



**REGULAR MEETING AGENDA**

**Date:** 6/22/2021  
**Time:** 5:00 p.m.  
**Location:** [Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930

**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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentJune22](https://menlopark.org/publiccommentJune22) \*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 998 8073 4930
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 998 8073 4930  
Press \*9 to raise hand to speak

\*Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch 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 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 ([Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930)**

**A. Call To Order**

**B. Roll Call**

**C. Agenda Review**

Agenda Review provides advance notice to members of the public and City staff of any modifications to the agenda order and any requests from City Councilmembers under City Councilmember reports.

**D. Closed Session**

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

- D1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Case number: 21-CIV-01717

**E. Adjournment**

**Regular Session ([Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930)**

**F. Call To Order**

**G. Roll Call**

**H. Report from Closed Session**

**I. Presentations and Proclamations**

- I1. Proclamation: Recognizing June 2021 as Pride Month ([Attachment](#))
- I2. Proclamation: Recognizing Juneteenth Day ([Attachment](#))
- I3. Proclamation: Recognizing Menlo Park Fire Protection District Chief Harold Schapelhouman
- I4. Presentation: Overview of SRI International's campus master plan (Parkline) ([Presentation](#))

**J. Public Comment**

Under “Public Comment,” the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under public comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under public comment other than to provide general information.

## **K. Consent Calendar**

- K1. Accept the City Council meeting minutes for May 11, 18, 25, June 2 and 8, 2021 ([Attachment](#))
- K2. Adopt Resolution No. 6640 of intention to abandon public utility easements within the properties at 115 Independence Drive, 104 Constitution Drive, and 110 Constitution Drive (Menlo Portal) associated with the proposed redevelopment of the project site ([Staff Report #21-129-CC](#))
- K3. Waive the second reading and adopt zoning Ordinance No. 1077 amendment associated with community amenities and bonus level development in the Office, Life Sciences and Residential Mixed Use zoning districts to establish an in-lieu fee payment for the provision of community amenities and authorize applicants to propose community amenities not on the community amenities list through negotiation of a development agreement ([Staff Report #21-130-CC](#))
- K4. Adopt Resolution No. 6641 authorizing the city manager to rescind the portions of Emergency Order No. 2 related to the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby ([Staff Report #21-131-CC](#))
- K5. Waive second reading and adopt fireworks Ordinance No. 1076 ([Staff Report #21-132-CC](#))
- K6. Award a construction contract to Interstate Grading and Paving, Inc. and appropriate additional project funding for the 2021 Willow Road resurfacing project ([Staff Report #21-133-CC](#))
- K7. Adopt Resolution No. 6642 approving the application for fiscal year 2021-22 Cannabis Tax Fund Grant Program grant funds in the amount of \$376,662.02 ([Staff Report #21-134-CC](#))

## **L. Public Hearing**

- L1. Adopt Resolution No. 6639 overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection of assessments for Landscaping Assessment District for fiscal year 2021-22 ([Staff Report #21-127-CC](#)) ([Presentation](#))

## **M. Regular Business**

- M1. Approve resolutions: adopting the fiscal year 2021–22 budget and capital improvement plan and appropriating funds; establishing the appropriations limit for fiscal year 2021–22; establishing a consecutive temporary tax percentage reduction in the utility users' tax rates through September 30, 2022; establishing the salary schedule effective June 20, 2021; and establishing citywide salary schedule effective July 4, 2021 ([Staff Report #21-125-CC](#)) ([Presentation](#))

[Web form public comment on item M1.](#)

## **Recess**

## **M. Regular Business – continued**

- M2. Adopt Resolution No. 6638 authorizing extension of the solid waste and water rate assistance program to June 30, 2022, to provide financial relief on residents' solid waste and water bills ([Staff Report #21-135-CC](#))

- M3. Adopt Resolution No. 6643 accepting fiscal year 2021-22 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000; and approve a spending plan ([Staff Report #21-136-CC](#))

**N. Informational Items**

- N1. City Council agenda topics: July – August 2021 ([Staff Report #21-126-CC](#))

**O. City Manager's Report**

**P. City Councilmember Reports**

- P1. Appoint a representative to the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority ([Staff Report #21-128-CC](#))

**Q. Adjournment**

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at [jaherren@menlopark.org](mailto:jaherren@menlopark.org). Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at [menlopark.org/agenda](http://menlopark.org/agenda) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.org/notifyme](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 6/17/2021)

# PROCLAMATION

## Pride Month – June 2021

**WHEREAS**, the City Council of Menlo Park recognizes and proclaims the month of June 2021 as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) “Pride Month” throughout the City of Menlo Park; and

**WHEREAS**, Menlo Park joins the County of San Mateo to observe Pride Month with a Pride flag raising ceremony to honor the history of the LGBTQ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination; and

**WHEREAS**, the rainbow flag is widely recognized as a symbol of pride, inclusion, and support for social movements that advocate for LGBTQ people in society; and

**WHEREAS**, all human beings are born free and equal in dignity and rights. LGBTQ individuals have had immeasurable impact to the cultural, civic and economic successes of our country; and

**WHEREAS**, the City of Menlo Park is committed to supporting visibility, dignity and equality for LGBTQ people in our diverse community; and

**WHEREAS**, while society at large increasingly supports LGBTQ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

**WHEREAS**, this nation was founded on the principle that every individual has infinite dignity and worth, and the City Council calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

**WHEREAS**, celebrating Pride Month influences awareness and provides support and advocacy for San Mateo County’s LGBTQ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

**NOW, THEREFORE BE IT RESOLVED**, that the rainbow flag will be raised on June 1, 2021, recognizing all LGBTQ residents whose influential and lasting contributions to our neighborhoods make Menlo Park a vibrant community in which to live, work and visit.

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Drew Combs, Mayor of the City of Menlo Park, on behalf of the City Council and City, hereby proclaims the month of June 2021 as Pride Month in support of the LGBTQ community.

DocuSigned by:

*Drew Combs*

52C1D491348F4A3...

Drew Combs, Mayor  
June 22, 2021

# PROCLAMATION

## Juneteenth Day

**WHEREAS**, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States; and

**WHEREAS**, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, declared that all persons held as slaves" within the rebellious states "are, and henceforward shall be free," paving the way for the passing of the thirteenth amendment which formally abolished slavery in the United States of America; and

**WHEREAS**, Juneteenth, or June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost two and one-half years after President Lincoln issued the Emancipation Proclamation; and

**WHEREAS**, Emancipation Day observations are held on different days in 48 states; and

**WHEREAS**, June 19 has an empowering meaning in American history, and is called Juneteenth combining the words June and nineteenth, and has been celebrated by the Black Community for over 150 years; and

**WHEREAS**, Juneteenth, also known as "Juneteenth Independence Day," "Emancipation Day," "Emancipation Celebration," and "Freedom Day," is the oldest African American holiday observance in the United States; and

**WHEREAS**, Juneteenth commemorates the strong survival instinct of African Americans who were first brought to this country stacked in the bottom of slave ships in a month-long journey across the Atlantic Ocean known as the "Middle Passage"; and

**WHEREAS**, Events in the history of the United States that led to the start of the Civil War in 1861 centered on sectional differences between the North and the South that were based on the economic and social divergence caused by the existence of slavery; and

**WHEREAS**, Although, Juneteenth education and celebrations declined in America in the early part of the 20th century, the Civil Rights Movement of the 1950s and 1960s saw a resurgence of interest in Juneteenth, along with renewed community celebrations of the day; and

**WHEREAS**, Observance of Juneteenth, a reminder of emancipation, spread from Texas to the neighboring states of Louisiana, Arkansas, and Oklahoma, as well as Alabama, Florida, and California, where many African American Texans migrated; and

**WHEREAS**, Today, Juneteenth commemorates African American freedom and emphasizes education and achievement. It is a day, a week, and in some areas, a month marked with celebrations, guest speakers, picnics, and family gatherings. It is a time for reflection and rejoicing. It is a time for assessment, self-improvement, and planning for the future; and

**WHEREAS**, Juneteenth symbolizes freedom, celebrates the abolishment of slavery, and reminds all Americans of the significant contributions of African Americans to our society; and

**WHEREAS**, Juneteenth celebrations are a tribute to those African Americans, then and now, who fought so long and worked so hard to make the dream of equality a reality.

**NOW THEREFORE, BE IT PROCLAIMED that I**, Drew Combs, Mayor of the City of Menlo Park, do hereby proclaim June 14, 2021 as the Week of the Juneteenth Day in Menlo Park, California, and urge all resident to become more aware and continually educated on the significance of this celebration in Black History and in the heritage of our nation designate the raising of the Juneteenth flag during this time.

DocuSigned by:

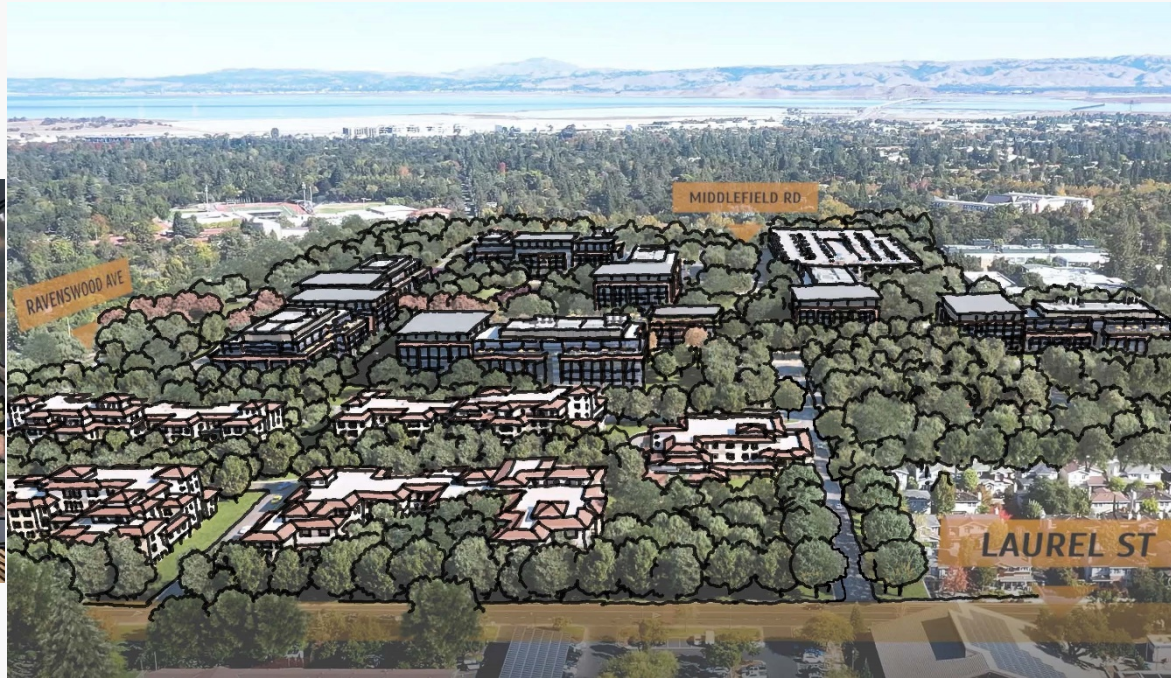
*Drew Combs*

52C1D491348E4A3...

Drew Combs, Mayor  
June 22, 2021



PARKLINE





# Regional context



# Vision



## Housing

A minimum of 400 housing units, including a mix of affordable and market rate rental housing.



## Park & Open Space

Over 28 acres of landscaped publicly accessible open space to create a park-like atmosphere for the community, including a running trail and outdoor fitness amenities.



## Links to Transit

A system of bike and pedestrian pathways intended to create a safer and more direct East-West linkage through Menlo Park.

# Vision



## Sustainable Office Space

6 highly sustainable office/R&D buildings, to replace nearly 1.1 million s.f. of outdated and inefficient commercial buildings, with no increase in commercial space.



## Safer Routes

Safer routes to schools by enhancing accessibility and completing connections to existing infrastructure, including the crossing at Middle Avenue and the overpass at Ringwood Avenue.



## Public Space

Spaces to gather for activities, with community-oriented retail such as a juice bar and bike repair station.

# Community Outreach

- **Community meetings at 333 Ravenswood**

Thursday, July 15      6:00pm – 7:30pm

Saturday, July 24      11:00am – 1:00pm

Wednesday, July 28    6:00pm – 7:30pm

- **Office hours – by appointment**

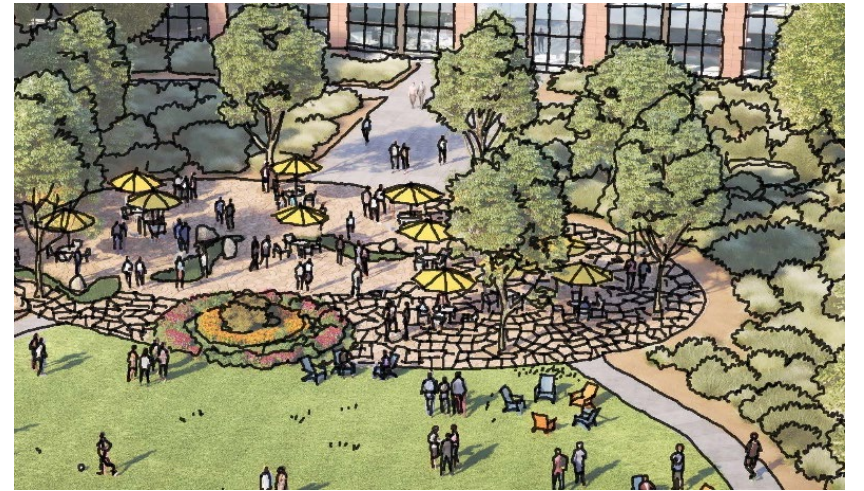
Thursdays, 12:00pm – 1:00pm

- **Website**

[www.MenloParkline.com](http://www.MenloParkline.com)

- **Social media**

@MenloParkline





**REGULAR MEETING MINUTES – DRAFT**

**Date:** 5/11/2021  
**Time:** 5:00 p.m.  
**Location:** Zoom

**Closed Session (Zoom.us/join – ID# 998 8073 4930)**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:09 p.m.

**B. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Human Resources Director Theresa DellaSanta, Legal Counsel Charles Sakai

**C. Agenda Adoption**

Agenda Adoption provides advance notice to members of the public and City staff of any modifications to the agenda order and any requests from City Councilmembers under City Councilmember reports.

**D. Closed Session**

D1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Case number: 21-CIV-01717

D2. 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, City Attorney Nira F. Doherty, Human Resources Director Theresa DellaSanta

D3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:  
(One potential cases)

**E. Adjournment**

Mayor Combs adjourned to the regular session at 8:15 p.m.

The City Council took a recess at 8:15 p.m.

The City Council reconvened at 8:35 p.m.

**Regular Session (Zoom.us/join – ID# 998 8073 4930)**

**F. Call To Order**

Mayor Combs called the meeting to order at 8:37 p.m.

**G. Roll Call**

Present: Combs, Nash, Wolosin, Mueller (joined the meeting at 8:47 p.m.), Taylor (joined the meeting at 8:58 p.m.)

Absent:

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira F. Doherty, Public Engagement Manager Clay Curtin

**H. Report from Closed Session**

City Attorney Nira Doherty reported out on item D3. that the City Council unanimously voted to initiate an action.

**I. Presentations and Proclamations**

**I1. Proclamation: Recognizing May 2021 as Bike Month (Attachment)**

Mayor Combs read the proclamation (Attachment).

- Adina Levin spoke in support of the May as Bike Month.

**I2. Proclamation: Recognizing May 2021 as Mental Health Month (Attachment)**

Web form public comment received on item I2 (Attachment).

- Samina Kaushek spoke in support of May as Mental Health Month.
- Karen Grove commented on the State eviction moratorium expiration in June 2021.

Mayor Combs read the proclamation (Attachment).

**J. Public Comment**

None.

**K. Consent Calendar**

**K1. Accept the City Council meeting minutes for April 20 and April 27, 2021 (Attachment)**

**K2. Authorize the city manager to execute an agreement with HdL Companies to provide transient occupancy tax administration and audit services for a fixed fee and short term rental transient occupancy tax enforcement for a performance-based revenue share (Staff Report #21-098-CC)**

Web form public comment received on item K2.

- K3. Authorize the creation of a sub-fund of the general fund titled “one-time revenue” into which significant, largely unrestricted and non-recurring revenues are recorded (Staff Report #21-101-CC)

**ACTION:** Motion and second (Nash/ Wolosin) to approve the consent calendar, passed 4-0-1 (Taylor absent).

## **L. Public Hearing**

- L1. Adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water (Staff Report #21-104-CC)

Web form public comment received on item L1.

Assistant Public Works Director Chris Lamm made the presentation (Attachment).

City Attorney Nira Doherty provided clarification on the vote requirements.

Mayor Combs opened the public hearing.

- Anders Frisk spoke in opposition of the proposed water rates.
- Jay Siegel spoke in opposition of the proposed water rates.

Mayor Combs closed the public hearing.

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water, failed 3-2 (Mueller and Taylor dissenting).

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6625 approving rate increases for the next five years for Menlo Park Municipal Water and remove the health and safety code language, passed 3-2 (Mueller and Taylor dissenting).

## **M. Regular Business**

- M1. Adopt Resolution No. 6623 to authorize a grant to Habitat for Humanity Greater San Francisco (Habitat) of \$1.2 million for preservation of existing housing through their Homeownership Preservation Program and authorize the city manager to execute all related agreements and documents (Staff Report #21-099-CC)

Deputy Community Development Director Rhonda Coffman and Habitat for Humanity representatives made the presentation (Attachment).

The City Council discussed the Housing Commission and staff recommendation of below market rate (BMR) funds of \$1.2 million.

The City Council directed staff to amend Resolution No. 6623 title to add “owner occupied homes in Menlo Park”.

**ACTION:** Motion and second (Taylor/ Mueller) to adopt Resolution No. 6623 to authorize a grant to Habitat for Humanity Greater San Francisco (Habitat) of \$1.2 million for preservation of existing housing through their Homeownership Preservation Program and authorize the city manager to execute all related agreements and documents with the amended language, add “owner occupied homes in Menlo Park” to the resolution title, passed unanimously.

M2. Adopt purpose statements for City Council subcommittees, formally appoint Wolosin to the Climate Action Plan subcommittee and Combs and Wolosin to the Housing Element subcommittee (Staff Report #21-097-CC)  
Assistant City Manager Nick Pegueros introduced the item.

The City Council continued the purpose statements for City Council subcommittees to a future meeting.

**ACTION:** Motion and second (Mueller/ Combs) to appoint City Councilmember Wolosin to the Climate Action Plan subcommittee and Mayor Combs and City Councilmember Wolosin to the Housing Element subcommittee, passed unanimously.

M3. Adopt Resolution No. 6624 creating a special revenue fund titled “City Services Contribution – 301-309 Constitution Drive” restricted to services that benefit the safety of the local community (Staff Report #21-102-CC)

Assistant Administrative Services Director Dan Jacobson introduced the item.

- JT Faraji, Tha Hood Squad representative, spoke on equity disparities in the community and how funds can assist.

The City Council continued item M3. to a future meeting.

## **N. Informational Items**

N1. City Council agenda topics: May – June 2021 (Staff Report #21-096-CC)

N2. Transmittal of City Manager's proposed fiscal year 2021-22 budget (Staff Report #21-100-CC)

Web form public comment received on item N2.

- Joanna Goldberg spoke in support of quiet zones in the budget and requested the scope of services include all four rail crossings.

The City Council received clarification on the scope of services for the quiet zones.

The City Council requested a printed version of the budget.

N3. San Francisco Public Utilities Commission implements voluntary water reductions to 2019 peak levels this summer per annual memorandum on water supply availability estimates (Staff Report #21-103-CC)



**O. City Manager's Report**

City Manager Starla Jerome-Robinson provided an update on the newspaper racks.

**P. City Councilmember Reports**

Vice Mayor Nash requested an update on redistricting.

Vice Mayor Nash reported out on the Stanford Searsville Watershed Restoration Projects Advisory Group and Delaware Senator Tom Carper meetings.

City Councilmember Wolosin reported out on the Housing Endowment and Regional Trust (HEART) Board Member Agency Committee (MAC) meeting.

**Q. Adjournment**

Mayor Combs adjourned the meeting at 11:47 p.m.

Judi A. Herren, City Clerk

## 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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentMay11](http://menlopark.org/publiccommentMay11) \*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 998 8073 4930
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 998 8073 4930  
Press \*9 to raise hand to speak

(670) Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch meeting:
  - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:  
Channel 26
  - Online:  
[menlopark.org/streaming](http://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](http://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](http://menlopark.org/agenda)).

According to City Council policy, all meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.



**SPECIAL MEETING MINUTES – DRAFT**

**Date:** 5/18/2021

**Time:** 5:00 p.m.

**Location:** Zoom

**Special Session (Zoom.us/join – ID# 979 4344 8470)**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:07 p.m.

**B. Roll Call**

Present: Combs, Nash, Taylor, Wolosin

Absent: Mueller

Staff: Clerk Judi A. Herren

**C. Special Business**

**C1. Interviews of Planning Commission applicants (Attachment)**

(Note: No action will be taken at this meeting. Appointments are scheduled for the May 25, 2021, City Council meeting.)

The City Council interviewed Planning Commission applicant Peter Joshua.

**D. Adjournment**

Mayor Combs adjourned the meeting at 5:39 p.m.

Judi A. Herren, City Clerk

## 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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentMay18](https://menlopark.org/publiccommentMay18) \*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 979 4344 8470
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 979 4344 8470  
Press \*9 to raise hand to speak

(670) Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch 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](http://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 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.



**REGULAR MEETING MINUTES – DRAFT**

**Date:** 5/25/2021  
**Time:** 5:00 p.m.  
**Location:** Zoom

**Closed Session (Zoom.us/join – ID# 998 8073 4930)**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:09 p.m.

**B. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Human Resources Director Theresa DellaSanta, Legal Counsel Charles Sakai

**C. Agenda Review**

Staff requested item L5. be continued to a future meeting

The City Council pulled items L3. and L4. for discussion and clarification.

The City Council requested the addition of an urgency ordinance for fireworks item for consideration.

Mayor Combs reordered the agenda.

**I. Presentations and Proclamations**

I1. Presentation: Recognition of outgoing advisory body members (Attachment)

Mayor Combs presented the certificates of recognition (Attachment).

**J. Public Comment**

Web form public comment on item J.

- Anders Frisk spoke in opposition of the approved water rates.

**K. Closed Session**

D1. 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, City Attorney Nira F. Doherty, Legal Counsel Charles Sakai, Human Resources Director Theresa DellaSanta

## **E. Adjournment**

Mayor Combs adjourned to closed session at 5:26 p.m.

## **Regular Session (Zoom.us/join – ID# 998 8073 4930)**

## **F. Call To Order**

Mayor Combs called the meeting to order at 5:58 p.m.

## **G. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira F. Doherty, City Clerk Judi A. Herren

## **H. Report from Closed Session**

None.

## **K. Advisory Body Vacancies and Appointments**

K1. Consider applicants and make appointments to fill vacancies on the various City advisory bodies (Staff Report #20-110-CC)

City Clerk Judi Herren introduced the item.

- Cynthia Harris spoke on their applications for Community Engagement and Outreach Committee, Housing and Planning commissions and expressed their preference for serving on the Planning Commission.
- Angela Evans spoke on their application for Environmental Quality Commission.
- Vicki Robledo spoke on their application for Community Engagement and Outreach Committee and Housing Commission and expressed their preference for serving on the Community Engagement and Outreach Committee.
- Dan McMahon spoke on their application for Community Engagement and Outreach Committee.
- Lesley Feldman spoke on their application for Community Engagement and Outreach Committee.
- Heather Leitch spoke on their application for Community Engagement and Outreach Committee and Housing Commission.

The City Council made appointments to fill vacancies on the Community Engagement and Outreach Committee, Complete Streets, Environmental Quality, Finance and Audit, Housing, Library, Parks and Recreation, and Planning commissions/committees.

**ACTION:** Motion and second (Nash/ Combs) to appoint all applicants to the CEOC that have not been appointed to other bodies and add two placeholders for District 5 members, passed 3-2 (Wolosin and Taylor dissenting).

#### Community Engagement and Outreach Committee

- Michal Bortnik – term expiring December 31, 2022 (approx.)
- Rich Cline – term expiring December 31, 2022 (approx.)
- Tiffany Dao – term expiring December 31, 2022 (approx.)
- Yadira DiSiena – term expiring December 31, 2022 (approx.)
- Lesley Feldman – term expiring December 31, 2022 (approx.)
- Max Fennell – term expiring December 31, 2022 (approx.)
- Carol Marshall Mayer – term expiring December 31, 2022 (approx.)
- Dan McMahon – term expiring December 31, 2022 (approx.)
- Nehezi Ollarvia – term expiring December 31, 2022 (approx.)
- Victoria Robledo – term expiring December 31, 2022 (approx.)
- Aaron Spaulding – term expiring December 31, 2022 (approx.)
- Soody Tronson – term expiring December 31, 2022 (approx.)

#### Complete Streets Commission:

- Brian Altman – term expiring April 30, 2025
- Lizbeth King – term expiring April 30, 2025
- Jk Jensen – term expiring April 30, 2024
- Sally Cole – term expiring April 30, 2022

#### Environmental Quality Commission:

- Angela Evans – term expiring April 30, 2025

#### Finance and Audit Committee:

- Matt Norrington – term expiring April 30, 2023
- Brian Westcott – term expiring April 30, 2023 (reappointed)
- Carol Wong – term expiring April 30, 2023

#### Housing Commission:

- Rachel Horst – term expiring April 30, 2025 (reappointed)
- Heather Leitch – term expiring April 30, 2025
- Nevada Merriman – term expiring April 30, 2025 (reappointed)
- Chelsea Nguyen – term expiring April 30, 2025

#### Library Commission:

- Vamsi Velagapudi – term expiring April 30, 2025
- Aldora Lee – term expiring April 30, 2022

#### Parks and Recreation Commission:

- Peter Joshua – term expiring April 30, 2025

Planning Commission:

- Cynthia Harris – term expiring April 30, 2025

**L. Consent Calendar**

- L1. Adopt Resolution No. 6629 approving amendment one to the City of Menlo Park’s amended and restated franchise agreement with Recology San Mateo to add an additional route for collection of bulky items and abandoned waste (Staff Report #21-112-CC)
- L2. Adopt Resolution No. 6626 approving a third amendment to the South Bayside Waste Management Authority joint powers authority agreement for the purpose of updating and conforming provisions of the agreement (Staff Report #21-106-CC)
- L3. Receive and file the general fund operations report for the quarter ended March 31, 2021 (Staff Report #21-107-CC)

The City Council received clarification that there is a line item for developer payments.

- L4. Authorize the city manager to execute an agreement with the County of San Mateo for continued provision of animal control services for a five-year term beginning July 1, 2021 (Staff Report #21-111-CC)

Web form public comment on item L4.

- Preeti Sharma spoke on discrepancies with animal control and in support of exploring other options.

The City Council received clarification on hearings administered by the San Mateo County (County), hearing costs, and public notices of the changes to the services by the County.

**ACTION:** Motion and second (Combs/ Mueller) to authorize the city manager to execute an agreement with the County of San Mateo for continued provision of animal control services for a five-year term beginning July 1, 2021 and to receive regular updates, passed unanimously.

- L5. Adopt Resolution No. 6627, preliminary approval of the engineer’s report for the Menlo Park Landscaping Assessment District, and Resolution No. 6628, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2021-22 (Staff Report #21-108-CC)

Item L5. was continued to a future meeting.

**ACTION:** Motion and second (Wolosin/ Taylor) to approve consent calendar excluding items L4. and L5., passed unanimously.

The City Council took a recess at 7:55 p.m.

The City Council reconvened at 8:20 p.m.



## **M. Public Hearing**

- M1. Adopt Resolution No. 6630 adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan (Staff Report #21-113-CC) (Presentation)

Web form public comment on item M1.

Assistant Public Works Director Chris Lamm made the presentation (Attachment).

Mayor Combs opened the public hearing.

- Peter Drekmeier spoke on the state of the Tuolumne River.
- Jay Siegel spoke on the impacts of the tiered rates proposed.

Mayor Combs closed the public hearing.

The City Council received clarification on the tiered rate drought surcharge and outreach to the public regarding the start date.

The City Council directed staff to send a letter to the San Francisco Public Utilities Commission (SFPUC) requesting the inclusion of a reduced duration drought scenario, as recommended by the Tuolumne River Trust as in appendix to their 2020 Urban Water Management Plan, which could then be included in Menlo Park's plan.

**ACTION:** Motion and second (Combs/ Nash) to adopt Resolution No. 6630 adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan and authorize staff to send a letter to the San Francisco Public Utilities Commission (SFPUC) requesting the inclusion of the Tuolumne River Trust drought scenario as in appendix to their 2020 Urban Water Management Plan, which could then be included in Menlo Park's plan, passed unanimously.

## **N. Regular Business**

- N1. Receive an overview of the housing element update project and provide feedback on the goals and objectives, roles and responsibilities of the various reviewing and decision-making bodies, and the community engagement and outreach plan (Staff Report #21-115-CC) (Presentation)

Assistant Community Development Director Deanna Chow and M-Group Geoff Bradley made the presentation (Attachment).

- Gail Gorton requested clarification on public engagement.
- Karen Grove spoke in support of affordable housing and increased public outreach.
- Angel Chen spoke in support of equitable and affordable housing across the City.

The City Council received an overview of the Housing Element goals and objectives, the requirements and components of the project, roles and responsibilities of the various committees and commissions, the outreach and engagement plan, and the timeline and upcoming activities. Members of the City Council expressed general support for the objectives and work plan, and recognized the importance of early outreach. City Council Members asked clarifying questions about public engagement tools, impacts to the job/housing imbalance, the current housing stock and

issues, the regional housing need allocation (RHNA) number, and site selection and strategies to help meet the City's RHNA's number.

The City Council discussed the topic of potential changes to zoning across the City, including exploring changes to single-family zoning districts that could enable additional housing in the R-1 zoning districts. A few Council Members expressed concern about the concept given it may not result in credit towards the RHNA and could be an unproductive conversation in the context of the bigger work plan. Other Council Members were supportive of keeping all options available at this time.

**ACTION:** Motion and second (Wolosin/ Taylor) to approve the work plan as proposed and conversations around land use strategies should not preclude any strategy, passed 3-2 (Mueller and Combs dissenting).

**ACTION:** By acclamation, the City Council extended the meeting past 11 p.m.

N2. Adopt Resolution No. 6624 creating a special revenue fund titled "2017 Bayfront City Services Contribution" and establish the effective date of the required budget and accounting changes (Staff Report #21-114-CC)

Web form public comment on item N2.

Assistant Administrative Services Director Dan Jacobson introduced the item.

- Sol Martinez spoke in support of the resolution and directing funds to the Tha Hood Squad.
- Caroline Kim spoke in support of the resolution with the inclusion of East Palo Alto, directing funds to the Tha Hood Squad, and providing reparations to residents.
- Ruth Robertson spoke in opposition of police department funding and in support of funding Menlo Park and East Palo Alto public welfare.
- JT Ferati, Tha Hood Squad representative, spoke in support of the resolution with the inclusion of East Palo Alto.
- Nasa in support of the resolution and directing funds to the Tha Hood Squad.
- Lucky Jordan spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Gabe Alverex spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Nate Ramos spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Olivia Lamberti spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Tim Mackenzie spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Melody Yanh spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Pamela Jones requested clarification on the two resolutions presented in the staff report.
- Hanon McShea spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Chris Tan spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.

- Ndeya spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.
- Bella Carrera spoke in support of the resolution with the inclusion of East Palo Alto and directing funds to the Tha Hood Squad.

The City Council discussed the initial date of adoption of Facebook funding a Menlo Park Police Department (MPPD) beat, funding Tha Hood Squad, community grant funding opportunities, allocation of funds, and fiscal year budget impacts related to the effective date.

The City Council received clarification on MPPD presence in East Palo Alto and the two proposed resolutions.

**ACTION:** Motion and second (Nash/ Taylor) to adopt Resolution No. 6624 as Attachment B creating a special revenue fund titled “Bayfront mitigation fund”, adding the year 2017 to the February 28 date, and effective date November 1, 2020, passed unanimously (Attachment).

#### **O. Informational Items**

- O1. City Council agenda topics: June 2021 (Staff Report #21-105-CC)
- O2. Transmittal of print-friendly version of the city manager’s proposed budget for fiscal year 2021-22 (Staff Report #21-109-CC)

#### **P. City Manager's Report**

City Manager Starla Jerome-Robinson reported on the redistricting demographer item coming to the City Council on June 8, 2021.

#### **Q. City Councilmember Reports**

City Councilmember Taylor requested the agendizing of an urgency ordinance related to illegal fireworks, going into effect before July 4, 2021.

**ACTION:** By acclamation, the City Council directed staff to agendize an urgency ordinance related to illegal fireworks, going into effect before July 4, 2021

#### **R. Adjournment**

Mayor Combs adjourned the meeting at 12:35 a.m.

Judi A. Herren, City Clerk

## 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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentMay25](https://menlopark.org/publiccommentMay25) \*
  - Access the meeting real-time online at:  
Zoom.us/join – Meeting ID 998 8073 4930
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 998 8073 4930  
Press \*9 to raise hand to speak

(670) Written public comments are accepted up to 1-hour before the meeting start time.  
Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch 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](http://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 meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.



**SPECIAL MEETING MINUTES – DRAFT**

**Date:** 6/2/2021  
**Time:** 12:30 p.m.  
**Location:** Zoom

**Closed Session (Zoom.us/join – ID# 939 3864 3848)**

**A. Call To Order**

Mayor Combs called the meeting to order at 12:33 p.m.

**B. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, City Attorney Nira F. Doherty, Police Chief David Norris

**C. Closed Session**

**C1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:  
(one case)

No reportable actions.

**D. Adjournment**

Mayor Combs adjourned the meeting at 1:23 p.m.

Judi A. Herren, City Clerk

## 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 up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentJune2](http://menlopark.org/publiccommentJune2) \*
  - Access the meeting real-time online at:  
Zoom.us/join – Meeting ID 939 3864 3848
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 939 3864 3848  
Press \*9 to raise hand to speak

(670) Written public comments are accepted up to 1-hour before the meeting start time.  
Written messages are provided to the City Council at the appropriate time in their meeting.

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](http://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](http://menlopark.org/agenda)).

According to City Council policy, all meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.



**REGULAR MEETING MINUTES – DRAFT**

**Date:** 6/8/2021  
**Time:** 5:00 p.m.  
**Location:** Zoom

**Closed Session (Zoom.us/join – ID# 998 8073 4930)**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:17 p.m.

**B. Roll Call**

Present: Combs, Mueller (joined the meeting at 5:28 p.m.), Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson, City Attorney Nira F. Doherty, Assistant Administrative Services Director Dan Jacobson

**C. Agenda Review**

Staff had updates on item L1.

**D. Closed Session**

**D1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1 potential case) (Attachment)

No reportable actions.

**D2. 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, City Attorney Nira F. Doherty, Legal Counsel Charles Sakai, Human Resources Director Theresa DellaSanta

- Soody Tronson commented on police department staffing and provided alternatives.

No reportable actions.

**E. Adjournment**

Mayor Combs adjourned the meeting at 5:49 p.m.

**Regular Session (Zoom.us/join – ID# 998 8073 4930)**

**F. Call To Order**

Mayor Combs called the meeting to order at 5:52 p.m.

**G. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Starla Jerome-Robinson, City Attorney Nira F. Doherty, City Clerk Judi A. Herren

**H. Report from Closed Session**

None.

**I. Presentations and Proclamations**

I1. Proclamation: Recognizing Ron Shepherd

Mayor Combs read the proclamation (Attachment).

I2. Certificate of Recognition: Karanvir Singh Bhasin (Attachment)

Mayor Combs read the certificate of recognition (Attachment).

Santa Clara Valley Science and Engineering Fair Association Board Member Forrest Williams accepted the certificate of recognition on behalf of Karanvir Singh Bhasin.

I3. Certificate of Recognition: Parker Evan Brown (Attachment)

Mayor Combs read the certificate of recognition (Attachment).

Parker Evan Brown accepted the certificate of recognition.

**J. Public Comment**

Web form public comment received on item J.

- Maria Amundson spoke in support of quiet zones.

**K. Advisory Body Vacancies and Appointments**

K1. Consider applicants and make appointments to fill vacancies on the Park and Recreation Commission and the Housing Element Community Engagement and Outreach Committee (Staff Report #20-123-CC)

City Clerk Judi Herren introduced the item.



- Aurora Brosnan spoke on their application for the Park and Recreation Commission.

The City Council made appointments to fill vacancies on the Community Engagement and Outreach Committee and the Park and Recreation Commission.

Community Engagement and Outreach Committee

- Richard Li – term expiring December 31, 2022 (approx.)

Park and Recreation Commission

- Aurora Brosnan – term expiring April 30, 2024
- David Thomas – term expiring April 30, 2025

**ACTION:** By acclamation, the City Council retained one position on the Community Engagement and Outreach Committee for a District 5 representative, to remain open until filled, passed unanimously.

## **L. Consent Calendar**

- L1. Adopt Resolution No. 6631 updating City Council procedure CC-19-0004 Commission Committee Policies And Procedures, Roles And Responsibilities (Staff Report #21-124-CC)

Web form public comment received on item L1.

City Clerk Judi Herren clarified and updated the resolution to reflect the membership of the Community Engagement and Outreach Committee as fourteen (14).

- Soody Tronson spoke on concerns on restrictive language in the roles and responsibilities.

- L2. Authorize the city manager to enter into an agreement with Chefables in an amount not to exceed \$100,000 for the delivery of food services at the Belle Haven Child Development Center for fiscal year 2021-22 (Staff Report #21-117-CC)

- L3. Adopt Resolution No. 6627, preliminary approval of the engineer's report for the Menlo Park Landscaping Assessment District, and Resolution No. 6628, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2021-22 (Staff Report #21-108-CC) – updated and continued from May 25, 2021

- L4. Adopt Resolution No. 6632 approving the list of projects eligible for fiscal year 2021-22 funds from Senate Bill 1: The Road Repair and Accountability Act of 2017 (Staff Report #21-122-CC)

**ACTION:** Motion and second (Wolosin/ Taylor), to approve the consent calendar, passed unanimously.

## **M. Public Hearing**

- M1. Public hearing on proposed fiscal year 2021-22 budget and capital improvement plan (Staff Report #21-118-CC) (Presentation) (Handout)

Web form public comment received on item M1.

Assistant Administrative Services Director Dan Jacobson introduced the item.

Mayor Combs opened the public hearing.

- Lynne Bramlett spoke in opposition of the Menlo Park Fire Protection District expenditure services agreement.
- Michal Bortnik spoke in support of the American Rescue Plan (ARP) funding for communities most impacted by COVID-19.
- Karen Grove spoke in support of the ARP funding for communities most impacted by COVID-19 and short-term relief for renters.
- Pamela Jones spoke in support of holding off on police department funding, establishing a community oversight advisory body, analytics of police department overtime, and requested clarification on development agreement income.
- Marion Marquardt spoke in support of gymnastics returning.
- Adina Levin spoke in support of public works, transportation, and capital improvement project (CIP) budgets.
- Kevin Gallagher spoke in opposition to police department service level enhancement funding.
- Tom Kabat spoke in support of increasing the climate action plan (CAP) budget.
- Kim Morris spoke in support of gymnastics funding.
- Josie Gaillard spoke in support of increasing the CAP budget and staffing.

Mayor Combs closed the public hearing.

The City Council took a recess at 7:23 p.m.

The City Council reconvened at 7:46 p.m.

The City Council received clarification on development agreement funds, expediting reopening of services, ARP funding to Menlo Park residents impacted by COVID-19, library and community services department senior program assistant designation related to large scale events, full-time equivalents (FTEs) added last year and costs for additional FTEs, temporary employees currently being utilized, economic development manager position, human resources department capacity related to proposed new hires, staffing capacity for CIP and transportation projects, CAP staffing and capacity, user utility tax (UUT) notification requirements, excess educational revenue augmentation fund (excess ERAF), grant money for police department personnel timing and usage, reactivating gymnastics impact to the budget, homeless and housing staff needs, and ARP funds as grants to other agencies for service enhancements.

The City Council discussed the need for a detailed organizational chart, public safety issues and proposed additional police department personnel, and fiscal year 2020-2021 budget cuts impact to reactivation.

The City Council directed (Attachment):

Tier 1:

- Approved
  - Ref 1
  - Ref 2
  - Ref 3
  - Ref 4
  - Ref 5

- Ref 7
- Ref 8
- Rejected:
  - Ref 6

Tier 2:

- Approved:
  - Ref 10
  - Ref 12
- Rejected:
  - Ref 9
  - Ref 11

Tier 3:

- Approved:
  - Ref 13
  - Ref 14

Tier 4:

- Maybe:
  - Ref 17

The City Council proposed new service level enhancements:

- Rental and mortgage assistance outreach
- Small business relief
- Eviction and incidental assistance
- Extension of eviction moratorium
- Increased code enforcement coordination

## **M. Public Hearing – continued**

- M2. 1) Introduce and waive first reading of zoning Ordinance No. 1077 amendment associated with community amenities and bonus level development in the Office, Life Sciences and Residential Mixed Use zoning districts to establish an in-lieu fee payment for the provision of community amenities and authorize applicants to propose community amenities not on the community amenities list through negotiation of a development agreement, and 2) provide direction on preparing a revised community amenities list and community amenity review procedures and regulations (Staff Report #21-120-CC) (Presentation)

By acclamation the City Council extended the meeting past 11 p.m.

Mayor Combs was recused from the item and exited the meeting.

Assistant Community Development Director Deanna Chow made the presentation (Attachment).

Vice Mayor Nash opened the public hearing.

- Pamela Jones spoke in support of City Council involvement in the community amenities.

Vice Mayor Nash closed the public hearing.

The City Council received clarification on impact of the proposed ordinance to current development projects and impacts to current amenities list.

The City Council directed staff to remove amenities that have already been provided from the list and to develop community amenities review procedures.

**ACTION:** Motion and second (Taylor/ Nash) to introduce and waive first reading of zoning Ordinance No. 1077 Ordinance of the City Council of the City of Menlo Park amending Sections 16.43.070, 16.44.070, and 16.45.070 of Title 16 of the Menlo Park Municipal Code, passed 4-0-1 (Combs recused).

Mayor Combs rejoined the meeting.

## **N. Regular Business**

N1. Authorize the city manager to execute an agreement with GEOinovo Solutions Inc. for demographic analysis and census mapping services for the City Council 2020 census redistricting process (Staff Report #21-121-CC)

City Clerk Judi Herren introduced the item.

- Pamela Jones expressed the need for public outreach and the importance of the redistricting.

The City Council received clarification on public engagement, cost, and upcoming related agenda items.

**ACTION:** Motion and second (Nash/ Combs), to authorize the city manager to execute an agreement with GEOinovo Solutions Inc. for demographic analysis and census mapping services for the City Council 2020 census redistricting process, passed unanimously.

N2. Adopt fireworks urgency Ordinance No. 1075 and waive first reading of fireworks Ordinance No. 1076 (Staff Report #21-219-CC)

Chief David Norris and City Councilmember Taylor introduced the item.

The City Council received clarification on an anonymous tip line, fine alternatives and reduction, data collection, and expiration of proposed urgency Ordinance No. 1075.

The City Council directed staff to return fee with a master fee schedule amendment.

**ACTION:** Motion and second (Nash/ Combs), to adopt fireworks urgency Ordinance No. 1075 Ordinance No. 1075, An Urgency Ordinance of the City Council of the City of Menlo Park Prohibiting Fireworks and Setting Forth the Facts Constituting such Urgency and introduce and waive first reading of fireworks Ordinance No. 1076 An Ordinance of the City Council of the City of Menlo Park Amending the Menlo Park Municipal Code by Adding Chapter 8.57 (Fireworks) to Title 8 (Peace, Safety and Morals) and Amending Section 5.28.050 (Sale of Christmas Trees, Pumpkins or Fireworks) of Chapter 5.28 (License Fees for Various Miscellaneous Businesses) of Title 5 (Business Licenses and Regulations) of the Menlo Park

Municipal Code, and Finding Adoption of the Ordinance Exempt from the California Environmental Quality Act, passed unanimously.

**O. Informational Items**

O1. City Council agenda topics: June – July 2021 (Staff Report #21-116-CC)

**P. City Manager's Report**

None.

**Q. City Councilmember Reports**

City Councilmember Wolosin requested adding an item to update the municipal code removing the bike license requirement.

Vice Mayor Nash reported out on the Peninsula Clean Energy Authority (PCE) meeting.

City Councilmember Taylor reported out on C/CAG meeting, One Shoreline meeting, SFO Airport/Community Roundtable meetings.

City Councilmember Mueller announces that the Bay Area Water Supply and Conservation Agency (BAWSCA) requires new appointment in June 2021.

Mayor Combs reported out on San Francisquito Creek Joint Powers Authority (SFCJPA) meeting.

**R. Adjournment**

Mayor Combs adjourned the meeting at 12:17 a.m.

Judi A. Herren, City Clerk

## 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 closed session and regular meeting
  - Submit a written comment online up to 1-hour before the meeting start time:  
[menlopark.org/publiccommentJune8](https://menlopark.org/publiccommentJune8) \*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 998 8073 4930
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 998 8073 4930  
Press \*9 to raise hand to speak

(670) Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch 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](http://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 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.



## STAFF REPORT

### City Council

Meeting Date:

6/22/2021

Staff Report Number:

21-129-CC

Consent Calendar:

**Adopt Resolution No. 6640 of intention to abandon public utility easements within the properties at 115 Independence Drive, 104 Constitution Drive and 110 Constitution Drive (Menlo Portal) associated with the proposed redevelopment of the project site**

### Recommendation

Staff recommends that the City Council adopt a resolution of intention (Attachment A) to abandon public utility easements within the properties at 115 Independence Drive, 104 Constitution Drive and 110 Constitution Drive. The project consists of 335 multifamily dwelling units and approximately 35,000 square foot office space that includes a 1,600 square foot community amenity space (child care center.)

### Policy Issues

The City is legally required to go through a multistep process as specified by the Government Code, State of California, Streets & Highways Code, Section 8300 in order to abandon public utility easements (PUEs.) The resolution of intention commences the multistep process for abandonment.

### Background

In August 2019, an application was received for a proposed project, named “Menlo Portal,” located on three contiguous parcels at 115 Independence Drive, 104 Constitution Drive and 110 Constitution Drive. The project proposes demolishing the existing office and industrial buildings and constructing 335 apartment units within a new seven-story building, and an approximately 35,000 square foot office building. The proposed residential structure would encroach into existing PUEs that are subject to abandonment pending City approval.

### Analysis

The PUEs are situated along the property line at the rear of the existing buildings (Exhibit B.) There are 10-foot wide easements on both sides of the property line for the entire block from Independence Drive to Chrysler Drive. Within the project limits, the PUE proposed to be abandoned is 10 feet wide behind 104 Constitution Drive, and 20 feet wide between 110 Constitution Drive and 115 Independence Drive. The easement contains facilities owned by PG&E, AT&T, and Comcast. The existing electric and communication lines will be placed underground in a new easement and re-routed accordingly on the subject property.

The applicant has obtained “no objection” letters from all relevant public utility agencies provided that a new easement will be dedicated for the relocated utilities. The applicant will be prohibited from placing any permanent structures within the proposed utility easement.

### Abandonment procedure

The applicable abandonment procedure is a three-step process that first involves City Council adoption of a Resolution of Intention to abandon public utility easements. The Resolution forwards the abandonment request to the Planning Commission for its consideration and recommendation at its July 26, 2021, meeting and sets the time and date for the City Council public hearing for August 24, 2021 at 5 p.m. The Planning Commission will review the abandonment to determine if it conforms with the City's General Plan and will forward its recommendation to the City Council for approval of the abandonment at a public hearing. The Planning Commission's review of General Plan conformance is proposed to coincide with the Planning Commission's review and action on the requested land use entitlements and the final environmental impact report. Staff will advertise notices of the public hearing in the newspaper and at the site in accordance with the requirements of the Streets and Highways Code. An affidavit of posting will then be filed with the city clerk. Should the utility agencies, affected parties, Planning Commission, and City Council consider the abandonment favorably, a resolution ordering the vacation and abandonment of the easements at 115 Independence Drive, 104 Constitution Drive, and 110 Constitution Drive will be recorded.

### **Impact on City Resources**

There is no direct impact on City resources associated with the actions in this staff report. The fee for staff time to review and process the abandonment has been paid by the applicant.

### **Environmental Review**

The proposed street abandonment is Categorically Exempt under Class 5, minor alterations in land use, of the current State of California Environmental Quality Act Guidelines. Environmental review for the proposed development project is subject to separate action, with the final environmental impact report scheduled for Planning Commission consideration July 26.

### **Public Notice**

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

### **Attachments**

- A. Resolution No. 6640 of Intention
- B. Easement exhibit

Report prepared by:  
Theresa Avedian, Senior Civil Engineer

Report reviewed by:  
Chris Lamm, Assistant Public Works Director



**RESOLUTION NO. 6640**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
DECLARING THE INTENTION OF SAID CITY TO ABANDON PUBLIC  
UTILITY EASEMENTS WITHIN THE PROPERTIES AT 115 INDEPENDENCE  
DRIVE, 104 CONSTITUTION DRIVE, AND 110 CONSTITUTION DRIVE**

WHEREAS, the City Council of the City of Menlo Park has considered the abandonment of public utility easements within the properties at 115 Independence Drive, 104 Constitution Drive, and 110 Constitution Drive shown in Exhibit A, which is attached and made apart thereto; and

WHEREAS, the Planning Commission is scheduled to review the proposed abandonment for consistency with the City's General Plan at its meeting on July 26, 2021; and

WHEREAS, the City Council will hold a Public Hearing on August 24, 2021 at approximately 5:00 p.m. as required by law to determine whether said public utility easements shall be abandoned.

NOW, THEREFORE, BE IT RESOLVED, that a Resolution of Intention of the City Council of the City of Menlo Park does hereby propose the abandonment of public utility easements within the properties at 115 Independence Drive, 104 Constitution Drive, and 110 Constitution Drive.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021 by the following votes:

AYES:

NOES:

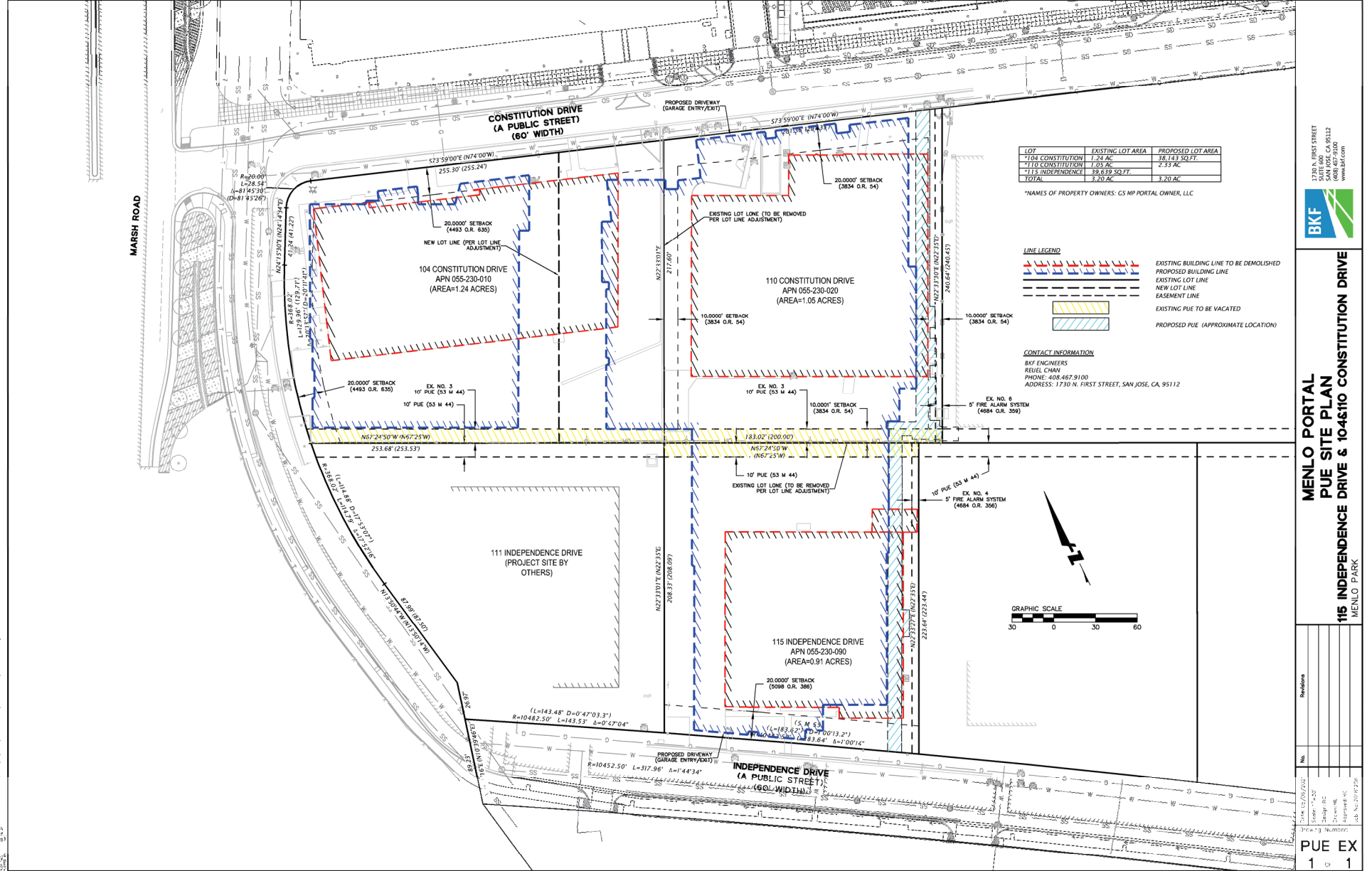
ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk



MENLO PORTAL  
PUE SITE PLAN  
115 INDEPENDENCE DRIVE & 104&110 CONSTITUTION DRIVE  
MENLO PARK

No.	Description
1	PUE EX



**STAFF REPORT**

**City Council**  
**Meeting Date:** 6/22/2021  
**Staff Report Number:** 21-130-CC

**Consent Calendar:** **Waive the second reading and adopt zoning Ordinance No. 1077 amendment associated with community amenities and bonus level development in the Office, Life Sciences and Residential Mixed Use zoning districts to establish an in-lieu fee payment for the provision of community amenities and authorize applicants to propose community amenities not on the community amenities list through negotiation of a development agreement**

**Recommendation**

Staff recommends that the City Council waive the second reading and adopt the following ordinance related to community amenities and bonus level development in the O (Office), LS (Life Science) and R-MU (Residential Mixed Use) zoning districts:

Ordinance No. 1077 amending sections 16.43.070, 16.44.070 and 16.45.070 of Title 16 of the Menlo Park Municipal Code to establish an in-lieu fee payment option and to authorize applicants to negotiate development agreements as a means of proposing community amenities not on the community amenities list for bonus level development in the O, LS and R-MU zoning districts and adopt the ordinance (Attachment A.)

**Policy Issues**

The recommended action is consistent with the City Council's action to introduce an ordinance amendment at its meeting June 8, 2022, to modify provisions related to community amenities in the O, LS and R-MU zoning districts. Currently, the only form to meet the community amenities obligation is to choose an amenity from the list. The option to pay a fee is currently not available because the City has not yet adopted the applicable fee. The current zoning ordinance also allows for community amenities to be included in a development agreement; however, the amenities must be selected from the adopted amenities list. The proposed ordinance provides additional flexibility for how to satisfy the community amenities requirement when seeking a bonus level development.

**Background**

On June 8, 2021, the City Council conducted a public hearing to consider and take action on the proposed zoning ordinance amendment. For reference, the June 8 staff report is included as Attachment B. The City Council supported the modifications, which were consistent with the guidance provided by the City Council subcommittee (Vice Mayor Nash and City Councilmember Taylor) and the City Council at its April 2021

study session. At the June 8 meeting, the City Council also provided guidance to staff to return with an updated community amenities list to remove amenities that have already been provided and procedures for implementing community amenities. Staff will return to the City Council at a future meeting date for review and action on these items.

## Analysis

The proposed ordinance amendment to the community amenities provisions includes an in-lieu fee payment option and an alternative to enter into a development agreement to negotiate community amenities not on the community amenities list. The proposed amendments to the community amenities provisions in the O, LS and R-MU zoning districts provide additional options and greater flexibility for meeting the community amenities requirement while still providing community amenities that directly benefit the Belle Haven neighborhood and the area between Highway 101 and the Bay. The proposed ordinance is consistent with the direction provided by the City Council to amend the community amenity provisions to allow the payment of an in-lieu fee and to allow negotiated community amenities through the development agreement process. If the City Council adopts the ordinance on June 22, the revisions would become effective 30 days thereafter.

Since the June 8, 2021 meeting, staff has made a few refinements to the proposed ordinance language, which have been discussed with the City Council subcommittee. The changes are technical changes adding clarification for implementation purposes and do not change the substance of the ordinance amendment or the intent of the community amenity provisions.

The revised language is shown in underline and strikeout format below and affect subsections (B) of sections 16.43.070, 16.44.070 and 16.45.070 of Title 16 of the Municipal Code, as shown below. The ordinance, including the revised language, has been updated in Attachment A.

(B) In-Lieu Payment. An applicant for bonus development may elect to pay one hundred and ten percent (110%) of the value of the community amenity to be provided, as calculated pursuant to subsection (3) of this section. ~~If the An in-lieu payment is may be made in combination with the provision of a community amenity as a part of the project being included as part of the project, as long as the in-lieu payment portion is equal to the applicant must pay~~ one hundred and ten percent (110%) of the value of the community amenity to be provided, as required by subsection (3) of this section, minus the value of the community amenity provided as calculated pursuant to subsection (3) of this section pursuant to subsection (4)(A). The applicant shall provide documentation sufficient for the city manager or ~~his/her~~their designee to certify compliance with this section. ~~The In-lieu payments~~ shall be made prior to building permit issuance for the project. The city shall place all in-lieu payments in a restricted community amenities fund to be used to implement community amenities identified in the list adopted by city council resolution.

The in-lieu fee payments would be deposited in a dedicated fund and all community amenities, except for affordable housing, shall be provided within the area between U.S Highway 101 and the San Francisco Bay in the City.

### **Impact on City Resources**

Work on updating provisions of community amenities is a City Council work plan project. City attorney and staff time spent on this work is not cost recoverable. However, a 10 percent administrative fee is included in the in-lieu fee payment option for community amenities to support implementation of the community amenities program.

### **Environmental Review**

The project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to the Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment and pursuant to CEQA Guidelines section 15183 (consistent with the general plan and zoning.)

### **Public Notice**

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

### **Attachments**

- A. Ordinance No. 1077 amending sections 16.43.070, 16.44.070 and 16.45.070 of Title 16 of the Menlo Park Municipal Code
- B. Hyperlink – City Council June 8, 2021 staff report:  
[menlopark.org/DocumentCenter/View/28317/M2-20210608-CC-Community-amenity-in-lieu-fees-ord](https://menlopark.org/DocumentCenter/View/28317/M2-20210608-CC-Community-amenity-in-lieu-fees-ord)

Report prepared by:

Deanna Chow, Assistant Community Development Director

Nira F. Doherty, City Attorney

Report reviewed by:

Justin Murphy, Deputy City Manager

**ORDINANCE NO. 1077**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
AMENDING SECTIONS 16.43.070, 16.44.070, AND 16.45.070 OF TITLE 16 OF  
THE MENLO PARK MUNICIPAL CODE**

The City Council of the City of Menlo Park does ordain as follows:

**Section 1.** The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. Sections 16.43.060, 16.44.060, and 16.45.060 of Title 16 of the Menlo Park Municipal Code permit applicants for a development project to seek an increase in the floor area ratio, density, and/or height (“bonus level development”) subject to obtaining a use permit or conditional development permit and providing certain community amenities.
- B. Sections 16.43.070, 16.44.070, and 16.45.070 of Title 16 of the Menlo Park Municipal Code set forth the community amenities required for bonus level development.
- C. An applicant that applies for bonus level development may choose the form in which they provide the community amenity.
- D. The City desires to amend sections 16.43.070, 16.44.070, and 16.45.070 in order to specify that an applicant may elect to make an in-lieu payment to satisfy the community amenity requirement for bonus level development.
- E. The City further desires to amend sections 16.43.070, 16.44.070, and 16.45.070 in order to specify that an applicant may propose community amenities not on the list of community amenities by entering into a development agreement for the development project and the community amenities.
- F. The Planning Commission held a duly noticed public hearing on May 10, 2021 to review and consider the proposed amendment to sections 16.43.070, 16.44.070, and 16.45.070 of Title 16 of the Menlo Park Municipal Code and adopted Planning Commission resolution 2021-02 recommending that the City Council adopt the Zoning Ordinance amendment, whereat all interested persons had the opportunity to appear and comment.

**Section 2: Amendment of Subsection (4) of Section 16.43.070 of Title 16 of the Municipal Code**

Subsection (4) of section 16.43.070 of Title 16 of the City of Menlo Park Municipal Code is hereby repealed and replaced by the following:

Form of Amenity. A community amenity shall be provided utilizing any combination of the following mechanisms:

- (A) Include the community amenity as part of the project. The community amenity designed and constructed as part of the project shall be from the list of community amenities adopted by city council resolution. The value of the community amenity provided shall be at least equivalent to the value calculated pursuant to the formula identified in subsection (3) of this section. Once any one (1) of the community amenities on the list adopted by city council resolution has been provided, with the exception of affordable

housing, it will no longer be an option available to other applicants. Prior to approval of final inspection for the building permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the city manager or their designee to certify compliance with this section.

(B) In-Lieu Payment. An applicant for bonus development may elect to pay one hundred and ten percent (110%) of the value of the community amenity to be provided, as calculated pursuant to subsection (3) of this section. An in-lieu payment may be made in combination with the provision of a community amenity as a part of the project, as long as the in-lieu payment portion is equal to one hundred and ten percent (110%) of the value of the community amenity to be provided, minus the value of the community amenity provided as calculated pursuant to subsection (3) of this section. The applicant shall provide documentation sufficient for the city manager or their designee to certify compliance with this section. In-lieu payments shall be made prior to building permit issuance for the project. The city shall place all in-lieu payments in a restricted community amenities fund to be used to implement community amenities identified in the list adopted by city council resolution.

(C) Enter into a development agreement. An applicant may implement community amenities that are not on the list of community amenities adopted by City Council resolution, by entering into a development agreement for the bonus level project and the community amenities, pursuant to Article 2.5 of Chapter 4 of Division 1 of Title 7 (section 65864 et seq.) of the California Government Code and any City ordinances, resolutions, and procedures governing development agreements.

**Section 3: Amendment of Subsection (4) of Section 16.44.070 of Title 16 of the Municipal Code**

Subsection (4) of section 16.44.070 of Title 16 of the City of Menlo Park Municipal Code is hereby repealed and replaced by the following:

Form of Amenity. A community amenity shall be provided utilizing any combination of the following mechanisms:

(A) Include the community amenity as part of the project. The community amenity designed and constructed as part of the project shall be from the list of community amenities adopted by city council resolution. The value of the community amenity provided shall be at least equivalent to the value calculated pursuant to the formula identified in subsection (3) of this section. Once any one (1) of the community amenities on the list adopted by city council resolution has been provided, with the exception of affordable housing, it will no longer be an option available to other applicants. Prior to approval of final inspection for the building permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the city manager or their designee to certify compliance with this section.

(B) In-Lieu Payment. An applicant for bonus development may elect to pay one hundred and ten percent (110%) of the value of the community amenity to be provided, as calculated pursuant to subsection (3) of this section. An in-lieu payment may be made in combination with the provision of a community amenity as a part of the project, as long

as the in-lieu payment portion is equal to one hundred and ten percent (110%) of the value of the community amenity to be provided, minus the value of the community amenity provided as calculated pursuant to subsection (3) of this section. The applicant shall provide documentation sufficient for the city manager or their designee to certify compliance with this section. In-lieu payments shall be made prior to building permit issuance for the project. The city shall place all in-lieu payments in a restricted community amenities fund to be used to implement community amenities identified in the list adopted by city council resolution.

(C) Enter into a development agreement. An applicant may implement community amenities that are not on the list of community amenities adopted by City Council resolution, by entering into a development agreement for the bonus level project and the community amenities, pursuant to Article 2.5 of Chapter 4 of Division 1 of Title 7 (section 65864 et seq.) of the California Government Code and any City ordinances, resolutions, and procedures governing development agreements.

**Section 4: Amendment of Subsection (4) of Section 16.45.070 of Title 16 of the Municipal Code**

Subsection (4) of section 16.45.070 of Title 16 of the City of Menlo Park Municipal Code is hereby repealed and replaced by the following:

Form of Amenity. A community amenity shall be provided utilizing any combination of the following mechanisms:

(A) Include the community amenity as part of the project. As a threshold for utilizing bonus level development, any affordable housing required pursuant to Chapter 16.96 shall be designed and constructed on-site as part of the project; the applicant shall not be allowed to utilize an alternative means of compliance, unless otherwise approved by the city council. These affordable housing units shall be sold or rented with a preference for current or recently displaced Belle Haven residents, followed by the preferences provided in the City's below market rate housing guidelines. The community amenity provided as part of the project shall be from the list of community amenities adopted by city council resolution, with a preference for including additional affordable housing units; for example, additional housing such that twenty percent (20%) of the development is affordable (fifteen percent (15%) inclusionary plus five percent (5%) additional affordable units). The value of the community amenity provided shall be at least equivalent to the value calculated pursuant to the formula identified in subsection (3) of this section. Once any one (1) of the community amenities on the list adopted by city council resolution has been provided, with the exception of affordable housing, it will no longer be an option available to other applicants. Prior to approval of final inspection for the building permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the city manager or their designee to certify compliance with this section.

(B) In-Lieu Payment. An applicant for bonus development may elect to pay one hundred and ten percent (110%) of the value of the community amenity to be provided, as calculated pursuant to subsection (3) of this section. An in-lieu payment may be made in combination with the provision of a community amenity as a part of the project, as long



as the in-lieu payment portion is equal to one hundred and ten percent (110%) of the value of the community amenity to be provided, minus the value of the community amenity provided as calculated pursuant to subsection (3) of this section. The applicant shall provide documentation sufficient for the city manager or their designee to certify compliance with this section. In-lieu payments shall be made prior to building permit issuance for the project. The city shall place all in-lieu payments in a restricted community amenities fund to be used to implement community amenities identified in the list adopted by city council resolution.

(C) Enter into a development agreement. An applicant may implement community amenities that are not on the list of community amenities adopted by City Council resolution, by entering into a development agreement for the bonus level project and the community amenities, pursuant to Article 2.5 of Chapter 4 of Division 1 of Title 7 (section 65864 et seq.) of the California Government Code and any City ordinances, resolutions, and procedures governing development agreements.

**Section 5.** **Severability.** If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

**Section 6.** **Compliance with CEQA.** The City Council hereby finds that the action to adopt this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment, and pursuant to CEQA Guidelines section 15183 (consistent with the general plan and zoning).

**Section 7.** **Publication; Effective Date.** A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Councilmembers voting for or against same, in the Examiner, a newspaper of general circulation published and circulated in the City of Menlo Park, County of San Mateo, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

INTRODUCED on the eighth day of June, 2021.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the twenty-second day of June, 2021 by the following vote:

//

//

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

\_\_\_\_\_  
Betsy Nash, Vice Mayor

ATTEST:

\_\_\_\_\_  
Judi A. Herren, City Clerk



## STAFF REPORT

### City Council

Meeting Date:

6/22/2021

Staff Report Number:

21-131-CC

Consent Calendar:

**Adopt Resolution No. 6641 authorizing the city manager to rescind the portions of Emergency Order No. 2 related to the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby**

### Recommendation

Staff recommends that the City Council adopt Resolution No. 6641 (Attachment A) authorizing the city manager to rescind the portions of Emergency Order No. 2 related to the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby.

### Policy Issues

City Council sets policy and goals and provides direction to staff regarding municipal services to the Menlo Park community; allocates resources to support and maintain city facilities and operations and provide services to residents; and ratifies and/or rescinds local emergency orders.

### Background

On March 27, 2020, the City of Menlo Park issued Emergency Order No. 2 (Attachment C) that closed all City facilities to the public, including the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby. This precaution was necessary to protect public health by minimizing opportunities for congregation, both public and employee, during the COVID-19 pandemic.

On April 27, 2021, the City Council reviewed a four-phase plan for safely reopening City facilities to limited indoor public access (Attachment D), beginning with the Main Library, Belle Haven Branch Library, and Police Department Lobby July 6, 2021, and the Arrillaga Family Recreation Center July 12, 2021.

On June 15, 2021, the State of California rescinded multiple public health restrictions and issued new guidance which allows local communities to reopen these facilities with some precautions to prevent the spread of COVID-19 in workplaces.

### Analysis

City Council authorization is needed to rescind and modify Emergency Order No. 2, to remove from the list of facility closures those facilities that are scheduled to reopen in July per the City's four-phase reopening plan (Attachment D):

- Main Library
- Belle Haven Branch Library
- Arrillaga Recreation Center

- Police Department lobby

The necessary preparations to expand public access to facilities and services require significant investments of time and resources during a period when the organization's personnel resources are extraordinarily limited. Assuming the pandemic continues to recede over the course of the summer, then staff will return to City Council on August 24 to fully rescind Emergency Order No. 2, thus lifting the emergency closures of the remaining facilities scheduled to reopen in September, October, and November:

- Arrillaga Family Gymnasium
- City Council Chambers
- City Hall
- Arrillaga Family Gymnastics Center

The remaining facilities closed by Emergency Order No. 2 are scheduled for demolition this summer and will not reopen. No additional action needs to be taken related to the emergency order as it pertains to these facilities because they will no longer be extant:

- Onetta Harris Community Center
- Menlo Park Senior Center

Should the City Council adopt Resolution No. 6641 authorizing the city manager to rescind the portions of Emergency Order No. 2 related to the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby effective July 6, then the City Manager will issue Emergency Order No. 9 to remove those facilities from the closure list (Attachment B.)

### **Impact on City Resources**

Programming expenditures, revenue expectations, and costs associated with making physical improvements to City facilities necessary to reopen are incorporated into the proposed operating budget for fiscal year 2021-22.

### **Environmental Review**

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

### **Public Notice**

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

The City Council in duly noticed public meetings received relevant reports and notifications on March 9, April 6, April 13, and April 27.

The Library Commission in duly noticed public meetings received relevant reports and notifications on March 15, April 19, and May 17.

The Parks and Recreation Commission in duly noticed public meetings received relevant reports and notifications on March 24, April 28, and May 26.

**Attachments**

- A. Resolution No. 6641
- B. Emergency Order No. 9 rescinding portions of Emergency Order No. 2
- C. Emergency Order No. 2
- D. Hyperlink – City Council Staff Report #21-090-CC: [menlopark.org/DocumentCenter/View/27987/K1-20210427-CC-Expanding-public-access-to-facilities-services](https://menlopark.org/DocumentCenter/View/27987/K1-20210427-CC-Expanding-public-access-to-facilities-services)

Report prepared by:  
Sean Reinhart, Library and Community Services Director

Report reviewed by:  
Starla Jerome-Robinson, City Manager

**RESOLUTION NO. 6641**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
AUTHORIZING THE CITY MANAGER TO RESCIND THE PORTIONS OF  
EMERGENCY ORDER NO. 2 RELATED TO THE MAIN LIBRARY, BELLE  
HAVEN BRANCH LIBRARY, ARRILLAGA FAMILY RECREATION CENTER,  
AND POLICE DEPARTMENT LOBBY**

WHEREAS, on March 27, 2020, the City of Menlo Park issued Emergency Order No. 2 that closed all City facilities to the public, including the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby, to protect public health and safety due to the COVID-19 pandemic; and

WHEREAS, on April 27, 2021, the City Council reviewed a four-phase plan for safely reopening City facilities to limited indoor public access, beginning with the Main Library, Belle Haven Branch Library, and Police Department Lobby on July 6, 2021, and the Arrillaga Family Recreation Center on July 12, 2021; and

WHEREAS, on June 15, 2021, the State of California rescinded multiple public health restrictions and issued new guidance which allows local communities to reopen these facilities with some precautions to prevent the spread of COVID-19 in workplaces; and

WHEREAS, the City Council wishes to provide Menlo Park residents the opportunity to safely resume limited indoor public access to these facilities in accordance with the reopening sequence outlined in the aforementioned four-phase reopening plan;

WHEREAS, in reliance on the State of California's June 15, 2021 direction and rescission of health restrictions and because the City finds that the risks of COVID-19 have reduced with the increased vaccination rates in the City, County and State, the City Council wishes to reopen certain City facilities to the public including the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Menlo Park does hereby authorize the City Manager, as Director of Emergency Services, to revise Emergency Order No. 2 as more specifically shown in Attachment B attached hereto and incorporated herein by this reference, by removing from Emergency Order No. 2 the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby effective July 6, 2021.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following votes:

//  
  
//  
  
//  
  
//

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk

**DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER  
EMERGENCY ORDER NO. 9**

WHEREAS, the Centers for Disease Control and Prevention has declared the novel coronavirus named “COVID-19” a serious public health threat;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of local health emergency;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence existed of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directed all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorized individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 27, 2020, the City of Menlo Park issued Emergency Order No. 2 that closed all City facilities to the public, including the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby, to protect public health and safety from the COVID-19 pandemic;

WHEREAS, on April 27, 2021, the City Council reviewed a four-phase plan for safely reopening City facilities to limited indoor public access, beginning with the Main Library, Belle Haven Branch Library, and Police Department Lobby on July 6, 2021, and the Arrillaga Family Recreation Center on July 12, 2021; and



WHEREAS, on June 15, 2021, the State of California rescinded multiple public health restrictions and issued new guidance which allows local communities to reopen these facilities with some precautions to prevent the spread of COVID-19 in workplaces; and

WHEREAS, the City Council wishes to provide Menlo Park residents the opportunity to safely resume limited indoor public access to these facilities in accordance with the reopening sequence outlined in the aforementioned four-phase reopening plan; and

WHEREAS, in reliance on the State of California's June 15, 2021 direction and rescission of health restrictions and because the City finds that the risks of COVID-19 have reduced with the increased vaccination rates in the City, County and State, the City Council wishes to reopen certain City facilities to the public including the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property in the City of Menlo Park as affected by such emergency.

NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective July 6, 2021, the portion of Emergency Order No. 2 closing the Main Library, Belle Haven Branch Library, Arrillaga Family Recreation Center, and Police Department Lobby is hereby rescinded.
2. Facility users shall adhere to applicable State and County required requirements relating to playground use and other social distancing precautions.
3. The City Manager reserves the right to modify this order.

Dated: \_\_\_\_\_

\_\_\_\_\_  
City Manager

Approved as to Form:

\_\_\_\_\_  
City Attorney

**CITY OF MENLO PARK DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER  
EMERGENCY ORDER NO. 2**

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood, though it is highly contagious;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County; WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of a local health emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic and empowered the Director of Emergency Services to take all necessary actions;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities”, “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, Government Code Section 8634 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property;

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to

make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, the City Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths, and preserve limited resources in order to allocate them to the most critical projects; and

NOW, THEREFORE, the City Manager as the Director of Emergency Services does hereby make the following order:

1. Public Facilities Closures. For the duration of the local emergency, the following public facilities shall be closed to the public: City Hall; Arrillaga Family Recreation Center; Arrillaga Family Gymnasium; Arrillaga Family Gymnastics Center; Burgess Pool; Belle Haven Pool; Onetta Harris Community Center; Menlo Park Senior Center; Menlo Park Main Library and Belle Haven Branch Library; all public restrooms and playgrounds located in all public parks; Burgess Park skate park; all public tennis courts, and all public basketball courts.
  
2. Effective date. This order shall be effective immediately and shall terminate upon the earlier of (1) Director of Emergency Services order or (2) cessation of local emergency.
  
3. Enforcement. This order shall be enforceable as a misdemeanor as provided in Menlo Park Municipal Code Section 2.44.110.

Dated: 3/27/2020

DocuSigned by:  
  
 6BD907BD261744C...  
 \_\_\_\_\_  
 Director of Emergency Services

Approved as to form:

DocuSigned by:  
  
 CD6C53C794F6491...  
 \_\_\_\_\_  
 Interim City Attorney



**STAFF REPORT**

**City Council**

**Meeting Date:**

**6/22/2021**

**Staff Report Number:**

**21-132-CC**

**Consent Calendar:**

**Waive second reading and adopt fireworks  
Ordinance No. 1076**

**Recommendation**

Staff recommends that the City Council waive the second reading and read by title only, Ordinance No. 1076 amending Menlo Park Municipal Code by adding a new Chapter 8.57 (Fireworks) to Title 8, and amending section 5.28.050 of Chapter 5.28 of Title 5 to remove inconsistencies with the new Chapter 8.57.

**Policy Issues**

Previously in Menlo Park, there have been no local ordinances in place giving the City a controllable and useful tool to hold those detonating fireworks responsible in our City. Although State Codes exist that fit some circumstances, the introduction of a specific City authority to hold those people responsible who endanger our community will be a useful tool in the effort to address a perennial issue that disturbs the peace and endangers our public.

**Background**

Every year, beginning several weeks before the Fourth of July holiday weekend, Menlo Park residents are besieged by fireworks as a public nuisance. Detonation of fireworks in the City of Menlo Park has the potential at any time to create injury or property damage, and cause significant distress to both humans and pets who are sensitive to the noise and flashing light of these devices. Additionally, during a period where this region has experienced significant damage from fires of various causes, coupled with predicted low-moisture conditions and other environmental factors making fire risk very high now and in future years, the potential for damaging and dangerous fires caused by fireworks is very real and very predictable. As what is predictable can often be preventable, the attached urgency Ordinance No. 1075 is designed to provide an immediate enforcement tool to Menlo Park authorities which can hold those endangering our public directly accountable, and the attached first reading of a regular fireworks Ordinance No. 1076 will provide for the City's ability to continue to enforce this accountability in the future.

**Analysis**

Historically, police and fire officials responding to and proactively encountering fireworks complaints have had limited authority for enforcement based on State Codes. However, the Health and Safety Code does allow for individual jurisdictions to create our own ordinances to streamline the accountability process. Fireworks Ordinance No. 1076 provides the City of Menlo Park with a local tool to protect our community and hold accountable those who may endanger it. Penalties pursuant to this new authority include nuisance abatement authority pursuant to existing Municipal Code Chapter 8.04, fine of \$1000, and misdemeanor criminal penalties of fine and imprisonment. The ordinance also allows civil collection to recover expenses from city resources utilized to respond to repeated violations.

### **Impact on City Resources**

Expenses for the training of personnel in new enforcement options, and any accompanying administrative needs to facilitate such enforcement can be absorbed by existing budget.

### **Environmental Review**

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

### **Public Notice**

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

### **Attachments**

A. Ordinance No. 1076 – Fireworks

Report prepared by:  
David Norris, Chief of Police

## ORDINANCE NO. 1076

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE MENLO PARK MUNICIPAL CODE BY ADDING CHAPTER 8.57 (FIREWORKS) TO TITLE 8 (PEACE, SAFETY AND MORALS) AND AMENDING SECTION 5.28.050 (SALE OF CHRISTMAS TREES, PUMPKINS OR FIREWORKS) OF CHAPTER 5.28 (LICENSE FEES FOR VARIOUS MISCELLANEOUS BUSINESSES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE MENLO PARK MUNICIPAL CODE, AND FINDING ADOPTION OF THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, dangerous and unregulated fireworks are a health and safety concern to all members of the Menlo Park community and their visitors; and

WHEREAS, thousands of injuries are caused by fireworks across this country every year; and

WHEREAS fireworks can cause significant anxiety in adults and children, especially veterans and others with post-traumatic stress, as well as pets; and

WHEREAS, fireworks also pose a serious risk of fire under conditions that continue to demonstrate extraordinary risk of damaging fire, in the wake of a year that saw significant damage from wildfire in the immediate region, with predicted continued weather and low moisture conditions in the future continuing that risk according to Cal Fire; and

WHEREAS, there is a demonstrated need for enforcement tools with which emergency responders can hold those posing a significant risk to public health and safety through the possession and detonation of fireworks in this city; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MENLO PARK:

**SECTION 1. Adoption of Chapter 8.57 (Fireworks) of Title 8 (Peace, Safety and Morals) of the Menlo Park Municipal Code**

Chapter 8.57 Entitled "Fireworks" is Hereby Adopted and Added to Title 8 (Peace, Safety and Morals) of the Menlo Park Municipal Code to read as follows:

(a) "Fireworks" means and includes:

(1) Any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, whether manufactured, homemade or improvised;

(2) Fireworks classified by the State Fire Marshal as "dangerous fireworks" and as "safe and sane fireworks" pursuant to Health and Safety Code Sections 12561 and 12562;

(3) Any pyrotechnic devices for which the State Fire Marshal requires a license to manufacture, sell, transport or operate; and

(4) Firecrackers, torpedoes, skyrocketes, roman candles, cherry bombs, sparklers, chasers, snakes or other fireworks of like or similar construction and any fireworks containing any explosive or flammable compound or substance and any device containing any explosive or flammable compound, or any tablet or other device containing an explosive substance, except that the term "firework" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps..

(b) Sale and Use of Fireworks Prohibited

(1) It is unlawful to sell or offer for sale fireworks of any kind or nature in the city.

(2) It is unlawful to fire, discharge, burn or use fireworks of any kind or nature within the city.

(3) Should the provisions of this section conflict with the provisions of any other ordinance or city code section of the city, the provisions of this chapter shall prevail.

(c) Enforcement

(1) The Chief of Police or his/her designee shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this chapter.

(2) Violation of this chapter shall be deemed a public nuisance and may be abated pursuant to Chapter 8.04 of this Code. Additionally, the City may bring a civil action against the violator of this Chapter to abate, enjoin, or otherwise compel the cessation of the violation of any provision of this Chapter.

(3) Administrative Citation. Upon identification of a violation of this Chapter, any enforcement officer may issue an administrative citation or a notice of violation. The administrative fine shall be one thousand dollars (\$1,000) for each citation issued to any person who violates this Chapter.

(4) Misdemeanor. In addition to the penalties described above, any person who violates this Chapter shall also be guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, imprisonment in the County Jail for a period not exceeding six months, or both, if the violation:

- (a) Is a substantial factor in causing harm to persons or property; and
- (b) Causes serious bodily injury to persons, defined as the serious impairment of physical condition, and may include, without limitation, loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and/or serious disfigurement; and/or
- (c) Causes damage to real or physical property in excess of \$1,000.00.

(5) Non-exclusivity of Penalties. The penalties set forth herein are not intended to be exclusive of other penalties and remedies and are intended to be in addition to any other remedies provided in this Code or any other law, statute, ordinance or regulation, including, without limitation, the California Health and Safety Code or California Penal Code with regard to the sale, use, possession, delivery, storage, and/or transportation of fireworks.

(6) Response costs. Any person who has been issued a second administrative citation and/or written notice of violation under this Chapter within any 12-month period may, in addition to the penalties provided for in this Chapter 5.28, also be held liable for response costs incurred in responding to a violation of this Chapter 5.28. All violators shall be jointly and severally liable for the response costs incurred.

(7) Payment of Fines and Costs.

- (a) All administrative fines and/or response costs shall be paid to the City within 30 days from the date of service of the citation, unless the person charged in the citation requests a hearing as set forth below in Section 5.28.070(i).
- (b) Payment of a fine and/or response costs under this Chapter shall not excuse or discharge any continuation or repeated occurrence of the Code violation that is the subject of the administrative citation.

(8) Appeal/Hearing Request.

- (a) Any recipient of an administrative citation may contest that there was a violation of this Chapter 5.28 or that he or she is liable for the violation by requesting an appeal hearing within 30 days from the date of service of the citation. The contesting party shall identify the date and location of the alleged violation and indicate in the appeal that he or she is requesting a hearing. The appealing party shall attach a copy of the citation to the appeal.
- (b) The person requesting the appeal hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- (c) If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, a copy of such report also shall be served on the person requesting the hearing at least five days before the date of the hearing.
- (d) The City Manager, or designee(s), shall designate the hearing officer for the administrative citation appeal hearing.



(9) Appeal/Hearing Procedure.

(a) A hearing before the hearing officer shall be set for a date that is not less than 15 days and not more than 60 days from the date that the request for appeal hearing is filed in accordance with the provisions of this Chapter.

(b) At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

(c) The failure of any recipient of an administrative citation to appear at the appeal hearing shall constitute a failure to exhaust administrative remedies.

(d) The administrative citation and any additional report submitted by the enforcement officer shall constitute *prima facie* evidence of the respective facts contained in those documents.

(e) The hearing officer may continue the appeal hearing and request additional information from the enforcement officer or the recipient of the administrative citation before issuing a written decision.

(f) After considering all of the testimony and evidence submitted at the appeal hearing, the hearing officer shall issue a written decision to uphold or cancel the administrative citation and shall set forth in the decision the reasons for that decision. The decision of the hearing officer shall be final. If the hearing officer determines that the administrative citation should be upheld, then the responsible person shall pay the fine amount within 30 days. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision.

(g) The employment, performance evaluation, compensation, and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the hearing officer.

(10) Late Payment Charges.

(a) Unless otherwise provided in this Code, any person who fails to timely pay, in full, any fine imposed pursuant to the provisions of this Chapter 5.28, on or before the date that fine is due, shall also be liable for the payment of a late payment charge 10% of the amount of the delinquent fine.

(b) Any person who fails to timely pay, in full, any fine imposed pursuant to the provisions of this Chapter 5.28, on or before 30 days after its due date shall also pay a second 10% of the delinquent amount.

(11) Recovery of Administrative Fines and Costs.

(a) The City may collect any past due administrative citation fine or late payment charge by use of all available legal means, including filing a civil lawsuit.

(b) Any person who fails to pay any obligation shall be liable in any action brought by the City for all costs incurred in securing payment of the delinquent amount, including, but not limited to, administrative costs, and attorneys' fees.

(c) Collection costs shall be in addition to any penalties, interest, and/or late charges imposed upon the delinquent obligation.

(d) Collection costs imposed under this provision shall be added to and become a part of the underlying obligation.

(12) Right to Judicial Review. Any person aggrieved by an administrative decision of a hearing officer on an administrative citation may obtain review of the administrative decision by filing a petition for review with the Superior Court in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

(13) Notices.

(a) The administrative citation required to be given by this Chapter shall be served on the violator in the same manner as summons in a civil action in accordance with Article 3 (commencing with § 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure. All subsequent notices shall be served by personal delivery or by deposit in the United States mail, in a sealed envelope postage prepaid, addressed to such person to be notified at his or her last-known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office.

(b) Failure to receive any notice specified in this Chapter does not affect the validity of proceedings conducted hereunder.

**SECTION 2. Amendment to Section 5.28.050 (Sale of Christmas trees, pumpkins or fireworks) of Chapter 5.28 (– License Fees for Various Miscellaneous Businesses) of Title 5 (Business Licenses and Regulations) of the Menlo Park Municipal Code**

Section 5.28.050 (Sale of Christmas trees, pumpkins or fireworks) of Chapter 5.28 (License Fees for Various Miscellaneous Businesses) of Title 5 (Business Licenses and Regulations) of the Menlo Park Municipal Code is hereby amended to read as follows (deletions in ~~strikethrough~~, additions in underline):

- (a) Where Christmas trees, or pumpkins ~~or fireworks~~ are sold from a fixed place of business in the city, the license fee to carry on and maintain the business and use licensed at the location at which it is proposed to sell the above items shall be fifty dollars per year.
- (b) The licensee shall furnish a cash deposit or bond in the sum of one hundred dollars. The conditions of the deposit or bond shall be determined by the license collector when the license is issued.
- (c) The term "Christmas trees," as used in this section, means Christmas trees, garlands and wreaths only, and shall not include ornaments, toys, light bulbs, Christmas tree lights or strings of lights and shall not include candies, fruits, novelties or other merchandise.
- (d) Charity or eleemosynary organizations or institutions shall pay twenty-five dollars, and no bond will be required; provided, that a responsible person of the organization or institution guarantees compliance to conditions under which a bond would normally be required.

**SECTION 3. Severability**

If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by a final judgment of any court or competent jurisdiction, such invalidity shall not affect other provisions or clauses or application, and to this end, the provisions and clauses of this ordinance are declared to be severable.

**SECTION 4. California Environmental Quality Act**

The City Council finds that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the City Council finds there is no possibility that the implementation of this Article may have significant effects on the environment.

**Section 5. Publication.** The City Clerk is hereby ordered and directed to certify the passage of this Ordinance by the City Council of the City of Menlo Park, California and cause the same to be published in accordance with State law.

**Section 6. Effective Date.** This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

INTRODUCED on the eighth day of June, 2021.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the twenty-second day of June, 2021 by the following vote:

//  
 //  
 //

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

---

Drew Combs, Mayor

ATTEST:

---

Judi A. Herren, City Clerk



## STAFF REPORT

### City Council

Meeting Date:

6/22/2021

Staff Report Number:

21-133-CC

Consent Calendar:

**Award a construction contract to Interstate Grading and Paving, Inc. and appropriate additional project funding for the 2021 Willow Road resurfacing project**

### Recommendation

Staff recommends that the City Council award a construction contract to Interstate Grading and Paving, Inc. and appropriate \$72,500 in additional funding from Measure W and \$327,500 from the construction street impact fee funds for the 2021 Willow Road Resurfacing project (Project.) The construction contract would include the use of rubberized asphalt concrete consistent with City Council direction April 20, 2021.

### Policy Issues

This project is consistent with the City's goal of maintaining and enhancing its municipal infrastructure and extending the life and safety of its roadway network. The project is also included in the 2020-21 capital improvement plan (CIP.)

### Background

Menlo Park uses a Pavement Management System (PMS) that is approved by the Metropolitan Transportation Commission (MTC.) Through grants provided by the MTC, a Pavement Management technical assistance program report is generated every two years. This report evaluates the City's street network and develops a list of potential street maintenance projects, over a five-year span, based on pavement conditions and budgeting. This program is an effective tool for managing the City's street network and to keep streets at an appropriate level of service. The Project was identified for resurfacing pursuant to the City's PMS and technical assistance program report and included in the CIP.

The scope of work includes Willow Road from Middlefield Road to Chester Street, approximately 4,700 linear feet. The project corridor abuts residential and commercial frontages and is identified in the circulation element with a classification of Avenue - Mixed Use. The existing right-of-way varies between 60 to 100 feet wide and generally includes concrete sidewalks, ramps, driveways, curb and gutter, traffic signals, and landscaping beyond the edge of pavement. The roadway is composed of asphalt with concrete islands. Major utilities traversing the street include dry utilities (e.g., electrical, gas and telecommunication mains), storm drainage, domestic water and sanitary sewer services.

### Rubberized Asphalt Concrete

On April 20, 2021, the City Council held a study session (Attachment A) to review pavement type options, rubberized asphalt concrete and hot mix asphalt, for upcoming capital projects. In summary, rubberized asphalt is composed of recycled tires and has a longer life expectancy compared to hot mix asphalt. However, rubberized asphalt also carries a construction premium which offsets the potential savings from its longer life span. City Council directed staff to pursue rubberized asphalt concrete as a bid alternative to

hot mix asphalt for the following projects:

- Projects proposing a 1.2 to 2.4-inch top-lift overlay
- Projects along arterial or collector streets
- Projects planned for summer construction

During and subsequent to the study session, the City Council expressed concern over the impact of rubber pollutants to downstream waterbodies and wildlife. The City Council requested additional information for rubberized asphalt concrete, and other rubber particles, with respect to the local ecosystem. The City Council also requested additional information on the cost impacts of rubberized asphalt concrete installation versus traditional hot mix asphalt. Staff's response to these requests are detailed in the Analysis section.

## **Analysis**

### Project description and bidding

The work to be done generally includes the following modifications on Willow Road from Middlefield Road to Chester Street:

- A 2.4-inch asphalt grind and overlay
- Installing six-inch deep asphalt base repairs for roadway areas exhibiting signs of settlement
- Adjusting utility structures (maintenance holes, valves etc.) to grade where overlapping the resurfacing work
- Installing new accessible curb ramps and curb repairs at locations noted per plan
- Replacing signs and striping, and adding four solar-powered speed-feedback signs
- Removing and replacing existing (concrete or red stamped asphalt) crosswalks at Durham Street, Coleman Avenue, and Gilbert Avenue with high visibility thermoplastic striping over new asphalt paving

In developing the scope of work, staff reviewed the recommended projects in the Transportation Master Plan within the project area, however, most of the projects identified require the acquisition of additional right-of-way or significant changes to existing median islands, which were outside of the scope of this repaving project. Elements of the projects recommended in the Transportation Master Plan that can be included as part of this repaving project include removing and replacing the existing crosswalks at Coleman Avenue (project 45) and replacing green bicycle lane striping (project 49.)

The project is installing a 2.4-inch asphalt overlay along a minor arterial with a summer construction schedule. This is consistent with the study session direction to consider the use of rubberized asphalt concrete. On April 30, the City solicited bids from prospective contractors for the project. The bid included rubberized asphalt as a base bid item, with hot mix asphalt as a substitute per bid alternate A. Project bids were opened May 27, with results per Table 1. Of the five bids received, Interstate Grading and Paving Inc. offered the lowest price at \$1,172,535 and was under the engineer's estimate of \$1,287,000.

Table 1: Bid results			
Bidder	Base bid (rubberized)	Bid alternate A (hot mix)	
Engineer's estimate	\$1,287,000	\$1,150,800	
Interstate Grading and Paving, Inc.	\$1,172,535	\$1,067,535	
Teichert & Sons, Inc.	\$1,189,157	\$1,105,157	
Radius Earthwork, Inc.	\$1,277,700	\$1,155,200	
O'Grady Paving, Inc.	\$1,286,200	\$1,233,700	
G. Bortolotto & Co., Inc.	\$1,314,240	\$1,226,740	

Interstate Grading and Paving, Inc. recently worked in Menlo Park as the general contractor for the 2020 Santa Cruz and Middle Avenues Street Rehabilitation project (substantially completed December 2020.) While the majority of the work for that project was completed per specifications, Middle Avenue experienced signs of asphalt failure subsequent to paving. Staff informed Interstate of this issue, and Interstate committed to repave Middle Avenue at its own expense. The repaving work is in progress as of this staff report and completion is anticipated by the week of June 21, 2021. Staff has otherwise found the lowest bidder to be well-experienced with projects involving similar scopes of work for asphalt and concrete improvements. Staff determined the low bidder to be both responsive and responsible per the project contract and public contracting code requirements.

Coordination with other agencies

Staff coordinated with West Bay Sanitary District (WBSD) to confirm sewer lateral upgrades along Willow Road prior to resurfacing. WBSD video-inspected laterals within the project limits and verified ten locations for potential repair. Staff notified these residents to coordinate with WBSD for next steps in the permitting process should they elect to upgrade their lateral. Consequently, the City is anticipating a permit application from WBSD as of the date of this staff report. Coordinating with the paving project will reduce the utility trench street restoration requirements that would otherwise be required when repairing or replacing the sewer laterals. The construction schedules will be coordinated to maintain public safety and access.

The segment of Willow Road from just south of Bay Road to Bayfront Expressway is within Caltrans right of way. Since the proposed project extends to the City's limit, near Chester Street, staff informed Caltrans of the project scope to minimize construction issues and offered to extend the paving area if Caltrans could fund the work. However, no funds were currently available for this project and no work is proposed within Caltrans jurisdiction as part of this project. Caltrans anticipates this area to be repaved with work on Willow Road north of the US 101 interchange at a future date, but has not yet confirmed the schedule.

Environmental considerations of rubberized asphalt concrete

During the April 20, 2021 study session, City Council raised concern with rubber pollutants associated with rubberized asphalt concrete leaching out of the asphalt during storm events and polluting downstream ecosystems. Staff sought and received input from environmental scientists regarding pollutants from rubberized asphalt from EOA Inc. (San Mateo County's stormwater consultant), and Dr. Edward Kolodziej, co-author of Performance Evaluation of Stormwater Treatment Facilities in the Greater Seattle Area. *University of Washington. Center for Urban Water* (Attachment B.) Both parties concur that rubberized asphalt is a relatively new field of research and studies are still being developed as of this report, while tire

dust (the fine, worn off material from tires that is prevalent on city streets) is a more known concern and can easily make its way into the storm drain system polluting downstream ecosystems. Therefore, most published studies on rubber pollutants reference environmental impacts from tire rubber.

Tire rubber from vehicles can discharge a chemical known as 6PPD from roadways to downstream waterbodies. The study from the University of Washington cited above concluded that 6PPD exposure resulted in the death of coho-salmon in the pacific northwest. The study further suggests that stormwater treatment facilities, such as bio-retention planters with special soils that filter pollutants prior to entering the storm drain, could effectively remove 6PPD from roadway runoff.

The City’s Green Infrastructure Plan, adopted in July 2019, outlines feasibility, design, funding, and construction criteria for implementing stormwater treatment facilities in the public right of way. Stormwater treatment is not included in this project, but staff evaluates each CIP project for its feasibility and inclusion, pursuant to the Green Infrastructure Plan, and in accordance with the Stormwater Municipal Regional Permit.

**Construction Cost Comparison**

A cost comparison analysis for rubberized and hot mix asphalt was performed in response to City Council’s request during the April 20 study session. In addition to planned work on Willow Road, Ravenswood Avenue and Middlefield Road, this analysis identified 270,000 square feet of proposed roadway overlay area over the next five years per the City’s 2021 pavement technical assistance program report. In summary, the additional cost of installing a 2.4-inch layer of rubberized asphalt concrete in lieu of hot mix asphalt over the next 5 years is approximately \$648,000. This translates to a 29 percent construction premium for rubberized asphalt concrete (RAC) which is consistent with the preliminary estimates staff prepared for the April 20 study session. Attachment C includes additional details on this analysis.

**Impact on City Resources**

The anticipated construction budget is summarized in Table 3 for the base bid and bid alternate A. Construction contingencies were applied at 15 and 10 percent for rubberized and hot mix asphalt, respectively. Administration fees include construction management and professional consulting fees for inspection and geotechnical services.

Table 3: Construction budget		
Item	Base bid (rubberized)	Bid alternate A (hot mix)
Construction subtotal	\$1,172,535	\$1,067,535
Contingency	\$175,880	\$106,754
Construction administration	\$197,000	\$170,000
Total budget	\$1,545,415	\$1,344,289
Available funding	(\$1,150,000)	(\$1,150,000)
Appropriation request	\$400,000	\$200,000

This Project is included in the CIP and the City has an available budget of \$1,150,000 remaining for project construction. An appropriation of \$400,000 is requested to meet the budget should the City Council elect to



award the project with the base bid (rubberized.) The appropriation is reduced to \$200,000 for bid alternate A (hot mix.) The appropriation is requested from the construction street impact fee and Measure W funds. Measure W is a Countywide sales tax measure approved by voters in 2018 for transportation-related improvements and would be applied to the four solar-powered speed feedback signs (estimated at \$72,500.) The remaining \$327,500 appropriation would be from the construction street impact fee fund.

### **Environmental Review**

This project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines §§ 15301(b) Existing Facilities.

### **Public Notice**

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

### **Attachments**

- A. Hyperlink - RAC Study Session Staff Report dated April 20, 2021:  
[menlopark.org/DocumentCenter/View/27934/D1-20210420-CC-Rubbarized-asphalt](https://menlopark.org/DocumentCenter/View/27934/D1-20210420-CC-Rubbarized-asphalt)
- B. Kolodziej, E. (2021.) Performance Evaluation of Stormwater Treatment Facilities in the Greater Seattle Area. *University of Washington. Center for Urban Waters.*
- C. RAC and hot mix asphalt construction cost comparison

Report prepared by:  
Michael Fu, Senior Civil Engineer

Report reviewed by:  
Christopher Lamm, Assistant Public Works Director

# Performance Evaluation of Stormwater Treatment Facilities in the Greater Seattle Area

## Introduction:

Urban stormwater pollution contributes significantly to the deterioration of surface water quality, and contaminated stormwater runoff has been recognized as a pervasive threat to aquatic animals. In the Pacific Northwest, stormwater management is particularly crucial, as numerous studies have linked poor water quality to adverse impacts on salmonids and other aquatic species. Mitigating such issues requires improved water quality management, source control, and optimization of treatment infrastructure.

Our recent research at the Center for Urban Waters and Washington Stormwater Center identified a tire-derived pollutant “6PPD-quinone” as the primary causal toxicant for stormwater-linked Coho mortality. 6PPD-quinone is generated by the ozonation of 6PPD, a ubiquitous preservative in tire rubber. 6PPD-quinone is highly toxic to Coho salmon (LC50 ~ 1 µg/L), and we believe it is widely present in roadway runoff along with many other roadway-derived contaminants. While the long-term solution for this pollution problem is to replace 6PPD with safer alternative antiozonants, the short-term solution for protecting water is effective stormwater treatment facilities.

Laboratory data from bioretention columns and bioswales have suggested that treatment facilities could remove 6PPD-quinone effectively. At the Center for Urban Waters, we hope to evaluate the real-world performance of additional treatment facilities of different types and sizes, identify the critical parameters for pollutant removal to help us derive best practices for stormwater management.

Based on our research questions and the needs for municipalities and agencies we have heard, we propose **three specific aims** for the collaborative study.

**Aim 1:** Quantify 20-40 typical stormwater pollutants (e.g., 6PPD-quinone, 1,3-diphenyl guanidine, hexamethoxymethyl melamine) in the influent and effluent of treatment systems, and evaluate the performance according to the removal rates of target pollutants and non-target peak areas.

**Aim 2:** Based on the treatment performance and system characteristics (e.g., hydraulic retention times), propose systems and key design parameters that enhance stormwater treatment.

**Aim 3:** Based on comparisons of influent water quality, identify any potential “hot spots” for stormwater pollution and impairment of water quality by roadway runoff and assess the correlation with traffic intensity/ landscape data (urban areas VS highway).

Please contact [tianzy@uw.edu](mailto:tianzy@uw.edu) or [koloj@uw.edu](mailto:koloj@uw.edu) with questions or if you are interested in participating in this study effort.



**MEMORANDUM**

**Date:** 6/14/2021  
**To:** Nicole H. Nagaya, Public Works Director  
**From:** Michael Fu, Senior Civil Engineer  
**Re:** Rubberized Asphalt Concrete and Hot Mix Asphalt Construction Cost Comparison

**Purpose**

Staff performed a cost comparison analysis between rubberized asphalt concrete (RAC) and hot mix asphalt (HMA) per the City Council’s request during the April 20, 2021 RAC study session. The analysis includes arterials and collectors proposed for asphalt overlays over the next five years and aims to quantify schematic costs of resurfacing with each asphalt material.

**Analysis**

Street segments employed in the analysis were referenced from the City’s latest pavement management technical assistance program report dated April 2021. This cost analysis excludes roadway segments identified for non-overlay treatments (such as slurry seals). Work planned for at Willow Road, Ravenswood Avenue, and Middlefield Avenue were budgeted separately as those projects have already been identified and budgeted in the CIP. A combined cost increase to those projects to incorporate RAC in lieu of HMA has been identified as \$500,000. The total area of remaining qualified arterials and collectors were tallied per the report’s five year list of potential resurfacing projects.

A 2.4-inch overlay thickness was applied to calculate the total volume for RAC and HMA from the total area. This depth reflects the maximum thickness for RAC as recommended by the California Department of Transportation. The unit price for RAC and HMA were averaged from bids received for the 2021 Willow Road project which resulted in \$13 and \$10 per cubic foot respectively (with contingencies). The cost analysis only reflects the material cost of installing a 2.4-inch top layer of RAC and HMA for comparison purposes. It does not consider any additional hard or soft costs associated with project design or construction. The results of the analysis are highlighted in Table 1 below.

Table 1: Five-year RAC and HMA Cost Analysis					
Street Classification <sup>3</sup>	Total 5-year Area (SF <sup>1</sup> )	Total 5-year Volume (CF)	Estimated RAC Cost	Estimated HMA Cost	Differential
<b>Arterial</b>	159,000	31,800	\$400,000	\$313,000	\$87,000
<b>Collector</b>	111,000	22,200	\$280,000	\$219,000	\$61,000
<b>Total</b>	<b>270,000</b>	<b>54,000</b>	<b>\$680,000</b>	<b>\$532,000</b>	<b>\$148,000</b>
1. SF = square feet. CF = cubic feet.					
2. Unit prices include contingencies at 15 percent for RAC and 10 percent for HMA					
3. Street classifications and areas of future resurfacing limits were taken from the City’s 2021 pavement management technical assistance program report.					

**Conclusion**

The pavement management technical assistance program report identified 270,000 square feet of roadway area for potential asphalt overlays over the next five years. Based on this criteria, the additional cost of installing a 2.4-inch overlay of RAC is \$148,000. Combined with already planned efforts on Willow Road, Ravenswood Avenue and Middlefield Road totaling \$500,000, this results in approximately \$648,000 additional cost to implement RAC on qualifying projects in the next 5 years.

These results are consistent with the findings of the April 20 RAC study session wherein RAC carried anticipated premiums up to 35 percent over HMA. Consequently, additional funding sources or allocations may need to be considered if RAC is utilized on future resurfacing work. SB1 funds, and County sales tax Measures A and W may help offset this premium.



## STAFF REPORT

### City Council

Meeting Date:

6/22/2021

Staff Report Number:

21-134-CC

Consent Calendar:

**Adopt Resolution No. 6642 approving the application for fiscal year 2021-22 Cannabis Tax Fund Grant Program grant funds in the amount of \$376,662.02**

### Recommendation

Adopt a resolution to accept a grant awarded in the amount of \$376,662.02 from the State of California Cannabis Tax Fund Grant Program.

Authorize the allocation of State of California Cannabis Tax Fund Grant Program in the amount of \$376,662.02 to authorize the deployment of two traffic officers and adopt a resolution accepting the fiscal year 2021-22 State of California Cannabis Tax Fund Grant Program in the amount of \$376,662.02 and approve a pending plan allowing the funding of two traffic officers.

### Policy Issues

The proposed action is within City policy.

### Background

The State of California Cannabis Tax Fund Grant Program (CTFGP) provides alternative funding sources to augment current activities and programs that actively address impaired driving. The funding provided is appropriated by the California State Controller's Office through the passage of Proposition 64, The Control, Regulate and Tax Adult Use Marijuana Act (AUMA). The current grant funding distribution awarded to the City is the first grant funding cycle available, therefore, the City has not been a recipient of CTFGP Grant funding previously.

### Analysis

One of the priorities of the police department is to address traffic safety issues which include impaired driving. Statistics from the Office of Traffic Safety for the year 2017 show the City of Menlo Park was ranked 8 out of 94 cities of similar population for "total fatal and injury" collisions. The City of Menlo Park was ranked 46 out of 94 cities with 11 incidents of alcohol being involved. The City of Menlo Park was ranked 33 out of 94 in driving under the influence with 53 arrests made in 2017.

In addition, before COVID-19, traffic patterns had increased exponentially in Menlo Park, and a dedicated traffic unit was working to implement innovative ideas including educating drivers and performing high visibility patrols dedicated to the prevention of impaired driving. Traffic officers were able to effect proactive enforcement to increase awareness surrounding impaired driving dangers throughout the city. The traffic team was a critical component of organizing traffic details that focused efforts on reducing the number of

impaired drivers and was a significant element in providing educational material and presentations to drivers and community members.

The CTFGP Grant focuses on the education and enforcement of the traveling public and is intended to, increase public awareness related to the dangers of impaired driving, reduce the number of crashes by impaired drivers, and improve the safety of those traveling through the City of Menlo Park. The reimplementation of the traffic program, however limited, provides the greatest ability to reduce instances of driving under the influence of alcohol and drugs by deploying a dedicated, highly visible traffic unit to discourage unsafe driving behavior, including impaired driving.

### **Impact on City Resources**

The awarded funding supplements two traffic officers for the fiscal year 2021-2022. The fiscal year 2021-2022 grant funds must be spent or encumbered by June 30, 2022.

### **Environmental Review**

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

### **Public Notice**

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

### **Attachments**

- A. Cannabis fund grant program provisions
- B. Resolution No. 6642

Report prepared by:  
David Norris, Chief of Police

## DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## ADOPTED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2,  
ADOPT CHAPTER 13

CANNABIS TAX FUND GRANT PROGRAM  
CHP-R-2019-06601

**ARTICLE 1 – GENERAL PROVISIONS****§ 1890.00 Definitions of Key Terms.**

(a) The word or words used in this chapter have the following meanings whenever the first letter of the word is capitalized.

(1) "Administrative Support" means the staff that provides office management, accounting, and/or data collection for the Project.

(2) "Applicant" means an approved registered user of the Department's Grant Management System (GMS) who submits an Application.

(3) "Application" means the electronically submitted request for a Grant under the Cannabis Tax Fund Grant Program, which is hereby incorporated by reference, including all supporting information, as defined in Section 1890.01 of these regulations.

(4) "Audit" means a systematic and comprehensive inspection, evaluation, and verification of a Grantee's financial management systems, internal controls, and accounts in accordance with Generally Accepted Auditing Standards, issued by the United States General Accounting Office that was developed by the American Institute of Certified Public Accountants located at [www.gao.gov](http://www.gao.gov).

(5) "Audit Report" means a report of determination of compliance or non-compliance with the requirements of the Grant program, Grant Agreement, and these regulations as a result of an Audit.

(6) "Award" means acknowledgement of approved funds to provide support or stimulation to accomplish the objectives and goals of a Project.

(7) "Budget" means the approximate cost of the Project, prepared for expense and planning purposes only.

(8) "Cannabis Products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate including, but not limited to, concentrated cannabis or an edible or topical product containing cannabis or concentrated cannabis and other ingredients as defined in Section 11018.1 of the Health and Safety Code.

(9) "Closeout" means the process by which the Department determines that all necessary administrative actions and all required Grant activities have been completed by the Grantee.

(10) "Contract" means a legally binding agreement between the Grantee and a person and/or organization for the purchase of materials, services, and/or items required to carry out a Grant funded Project.

- (11) "Department" as used herein, means the Department of the California Highway Patrol.
- (12) "Education" means comprehensive programs that provide information to the public regarding impaired driving laws and the dangers of impaired driving.
- (13) "Equipment" means Grant purchased, non-expendable, tangible, personal property having a normal useful life of more than one year and an acquisition cost of at least \$5,000 or more per asset (i.e., four identical assets which cost \$1,250 each, for a \$5,000 total, would not meet the definition). Assets under \$5,000 would be considered operational costs as defined in Section 1890.03 of these regulations.
- (14) "Evaluation Criteria" means the standards set forth by the Department for the use in scoring and ranking Project Applications with the intent of awarding Cannabis Tax Fund Grant funds as defined in Section 1890.12 of these regulations.
- (15) "GMS" means the Department's web-based Grant Management System, which is an interactive database used for Application submission and Project administration.
- (16) "Grant" means fiscal funding awarded by the Department to qualified organizations as authorized and defined in Section 34019(f)(3)(B) Revenue and Taxation Code and these regulations.
- (17) "Grantee" means a recipient of Grant funding which can include a Pass-Through Entity.
- (18) "Grant Agreement" means a binding document entered into between the Department and a Grantee, which sets forth the terms and conditions of a Project.
- (19) "Grant Opportunity" means a funding opportunity for a specific Project category within the GMS.
- (20) "Law Enforcement" means a city or county governmental organization as defined in Section 830.1 of the California Penal Code, excluding Section 830.1(b) of the California Penal Code.
- (21) "Local Government" means a governmental organization that is responsible for the oversight and administration of city, county, or district functions, to include city and/or county crime laboratories, local district attorneys and local city attorneys charged with prosecuting violations of Sections 23152 and 23153 of the California Vehicle Code.
- (22) "Method of Evaluation" means the criteria used to assess the Project and is an element within the electronic Application in the Department's GMS.
- (23) "Notice of Award" means a written confirmation given to an Applicant that the Department intends to Award a Grant Agreement.
- (24) "Pass-Through Entity" means a Local Government or Law Enforcement agency Grant recipient that provides funding to a Qualified Nonprofit recipient. The Pass-Through Entity shall include funding for the contractor under contractual services within its Grant Application.
- (25) "Performance Measures" means the quantifiable indicators used to assess how well the objectives are being achieved and are an element within the electronic Application in the Department's GMS which will be given a score.
- (26) "POST" means the Commission on Peace Officer Standards and Training, which sets minimum selection and training standards for California Law Enforcement.
- (27) "Problem Statement" means the brief description of the problem and the metric used to describe the problem and is an element within the electronic Application in the Department's GMS which will be given a score.
- (28) "Project" means the activities and deliverables described in the Project Application to be accomplished through a Grant Agreement with funding.



(29) "Project Deliverables" means the specific tangible outcomes or work products to be provided, acquired, or produced with the funds made available pursuant to the Grant Agreement. Examples include: the production of a specified number of brochures, purchase of specified Equipment, completion of research resulting in a written report, conducting specified enforcement operations, and Projects that result in a report or reports including any related specified documents.

(30) "Qualified Nonprofit" means a nongovernmental California-based organization registered as and having current tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code (IRC) and has identified a Pass-Through Entity to apply on their behalf. The Qualified Nonprofit will be considered a contractor.

(31) "Request for Application" means a request for Application submissions for a Grant Opportunity that is on the Department's Web site at [www.chp.ca.gov](http://www.chp.ca.gov).

(32) "Site Visit" means an examination of the entity's physical and/or activity site made by Department staff. It includes the general observation of the overall conditions of the area, appraisal of compliance, interviewing personnel, reviewing supporting documentation, and examining the operability of specific works.

Note: Authority cited: Section 2402 California Vehicle Code; Section 34019 Revenue and Taxation Code.

Reference: Sections 34010, 34011, 34012, 34012.1, 34012.5, 34013, 34014, 34015, 34016, 34017, 34018, 34019, 34019.5, 34020, 34021, and 34021.5 Revenue and Taxation Code; and United States Code, Title 26 Internal Revenue Code Section 501(c)(3).

### **§ 1890.01. Request for Application.**

(a) The Department shall issue a Request for Application (RFA) on the Department's Web site at [www.chp.ca.gov](http://www.chp.ca.gov) for available Grant Opportunities. A RFA shall include information about the following:

- (1) Name of the Grant Opportunity;
- (2) Approximate amount of available funding;
- (3) Approximate date Awards are expected to be announced;
- (4) Deadline to submit an Application;
- (5) Grant duration;
- (6) Eligibility requirements as defined in Sections 1890.05 through 1890.08 of these regulations;
- (7) Eligible Project costs requirements, if applicable, as defined in Section 1890.03 of these regulations, and
- (8) The criteria that will be used by the Department to score the Applications as defined in Section 1890.12 of these regulations.

(b) Grants shall be awarded annually based on the state fiscal year, provided funding is appropriated by the California State Controller's Office.

(c) Allocation of funds is contingent on the enactment of the state budget. The Department does not have the authority to disburse funds until the budget has passed and is signed by the Governor.

(d) The Department reserves the right to allocate funds for the Project categories as defined in Sections 1890.05 through 1890.07 of these regulations based on statewide need, as determined by the Department.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.02. Application Submission.**

(a) To be considered for a Grant Award, Applications shall be submitted through the Department's GMS at [www.chp.ca.gov](http://www.chp.ca.gov).

(b) All Applicants shall submit Applications by the due date published on the Department's Web site at [www.chp.ca.gov](http://www.chp.ca.gov). Applicants will be given at least thirty calendar days after the published date to submit an Application. Applications that are not submitted through the GMS and/or are submitted after the published deadline shall not be accepted.

(c) First-time Applicants shall complete an organization registration through the Department's GMS prior to Application submission. Failure to complete registration will result in the Applicants inability to submit an Application. Organization registration shall be completed by the Applicant and will include:

(1) User Information (e-mail address and password);

(2) Contact Information (name, address, phone number); and

(3) Organization Information (organization name, organization type, e-mail address, address and phone number).

(d) A submission in response to the Request for Application indicates acknowledgement and compliance with all applicable regulations and statutes available at [www.chp.ca.gov](http://www.chp.ca.gov).

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.03. Eligible Project Costs.**

(a) Eligible Project costs are costs documented and directly related to the work identified in the Project description and approved within the Grant Agreement. Final determination of eligibility will be made by the Department.

(b) All costs charged to the Project shall be documented within the Budget summary of the Project, address impaired driving laws and safety, and help meet Performance Measures.

Eligible Project costs include:

(1) Personnel and Administrative Support: Costs shall be computed consistent with the prevailing wage for contractual services or the organizational salary scale for Grantee's staff, and may include benefits (e.g., health care, vacation, sick leave, retirement and/or social security contribution) that are customarily charged by the Grantee. Personnel benefit charges shall be calculated in proportion to the actual time worked on a Project.

- (2) Travel: Grantees shall not exceed the rates paid to exempt, excluded, and represented State of California employees. The rates are posted at the State of California Department of Human Resources at <https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Grantees shall retain all records as defined in Section 1890.20 of these regulations.
- (3) Operational Costs: Supplies and materials may be purchased for a specific Project, provided the items are claimed at a cost no higher than the original purchase price paid by the Grantee. Items not specifically listed in Grant Agreement must be approved by CHP prior to purchase.
- (4) Equipment: The cost of Equipment necessary for the Project shall not exceed the minimum requirements necessary to successfully accomplish the Project. Expenditures shall reflect costs outlined in the Project description as defined in Section 1890.19 of these regulations.
- (5) Contracts: Contracted services shall be executed only in direct support of Grant objectives. The Grantee shall be responsible for contractor's compliance with the program regulations, Grant Agreement, and Project requirements. Contracted services shall not affect the Grantee's overall responsibility for the management of the Project. Contracted invoices shall include sufficient information to allow the Department to determine that the expenditures invoiced are allowable, reasonable, and necessary for the performance of the Grant.
- (6) The Department may approve costs not approved in the Grant Agreement on a case-by-case basis when the cost is directly related to the accomplishment of the Project objectives as specified in the Grant Agreement. These costs shall be approved by the Department via e-mail prior to purchase.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

#### **§ 1890.04. Ineligible Project Costs.**

- (a) Costs not included in the Grant Agreement are considered Ineligible Project Costs unless approved by the Department as defined in Section 1890.03(b)(6) of these regulations.
- (b) Ineligible Project Costs include, but are not limited to:
- (1) Expenditures outside the Project performance period as specified in the Grant Agreement;
  - (2) Work or services performed outside of the Project description in the Grant Agreement;
  - (3) Any interest expense, discount not taken, deficit or overdraft, or bonus payment;
  - (4) Charges for a contingency reserve or other similar reserve;
  - (5) A damage judgment against the Grantee;
  - (6) Workers' compensation claims;
  - (7) Employee relocation expenses (moving expenses resulting from duty station or assignment change);
  - (8) Replacement or repair of Equipment not properly used, secured, or maintained; or, where the Department determines that the cause of the damage was the fault of the Grantee;
  - (9) Travel claims not related to the Project or funded from another source (e.g., POST reimbursements for travel);
  - (10) Patenting expenses, associated attorney fees, and court costs;

- (11) Professional fees (e.g., Grant writers, consultant fees related to completing Applications and/or Application elements, membership of professional trade organizations or bodies);
- (12) Lobbying, lobbyists, and political contributions, and/or
- (13) Goods or services for personal use.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

## **ARTICLE 2 – PROJECT CATEGORIES**

### **§ 1890.05. Law Enforcement.**

(a) Law Enforcement Grant funds shall be used by the Grantee(s) for training, Education, prevention, and the enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis and Cannabis Products.

(b) Eligible Applicants include Law Enforcement agencies.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.06. Education and Prevention.**

(a) Education Grant funds shall be used by the Grantee(s) for public Education and traffic safety laws related to driving under the under the influence (DUI) of alcohol and other drugs, including cannabis and Cannabis Products, and for the prevention of DUI of alcohol, and other drugs, including cannabis and Cannabis Products.

(b) Eligible Applicants include:

- (1) Local Government;
- (2) Qualified Nonprofit via Pass-Through Entity; and
- (3) Law Enforcement.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.07. Toxicology Driving Under the Influence/Driving Under the Influence of Drugs Laboratories.**

(a) Toxicology Driving Under the Influence (DUI)/Driving Under the Influence of Drugs (DUID) laboratory Grant funds shall be used by the Grantee(s) to improve and advance the standardization of practices in toxicology laboratories supporting DUI/DUID Projects to aid in

the enforcement of laws related to DUI of alcohol and other drugs, including cannabis and Cannabis Products.

(b) Eligible Applicants include Local Government (California county and/or city crime laboratories).

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**§ 1890.08. Driving Under the Influence/Driving Under the Influence of Drugs Prosecution.**

(a) Driving Under the Influence (DUI)/Driving Under the Influence of Drugs (DUID) Prosecution Grant funds shall be used by the Grantee(s) to provide the necessary financial means to maintain and train a prosecutor, licensed to practice law in California, who prosecutes repeat offenders, prosecuting both alcohol and drug-impaired driving cases, including the use of cannabis and Cannabis Products.

(b) Eligible Applicants include Local Government (California county and/or city DUI/DUID prosecuting offices).

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**ARTICLE 3 – APPLICATION EVALUATION SYSTEM AND FUNDING**

**§ 1890.09. Determination of Evaluation Process.**

(a) All Grants shall be awarded on a competitive basis, unless otherwise specified in the Request for Application.

(b) Grants shall be awarded by the Department based on established priorities, as defined in Section 34019(f)(3)(B) Revenue and Taxation Code, for each Grant cycle. The decision rests solely with the Department to make these Awards.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**§ 1890.10. Administrative Review.**

(a) Proposed Projects will be screened by the Department prior to panel review and Application scoring. An administrative review, consisting of departmental staff, will determine if the Application is complete and meets the following requirements for the Application to advance to the panel review:

(1) Application was received by the published deadline;

- (2) Applicant is an eligible organization pursuant to these regulations;
- (3) All Application elements are completed within the GMS;
- (4) Applicant represents an eligible Project type pursuant Section 34019(f)(3)(B) Revenue and Taxation Code.
- (b) Applications that do not meet all the requirements listed above will be rejected. Applicants shall be notified of disqualification, denial, or other decision electronically by the Department.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.11. Panel Review and Scoring.**

- (a) The Department shall reject an Application that is incompatible and/or contrary to the purpose of the Grant program and determined by the Department to be noncompliant with these regulations and the established priorities.
- (b) A panel shall score each Application deemed compliant with these regulations.
- (c) The panel shall use the Applicant's responses to the Project-specific criteria as defined in Sections 1890.05 through 1890.08 and Section 1890.12 of these regulations to determine a Project score.
- (d) Eligible Projects shall be ranked by score within each Grant Opportunity using a minimum of zero and a maximum of ten points for each evaluation criteria as defined in Section 1890.12 of these regulations. Funding determinations will be made as defined in Section 1890.13 of these regulations.
- (e) If duplicate Projects are submitted, the Application with the lower score shall be rejected.
- (f) In the event Projects have the same score, Projects will be funded in the order of request amount starting with the smallest request amount.
- (g) In the event there is only one Application, Applicant shall meet minimum Evaluation Criteria to receive an Award.
- (h) All Applicants shall be notified of disqualification, denial, Award, or other decision electronically by the Department.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.12. Evaluation Criteria.**

- (a) The Department will evaluate the Applicant's historical ability to complete Projects including, failure to follow program regulations, percentage of unspent funds from previous Grants, Applicants ability to complete Project activities, and any departmental determination of breach of Grant Agreements.
- (b) Each element listed below within the Application will be given a score based on the specific benefits of the individual Project and clarity including, but not limited to:

- (1) Problem Statement: Demonstrates a compelling need or problem, provides convincing data, case studies, interviews, or focus group results.
- (2) Performance Measures: Objectives are clear, appropriate, measurable, and include sufficient explanation of the longer-term benefits to final beneficiaries. The Performance Measures should show how the Project relates to Section 34019(f)(3)(B) Revenue and Taxation Code, as the overall objective of the program. The objectives should include measurable indicators for monitoring and evaluation purposes (quantity, quality, target group(s), time, and place).
- (3) Method of Evaluation: Methods, approaches, and strategies are realistic, reasonable, effective, outcome-oriented, and draw on best practices and the latest thinking and/or research to achieve the expected outputs, outcomes, and results, and the actions (and means) taken or provided to produce the results. The target group(s) in the Project is/are well defined and the purpose is to provide the information by which the Project outcomes can be identified, implementation problems solved, and progress assessed in relation to what was originally planned.
- (4) Administrative Support: The organization has credibility for this kind of work (strength, name recognition, a history of achievements, related mission and goals). The personnel and physical resources allocated to this Project are appropriate (e.g., internal staff expertise, use of external consultants, advisory committee).
- (c) The extent to which the Project is feasible shall be demonstrated by:
- (1) A timeline for Project completion, including readiness; and
- (2) Budget summary.
- (d) Members of the panel may investigate referenced documents or other documents submitted to the Department to check the accuracy of the information provided. If the panel concludes the information provided is incorrect or the conclusions stated are not supported, the panel shall use its discretion to clarify the response from the Applicant, reduce the points, or reject the Application. If points are reduced or the Application is rejected, the panel will provide the justification to support its actions as outlined in this section.
- (1) Examples of referenced documents or other documents submitted to the Department include, without limitation, statistical data (e.g., arrests, collisions, other incidents related to impaired driving), or other documentation the Applicant has adopted for use in its operations submitted with the Project Application.
- (e) The Department will request any additional information needed by contacting the Applicant. The additional information requested from the Applicant shall be submitted via e-mail within ten calendar days from date of request.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.13. Award of Grants.**

- (a) The review panel shall make a funding determination for each Application, with the exception of those that were disqualified or denied, based on the following criteria:
- (1) Amount of available funding.

- (2) Number of Applicants.
- (3) Amount of funding requested.
- (4) The merits of the Application as defined in Section 1890.12 of these regulations.
- (5) Benefits of the scale of operations.
- (b) The panel shall use the Applicant's responses to the Project-specific criteria within the Application to determine a Project score.
- (c) Upon completion of the evaluation and scoring process, successful Applicants shall receive a Notice of Award electronically from the Department.
- (d) The awarding of a Grant does not guarantee ongoing or future funding in any Project category.
- (e) Notification of Award does not authorize commencement of Grant activities. Grant activities may not begin until a Grant Agreement between the Grantee and the Department is fully executed.
- (f) The Department selection(s) are final and not subject to appeal.
- (g) Prior to execution of a Grant Agreement, all city, county, and district Applicants shall submit via e-mail, a governing body resolution providing approval to receive Grant funding from the Department's Grant program.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

## **ARTICLE 4 – PROJECT ADMINISTRATION PROCEDURES**

### **§ 1890.14. Grant Agreement.**

- (a) Upon approval of the Application and Award by the Department, the Grant Agreement shall be prepared and executed with the Grantee.
- (b) The Project terms and conditions of a Grant shall be set forth in a Grant Agreement, which shall include, but is not limited to, all the following terms and conditions:
  - (1) Grant Title/Category;
  - (2) Name of Grantee;
  - (3) Project Performance Period;
  - (4) Award Amount;
  - (5) Award Number;
  - (6) Authorizing Signatures;
  - (7) Project Description;
  - (8) Budget/Cost-Estimate;
  - (9) Terms and Conditions; and
  - (10) The Grantee's organization's agreement to comply with state and federal laws outlawing discrimination, including, but not limited to, those prohibiting discrimination because of sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (including cancer or genetic characteristics), sexual



orientation, political affiliation, position in a labor dispute, age, marital status, and denial of statutorily-required employment-related leave.

(c) The Grant Agreement and Budget shall be updated (if required) by the Grantee to reflect the current Project status and rates based on the Department's approved funding amount for the Project.

(d) The acceptance of a Grant Agreement creates a legal obligation on the part of the Grantee's organization to use the funds made available in accordance with the Grant Agreement and these regulations.

(e) Failure of a Grantee to comply with the Grant Agreement shall be treated by the Department as a breach of contract as defined in Section 1890.18 of these regulations.

(f) The Grantee may not submit claims for reimbursement payments until a fully executed Grant Agreement is on file.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code, Section 16.5(d) Government Code.

#### **§ 1890.15. Project Performance Period.**

(a) The Project performance period is the time between the start date and the end date in which the work under the Grant Agreement shall be completed.

(b) The Grantee shall not charge expenditures incurred prior to the start date or after the end date of the Grant Agreement.

(c) The Project performance period shall be one year unless otherwise specified in the Request for Application.

(d) If a Grantee does not complete a Project within the Project performance period specified in the Grant Agreement, the Grantee shall:

(1) Provide notification via e-mail to the Department describing the issues, reasons, or problems that are preventing the Grantee from completing the Project within the Project performance period.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code, Section 8356 Government Code.

#### **§ 1890.16. Project Amendments.**

(a) A Project amendment is required if a modification to the Budget is needed to accomplish the intent of the original Grant Agreement on a case-by-case basis to which merit, need, funding availability, and other circumstances are considered. Prior Department approval of adjustments to the Budget is required or the charges shall be denied.

(1) Grantees requesting a Project amendment shall submit, via e-mail, to the Department the following:

(A) An explanation of the reasons/circumstances that justify the change,

- (B) A description of the potential consequences if the amendment is not approved, and;  
(C) A progress/status report of the Project to date.  
(2) A request via e-mail shall be submitted to the Department at least thirty calendar days prior to the end date specified in the Grant Agreement.  
(b) The Department shall review the requested amendment to make a determination for approval/disapproval. If the amendment is denied, the Department will provide electronic notification to the Grantee with an explanation of the decision. If the amendment is approved, the Department will process an amendment to the Grant Agreement specifying modifications. The amendment becomes effective when the Department approves the amendment to the Grant Agreement. The Department and the Grantee shall retain copies of the approved amendment.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.17. Project Withdrawal.**

- (a) An Applicant or Grantee may, at any time, unilaterally cancel or withdraw an awarded or executed Project by electronic notification on the organization's letterhead to the Department and shall include the following:  
(1) Organization name;  
(2) Name of the Project director;  
(3) Project category;  
(4) Reason for withdrawal; and  
(5) Date and authorizing signature.  
(b) If the Grantee has commenced the Project, eligible Project costs will be allowed up to the date the Grantee ceases work on the Project. The cost of items purchased on a reimbursement basis, but not fully expended for the Project as of the date of work cessation, shall not be reimbursed. The Project shall be subject to all recordkeeping and Audit requirements contained in these regulations.  
(c) Project withdrawals shall be considered final for the current grant cycle.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.18. Project Breach-Termination.**

Failure of a Grantee to comply with the Grant Agreement and these regulations shall be treated by the Department as a breach of contract. If the Department determines there is a breach of the Grant Agreement, the Department shall give the Grantee written notification. If the Grantee does not commence actions to remedy the breach within thirty calendar days and show diligent progress, the Department shall terminate the Grant Agreement and void the Department's obligations. The Project shall remain subject to all recordkeeping and Audit requirements contained in these regulations.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code, Section 8356 Government Code.

### **§ 1890.19. Equipment Management Requirements.**

(a) The following requirements apply to all Equipment purchased with Grant funds:

(1) Equipment shall only be used for its intended purpose for the duration of its useful life.

(2) Grantees shall keep Equipment purchased with Grant funds stored securely and maintained in safe working order.

(3) To be eligible for reimbursement, Grantees must purchase and receive equipment prior to the close of the Project performance period as defined in Section 1890.15 of these regulations.

(4) Lost or stolen Equipment, purchased with grant funds within five years of the date of loss or theft shall be reported immediately to the Department by the Grantee. If applicable, the Grantee shall send a copy of the police report to the Department.

(5) Prior to disposition of Equipment acquired under a Grant Agreement, the Grantee shall notify the Department via e-mail and dispose of the Equipment in accordance with the Grantee's organization policy.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

### **§ 1890.20. Accounting and Retention Practices.**

(a) Labor Costs: The Grantee shall document all labor, including all contracted services, and reports produced by an electronic timekeeping system.

(b) Equipment Use: A logbook or source document shall identify the personnel, date of activity, work performed, and miles charged to the Project.

(c) Record Retention: The Grantee shall retain all documents, records, receipts, and financial accounts pertinent to the Project necessary to substantiate the purpose for which the funds were spent for five years from the expiration of the Grant Agreement.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**§ 1890.21. Payment Requests.**

(a) Payment advances are not allowed by the Department.

(b) Grantees shall submit payment reimbursement requests on a quarterly basis by submitting a current Payment Request through the GMS.

(c) The Department is responsible for approving and processing payment reimbursement requests. The Department reserves the right to withhold approving and/or processing payment reimbursement requests if the Grantee is, at any time, not adhering to the statutes or regulations governing the Grants program and the Grantee has any outstanding documentation, reports, or Project Closeouts.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**§ 1890.22. Reimbursements.**

(a) Requests for reimbursement shall be submitted through the GMS and shall include, but are not limited to, the following documentation:

(1) Purchases: paid invoices and/or receipts;

(2) Services: paid invoices and/or receipts;

(3) Timekeeping and Equipment logs: transaction register or other electronically generated reports;

(4) Training and Travel: paid invoices and/or receipts;

(5) Project accomplishment report as defined in Section 1890.23 of these regulations.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**§ 1890.23. Project Accomplishment Reporting and Submission.**

(a) Two types of reporting are required in conjunction with Grant Projects submitted through the GMS.

(1) Quarterly reporting summarizes Project goals and accomplishments achieved during a specified three-month time frame.

(2) Final reporting is the overall summary of Project goals and accomplishments achieved during the life of the Grant.

(b) Grantees shall monitor the performance of Grant-supported activities to assure that time schedules are being met and the milestones in the work schedule are being accomplished.

- (c) The Grantee shall inform the Department via e-mail if events occur between required reporting dates (e.g., fire, flood) which would have a significant impact upon the Project.
- (d) The Grantee shall submit all Grant activities conducted by the Grantee for the reporting period, including an assessment of the ability to complete the Project within the current Budget and any anticipated cost overruns through the GMS.
- (e) Reporting not submitted within the specified time frame identified in (a)(1) through (a)(2) of this Section shall result in a delay of payment to the Grantee.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

#### **§ 1890.24. Project Performance Review.**

- (a) The Department's staff shall conduct a Project performance review during the life of the Grant Project performance period. Project performance reviews may include, but are not limited to:
- (1) Review of a Project to determine progress toward its completion, or
- (2) Other requirements contained in the Grant Agreement.
- (b) Project performance reviews may be accomplished by, but are not limited to:
- (1) An administrative review of all transactions and processes to verify that Grant funds were expended in compliance with program regulations and the Grant Agreement.
- (2) A Site Visit that assesses the capability, performance, and compliances of the Grantee's Project against the regulations and Grant Agreement.
- (c) Project performance reviews may be conducted during or at the completion of the Project performance period.
- (d) Failure to comply with a performance review request made pursuant to these regulations shall result in denial of payment requests.
- (e) The Department shall provide the Grantee adequate notice prior to the Site Visit. The Grantee shall make its Project areas, applicable documentation, and Grant staff who are knowledgeable about or oversee the Project available to the Department for Site Visits.
- (f) When the Department conducts an administrative review or Site Visit, Department staff shall make a report containing any comments and recommendations regarding the performance of the Grantee's Project and the report shall be given to the Grantee.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

#### **§ 1890.25. Project Closeout.**

- (a) The Department will conduct Closeout review activities prior to closing out the Grant. Closeout review activities include the following:
- (1) Review of the final report to ensure it is sufficient and complete;

- (2) Review of the final payment reimbursement request to ensure the Grant Award is not over expended and is in compliance with the Grant Agreement and these regulations;
- (3) Verification that any performance issues are resolved; and
- (4) Verification that any Audit or agreed-upon findings are resolved.
- (b) A Closeout notification shall be issued in writing from the Department, and the final payment reimbursement request payment will be processed when Closeout review is completed.
- (c) The Closeout notification will include:
  - (1) Name of the Grant Project;
  - (2) Grant Agreement number;
  - (3) Balance of unexpended Grant funds after payment of final payment reimbursement request;
  - (4) Acknowledgment that the Grant Award is closed;
  - (5) Post-Grant property management and disposition requirements as defined in Section 1890.19 of these regulations; and
  - (6) Post-Grant record retention requirements as defined in Section 1890.20 of these regulations.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

#### **§ 1890.26. Project Documentation.**

- (a) The Grantee shall submit a final payment reimbursement request and required Closeout documentation through the GMS within sixty calendar days after the completion of the Project, or the end date as specified in the Grant Agreement or amendment to the Grant Agreement, whichever comes first. The Grantee shall include the following documentation with the final payment reimbursement request:
  - (1) A final Project accomplishment report as defined in Section 1890.23(a)(2) of these regulations;
  - (2) All documents supporting the expenditures claimed under the payment request;
  - (3) Copies of all reports, as indicated in the Grant Agreement, for any Project that requires a report or reports as part of its Project description; and
  - (4) Photos of Equipment purchased through the Project.
- (b) Final payment reimbursement requests will not be processed until the Department has received all documentation to support expenditures claimed.
- (c) Final payment reimbursement requests received more than sixty calendar days after the Project completion date, shall be ineligible for payment. The Department shall deem the Project closed and may be subject to an Audit.
- (d) If it is determined there is a refund due to the Department, the Grantee shall remit the refund due within sixty calendar days from the written notification date to the Grantee by the Department.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

## **Subarticle 1. AUDITS**

### **§ 1890.27. Financial Audits of Grantees.**

- (a) The Department has the authority to conduct an Audit of the Grantees.
- (b) Grantee(s) shall cooperate with the Department during an Audit. Requested records, documents, and files pertaining to the expenditures or other fiscal and/or programmatic elements or any records defined in Section 1890.20 of the Grant shall be provided.
- (c) Failure to fully complete Project Deliverables as agreed to in the Grant Agreement; and/or failure to maintain records supporting the expenditures made pursuant to the Grant Agreement, these regulations, and any other applicable law; and/or failure of such records to support expenditures claimed and payments received shall be grounds for an Audit exception requiring refund of amounts paid.
- (d) The Department shall confirm the completion of Project Deliverables and may inspect and/or make copies of any books, records, or reports of the Grantee pertaining to all Projects.
- (e) Upon completion of an Audit, if there is a refund due to the state, the Grantee shall remit the refund due within sixty calendar days from the notification to the Grantee by the Department.

Note: Authority cited: Section 2402 California Vehicle Code and Section 34019 Revenue and Taxation Code.

Reference: Section 34019 Revenue and Taxation Code.

**RESOLUTION NO. 6642**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
APPROVING THE APPLICATION FOR CANNABIS TAX FUND GRANT  
PROGRAM GRANT FUNDS**

WHEREAS, The California Highway Patrol (CHP) has been delegated the responsibility by the Legislature of the State of California for the administration of the Cannabis Tax Fund Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the California Highway Patrol require the Applicant to certify by resolution the approval of the application to the State; and

WHEREAS, successful Applicants will enter into an agreement with the California Highway Patrol to complete the Grant Scope;

NOW, THEREFORE, BE IT RESOLVED that the City of Menlo Park, acting by and through its City Council hereby:

Approves the filing of an application for the CHP cannabis tax fund grant fiscal year 2021/22 and awarded amount of \$376,662.02; and

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project if the grant is awarded; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project; and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the program regulations; and
4. Delegates the authority to Acting Commander Jaime Romero to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all the applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

//

//

//

//

//

//



AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk



**STAFF REPORT**

**City Council**  
**Meeting Date:** 6/22/2021  
**Staff Report Number:** 21-127-CC

**Public Hearing:** **Adopt Resolution No. 6639 overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection of assessments for Landscaping Assessment District for fiscal year 2021-22**

**Recommendation**

Staff recommends that the City Council adopt Resolution No. 6639 (Attachment A) overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments and increasing the tree assessment by 3 percent, which amounts to an increase of \$2.51 per single family equivalent per year and the sidewalk assessment by 3 percent, which amounts to an increase of \$1.34 per single family equivalent per year for the Landscaping Assessment District (District) for fiscal year 2021-22.

**Policy Issues**

The funds collected through the District are used for the maintenance of the City’s trees and sidewalks. If the City Council does not adopt the resolution required for the collection of the assessments, the lack of adequate funding would impact the high level of service required for the proper care and maintenance of the City’s trees and sidewalks.

**Background**

In 1983, the City of Menlo Park established a District for the proper care and maintenance of City street trees. In 1990, the City added an assessment for the repair and maintenance of sidewalks and parking strips in the public right-of-way damaged by City street trees. Funds generated by the District are also used for street sweeping services. Each year, the City must act to continue the collection of assessments. On June 8, 2021, the City Council adopted Resolution No. 6627 preliminarily approving the engineer’s report and Resolution No. 6628 stating its intention to order the levy and collection of assessments for the District for fiscal year 2021-22 (Attachment B.)

**Analysis**

To cover the tree maintenance program’s budget for fiscal year 2021-22, the engineer’s report proposes an assessment of \$86.15 per single family equivalent (SFE) a year, which reflects a 3 percent increase from last year’s assessment of \$83.64 (an increase of \$2.51.) The increase in the tree assessment accounts for additional tree care required due to pests and disease, increasing costs associated with the tree-pruning contract and increase in the street sweeping contract due to increasing rates. The engineer’s report also proposes a sidewalk assessment of \$46.02 per SFE a year, which reflects a 3 percent increase from last year’s assessment of \$44.68 (an increase of \$1.34.) The increase in the sidewalk assessment is to continue addressing the annual sidewalk replacement needs and the current back log. The assessments are subject

to an annual adjustment based on the engineering news record construction cost index for the San Francisco Bay Area. The 3 percent increase from last year’s assessment is less than the maximum assessment authorized rate. The maximum authorized assessment rate for fiscal year 2021-22, based on current and accumulated unused construction cost index increases reserved from prior years, are \$121.10 per SFE benefit unit for tree maintenance and \$54.07 per SFE benefit unit for sidewalk maintenance. These increases would be legally permissible without additional ballot proceedings.

The action taken by the City Council June 8, 2021, initiated the period in which any property owners can protest the amount of their proposed assessments. No protests have been received as of the date of this staff report. Before taking any final action, the City Council must conduct the public hearing and give direction regarding any protests received. If a majority protest has not been filed, the City Council may adopt a resolution confirming the diagram and assessment, as appearing in the engineer’s report. If the City Council confirms and approves the assessments by adopting the resolution, the levies will be submitted to the county controller for inclusion on the property tax roll for fiscal year 2021-22.

**Impact on City Resources**

Funding for the entire tree maintenance, street sweeping and sidewalk repair programs under the District come from a variety of sources, including the carry-over of unspent funds from prior years, annual tax assessment revenues, Measure M and contributions from the general fund (described in the following paragraph.) If the City Council does not order the rate increase, levy and collection of assessments, the impact on City resources would be \$1,086,312 (the total amount of the proposed tree and sidewalk assessments) or result in a corresponding decrease in service levels to maintain street trees, street sweeping and sidewalks.

<b>Table 1: Landscape assessments Proposed fiscal year 2021-22 budget</b>	
Projected beginning fund balance	\$439,009.60
Estimated revenues:	
Landscape assessment revenue	\$1,086,311.48
General fund contribution	\$565,000.00
Measure M funds	\$146,000.00
<b>Total</b>	<b>\$1,797,311.48</b>
Estimated expenses:	
Street tree maintenance	\$785,171.33
Debris removal (including street sweeping services)	\$299,841.40
Sidewalk, curb, gutter parking strip repair/replacement	\$550,000.00
Administration and County assessment fees	\$107,150.00
<b>Total</b>	<b>\$1,742,362.73</b>
Projected ending fund balance	\$493,958.35

It is reasonable to assume that a portion of the usage and enjoyment of the improvements is for the greater public, since the District results in preservation of the City's tree canopy, provision of safe walking facilities, and debris removal by street sweeping. Therefore, the general fund must contribute a portion of the total cost of the program. An estimate of 25 percent contribution by the general fund was established by the City and assessment engineer when the assessment was created in 1998 and must occur annually. For fiscal year 2021-22, the minimum general fund contribution requirement is \$435,591, which is 25 percent of the anticipated program expenses of \$1,742,363. The City contributions from the general fund and general capital fund for fiscal year 2021-22 will meet this required amount. The entire program budget for fiscal year 2021-22 is included in Attachment B. In summary, the funding sources and amounts for fiscal year 2021-22 include \$265,000 from the general fund for trees, \$300,000 from the general capital fund for the sidewalk repair program, and \$146,000 from Measure M funds. The program fund balance would be used to backfill the shortfall between assessment revenue and total costs.

### **Environmental Review**

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

### **Public Notice**

Public notification was achieved by posting a legal notice in The Examiner, a local newspaper, June 11 and June 18, 2021, and posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### **Attachments**

- A. Resolution No. 6639
- B. Hyperlink – Staff report dated June 8, 2021: [menlopark.org/DocumentCenter/View/28316/L3-20210608-CC-Landscape-Asst-Dist](https://menlopark.org/DocumentCenter/View/28316/L3-20210608-CC-Landscape-Asst-Dist)

Report prepared by:  
Esther Jung, Assistant Civil Engineer

Report reviewed by:  
Chris Lamm, Assistant Public Works Director

**RESOLUTION NO. 6639****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK OVERRULING PROTESTS, ORDERING THE IMPROVEMENTS, CONFIRMING THE DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS AND INCREASING THE TREE ASSESSMENT AND THE SIDEWALK ASSESSMENT FOR THE CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT FOR FISCAL YEAR 2021-22**

WHEREAS, on the eighth day of June, 2021, said City Council adopted Resolution No. 6628, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District for fiscal year (FY) 2021-22, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972; and

WHEREAS, said City Council thereupon duly considered said report and each and every part thereof and found that it contained all the matters and things called for by the provisions of said Act and said Resolution No. 6628 including (1) plans and specifications of the existing improvements and the proposed new improvements; (2) estimate of costs; (3) diagram of the District; and (4) an assessment according to benefits; all of which were done in the form and manner required by said Act; and

WHEREAS, said City Council found that said report and each and every part thereof was sufficient in every particular and determined that it should stand as the report for all subsequent proceedings under said Act, whereupon said City Council pursuant to the requirements of said Act, appointed Tuesday, the twenty-second day of June, 2021, at the hour of 5:00 p.m., or as soon thereafter as the matter may be heard, by virtual meeting available, at which time and place interested persons may participate and be heard on, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this City Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report; and

WHEREAS, on the twenty-second day of June, 2021, at the hour of 5:00 p.m., or as soon thereafter as the matter may be heard, by virtual meeting available, the Public Hearing was duly and regularly held as noticed, and all persons interested and desiring to be heard were given an opportunity to speak and be heard, and all matters and things pertaining to the levy were fully heard and considered by this City Council, and all oral statements and all written protests or communications were duly considered; and

WHEREAS, persons interested, objecting to said improvements, including the maintenance or servicing, or both, thereof, or to the extent of the assessment district, or to the proposed assessment or diagram or to the Engineer's estimate of costs thereof, filed written protests with the City Clerk of said City at or before the conclusion of said hearing, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the continuation and collection of the assessments for said improvements, including the maintenance or servicing, or both, thereof, were fully heard and considered by said City Council.

NOW, THEREFORE, BE IT RESOLVED, AND IS HEREBY FOUND, DETERMINED,

AND ORDERED AS FOLLOWS:

1. That a majority protest, pursuant to the Act, was not filed, and therefore the protests against said improvements, including the maintenance or servicing, both, thereof, or to the extent of the assessment district, or to the proposed continued assessment or diagram, or to the Engineer's estimate of costs thereof, for FY 2021-22 be, and each of them are hereby overruled.
2. That the public interest, convenience, and necessity require and said City Council does hereby order the continuation and collection of assessments pursuant to said Act, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in said Engineer's Report and made a part hereof by reference thereto.
3. That the City of Menlo Park Landscaping District and the boundaries thereof benefited and to be assessed for said costs for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, are situated in Menlo Park, California, and are more particularly described by reference to a map thereof on file in the office of the City Clerk of said City. Said map indicates by a boundary line the extent of the territory included in said District and the general location of said District.
4. That the plans and specifications for the existing improvements and for the proposed improvements to be made within the assessment district contained in said report, be, and they are hereby, finally adopted and approved.
5. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance and servicing thereof, and of the incidental expenses in connection therewith, contained in said report, be, and it is hereby, finally adopted and approved.
6. That the public interest and convenience require, and said City Council does hereby order the improvements to be made as described in, and in accordance with, said Engineer's Report, reference to which is hereby made for a more particular description of said improvements.
7. That the diagram showing the exterior boundaries of the assessment district referred to and described in Resolution No. 6628 therein and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which it applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed.
8. That the continued assessment of the total amount of the costs and expenses of the said improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements, and the maintenance or servicing, or both, thereof and of the expenses incidental thereto contained in said report be, and the same is hereby, finally approved and confirmed.
9. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this City Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not

more than the amount, of the continued assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

10. That the authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3.00 percent per year, plus any uncaptured excesses, and therefore, the assessments are not being increased above their authorized maximum amounts.
11. That said Engineer's Report for FY 2021-22 be, and the same is hereby, finally adopted and approved as a whole.
12. That the City Clerk shall forthwith file with the Auditor of San Mateo County the said continued assessment, together with said diagram thereto attached and made a part thereof, as confirmed by the City Council, with the certificate of such confirmation thereto attached and of the date thereof.
13. That the order for the levy and collection of assessment for the improvements and the final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the continued assessment as contained in said Report, as hereinabove determined and ordered, is intended to and shall refer and apply to said Report, or any portion thereof, as amended, modified, revised, or corrected by, or pursuant to and in accordance with any resolution or order, if any, heretofore duly adopted or made by this City Council.
14. That the San Mateo County Controller and the San Mateo County Tax Collector apply the City of Menlo Park Landscaping District assessments to the tax roll and have the San Mateo County Tax Collector collect said continued assessments in the manner and form as with all other such assessments collected by the San Mateo County Tax Collector.

I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing City Council resolution was duly and regularly passed and adopted at a meeting of said City Council on the twenty-second day of June, 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty second day of June, 2021.

---

Judi A. Herren, City Clerk



# LANDSCAPE ASSESSMENT DISTRICT

Public Hearing

ANNIERGA FAMILY  
GYMNASIUM



## LANDSCAPE ASSESSMENT DISTRICT

- Funds collected are used for maintenance of
  - City street trees
  - sidewalks damaged due to City street trees
  - street sweeping
- District established in 1983 and updated in 1990
- Engineer's Report proposes
  - 3% increase for Tree maintenance (\$2.51 per Single Family Equivalent)
  - 3% increase for Sidewalk maintenance (\$1.34 per Single Family Equivalent)
- Annual action required by City to continue collection of assessments



## PROCESS



3 Steps	Date
City Council initiated the LAD proceedings and adopted a resolution describing the improvements and directing preparation of the engineer's report	January 26, 2021
City Council adopted 1) a resolution giving preliminary approval of the engineer's report and 2) a resolution of intent to order the levy and collection of assessments	June 8, 2021
City Council holds a public hearing to consider resolution overruling protests and ordering the levy and collection of assessments	June 22, 2021



**THANK YOU**



## STAFF REPORT

### City Council

Meeting Date:

6/22/2021

Staff Report Number:

21-125-CC

### Regular Business:

**Adopt resolutions: adopting the fiscal year 2021-22 budget and capital improvement plan and appropriating funds; establishing the appropriations limit for fiscal year 2021-22; establishing a consecutive temporary tax percentage reduction in the utility users' tax rates through September 30, 2022; establishing the salary schedule effective June 20, 2021; and establishing the salary schedule effective July 4, 2021**

### Recommendation

The recommendation is that City Council provide any final direction to staff regarding modifications to the city manager's proposed budget and adopt the fiscal year 2021-22 budget by adopting the following resolutions:

1. Resolution No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan and appropriating funds (Attachment F)
2. Resolution No. 6634 establishing the appropriations limit (Attachment G)
3. Resolution No. 6635 establishing a consecutive temporary tax percentage reduction in the utility users' tax rates through September 30, 2022 (Attachment H)
4. Resolution No. 6636 establishing the salary schedule effective June 20, 2021 (Attachment I)
5. Resolution No. 6637 establishing the salary schedule effective July 4, 2021 (Attachment J)

### Policy Issues

The City Council maintains responsibility for all budgetary appropriations. Under section 2.08.080(8) of the Menlo Park Municipal Code, the city manager has the responsibility "to prepare and submit to the city council the annual budget." Appropriations for fiscal year 2020-21 lapse June 30, 2021, and adoption of the budget and appropriation of funds is necessary before the start of the fiscal year July 1, 2021.

### Background

Preparation of the annual budget takes place primarily during the months of March and April and is informed by City Council direction including amendments to the current fiscal year's budget, adoption of budget principles, and adoption of City Council priorities. The proposed budget was published May 10, 2021, for consideration by the community and City Council. A budget workshop was held June 1, 2021, to provide additional information about the budget and answer questions from the community and a public hearing was held June 8, 2021.

The city manager's proposed budget for fiscal year 2021-22 originally included a number of resource options and proposals for service level enhancements. These were considered by the community and City Council at the June 8 public hearing and those proposals with majority support from the City Council have

been incorporated into the budget as proposed for adoption.

The revised budget proposed for adoption is available online from the cover page, Attachment A. The budget theme and major changes are outlined in the city manager's transmittal letter, Attachment B. The budget in its entirety and dynamic report views are available through the City's OpenGov transparency portal, Attachment C.

## **Analysis**

The proposed budget for fiscal year 2021-22 includes a spending plan which maintains all services offered in fiscal year 2020-21 and expands upon those services in a number of functional areas and in each of the City's departments. The general fund, the largest and most active of the City's funds and responsible for the majority of the City's operations, is operationally balanced, with \$61.49 million in revenues and resources and \$61.49 million in expenditures and requirements. At the all funds level, the budget and capital improvement plan include \$175.95 million in revenues and resources and \$184.79 million in expenditures and requirements.

### Changes incorporated after the public hearing

Following City Council direction, a number of changes were incorporated into the budget as proposed for adoption. The changes presented to the community and to City Council for consideration are listed in Attachment D alongside the direction received at the public hearing June 8. Those items whose direction indicates "incorporated" received majority City Council support and were added to the budget and all associated revenues and expenditures are included in the figures presented for adoption. Those items marked "omitted" did not receive majority City Council support and are not included in the budget for adoption, though may be revisited as a budget amendment during fiscal year 2021-22 at the direction of the City Council. Those items marked "pending" were noted as requiring additional consideration during the budget adoption process. These items are not incorporated into the budget as proposed for adoption but may be incorporated, omitted, or saved for later consideration by City Council during the adoption process.

### American Rescue Plan Act Fund

Following new direction from the U.S. Treasury for accounting for stimulus funds, the American Rescue Plan Act (ARP) funds have been moved from the one-time revenue fund to a newly-created special revenue fund, the ARP Fund. This fund anticipates receipt of \$8.30 million in stimulus funds over the upcoming two fiscal years, with half in fiscal year 2021-22 and half in fiscal year 2022-23. These funds may be spent on a large range of uses, including those included in the proposed budget. The proposed budget incorporates a transfer from the ARP Fund to the general fund in the amount of \$2.91 million in order to eliminate an operating deficit in the general fund due to baseline and City Council-approved service level enhancements. This use, allowable under the revenue backfill method, leaves the estimated remainder of ARP funds, \$5.39 million, in the fund balance for the ARP fund for use as directed by City Council in fiscal year 2021-22 or beyond. Stimulus funds must be fully expended by December 31, 2024 and any unspent balance is forfeit.

### Grant-based special revenue funds

The newly-created special revenue funds for grant-based child care operations – the Belle Haven Child Development Center Fund, the Big Lift Fund, and the Childcare Food Fund – each have expenditures which exceed revenues in fiscal year 2021-22. These funds were created to capture all allowable expenditures associated with those grants; however, these operations have required some subsidy from general fund resources in prior periods and that expectation remains for fiscal year 2021-22. To balance these funds, staff will return with an end-of-year budget amendment including a transfer from the general fund in an amount necessary to remove any anticipated deficit once actual expenditures are realized.

### Appropriations limit

The appropriations limit, which was originally established in 1979 by Proposition 4, places a maximum limit on the appropriations of tax proceeds that can be made by the state, school districts and local governments in California. The appropriations limit is set on an annual basis and is revised each year based on population growth and cost of living factors. The purpose of the appropriations limit is to preclude state and local governments from retaining excess revenues, which are required to be redistributed back to taxpayers and schools. California Government Code requires that the City annually adopt an appropriations limit for the coming fiscal year.

### Salary schedule adoption

#### *Adoption of the salary schedule effective June 20, 2021*

State law requires the City Council to adopt a salary schedule each time the City's salary schedule changes. In an effort to help weather the economic effects of the pandemic, two of the City's collective bargaining units, Service Employees International Union Local 521 (SEIU) and American Federation of State, County, and Municipal Employees Local 829 (AFSCME), as well as the unrepresented confidential group, deferred cost-of-living adjustments (COLAs) in fiscal year 2020-21. The salary schedule amendment as of June 20, 2021, implements these COLAs at the previously agreed-upon time.

#### *Adoption of the salary schedule effective July 4, 2021*

The City has a closed contract with another of its collective bargaining units, the Police Sergeants Association (PSA), which specifies an increase in differential for the police sergeant classification as compared to the pay rates of subordinate classifications. In addition, the increase in planning capacity in the budget proposed for adoption includes the addition of a new classification, planning manager, which is a division manager level position and whose range matches that of other division manager classifications. The proposed salary schedule as of July 4, 2021, incorporates this change in differential for the Police Sergeant classification and the addition of the planning manager classification.

### Enabling resolutions

To formally adopt the fiscal year 2020–21 budget, the City Council must take action on the following resolutions:

1. Resolution adopting the fiscal year 2020–21 budget and capital improvement plan  
The City's total 2021-22 budget for all City operations and carry-over capital projects is balanced with a revenue budget of approximately \$175.95 million and an expenditure budget of \$184.79 million. The attached resolution formally adopts the fiscal year 2021–22 budget and authorizes appropriations. The attached resolution also authorizes staff to adjust the city manager's proposed budget to incorporate changes in assumptions for the proposed budget, to incorporate changes directed by the City Council at budget adoption, true-up of estimated carry-over appropriations, and other minor clerical errors.
2. Resolution establishing the fiscal year 2021–22 appropriations limit  
California Government Code requires that the City annually adopt an appropriations limit for the coming fiscal year. The appropriations limit, which was originally established in 1979 by Proposition 4, places a maximum limit on the appropriations of tax proceeds that can be made by the State, school districts and local governments in California. The appropriations limit is set on an annual basis and is revised each year based on population growth and cost of living factors. For fiscal year 2021–22, the appropriations limit is \$71.23 million, while the proceeds of taxes subject to the appropriations limit is \$49.44 million. The City is, therefore, approximately \$21.79 million below the appropriations limit for fiscal year 2021–22. City Council consideration and approval of the attached resolution is required in order for the City to be in compliance with State law.

In addition to the above resolutions, the City Council is asked to approve the following related resolutions:

3. Resolution continuing the temporary tax percentage reduction in the utility users' tax rate  
The fiscal year 2021–22 General Fund budget includes \$1.74 million in revenue from the temporarily reduced UUT rate of 1 percent adopted by the City Council as per Menlo Park Municipal Code Section 3.14.130. At the 1 percent rate, the City maintains a balanced budget therefore the reduced rate does not adversely affect the city's ability to meet its financial obligations. On June 23, 2020, the City Council adopted Resolution No. 6570 which extended the reduction through September 30, 2021. In order to continue the reduced UUT through September 30, 2022, the City Council must adopt the attached Resolution. If the City Council takes no action on the resolution, the temporary reduction will expire and the UUT will return to the full rate, either 2.5 or 3.5 percent depending on revenue category, as of October 1, 2021.
4. Resolution establishing the salary schedule effective June 20, 2021  
Negotiated agreements between two of the City's collective bargaining units, AFSCME and SEIU, resulted in a deferral of a previously-approved COLA which was to take effect on the earlier of a return to historical transient occupancy tax (TOT or hotel tax) levels or the last pay period beginning in June 2021. As the TOT levels have not yet returned to their pre-pandemic levels, this change implements the COLAs starting June 20, 2021, or the last pay period of fiscal year 2020-21.
5. Resolution establishing the salary schedule effective July 4, 2021  
Each year the City Council is required to adopt a salary schedule that lists the salary ranges for all positions employed by the City. Salary ranges are negotiated in good faith with bargaining units representing 91 percent of the City's 271.75 full-time equivalent personnel. The remaining 9 percent of full-time equivalent personnel are the City Council as well as the city manager who serves at the pleasure of the City Council and whose salary is set by contract. Additionally, the City's management staff which serves at the pleasure of the city manager are unrepresented employees

#### Award authority

City Council Procedure #19-001-CC establishes award authority and bid requirements and includes an annual adjustment in purchasing limits according to inflation. The inflation from 2020 to 2021 results in an increase in the city manager's signature authority limit of \$1,000, and the award authority memo for fiscal year 2021-22, Attachment K, outlines the resultant award authority levels.

#### **Impact on City Resources**

As noted in the previous section, the fiscal year 2021-22 operating budget is balanced with the use of \$2.91 million in Federal stimulus funds. If City Council desires additional changes to the budget which increase expenditures, use of one-time money, including additional stimulus funding or accumulated fund balance, must be identified absent an offsetting revenue.

#### **Environmental Review**

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

#### **Public Notice**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72

hours prior to the meeting.

### Attachments

- A. Hyperlink – City Manager’s proposed budget for fiscal year 2021-22 transmittal letter:  
[stories.opengov.com/menlopark/published/HhsikXXoZ](https://www.opengov.com/menlopark/published/HhsikXXoZ)
- B. Hyperlink – City Manager’s proposed budget for fiscal year 2021-22 cover page:  
[stories.opengov.com/menlopark/published/Y2DI2BKY8](https://www.opengov.com/menlopark/published/Y2DI2BKY8)
- C. Hyperlink – Budget transparency portal: [menlopark.opengov.com/transparency#/](https://menlopark.opengov.com/transparency#/)
- D. Budget direction from public hearing
- E. Appropriations limit calculation
- F. Resolution No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan
- G. Resolution No. 6634 establishing the appropriations limit for fiscal year 2021-22
- H. Resolution No. 6635 establishing a temporary UUT reduction
- I. Resolution No. 6636 establishing the salary schedule effective June 20, 2021
- J. Resolution No. 6637 establishing the salary schedule effective July 4, 2021
- K. Award authority memo for fiscal year 2021-22

Report prepared by:

Dan Jacobson, Assistant Administrative Services Director



Budget direction options					
Ref. #	Tier	Title	(Revenue)/ Expenditure (\$ millions)	FTE	Action
R1	N/A	American Rescue Plan (ARP) Act funds	\$ (2.91)	0.00	Incorporated
R2	N/A	Utility Users' Tax	-	0.00	Omitted
R3	N/A	Excess ERAF	-	0.00	Omitted
R4	N/A	Use of fund balance	-	0.00	Omitted
1	1	Augmentation of contract-supported capacity in the building division	0.45	0.00	Incorporated
2	1	Improved turnaround time for plan check review and building permit issuance	0.38	3.00	Incorporated
3	1	Restoration of planning staffing levels	0.30	1.50	Incorporated
4	1	Heritage tree ordinance implementation and downtown maintenance team	0.63	5.00	Incorporated
5	1	Increase transportation capacity	0.16	1.00	Incorporated
6	1	Emergency preparedness collaboration with Menlo Park Fire Protection District	0.10	1.00	Omitted
7	1	Economic development manager	0.25	1.00	Incorporated
8	1	Sustainability staff capacity for climate action plan implementation	0.15	1.00	Incorporated
9	2	Community-oriented civilian public safety personnel	0.20	2.00	Omitted
10	2	Enhanced police record-keeping, data collection, and quality assurance	0.10	1.00	Incorporated
11	2	Long-term traffic solutions to decrease the frequency and severity of collisions through traffic enforcement	0.31	2.00	Omitted
12	2	Restoration of library and community services programs and services eliminated due to pandemic	0.60	6.00	Incorporated
13	3	Enterprise systems optimization	0.37	3.00	Incorporated
14	3	Financial management organizational resiliency	0.36	2.00	Incorporated
15	4	Budgeting for lower than anticipated investment returns by CalPERS	1.46	0.00	Omitted
16	4	Gymnastics program delivery options	0.03	0.00	Pending
17	4	Restoration of holiday lighting at City parks	0.09	0.00	Pending
18	4	Restoration of Safe Routes to School services	0.05	0.00	Omitted
CC1	1	Rental and mortgage assistance outreach	0.13	0.00	Incorporated
CC2	1	Small business relief	0.13	0.00	Incorporated
CC3	1	Eviction and incidental assistance	0.25	0.00	Incorporated
CC4	N/A	Extension of eviction moratorium	-	0.00	Omitted
CC5	N/A	Increased code enforcement coordination	-	0.00	Omitted
<b>Net new resources</b>			<b>\$ (2.91)</b>		
<b>Net new requirements</b>			<b>4.25</b>	<b>24.50</b>	
<b>Total net impact</b>			<b>\$ 1.34</b>	<b>24.50</b>	

**CITY OF MENLO PARK  
APPROPRIATIONS LIMIT  
FISCAL YEAR 2021-22**

	<u>AMOUNT</u>	<u>SOURCE</u>
A. LAST YEAR'S LIMIT	<b>\$ 67,931,066</b>	Prior Year
B. ADJUSTMENT FACTORS		
1. Population - City	0.9917	State Department of Finance
2. Inflation	1.0573	State Department of Finance
	1.0485	(B1*B2)
<b>Total Adjustment %</b>	0.0485	(B1*B2-1)
C. ANNUAL ADJUSTMENT	\$ 3,296,315	(B*A)
D. THIS YEAR'S LIMIT	<b><u>\$ 71,227,381</u></b>	(A+C)
E. PROCEEDS OF TAXES SUBJECT TO LIMIT		
Property Tax	28,047,920	2021-22 Proposed Budget
Sales Tax	6,797,462	2021-22 Proposed Budget
Other Taxes	12,549,482	2021-22 Proposed Budget
Special Assessments	1,396,857	2021-22 Proposed Budget
Interest Allocation	645,107	2021-22 Proposed Budget
	<b><u>\$ 49,436,828</u></b>	
F. AMOUNT UNDER/(OVER) LIMIT	<b>\$ 21,790,553</b>	(D-E)

**RESOLUTION NO. 6633****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ADOPTING THE BUDGET AND CAPITAL IMPROVEMENT PLAN FOR FISCAL  
YEAR 2021–22**

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered the proposed budget document dated June 8, 2021 and related written and oral information at the meeting held June 22, 2021, and the City Council having been fully advised in the matter and good cause appearing therefore; and

WHEREAS, City Council Procedure #19-001-CC requires City Council action to enter into agreements or settle claims with aggregate annual payments in excess of \$79,000 for fiscal year 2021-22; however, expenditures in debt service on currently-issued debt, utilities, employee benefits, inter-governmental agreements, City Attorney fees, and operating technological end-user hardware and subscription services included in the Information Technology Internal Service Fund exceed the annual aggregate of \$79,000 through contractual obligations or public health and safety necessity.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby:

1. Adopt the budget for the fiscal year 2021–22 as summarized in Exhibit A and as modified according to majority City Council direction; and
2. Authorize staff to adjust the city manager’s proposed budget to incorporate changes in assumptions for the proposed budget, to incorporate changes directed by the City Council at budget adoption, true-up of estimated carry-over appropriations, and other minor clerical errors; and
3. Authorize the City Manager or designee to make payments for services provided to the City in the categories of debt service on currently-issued debt, utilities, employee benefits, inter-governmental agreements, City Attorney fees, and operating technological end-user hardware and subscription services included in the Information Technology Internal Service Fund, in excess of \$79,000 and up to the budgeted amount in fiscal year 2021-22.

I, Judi Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk

Resolution No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan				
Fund type	Fund category	Fund number and name	Revenues	Expenditures
Governmental	General Fund	(100) General Fund	61,493,124	61,493,124
Governmental	General Fund	(111) One-time Revenue Fund	1,686,000	-
Governmental	Special Revenue Fund	(211) Heritage Tree	10,000	135,000
Governmental	Special Revenue Fund	(221) Housing Special Revenue Fund	-	4,000
Governmental	Special Revenue Fund	(222) Below Mrkt Rt Housing Spec Rev	-	336,611
Governmental	Special Revenue Fund	(223) Federal Revenue Sharing	-	4,000
Governmental	Special Revenue Fund	(224) Community Devlpmt Block Grant	-	4,000
Governmental	Special Revenue Fund	(251) Big Lift	190,000	260,149
Governmental	Special Revenue Fund	(252) Childcare Food	31,500	50,000
Governmental	Special Revenue Fund	(253) Belle Haven Child Devlpmt Ctr	1,255,000	1,557,689
Governmental	Special Revenue Fund	(256) Recreation In-Lieu	1,074,334	1,624,334
Governmental	Special Revenue Fund	(304) Menlo Park Community Campus Fund	15,614,847	13,617,900
Governmental	Special Revenue Fund	(328) Downtown Parking Permits	500,000	2,589,600
Governmental	Special Revenue Fund	(332) Bayfront Impact Fund	2,434,625	-
Governmental	Special Revenue Fund	(351) Transportation Impact Fees	9,688,723	9,813,723
Governmental	Special Revenue Fund	(352) Transportation Fund	1,427,466	1,427,466
Governmental	Special Revenue Fund	(353) Downtown Public Amenity Fund	100,000	300,000
Governmental	Special Revenue Fund	(354) Storm Drainage Fees	1,800	50,000
Governmental	Special Revenue Fund	(355) Shuttle Program	841,046	1,200,398
Governmental	Special Revenue Fund	(356) County Transp Tax (Measure A)	1,199,459	1,340,484
Governmental	Special Revenue Fund	(357) Highway Users (Gas Tax) Fund	2,332,964	2,610,245
Governmental	Special Revenue Fund	(358) Landscape/Tree Assessment	1,287,457	1,046,071
Governmental	Special Revenue Fund	(359) Sidewalk Assessment	305,838	277,050
Governmental	Special Revenue Fund	(360) Measure M	146,000	146,000
Governmental	Special Revenue Fund	(361) Storm Water Management(NPDES)	425,862	514,969
Governmental	Special Revenue Fund	(362) Construction Impact Fee Fund	4,032,990	5,156,584
Governmental	Special Revenue Fund	(363) Measure W	300,000	500,000
Governmental	Special Revenue Fund	(364) HUT Repair and Maintenance	-	550,000
Governmental	Special Revenue Fund	(365) Landfill Post-Closure	4,883,569	4,495,404
Governmental	Special Revenue Fund	(368) Bayfront Park Maintenance	-	248,484
Governmental	Special Revenue Fund	(397) American Rescue Plan Act Fund	4,150,250	2,914,253
Governmental	Debt Service Fund	(400) Library GO Bond 1990	7,545	-
Governmental	Debt Service Fund	(401) Recreation GO Bond	-	1,041,281
Governmental	Capital Project Fund	(501) General Capital Improvement Fund	26,793,742	34,952,356
Governmental	Internal Service Fund	(701) Workers' Compensation Fund	1,234,411	1,050,019
Governmental	Internal Service Fund	(702) General Liability Fund	863,081	1,431,169
Governmental	Internal Service Fund	(703) Other Post Employment Benefits	318,750	648,018
Governmental	Internal Service Fund	(704) IT Internal Service Fund	2,781,801	2,823,083
Governmental	Internal Service Fund	(705) Vehicle Replacement Fund	1,396,380	1,570,000
Business-Type	Enterprise Fund	(600) Water Capital Fund	13,364,782	16,430,567
Business-Type	Enterprise Fund	(601) Water Operations Fund	13,774,400	10,239,617
Business-Type	Enterprise Fund	(610) Solid Waste Service	-	334,032
<b>Total all funds</b>			<b>175,947,746</b>	<b>184,787,680</b>

**RESOLUTION NO. 6634**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL YEAR 2021–22**

WHEREAS, Article XIII B of the Constitution of the State of California places various limitations on the City's powers of appropriation; and

WHEREAS, Division 9 (commencing with Section 7900) of the Government Code implements said Article XIII B and requires that each local jurisdiction shall, by resolution, establish its appropriations limit for the following year; and

WHEREAS, the City of Menlo Park population percentage change over the prior year is -0.83 percent and the growth in the State of California per capita personal income cost of living change is 5.73 percent, both factors in calculating the appropriations limit.

NOW THEREFORE, BE IT RESOLVED that the City Council of Menlo Park at its regular meeting of June 22, 2021 hereby establishes the appropriations limit as the amount of \$71,227,381 for Fiscal Year 2021–22, calculated in accordance with the provisions of Division 9 (commencing with Section 7900) of the California Government Code.

I, Judi Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk

**RESOLUTION NO. 6635****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ESTABLISHING A TEMPORARY TAX PERCENTAGE REDUCTION IN THE  
UTILITY USERS' TAX PURSUANT TO SECTION 3.14.130 OF THE CITY OF  
MENLO PARK MUNICIPAL CODE**

WHEREAS, Ordinance 950 of the City Council of the City of Menlo Park Adopting a Utility Users' Tax became effective upon approval by a majority of voters at the General Election of November 7, 2006; and WHEREAS,

Ordinance 950 established Chapter 3.14 of the City of Menlo Park Municipal Code, this chapter known as the "Utility Users' Tax Ordinance"; and

WHEREAS, the Utility Users' Tax Ordinance Section 3.14.130 allows the City Council to enact a Temporary Tax Percentage Reduction for a period of no more than twelve (12) months; provided adequate written notice is given to all affected service suppliers; and

WHEREAS, the City Council established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2008–09, effective October 1, 2008; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2009–10, effective October 1, 2009; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2010–11, effective October 1, 2010; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2011–12, effective October 1, 2011; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2012–13, effective October 1, 2012; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2013–14, effective October 1, 2013; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2014–15, effective October 1, 2014; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2015–16, effective October 1, 2015; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2016–17, effective October 1, 2016; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2017–18, effective October 1, 2017; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2018–19, effective October 1, 2018; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2019–20, effective October 1, 2019; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2020–21, effective October 1, 2020; and

WHEREAS, the City Council is not prohibited from adopting consecutive temporary tax percentage reductions as provided by Section 3.14.130 of the Utility Users' Tax Ordinance; and

WHEREAS, the City Council now finds that a consecutive temporary tax reduction shall not adversely affect the City's ability to meet its financial obligations as contemplated in the budget for the fiscal year 2021–22, considered and adopted at its regular meeting of June 22, 2021.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park at its regular meeting of June 22, 2021 hereby establishes a temporary reduction in the Utility Users' Tax rate, maintaining the current reduced rate of one percent (1.0%) for taxes imposed by sections 3.14.040 through 3.14.070 for a period of no more than twelve (12) months, effective October 1, 2021. No other provisions of the Utility Users' Tax Ordinance are affected by this resolution. Nothing herein shall preclude the City Council from modifying the tax rate set herein during said twelve-month period.

I, Judi Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk

**RESOLUTION NO. 6636**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
AMENDING THE SALARY SCHEDULE**

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a Compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the following compensation provisions shall be established in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolution No. 6620 and subsequent amendments shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective June 20, 2021.

I, Judi Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk









City of Menlo Park  
**PROPOSED** Salary Schedule - Effective 06/20/2021

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Senior Office Assistant	\$ 60,585	\$ 63,457	\$ 66,387	\$ 69,488	\$ 72,704
Senior Office Assistant	<del>\$ 58,878</del>	<del>\$ 61,668</del>	<del>\$ 64,516</del>	<del>\$ 67,530</del>	<del>\$ 70,655</del>
Senior Planner	\$ 112,109	\$ 117,474	\$ 123,096	\$ 128,964	\$ 135,194
Senior Planner	<del>\$ 108,950</del>	<del>\$ 114,163</del>	<del>\$ 119,627</del>	<del>\$ 125,329</del>	<del>\$ 131,384</del>
Senior Police Records Specialist	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225	\$ 85,124
Senior Police Records Specialist	<del>\$ 68,789</del>	<del>\$ 72,024</del>	<del>\$ 75,359</del>	<del>\$ 78,936</del>	<del>\$ 82,725</del>
Senior Program Assistant	\$ 67,054	\$ 70,188	\$ 73,482	\$ 76,934	\$ 80,554
Senior Program Assistant	<del>\$ 65,165</del>	<del>\$ 68,210</del>	<del>\$ 71,411</del>	<del>\$ 74,766</del>	<del>\$ 78,284</del>
Senior Project Manager	\$ 119,831	\$ 125,567	\$ 131,553	\$ 137,909	\$ 144,589
Senior Project Manager	<del>\$ 116,454</del>	<del>\$ 122,028</del>	<del>\$ 127,846</del>	<del>\$ 134,022</del>	<del>\$ 140,514</del>
Senior Sustainability Specialist	\$ 84,091	\$ 88,114	\$ 92,331	\$ 96,733	\$ 101,406
Senior Sustainability Specialist	<del>\$ 81,721</del>	<del>\$ 85,631</del>	<del>\$ 89,729</del>	<del>\$ 94,007</del>	<del>\$ 98,548</del>
Senior Transportation Engineer	\$ 126,961	\$ 133,094	\$ 139,543	\$ 146,304	\$ 153,433
Senior Transportation Engineer	<del>\$ 123,383</del>	<del>\$ 129,344</del>	<del>\$ 135,610</del>	<del>\$ 142,181</del>	<del>\$ 149,109</del>
Senior Transportation Planner	\$ 112,109	\$ 117,474	\$ 123,096	\$ 128,964	\$ 135,194
Senior Transportation Planner	<del>\$ 108,950</del>	<del>\$ 114,163</del>	<del>\$ 119,627</del>	<del>\$ 125,329</del>	<del>\$ 131,384</del>
Senior Water System Operator	\$ 79,558	\$ 83,241	\$ 87,131	\$ 91,219	\$ 95,504
Senior Water System Operator	<del>\$ 77,316</del>	<del>\$ 80,895</del>	<del>\$ 84,675</del>	<del>\$ 88,648</del>	<del>\$ 92,813</del>
Sustainability Manager	\$ 121,835	Open Range			\$ 159,205
Sustainability Specialist	\$ 72,414	\$ 75,799	\$ 79,356	\$ 83,084	\$ 86,992
Sustainability Specialist	<del>\$ 70,373</del>	<del>\$ 73,663</del>	<del>\$ 77,119</del>	<del>\$ 80,742</del>	<del>\$ 84,540</del>
Transportation Demand Management Coord.	\$ 95,450	\$ 99,997	\$ 104,775	\$ 109,788	\$ 115,043
Transportation Demand Management Coord.	<del>\$ 92,760</del>	<del>\$ 97,179</del>	<del>\$ 101,822</del>	<del>\$ 106,694</del>	<del>\$ 111,801</del>
Transportation Director	\$ 164,671	Open Range			\$ 227,436
Transportation Manager	\$ 126,553	Open Range			\$ 170,578
Water Quality Specialist	\$ 83,084	\$ 86,992	\$ 91,083	\$ 95,450	\$ 99,997
Water Quality Specialist	<del>\$ 80,742</del>	<del>\$ 84,540</del>	<del>\$ 88,516</del>	<del>\$ 92,760</del>	<del>\$ 97,179</del>
Water System Operator I	\$ 66,107	\$ 69,069	\$ 72,132	\$ 75,696	\$ 79,219
Water System Operator I	<del>\$ 64,244</del>	<del>\$ 67,122</del>	<del>\$ 70,099</del>	<del>\$ 73,563</del>	<del>\$ 76,987</del>
Water System Operator II	\$ 72,325	\$ 75,673	\$ 79,210	\$ 82,926	\$ 86,822
Water System Operator II	<del>\$ 70,287</del>	<del>\$ 73,541</del>	<del>\$ 76,977</del>	<del>\$ 80,589</del>	<del>\$ 84,375</del>

**RESOLUTION NO. 6637**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
AMENDING THE SALARY SCHEDULE**

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a Compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the following compensation provisions shall be established in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolution No. 6636 and subsequent amendments shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective July 4, 2021.

I, Judi Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk

City of Menlo Park  
**PROPOSED** Salary Schedule - Effective 07/04/2021

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 85,179	\$ 89,439	\$ 93,911	\$ 98,606	\$ 103,537
Accountant II	\$ 93,296	\$ 97,706	\$ 102,315	\$ 107,236	\$ 112,347
Accounting Assistant I	\$ 60,404	\$ 63,267	\$ 66,188	\$ 69,281	\$ 72,486
Accounting Assistant II	\$ 66,188	\$ 69,281	\$ 72,486	\$ 75,874	\$ 79,434
Administrative Assistant	\$ 66,387	\$ 69,488	\$ 72,704	\$ 76,102	\$ 79,673
Administrative Services Director	\$ 160,531		Open Range		\$ 227,436
Assistant Administrative Services Director	\$ 126,578		Open Range		\$ 181,949
Assistant City Manager	\$ 169,530		Open Range		\$ 250,180
Assistant Community Development Director	\$ 126,578		Open Range		\$ 181,949
Assistant Community Services Director	\$ 129,495		Open Range		\$ 181,949
Assistant Engineer	\$ 102,735	\$ 107,630	\$ 112,777	\$ 118,161	\$ 123,790
Assistant Library Services Director	\$ 129,495		Open Range		\$ 181,949
Assistant Planner	\$ 93,082	\$ 97,460	\$ 102,131	\$ 106,998	\$ 112,109
Assistant Public Works Director	\$ 140,650		Open Range		\$ 181,949
Assistant to the City Manager	\$ 121,835		Open Range		\$ 159,205
Assistant Transportation Planner	\$ 93,082	\$ 97,460	\$ 102,131	\$ 106,998	\$ 112,109
Associate Civil Engineer	\$ 115,277	\$ 120,796	\$ 126,554	\$ 132,668	\$ 139,094
Associate Engineer	\$ 108,937	\$ 114,152	\$ 119,594	\$ 125,371	\$ 131,444
Associate Planner	\$ 102,131	\$ 106,998	\$ 112,109	\$ 117,474	\$ 123,096
Associate Transportation Engineer	\$ 120,796	\$ 126,554	\$ 132,668	\$ 139,094	\$ 145,834
Associate Transportation Planner	\$ 102,131	\$ 106,998	\$ 112,109	\$ 117,474	\$ 123,096
Asst. Public Works Director - Engineering	\$ 140,650		Open Range		\$ 181,949
Asst. Public Works Director - Maintenance	\$ 140,650		Open Range		\$ 181,949
Asst. Public Works Director - Transportation	\$ 140,650		Open Range		\$ 181,949
Building Custodian	\$ 60,344	\$ 63,204	\$ 66,122	\$ 69,211	\$ 72,414
Building Inspector I	\$ 89,959	\$ 94,284	\$ 98,778	\$ 103,501	\$ 108,443
Building Inspector II	\$ 98,954	\$ 103,713	\$ 108,656	\$ 113,851	\$ 119,287
Business Manager	\$ 102,128	\$ 107,039	\$ 112,141	\$ 117,503	\$ 123,113
Chief Water Operator	\$ 99,013	\$ 103,731	\$ 108,687	\$ 113,887	\$ 119,338
Child Care Teacher I	\$ 53,994	\$ 56,443	\$ 58,999	\$ 61,688	\$ 64,606
Child Care Teacher II	\$ 60,344	\$ 63,204	\$ 66,122	\$ 69,211	\$ 72,414
Child Care Teacher's Aide	\$ 40,511	\$ 42,344	\$ 44,259	\$ 46,242	\$ 48,283
City Arborist	\$ 102,708	\$ 107,632	\$ 112,760	\$ 118,147	\$ 123,800
City Clerk	\$ 121,835		Open Range		\$ 159,205
City Councilmember	n/a		Annual Rate		\$ 7,680
City Manager	\$ 197,605		Open Range		\$ 272,924
Code Enforcement Officer	\$ 85,124	\$ 89,148	\$ 93,353	\$ 97,843	\$ 102,506
Communications and Records Manager	\$ 118,275	\$ 124,015	\$ 129,971	\$ 136,238	\$ 142,791
Communications Dispatcher	\$ 86,315	\$ 90,396	\$ 94,660	\$ 99,212	\$ 103,941
Communications Training Dispatcher	\$ 90,396	\$ 94,660	\$ 99,212	\$ 103,941	\$ 108,911
Community Development Director	\$ 160,316		Open Range		\$ 227,436
Community Development Technician	\$ 72,395	\$ 75,746	\$ 79,286	\$ 83,006	\$ 86,907
Community Service Officer	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225	\$ 85,124
Construction Inspector I	\$ 84,866	\$ 88,948	\$ 93,187	\$ 97,642	\$ 102,304
Construction Inspector II	\$ 93,353	\$ 97,843	\$ 102,506	\$ 107,407	\$ 112,535
Contracts Specialist	\$ 74,748	\$ 78,263	\$ 81,887	\$ 85,773	\$ 89,891
Custodial Services Supervisor	\$ 69,435	\$ 72,648	\$ 76,043	\$ 79,611	\$ 83,352
Deputy City Clerk	\$ 77,536	\$ 81,225	\$ 85,124	\$ 89,148	\$ 93,353
Deputy City Manager	\$ 164,671		Open Range		\$ 227,436
Deputy Comm. Dev. Director - Housing	\$ 126,553		Open Range		\$ 170,578
Economic Development Manager	\$ 121,835		Open Range		\$ 159,205
Engineering Services Manager/City Engineer	\$ 140,650		Open Range		\$ 181,949
Engineering Technician I	\$ 77,818	\$ 81,421	\$ 85,286	\$ 89,379	\$ 93,605
Engineering Technician II	\$ 87,237	\$ 91,342	\$ 95,637	\$ 100,222	\$ 104,998
Enterprise Applications Support Specialist I	\$ 92,078	\$ 96,682	\$ 101,516	\$ 106,591	\$ 111,921
Enterprise Applications Support Specialist II	\$ 102,128	\$ 107,039	\$ 112,141	\$ 117,503	\$ 123,113
Equipment Mechanic	\$ 77,536	\$ 81,225	\$ 85,124	\$ 89,148	\$ 93,353
Executive Assistant	\$ 75,799	\$ 79,356	\$ 83,084	\$ 86,992	\$ 91,083
Executive Assistant to the City Mgr	\$ 80,750	\$ 84,788	\$ 89,027	\$ 93,478	\$ 98,151
Extra Help Retired Annuitant	\$ 31,200		Open Range		\$ 249,600
Facilities Maintenance Technician I	\$ 64,606	\$ 67,581	\$ 70,784	\$ 74,112	\$ 77,545
Facilities Maintenance Technician II	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225	\$ 85,124
Finance and Budget Manager	\$ 126,553		Open Range		\$ 170,578
GIS Analyst I	\$ 89,362	\$ 93,831	\$ 98,523	\$ 103,449	\$ 108,622
GIS Analyst II	\$ 102,128	\$ 107,039	\$ 112,141	\$ 117,503	\$ 123,113
Gymnastics Instructor	\$ 43,228	\$ 45,184	\$ 47,224	\$ 49,332	\$ 51,600
Housing & Economic Development Manager	\$ 121,835		Open Range		\$ 159,205
Housing Manager	\$ 121,835		Open Range		\$ 159,205
Human Resources Director	\$ 160,531		Open Range		\$ 227,436
Human Resources Manager	\$ 126,553		Open Range		\$ 170,578
Human Resources Technician I	\$ 70,139	\$ 73,457	\$ 76,737	\$ 80,481	\$ 84,266
Human Resources Technician II	\$ 77,153	\$ 80,803	\$ 84,411	\$ 88,529	\$ 92,693
Information Technology Manager	\$ 126,553		Open Range		\$ 170,578
Information Technology Specialist I	\$ 75,549	\$ 79,327	\$ 83,293	\$ 87,459	\$ 91,833
Information Technology Specialist II	\$ 83,942	\$ 87,886	\$ 92,020	\$ 96,348	\$ 100,968
Internal Services Manager	\$ 126,553		Open Range		\$ 170,578
Junior Engineer	\$ 82,876	\$ 87,020	\$ 91,371	\$ 95,940	\$ 100,737
Librarian I	\$ 72,414	\$ 75,799	\$ 79,356	\$ 83,084	\$ 86,992
Librarian II	\$ 81,225	\$ 85,124	\$ 89,148	\$ 93,353	\$ 97,843
Library and Community Services Director	\$ 156,348		Open Range		\$ 227,436
Library and Community Services Supervisor	\$ 93,654	\$ 98,158	\$ 102,835	\$ 107,753	\$ 112,898
Library Assistant I	\$ 56,443	\$ 58,999	\$ 61,688	\$ 64,606	\$ 67,581
Library Assistant II	\$ 61,688	\$ 64,606	\$ 67,490	\$ 70,784	\$ 74,112

Annual Salaries based on 2080 hours per year except where set by contract or noted

City of Menlo Park  
**PROPOSED** Salary Schedule - Effective 07/04/2021

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Library Assistant III	\$ 67,490	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,143
Library Services Manager	\$ 126,553	Open Range			\$ 170,578
Literacy Program Manager	\$ 83,352	\$ 87,273	\$ 91,376	\$ 95,757	\$ 100,320
Maintenance Worker I	\$ 61,688	\$ 64,606	\$ 67,490	\$ 70,784	\$ 74,112
Maintenance Worker II	\$ 67,490	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225
Management Analyst I	\$ 89,362	\$ 93,831	\$ 98,523	\$ 103,449	\$ 108,622
Management Analyst II	\$ 102,128	\$ 107,039	\$ 112,141	\$ 117,503	\$ 123,113
Network Administrator	\$ 119,831	\$ 125,567	\$ 131,553	\$ 137,909	\$ 144,589
Office Assistant	\$ 55,434	\$ 57,962	\$ 60,585	\$ 63,457	\$ 66,387
Parking Enforcement Officer	\$ 61,688	\$ 64,606	\$ 67,490	\$ 70,784	\$ 74,112
Permit Manager	\$ 116,171	\$ 121,729	\$ 127,555	\$ 133,635	\$ 140,092
Permit Technician	\$ 72,395	\$ 75,745	\$ 79,286	\$ 83,006	\$ 86,905
Plan Check Engineer	\$ 116,375	\$ 121,946	\$ 127,759	\$ 133,931	\$ 140,418
<b>Planning Manager</b>	<b>\$ 126,553</b>	<b>Open Range</b>			<b>\$ 170,578</b>
Planning Technician	\$ 83,006	\$ 86,905	\$ 90,994	\$ 95,273	\$ 99,841
Police Chief	\$ 173,217	Open Range			\$ 250,180
Police Commander	\$ 155,896	Open Range			\$ 227,436
Police Corporal (2080 hours)	\$ 112,337	\$ 117,954	\$ 123,852	\$ 130,044	\$ 136,546
Police Corporal (2184 hours)	\$ 117,954	\$ 123,852	\$ 130,044	\$ 136,546	\$ 143,373
Police Officer (2080 hours)	\$ 104,378	\$ 109,597	\$ 115,076	\$ 120,830	\$ 126,872
Police Officer (2184 hours)	\$ 109,597	\$ 115,076	\$ 120,830	\$ 126,872	\$ 133,216
Police Records Specialist	\$ 67,490	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225
Police Recruit	n/a	Hourly Rate			\$ 84,546
Police Sergeant (2080 hours)	\$ 129,192	\$ 135,651	\$ 142,434	\$ 149,556	\$ 157,033
Police Sergeant (2080 hours)	<del>\$ 128,626</del>	<del>\$ 135,057</del>	<del>\$ 141,810</del>	<del>\$ 148,900</del>	<del>\$ 156,345</del>
Police Sergeant (2184 hours)	\$ 135,651	\$ 142,434	\$ 149,556	\$ 157,033	\$ 164,885
Police Sergeant (2184 hours)	<del>\$ 135,057</del>	<del>\$ 141,810</del>	<del>\$ 148,900</del>	<del>\$ 156,345</del>	<del>\$ 164,163</del>
Principal Planner	\$ 123,321	\$ 131,042	\$ 137,313	\$ 143,859	\$ 148,713
Program Aide/Driver	\$ 38,757	\$ 40,511	\$ 42,344	\$ 44,259	\$ 46,242
Program Assistant	\$ 55,214	\$ 57,732	\$ 60,344	\$ 63,204	\$ 66,122
Project Manager	\$ 108,937	\$ 114,152	\$ 119,594	\$ 125,371	\$ 131,444
Property and Court Specialist	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225	\$ 85,124
Public Engagement Manager	\$ 126,553	Open Range			\$ 170,578
Public Works Director	\$ 164,671	Open Range			\$ 227,436
Public Works Superintendent	\$ 124,351	Open Range			\$ 170,578
Public Works Supervisor - Facilities	\$ 103,438	\$ 108,397	\$ 113,562	\$ 118,988	\$ 124,681
Public Works Supervisor - Fleet	\$ 105,083	\$ 110,121	\$ 115,368	\$ 120,880	\$ 126,663
Public Works Supervisor - Park	\$ 97,773	\$ 102,460	\$ 107,343	\$ 112,471	\$ 117,853
Public Works Supervisor - Streets	\$ 97,773	\$ 102,460	\$ 107,343	\$ 112,471	\$ 117,853
Recreation Coordinator	\$ 72,648	\$ 76,043	\$ 79,611	\$ 83,352	\$ 87,273
Revenue and Claims Manager	\$ 102,128	\$ 107,039	\$ 112,141	\$ 117,503	\$ 123,113
Senior Accountant	\$ 107,290	\$ 112,363	\$ 117,663	\$ 123,322	\$ 129,199
Senior Accounting Assistant	\$ 72,807	\$ 76,209	\$ 79,735	\$ 83,462	\$ 87,378
Senior Building Inspector	\$ 111,062	\$ 116,375	\$ 121,946	\$ 127,759	\$ 133,931
Senior Civil Engineer	\$ 126,961	\$ 133,094	\$ 139,543	\$ 146,304	\$ 153,433
Senior Communications Dispatcher	\$ 94,660	\$ 99,212	\$ 103,941	\$ 108,911	\$ 114,110
Senior Construction Inspector	\$ 102,688	\$ 107,627	\$ 112,757	\$ 118,162	\$ 124,071
Senior Engineering Technician	\$ 93,605	\$ 98,021	\$ 102,735	\$ 107,630	\$ 112,777
Senior Equipment Mechanic	\$ 85,309	\$ 89,471	\$ 93,679	\$ 98,018	\$ 102,669
Senior Facilities Maintenance Technician	\$ 77,536	\$ 81,225	\$ 85,124	\$ 89,148	\$ 93,353
Senior GIS Analyst	\$ 114,894	\$ 120,351	\$ 126,068	\$ 132,119	\$ 138,502
Senior Human Resources Technician	\$ 84,868	\$ 88,883	\$ 92,852	\$ 97,382	\$ 101,962
Senior Librarian	\$ 91,373	\$ 95,942	\$ 100,739	\$ 105,776	\$ 111,064
Senior Library Assistant	\$ 74,239	\$ 77,862	\$ 81,524	\$ 85,299	\$ 89,257
Senior Maintenance Worker	\$ 77,536	\$ 81,225	\$ 85,124	\$ 89,148	\$ 93,353
Senior Management Analyst	\$ 114,894	\$ 120,351	\$ 126,068	\$ 132,119	\$ 138,502
Senior Office Assistant	\$ 60,585	\$ 63,457	\$ 66,387	\$ 69,488	\$ 72,704
Senior Planner	\$ 112,109	\$ 117,474	\$ 123,096	\$ 128,964	\$ 135,194
Senior Police Records Specialist	\$ 70,784	\$ 74,112	\$ 77,545	\$ 81,225	\$ 85,124
Senior Program Assistant	\$ 67,054	\$ 70,188	\$ 73,482	\$ 76,934	\$ 80,554
Senior Project Manager	\$ 119,831	\$ 125,567	\$ 131,553	\$ 137,909	\$ 144,589
Senior Sustainability Specialist	\$ 84,091	\$ 88,114	\$ 92,331	\$ 96,733	\$ 101,406
Senior Transportation Engineer	\$ 126,961	\$ 133,094	\$ 139,543	\$ 146,304	\$ 153,433
Senior Transportation Planner	\$ 112,109	\$ 117,474	\$ 123,096	\$ 128,964	\$ 135,194
Senior Water System Operator	\$ 79,558	\$ 83,241	\$ 87,131	\$ 91,219	\$ 95,504
Sustainability Manager	\$ 121,835	Open Range			\$ 159,205
Sustainability Specialist	\$ 72,414	\$ 75,799	\$ 79,356	\$ 83,084	\$ 86,992
Transportation Demand Management Coord.	\$ 95,450	\$ 99,997	\$ 104,775	\$ 109,788	\$ 115,043
Transportation Director	\$ 164,671	Open Range			\$ 227,436
Transportation Manager	\$ 126,553	Open Range			\$ 170,578
Water Quality Specialist	\$ 83,084	\$ 86,992	\$ 91,083	\$ 95,450	\$ 99,997
Water System Operator I	\$ 66,107	\$ 69,069	\$ 72,132	\$ 75,696	\$ 79,219
Water System Operator II	\$ 72,325	\$ 75,673	\$ 79,210	\$ 82,926	\$ 86,822

# 2021-22 AWARD AUTHORITY AND BID REQUIREMENTS ATTACHMENT K

City Council Policy No. CC-19-001  
 Adopted February 12, 2019  
 Resolution No. 6479



<b>Purpose</b>			
Pursuant to City Council adopted policy CC-19-001, this memo establishes the award authority and bid requirements for the 2021-22 fiscal year.			
<b>2018-19 Award Authority and Bid Requirements</b>			
<b>Category</b>	<b>Amount</b>	<b>Approving authority</b>	<b>Bid requirement</b>
<b>Goods, general services, and professional services</b>	Less than \$39,500	City Manager Designee	Written quotations
	\$39,501 to \$79,000/year (up to 3 years)	City Manager	Informal bid
	\$79,001 to \$200,000	City Council	Informal bid
	Greater than \$200,000		Formal bid
<b>Public projects</b>	Less than \$60,000	City Manager Designee	Informal bid/force account
	\$60,001 to \$79,000	City Manager	
	\$79,001 to \$200,000	City Council	Informal bid
	Greater than \$200,000		Formal bid
<b>Claims settlement</b>	Up to \$79,000	City Manager	N/A
	\$79,001 or greater	City Council	



Agenda item M1  
Werner Zurcher

I understand that the Arrillaga gym reopening plan has 4 phases, with gym rental starting only in Phase 4, which right now is slated to start in December 2021. That's over 5 months from now. Such a decision was understandable when COVID vaccinations had not started in earnest for people under 65 back in March or April. I believe it should be reconsidered.

As things stand right now, Menlo Park and San Mateo County residents over 12 years old are over 85% vaccinated. Santa Clara County residents over 12 years old are over 80% vaccinated. These are well above the COVID herd immunity levels, and therefore county COVID cases are dropping quickly. Vaccinated individuals are not spreading the virus, and rarely even show symptoms if they are among the few infected.

Yet some COVID closings, like Arrillaga gym access and use for groups of residents, are scheduled to linger for almost 6 months more. This is likely not necessary from a COVID illness perspective.

A continued lack of access to the gym would not be beneficial to Menlo Park resident's health, either. Physical activity is believed to be very helpful in reducing the effects of stress and improving well-being. Therefore, enabling activities in the gym, including group rentals, would be beneficial for town and county residents. .

Although the Arrillaga gym is scheduled to open in September, there are currently not many early morning or afternoon adult activities scheduled there. Adult basketball has been scheduled in the past only as part of very competitive leagues (meeting at 7 pm) and over lunch hours on three workdays. Many people like myself cannot participate at the times that adult sports activities are scheduled.

Therefore, please strongly consider re-opening the Arrillaga gym to rental groups before December. Otherwise, please significantly expand the times that adult sports activities are offered at Arrillaga gym, like basketball, that are open to the community until rentals are allowed to resume.

Thank you for your consideration, support for, and approval of such changes.

Agenda item M1  
Diane Honda, resident

I am writing to ask the Council to reopen up the Menlo Park Gymnastics programs as soon as possible. The Menlo Park Gymnastics program has provided the opportunity for gymnasts of all ages and abilities to participate in both recreational and competitive programs. It has created a community among the participants and parents, bringing people together. It has also offered teenaged gymnasts the opportunity to work part-time, giving back to the program and learning valuable life skills.

It is important to note that other gyms in the area are already open and the City can leverage their protocols to create a healthy, safe and fun environment for everyone involved. By doing this, the City can keep the costs of reopening low and expedite the process.

Thank you for your consideration and for all you are doing for Menlo Park.

Agenda item M1  
Phillip Bahr, resident

To Whom This Concerns:

1. Please clarify if the community outreach for re-imagining (re-tooling) for police department - public safety is included in the budget. I'd be interested in participating with the outreach group.
2. The budget for the police department seems low. Difficult for me to objectively say is it right sized. Instinctively, with the new buildings that were completed during the last year and additional buildings that will be completed this next fiscal year (fyi-facebook area, Stanford projects and housing projects (Elan Menlo Park, Anton Menlo and Springline). Add to this, the daily population of people resuming outside activities, office/workers/students are increasing weekly. All of these factors will require additional police support.

Public Safety is your most important responsibility as the City Council. I want to feel safe here. Over the last two weeks (actually this year) I feel less safe. The additional crime/thefts and fireworks nightly (potential to cause property fires) have me personally concerned. NextDoor is abuzz with public discourse on public safety.

The negative public opinions of police (by some) is not good for anyone and has brought police morale to a low. I support our police and community.

Please revisit the funding for the police department and fund the police community outreach for this new fiscal year.

Kind Regards, Phil B



# FISCAL YEAR 2021-22 BUDGET ADOPTION

June 22, 2021

ANNIERCA FAVREY  
GYMNASIUM

# AGENDA

- Summary of budget changes
- Enabling resolutions
- Final City Council direction and adoption



## REQUESTED DIRECTION

- Provide any additional direction for changes to proposed budget
- Adopt resolutions:
  - No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan and appropriating funds
  - No. 6634 establishing the appropriations limit
  - No. 6635 establishing a consecutive temporary tax percentage reduction in UUT rates through September 30, 2022
  - No. 6636 establishing the salary schedule effective June 20, 2021
  - No. 6637 establishing the salary schedule effective July 4, 2021



# SUMMARY OF CHANGES



## PROPOSED FISCAL YEAR 2021-22 BUDGET

- Balanced General Fund budget
  - \$61.49 million revenues and resources
  - \$61.49 million expenditures and requirements
  - \$0 surplus/(deficit)
  - Includes transfer from American Rescue Plan Act Fund of \$2.91 million



# TIER 1 ENHANCEMENTS

- Responsive to interests expressed by City Council during goal setting

Ref. #	Service Level Enhancement	Cost (\$ millions)	FTE
1	Augmentation of contract-supported capacity in the building division	0.45	0.00
2	Improved turnaround time for plan check review and building permit issuance	0.38	3.00
3	Restoration of planning staffing levels	0.30	1.50
4	Heritage tree ordinance implementation and downtown maintenance team	0.63	5.00
5	Increase capacity for transportation capital projects and improve use of mapping tools	0.16	1.00
7	Economic development management	0.25	1.00
8	Sustainability staff capacity for climate action plan implementation	0.15	1.00

# CITY COUNCIL ADDITIONS

- Directed by City Council during public hearing

Ref. #	Service Level Enhancement	Cost (\$ millions)	FTE
CC1	Rental and mortgage assistance outreach	0.125	0.00
CC2	Eviction and incidental assistance	0.125	0.00
CC3	Small business relief	0.250	0.00

## TIER 2 OPTIONS

- Restoration of services eliminated starting in fiscal year 2020-21

Ref. #	Service Level Enhancement	Cost (\$ millions)	FTE
10	Enhanced police record-keeping, data collection, and quality assurance	0.10	1.00
12	Restoration of library and community services programs and services eliminated due to pandemic	0.60	6.00

## TIER 3 OPTIONS

- Improvement of customer service and leveraging technology

Ref. #	Service Level Enhancement	Cost (\$ millions)	FTE
13	Enterprise systems optimization	0.37	3.00
14	Financial management organizational resiliency	0.36	2.00

## PENDING OPTIONS

- Service level enhancements proposed but requiring additional direction

Ref. #	Service Level Enhancement	Cost (\$ millions)	FTE
16	Gymnastics program delivery options	Unknown	Unknown
17	Restoration of holiday lighting at City parks	0.09	0.00

# REVENUE CONSIDERATIONS

- Resource options
  - ARP funds up to full \$8.30 million allowable
  - Excess ERAF assumption, up to \$1.81 million available with 100 percent assumption
  - Utility users' tax temporary rate lapse, up to \$3.0 million available at maximum rate
- Proposed budget includes transfer from American Rescue Plan Act Fund to General Fund of \$2.91 million
- Additional City Council-directed changes to the budget require accompanying resource



# ENABLING RESOLUTIONS



## RESOLUTION NO. 6633

- Adopts the fiscal year 2021-22 budget and capital improvement plan and appropriates funds
- Authorizes changes directed during adoption and clerical clean-up
- Authorizes payments up to budgeted amounts for:
  - Debt service on currently-issued debt
  - Utilities
  - Employee benefits
  - Inter-governmental agreements
  - City Attorney fees
  - IT ISF hardware and software subscription services



## RESOLUTION NO. 6634

- Establishes the appropriations limit at \$71.23 million
- Meets California Government Code requirements
- Appropriations limit calculations
  - Prior year limit, \$67.93 million, plus population and inflation adjustment
  - Proceeds of taxes subject to limit total \$49.44 million
  - Results in appropriations \$21.79 million below limit
- Amounts may be adjusted depending on direction received during adoption



## RESOLUTION NO. 6635

- Establishes a consecutive utility users' tax temporary reduction
- 12-month maximum reduction length
- Rate set to 1 percent for all categories, lowered from 2.5-3.5 percent in Menlo Park Municipal Code
- Previous temporary reduction expires on September 31, 2021 if not adopted

## RESOLUTION NOS. 6636 AND 6637

- Sets the schedule for pay for all regular classifications
- Resolution No. 6636 – effective date June 20, 2021
  - Implements previously agreed-upon COLA deferred due to effects of pandemic
  - Effective date based on agreements between City and SEIU, AFSCME, and unrepresented confidential employees
- Resolution No. 6637 – effective date July 4, 2021
  - Implements previously agreed-upon differential increase for police sergeants
  - Adds Planning Manager classification, unrepresented division manager position

## REQUESTED DIRECTION

- Provide any additional direction for changes to proposed budget
- Adopt resolutions:
  - No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan and appropriating funds
  - No. 6634 establishing the appropriations limit
  - No. 6635 establishing a consecutive temporary tax percentage reduction in UUT rates through September 30, 2022
  - No. 6636 establishing the salary schedule effective June 20, 2021
  - No. 6637 establishing the salary schedule effective July 4, 2021



**THANK YOU**



## AMERICAN RESCUE PLAN ACT FUNDS

- Stimulus money budgeted in newly-created special revenue fund, American Rescue Plan Act Fund
- Estimated \$8.30 million total Federal stimulus, disbursed in fiscal years 2021-22 and 2022-23
- \$2.91 million budgeted as transfer to General Fund
  - Revenue backfill model allows agencies to use stimulus funds to replace lost revenues
  - Maximum amount, \$11.07 million, exceeds ARP allocation

## FUNDED CITY COUNCIL PRIORITIES

- 2020 census redistricting
- 2022 housing element and related zoning code updates and documents
- Caltrain rail corridor quiet zone analysis
- Climate Action Plan
  - No. 1 – explore policy/program options to convert 95% of existing building to all-electric by 2030
  - No. 4b – Middle Avenue rail crossing and complete street
- ConnectMenlo community amenities list update
- Menlo Park Community Campus



## UNFUNDED CITY COUNCIL PRIORITIES

- Reimagining downtown
- Reimagining public safety

## PROPOSED FISCAL YEAR 2021-22 BUDGET

- Changes to budgeting/accounting
  - One-time Revenue Fund
  - American Rescue Plan Act Fund (\$4.15 million revenue, \$2.91 million expenditures)
  - Bayfront Mitigation Fund (no expenditures)
  - New special revenue funds for grant activities
  - Transparency on pension components
  - Reintroduction of vacancy factor

## FUNDING THE CIP

- General fund: annual transfer of approximately \$3m
- Other sources:
  - Grants
  - Dedicated sources: water, transportation impact, stormwater, solid waste, etc.
  - Development agreement community benefits (e.g., Downtown amenities fund)
- Prior fiscal years, surplus revenues at the end of the year used to pre-fund CIP projects for the following year:
  - Santa Cruz Avenue Sidewalks (Phase 1)
  - Chrysler Pump Station
  - Nealon Park Playground
  - Sharon Road Sidewalks

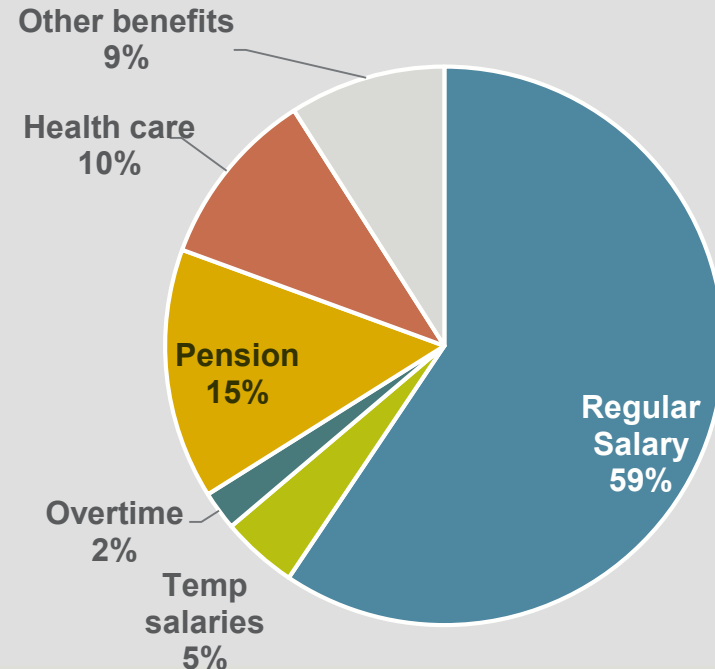
# RESOURCES

## 2019-20 ADOPTED BUDGET



- Staffing
  - 286.75 FTEs
  - 28.50 vacant as of January 7
  - \$52.33 million salaries & benefits
  - 63.3% of General Fund revenue
  - Temporary staff = estimated 55-65 FTEs
  - 9 Retired annuitants
- Contract services
  - \$13.84 million = estimated 20-30 FTEs

Personnel costs, all funds



## HOW HAS OUR STAFFING CHANGED?

**2017-18**

**278 FTEs**

+6.0 police personnel, Community Response Team  
+1.0 management analyst, housing  
+1.0 asst. to the city manager, special projects  
**+8.0 FTEs, approved June 20, 2017**

**2018-19**

**287.25 FTEs**

+3.0 library personnel  
+2.0 water division personnel  
+1.0 code enforcement  
+1.0 construction inspector  
+1.0 human resources technician  
+0.75 gymnastics instructor  
+0.50 police dispatcher  
**+9.25 FTEs, approved June 19, 2018**

**2019-20**

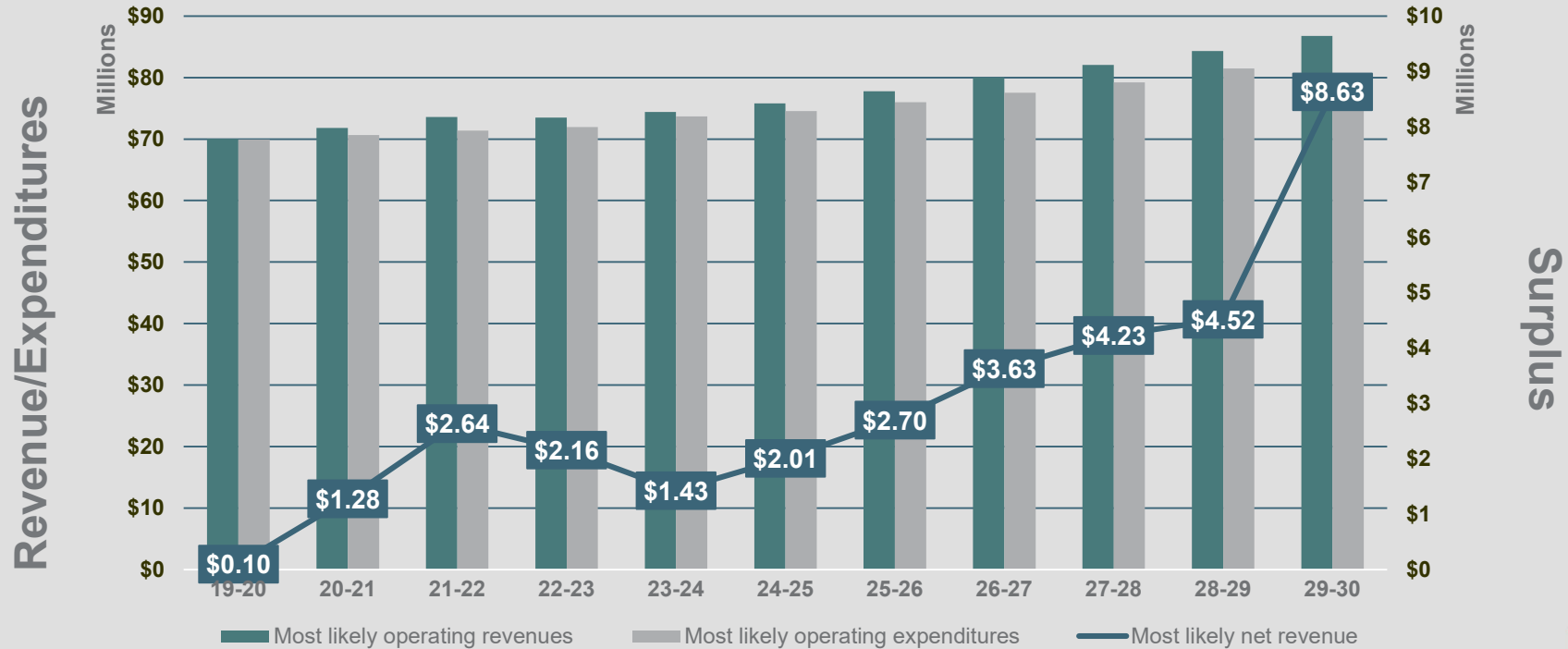
**286.75 FTEs**

-1.0 red light enforcement officer  
+0.5 CIP engineer, provisional  
**-0.5 FTEs, approved June 18, 2019**

## 2019-20 AUTHORIZED FULL-TIME EQUIVALENT (FTE) PERSONNEL

Department	Regular FTEs	Provisional FTEs	Total FTEs
City Council & Attorney	6.00	--	6.00
City Manager's Office	10.00	--	10.00
Administrative Services	20.75	2.00	22.75
Community Development	31.00	--	31.00
Community Services	52.75	--	52.75
Library	18.25	--	18.25
Police	76.50	--	76.50
Public Works	69.00	0.50	69.50
<b>Total</b>	<b>284.25</b>	<b>2.50</b>	<b>286.75</b>

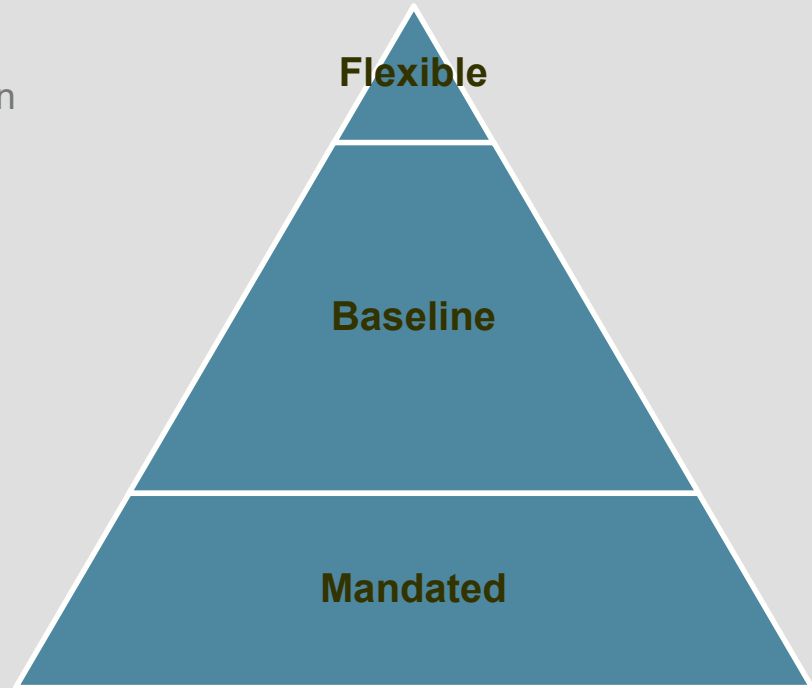
# GENERAL FUND 10-YEAR FORECAST



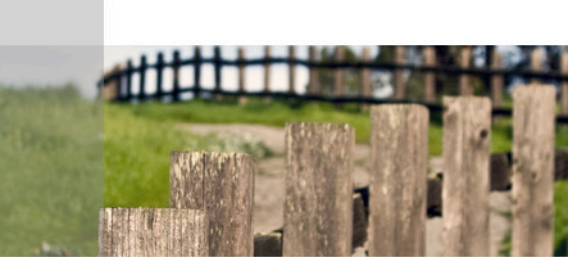
# HOW ARE STAFF RESOURCES ALLOCATED?



- **Mandated**
  - Federal, State law; potential risk for violation
  - Municipal Code; City Council discretion
- **Baseline**
  - Mission critical services
  - Day-to-day programs
- **Flexible**
  - Projects oriented
  - Not mission critical







# COMMUNITY DEVELOPMENT FUNCTIONAL AREAS



Ref #	Community Development	% of available hours										31.00
		0	25	75	100							
10	Planning	[Bar chart showing 13.90 hours: 13.90 red, 0 yellow, 0 green]										13.90
11	Building - inspections	[Bar chart showing 6.30 hours: 6.30 red, 0 yellow, 0 green]										6.30
12	Building - plan checks	[Bar chart showing 1.30 hours: 1.30 red, 0 yellow, 0 green]										1.30
13	Building - permitting	[Bar chart showing 6.30 hours: 5.00 red, 1.30 yellow, 0 green]										6.30
14	Housing	[Bar chart showing 2.15 hours: 2.15 red, 0 yellow, 0 green]										2.15
15	Economic development	[Bar chart showing 1.05 hours: 0 red, 1.05 yellow, 0 green]										1.05

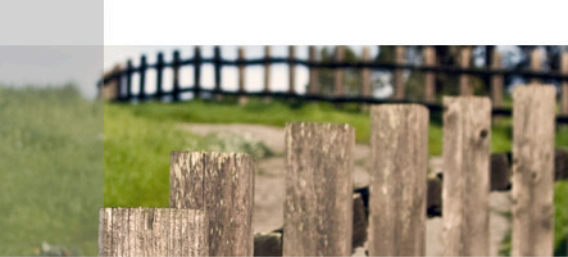
January 7 vacancy rate = 17.7%

# COMMUNITY DEVELOPMENT FUNCTIONAL AREAS



Functional area	FTEs	Mandated	Baseline	Flexible
Planning	13.00	75%	20%	5%
Building – inspections	6.30	80%	20%	--
Building – plan checks	1.30	75%	25%	--
Building – permitting	6.30	90%	10%	--
Housing	2.15	25%	50%	25%
Economic development	1.05	--	35%	65%
Total	31.00			

January 7 vacancy rate = 17.7%



# PLANNING DIVISION



## Mandated activities

- Development review
- Building permit review
- Planning Commission meetings
- Housing Element/Update
- Code updates for compliance with State law
- Sign Permit review
- Special Events permit review
- PRAs

## Baseline activities

- Public information counter
- Handouts
- Website maintenance
- Zoning Compliance Letters
- Business license review
- Code enforcement assistance
- Development Review Team (DRT)/pre-application

## Flexible

- GIS/Data/Graphics
- Community events (e.g. Facebook festivals)
- Menlo Perk initiatives
- City teams (Communications Team, Branding Team, Employee Recognition)
- Specific Plan revisions
- General Plan revisions
- Professional development

# 2020 COMMUNITY DEVELOPMENT PROJECTS

- Carryover projects
  - El Camino Real/ Downtown Specific Plan update
  - Single-family residential design review
  - Implementation of the new land management system
  - Zero waste ordinance implementation
  - Energy reach codes implementation
  - Heritage tree ordinance implementation
- New projects
  - Belle Haven Community Center and Library project support
  - ConnectMenlo community amenities list update
  - Secondary dwelling units ordinance update
  - 2022 Housing Element, zoning code update and related work

## CHALLENGES IN 2020

- Too many or unclear City Council priorities
- Lack of transparency in ad hoc requests submitted to staff
- Inconsistent expectations of advisory bodies
- Employee retention

## NEXT STEPS

- January 28
  - City Council acceptance of the BHCCL proposal
  - Staff report, published 1/23
- January 30
  - Goal-setting session
  - Staff report, published 1/23
- February 25
  - Adopt 2020 City Council priorities and work plan
  - Adopt 2020-21 budget principles



**THANK YOU**



## STAFF REPORT

**City Council**

**Meeting Date:**

**6/22/2021**

**Staff Report Number:**

**21-135-CC**

**Regular Business:**

**Adopt Resolution No. 6638 authorizing extension of the solid waste and water rate assistance program to June 30, 2022, to provide financial relief on residents' solid waste and water bills**

### Recommendation

Staff recommends the City Council adopt Resolution No. 6638 authorizing city staff to extend the solid waste and water rate assistance program to June 30, 2022, to provide financial relief on residents' solid waste bills (Attachment A.)

### Policy Issues

City of Menlo Park's mission statement is to serve the community's current and future needs, provide special assistance to those in need, and support the City's diverse neighborhood and population. On December 8, 2020, City Council adopted Resolution No. 6605 (Attachment B) to authorize the implementation of a pilot program between January 1 and June 30 to provide financial relief on residents' utility bills. Because the rate assistance program is funded through the general fund and not the rate revenue collected through property-related fees and charges, the program is compliant with Article XIID of the California Constitution.

### Background

On December 8, 2020, City Council approved a rate assistance program to provide financial relief to Menlo Park residents. The program presents opportunities for residents to receive discounts on their solid waste (Recology) and water (Menlo Park Municipal Water) bills, if applicable. The Pacific Gas and Electric (PG&E) California Alternative Rates for Energy (CARE) program is the sole enrollment qualification to:

- Encourage residents to apply for CARE, a program that offers a monthly minimum of 20 percent discount on gas and electricity; and
- Streamline the application process.

Qualified residents would receive a 20 percent discount on their solid waste rates and a monthly fixed discount equal to a 50 percent reduction on the 5/8-inch meter service charge for water rates. The solid waste discount applies to all qualified residents, whereas the water discount only applies to residents living in the Menlo Park Municipal Water (MPMW) service area. MPMW is a City-owned enterprise funded by rate payers and serves approximately one-half of the City's residents. The 2021 solid waste rates range from \$28.31 to \$91.46, depending on the garbage cart sizes, and the fiscal year 2022 fixed 5/8-inch meter service charge is \$27.58.

On April 27, staff provided an informational item to update City Council on the progress of the rate assistance program. With the low enrollment and the desire to provide assistance to residents with financial



needs, City Council expressed support to extend the pilot program to the next fiscal year until June 30, 2022.

### **Analysis**

Because City Council approved the program in December 2020 and the administration contractor needed a month of preparation to implement the program, enrollment started in February with a discount retroactive effective date of January 1.

As of June 15, the program has:

- Thirty-two residents who received Recology discounts; and
- Twenty-eight residents who received MPMW discounts.

Approximately 20 additional residents enrolled in the rate assistance program since staff provided an update April 27. The four residents who did not receive MPMW discounts are enrolled in the California Water low-income discount program.

The increased enrollment numbers may be due to an influx in outreach efforts through various venues. After the April 27 City Council meeting, city staff:

- Partnered with Recology to mail applications to residents who may be behind in their solid waste payments;
- Coordinated with Library and Community Services to distribute applications during their food distribution events; and
- Collaborated with California Water to mail applications to their discount program participants.

As a result, approximately 400 applications were distributed to City of Menlo Park residents. However, some addresses may overlap and some households may not qualify for the program. Because residents may need time to enroll in PG&E CARE program or need additional assistance, city staff recommends the program extend beyond the current June 30 deadline to continue to provide financial assistance to the residents in need. Residents who enrolled during the six-month pilot program would continue to receive the discounts retroactive to January 1; whereas those who enroll after June 30 would receive discounts retroactive to three months.

As of May, the City spent approximately \$4,150 from the general fund to support the rate assistance program:

- \$2,400 for administration services
- \$800 to provide discounts on the solid waste bills; and
- \$950 to provide discounts on the MPMW bills.

The City anticipates spending an additional \$2,200 by June 30 for a total of \$6,350 for the initial six-month pilot program.

If the City continues to offer a 20 percent discount on residents' solid waste bills and a 50 percent discount on water meter service charge, staff estimates the budget to be approximately \$60,000 for the next fiscal year as shown in Table 1. This includes the administrative cost and discounts for solid waste and water bills. Staff estimates that with marketing efforts, 250 applications would be processed by the administrative contractor, 250 residents would receive solid waste discounts, and 175 residents would receive water discounts.

Table 1: Fiscal year 2021-2022 budget for rate assistance program			
	Administration	Recology	MPMW
Quantity	250 applications and direct mails	250 residents	175 residents
Total cost	\$7,000	\$24,000	\$29,000

**Impact on City Resources**

In December 2020, City Council approved approximately \$164,000 from the general fund to support the rate assistance program from January 1 to June 30 and any unused funds would return to the general fund. If the program extends to the end of next fiscal year, the budget would be approximately \$60,000 from the general fund revenues, not from the ratepayer revenues. The funding is programmed in the proposed fiscal year 2021-22 budget.

**Environmental Review**

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

**Public Notice**

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

**Attachments**

- A. Resolution No. 6638
- B. Resolution No. 6605
- C. Hyperlink – December 8 Staff Report # 20-265-CC: [menlopark.org/DocumentCenter/View/26864/G1-20201208-CC-Solid-waste-and-water-rate-assistance](https://www.menlopark.org/DocumentCenter/View/26864/G1-20201208-CC-Solid-waste-and-water-rate-assistance)
- D. Hyperlink – April 27 Staff Report # 21-091-CC: [menlopark.org/DocumentCenter/View/27990/L2-20210427-CC-Rate-asst-update](https://www.menlopark.org/DocumentCenter/View/27990/L2-20210427-CC-Rate-asst-update)

Report prepared by:  
Joanna Chen, Management Analyst I

Report reviewed by:  
Justin Murphy, Deputy City Manager

**RESOLUTION NO. 6638****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO  
EXTEND THE SOLID WASTE AND WATER RATE ASSISTANCE PROGRAM**

WHEREAS, to promote equity and support Menlo Park's diverse community, establishing a rate assistance program will help low-income households to cover basic living expenses; and

WHEREAS, some rate assistance programs, such as Pacific Gas & Electricity (PG&E) California Alternative Rate Energy (CARE) program offers monthly minimum discount of 20 percent on gas and electricity; and

WHEREAS, due to the current COVID-19 pandemic and solid waste and water rate increases, some residential customers may be financially impacted; and

WHEREAS, on August 25, 2020 during a study session, the City Council supported city staff to establish a rate assistance program for solid waste rates at 20 percent discount; and

WHEREAS, on September 8, 2020 during a study session, the City Council supported city staff to establish a rate assistance program for Menlo Park Municipal Water customers; and

WHEREAS, on November 17, 2020, the City Council allocated \$1.5 million in General Fund revenues to fund the rate assistance program (\$0.5 million for 2021 and \$1 million for 2022 through 2025); and

WHEREAS, the rate assistance program is compliant with Article XIID of the California Constitution and all other applicable laws because the program is funded through General Fund revenues and not rate revenues collected through property-related fees or charges; and

WHEREAS, on December 8, 2020, the City Council adopted Resolution No. 6605, which established the rate assistance program and provided a timeframe for the program of January 1, 2021 through June 30, 2021; and

WHEREAS, on January 1, 2021, new solid waste rates went into effect; and

WHEREAS, on April 27, 2021 the City Council received an update about extending the pilot program for fiscal year 2021-22;

WHEREAS, on July 1, 2021, new Menlo Park Municipal Water rates are scheduled to be in effect; and

WHEREAS, the City of Menlo Park's rate assistance program should be extended to June 30, 2022.

NOW, THEREFORE BE IT RESOLVED, the program shall be comprised of the following timeframe, discount, and qualifications unless modified by the City Council by resolution:

1. Timeframe: continue on July 1, 2021 and end on June 30, 2022;
2. Discount: monthly 20 percent discount for solid waste rates and a monthly fixed discount equal to 50 percent of the 5/8-inch meter service charge for water rates; and
3. Qualifications: households must meet the following criteria to receive the discount:

- Must be enrolled in PG&E CARE program;
- Submit most recent PG&E bill to verify CARE enrollment. Address on PG&E bill must be the same on solid waste and water bills, but names may be different;
- Submit most recent Recology and Menlo Park Municipal Water bills to receive applicable discounts; and
- Re-certify eligibility according to the PG&E CARE program enrollment expiration date. Re-certification will vary, depending on when the household applies to CARE.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June 2021.

---

Judi A. Herren, City Clerk

**RESOLUTION NO. 6605****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO IMPLEMENT A PILOT PROGRAM FOR A SOLID WASTE AND WATER RATE ASSISTANCE PROGRAM**

WHEREAS, as of June 16, 2020 the City Council adopted Resolution No. 6563 to support the black lives matter movement, which emphasizes inclusion and equity within the community through City policies and services; and

WHEREAS, to promote equity and support Menlo Park's diverse community, establishing a rate assistance program will help low-income households to cover basic living expenses; and

WHEREAS, some rate assistance programs, such as Pacific Gas & Electricity (PG&E) California Alternative Rate Energy (CARE) program offers monthly minimum discount of 20 percent on gas and electricity; and

WHEREAS, due to the current COVID-19 pandemic and potential solid waste and water rate increases, some residential customers may be financially impacted; and

WHEREAS, on August 25, 2020 during a study session, the City Council supported city staff to establish a rate assistance program for solid waste rates at 20 percent discount; and

WHEREAS, on September 8, 2020 during a study session, the City Council supported city staff to establish a rate assistance program for Menlo Park Municipal Water customers; and

WHEREAS, on October 13, 2020 the City Council authorized a Proposition 218 notification to commence the process to adopt new solid waste rates for the next five years (2021-2025) at a public hearing on December 8, 2020; and

WHEREAS, on November 17, 2020 the City Council provided direction to staff to use \$1.5 million in subsidy (\$0.5 million in 2021 and \$1 million throughout 2022 to 2025); and

WHEREAS, on January 1, 2021, new solid waste rates will be in effect; and

WHEREAS, on July 1, 2021, new Menlo Park Municipal Water rates are scheduled to be in effect; and

WHEREAS, the City of Menlo Park's rate assistance program should be adopted.

NOW, THEREFORE BE IT RESOLVED, the program shall be comprised of the following timeframe, discount, and qualifications unless modified by the City Council by resolution:

1. Timeframe: commence on January 1, 2021 and end on June 30, 2021;
2. Discount: monthly 20 percent discount for solid waste rates and a monthly fixed discount equal to 50 percent of the 5/8-inch meter service charge for water rates; and
3. Qualifications: households must meet the following criteria to receive the discount:
  - Must be enrolled in PG&E CARE program;
  - Submit most recent PG&E bill to verify CARE enrollment. Address on PG&E bill must be the same on solid waste and water bills, but names may be different;

- Submit most recent Recology and Menlo Park Municipal Water bills to receive applicable discounts; and
- Re-certify eligibility according to the PG&E CARE program enrollment expiration date. Re-certification will vary, depending on when the household applies to CARE.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the eighth day of December 2020, by the following votes:


AYES: Carlton, Combs, Mueller, Taylor

NOES: Nash

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this eighth day of December 2020.

DocuSigned by:  
  
39280A20D0BE491...  
\_\_\_\_\_  
Judi A. Herren, City Clerk



**STAFF REPORT**

**City Council**

**Meeting Date:**

**6/22/2021**

**Staff Report Number:**

**21-136-CC**

**Regular Business:**

**Adopt Resolution No. 6643 accepting fiscal year 2021-22 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000; and approve a spending plan**

**Recommendation**

Adopt a resolution accepting fiscal year 2021-22 State Supplemental Local Law Enforcement Grant (SLESF COPS Frontline) in the amount of \$100,000 and approve a spending plan.

Authorize the allocation of State Supplemental Local Law Enforcement Grant (SLESF COPS Frontline) in the amount of \$100,000 to upgrade law enforcement technology including conducted energy devices and automated license plate readers (ALPR) and adopt a resolution accepting the fiscal year 2021-2022 State Supplemental Local Law Enforcement Grant (SLESF COPS Frontline) in the amount of \$100,000 and approve a spending plan.

**Policy Issues**

The proposed action is within city policy and the continued use of law enforcement technology is within city and police department policy.

**Background**

In 1997, the California State Legislature created the Citizen's Option for Public Safety (COPS) Program. This is a noncompetitive grant whereby cities and counties receive state funds to augment public safety expenditures. Effective in the year 2000, cities were guaranteed a minimum grant award of \$100,000.

The COPS funds must be used for front-line municipal police services and must supplement and not supplant existing funding. The funds cannot be used for administrative overhead costs in excess of ½ percent of the total allocation. The allocation may not be used to fund the costs of any capital project or construction project that does not directly support front-line law enforcement.

**Analysis**

The 2021-22 COPS Frontline Grant award is in the amount of \$100,000. This grant is included in the City's fiscal year \$18,223,693 budget and a spending plan must now be approved by City Council. Staff recommends that the funds be expended in the following areas as shown below:

## Law Enforcement Technology Deployment

- Automated license plate readers (technology upgrade) \$ 59,848
- Conducted energy devices / Taser 7 (service contract) \$ 47,541

The police department has strategically used grant funds to support the department's technology initiatives, previously unbudgeted items and new field equipment. This year's spending request continues to strengthen the department's ability to provide department staff with essential technology to effectively perform their job functions. The philosophy of securing alternative funding sources to finance new technologies has allowed the Police Department to maintain a progressive approach to policing, while simultaneously supporting the need for a cost-conscious approach to the use of General Fund monies.

### Automated license plate readers

In July 2013, the police department made a public safety technology presentation to the City Council, where several recommendations were made for the purchase of certain technologies which had been suggested by community members during several Belle Haven community meetings. The recommended technologies included fixed surveillance cameras and automated license plate readers (ALPR.)

The utilization and deployment of the ALPR technology, as originally approved by the City Council is codified by City Ordinance pursuant to Chapter 2.56. This Chapter of the Municipal Code addresses use of ALPR technology and prohibited uses of ALPR technology as well as auditing and reporting.

Mobile automated license plate readers, which are affixed to police vehicles, can assist in preventing crime, locating, identifying and apprehending criminals, recovering stolen and wanted vehicles, and locating wanted subjects. During the July 16, 2013, City Council meeting, a funding request was made for the procurement of the original ALPR system, which included three (3) "Mobile" systems affixed to police vehicles.

Now almost eight years later, the equipment has served its useful life and requires replacement.

The ALPR, when activated, records license plates visible by system cameras, compares those license plates with a daily updated "hot sheet" list downloaded from the Department of Justice, and alerting the officer operating the ALPR equipped vehicle of any matches to the "hot sheet." The only immediate investigative information drawn from ALPRs is a real-time comparison to a "hot sheet" identifying stolen or wanted vehicles already listed in the state system. License plate information and location information collected by ALPR equipment is uploaded by secure server to the Northern California Regional Intelligence Center (NCRIC) in San Francisco. This information is then available for access by investigators only upon a legitimate investigative request which must include the police case number and reason for the inquiry. These requests are subject to regular audits to insure that the privacy of our public is a priority. The explanation of our processes and a connection to the privacy impact assessment published by NCRIC is part of MPPD's website as required by state law.

The information uploaded to NCRIC is retained for one year, per current NCRIC and department policy and is not accessible to anyone except law enforcement personnel for legitimate investigative purposes.

Pursuant to NCRIC policies, the information transmitted to their database is "owned" by the Menlo Park Police Department and cannot be given or transferred to any other entity without express permission. Staff recommends PIPS Technology as a sole source for the purchase of automated license plate readers systems for the following reasons: The PIPS Technology system has been vetted by both the State of California and by the Department of Homeland Security, The PIPS Technology system is also the same system used by the other San Mateo County, San Francisco County and Alameda County police agencies.



PIPS Technology's server software is unique to their system and provides the analytical ability needed to make this tool effective. Also, due to the existing partnership with PIPS Technology and NCRIC, the total cost of the systems is lower, as there is no charge for the software package to map, store and retrieve the information. The secure access software used by NCRIC known as BOSS (Back Office Server Software) is already available and accessible by the Menlo Park police department and would also be a cost savings for this purchase.

The total cost to update the three mobile automated license plate reader systems with updated equipment is \$59,848 and includes all of the hardware, installation, software licensing secured data transmission portal and one-year maintenance and warranty agreement. Ongoing maintenance and support costs of these ALPR systems are \$1,400 annually which is currently in the police department's budget.

#### Conducted energy devices (Taser):

The Menlo Park police department adopted use of conducted energy devices in 2014 with the purchase of Axon X26P Tasers. The adopted use of these conducted energy devices, occurred after the department's comprehensive field testing. The field testing and evaluation of Taser utilization took place in the wake of a 2011 Grand Jury Report on Tasers (Tasers: Standardizing to Save Lives and Reduce Injuries), which included the recommendation to implement the use of Taser devices.

Taser is a brand of conducted energy device manufactured and sold by Axon Industries, Inc. A conducted energy device (CED) uses high voltage but low amperage electricity to temporarily incapacitate a resisting suspect and provide an opportunity to place the suspect in handcuffs. The purpose of a CED is to provide an additional tool so officers may avoid resorting to higher levels of force.

Since adopting the conducted energy devices in 2014, the police department has regularly provided an informational report to the City Council on the deployment, use and effectiveness of these less-lethal devices. All of the department's remaining in the department inventory are reaching the end of their recommended usable life, and must be replaced by new equipment before they are no longer supported by the manufacturer. The "Taser 7" is the newest model of conducted energy device which offers features that improve effectiveness, accountability of use and better integration with the body worn cameras currently utilized by the Menlo Park police department. The Axon Body Worn Camera Systems (BWCS), the Taser 7 and Axon's software solutions interact seamlessly and are now provided as a service package which also incorporates ongoing software licensing, training and maintenance.

In 2019, the police department entered into a contract with Axon to provide updated technology solution for the body worn cameras and digital evidence storage through Axon's Evidence.com service. Axon provides its Tasers, interface with the body worn camera system, evidence retention software, training and supporting software in a package which includes support, replacement and maintenance for five years.

#### Replacement of current conducted energy device (X26) with Taser 7

The police department currently uses the Axon X26P as its conducted energy device. The conducted energy device is an intermediate force option considered highly effective in the field to prevent escalation to lethal force and bring individuals safely into custody. The next generation of these devices, the Taser 7, is a significant upgrade in technology to provide additional safety and accountability, with a nominal price difference. The replacement of our current inventory with upgraded technology is necessary to keep our officers fully equipped with force options. The current model is outdated, and the newest model integrates with our body worn cameras, collects more digital information on use and deployment than ever before, and contains significant physical technology improvements. The Taser 7 makes and holds better electrical connections at various distances, significantly improving the immediate effectiveness, and reducing the

potential for ineffective deployments. This specifically addresses previous issues that required multiple deployments and activations. The new device also provides more visual and audible cues to the officer, to maximize effective and safe use for this tool.

Tasers can often be used to gain a resisting suspect’s cooperation without delivering an electrical shock. This can be achieved by an officer who points a Taser at a suspect and provides a verbal warning of its impending use. The warning can be escalated to include a “spark” of the Taser which activates an electrical arc to provide a visual and audible demonstration that the Taser is active but without launching the probes. While the use of a conducted energy device is an alternative to using other force options, it is not always entirely effective. Reasons for an ineffective CED deployment can include:

- The suspect is wearing thick or baggy clothing which did not allow for a completed connection by the CED’s probes.
- One or both of the probes missed the suspect because the suspect was moving.
- The suspect was able to remove one or both probes of the CED.
- The suspect was able to fight through the application because of drugs, intoxication or other reasons.

Taser use statistics

The police department tracks the activation and deployment of CEDs as well as whether the CED was effective when it was deployed. The following shows activations, deployments and effective deployments since the department has been reporting to City Council in 2014:

Table 1				
Year	Taser deployed	Deployment effective	Taser display only	Taser display effective
2014	4	2	4	4
2015	1	1	16	13
2016	1	1	15	6
2017	7	5	9	6
2018	3	2	9	7
2019	4	3	9	8
2020	5	4	7	4
<b>Total</b>	<b>25</b>	<b>18</b>	<b>69</b>	<b>48</b>

**Impact on City Resources**

The fiscal year 2020-21 grant funds have been awarded to the city (must be spent or encumbered by June 30, 2021) and there are no matching requirements for this grant. Purchases will be made in accordance with the City’s adopted purchasing policies.

The procurement of the Taser 7 conducted energy devices is based on a 5-year service contract, totaling \$267,789 which will require an annual expenditure allocation of approximately \$46,000 which will be requested from the State Supplemental Local Law Enforcement Grant commensurate with the regular annual reporting of the Taser deployment. The renewed Axon contract includes updated training resources and equipment. Certified trainers from within the department will facilitate the training of department personnel on the new features of the Taser 7.

**Environmental Review**

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

**Public Notice**

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

**Attachments**

A. Resolution No. 6643

Report prepared by:  
Dave Norris, Chief of Police

**RESOLUTION NO. 6643**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ACCEPTING THE STATE SUPPLEMENTAL LOCAL LAW ENFORCEMENT  
GRANT OF \$100,000, APPROVING THE USE OF THE FUNDS IN  
ACCORDANCE WITH STATE REQUIREMENTS**

WHEREAS, the California State Legislature created the Citizen's Option for Public Safety (COPS) Program in fiscal year 1996-97; and

WHEREAS, effective September 8, 2000, cities were guaranteed a minimum grant award of \$100,000; and

WHEREAS, the City must create a Supplemental Law Enforcement Special Fund (SLESF) for the grant funds; and

WHEREAS, the funds cannot be used for administrative overhead exceeding 0.5 percent or allocated to fund the costs of any capital project or construction project that does not directly support frontline law enforcement; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Menlo Park does hereby accept the state Supplemental Local Law Enforcement Grant of \$100,000; and

BE IT FURTHER RESOLVED, that the City Council approved the use of State Supplemental Local Law Enforcement Grant funds in accordance with state requirements, as outlined below:

- Automated License Plate Readers
- Conducted Energy Devices

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-second day of June, 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-second day of June, 2021.

---

Judi A. Herren, City Clerk



**STAFF REPORT**

**City Council**

**Meeting Date:** 6/22/2021

**Staff Report Number:** 21-126-CC

**Informational Item:** City Council agenda topics: July – August 2021

**Recommendation**

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

**Policy Issues**

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

**Analysis**

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through August 24, 2021. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

**Public Notice**

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

**Attachments**

A. City Council agenda topics: July – August 2021

Report prepared by:  
Judi A. Herren, City Clerk

**Tentative City Council Agenda**

#	Title	Department	Item type	City Council action
1	Adopt unrepresented confidential compensation plan amendments	ASD	Regular	Adopt resolution
2	Adopt unrepresented management compensation plan amendments	ASD	Regular	Adopt resolution
3	Authorization for blanket purchase orders and multi-year agreements	ASD	Regular	Adopt resolution
4	Ratify successor MOU - AFSCME	ASD	Regular	Adopt resolution
5	Ratify successor MOU - POA	ASD	Regular	Adopt resolution
6	Ratify successor MOU - SEIU	ASD	Regular	Adopt resolution
7	710 Willow Road appeal of use permit denial for alcohol sales	CDD	Public Hearing	Decide
8	Final action on Menlo Uptown project entitlements	CDD	Public Hearing	Adopt resolution
9	2021 priorities and work plan quarterly report as of June 30	CMO	Consent	Receive and file
10	Annual conflict of interest code update	CMO	Consent	Adopt resolution
11	Approve CAP No.1 Existing Building Policy Recommendations for Public Engagement	CMO	Regular	
12	Approve EQC two year work plan	CMO	Consent	Approve
13	CAP No.1 Policy Options (Existing Building Electrification)	CMO	Regular	
14	Climate Action Plan Progress, GHG inventory update, and proposed amendments	CMO	Regular	
15	Demographer presentation	CMO	Study Session	Direction to staff
16	Proclamation: Menlo Park Historical Association 50th	CMO	Proclamation	No action
17	Redistricting: City Council or commission	CMO	Consent	Direction to staff
18	SB1383 study session	CMO	Study Session	No action
19	Adopt Resolution No. ##### authorizing the city manager to execute an agreement with California department of education to reimburse the City for Belle Haven Child Development Center operational costs in fiscal year 2021-22	LCS	Consent	Adopt resolution
20	Recreation scholarship pilot program	LCS	Consent	Approve
21	Adopt Resolution No. to reduce the posted speed limit in school zones consistent with the California Vehicle Code	PW	Consent	Adopt resolution
22	Award Construction Contract - On call asphalt and concrete	PW	Consent	Approve
23	Award Construction Contract - Sharon Park Pathways	PW	Consent	Approve
24	Grant of easement to U.S. Fish and Wildlife Service for construction of water control structure	PW	Consent	Approve
25	Local Hazard Mitigation Plan	PW	Study Session	Direction to staff
26	Stormwater Program fee collection	PW	Public Hearing	Adopt resolution
27	Transportation Management Association feasibility study approval	PW	Regular	Approve
28	West Bay Sanitary - MOU for Recycled Water	PW	Regular	Approve
29	Parks capital projects and use of Measure T funds	PW, ASD	Study Session	Direction to staff
30	Placeholder- Award MPCC Solar Microgrid PPA	PW, CMO	Regular	Contract award or amend
31	Records destruction	VARIOUS	Consent	Adopt resolution



## STAFF REPORT

### City Council

**Meeting Date:** 6/22/2021  
**Staff Report Number:** 21-128-CC

**City Councilmember Report:** **Appoint a representative to the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority**

### Recommendation

Staff recommends that the City Council appoint a representative to the Bay Area Water Supply & Conservation Agency (BAWSCA) and the Bay Area Regional Water System Financing Authority (RFA) for a term ending June 30, 2025.

### Policy Issues

The four-year term of Kirsten Keith, assumed by City Councilmember Ray Mueller December 2020, on the board of directors of BAWSCA will end June 30, 2021, as will the term on the RFA. Action by the City Council must be taken before June 30, 2021.

### Analysis

The enabling acts for both agencies allow the City to reappoint its director for an unlimited number of terms or to appoint a new director at the end of each term. The appointment will be for a four-year term. Hence, whoever is appointed will have a term that ends June 30, 2025.

The enabling acts for both agencies require that a vacancy on their boards be filled no later than 90 days from the date the vacancy occurs.

Statutory qualifications:

- The appointee must be a resident of, and a registered voter in, the City.
- They may, but need not, be a member of the City Council.

Mechanics of the appointment process:

- The appointments must be made at a public meeting of the City Council and be properly agendized.
- The appointments must be made by action of the full City Council.
- The appointments do not need to be memorialized in a resolution; a motion duly passed and recorded in the minutes of the meeting is sufficient.
- A copy of the record of the City Council actions making the appointment should be sent to BAWSCA. The oaths of office must be administered before the appointee's first meeting as a director on the BAWSCA and RFA Boards.

### **Impact on City Resources**

There is no impact on City resources associated with this action outside of any associated membership dues, meeting related expenses, and/or staff assistance required and budgeted.

### **Environmental Review**

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

### **Public Notice**

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

### **Attachments**

A. 2021 City Council assignments to regional boards

Report prepared by:  
Judi A. Herren, City Clerk



# 2021 CITY COUNCIL ASSIGNMENTS TO ADVISORY BODIES AND REGIONAL BOARDS



City Council  
 701 Laurel St., Menlo Park, CA 94025  
 tel 650-330-6610  
[menlopark.org/citycouncil](http://menlopark.org/citycouncil)

Regional assignments (Mayor and/or Vice Mayor)			
Assignment	Details	Meeting time / location	Representative / alternate
<p><b>Association of Bay Area Governments (ABAG)</b></p> <p>The Association of Bay Area Governments (ABAG) is the comprehensive regional planning agency and Council of Governments for the nine counties and 101 cities and towns of the San Francisco Bay Region. The region encompasses Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma counties. Its work covers areas such as land use, housing, environmental quality and economic development.</p>	<p>Type: Joint Powers Authority</p> <p>Started: 1961</p> <p>Website: <a href="https://abag.ca.gov/">https://abag.ca.gov/</a></p>	<p>General Assembly meets 1-2 times annually (April and October)</p>	<p>Primary (Mayor): Combs</p> <p>Alternate (Vice Mayor): Nash</p>
<p><b>Bay Area Water Supply &amp; Conservation Agency</b></p> <p>The Bay Area Water Supply &amp; Conservation Agency (BAWSCA) was enabled by Assembly Bill No. 2058 and has the authority to coordinate water conservation, supply and recycling activities for its members; acquire water and make it available to other agencies on a wholesale basis; finance projects, including improvements to the regional water system; and build facilities jointly with other local public agencies or on its own to carry out BAWSCA's purposes.</p>	<p>Website: <a href="http://bawasca.org">http://bawasca.org</a></p>	<p>Meets as needed</p>	<p>Primary (Mayor): Mueller</p> <p>Alternate (Vice Mayor):</p>

CONTINUED ON NEXT PAGE

<p><b>League of California Cities – Peninsula Division</b></p> <p>Representing Peninsula cities from San Francisco to Gilroy, division members work together through the League to identify priorities on issues that impact on the quality of life in our communities, our region and our state.</p>	<p>Website: <a href="https://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula-Division">https://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula-Division</a></p>	<p>The Peninsula Division holds four meetings a year, with an occasional special meeting as warranted. Division dinners are open to all division members.</p>	<p>Primary (Mayor): Combs</p> <p>Alternate (Vice Mayor): Nash</p>
<p><b>Menlo Park Chamber of Commerce</b></p> <p>The Mayor and Mayor Pro Tem generally serve as the liaisons to the Chamber of Commerce and attend Chamber board meetings to provide updates and hear from board members.</p>	<p>Type: Community organization</p> <p>Website: <a href="http://menloparkchamber.com">http://menloparkchamber.com</a></p>	<p>Meets monthly on the 3rd Thursday with City representatives joining at 8 a.m., in the Chamber of Commerce Board Room</p>	<p>Primary (Mayor): Combs</p> <p>Alternate (Vice Mayor): Nash</p>
<p><b>San Mateo County Council of Cities – City Selection Committee</b></p> <p>The San Mateo County elected officials meet once a month to discuss issues of interest and usually a speaker is part of the program. (Bylaws require the Mayor to be the voting member.)</p>			<p>Primary (Mayor): Combs</p> <p>Alternate (Vice Mayor): Nash</p>

CONTINUED ON NEXT PAGE

<b>Regional assignments</b>			
<p><b>Airport Community Roundtable</b></p> <p>Eighteen cities, the operator of San Francisco International Airport (SFO) the City and County of San Francisco and the County of San Mateo comprise the Roundtable, a voluntary public forum established in 1981 for the discussion and implementation of noise mitigation strategies at SFO.</p>	<p>Type: Voluntary public forum</p> <p>Started: 1981</p> <p>Website: <a href="http://sforoundtable.org">http://sforoundtable.org</a></p>	<p>Generally, 1st Wednesdays at 7 p.m. at Millbrae City Hall</p> <p>Confirmed dates: February 6, 2019</p>	<p>Primary: Taylor</p> <p>Alternate: Mueller</p>
<p><b>Caltrain Modernization Local Policy Group</b></p> <p>The Caltrain Modernization Program will electrify and upgrade the performance, operating efficiency, capacity, safety and reliability of Caltrain's commuter rail service.</p>	<p>Type: Advisory body</p> <p>Started: 2012</p> <p>Website: <a href="http://www.caltrain.com/projectsplans/CaltrainModernization/Local_Policy_Maker_Group.html">http://www.caltrain.com/projectsplans/CaltrainModernization/Local_Policy_Maker_Group.html</a></p>	<p>Meets monthly on the 4th Thursday, 5:30 p.m., in the Edward J. Bacciocco Auditorium, SamTrans Administrative Offices, 2nd Floor, 1250 San Carlos Ave., San Carlos, CA</p>	<p>*Same as City Council Rail Subcommittee</p> <p>Primary: Wolosin</p> <p>Alternate: Mueller</p>
<p><b>City/County Association of Governments (C/CAG)</b></p> <p>The City/County Association of Governments of San Mateo County (C/CAG) deals with issues that affect the quality of life in general; transportation, air quality, stormwater runoff, hazardous waste, solid waste and recycling, land use near airports and abandoned vehicle abatement. C/CAG provides a unique forum for the cities and the County to work together on common issues to develop cost-effective solutions. The Board consists of 21 members with one from each city (20) and the County of San Mateo.</p>	<p>Type: Joint Powers Authority</p> <p>Website: <a href="http://ccag.ca.gov">http://ccag.ca.gov</a></p>		<p>Primary: Taylor</p> <p>Alternate: Mueller</p>
<p><b>County of Santa Clara Community Resources Group for Stanford University</b></p> <p>The Stanford University Community Resource Group (CRG) is composed of 8-12 members. The group serves as a mechanism for information exchange and perspectives on Stanford development issues. Members are appointed by the County Planning Director in consultation with the District 5 Supervisor.</p>	<p>Website: <a href="https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/StanfordCRG.aspx">https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/StanfordCRG.aspx</a></p>	<p>Meets monthly on the 2nd Thursday, 7–8:30 p.m., at the Palo Alto Art Center, 1313 Newell Road, Palo Alto, CA</p>	<p>Primary: Nash</p> <p>Alternate: Taylor</p>

CONTINUED ON NEXT PAGE

<p><b>Emergency Services Council (San Mateo County Joint Powers Authority)</b></p> <p>The Emergency Services Council oversees the emergency planning, training and exercises in the various cities and reviews and recommends policies, programs and plans for adoption.</p>	<p>Type: Joint Powers Authority</p> <p>Website: <a href="https://hsd.smcsheriff.com/emergency-services-council">https://hsd.smcsheriff.com/emergency-services-council</a></p>	<p>Meets quarterly on Thursdays, 5-7 p.m.</p>	<p>Primary: Taylor</p> <p>Alternate: Combs</p>
<p><b>Facebook Local Community Fund</b></p> <p>The Facebook Local Community Fund, a partner fund of Philanthropic Ventures Foundation, designed to support 501(c)(3) non-profits serving the East Palo Alto and Belle Haven communities through grant funds awarded following review by the community fund board of directors.</p>	<p>Type: 501(c)(3) public charity</p> <p>Website: <a href="http://www.venturesfoundation.org/programs/community-initiatives/facebook-local-community-fund/">http://www.venturesfoundation.org/programs/community-initiatives/facebook-local-community-fund/</a></p>	<p>Meets as needed</p>	<p>Primary: Taylor</p> <p>Alternate: Nash</p>
<p><b>Grand Boulevard Initiative Taskforce</b></p> <p>The Grand Boulevard is a collaboration of 29 cities, counties, local and regional agencies united to improve the performance, safety and aesthetics of El Camino Real. Starting at the northern Daly City city limit (where it is named Mission Street) and ending near the Diridon Caltrain Station in central San Jose (where it is named The Alameda), the initiative brings together for the first time all of the agencies having responsibility for the condition, use and performance of the street.</p>	<p>Website: <a href="http://grandboulevard.net">http://grandboulevard.net</a></p>	<p>Meets quarterly on Wednesdays</p>	<p>Primary: Wolosin</p> <p>Alternate: Combs</p>
<p><b>HEART Board Member Agency Committee (MAC)</b></p> <p>The MAC is composed of nine public HEART Board Members and a City Council member from each member city that does not have a representative on the HEART Board. The purpose of the MAC is to engage with cities that are not on the HEART Board and to provide you with the opportunity to comment on HEART's financial and program activities.</p>	<p>Website: <a href="https://www.heartofsmc.org/events/member-agency-committee-mac-meeting/">https://www.heartofsmc.org/events/member-agency-committee-mac-meeting/</a></p>	<p>Meets as needed.</p>	<p>Primary: Mueller</p> <p>Alternate: Wolosin</p>
<p><b>Peninsula Clean Energy Authority (PCE)</b></p> <p>Peninsula Clean Energy is San Mateo County's official electricity provider. Peninsula Clean Energy offers lower rates and the added benefit of two electricity options, each with a different percentage of sustainable energy. ECOplus rates are 5% below PG&amp;E's standard rates. ECO100 offers 100% renewable, ghg-free energy at a cost of just \$0.01 per kWh extra.</p>	<p>Type: Joint Powers Authority</p> <p>Started: 2016</p> <p>Website: <a href="http://www.peninsulacleanenergy.com">http://www.peninsulacleanenergy.com</a></p>	<p>Meets monthly on the 4th Thursday, 6:30 p.m., at the Peninsula Clean Energy Office, 2075 Woodside Road, Redwood City, CA</p>	<p>Primary: Nash</p> <p>Alternate: Wolosin</p>

CONTINUED ON NEXT PAGE

<p><b>San Francisquito Creek Joint Powers Authority</b></p> <p>The San Francisquito Creek JPA is an agency empowered to protect and maintain the 14-mile San Francisquito Creek and its 45 square-mile watershed and address concerns regarding flooding and environmental preservation. Members include the cities of Menlo Park, East Palo Alto, and Palo Alto; the counties of San Mateo and Santa Clara; as well as Stanford and the Santa Clara Valley Water District.</p>	<p>Type: Joint Powers Authority</p> <p>Website: <a href="http://sfcjpa.org">http://sfcjpa.org</a></p>	<p>Meets monthly on the 4th Thursday of the month at 6 p.m. in the Menlo Park City Council Chambers</p>	<p>Primary: Combs</p> <p>Alternate: Taylor</p>
<p><b>San Mateo County Mosquito and Vector Control District</b></p> <p>San Mateo County Mosquito and Vector Control District uses an integrated pest management strategy to safeguard the health and comfort of the residents of San Mateo County. Their service area includes the entirety of San Mateo County</p>	<p>Website: <a href="https://www.smcmvcd.org/">https://www.smcmvcd.org/</a></p>	<p>Meets monthly on the 2nd Wednesday of the month at 6 p.m.</p>	<p>Primary: Carlton</p> <p>Alternate:</p>
<p><b>South Bayside Waste Management Authority</b></p> <p>RethinkWaste is a joint powers authority of twelve public agencies in San Mateo County, and organized to jointly manage the franchise agreement with Recology San Mateo County for the collection of garbage, recycling and green waste.</p>	<p>Type: Joint Powers Authority</p> <p>Website: <a href="http://rethinkwaste.org">http://rethinkwaste.org</a></p>	<p>Meets monthly on the 4th Thursday of the month at 2 p.m. in the San Carlos Library conference room</p>	<p>Primary: Taylor</p> <p>Alternate: Combs</p>

CONTINUED ON NEXT PAGE

City Council advisory body members assignments			
Assignment	Details	Meeting time / location	Representative / alternate
<p><b>Finance and Audit Committee</b> (2 members, not liaisons)</p> <p>The role of this committee is to facilitate public understanding of the city's financial reporting processes and to assist staff in the delivery of timely, clear and reliable financial information to the public. Committee priorities: The committee reviews the external financial audit and the city's investment portfolio on an annual basis.</p>	<p>City Council-appointed advisory body</p>	<p>Meets 3<sup>rd</sup> Wednesday of every quarter at 5:30 p.m. in the Sharon Heights Conference Room, 2nd Floor, City Hall. Additional special meetings as needed.</p>	<p>Member: Combs</p> <p>Member: Mueller</p>

**Advisory body liaison assignments**

<p><b>Complete Streets Commission</b></p> <p>The Complete Streets Commission is charged primarily with advising the City Council on multi-modal transportation issues according to the goals and policies of the City's general plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City. Coordination of multi-modal (motor vehicle, bicycle, transit and pedestrian) transportation facilities; Advising City Council on ways to encourage vehicle, multi-modal, pedestrian and bicycle safety and accessibility for the City supporting the goals of the general plan; Coordination on providing a citywide safe routes to school plan; Coordination with regional transportation systems and; Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.02.</p>	<p>City Council-appointed advisory body</p>	<p>Meets monthly on the 2nd Wednesday, 7 p.m., in the City Council Chambers</p>	<p>Liaison: Taylor</p>
<p><b>Environmental Quality Commission</b></p> <p>The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement and sustainability. Commission priorities: Assist in developing sustainable building policies and programs for private and public development projects; Develop a community-wide environmental sustainability policy with metrics to measure and evaluate progress; Develop and evaluate resource conservation and pollution prevention programs and policies, such as solid waste reduction and water conservation; Implement climate action plan and; Maximize the urban canopy through programs and policies.</p>	<p>City Council-appointed advisory body</p>	<p>Meets monthly on the 3rd Wednesday, 6:30 p.m., in the Downtown Conference Room, 1st Floor, City Hall</p>	<p>Liaison: Nash</p>

CONTINUED ON NEXT PAGE

<p><b>Housing Commission</b></p> <p>The role of the Housing Commission is to make recommendations to the City Council on issues related to housing policy, to implement City Council policy decisions and represent the city where needed on housing matters. Commission priorities: Inclusion of housing program information in city publications; Community outreach for awareness and input; El Camino Real/downtown specific plan implementation as it relates to housing locations and; General plan and housing element updates.</p>	<p>City Council-appointed advisory body</p>	<p>Meets monthly on the 2nd Wednesday, 6:30 p.m., in the Cypress Room, Arrillaga Family Recreation Center,</p>	<p>Liaison: Wolosin</p>
<p><b>Library Commission</b></p> <p>The Library Commission is charged primarily with advising the City Council on matters related to the maintenance and operation of the City's libraries and library systems. Specific focus areas include: The scope and degree of library activities; Maintenance and protection of City libraries; Evaluation and improvement of library service; Acquisition of library materials; Coordination with other library systems and long range planning and; Literacy and English as a second language (ESL) programs.</p>	<p>City Council-appointed advisory body</p>	<p>Meets monthly on the 3rd Monday, 6:30 p.m., in the Downstairs Meeting Room, Main Library, 800 Alma St.</p>	<p>Liaison: Nash</p>

CONTINUED ON NEXT PAGE



<p><b>Parks and Recreation Commission</b></p> <p>The Parks and Recreation Commission will strive for excellence in teamwork to: Affirm the diversity in the community; Be financially responsible; Be responsive to community needs for leisure, cultural and social programs; Maintain a liaison between the community and City Council; Maintain its availability, visibility and accessibility to the community and the media; Preserve and protect open space and park lands and; Promote safety in all facilities and programs.</p> <p>Commission priorities: Provide high quality and inclusive programs and services that meet the diverse and changing needs of all Menlo Park residents and neighboring communities; Ensure City Parks and Community Facilities are well-maintained, upgraded and/or expanded to improve accessibility and usage by a diverse population, while promoting sustainable environmental design and practices; Improve class and program offerings, venues, partnerships and sponsorships to increase the quality and accessibility of educational, recreational, sporting, artistic, and cultural programs in the City of Menlo Park and; Support initiatives, partnerships and projects that intersect with the City’s Park and Community Services resulting in well-coordinated efforts to meet the needs of residents.</p>	<p>City Council-appointed advisory body</p>	<p>Meets monthly on the 4th Wednesday, 6:30 p.m., in the Cypress Room, Arrillaga Family Recreation Center,</p>	<p>Liaison: Combs</p>
<p><b>Planning Commission</b></p> <p>Established according to state law, the Planning Commission makes decisions in many areas of the land use process and also makes recommendations to the City. Council in other areas: Considers and grants or denies use permits and architectural control; Considers and recommends action on environmental impact reports and subdivisions; Initiates special area planning and rezoning studies; monitors the changing needs of the city in relationship to the general plan as well as the recommendations of the general plan amendments; Recommends action on rezoning proposals and conditional development permits and; Takes action on variances.</p>	<p>City Council-appointed advisory and quasi-judicial body</p>	<p>Meets twice monthly on a schedule adopted once a year, 7:00 p.m., in the City Council Chambers</p>	<p>Liaison: Wolosin</p>

<b>City Council outside agency liaison assignments</b>			
Assignment	Details	Meeting time / location	Representative / alternate
<b>San Mateo County Flood and Sea Level Rise Resiliency District (FSLRRD)</b>	Website: <a href="https://resilientsanmateo.org/">https://resilientsanmateo.org/</a>	Meets monthly on the 2nd and 4th Monday, 4 p.m.	Primary: Taylor Alternate: Nash
<b>Menlo Park City School District</b>		Meets as needed.	Primary: Wolosin Alternate: Combs
<b>Menlo Park Fire Protection District</b>		Meets as needed.	Primary: Taylor Alternate: Mueller