



**REGULAR MEETING MINUTES**

**Date:** 10/13/2020

**Time:** 4:00 p.m.

**Closed Session:** Teleconference

**Regular Meeting Location:** [Joinwebinar.com](https://www.joinwebinar.com) – ID# 140-382-555

CITY OF  
MENLO PARK

**Closed Session (Teleconference)**

**A. Call To Order**

Mayor Taylor called the meeting to order at 4:06 p.m.

**B. Roll Call**

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros,  
Human Resources Director Theresa DellaSanta

**C. Closed Session**

C1. Public employment (Gov. Code section 54957.) City attorney recruitment

Mayor Taylor adjourned to the regular session at 4:45 p.m.

**Regular Meeting ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 140-382-555)**

**D. Call To Order**

Mayor Taylor called the meeting to order at 5:10 p.m.

**E. Roll Call**

Present: Carlton, Combs, Mueller, Nash, Taylor

Absent: None

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

**Report from Closed Session**

No reportable action.

**F. Public Comment**

None.

## **G. Presentations and Proclamations**

### G1. Proclamation: United Nations 75th Anniversary ([Attachment](#))

Mayor Taylor read the proclamation ([Attachment](#)).

### G2. Presentation: Stanford University regarding the land, buildings, and real estate (LBRE) replacement project

Public Works Director Nikki Nagaya and Stanford University representatives Lesley Lowe, Jean McCown, and Ellen Poling made the presentation ([Attachment](#)).

The City Council received clarification on the functions of the truck vehicles on the site, the number or daily trips, and the timing of the traffic study. The City Council requested information on the impacts to Alpine Road and directed staff to provide a comment letter to Stanford.

### G3. Presentation: San Mateo County Flood and Sea Level Rise Resiliency District

Public Works Director Nikki Nagaya and Chief Executive Office of One Shoreline Len Materman made the presentation ([Attachment](#)).

The City Council received clarification on plan review and Menlo Park's funding commitment. The City Council discussed estimated sea level rise projections and the funding formula for the Atherton Channel project.

## **H. Regular Business**

### H1. Consider which City requested work to accompany Facebook's offer to rebuild community facilities located at 100-110 Terminal Avenue ([Staff Report #20-228-CC](#) [Informe de Personal #20-228-CC](#))

[Web form public comment on item H1](#) ([Attachment](#)).

Deputy City Manager Justin Murphy made the presentation ([Attachment](#)).

- Adina Levin spoke in support of MenloSpark's recommendations and increased community outreach.
- Josie Gaillard spoke in support of the use of solar.
- Tom Kabat spoke in support of the use of solar.
- Sheryl Bims spoke in support of the project and expressed concerns related to funding.

The City Council received clarification on project funding, LEED (Leadership in Energy and Environmental Design) ratings, and solar power upgrade. The City Council discussed the use of generators and their purpose, and the installation of electric vehicle (EV) chargers. The City Council requested detailed information on the past use of Measure T funds and to explore the repurposing of aquatic funding.

The City Council took a break 7:01 p.m.

The City Council reconvened at 7:20 p.m.

The City Council had consensus around City requested work ([Attachment](#)).

**ACTION:** Motion and second (Carlton/ Taylor) to direct staff to return with information on all potential funding options proposed, prioritizing the least impactful to the City, and a further discussion on future community amenities, passed unanimously.

Vice Mayor Combs was recused because Facebook is his employer and exited the meeting at 8:40 p.m.

The City Council discussed the reimbursement of design costs.

**ACTION:** Motion and second (Nash/ Mueller) to approve the reimbursement of the design costs, passed 4-0-1 (Combs recused).

The City Council took a break 8:48 p.m.

The City Council reconvened at 8:51 p.m.

Vice Mayor Combs rejoined the meeting at 8:51 p.m.

Mayor Taylor reordered the agenda.

H4. Adopt Resolution No. 6593 and approve the 2019 Citywide engineering and traffic survey and adopt resolution no. to establish recommended speed limits ([Staff Report #20-230-CC](#))

[Web form public comment on item H4](#) (Attachment).

Associate Transportation Engineer Rene Baile made the presentation (Attachment).

- Angela Evans spoke in support of including Olive Street on the list of 25 miles per hour (mph).
- John Brigden spoke in support of the adoption of a 25-mph speed limit citywide and increase in traffic measured.
- Katie Behroozi spoke in support of the adoption of a 25-mph speed limit citywide.
- Henry Riggs spoke on the impacts of slower moving vehicles to the environment.
- Adina Levin the adoption of a 25-mph speed limit citywide.
- Pamela Jones made comments on Chilco Street and the timing of the study.

The City Council received confirmation that Olive Street was added to the list of 25-mph streets. The City Council discussed Palo Alto's 25-mph regulation on all city streets and implementing that into Menlo Park. The City Council also discussed reducing Middle Avenue and Chilco Street to 25-mph and alternative traffic calming measures.

**ACTION:** Motion and second (Mueller/Combs) to adopt Resolution No. 6593, direct staff to return with options for traffic calming on Middle Avenue to achieve a 25-mph zone, include Olive Street on the 25-mph list, reduce O'Brian Drive to 25-mph, reduce Chilco Street to 30-mph, and look at expanding the 25-mph school zones to the further extent of law, passed 4-0-1 (Carlton abstaining).

H2. Consider applicants and make an appointment to fill a vacancy on the Environmental Quality Commission ([Staff Report #20-222-CC](#))

City Clerk Judi Herren introduced the item.

The City Council appointed Leah Elkins to fill the vacancy on the Environmental Quality Commission (Attachment).

- H3. Authorize initiation of a Proposition 218 notification process in preparation to adopt maximum waste rate increases for the next five years (2021-2025) at a public hearing on December 8 ([Staff Report #20-229-CC](#))

Sustainability Manager Rebecca Lucky and R3 Consulting Group representative Garth Schultz made the presentation (Attachment).

**ACTION:** By acclamation, the City Council extended the meeting beyond 11 p.m., passed unanimously.

The City Council discussed the 2021 commercial rate outcomes and discount rate analysis. The City Council requested clarification on the calculated rate of a City funded backfilling and the subsidy.

**ACTION:** Motion and second (Mueller/ Carlton) to approve the mailing of the Proposition 218 notices inclusive of a \$500,000 subsidy and that the City Council is considering further subsidies to lower the rates, passed unanimously.

#### **I. Regular Business – no staff presentations**

- I1. Authorize the city manager to enter into a contract with Dudek to prepare an environmental impact report and housing needs analysis for the proposed mixed-use project at 123 Independence Drive for the amount of \$251,701 and future augments as may be necessary to complete the environmental review and housing needs assessment for the proposed project ([Staff Report #20-226-CC](#))

The City Council continued item I1. to a future meeting.

- I2. Receive and file the City Council's fiscal year 2020-21 priorities and workplan quarterly updates as of September 30 ([Staff Report #20-224-CC](#))

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

The City Council continued item I2. to a future meeting.

- I3. Adopt Resolution No. 6592 authorizing the city manager to safely reopen public playgrounds with restrictions to comply with public health orders and prevent the spread of COVID-19; and appropriate \$49,500 for required playground cleaning, handwashing stations, and signage ([Staff Report #20-227-CC](#))

[Web form public comment on item I3](#) (Attachment).

**ACTION:** Motion and second (Mueller/ Nash) to adopt Resolution No. 6592 authorizing the city manager to safely reopen public playgrounds with restrictions to comply with public health orders and prevent the spread of COVID-19; and appropriate \$49,500 for required playground cleaning, handwashing stations, and signage, passed unanimously.

#### **J. Informational Items**

- J1. Annual inflation protection adjustment to the local minimum wage effective January 1, 2021

([Staff Report #20-225-CC](#))

J2. City Council agenda topics: October 2020 to December 2020 ([Staff Report #20-223-CC](#))

**K. City Manager's Report**

None.

**L. City Councilmember Reports**

None.

**M. Adjournment**

Mayor Taylor adjourned the meeting at 11:46 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of November 10, 2020.

## 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/publiccommentOctober13](https://menlopark.org/publiccommentOctober13)\*
  - Record a comment or request a call-back when an agenda topic is under consideration:  
Dial 650-474-5071\*
  - Access the regular meeting real-time online at:  
[joinwebinar.com](https://joinwebinar.com) – Regular Meeting ID 140-382-555
  - Access the regular meeting real-time via telephone (listen only mode) at:  
(562) 247-8422  
Regular Meeting ID 448-178-366 (# – no audio pin)  
\*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](https://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](https://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](https://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.

# PROCLAMATION

## United Nations 75th Anniversary 2020 and Beyond: Shaping Our Future Together

**WHEREAS;** 2020 marks the 75th Anniversary of the founding of the United Nations; and

**WHEREAS;** for 75 years the United Nations, born from the rubble and devastation of World War II, has been the beacon of light for multilateralism, international peace and security, human rights, and diplomacy among nation states; and

**WHEREAS;** the active participation of global civil society, governments and world leaders is an essential component for the continued success and strength of the United Nations and the collective fulfillment of the United Nations Sustainable Development Goals by year 2030; and

**WHEREAS;** the United Nations has declared this year to be UN75 2020 and Beyond: Shaping Our Future Together, and has encouraged all citizens across the world to join the largest global conversation and build the future we want by its centenary in 2045; and

**WHEREAS;** the United Nations Association-Mid-Peninsula is committed to engaging its membership and broader community about the principles and work of the United Nations and to encourage active participation in UN75 activities; and

**WHEREAS;** the United Nations Association-Mid-Peninsula recognizes its important role in promoting and supporting the principles and work of the United Nations in order to address the most pressing global issues facing humanity; and

**WHEREAS;** the citizens of Menlo Park California should participate in commemorating the United Nations' 75th Anniversary throughout 2020.

**NOW THEREFORE, BE IT PROCLAIMED** that I, Cecilia Taylor, Mayor of the City of Menlo Park, on behalf of the City Council, do hereby proclaim the 75th Anniversary of the United Nations and its continued call for international cooperation with a pride flag raising ceremony on October 24, 2020 at the City Hall.

DocuSigned by:

*Cecilia Taylor*

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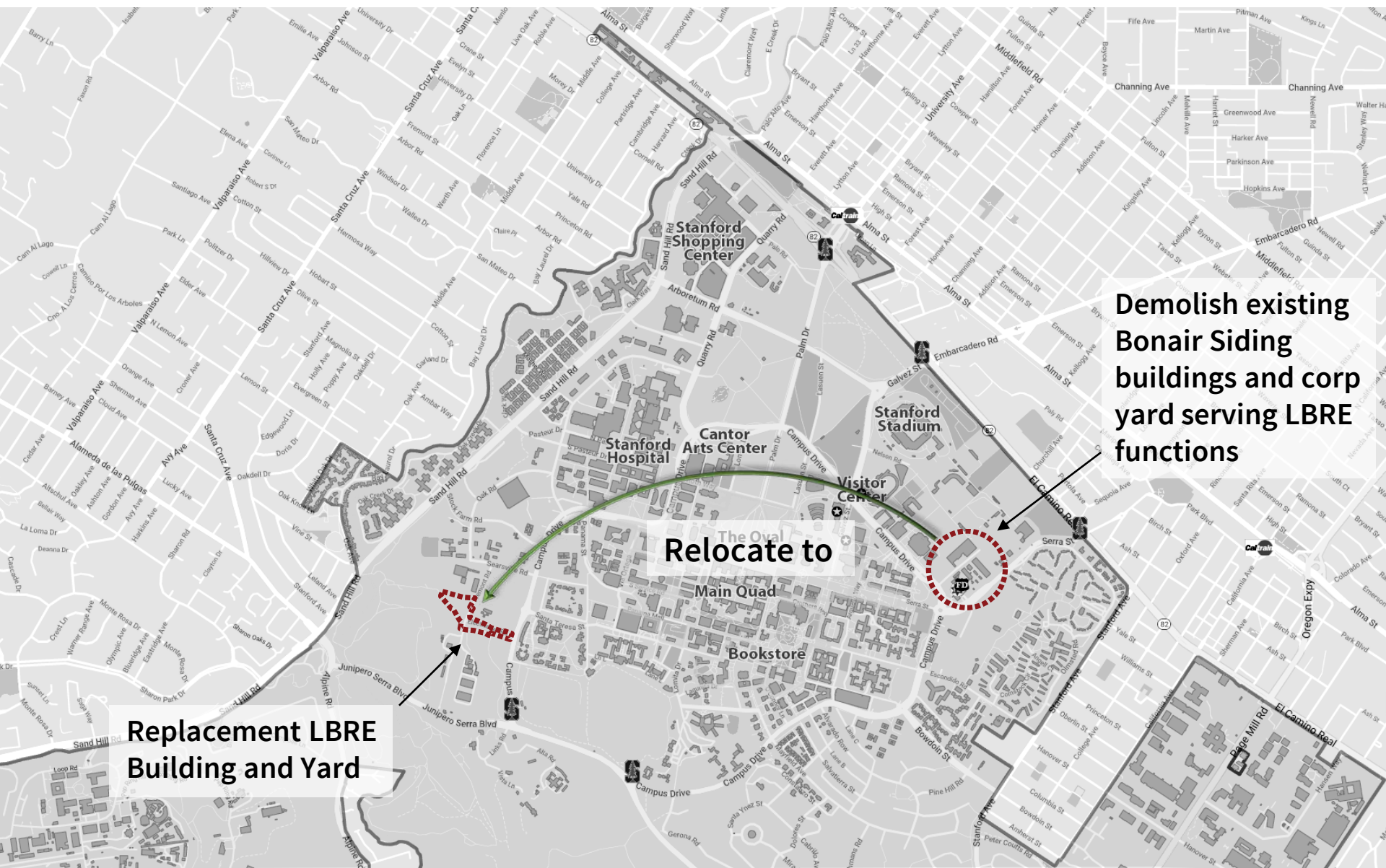
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Cecilia Taylor, Mayor  
October 2020

# Stanford LBRE Replacement Building Project

Presentation to Menlo Park City Council  
October 13, 2020

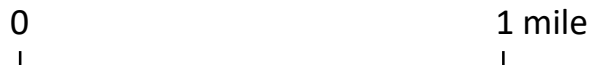




**Demolish existing  
Bonair Siding  
buildings and corp  
yard serving LBRE  
functions**

**Relocate to**

**Replacement LBRE  
Building and Yard**



This replacement project is for:

# Land, Buildings and Real Estate Department

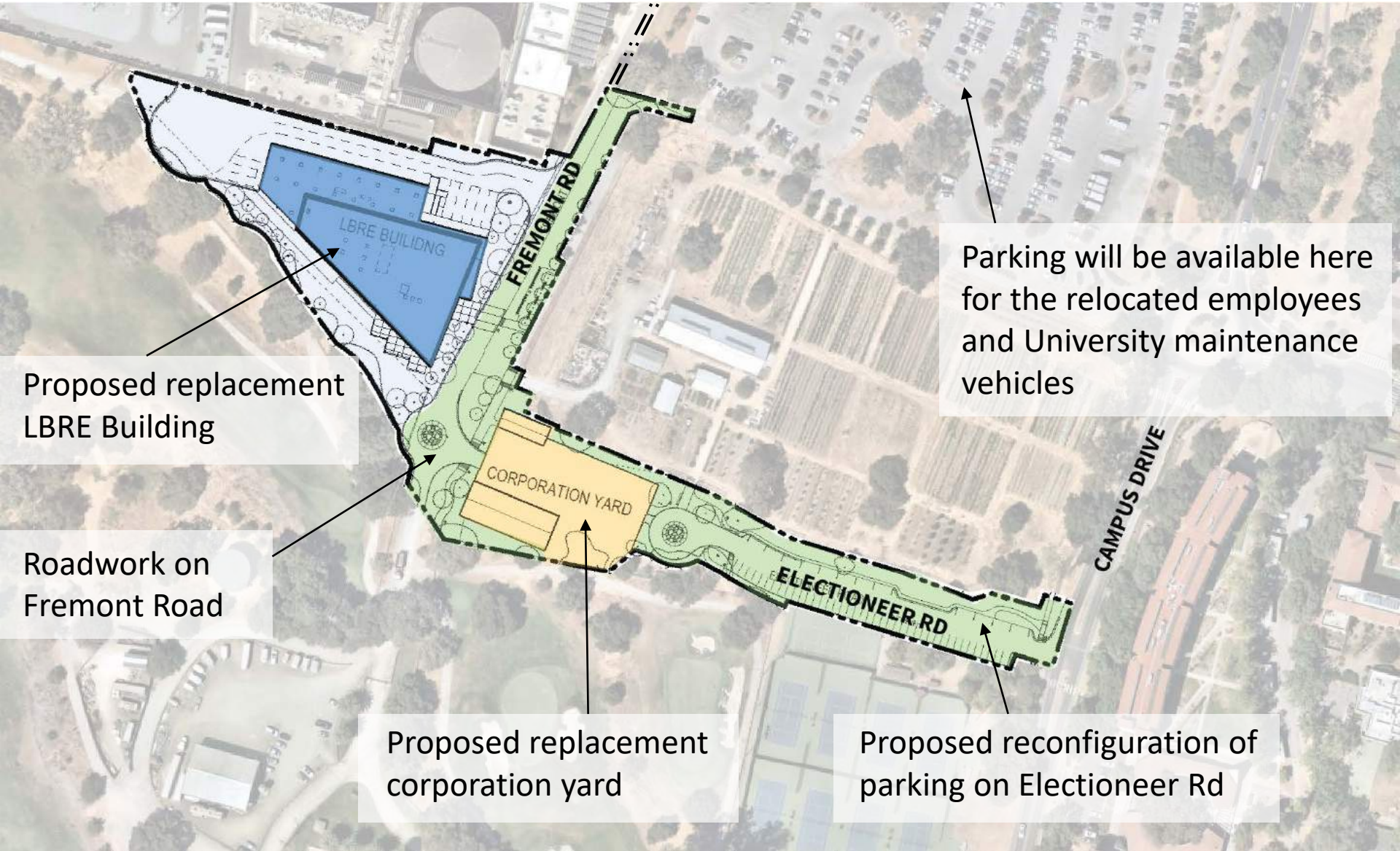
Buildings & Grounds Maintenance, Project Management, etc.



This replacement project supports **295 existing** employees.  
~**45%** arrive early and leave early (5:30 – 6:00 am to 2:30 – 3:00 pm).  
All have access to TDM programs.

**Stanford University**





Proposed replacement  
LBRE Building

Roadwork on  
Fremont Road

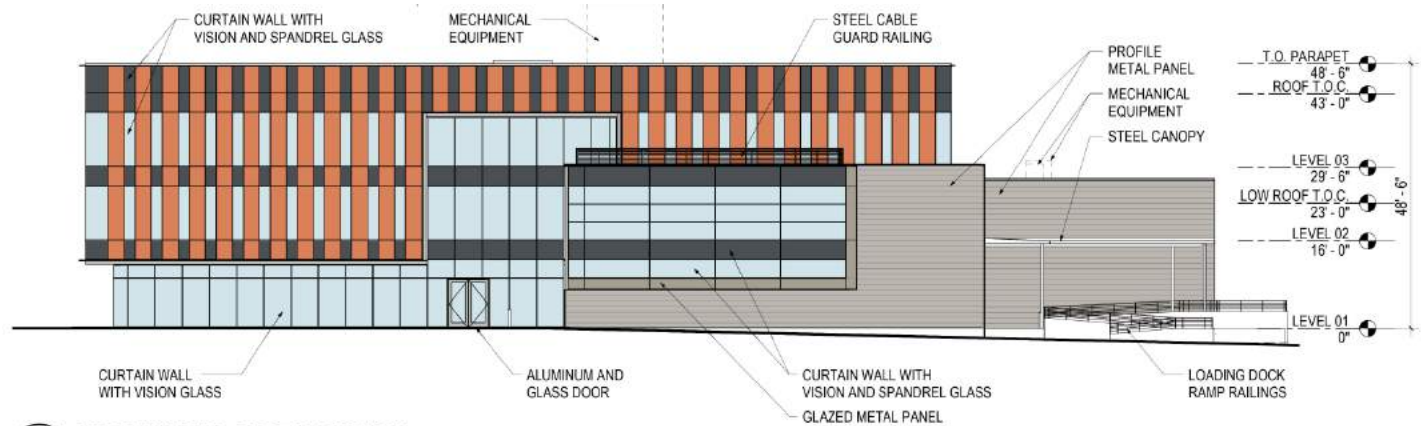
Proposed replacement  
corporation yard

Parking will be available here  
for the relocated employees  
and University maintenance  
vehicles

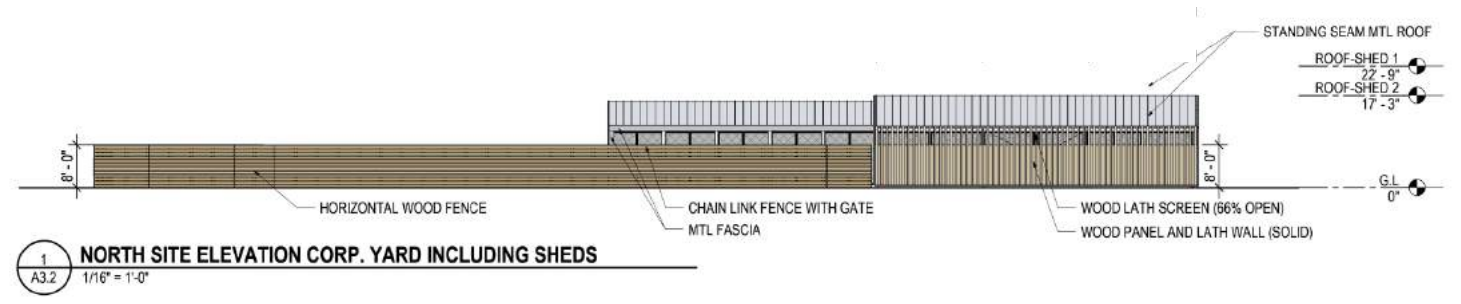
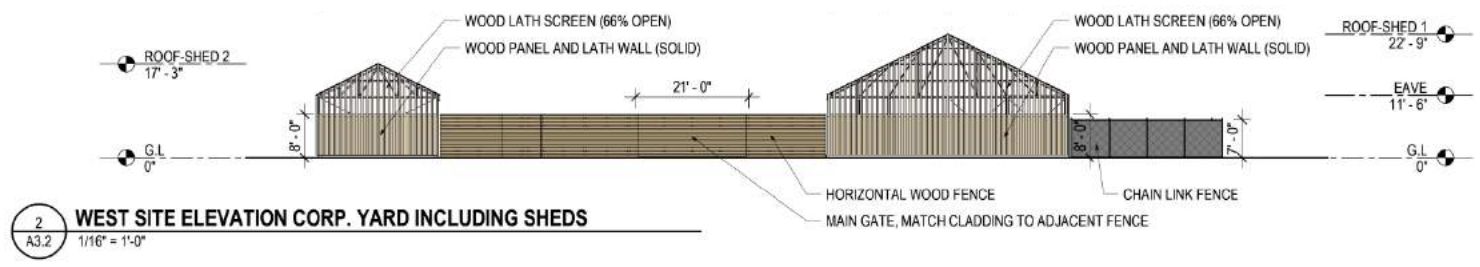
Proposed reconfiguration of  
parking on Electioneer Rd



1  
 A3.1 LBRE BUILDING - SW ELEVATION  
 1/16" = 1'-0"



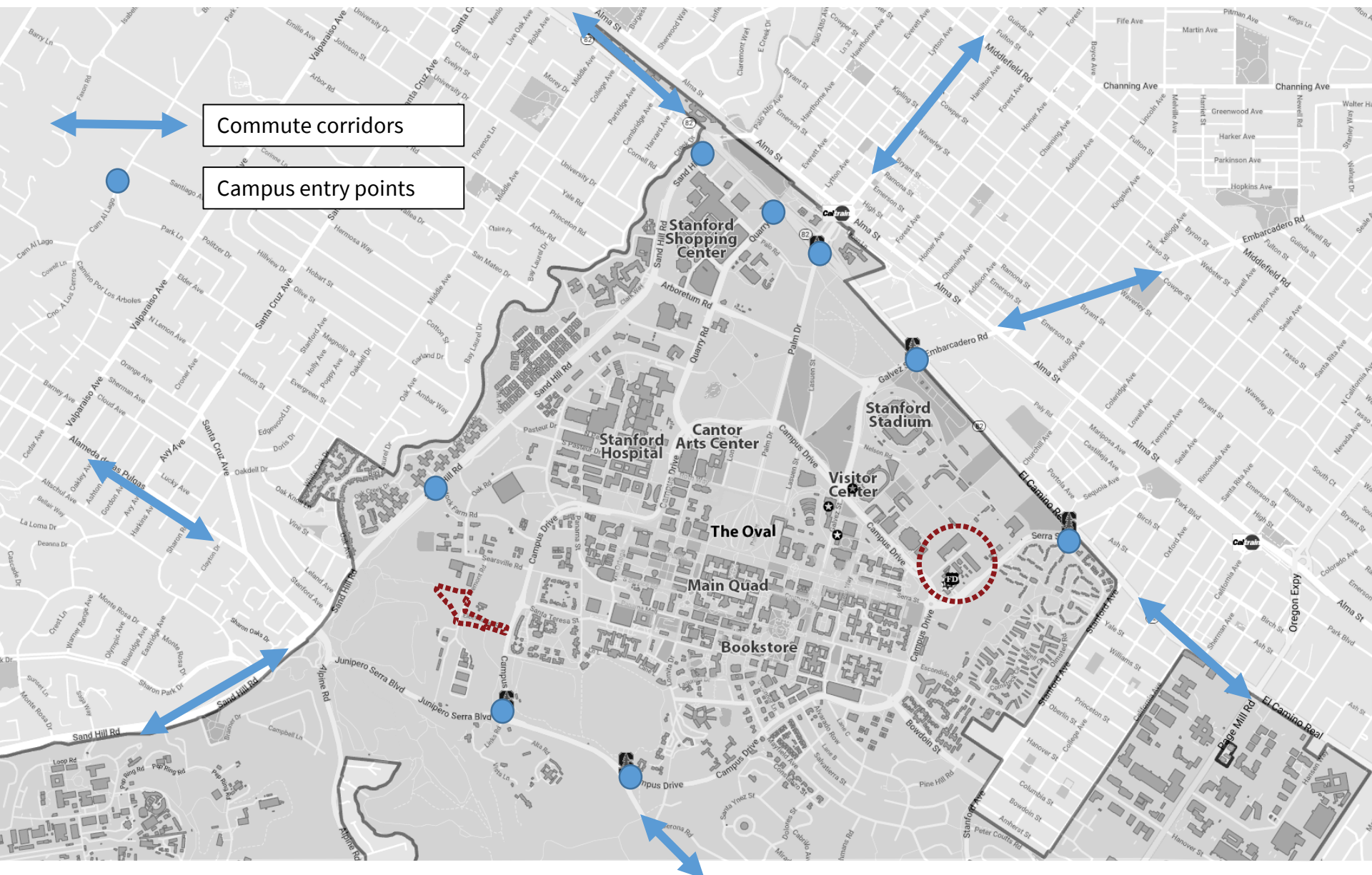
2  
 A3.1 LBRE BUILDING - EAST ELEVATION  
 1/16" = 1'-0"



# Timeline

Stage	Timeframe
Outreach	Spring 2020
Planning Application Submission	July 2020
Resubmission	Oct 2020
Hearing	Winter 2020/21
Make-Ready (utilities) permits and work	Fall 2020 to Spring 2021
Grading and building permits	Fall 2020 to Summer 2021
Building Construction	Summer 2021 to Spring 2023

October 13, 2020  
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Commute corridors

Campus entry points



Stanford University



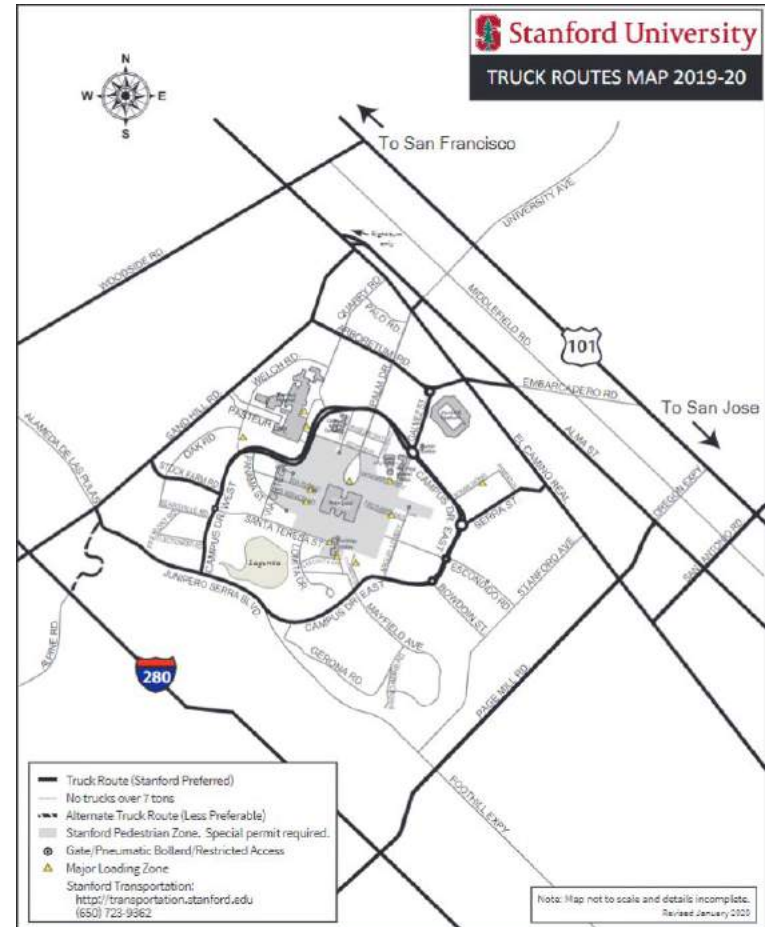
Out of 295 commuters, we estimate 10-15 commuters might shift their travel patterns to take Sand Hill Road during peak hours.



Stanford University

# Operational Truck Traffic

- Current 5-15 external trips daily
- Current 2 peak hour trips
- Trips unlikely to shift further due to designated truck access to campus



## Q&A

- Lesley Lowe, Transportation and Environmental Planning Manager, Stanford
- Jean McCown, Associate Vice President, Government Affairs, Stanford
- Ellen Poling, Senior Associate, Fehr & Peers

**Agenda Item H1**  
**Victoria Robledo, Resident**

Good evening, I would like to request that the City Council/Planning Dept please allow this NEW Community Center to attempt to reflect in its Architectural Design utilizing individuals that live in communities of color and understand some of the cultural relevance of preserving and reflecting the communities history. I want to feel confident that the City Council supports keeping the name of Onnetta Harris and incorporate some of the actual history of this area of Belle Haven. I believe it is critical that the design reflect cultural design, color, along with incorporating names of important people who reflect the history of Belle Haven and our many struggles, struggles we continue to have in preserving our community



# CITY COUNCIL MEETING

New Menlo Park community campus project





# AGENDA ITEM

Council direction on the following:

- City requested work to include
- Funding sources/strategies
- Design fee reimbursement to Facebook





## MILESTONES TO DATE

- **October 2019:** Facebook announced offer
- **December 2019:** Facebook submitted offer letter
- **January 28:** Council approved Resolution of Intent
- **February 9:** Community meeting
- **February 25:** Council direction on interim services
- **April 7:** Council re-affirmed project as a top priority
- **April 21:** Council expressed support for draft plan for interim services
- **July 28:** Council approved funding for base level project
- **September 15:** Council approved term sheet and schedule
- **October 12:** Planning Commission study session
- **Council subcommittee meetings**



## TERM SHEET

- Serves as guide for remainder of project review and preparation of detailed construction agreement
  - Term sheet is unenforceable, but sets expectations
  - Construction agreement based on an approved project will be legally binding
- City requested work (Section 3)
  - Pool (item i = 1)
  - Red Cross evacuation center (item ii = 2)
  - Sustainability and resiliency (items iii-vii = 3-7)
  - Utilities (items viii-x = 8-10)



## CITY REQUESTED WORK



1. A new swimming pool and all associated support systems
2. Upgrading the building to a Red Cross Evacuation Center
3. Deploying emergency backup power (e.g., diesel generator)
4. Installing solar carports
5. Pursuing Leadership in Energy and Environmental Design (LEED) Platinum or equivalent
6. Designing and installing a microgrid
7. Deconstructing the existing buildings (instead of demolishing them)
8. Replacing the On-site water main
9. Extending a recycled water main to serve the site in the future
10. Undergrounding overhead utilities



## CITY REQUESTED WORK

1. New swimming pool: \$7.4 million
2. Red Cross evacuation center: \$0.750 million
3. Emergency backup power (diesel generator): \$0.150 million
4. *Solar carports: \$0.750 million (each location)*
5. LEED platinum upgrade: \$0.350 million  
*Maximize rooftop solar: \$0.250 million*
6. *Renewable energy microgrid: \$0.600 - \$1.200 million*
7. Building deconstruction versus demolition: \$0.400 million
8. Water main replacement: \$0.800 million (already funded)
9. Recycled water connection from Chilco Street: \$0.414 million
10. Utility undergrounding: \$0.250 million

**Total additional funding required excluding *Solar & Microgrid*: \$9.714 million**



## POTENTIAL FUNDING SOURCES

- Measure T recreation bonds
- General fund reserves
- Capital improvement program funds
- Community amenities associated with development projects
- Donations
- Grants
- *Power Purchase Agreement*



## UPCOMING PROJECT REVIEW MEETINGS

- **November 10:** City Council approval of the final interim services plan
- **December 7:** Planning Commission public hearing for recommendation
- **January 12, 2021:** City Council public hearing on agreement, project and CEQA determination plus final commitment of remaining funding City requested work



## CONSTRUCTION SCHEDULE

- **June 2021:** Facility closures
- **July to August 2021:** Remediation and demolition
- **Spring 2023:** Facilities re-opening



## RECOMMENDATION

- Identify which City requested work items from the term sheet to incorporate into the project design for the Menlo Park Community Campus (MPCC) located at 100 Terminal Ave.
- Provide direction on funding sources/strategies for the City requested work
- Authorize the reimbursement of design fees up to a maximum of \$500,000 for work through project approvals currently targeted in January 2021



**THANK YOU**



## CITY REQUESTED WORK

1. New swimming pool: \$7.4 million
2. Red Cross evacuation center: \$0.750 million
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10. Utility undergrounding: \$0.250 million

**Total additional funding required excluding *Solar & Microgrid*: \$9.714 million**



**Agenda Item H4**  
**Janet Gilmore, Resident**

City Council Members,

I reviewed portions of the 2019 Citywide engineering and traffic survey (E&TS) report. I applaud the Complete Streets Commission's efforts to make our city streets safe for everyone and support their recommendation to council to 1) pursue a policy of a citywide 25 miles per hour speed limit, 2) pursue policies to redesign streets to encourage lower vehicular speed, 3) support legislations to amend the practice of using 85th percentile speed to determine roadway speeds.

I am disappointed by and do not support city staff's recommendation to keep the speed on Middle Ave between University and Olive at 30 mph. I don't follow the logic since city staff recommends reducing the speed limit from 30 to 25 mph on Middle Ave from El Camino to University and reducing the speed from 30 to 25 mph on Santa Cruz Ave from Orange to University. The stretch of Middle between University and Olive is used heavily by cyclists (many of whom are school children) and pedestrians, along with vehicles.

A group of Middle Ave neighbors met with then-mayor Ray Mueller in the late spring of 2019 to discuss the proposed elimination of street parking. The meeting also included a discussion regarding excessive speed and speed calming measures that could be implemented. One was to reduce the speed limit on Middle Ave to 25 mph as well as add a stop sign at San Mateo Dr. Nothing has happened.

Now is the time for bold change to make our city streets safe. Because of the Covid-19 pandemic, nearly everyone has realized the importance of engaging in recreational activities outdoors, including walking, running and cycling.

As 30+ year residents of Middle Ave, I urge council to reduce the speed limit from 30 to 25 mph on the entire stretch of Middle Ave.

Thank you,  
Janet Gilmore & Geoff McCavitt

**Agenda Item H4**  
**Christa West, Resident**

Dear City Council Members,

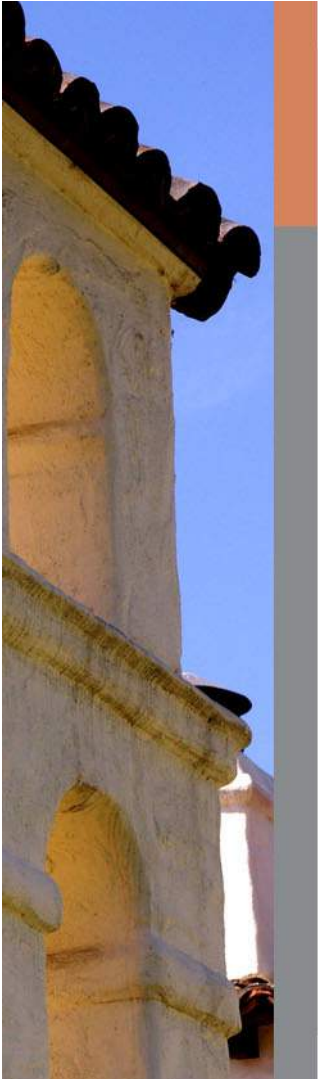
I respectfully submit my support for lowering speed limits per resolution No. 6593.

Thank you, Christa



**APPROVE THE 2019 CITY ENGINEERING AND TRAFFIC SURVEY**  
**OCTOBER 13, 2020**

ARRIENGA FAMILY  
GYMNASIUM



## AGENDA

- Relationship of Speed and Crash Severity
- Policy and Code Background
- Engineering and Traffic Survey Results
- Complete Street Commission Feedback
- Staff Recommendations





## WHY IS SPEED IMPORTANT?

<b>SPEED (MPH)</b>	<b>STOPPING DISTANCE (FT)*</b>	<b>CRASH RISK (%)†</b>	<b>FATALITY RISK (%)†</b>
10–15	25	5	2
20–25	40	15	5
30–35	75	55	45
40+	118	90	85

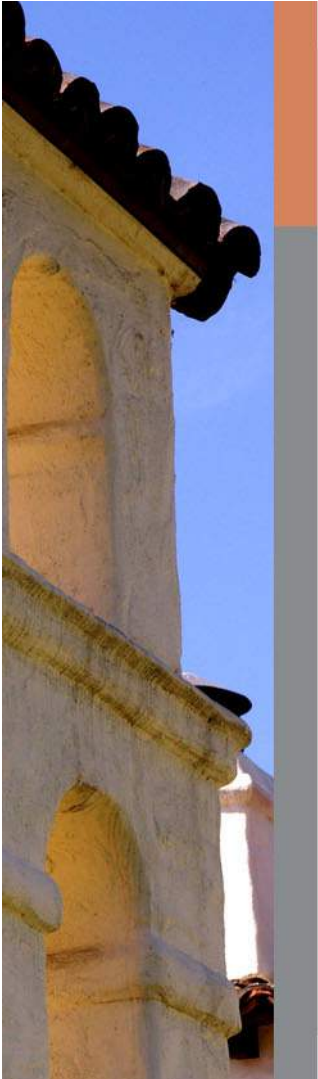
\* Stopping Distance includes perception, reaction, and braking times.

† Source: Traditional Neighborhood Development: Street Design Guidelines (1999), ITE Transportation Planning Council Committee 5P-8.



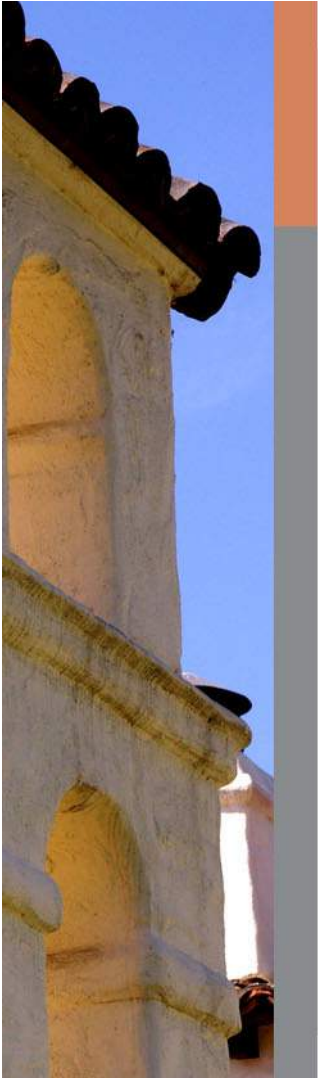
## CITY GOALS AND POLICIES

- Policy Circ 1.1: Vision Zero. Eliminate traffic fatalities and reduce non-fatal collisions by 50% by 2040
- Policy Circ 1. 2: Develop and implement enforcement program
- Policy Circ. 2.3: Provide “Complete Streets” context to neighborhood streets
- Policy Circ. 2.5: Support a street classification system with target design speeds



## STATE AND CITY CODES

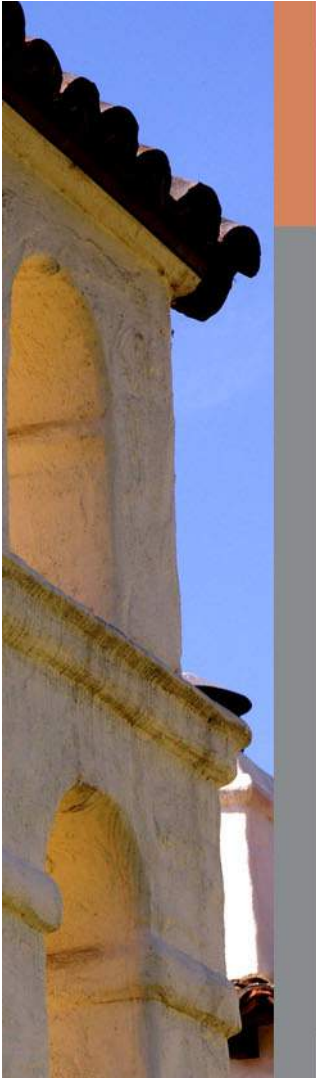
- California Vehicle Code
- City of Menlo Park Municipal Code Section 11.12.010



## CALIFORNIA VEHICLE CODE (CVC)

- Establishes the permitted speeds on city streets other than the “prima facie” speed limits
- Allow local jurisdictions to reduce speeds and enforce reduced speeds based on an Engineering & Traffic Survey (E&TS)
- CVC 40802: E&TS is valid up to 5 years but can be extended to 7 or 10 years with specific conditions  
Without E&TS, enforcement with use of radar or other electronic devices would constitute as “speed traps” and therefore, prohibited.





## CALIFORNIA VEHICLE CODE (CVC)

- CVC 627: Defines requirements of an E&TS
  - Accident Report last three years
  - Roadway conditions not apparent to drivers
  - Speed surveys – 85th percentile speed – basis for establishing speed limit
  - Additional factors such as residential and business density and bicycle and pedestrian safety
- CVC 21400 (b) allows rounding down of 85th percentile speed but does not allow further reduction due to other factors



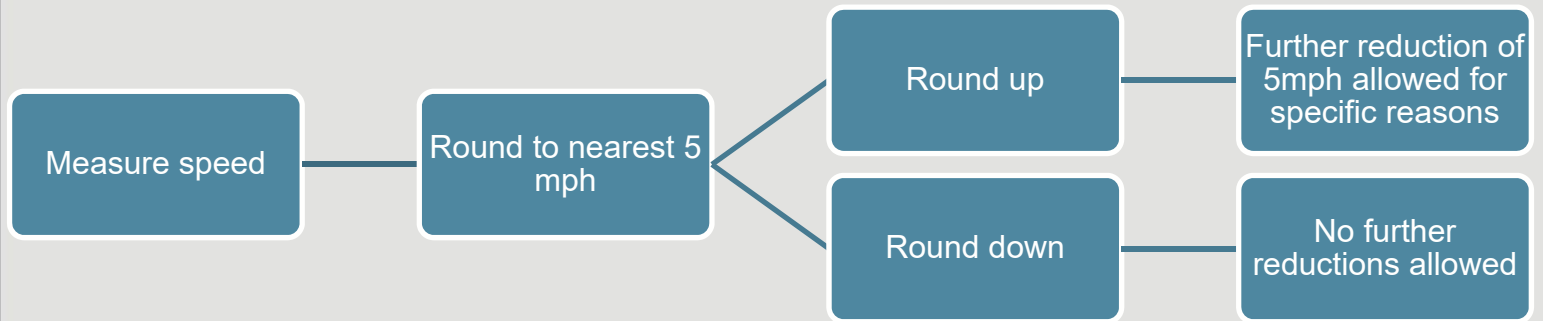
## SCHOOL ZONES

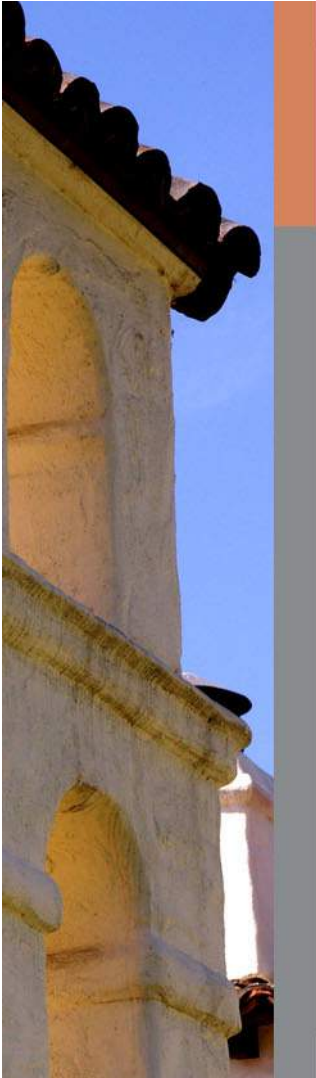
### CVC Section 22358.4

- Allows local jurisdictions, by either resolution or ordinance, to reduce speed limit on portions of streets within 500 feet from school building or grounds to 15 mph
- Does not require E&TS and enforceable with radar but only during when school children are present such as school drop-off and pick-up times and lunch recess



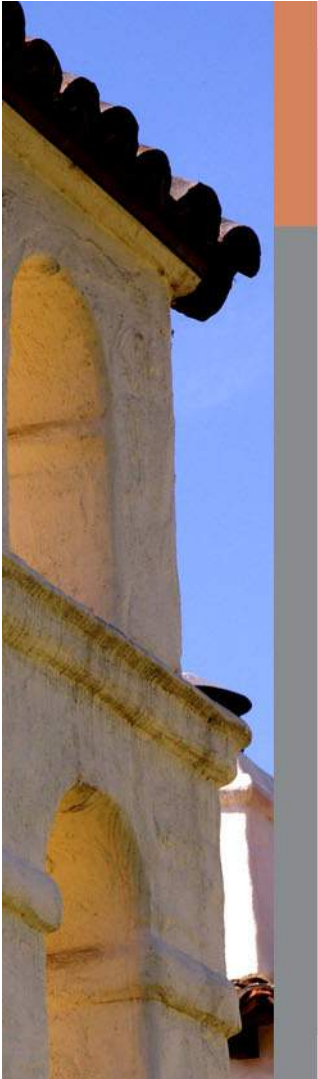
## CVC REQUIREMENTS





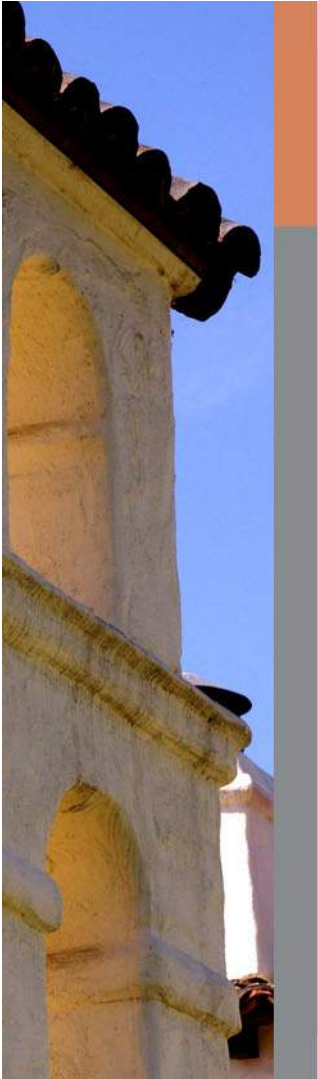
## LEVEL OF ENFORCEMENT

- Approx. 750 speeding citations issued from 2017 to 2019. 2019 had approximately 340 speeding citations
- Level of speed enforcement would decrease due to the reduction of police service eliminating the Traffic Unit
- Ability to conduct targeted speed limit enforcement remains



## 2019 ENGINEERING & TRAFFIC SURVEY

- 43 roadway segments on 27 streets were surveyed, similar to 2012 E&TS
- Conducted in fall and winter 2019 prior to the Covid-19 pandemic

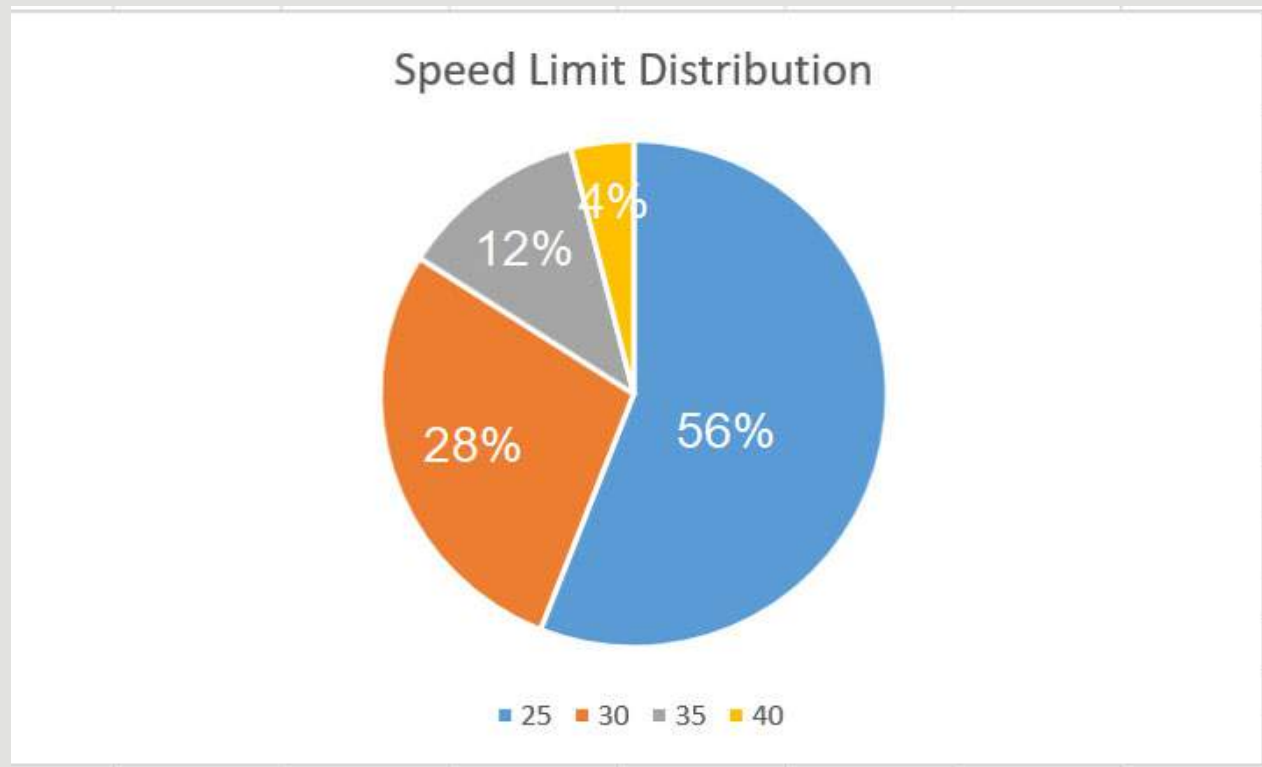


## SPEED LIMIT RECOMMENDATIONS

- 7 segments: speed limits proposed to be reduced by 5 mph
- 35 segments: speed limits to remain unchanged
- One roadway segment would be re-surveyed



## RECOMMENDED SPEED LIMITS



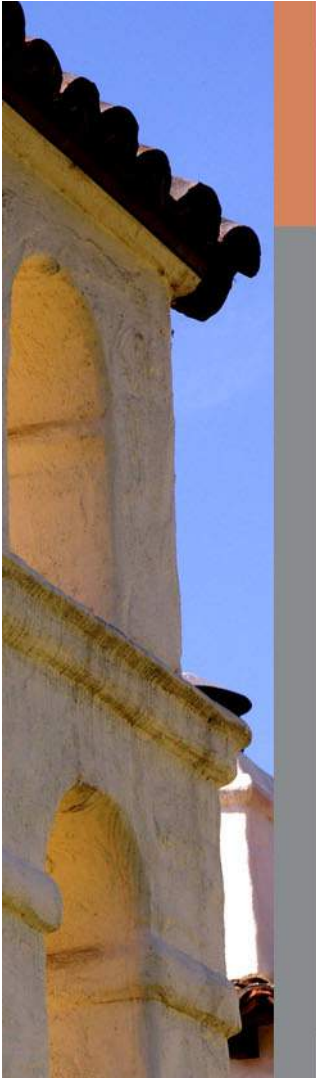


## COMPLETE STREETS COMMISSION RECOMMENDATION



- Recommend approval of the 2019 City Engineering & Traffic Survey
- Pursue city-wide policy of 25 mph
- Pursue redesign of streets to encourage lower speed limit
- Support legislation to amend practice of 85<sup>th</sup> percentile speed





## STAFF RECOMMENDATION

- Recommend approval of the 2019 City Engineering & Traffic Survey and Adopt Resolution 6593
- Concur redesign of streets and/or traffic calming to lower speed limits on City's residential roadways only to 25 mph in lieu of city-wide-policy of 25 mph - requires new City Council priority work effort
- No current or pending legislation to amend practice of 85<sup>th</sup> percentile speed, but could support in the future if legislation is proposed



**THANK YOU**



# **PUBLIC NOTIFICATION OF PROPOSED WASTE RATE INCREASES 2021-2025**

Rebecca Lucky, Sustainability Manager

Garth Schultz, R3 Consulting





## PUBLIC NOTIFICATION PROCESS

- As a matter of law under Proposition 218:
  - City must send out a notice to all property owners 45 days before formally adopting waste rate increases
  - The city **cannot** adopt rates that are higher than what was published in the notification, but can adopt lower rates at any time
  
- Notification will present the **maximum limit** that waste rates could increase to for each of the five years (2021-2025)
  
- No final decision can be made tonight regarding approval of the waste rates
  - A final decision will be made/needed on December 8 via public hearing

## DECISION FOR TONIGHT

1. **Authorize staff to send a public notice** that would inform all property owners of the City Council's intent to increase waste rates over the next five years 2021-2025
2. **Review and discuss** the proposed five year waste rate changes in preparation to make a final decision in December
  - If desired, City Council can direct staff to analyze lower rate options
  - Send public notification without any changes to allow maximum flexibility for adopting rates in December if there is no viable/feasible option.

## WHAT ARE THE MAIN RATE CHANGES?

- Costs for waste disposal have increased by about 11% for between Recology (hauler) and SBWMA/South Bay Recycling (processing) for 2021, and is expected to increase over the next five years
- Due to changes in the city's rate setting structure to meet new Proposition 218 rules some customers will see an increase greater than 11%
- The goal is for customers to be charged according to the actual and true cost to service a cart or bin
- Rates will be higher than the changes in disposal costs for smaller cart customers and business recycling and organics

## WHY ARE SMALLER CARTS AFFECTED MORE?



- In 1990, AB 939 required cities/counties to divert 50% of community waste from the landfill
- Nearly all cities/counties began using financial incentives and disincentives to motivate the community to recycle and compost more, such as charging less (subsidizing) smaller carts, providing free recycling and heavily discounted organics service for businesses.
- Rates were then increased uniformly by the same percentage over 20 years, creating rate inequities that are no longer allowed under law.

# 2017 RATE STUDY

## “FOUNDATIONAL PRINCIPLES”

- **Collect revenues to fund solid waste system**
  - Collection services contract with Recology (55% of costs)
  - Post-collection services through SBWMA (29% of costs)
  - City fees (16%)
- **Ensure the revised rate structure addressed Prop 218 rules (New)**
  - Adjusts rates based on cost of providing services to specific program types (landfill, composting, and recycling)
  - Includes all operational costs and fees
- **Provide rate stability and resiliency (New)**
  - Minimize impacts to rate payers over time
  - Use annual data-driven rate adjustments
  - Avoid future rate revenue shortfalls



## INITIAL RESULTS AND GOING FORWARD

- Slowly and incrementally increase smaller cart customer rates over a 10 year period (2018 to 2028)
  - Includes business organics and recycling programs
- Council adopted rates in 2018, 2019, and 2020
  - Resulted in small cart increases of \$3 per month per year
  - Starting to charge for the pick-up of recycled material and organics
  - These rates were higher than the overall cost increases from Recology and SBWMA
- For the next five years this pattern will continue, but at a faster rate than anticipated to reach rate equity by 2026:
  - Up to \$5.70 per month in 2021 using reserves to assist with COVID-19
  - Up to \$11.63 per month in 2022
  - About \$4.50 per month between 2023 and 2025

## OUTCOMES OF RATE STUDY 2021-2025

- 2021 solid waste service costs are projected to be ~\$12.8 million
- Solid waste service costs for 2022 – 2025 are projected to increase from ~\$13.5 million to ~\$15.7 million
- If rates are not increased, solid waste revenues are only projected to be ~\$11.5 million
- Failure to adjust rates to meet cost of service will result in “shortfalls” owed to Recology, which incur interest if not paid by City, and which would require larger rate increases in future years

## OUTCOMES OF RATE STUDY

- Staff recommends increasing rates in 2021 and using up to \$1 million in **one-time** Solid Waste Fund reserves to offset a portion of 2021 rate increases
- Use of reserves means residential rates would increase by \$5.70 and \$4.79 per month for 20- and 32-gallon customers instead of up to \$12.50
  - If City adopts low income rate subsidy, rates for qualifying customers will not increase in 2021
    - This will be presented to city council for approval late October and early November
- Use of **one-time reserves** reduces needed rate increases for residents and small businesses in 2021 to assist customers with COVID-19 impacts
- Continued reliance on reserves is not a sustainable approach as it only defers the rate increases to another year
- Staff has also prepared alternative rates that would not incur a shortfall or use of reserves in the alternative section, but would require larger increases

## 2021-2025 RESIDENTIAL RATE OUTCOMES

Proposed Maximum Single Family Bundled Rates 2021 Options  
(Includes Garbage, Recycling, and Organics)

Garbage container size	2020	2021		
	Current monthly rate	Alternative Rates without Solid Waste Fund	With Solid Waste Fund Prop 218 Notice	With Solid Waste Fund Low Income Rate
20 gallon	\$22.81	\$35.33	\$28.51	\$22.81
32 gallon	\$31.14	\$41.67	\$35.93	\$28.74
64 gallon	\$63.73	\$64.07	\$63.73	\$51.10
96 gallon	\$91.46	\$91.46	\$91.46	\$73.17

## 2021 COMMERCIAL RATE OUTCOMES

Proposed Maximum Multi-Family/Commercial Rates 2021						
Description  Cubic Yard = CY	Garbage		Recycling		Organics	
	Current monthly rate	2021	Current monthly rate	2021	Current monthly rate	2021
20-gallon	\$30.28	\$40.07	N/A	N/A	\$24.90	\$42.81
32-gallon	\$38.29	\$46.85	\$5.11	\$10.15	\$29.18	\$46.96
64-gallon	\$70.84	\$73.72	\$5.11	\$10.15	\$46.24	\$62.45
96-gallon	\$102.77	\$102.77	\$5.11	\$10.15	\$60.70	\$75.91
1 CY	\$124.69	\$124.69	\$5.11	\$10.15	\$73.83	\$93.02
2 CY	\$249.39	\$249.39	\$5.11	\$10.15	\$131.16	\$151.13
3 CY	\$374.08	\$374.08	\$5.11	\$10.15	\$188.50	\$209.26
4 CY	\$498.78	\$498.78	\$5.11	\$10.15	\$249.39	\$270.17
6 CY	\$781.40	\$781.40	\$5.11	\$10.15	\$390.70	\$407.35
8 CY	\$1,041.88	\$1,041.88	N/A	N/A	N/A	N/A

## RATE COMPARISON

- 12 SBWMA communities and 6 communities in the Bay Area outside of the SBWMA
- These are 2020 rates and will increase in 2021

Community	20 gallon	32 gallon	64 gallon	96 gallon
<b>Menlo Park</b>	\$28.51	\$35.93	\$63.88	\$91.46
<b>Average without Menlo Park</b>	\$28.46	\$38.93	\$63.05	\$91.09

## NEXT STEPS

- October 14, 2020: Begin process to mail notifications
  - Publish in newspaper 14 days before public hearing
  
- December 8, 2020: Public hearing to adopt 5-year maximum rates
  
- January 1, 2021 rates will go into effect
  
- 2022 through 2025
  - If warranted, adjust rates below Council approved maximum rates
  - If desired, consider further use of available Solid Waste Fund reserves in future years to offset future rate increases

## DECISION NEEDED FOR TONIGHT

- **Authorize staff to send a public notice** that would inform all property owners of the City Council's intent to increase waste rates up to a maximum limit over the next five years 2021-2025



THANK YOU!





# 2021-2025 RESIDENTIAL RATE OUTCOMES USING \$1 MILLION FROM SOLID WASTE FUND



**Proposed Maximum Single Family Bundled Rates 2021–2025 (Includes Garbage, Recycling, and Organics)**

Garbage container size	Current monthly rate	2021	2022	2023	2024	2025
20 gallon	\$22.81	\$28.51	\$40.14	\$44.62	\$49.16	\$53.69
32 gallon	\$31.14	\$35.93	\$45.92	\$50.05	\$54.42	\$58.94
64 gallon	\$63.73	\$63.73	\$65.23	\$67.22	\$70.15	\$73.93
96 gallon	\$91.46	\$91.46	\$91.46	\$91.46	\$91.46	\$92.21

**Proposed Maximum Low-Income SF Bundled Rates 2021–2025 (Includes Garbage, Recycling, and Organics)**

Garbage container size	Current monthly rate	2021	2022	2023	2024	2025
20 gallon	\$22.81	\$22.81	\$32.11	\$35.70	\$39.33	\$42.95
32 gallon	\$31.14	\$28.74	\$36.74	\$40.04	\$43.54	\$47.15
64 gallon	\$63.73	\$51.10	\$52.18	\$53.78	\$56.12	\$59.14
96 gallon	\$91.46	\$73.17	\$73.17	\$73.17	\$73.17	\$73.77

**Agenda Item I2**  
**Lynne Bramlett, Resident**  
**Page 1 of 3**

I have separately sent Council an email on this topic. My email will include the MPC Ready & Counterparts "positioning document" that won't translate well into this venue.

Request to Council:

1. Make Disaster Preparation a Council priority for 2020-2021. Qualified volunteers are available to work on needed action items, to minimize staff time.
2. Incorporate the CERT-based MPC Ready Organization into the City of Menlo Park. Low-risk possibilities include: a) Task Force to craft crafting recommendations for a permanent home for MPC Ready. Task Force could report to a Council subcommittee. b) MPC Ready "reports" to a new Mayor's Office.

Rationale for Request

Residents are unprepared for major disasters such as a rupture in the Hayward fault. On May 8, 2018, Council heard a presentation on the "Haywire Scenario" at a special study session. That meeting is well worth watching again. The most serious impacts will fall on the residents in Belle Haven due to their location near the Bay. However, all of Menlo Park could see impacts. Impacts could include major loss of life, major property damages, need for shelters to house people who cannot return to their homes, disrupted water and power supplies, and disrupted roadways which could also disrupt the ability of first responders to help. Commuters from the East Bay could also be trapped in Menlo Park. There are others.

Inadequate mitigation measures, despite known hazards, leaves the City open to possible litigation. The presentation from the USGS Specialist included mitigations that Menlo Park could take. I'm not sure of the status of those mitigations, but suspect that little (if anything) has been done. The known anticipated

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disruptions also require an authentic plan to address ahead of time. If the City does not do more, following a widespread disaster, it's entirely possible that the City will be sued and the Council blamed.

Council has been discussing disaster preparedness for years. This shows that Council and the City know there is a need for disaster preparedness. For example, on Sep 24, 2019, Council held a joint meeting with the Town of Atherton. At this meeting, the former Police Chief Bertini said "the city is studying Atherton's [A.D.A.P.T.] program and evaluating whether it's feasible to do something similar in Menlo Park." Again, these discussions – combined with inadequate action -- leaves the City open for post-disaster litigation.

Menlo Park now has a viable CERT-based volunteer-based program like A.D.A.P.T. Please see the end of this document for a "positioning fact sheet. We have made tangible progress since we launched Jan 25, 2020 and our trained and experienced volunteers can significantly help the City make needed progress in actually preparing residents.

### Benefits of the MPC Ready volunteers

1. During the pandemic, we quickly mobilized. We helped people to Shelter in Place by providing tangible and emotional support. We made welfare checks, picked up and delivered groceries and gave other help, including walking dogs! We also provided important COVID-19 information and urged people to register for SMC Alert. We did this in a self-funded way.
2. We have helped build stronger neighborhoods, block-by-block, where neighbors know neighbors! This "intelligence" (safely secured by the block coordinators) can be invaluable following a major disaster. Our community-based volunteers can help the first responders with important information. We can also perform light search and rescue and/or help to calm people down. We believe that disaster preparedness starts with knowing the neighbors. Disaster preparation is a catalyst for improved overall quality of life in Menlo Park.

### **Page 3 of 3**

3. We can help Council and Staff to update the out-of-date Emergency Services Plan. We can help Staff to incorporate volunteer-based efforts and to provide valuable input, so that the plans are viable and effective following a widespread disaster. We can also help to communicate the plan to the residents. Current communication efforts need improving.
4. The City's municipal code and your Safety Element all include the foundation for volunteer-based disaster preparedness efforts. The Safety Element, adopted May 13, 2013, has multiple goals related to public safety and Emergency Response Policies that we can help bring to fruition in tangible ways.
5. MPC Ready works to foster interjurisdictional cooperation and identification of shortfalls in emergency services in our area. We seek to work cooperatively with our local governmental bodies to help raise awareness of problems to the policy makers -- before a disaster. Council may not be fully aware of the very real difficulties that Council will face following a widespread disaster. Working out interjurisdictional shortfalls (ahead of time) will help.
6. We are also a possible volunteer base for the City of Menlo Park, MP Fire Protection District, and the San Mateo County Sheriff's Office of Emergency Services.
7. We foster synergy and collaboration across our "sister" organizations in neighboring cities. This will aid interjurisdictional cooperation across San Mateo County & with our neighbors in Palo Alto.
8. Disaster preparedness crosses many existing Council top priorities. In the interests of keeping this memo short, I will not list them all. Top ones include the ongoing response to COVID-19, global climate change, and plans to prepare an Environmental Justice Element. The good people in Belle Haven, the most vulnerable in the City, will face the most severe impacts from widespread disasters.

**Agenda Item 13**  
**Kimberly Glenn, Resident**

As a nearby resident to Sharon Park, I urge you to adopt this resolution and reopen this, and all parks, for use by children throughout our neighborhoods. It is clear from the increased park usage that families are longing to be outdoors with their families! I've observed good social distancing and mostly thoughtful behavior around the park.

Also thank you for increasing the trash receptacles and to the landscaping crew for taking such great care of Sharon!

And thank you all for your commitment to our city!

### **Agenda Item 13**

#### **Jessica Wilkes, Resident**

We should open playgrounds as quickly as possible. For context and legitimacy purposes: I am a strong believer in mask-wearing and public-distancing (generally, go team science!). I also have two children under 3 who have really struggled during this pandemic, and opening playgrounds is an easy, safe way for them to have fun and get outside, assuming we have more breathable air days. There is nothing particularly challenging about Menlo Park as far as virus protection that should further delay this effort more than it has already been, as compared to neighboring cities; templates for signage and blueprints for COVID safety abound.

Furthermore, opening the playgrounds to law-abiding children and adults will be infinitely COVID- and non-COVID safer than what's happening in their place at these locations. Children playing in the parks near my home have been replaced during the pandemic with loitering, unmasked teenagers and young adults doing drugs.