center self eval report	CSD	Consent
19	CDE contract for FY20/21	CSD	Consent
20	700-800 El Camino Real, purchase and sale agreement	PW	Consent
21	Abandoning of a portion of Terminal Avenue, resolution adoption	PW	Regular
22	Approve maintaining current water rates for fiscal year 2020-21; provide direction on whether to utilize debt to finance water capital project	PW	Regular
23	Approve revised TIA guidelines and adopt VMT methodology and thresholds.	PW	Consent
24	Collect regulatory fee and implement City's stormwater management program resolution adoption	PW	Public Hearing
25	Hydration station discussion	PW	Regular

Tentative City Council Agenda

#	Title	Department	Item type
26	Landscaping assessment district overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection, resolution adoption	PW	Public Hearing
27	Provide direction on the potential alternatives for a transportation management association	PW	Study Session