



SPECIAL MEETING MINUTES

Date: 6/9/2020

Time: 5:00 p.m.

Closed Session: Teleconference

Special Meeting Location: [Joinwebinar.com](https://www.joinwebinar.com) – ID# 932-476-515

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](https://www.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

Mayor Taylor called the meeting order at 5 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, Labor Negotiator Charles Sakai

C. 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

The City Council reached a tentative agreement with SEIU and AFSCME.

Adjournment

Mayor Taylor adjourned to the special session at 5:20 p.m.

Special Session ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 932-476-515)

D. Call To Order

Mayor Taylor called the meeting to order at 5:31 p.m.

E. 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

F. Report from Closed Session

City Manager Jerome-Robinson announced the City Council reached a tentative agreement with SEIU and AFSCME.

Mayor Taylor reordered the agenda.

H. Consent Calendar

The City Council directed staff to pull item H4. and add to a future meeting as a regular business item.

Mayor Taylor pulled item H3. for discussion.

- 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](#))

The City Council received clarification on how EIR information is used and discussed notice of preparation policies.

- 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 \(Attachment\).](#)

- 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 \(Attachment\)](#).

ACTION: Motion and second (Nash/ Combs) to approve the consent calendar except item H4., passed unanimously (Nash abstaining from the May 12 minutes in item H1.).

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](#))

The City Council made appointments to fill vacancies on 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.

Complete Streets Commission:

- Katie Behroozi – term expiring April 30, 2024 (reappointed)
- Petrice Espinosa – term expiring April 30, 2024
- Isaac Wyatt – term expiring April 30, 2022

Environmental Quality Commission:

- Janelle London – term expiring April 30, 2024 (reappointed)
- James Payne – term expiring April 30, 2024 (reappointed)

Finance and Audit Committee:

- Theo Keet – term expiring April 30, 2022
- Roger Royse – term expiring April 30, 2022 (reappointed)

Housing Commission:

- John Pimentel – term expiring April 30, 2024

Library Commission:

- Sukanya Guha – term expiring April 30, 2024
- Katie Hadrovic – term expiring April 30, 2024 (reappointed)
- Yen Tran – term expiring April 30, 2022
- Mayrin Bunyagidj – term expiring April 30, 2021

Parks and Recreation Commission:

- Jennifer Baskin – term expiring April 30, 2024 (reappointed)
- Jennifer Johnson – term expiring April 30, 2024 (reappointed)

Planning Commission:

- Andrew Barnes – term expiring April 30, 2024 (reappointed)
- Henry Riggs – term expiring April 30, 2024 (reappointed)

San Mateo County Mosquito and Vector Control District

- City Councilmember Carlton – term expiring December 31, 2021

Sister City Committee:

- Anna Tavora Enerio – term expiring October 1, 2020

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 \(Attachment\)](#).

Assistant Administrative Services Director Dan Jacobson made the presentation ([Attachment](#)).

The City Council took a break at 6:45 p.m.

The City Council reconvened at 7:15 p.m.

Mayor Taylor opened the public hearing.

- Nicola Diolaiti had questions related to the childcare centers funding.
- Myra Lomberra spoke in support of retaining childcare services.
- Sonoo Thadaney Israni spoke in support of reducing the police department budget.
- Uri Nadav spoke in support of retaining childcare services without in increase to tuition.
- Karen Grove spoke in support of retaining childcare services and reducing the police department budget.
- Julie Shanson spoke in support of retaining childcare services.
- Adina Levin spoke in support of retaining childcare services.
- Heather Hopkins had questions related to the childcare centers funding.
- Pamela Jones spoke in support of retaining childcare services.
- Chaun Li spoke in support of retaining childcare services.
- Cairo Mo spoke in support of reducing the police department budget.
- Sefa Santos-Powell spoke in support of reducing the police department budget.
- Sarah Goodman spoke in support of reducing the police department budget.
- Carmen Lo spoke in support of retaining childcare services.
- Bella Cooper spoke in support of reducing the police department budget.
- Stephani Dupont spoke in support of retaining childcare services.
- Kevin Gallagher spoke in support of Menlo Park becoming more equitable and inclusive.
- Rose Scott spoke in support of reducing the police department budget.
- Esther Tsrayg spoke on concerns on prejudice in the single family zoning.
- Marcelline Combs spoke in support of retaining childcare services.
- Uri Golani spoke in support of retaining childcare services.

The City Council discussed opportunities to work with San Mateo County regarding a partnership with childcare services and costs. The City Council also discussed tuition and sliding scale increases to childcare. The City Council received clarification on the options of returning the police departments mobile command unit.

ACTION: Motion and second (Carlton/ Combs) to reopen the Belle Haven Child Development Center and Menlo Children's Center, increase the tuition by \$500 per month at the Menlo Children's Center, directed staff to open the childcare centers sooner than August 10 if it can be done safely, and examine partnerships and funding, passed 4-0-1 (Mueller abstaining).

The City Council took a break at 10:01 p.m.

The City Council reconvened at 10:10 p.m.

The City Council directed staff to return the Peninsula Library System withdrawal discussion to a future closed session and to add the police departments mobile command station to a future agenda for discussion. The City Council discussed the use of reserves and one-time money to balance the budget, retaining the users' utility tax, and opening the Onetta Harris Community Center, Arrillaga Community Center and Arrillaga Gymnasium simultaneously.

Mayor Taylor closed the public hearing.

J. Regular Business

The City Council continued items J1. and J3. to a future meeting.

- 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

None.

M. City Councilmember Reports

City Councilmember Nash reported on the upcoming Black Lives Matter resolution, housing roundtable with Senator Hill meeting, and Stanford Community Resource Group meeting.

Mayor Taylor reported on the San Francisco International Airport/Community Roundtable meeting.

City Councilmember Mueller suggested that Mayor Taylor rejoin the Stanford Roundtable group.

City Councilmember Carlton reported on a roundtable call regarding the reopening of European restaurants.

N. Adjournment

Mayor Taylor adjourned the meeting at 11 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of July 28, 2020.

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.

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.



FISCAL YEAR 2020-21 PROPOSED BUDGET

Public Hearing June 9, 2020





AGENDA

- Requested action
- Overview of assumptions
- Budget balancing measures
- Child care direction
- Direction for utility users' tax and one-time money
- Next steps



REQUESTED DIRECTION

- Hold public hearing on the fiscal year 2020-21 proposed budget and provide direction on changes
- Provide direction on child care services
- Confirm intent to maintain temporary reduction in utility users' tax rate
- Direct the use of one-time money



FISCAL YEAR 2020-21 PROPOSED BUDGET

- Budget theme – “Resilient Community”
- Balanced without the use of reserves
- \$13.72 million reduction in General Fund revenues
- 17.1 percent reduction in authorized positions
- Rollover capital improvement program (CIP) for consideration in July 2020



INFLUENCING FACTORS

- Slow recovery of major tax sources
 - Transient Occupancy Tax (TOT or hotel tax)
 - Reduction in sales taxes
- Reductions in charges for services
 - Event and program cancellations
 - Closure of congregate facilities
- Structural program and service level reductions
- No federal assistance
- Baseline funding for child care



ADDITIONAL BUDGET BALANCING MEASURES

- June 2 direction for additional reductions
- \$2.5 million additional reductions
 - Most remaining vacancies frozen - \$1.32 million
 - Additional consolidation of contract services - \$0.85 million
 - Other post-employment benefits (OPEB) reduction - \$0.34 million



FROZEN VACANCIES

- Plan Check Engineer - \$180,174
- Senior Planner - \$174,439
- Child Care Teacher - \$104,347
- Recreation Coordinator (2) - \$245,314
- Building Custodian (2) - \$208,694
- Junior Engineer - \$135,408
- Management Analyst I/II/Sr (1.5) - \$267,119



CHILD CARE REACTIVATION

- Health order restrictions on enrollment and teacher-child ratio substantially impact program costs in FY 2020-21

- Belle Haven Child Development Center
 - Projected additional GF subsidy in FY 2020-21: \$498,223
 - Total projected subsidy in FY 2020-21: \$1.213 million

- Menlo Children’s Center
 - Projected additional GF subsidy in FY 2020-21: \$91,448
 - Total projected subsidy in FY 2020-21: \$454,305
 - Tuition increase to recover direct costs in FY 2020-21: \$1,147 per month
 - Projections are conservative, account for full cost recovery



UTILITY USERS' TAX (UUT) RATE

- Rate currently temporarily reduced to 1 percent
- Temporary reduction expires September 30, 2020
- Annual review of the budgetary need



ONE-TIME MONEY OPTIONS

Item	Estimated available as of July 1, 2020	Priority
Economic stabilization reserve	11,607,781	Tier 1
Use of strategic pension reserve to make additional payments to CalPERS	2,898,650	Tier 1
General fund unassigned fund balance	2,322,221	Tier 2
Unused capital improvement program funds originated in the general fund	2,700,000	Tier 3
Deferral of transfer to general capital improvements	3,002,400	Tier 3
Sale of assets, 1283 Willow Road	3,650,000	Tier 3



NEXT STEPS

- Budget adoption scheduled for June 23, 2020
 - Additional direction incorporated
 - Budget portal on OpenGov refined and expanded
- Begin fiscal year 2020-21 review in August 2020
 - Additional experience from post-stay-at-home order
 - First quarter amendment by September 2020



REQUESTED DIRECTION

- Provide direction on fiscal year 2020-21 proposed budget
 - Child care reactivation
 - Other service level changes
 - Personnel direction
 - UUT rate
 - Use of one-time money



QUESTIONS

Agenda item 11 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.

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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.

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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?