



REGULAR MEETING AGENDA – AMENDED

Date: 12/14/2021
Time: 6:00 p.m.
Location: [Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930

This amended agenda includes the removal of items E8. and E10. and an updated title for item F6.

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, the meeting will not be physically open to the public and all members will be teleconferencing into the meeting via a virtual platform. To maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

- How to participate in the meeting
 - Submit a written comment online up to 1-hour before the meeting start time:
jaherren@menlopark.org *
Please include the agenda item number you are commenting on.
 - 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

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

According to City Council policy, all 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 Session ([Zoom.us/join](https://zoom.us/join) – ID# 998 8073 4930)

- A. **Call To Order**
- B. **Roll Call**
- C. **Agenda Review**
- D. **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.

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

E. **Consent Calendar**

- E1. Adopt Resolution No. 6694 to continue conducting the City’s Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings ([Staff Report #21-246-CC](#))
- E2. Waive second reading and adopt Ordinance No. 1080 amending Ordinance No. 1074, modifying the City Council’s regular meeting schedule ([Staff Report #21-244-CC](#))
- E3. Adopt Ordinance No. 1081 repealing and replacing Sections 2.04.200, “Advisory Boards and Commissions,” 2.04.210 “District-Based Electoral System,” and 2.04.220 “Establishment of City Council Electoral Based System” of Chapter 2.04 within Title 2 of the Menlo Park Municipal Code ([Staff Report #21-245-CC](#))
- E4. Waive second reading and adopt Ordinance No. 1083 amending the specific plan and Ordinance No. 1084 approving an amendment to the development agreement for a project at 1300 El Camino Real ([Staff Report #21-254-CC](#))
- E5. Retain professional services to support Measure T bond issuance in 2022 ([Staff Report #21-255-CC](#))
- E6. Adopt a resolution rescinding Resolution Nos. 4354, 5832, 6479 and adopting City Council Procedures No. CC-21-024 updating the City’s purchasing policy ([Staff Report #21-256-CC](#))
- E7. Approve the 2022 City Council regular meeting schedule ([Staff Report #21-248-CC](#))
- ~~E8. Consider adoption of a resolution to authorize the city manager to enter into an agreement with ENGIE Services US Inc. to design, construct, operate, and maintain clean energy infrastructure for the Menlo Park Community Campus project in an amount not to exceed \$5.72 million and appropriate \$5.72 million from the unassigned funds in the general fund for the project~~

~~(Staff Report #21-252-CC)~~

E9. Adopt fiscal year 2021-22 budget amendments and authorize city manager to execute agreement amendments for public works maintenance, city arborist contract services, and community development professional services (Staff Report #21-250-CC)

~~E10. Receive and file personnel update as of November 30, 2021 (Staff Report #21-257-CC)~~

F. Regular Business

F1. Recognition of outgoing Mayor

F2. Selection of the 2022 Mayor and Vice Mayor

F3. Appoint City Council representatives and alternates to various local and regional agencies and as liaisons and members to City Council advisory bodies (Staff Report #21-258-CC)

F4. Appoint City Councilmembers to various standing and ad hoc subcommittees, and disband inactive ad hoc subcommittees (Staff Report #21-249-CC)

F5. Provide direction to the City's voting delegate regarding regional vacancies for the next City Selection Committee meeting December 17, 2021 (Staff Report #21-247-CC)

F6. Adopt a resolution directing the city manager and city attorney to develop interim guidance rules and regulations for implementation of Senate Bill 9 (SB 9) before January 1, 2022 (Staff Report #21-251-CC)

~~Adopt a resolution directing the preparation of interim guidance rules and regulations to implement Senate Bill 9 (SB 9) – The California Home Act; and directing the preparation of an SB 9 implementing ordinance~~

G. Informational Items

G1. City Council agenda topics: January 2022 (Staff Report #21-253-CC)

H. City Manager's Report

I. City Councilmember Reports

J. Adjournment

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

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

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

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the “Notify Me” service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 12/9/2021)



STAFF REPORT

City Council

Meeting Date:

12/14/2021

Staff Report Number:

21-246-CC

Consent Calendar:

Adopt Resolution No. 6694 to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings

Recommendation

Staff recommends that the City Council adopt Resolution No. 6694 (Attachment A) to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings.

Policy Issues

Assembly Bill 361 (AB 361) was signed into law September 16, 2021 allowing cities to continue holding virtual meetings during any emergency proclaimed by the governor. AB 361 sunsets January 1, 2024. The City Council would need to declare every 30 days that the City's legislative bodies must continue to meet remotely in order to ensure the health and safety of the public.

Background

The California Legislature recently approved AB 361, which was signed by the governor September 16, 2021 for signature. The bill allows local legislative bodies to continue to meet remotely through January 1, 2024. A local agency will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency
- State or local health officials have imposed or recommended measures to promote social distancing
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees

The City meets the requirements to continue holding meetings remotely in order to ensure the health and safety of the public:

- The City is still under a local state of emergency
- County Health orders require that all individuals in public spaces maintain social distancing and wear masks

Analysis

The City is still under a local state of emergency, and the County's indoor mask order is still in effect, so the emergency findings required under AB 361 are still in effect. Resolution No. 6689 authorizes the use of hybrid meetings, whereby City Councilmembers and staff may choose to attend either remotely or in person.

Impact on City Resources

There is no impact on City resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it is an organizational structure 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. Resolution No. 6694

Report prepared by:
Judi A. Herren, City Clerk

RESOLUTION NO. 6694**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54952(b) AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS**

WHEREAS, the City Council is committed to ensuring public access to observe and participate in local government meetings; and

WHEREAS, all meetings of the City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

WHEREAS, the AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID 19) and that State of Emergency is still in effect in the State of California; and

WHEREAS, on March 11, 2020 the City Council proclaimed the existence of a local state of emergency within the City, pursuant to Section 8625 of the California Emergency Services Act in response to the COVID-19 pandemic; and

WHEREAS, COVID-19 continues to threaten the health and lives of City residents; and

WHEREAS, the SARS-CoV-2 Delta Variant (Delta Variant) is highly transmissible in indoor settings; and

WHEREAS, on July 28, 2021, the California Department of Public Health issued guidance calling for the use of face coverings and stating that the Delta Variant is two times as contagious as early COVID-19 variants, leading to increasing infections, the Delta Variant accounts for over 80% of cases sequenced, and cases and hospitalizations of COVID-19 are rising throughout the state; and

WHEREAS, the Delta Variant has caused, and will continue to cause, conditions of imminent peril to the health and safety of persons within the City; and

WHEREAS, in light of the Delta Variant and the risk of infection among even those who have been vaccinated against COVID-19, the City Council finds that reducing the number of persons present in City Council chambers is necessary to reduce imminent health risks associated with large groups of members of varying households gathering indoors; and

WHEREAS, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as “Legislative Bodies”), finds that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to allow Legislative Bodies to continue to use teleconferencing to hold open and public meetings if the Legislative Bodies comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

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

1. Find that current conditions authorize teleconference public meetings of Legislative Bodies. Based on the California Governor’s continued declaration of a State of Emergency and current conditions, the City Council finds that meeting in person only, without the option for certain populations and persons to participate remotely, would present imminent risks to the health or safety of attendees. The City Council does therefore find that Legislative Bodies and members of Legislative Bodies of the City may elect to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.
2. Authorize Legislative Bodies to Conduct Teleconference Meetings. The Legislative Bodies are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.
3. Authorize Legislative Bodies to Conduct Hybrid Meetings. The Legislative Bodies are hereby authorized to conduct meetings in a “hybrid” format, where both members of the Body and members of the public may elect to be present in person, utilizing appropriate distancing and masking practices, or participate by teleconferencing technology. Such meetings of the Legislative Bodies that occur using teleconferencing technology will provide an opportunity for any and all members of the public who wish to address Legislative Bodies and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing
4. The State of California and the City of Menlo Park continue to follow safety measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (DPH), and/or County of San Mateo, as applicable, including facial coverings when required. Based upon that guidance, in-person attendance indoors at public meetings continues to present a health risk for certain segments of the population, necessitating the need to reduce the number of in-person meeting attendees.

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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 fourteenth day of December, 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 ___ day of December, 2021.

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-244-CC

Consent Calendar: Waive second reading and adopt Ordinance No. 1080 amending Ordinance No. 1074, modifying the City Council's regular meeting schedule

Recommendation

Staff recommends that the City Council waive the second reading and adopt Ordinance No. 1080 (Attachment A) amending Ordinance No. 1074, modifying the City Council's regular meeting schedule.

Policy Issues

The proposed action amends Ordinance No. 1074 and adopts a set City Council monthly regular meeting calendar for the second and fourth Tuesday, commencing at 6 p.m. The Menlo Park Municipal Code (MPMC), Section 2.04.010, currently states "A regular meeting of the City Council shall be held on the second and fourth Tuesday of every month commencing at five p.m., unless the City Council adopts a different schedule by resolution at the beginning of the year." This ordinance codified the City Council's current practice of conducting regular meetings on the second and fourth Tuesday of every month with a 5 p.m. start time. The 5 p.m. start time was selected due to the heightened risk of the COVID-19 pandemic and the flexibility of schedules to meet at an earlier start time. Pre-COVID-19, the regular City Council meeting start time was 7 p.m.

Background

At the November 16, 2021 City Council meeting, the City Council introduced and waived the first reading of Ordinance No. 1080. State law requires the City Council to publish in advance the days and times of all regular public meetings. Establishing regular meetings is important because certain actions (such as adoption of ordinances) can only be taken at regular meetings. This can be done through an ordinance establishing regular hearing dates and times, by adoption of a resolution every year or a combination of ordinance and resolution. The current MPMC establishes every Tuesday at 5 p.m. as a regular City Council meeting.

Analysis

Updating the MPMC Section 2.04.010 Regular meetings—Days and time to 6 p.m. from 5 p.m. will have a more predictable meeting schedule, making it easier for the public to attend and makes scheduling of other City and regional commission meetings more convenient for City Council, staff and the public. It has been noted that the 5 p.m. start time is difficult due to increased work commitments with the COVID-19 restrictions decreasing within some organizations. Also, there is limited flexibility in the code to update regular meeting days and times outside of the beginning of a calendar year.

Impact on City Resources

There is no impact on City resources.

Public Notice

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

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.

Attachments

A. Ordinance No. 1080

Report prepared by:
Judi A. Herren, City Clerk

ORDINANCE NO. 1080

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MENLO PARK AMENDING SECTION 2.04.010 OF
CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2
(ADMINISTRATION AND PERSONNEL) OF THE MENLO
PARK MUNICIPAL CODE**

WHEREAS, the City of Menlo Park ("City") wishes to change the time when the City Council holds its regularly scheduled meetings and the methods for canceling a City Council meeting.

THE CITY COUNCIL OF THE CITY OF MENLO PARK DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Section 2.04.010 of the Menlo Park Municipal Code is amended to read as follows (addition in underline, deletions in ~~strikethrough~~):

2.04.010. Regular Meetings – Days and time. **

A regular meeting of the City Council shall be held on the second and fourth Tuesday of every month commencing at ~~five (5)~~ six (6) p.m., unless the City Council adopts a different schedule by resolution ~~at the beginning of the year.~~ A regular meeting of the City Council may be canceled (i) by notice at a prior City Council meeting, or (ii) by notice to all of the City Council members of not less than twenty-four (24) hours prior to the meeting and by posting a notice of cancellation at all locations where public notices are regularly posted by the city.

SECTION 2. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The city clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the City Councilmembers voting for and against the amendment.

SECTION 3. CEQA. The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(3) because this activity is not a project as defined by Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

SECTION 4. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares it would have adopted this Ordinance and each section, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

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INTRODUCED on the sixteenth day of November, 2021.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor

ATTEST:

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-245-CC

Consent Calendar: **Adopt Ordinance No. 1081 repealing and replacing Sections 2.04.200, “Advisory Boards and Commissions,” 2.04.210 “District-Based Electoral System,” and 2.04.220 “Establishment of City Council Electoral Based System” of Chapter 2.04 within Title 2 of the Menlo Park Municipal Code**

Recommendation

Staff recommends that the City Council waive the second reading and adopt Ordinance No. 1081 (Attachment A) Repealing and Replacing Sections 2.04.200, “Advisory Boards and Commissions,” 2.04.210 “District-Based Electoral System,” and 2.04.220 “Establishment of City Council Electoral Based System” of Chapter 2.04 within Title 2 of the Menlo Park Municipal Code.

Policy Issues

This Ordinance reflect necessary changes to the City’s municipal code in light of the City’s adoption of Resolution No. 6659, establishing an Independent Redistricting Commission, to redraw district boundary lines, as authorized by state and federal law.

Background

On August 31, 2021, the City Council adopted Resolution No. 6659, establishing a seven-member Independent Redistricting Commission, to redraw district boundary lines, as authorized by California Elections Code section 23000 *et seq.* The proposed amendments codify the role and responsibilities of the Independent Districting Commission in the City’s municipal code.

On December 7, 2021, the City Council waived the first reading and introduced Ordinance No. 1081 and adopted Resolution No. 6688 (Attachment B) updating City’s Conflict of Interest Code to add the Independent Redistricting Commissioners and Alternate Commissioners.

Analysis

California Elections Code section 21600 *et seq.*, requires, among other things that following each decennial federal census, and using that census as a basis, the city council must adopt boundaries for the City Council districts so that the City Council districts are substantially equal in population as required by the United States Constitution. This process is often referred to as “redistricting.”

The California Elections Code section 23000 *et seq.*, permits cities to form local independent redistricting

commissions, to conduct the redistricting process in an unbiased and fair manner. On August 31, 2021, the City Council adopted Resolution No. 6659, which established a seven-member Independent Redistricting Commission to redraw district boundary lines, as authorized by state and federal law. The City's municipal code requires amendments to reflect the new Independent Redistricting Commission and its responsibility to draw the City Council districts after each census.

The proposed Ordinance would repeal and replace the existing sections 2.04.200, "Advisory Boards and Commissions," 2.04.210, "District-Based Electoral System" and 2.04.220, "Establishment of City Council Electoral Districts" to conform to the establishment of the Independent Redistricting Commission.

Impact on City Resources

There is no impact on City resources.

Environmental Review

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

Public Notice

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

Attachments

- A. Ordinance No. 1081
- B. Resolution No. 6688

Report prepared by:
Judi A. Herren, City Clerk

ORDINANCE NO. 1081

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
 REPEALING AND REPLACING SECTIONS 2.04.200, “ADVISORY BOARDS
 AND COMMISSIONS”, 2.04.210, “DISTRICT-BASED ELECTORAL SYSTEM”
 AND 2.04.220 “ESTABLISHMENT OF CITY COUNCIL ELECTORAL
 DISTRICTS” OF CHAPTER 2.04 WITHIN TITLE 2 OF THE MENLO PARK
 MUNICIPAL CODE**

WHEREAS, on October 4, 2017, with the adoption of Ordinance No. 1044, the City Council established five electoral districts for the election of City Councilmembers; and

WHEREAS, Ordinance No. 1044 established five districts from which City Councilmembers would be elected with City Council District Nos. 1, 2 and 4 beginning at the general municipal election in November 2018, and every four (4) years thereafter, and City Council District Nos. 3 and 5 beginning at the general municipal election in November 2020, and every four (4) years thereafter; and

WHEREAS, California Elections Code section 21600 *et seq.*, requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, adopt boundaries for any or all of the city council districts of the city so that the city council districts shall be substantially equal in population as required by the United States Constitution (“redistricting”); and

WHEREAS, California Elections Code section 23000 *et seq.*, governs the formation of local independent redistricting commissions; and

WHEREAS, California Elections Code section 23001 provides that a local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body’s district boundaries or to recommend to the legislative body changes to those district boundaries; and

WHEREAS, on August 31, 2021, the City Council adopted Resolution No. 6659 establishing a seven (7) member Independent Redistricting Commission, to redraw district boundary lines, as authorized by state and federal law; and

WHEREAS, the City’s Municipal Code must be updated to reflect the duties and responsibilities of the newly created Independent Redistricting Commission.

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

SECTION 1. Findings.

The above recitals are hereby declared to be true and correct findings of the City Council of the City of Menlo Park.

SECTION 2. Section 2.04.200, “Advisory boards and commissions” is hereby repealed in its entirety and replaced to read as follows:

The City Council shall by resolution establish the policy of the city relating to advisory boards and commissions. Such resolution shall establish the charge to the particular advisory body and its specific responsibilities, and shall provide for any other regulations deemed necessary or advisable with reference thereto.

Notwithstanding the provisions of this Chapter, the Independent Redistricting Commission is not an advisory committee, and possesses final decision-making authority with regard to the establishment of the city council electoral districts, pursuant to section 2.04.210 and section 2.04.220.

SECTION 3. Section 2.04.210, “District-based electoral system” is hereby repealed in its entirety and replaced to read as follows:

Pursuant to California Government Code Sections 34886 and 34871(c), city councilmembers shall be elected on a district-based electoral system from five (5) single-member city council districts. For purposes of this chapter, the term “district-based electoral system” shall mean the election of city councilmembers by the voters of the district alone. The city’s district-based electoral system shall be conducted in accordance with California Government Code Section 34871, subdivision (a).

For the city council election on November 7, 2022 and every city council election thereafter, the district map shall be established by resolution of the Independent Redistricting Commission.

SECTION 4. Section 2.04.220, “Establishment of city council electoral districts” is hereby repealed in its entirety and replaced to read as follows:

(a) Pursuant to Section 2.04.210, city council shall be elected on a district-based electoral system, from five (5) city council districts.

(b) For city council elections conducted prior to November 7, 2022, the districts shall be as follows:

(1) City Council District 1 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(2) City Council District 2 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(3) City Council District 3 shall comprise all that portion of the city reflected on Exhibit A attached to the ordinance codified in this chapter.

(4) City Council District 4 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(5) City Council District 5 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(b) For the city council elections conducted on November 7, 2022 and every city council election conducted thereafter, city council members shall be elected in the electoral districts established by resolution of the Independent Redistricting Committee.

SECTION 5. 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 6. 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 7. Publication; Effective Date.

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

INTRODUCED on the seventh day of December, 2021.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Drew Combs, Mayor

ATTEST:

Judi A. Herren, City Clerk

Menlo Park Districting Project Approved Five-District Map

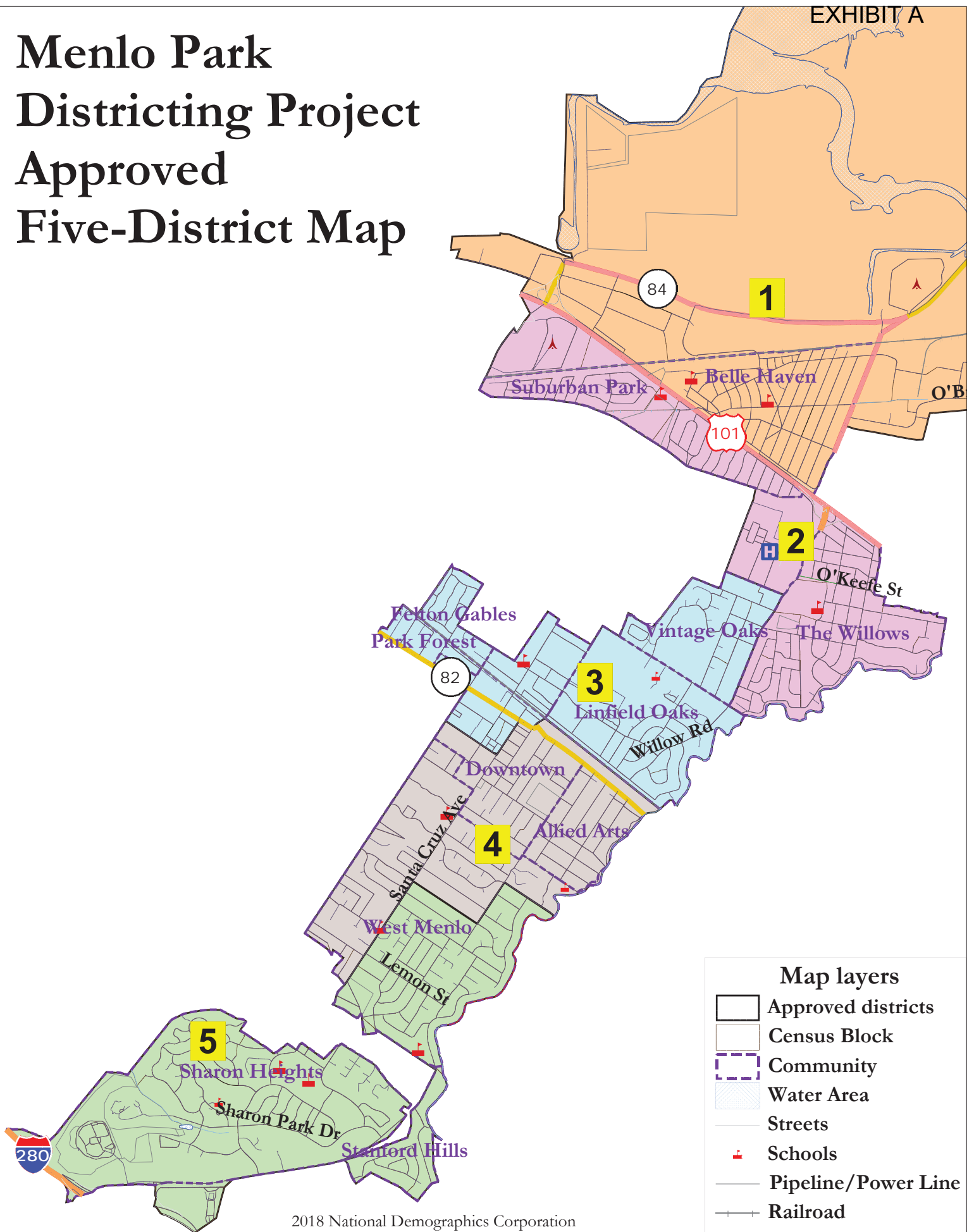


EXHIBIT A

2018 National Demographics Corporation

Map layers

- Approved districts
- Census Block
- Community
- Water Area
- Streets
- Schools
- Pipeline/Power Line
- Railroad
- River

RESOLUTION NO. 6688

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO ADD THE INDEPENDENT REDISTRICTING COMMISSIONERS AND ALTERNATE COMMISSIONERS AS DESIGNATED POSITIONS

WHEREAS, provisions of the Political Reform Act require local agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation, Title 2, Division 6, California Code of Regulations section 18730, which contains the terms of a model conflict of interest code which meets the requirements of the Political Reform Act; and

WHEREAS, Title 2 California Code of Regulations section 18730 has been incorporated by reference in the City's Conflict of Interest Code; and

WHEREAS, the City's Conflict of Interest Code also includes, Exhibit A – 2021 Conflict of Interest Code detailing the designated positions and disclosure categories; and

WHEREAS, said Exhibit A contains the listing of designated positions and disclosure categories which have been reviewed, and this review has disclosed that they should be amended to reflect current conditions; and

WHEREAS, the City Council established the Independent Redistricting Commission on August 31, 2021 via Resolution No. 6659, which requires the Commission, comprised of seven (7) Commissioners and two (2) Alternate Commissioners file a Statement of Economic Interests (Form 700) with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED that the terms of Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC shall, along with Exhibit A – 2020 Conflict of Interest Code for the City of Menlo Park, which are attached hereto incorporated herein by reference, in which the Commissioners and Alternate Commissioners and other City members, employees, and consultants are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Menlo Park; and

BE IT FURTHER RESOLVED that all designated Commissioners and Alternate Commissioners and other City members, employees, and consultants of the City of Menlo Park set forth on Exhibit A –2021 Conflict of Interest Code shall file statements of economic interest with the City Clerk of the City of Menlo Park; and

BE IT FURTHER RESOLVED that Resolution No. 6618 is repealed by the adoption of this resolution, which shall control over prior versions.

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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 seventh day of December, 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 ___ day of December, 2021.

Judi A. Herren, City Clerk

APPENDIX
 CONFLICT OF INTEREST CODE – 2021
 DESIGNATED POSITIONS
 AND DISCLOSURE OBLIGATIONS¹

Acting/Assistant City Attorney
 Advisory bodies related to land use, real property, and housing element
 Assistant Administrative Services Director
 Assistant City Manager
 Assistant Community Development Director
 Assistant Community Services Director
 Assistant Library Services Director
 Assistant Public Works Director
 Assistant Public Works Director – Engineering
 Assistant Public Works Director – Maintenance
 Assistant Public Works Director – Transportation
 Assistant to the City Manager
 Associate Planner
 Business Manager
 City Clerk
 Community Development Director
 Deputy City Clerk
 Deputy City Manager
 Deputy Community Development Director – Housing
 Economic Development Manager
 Engineering Services Manager/City Engineer
 Finance and Budget Manager
 Housing and Economic Development Manager
 Housing Manager
 Human Resources Director
 Human Resources Manager
 Human Resources Technician
 Independent Redistricting Commission (Commissioners and Alternate
 Commissioners) Information Technology Manager
 Internal Services Manager
 Library and Community Services Director
 Library Services Manager
 Management Analyst II
 Network Administrator
 Permit Manager
 Police Chief
 Police Commander
 Principal Planner
 Public Engagement Manager
 Public Works Director
 Public Works Superintendent
 City Arborist
 Public Works Supervisor – Facilities

¹ Positions covered under Government Code §87200 (City Council, Planning Commission, City Manager, City Attorney, and Administrative Services Director) are not covered by the local Conflict of Interest Code.

Public Works Supervisor – Fleet
Public Works Supervisor – Parks
Public Works Supervisor – Streets
Recreation Coordinator
Recreation Supervisor
Revenue and Claims Manager
Senior Civil Engineer
Senior Management Analyst
Senior Planner
Senior Project Manager
Senior Transportation Engineer
Sustainability Manager
Transportation Director
Consultant/Contract employees
Chief Water Operator
Contract Planner
Transportation Consultant

Consultants:

An individual is a consultant if either of the following apply:

1. the person serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by a person holding a position specified or that should be specified in the City's Conflict of Interest Code; or
2. the person makes a governmental decision listed in 2 CCR Section 19701(a)(2).

The city manager and/or the city attorney may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure obligations in the conflict of interest code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The city manager's and/or the city attorney's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Disclosure obligations:

All designated employees and consultants and Independent Redistricting Commission (Commissioners and Alternate Commissioners) shall be required to file under the City of Menlo Park conflict of interest code must disclose in the following categories as defined by the FPPC:

- Investments (stocks, bonds and other interests)
- Investments, income and assets of business entities/trust
- Interests in real property
- Income, loans and business positions (Income other than gifts and travel payments)
- Income – gifts
- Travel payments, advances and reimbursements



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-254-CC

Consent Calendar: Waive second reading and adopt Ordinance No. 1083 amending the specific plan and Ordinance No. 1084 approving an amendment to the development agreement for a project at 1300 El Camino Real

Recommendation

Staff recommends that the City Council take the following actions on the proposed project:

1. Waive a second reading and adopt Ordinance No. 1083 amending the specific plan to increase the maximum Public Benefit Bonus-level floor area ratio (FAR) from 1.50 to 1.55 in the ECR NE-R District under certain circumstances (Attachment A); and
2. Waive a second reading and adopt Ordinance No. 1084 approving an amendment to the development agreement (DA) for the project sponsor to secure vested rights, and for the City to secure a public benefit (Attachment B.)

Policy Issues

The proposed project requires the City Council to consider the merits of the project, including the project's consistency with the City's general plan and the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district, as well as the proposed specific plan amendments that are required to enable the applicant's proposed modifications. The City Council will also need to consider the amendment to the DA for specific additional public benefits.

Background

The City Council approved the 1300 El Camino Real project (formerly known as "Station 1300" and currently called "Springline") January 24 and February 7, 2017. The project is a mixed-use development consisting of nonmedical office, residential and community-serving uses.

The Planning Commission reviewed the proposed amendments to the specific plan, architectural control revision, use permit revision and an amendment to the DA at its November 22, 2021 meeting and voted to approve the architectural control revision and use permit revision for the previously approved project and recommended that the City Council approve the specific plan amendments and the amendment to the DA.

At its meeting December 7, 2021 the City Council considered the Planning Commission's recommendation to the City Council to approve the amendments to the specific plan and the amendment to the DA and voted affirmatively to introduce the two ordinances to amend the specific plan and DA. The staff report is included as Attachment C.

Analysis

Specific plan amendments

The proposed increase in gross floor area (GFA) would require specific plan amendments. The proposed amendments would increase the maximum bonus-level development allowed in the ECR NE-R district for certain projects approved at the bonus-level when the Planning Commission finds additions are necessary or desirable to address deficiencies identified after construction is substantially complete.

The proposed specific plan amendments are consistent with the rest of the specific plan, including the guiding principles, as well as the general plan, which allows a FAR up to 2.25 at the public benefit bonus level within the El Camino Real/Downtown specific plan land use designation.

Public benefit bonus and amendment to the DA

The permitted FAR in the ECR NE-R District is 1.10, but with a public benefit bonus the FAR can increase to 1.50. The City Council approved the 1300 El Camino Real project in 2017 at the maximum bonus-level FAR. The project included a DA that allowed the project sponsor to secure vested rights, and the City to secure public benefits, including a \$2.1 million cash contribution to the Downtown public amenity fund, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee.

The amendment to the DA includes an additional payment of \$300,000 in exchange for the newly proposed GFA, which would be developed at a FAR of approximately 1.53, as permitted by the proposed specific plan amendments. The additional payment of \$300,000 would be used by the City to complete a quiet zone feasibility study, if the cost of the study exceeds the amount previously budgeted by the City, and related projects. Any remaining funds would be deposited in the Downtown public amenity fund. Through an amendment to the city's fiscal year 2021-22 budget as a separate agenda item, the revenue from this future payment will be deposited in the Downtown public amendment fund and assigned to a specific capital improvement project, likely the existing Caltrain quiet zone evaluation (or a distinct project with a similar purpose.) If this contribution is not ultimately spent on the quiet zone, then the remaining balance would revert to the Downtown public amendment fund.

Changes since December 7 City Council hearing

At the December 7, 2021 Council meeting, City staff identified minor edits to the ordinance amending the DA and the amendment to the DA, which were read into the record and incorporated by the City Council into the introduction for the ordinance. Staff has updated the language of the ordinance approving an amendment to the DA, as well as the amendment to the DA itself, to replace the term "Downtown Amenity Fund" with the term "Downtown Public Amenity Fund." The updated ordinance and exhibit are included in Attachment B.

Impact on City Resources

The project sponsor is required to pay planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the project. In addition, the proposed development would be subject to payment of the El Camino Real/Downtown specific plan preparation fee and the transportation impact fee (TIF.)

Environmental Review

The final program environmental impact report (EIR) for the specific plan was certified along with the final plan approvals in June 2012. Most project proposals under the specific plan are fully addressed as part of the specific plan EIR. However, for the approved project at 1300 El Camino Real, a project-level EIR was required. The final infill EIR for the project was certified along with the final project approvals January 24, 2017.

Pursuant to California Environmental Quality Act (CEQA) guidelines Section 15164, an addendum to the infill EIR was prepared, which summarizes the currently proposed revisions to the 1300 El Camino Real project approved in 2017, as well as the proposed specific plan amendments. It is the City's conclusion that the proposed changes and associated environmental effects do not meet the conditions described in Section 15162 calling for preparation of a subsequent EIR. The proposed amendments to the specific plan would not increase the maximum allowable development capacity under the specific plan, which included a development cap. As a result, the amendments to the specific plan would have no new impacts or more severe impacts than previously discussed and analyzed in the specific plan EIR and the infill EIR. There is no substantial evidence to support requiring additional environmental review, and the infill EIR and the associated mitigation monitoring and reporting program are adequate for the project as revised.

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. 1083 amending the specific plan
Exhibits to Attachment A:
- B. Specific plan amendments
Ordinance No. 1084 approving a DA amendment
Exhibits to Attachment B:
Amendment to the DA
- C. Hyperlink: December 7, 2021 City Council staff report -
menlopark.org/DocumentCenter/View/30076/K2-20211207-CC-Springline

Report prepared by:
Corinna Sandmeier, Acting Principal Planner

Report reviewed by:
Kyle Perata, Acting Planning Manager

ORDINANCE NO. 1083

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN**

WHEREAS, the City of Menlo Park (“City”) received an application requesting amendments to the El Camino Real/Downtown Specific Plan (“Specific Plan”), a use permit revision for the addition of a fuel tank supplying a diesel emergency back-up generator, expanded outdoor seating associated with full/limited service restaurants and beverage sale establishments and the sale of alcohol for on-site and off-site consumption, and an architectural control revision for exterior modifications to the residential entry and up to 9,000 square feet of additional gross floor area that would be enabled by amendments to the Specific Plan, and modification of a portion of the previously-designated community-serving use space facing Oak Grove to a multi-function space for use by the residential component of the project, an amendment to the development agreement for the Project and a request for environmental review (collectively, the “Project Revisions”) from Cyrus Sanandaji, Presidio Bay Ventures (“Applicant”), on behalf of the property owner Real Social Good Investments, LLC (“Owner”), to make modifications to an approved mixed-use development (“Project”) located at 1300 El Camino Real (APN 061-430-490) (“Property”), previously approved as a bonus-level development project, and with the proposed modifications would continue to include 183 dwelling units and would add approximately 9,000 square feet of gross floor area for a total of approximately 224,103 square feet of commercial space, including both office and community-serving uses; and

WHEREAS, the Property is located in the El Camino Real North-East Residential (ECR NE-R) district within the El Camino Real/Downtown Specific Plan (ECR/D SP) zoning district. The ECR NE-R district supports a variety of retail uses, personal services, business and professional offices, and residential uses; and

WHEREAS, the proposed Specific Plan amendments would apply to the ECR NE-R district; and

WHEREAS, in 2012 the City Council certified a program level environmental impact report (EIR) for the adoption of the Specific Plan, including adoption of associated CEQA Findings and a Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council certified the Infill EIR for the previously approved project in 2017, that tiered from the certified Specific Plan EIR, and adopted additional CEQA findings and a supplemental Mitigation Monitoring and Reporting Program for the approved project; and

WHEREAS, upon submission of a complete development project for the Project Revisions that are inclusive of the proposed Specific Plan amendments, the City prepared an Addendum to the Infill EIR (Addendum), which concluded that no further environmental review is required; and

WHEREAS, all required public notices and public hearings were duly given and held according to law, and after public notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on November 22, 2021 whereat all persons interested therein might appear and be heard. After closing the public hearing, the Planning Commission considered all pertinent information, documents, exhibits, and all other evidence in the public record on the request; and

WHEREAS, following the public hearing, the Planning Commission adopted Planning Commission Resolution No. 2021-12 to approve the architectural control revision and use permit

revision and adopted Planning Commission Resolution Nos, 2021-11 and 2021-13 to recommend approval of the Specific Plan amendments and the amendment to the Development Agreement, respectively, to the City Council; and

WHEREAS, the City Council has considered the amendments to the Specific Plan, which have been analyzed in the Addendum as part of the Project Revisions, and the Council determines that, pursuant to CEQA Guidelines sections 15162, 15164, and 15183, no further environmental review is required as further discussed in Section 4 of this Ordinance.

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

SECTION 1. FINDINGS AND DETERMINATIONS

The City Council of the City of Menlo Park hereby finds and declares:

- A. The bonus level provisions identified in the Specific Plan allow a development to seek an increase in floor area ratio (FAR), density (dwelling units per acre) and height subject to the provision of a public benefit and the applicant has submitted a public benefit proposal.
- B. The proposed amendments to the Specific Plan would allow a bonus-level FAR of 1.55 if the Planning Commission approves additions to a previously-approved, bonus-level, mixed-use project in the ECR NE-R District during construction, which includes residential and community serving uses (all permitted non-residential/non-office uses in the “El Camino Real Mixed Use/Residential” land use designation), and provided that (1) additions are limited to those determined by the Planning Commission to be necessary or desirable to address deficiencies identified after construction of the structure(s) was substantially complete and could result in a total FAR not to exceed 1.55, (2) any additions provided above-grade do not increase the exterior dimensions of the Project and have the sole function of correcting internal circulation deficiencies in the approved and built Project, (3) any additional gross floor area below-grade is located within the footprint of existing subsurface levels, (4) additions are limited to a maximum FAR of 0.05 and restricted to uses intended to serve occupants of the project site, and (5) any such changes require architectural control review and action by the Planning Commission.
- C. The amendments to the Specific Plan would increase the maximum allowable gross floor area for certain properties within the ECR-NE-R district by up to 0.05 FAR but the development cap for the Specific Plan would remain unchanged, resulting in no increase in total overall allowable gross floor area within the Specific Plan.
- D. The proposed amendments to the Specific Plan are consistent with the rest of the Specific Plan, including the guiding principles to enhance public space, generate vibrancy, sustain Menlo Park’s village character, enhance connectivity, and promote healthy living and sustainability by allowing revisions to approved projects to address deficiencies in the building design identified during construction without substantially altering the approved project by limiting increases in gross floor area to within the footprint of the building, limiting increases to gross floor area to uses intended to serve occupants of the site, requiring Planning Commission review, and continuing to apply all applicable Specific Plan development standards and guidelines. The Specific Plan amendments would be consistent with the General Plan, which allows a FAR up to 2.25 at the public benefit bonus level within the El Camino Real/Downtown Specific Plan land use designation.

- E. The existing and proposed development on the parcels to be subject to the Specific Plan amendments would comply with all standards of the City's Specific Plan as amended, including all guiding principles, development regulations and parking standards, and would be consistent with the City's General Plan goals, policies, and programs. The Planning Commission approved the architectural control revision on November 22, 2021, subject to approval of the Specific Plan amendments by the City Council. The architectural control revisions would be consistent with the Specific Plan upon adoption of this ordinance and the revised architectural control permit would become valid upon the effective date of this ordinance.
- F. The amendments to the Specific Plan are in the public interest and will further the public health, safety, comfort, and general welfare because they would increase the maximum bonus-level development allowed in the ECR NE-R district for certain projects and would help such projects correct deficiencies identified after construction is substantially complete and provide desirable amenities without needing to reduce potential commercial, including retail and restaurant, or residential spaces that might have the effect of reducing the activating uses of a mixed-use project.
- G. The amendments to the Specific Plan will not adversely affect the improvements in the neighborhood or the general welfare of the city because all projects would continue to be required to comply with the El Camino Real/Downtown Specific Plan's land use and design standards that regulate building form and function. The proposed amendment only allows the addition of gross floor area when it does not expand the exterior dimensions of an approved project.
- H. On December 7, 2021, the City Council held a public hearing and separately reviewed and considered all pertinent information, documents, exhibits, and all other evidence in the public record on the request including the Planning Commission's recommendation. The City Council, having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, finds that the amendments to the Specific Plan are appropriate and adopts this ordinance amending the Specific Plan.

SECTION 2: RECITALS

That the Recitals herein are true and correct and incorporated and adopted as findings of the City Council as are fully set forth in this Ordinance.

SECTION 3. AMENDMENT TO SPECIFIC PLAN

That the amendments to the Specific Plan are in compliance with all applicable City General Plan goals, policies and programs, all applicable standards of the City's Specific Plan, as amended pursuant to City Council Ordinance No. 1083, adopted December ____, 2021, and therefore the City Council hereby approves the amendments to the Specific Plan as provided in Exhibit A to this ordinance, attached hereto and incorporated herein by this reference.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council makes the following findings, based on its independent judgment after considering the Specific Plan EIR, the Infill EIR, and the Addendum, and having reviewed and taken into consideration all written and oral information submitted in this matter, including the Planning Commission's recommendation:

- A. In June 2012, the City Council of the City of Menlo Park certified the Specific Plan EIR for adoption of the Specific Plan, including adoption of associated CEQA Findings and a Mitigation Monitoring and Reporting Program. In January 2017, the City Council certified

the Infill EIR for the Project, relying on the Specific Plan EIR and adopting additional CEQA Findings and a Mitigation Monitoring and Reporting Program supplementing those adopted for the Specific Plan. Upon submission of a complete development project for the Project Revisions that are inclusive of the proposed Specific Plan amendments, the City prepared an Addendum to the Infill EIR. The City Council has considered the amendments to the Specific Plan, which have been analyzed in the Addendum as part of the Project Revisions, and the Council determines that, pursuant to CEQA Guidelines sections 15164 and 15183, no further environmental review is required.

- B. The City Council further determines that the Specific Plan amendments, are consistent with the analyses in the Specific Plan EIR, the Infill EIR and the Addendum and therefore, their approval complies with CEQA based on each of the applicable CEQA streamlining and/or tiering sections described below, each of which, separately and independently, provides a basis for CEQA compliance:
- (1) The Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project Revisions would not result in any significant impacts that: (1) are peculiar to the Project or Property; (2) were not identified as significant project-level, cumulative, or off- site effects in the Specific Plan EIR or Infill EIR; or (3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the Specific Plan EIR or Infill EIR was certified, are determined to have a more severe adverse impact than discussed in the Specific Plan EIR or Infill EIR. As a result, pursuant to Section 15183, the Project Revisions are exempt from further environmental review under CEQA.
 - (2) The Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project Revisions would not cause new significant impacts not previously identified in the previously certified Specific Plan EIR or Infill EIR, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the Project or the Property that would cause significant environmental impacts to which the Project Revisions would contribute considerably, and no new information has been put forward that shows that the Project Revisions would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project Revisions in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164.

SECTION 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project Revisions, shall continue in full force and effect unless amended or modified by the City.

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.

SECTION 7. 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.

INTRODUCED on the seventh day of December, 2021.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Drew Combs, Mayor

ATTEST:

Judi A. Herren, City Clerk

Exhibits

A. Amendments to the Specific Plan

1. **Section 1.** Section E.3.1 (Development Intensity), Figure E2 on page E14 is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

ECR NE-R

El Camino Real North-East Residential Emphasis

1.10 (1.50/1.55*) FAR

32.0 (50.0) DU/Acre

* Refer to Table E8

2. **Section 2.** Section E.3.1 (Development Intensity), Table E2 on page E15 is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

- a. 1.10(1.50/1.55**)

** Refer to Table 8

3. **Section 3.** Section E.4 (Zoning Districts) Table E8 on page E59 is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

Public Benefit Bonus: 1.50; except that the Planning Commission may approve additions of gross floor area to a mixed use project in the ECR NE-R District during construction, where said mixed use project was previously approved by the Planning Commission or City Council at the public benefit bonus level, that includes residential and community serving uses (all permitted non-residential/non-office uses in the "El Camino Real Mixed Use/Residential" land use designation), and provided that (1) additions are limited to those determined by the Planning Commission to be necessary or desirable to address deficiencies identified after construction of the structure(s) was substantially complete and to result in a total FAR not to exceed 1.55, (2) any additions provided above-grade do not increase the exterior dimensions of the project and have the sole function of correcting internal circulation deficiencies in the approved and built project, (3) any additional gross floor area below-grade is located within the footprint of existing subsurface levels, (4) additions are limited to a maximum FAR of 0.05 and restricted to uses intended to serve occupants of the project site and not open to the general public, and (5) any such changes require architectural control review and action by the Planning Commission.

ORDINANCE NO. 1084**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT
FOR THE SPRINGLINE PROJECT AT 1300 EL CAMINO REAL**

WHEREAS, the City of Menlo Park (“City”) received an application requesting amendments to the El Camino Real/Downtown Specific Plan (“Specific Plan”), a use permit revision for the addition of a fuel tank supplying a diesel emergency back-up generator, expanded outdoor seating associated with full/limited service restaurants and beverage sale establishments, and the sale of alcohol for on-site and off-site consumption, and an architectural control revision for exterior modifications to the residential entry and up to 9,000 square feet of additional gross floor area that would be enabled by an amendment to the Specific Plan, and modification of a portion of the previously-designated community-serving use space facing Oak Grove to a multi-function space for use by the residential component of the project, an amendment to the development agreement for the Project and a request for environmental review (collectively, the “Project Revisions”) from Cyrus Sanandaji, Presidio Bay Ventures (“Applicant”), on behalf of the property owner Real Social Good Investments, LLC (“Owner”), to make modifications to an approved mixed-use development (“Project”) located at 1300 El Camino Real (APN 061-430-490) (“Property”), previously approved as a bonus-level development project, and with the proposed modifications would continue to include 183 dwelling units and would add approximately 9,000 square feet of gross floor area for a total of approximately 224,103 square feet of commercial space, including both office and community-serving uses; and

WHEREAS, the Property is located in the El Camino Real North-East Residential (ECR NE-R) district within the El Camino Real/Downtown Specific Plan (ECR/D SP) zoning district. The ECR NE-R district supports a variety of retail uses, personal services, business and professional offices, and residential uses; and

WHEREAS, the bonus level provisions identified in the Specific Plan allow a development to seek an increase in floor area ratio (FAR), density (dwelling units per acre) and height subject to the provision of a public benefit, and the applicant has submitted a public benefit proposal for the project revisions; and

WHEREAS, the City Council certified a program level environmental impact report (EIR) for the Specific Plan adoption, including a Mitigation Monitoring and Reporting Program, and the City Council certified the Infill EIR for the previously approved project, including updated CEQA Findings and a supplemental Mitigation Monitoring and Reporting Program; and

WHEREAS, the City prepared an Addendum to the Infill EIR (Addendum), which analyzed the Project Revisions, inclusive of the Specific Plan Amendments, which determined that no further environmental review is required; and

WHEREAS, the amendment to the Development Agreement does not by itself authorize new development or activity, resulting in no impact requiring environmental review under the California Environmental Quality Act (CEQA) from the approval of the Amendment to the Development Agreement; and

WHEREAS, the Planning Commission considered the amendments to the Specific Plan and recommended in the affirmative that the City Council adopt an ordinance amending the Specific Plan to increase the bonus level of development in the ECR NE-R district; and

WHEREAS, the City Council by separate action adopted an ordinance amending the Specific Plan allowing for the increased development potential associated with the 1300 El Camino Real Project architectural control revision; and

WHEREAS, the increased gross floor area permitted by the architectural control revision necessitates the provision of a public benefit; and

WHEREAS, in exchange for the granting of the architectural control revision and as provided through this amendment to the development agreement for the Project, the City would receive a payment of \$300,000 to complete the quiet zone feasibility study, if the cost exceeds the amount previously budgeted by the City, implement measures from the quiet zone feasibility study, if funds are not exhausted in completion of the feasibility study, and if any funds remain after the first two items the remainder would be deposited in the City's Downtown Public Amenity Fund for use by the City at its sole discretion.

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

SECTION 1. FINDINGS AND DECLARATIONS

- A. An Ordinance for a Development Agreement for the 1300 El Camino Real project (the "Development Agreement") by and between the City and Real Social Good Investments, LLC was adopted by the City Council in 2017 under the authority of Government Code Section 65864 *et seq.* and pursuant to the provisions of City Resolution No. 4159, which establishes procedures and requirements for the consideration of development agreements within the City of Menlo Park.
- B. As required by Resolution No. 4159, the Planning Commission reviewed the Development Agreement Amendment attached hereto as Exhibit A at a duly and properly noticed public hearing held on November 22, 2021 and determined that the amendment to the Development Agreement will provide public benefits to the City; is consistent with the objectives, policies, general land uses and programs specified in the General Plan and the El Camino Real/Downtown Specific Plan; is compatible with the uses authorized in and the regulations prescribed for the SP-ECR/D land use district in which the Property is located, if proposed amendments to increase the bonus-level FAR to 1.55 under certain circumstances in the ECR NE-R district of the Specific Plan are adopted by the City Council; is in conformity with public convenience, general welfare and good land use practice; will not be detrimental to the health, safety and general welfare of the City or the region surrounding the City; and will not adversely affect the orderly development of property or the preservation of property values within the City.
- C. On December 7, 2021, the City Council held a public hearing and separately reviewed and considered all pertinent information, documents, exhibits, and all other evidence in the public record on the request. The City Council, having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, finds that the amendment to the Development Agreement is appropriate.

SECTION 2. RECITALS

That the Recitals herein are true and correct and incorporated and adopted as findings of the City Council as are fully set forth in this Ordinance.

SECTION 3. AMENDMENT TO THE DEVELOPMENT AGREEMENT FINDINGS

That the City Council makes the following findings as required by Section 302 of Resolution No. 4159 and based on an analysis of the facts set forth above, the staff report to the City Council, the presentation to the Council, supporting documents, and public testimony:

1. The amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and the El Camino Real/Downtown Specific Plan, as modified through the proposed amendments to the Specific Plan in that the General Plan allows bonus-level development in the Specific Plan up to 2.25 FAR and the Specific Plan amendments would allow a bonus level FAR of up to 1.55 in the ECR NE-R district under specific circumstances.
2. The amendment to the Development Agreement is compatible with the uses authorized in and the regulations prescribed for the SP-ECR/D land use district, as modified through the proposed amendments to the Specific Plan, in which the Property is located, in that office, residential and retail/restaurant uses are permitted uses in the ECR NE-R district of the SP-ECR/D (Specific Plan) zoning district and the architectural control revision for the increase of approximately 9,000 square feet, enabled through the proposed Specific Plan amendment is limited to additions for uses that would serve the occupants of the Project.
3. The amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practices in that the City will receive a cash contribution in exchange for bonus-level development to fund completion of a quiet zone feasibility study in the event the cost to complete the study exceeds the amount previously budgeted by the City. As a second priority, the additional public benefit payment would be used by the City to fund improvements (e.g. improved railroad crossings) or matching grant funds that the City may undertake based on the recommendations of the quiet zone feasibility study. Finally, any remaining funds from the additional public benefit payment would be placed into the City's Downtown Public Amenity Fund.
4. The amendment to the Development Agreement will not be detrimental to the health, safety and general welfare of the City or the region surrounding the City in that office, residential and retail/restaurant uses are permitted uses in the ECR NE-R district of the SP-ECR/D (Specific Plan) zoning district, the proposed additional square footage would provide support space for the permitted uses and would be limited to the intended occupants of the project site and would be consistent with the Specific Plan as amended.
5. The amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values within the City in that the additional floor area would be limited to those areas determined by the Planning Commission to be necessary or desirable to address deficiencies identified after construction of the structure was substantially complete, the above grade additions of gross floor area would not increase the exterior dimensions of the project and the below grade additions of gross floor area would be located in the footprint of existing subsurface levels and the additions would be limited to uses intended to serve the occupants of the Project.

6. The amendment Development Agreement will promote and encourage the development of the Project by providing a greater degree of certainty with respect thereto. The proposed additional square footage would allow for necessary common spaces and preferred amenities and would correct internal circulation deficiencies.
7. The amendment to the Development Agreement will result in the provision of a public benefit by the Owner of \$300,000 to be used by the City per the priority items outlined in the Development Agreement amendment.
8. The amendment to the Development Agreement memorializes the Owner's obligation to pay the below market rate (BMR) housing in lieu fee for the additional gross floor area associated with the approved architectural control revision.

SECTION 4. AMENDMENT TO THE DEVELOPMENT AGREEMENT

The Development Agreement for the 1300 El Camino Real Project ("Springline") is hereby amended to include the following obligations of the Owner, which are further defined in the amendment to the Development Agreement in Exhibit A, and incorporated herein by this reference:

1. In addition to the total Two Million One Hundred Thousand Dollars (\$2,100,000) to the Downtown Public Amenity Fund that Owner has already paid to the City pursuant to Section 6 of the Development Agreement for the Public Benefit Bonus, for the additional approximately 9,000 feet of bonus GFA Owner shall contribute Three Hundred Thousand Dollars (\$300,000) to the City, or approximately Thirty-Three and 33/100 Dollars (\$33.33) per square foot ("Additional Public Benefit Payment"). Prior to issuance of a building permit for the buildout of the new basement areas, Owner shall pay the Additional Public Benefit Payment to the City. As a first priority, the Additional Public Benefit Payment shall be used by the City to fund completion of a quiet zone feasibility study in the event the cost to complete the study exceeds the amount previously budgeted by the City. As a second priority, the Additional Public Benefit Payment shall be used by the City to fund improvements (e.g. improved railroad crossings) or matching grant funds that the City may undertake based on the recommendations of the quiet zone feasibility study. Finally, any remaining funds from the Additional Public Benefits Payment shall be placed into the City's Downtown Public Amenity Fund.
2. In addition to Owner's obligations set forth in Section 7.4 of the Development Agreement and in the Owner's Below Market Rate (BMR) Compliance Proposal for the Revised Project attached thereto as Exhibit E, prior to issuance of a building permit, Owner shall pay to the City the commercial linkage fee in accordance with the City's BMR Guidelines for the net increase of approximately 4,000 square feet of non-residential GFA, assuming 2,000 square feet of Group A uses and 2,000 square feet of Group B uses. The BMR commercial linkage fee rate is subject to change annually on July 1 and the final fee will be calculated based on the square footage and use type at the time of fee payment consistent with the formula set forth above.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council makes the following findings, based on its independent judgment after considering the Specific Plan EIR, the Infill EIR, and the Addendum, and having reviewed and taken into consideration all written and oral information submitted in this matter, including the Planning Commission's recommendation:

- A. In June 2012, the City Council of the City of Menlo Park certified the Specific Plan EIR for adoption of the Specific Plan, including adoption of associated CEQA Findings and a Mitigation Monitoring and Reporting Program. In January 2017, the City Council certified the Infill EIR for the Project, relying on the Specific Plan EIR and adopting additional CEQA Findings and a Mitigation Monitoring and Reporting Program supplementing those adopted for the Specific Plan. Upon submission of a complete development project for the Project Revisions that are inclusive of the proposed Specific Plan amendments, the City prepared an Addendum to the Infill EIR. The City Council has considered the amendments to the Specific Plan, which have been analyzed in the Addendum as part of the Project Revisions, and the Council determines that, pursuant to CEQA Guidelines sections 15162, 15164, and 15183, no further environmental review is required.
- B. The Amendment to the Development Agreement would not authorize any new development or activity. The Amendment to the Development Agreement supports implementation of the Project Revisions, including the Specific Plan Amendment, use permit revision, and architectural control revision. The approval of the Amendment to the Development Agreement would not result in any potential impact that would require environmental review under CEQA. City Council further determines that the Specific Plan amendments, are consistent with the analyses in the Specific Plan EIR, the Infill EIR and the Addendum and therefore, their approval complies with CEQA based on each of the applicable CEQA streamlining and/or tiering sections described below, each of which, separately and independently, provides a basis for CEQA compliance:
- (1) The Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project Revisions would not result in any significant impacts that: (1) are peculiar to the Project or Property; (2) were not identified as significant project-level, cumulative, or off- site effects in the Specific Plan EIR or Infill EIR; or (3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the Specific Plan EIR or Infill EIR was certified, are determined to have a more severe adverse impact than discussed in the Specific Plan EIR or Infill EIR. As a result, pursuant to Section 15183, the Project Revisions are exempt from further environmental review under CEQA.
 - (2) The Addendum provides analysis and cites substantial evidence that supports the conclusion that the Project Revisions would not cause new significant impacts not previously identified in the previously certified Specific Plan EIR or Infill EIR, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the Project or the Property that would cause significant environmental impacts to which the Project Revisions would contribute considerably, and no new information has been put forward that shows that the Project Revisions would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project Revisions in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164.

SECTION 6. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project Revisions, shall continue in full force and effect unless amended or modified by the City.

SECTION 7. 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.

SECTION 8. 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 9. RECORDATION

No later than ten days after this ordinance is effective and has been executed by all parties, the City Clerk shall record with the San Mateo County Recorder a copy of the Development Agreement, as required by Government Code Section 65868.5.

INTRODUCED on the seventh day of December, 2021.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Drew Combs, Mayor

ATTEST:

Judi A. Herren, City Clerk

Exhibits

A. Amendment to the Development Agreement

This document is recorded for the benefit of the City of Menlo Park and is entitled to be recorded free of charge in accordance with Sections 6103 and 27383 of the Government Code.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Menlo Park
Attn: City Clerk
701 Laurel Street
Menlo Park, CA 94025

**AMENDMENT TO DEVELOPMENT AGREEMENT
SPRINGLINE PROJECT**

(Formerly the "Station 1300 Project")

(1258 – 1300 EL CAMINO REAL, 550 – 580 OAK GROVE AVENUE AND
540 – 570 DERRY LANE, MENLO PARK, CA)

BY AND BETWEEN

CITY OF MENLO PARK,
A CALIFORNIA MUNICIPAL CORPORATION

AND

REAL SOCIAL GOOD INVESTMENTS, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

THIS AMENDMENT TO DEVELOPMENT AGREEMENT ("Amendment") is made and entered into as of this ___ day of _____, 2021, by and between the City of Menlo Park, a municipal corporation of the State of California ("City") and Real Social Good Investments, LLC, a California limited liability company ("Owner"). This Amendment modifies the Development Agreement finally executed on March 21, 2017, and recorded in the Official Records of the County of San Mateo on March 22, 2017, as Document Number 2017-024823 ("Development Agreement").

RECITALS

The City and Owner are entering into this Amendment based on the following facts, understandings and intentions:

A. Owner owns those certain parcels of real property previously collectively known as Station 1300, now known as Springline, in the City of Menlo Park, California ("Property"), as shown on Exhibit A attached to this Amendment and more particularly described in Exhibit B attached to this Amendment.

B. The City examined the environmental effects of the Project (as defined in the Development Agreement), in an Infill Environmental Impact Report ("EIR") prepared pursuant to the California Environmental Quality Act ("CEQA"). The Project included the demolition of all existing structures on the Property and development of the Property with a two-level subsurface parking garage, two office buildings located around a large plaza, a 183-unit residential building oriented to Oak Grove Avenue, and approximately 18,000 to 29,000 square feet of community serving space, split between the office buildings and the residential building. The Project also included construction of an extension of Garwood Way to connect to Oak Grove. As part of the Project Approvals, Owner obtained a public benefit bonus consisting of: (1) a height increase from 38 feet to 48 feet; and (2) an increase in floor area ratio from 1.1 to 1.5, thus allowing the construction of an additional 112,108 square feet gross floor area (GFA) of office and residential space (the "Public Benefit Bonus") in consideration for the substantial public benefits contained in the Development Agreement. On January 24, 2017, the City Council reviewed and certified the EIR.

C. On January 24, 2017, the City Council approved the Project and the Development Agreement by introducing Ordinance No. 1032 ("Enacting Ordinance"). The City Council conducted a second reading on the Enacting Ordinance on February 17, 2017, and adopted the Enacting Ordinance, making it effective on March 9, 2017. The Development Agreement was recorded on March 22, 2017, in the Official Records of the County of San Mateo.

D. The Project is nearing completion of construction. However, Owner determined that the approved plans for the Project do not account for certain operational needs, including expanded elevator lobby areas in the basement levels, mail rooms required by US Postal Service, tenant amenities, and other features needed for efficient operation of the buildings. In anticipation of occupancy, on June 14, 2021, Owner submitted an application, and then on September 2, 2021, Owner resubmitted an application to make minor modifications to the Project to account for these operational needs, which resubmittal was updated on October 20, 2021, and included the following modifications, which require approval of an architectural control revision, in addition to amendments to the Specific Plan, ("Project Modifications"):

- i. Conversion of space in the two basement garage levels as follows: new enclosed spaces for engineering, security and maintenance staff; new storage space; an

expanded fitness center and amenity space serving office tenants (not open to the public or residents); an enlarged locker room for fitness center users and bicycle commuters; new mail rooms for offices and residents (required by USPS to be in the basement); a dog washing facility and amenity space for residents; new restroom and janitor closet; and a reduction in parking from 991 to 942 spaces to accommodate the above spaces;

- ii. Elimination of reserved separate parking areas for residential use and designated parking areas for restaurant, retail and other public-service uses, to instead make the entire garage open to all users;
- iii. Addition of two glass decks at the second floor of each office building to create a passageway at the second level of the double-height entry lobbies and to address circulation deficiencies;
- iv. Modification of the primary residential entry at the intersection of Oak Grove and Garwood to improve aesthetics and functionality, and add ramps to improve accessibility; and
- v. Modification of the Project plans to allow an approximately 1,155 square foot area at the corner of the Oak Grove entry to be classified as residential rather than community-serving retail space, provided that the area is made available to the public during business hours.

E. The Project as modified (the "Revised Project") involves an approximately 9,000 square foot increase in GFA, which increase largely results from the displacement of areas, such as parking, that are not counted toward the Project's GFA calculation; thus, the Project Modifications would neither add intensity to the office floor plates nor increase residential densities. Overall, the Revised Project will have a total of approximately 224,000 square feet of GFA of office and community serving retail space ("CSU") uses, an increase of approximately 4,000 square feet of GFA of office and CSU space as compared to the Project Approvals, though the total square footage of these uses each remains within the ranges approved as part of the Project.

In addition to the Project Modifications, the Revised Project includes the following additional approvals ("Additional Approvals"):

- i. Minor amendment to the El Camino Real and Downtown Specific Plan for approval of additional bonus floor area;
- ii. Use Permit revision to allow the following items:
 - i. hazardous materials with respect to a diesel fuel storage tank for the emergency generator as required by the City;
 - ii. a minor expansion of the allowed outdoor seating area for food and beverage;
 - iii. restaurants selling alcoholic beverages;
 - iv. liquor sales for a market/grocery that will also sell alcoholic beverages for on and offsite consumption; and
 - v. a taproom that will sell craft beer and wine, along with food and snacks.

F. In compliance with CEQA, pursuant to 14 California Code of Regulations Section 15164, the City prepared an Addendum to the previously certified EIR, finding that the Revised Project, including the Additional Approvals, did not involve any new significant environmental impacts or any substantial increase in the severity of any previously identified significant impact.

G. On November 3, 2021, the Housing Commission recommended approval of Owner's Below Market Rate (BMR) Compliance Proposal for the Revised Project, which would require payment of the BMR in-lieu fee for the Revised Project's net increase of approximately 4,000 square feet of non-residential GFA.

H. On November 22, 2021, the Planning Commission held a duly noticed public hearing to review the Revised Project, including the Addendum to the certified EIR and the Additional Approvals, and approved the use permit revision and architectural control revision and recommended that the City Council approve the Specific Plan amendments and this Amendment to preserve the rights and privileges as originally negotiated in the Development Agreement.

H. On December ____, 2021, the City Council held a duly noticed public hearing at which it reviewed the Revised Project, including the Addendum to the certified EIR and the Specific Plan Amendments, and voted to approve the Specific Plan Amendments and enter into this Amendment to preserve the rights and privileges as originally negotiated in the Development Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the City and Owner herein contained, the City and Owner agree as follows:

1. The Revised Project includes revised plans and the Additional Approvals. All references in the Development Agreement to defined terms that are affected by these modifications are updated to include the Revised Project, as approved by the City Council.

2. In addition to the total Two Million One Hundred Thousand Dollars (\$2,100,000) to the Downtown Public Amenity Fund that Owner has already paid to the City pursuant to Section 6 of the Development Agreement for the Public Benefit Bonus, for the additional approximately 9,000 feet of bonus GFA Owner shall contribute Three Hundred Thousand Dollars (\$300,000) to the City, or approximately Thirty-Three and 33/100 Dollars (\$33.33) per square foot ("Additional Public Benefit Payment"). Prior to issuance of a building permit for the buildout of the new basement areas, Owner shall pay the Additional Public Benefit Payment to the City. As a first priority, the Additional Public Benefit Payment shall be used by the City to fund completion of a quiet zone feasibility study in the event the cost to complete the study exceeds the amount previously budgeted by the City. As a second priority, the Additional Public Benefit Payment shall be used by the City to fund improvements (e.g. improved railroad crossings) or matching grant funds that the City may undertake based on the recommendations of the quiet zone feasibility study. Finally, any remaining funds from the Additional Public Benefits Payment shall be placed into the City's Downtown Public Amenity Fund.

3. In addition to Owner's obligations set forth in Section 7.4 of the Development Agreement and in the Owner's Below Market Rate (BMR) Compliance Proposal for the Revised Project attached thereto as Exhibit E, prior to issuance of a building permit, Owner shall pay to the City the commercial in-lieu fee in accordance with the City's BMR Guidelines for the net increase of approximately 4,000 square feet of non-residential GFA, assuming 2,000 square feet of Group A uses and 2,000 square feet of Group B uses. The BMR in-lieu fee rate is subject to change annually on July 1 and the final fee will be calculated based on the square footage and use type at the time of fee payment consistent with the formula set forth above.

4. As required by the Development Agreement, this Amendment shall be recorded by the City Clerk not later than Ten (10) days after the City Council approval of the Amendment.

5. If litigation or a referendum is commenced seeking to set aside the proposed modifications to the Project, the Additional Approvals or this Amendment, Owner may elect to terminate this Amendment and the Additional Approvals and proceed with the original Project. In the event of a termination pursuant to this Section 5, the Development Agreement shall survive and control the rights and obligations of the parties and the permitted uses on the Property.

6. Except to the extent expressly modified by this Amendment, the terms of the Development Agreement shall remain effective without impairment or modification.

7. This Amendment may be executed in any number of counterparts, each of which so executed shall be deemed an original, but all of which when taken together shall constitute but one Amendment.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the day and year first above written.

"City"

CITY OF MENLO PARK, a municipal corporation of the State of California

By: _____
Mayor

Attest:

City Clerk

Approved as to Form:

By: _____
City Attorney

"Owner"

REAL SOCIAL GOOD INVESTMENTS, LLC, a California limited liability company:

By: _____

Name: _____

Title: _____



STAFF REPORT

City Council

Meeting Date:

12/14/2021

Staff Report Number:

21-255-CC

Consent Calendar:

Retain professional services to support Measure T bond issuance in 2022

Recommendation

City staff recommends approval to retain professional services to support Measure T bond issuance in 2022 to construct parks and recreation facilities.

The recommendation does not authorize the issuance of Measure T bonds. City Council direction affirms the City's interest in issuing Measure T bonds totaling \$14.3 million for parks and recreation capital improvement projects, most immediately the pool at the Menlo Park Community Campus. The action directs staff to retain professional services necessary to support the bond issuance process and return to City Council with the requisite steps.

Policy Issues

Specialized professional services are necessary to advise City Council in their consideration of general obligation bond issuance.

Background

Measure T (2001) authorizes the City to issue general obligation bonds to renovate and expand the City's parks and recreation facilities. General obligation bonds are secured by the legal obligation to levy an ad valorem property tax upon taxable property in the City in an amount sufficient to pay the debt service. At an election held November 6, 2001, the City submitted the following Measure T to the registered voters of the City, and at least two-thirds of those voting on the proposition were in favor:

"To renovate and expand the City's parks and recreation facilities, shall the City of Menlo Park be authorized to issue \$38,000,000 in General Obligation Bonds phased over several years for the construction, acquisition, and improvement of such facilities and all costs incident thereto; provided that at the time any bond is issued, the highest tax rate required to service all bonds authorized by this measure and issued shall not be in excess of \$14 per \$100,000 in assessed valuation?"

Menlo Park issued Measure T authorized bonds in 2002 for \$13,245,000, and, in 2009 totaling for \$10,440,000. Net of the previously issued bonds, \$14,315,000 debt capacity remains. Attachment C provides additional background on historical Measure T debt issuances.

Analysis

The recommended action directs staff to retain financial advisor and legal counsel professional services necessary to support the bond issuance process and return to City Council with the requisite steps to initiate

bond issuance. The recommendation does not authorize the issuance of Measure T bonds. City Council direction affirms the City's interest in issuing Measure T bonds totaling \$14.3 million for parks and recreation capital improvement projects, most urgently the pool at the Menlo Park Community Campus.

Financial advisor

A financial advisor is a professional consultant retained to advise and assist the City in formulating and executing a debt financing plan to accomplish the City's public purposes. City's staff require attentive and nimble services of the financial advisor team given internal capacity. A financial advisor may be a consulting firm, an investment banking firm, or a commercial bank. Some financial advisors identify themselves as "independent financial advisors" who do not engage in underwriting or trading municipal securities.

City staff solicited proposals from financial advisors to provide professional services necessary for issuing the final portion of Measure T bonds in June 2021. Three firms responded, and City staff reviewed their proposals to confirm responsiveness and arrive at a recommendation. All three submissions have costs within the City Manager's signing authority; however, City staff recommends awarding a contract to a firm other than the lowest responsive bidder. Urban Futures, Attachment A, is the middle of the three responsive bidders with a fixed fee of \$50,000 contingent upon successful issuance of the Measure T bonds. Wing-See Fox, Urban Futures team lead, is highly recommended, and City staff is confident that Urban Futures will support the City team through this highly technical process.

| Table 1 | | |
|--------------------------------|------------------|-----------|
| Firm | Project lead | Fixed fee |
| PFM Financial Advisors | Sarah Hollenbeck | \$58,000 |
| Urban Futures, Inc. | Wing-See Fox | \$50,000 |
| Fieldman Rollap and Associates | Jim Fabian | \$35,000 |

Bond and disclosure legal counsel

The legal work that goes into many bond issues is dominated by tax issues, partly because of the constant change in the tax laws relating to tax-exempt bonds. Bond counsel opines the validity of one or more legal documents under which revenues are made available to pay the bonds, such as a lease or loan agreement. Disclosure counsel prepares the draft Official Statement, the Bond Purchase Contract (or, in the case of a competitive sale, the Official Notice of Sale), the Continuing Disclosure Agreement, and any Blue Sky Memoranda. In addition, disclosure counsel may render a "10b5 opinion" to the underwriter for the transaction. In doing this work, the disclosure counsel is representing the City.

City staff solicited bond counsel legal services proposals necessary to issue the final portion of Measure T bonds in June 2021. Three firms responded, and City staff reviewed their proposals to confirm responsiveness and arrive at a recommendation. All three submissions have costs within the City Manager's signing authority. Jones Hall, Attachment B, is the middle of the three responsive bidders with a fixed fee of \$60,000 contingent upon successful issuance of the Measure T bonds. Chris Lynch, Jones Hall team lead, has served as the City's bond counsel and City staff is confident that Jones Hall will support the City team through this highly technical process.

| Table 2 | | | |
|---------------------------------|-------------------------------|----------|--------------------------------------|
| Firm | Project lead | Fee | Fee basis |
| Stradling Yocca Carlson & Rauth | Brian Forbath and Reed Glycer | \$65,000 | Fixed fee + reimb. exp. |
| Jones Hall* | Chris Lynch | \$60,000 | Fixed fee + reimb. exp. |
| Hawkins Delafield & Wood LLP | Arto C. Becker and Diane Quan | \$50,000 | Hourly, not-to-exceed; + reimb. exp. |

*Jones Hall's response, Attachment B, does not include the \$30,000 fixed fee for disclosure counsel due to a City staff oversight.

Impact on City Resources

Measure T bond issuance is essential to fund the City's costs for the Menlo Park Community Campus pool projects. Professional services necessary to support the bond issuance are largely covered in this recommendation. Additional contract staff in the City's finance division may be required to backfill for staff vacancies; however, those services are not anticipated to exceed the city manager's signing authority.

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. Proposal - Urban Futures Inc
- B. Proposal – Jones Hall
- C. Hyperlink – Staff Report No. 19-180-CC: menlopark.org/DocumentCenter/View/22628/H5---20190827-Approve-GO-Bond-refunding-CC

Report prepared by:
Theresa DellaSanta, Interim Administrative Services Director

City of Menlo Park

Request for Proposal for Municipal Financial Advisor

URBAN FUTURES, INC.
Public Finance Group
Public Management Group

Northern California Office

*1470 Maria Lane, Suite 315
Walnut Creek, CA 94596
Bus: (650) 503-1500
Fax: (925) 478-7697*

Southern California Office

*17821 E. 17th Street, Suite 245
Tustin, CA 92780
Bus: (714) 283-9334
Fax: (714) 283-5465*



June 30, 2021

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Dan Jacobson
 Assistant Administrative Services Director
 City of Menlo Park
 701 Laurel St., Menlo Park, CA 94025
 Email: dcjacobson@menlopark.org
 Phone: (650) 330-6649

Re: RFP for Municipal Financial Advisory Services

Dear Mr. Jacobson:

Urban Futures, Inc. (UFI) is pleased to submit this proposal to provide municipal financial advisory services to the City of Menlo Park (the City). We understand that you and the City have immediate priorities that require your attention. Our approach as your municipal advisor and fiduciary is to act as an extension of staff, allowing you to focus on your priorities while relying on us to help achieve the City’s financing goals, particularly with the City’s upcoming infrastructure projects, \$14.315 million remaining authorization under Measure T, and refunding opportunity. Having recently served as municipal advisor to the Town of Atherton, we are enthusiastic about the opportunity to serve the City of Menlo Park.

We believe that UFI is best positioned to serve the City comprehensively and efficiently through our two divisions—the Public Finance Group and the Public Management Group—that will work synergistically to craft solutions for multiple aspects of the City’s finance-related challenges and opportunities. Hiring our firm furnishes the City with a “think tank” of public finance experts to assist the City with debt financings, effective management of its debt program, informative analysis of financing alternatives for its Capital Improvement Plan, financial assessments and forecasting (including “what if” scenarios for economic shocks and downturns) to strengthen and sustain the City’s fiscal health and resiliency, and strategic financial planning including targeting pension and OPEB liabilities to maintain critical service levels.

Comprised of financial advisors and consultants that are former city finance directors, assistant city managers, city attorneys, public finance investment bankers, and rating agency analysts, UFI brings a unique combination of qualifications and resources that ensure value-added service to the City. The following is a summary of our distinguishing expertise and services as it relates to bond financings:

- UFI has been a leader in providing financial advisory services since 1972 to over 300 public agencies throughout California. ***UFI has ranked as the top financial advisory firm in California for the past four consecutive years as measured by the number of deals completed. We are also ranked #1 for General Fund Debt, General Obligation Bonds, Tax Allocation Bonds, and Pension Obligation Bonds.***

Top Municipal Advisors for California Municipal Bonds
 2019 Financial Advisor Rankings (California)

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|---------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 170 | \$3,415.8 |
| 2 | PFM Financial Advisors LLC | 90 | 8,835.8 |
| 3 | Fieldman Rolapp & Associates | 89 | 3,339.3 |
| 4 | KNN Public Finance | 72 | 6,416.7 |
| 5 | Public Resources Advisory Group | 42 | 13,967.4 |

Top Municipal Advisors for California Municipal Bonds
 2020 Financial Advisor Rankings (California)

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|---------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 162 | \$3,753.4 |
| 2 | Fieldman Rolapp & Associates | 109 | 3,882.9 |
| 3 | KNN Public Finance | 82 | 10,151.0 |
| 4 | PFM Financial Advisors LLC | 44 | 3,335.6 |
| 5 | Public Resources Advisory Group | 40 | 13,835.9 |

- As the leading financial advisor in the State, UFI is in the market virtually every week, **advising on more bond sales than any other firm**. We have a proven track record of advocating on behalf of our clients (through strong relationships with underwriters, bond counsels, rating agencies, and bond insurers) to extract every basis point of savings. Our unmatched experience in California is especially critical to the success of municipal transactions in volatile markets.
- The coverage level we provide is second to none. We are assigning three senior-level staff in addition to support staff to the City, creating a **comprehensive and experienced team with strong analytical and modeling skills**. While we respect legacy practices, we never take a “that’s how it’s always been done” approach, since we consider every transaction as an opportunity to improve on legal and financing structure and terms.
- If the City chooses to issue bonds in the public market, the rating process will be critical, especially during these unprecedented times. UFI has **extensive experience in presenting to rating agencies and achieving upgrades through best-in-class rating presentations that demonstrate thorough understanding of credit nuances**.
- **UFI has more pension advisory experience than any other firm in California**. We are the only municipal advisor in California that has a dedicated full-time person addressing pension/OPEB related issues. We build customized pension models that allow us to develop complex scenarios, projections, and specific base-by-base recommendations that best achieve the goals of the City.
- **UFI has a depth of experience presenting to City Councils and participating in community engagement**. We are committed to making ourselves available to meet with the City and its constituents as often as needed.
- UFI seeks to **develop comprehensive long-term solutions**. Our firm is structured to seek out the most economical public finance solution, regardless of whether that solution involves municipal bonds. We help to develop a **decision framework and models** that incorporate key variables, cost/benefits, and policy considerations to evaluate all viable financing alternatives. Once a financing alternative has been selected, we assist our clients with implementation.

Working with the City is of highest priority to the firm, and we are committed to dedicating as much of the firm’s resources to the City’s assignments as necessary. This proposal is valid for ninety (90) days.

Sincerely,



Wing-See Fox, Managing Director
 Urban Futures, Inc.
 1470 Maria Lane, Suite 315, Walnut Creek, CA 94596
 Office: (650) 503-1500 | Cell: (650) 906-8959
 wingseef@urbanfuturesinc.com



A. COMPANY BACKGROUND

Firm Description

Since 1972, UFI has provided municipal advisory services to California cities, counties, special districts, schools, community colleges, and non-profits. UFI is one of the top municipal advisory firms in the State, having led more transactions than any other firm over the past four years.

We are registered as an Independent Registered Municipal Advisor (IRMA) with the Municipal Securities Rulemaking Board (MSRB) and the Securities and Exchange Commission (SEC). We are staffed with 18 professionals in two California office locations: Walnut Creek (9) and Tustin (12). The work on this engagement will primarily be performed from the Walnut Creek office. All our financial advisory professionals have passed the MSRB Series 50 Municipal Advisor Representative examination.

| Urban Futures, Inc. | |
|---|--|
| Primary Contact | |
| <p>Wing-See Fox, Managing Director 1470 Maria Lane, Suite 315 Walnut Creek, CA 94596 Telephone: (650) 503-1500 Cell: (650) 906-8959 Email: wingseef@urbanfuturesinc.com</p> | <p>Headquarters: 17821 E. 17th Street, Suite 245 Tustin, CA 92780 Corporate Structure: C-Corporation State of Incorporation: California Website: www.urbanfuturesinc.com</p> |

UFI is a California-based, California-focused firm. What differentiates us from our peers is the comprehensive municipal services that we provide to our clients, making us a “one-stop shop” for financial solutions. Rather than seeking different consultants to address discrete financial issues on a piecemeal basis, clients engage our firm to provide them with services ranging from municipal advisory assignments for issuance of bonds to pension and OPEB modeling. We can produce an accurate picture of a City’s current financial status, a long-term projection of its financial performance, and a fiscal sustainability plan that includes revenue measures and expense reductions (including management of pension liabilities). We help staff evaluate and implement various financing options for priority projects (including bonds, revolving lines of credit, and State and Federal loan programs) and refinancing opportunities, and we provide post-issuance compliance services.

UFI provides these services through its two main divisions:

- **Public Finance Division** supports the issuance of debt including special tax and benefit assessment bonds, tax allocation bonds, lease revenue bonds/certificates of participation, water and sewer revenue bonds, general obligation bonds, pension obligation bonds, and privately placed loans.
- **Public Management Division¹** offers financial health evaluation, financial forecasting, pension & OPEB advising, fiscal sustainability planning, and special studies.
 - **Analytics and Compliance Group¹** provides services related to continuing disclosure, arbitrage rebate, and CDIAC reporting compliance.

Our clients have put their trust in UFI over its 49-year history. In many cases, UFI has been on the leading edge of municipal advisory activities and public finance management. We are the only municipal advisory firm in the nation to lead a municipality through a chapter 9 bankruptcy having restructured debt and

¹ Non-MA Services



pension obligations as well as successfully issued two insured utility bonds while in bankruptcy. In anticipation of the impact of growing pension liabilities on municipal budgets, UFI created the Pension Focus Group comprised of municipal agencies, UFI and CalPERS staff. UFI has been engaged by several municipalities to prepare 10-year financial forecasts with the goal of charting the fiscal course, which includes debt management and pension funding strategies.

Demonstrated Experience

Our Public Finance Division is well-qualified to execute the Scope of Work described in the City’s RFP. Since January 1, 2019, UFI has assisted California municipal clients in the completion of over 330 bond transactions, **making us the #1 municipal advisor serving on more bond transactions in California than any other firm**. We are also ranked #1 by number of deals on General Obligation Bonds, Tax Allocation Bonds, General Fund Debt, and Pension Obligation Bonds, and ranked in the Top 3 on Land-Secured transactions.

Top Municipal Advisors for California Municipal Bonds
 2019 Financial Advisor Rankings (California)

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|--------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 170 | \$3,415.8 |
| 2 | PFM Financial Advisors LLC | 90 | 8,835.8 |
| 3 | Fieldman Rolapp & Associates | 89 | 3,339.3 |
| 4 | KNN Public Finance | 72 | 6,416.7 |
| 5 | Public Resources Advisory Grou | 42 | 13,967.4 |

Top Municipal Advisors for California Municipal Bonds
 2020 Financial Advisor Rankings (California)

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|---------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 162 | \$3,753.4 |
| 2 | Fieldman Rolapp & Associates | 109 | 3,882.9 |
| 3 | KNN Public Finance | 82 | 10,151.0 |
| 4 | PFM Financial Advisors LLC | 44 | 3,335.6 |
| 5 | Public Resources Advisory Group | 40 | 13,835.9 |



Industry Leader: UFI has in-depth understanding and experience across a multitude of credits; we are a top-ranked firm on Tax Allocation Bonds, General Fund Debt, Pension Obligation Bonds, General Obligation Bonds, and Land-Secured Bonds. Additionally, UFI can prepare Fiscal Consultant Reports in conjunction with Tax Allocation Bond issuances which results in savings on cost of issuance fees.



Technical Competence: Providing our clients with responsive and high-quality analytical services is central to our corporate mission. UFI is staffed with financial advisors who have extensive financial modeling experience, and we have built proprietary financial models that are tailored to our client’s needs. Specific to our pension advisory practice, UFI creates a custom Pension Model for each client. The model develops an underlying amortization schedule for each amortization base, which matches CalPERS’ UAL payment schedule. This pension model serves as the foundation of our technical analysis, which allows us to develop complex scenarios, projections, and specific base-by-base recommendations.



Credit Expertise: As a function of being in the market frequently, we have a thorough understanding of rating agency criteria, and we are up to date on the changing landscape and current trends in the market, as well as how the rating agencies are viewing the impact of COVID-19 and federal stimulus funds. **We will always advocate for rating upgrades when we believe a case can be made.** We believe our team has the resources, depth, and knowledge to effectively manage the credit rating process on your behalf. Our firm’s approach to tax allocation bonds and Community Facilities District (CFD) Bonds is to take a deep dive into understanding the top property/special taxpayers, stress tests on assessment values in the project areas, debt service coverage, value-to-lien ratios, development status, etc. This provides us with the knowledge and understanding we need to present key credit strengths to rating agencies and investors.



Pricing Execution: UFI offers extensive expertise when it comes to the pricing of municipal securities as our staff includes former public finance investment bankers who are intimately familiar with the underwriting and pricing of municipal securities. UFI closely monitors the municipal markets through our in-house resources, which include a Bloomberg terminal and frequent involvement in bond transactions. In the weeks leading up to a pricing, we will monitor and track comparable transactions. Generally, our approach is to recommend that the underwriter employ an aggressive pricing strategy (aiming for approximately 2 times oversubscription) to achieve the best possible pricing for our clients. **We will work to ensure the best possible result for the City (even in the event of a tough market), without risk of diminishing investor participation,** and provide post issuance analysis. In addition to ensuring fair market spreads, UFI will work with the underwriter to analyze alternative couponing strategies that result in the lowest possible true interest cost and/or net present value savings for refundings. We will also push for the most flexible call feature.

| Team Member | Role | Office Location | Experience |
|--|--|------------------|---|
| Michael Busch, <i>CEO</i> | Financing Strategy and Client Service Delivery | Tustin, CA | \$5 billion in tax-exempt and taxable debt (including Lease Revenue Bonds/COPs, Water/Wastewater Revenue Bonds, TABs, CFDs, Assessment Districts, New Market Tax Credits) |
| Wing-See Fox <i>Managing Director</i> | Engagement Lead/Primary Contact | Walnut Creek, CA | Over \$3 billion in tax-exempt and taxable debt (including Lease Revenue Bonds/COPs, Water/Wastewater Revenue Bonds, TABs, CFDs, Assessment Districts, GOs, TRANS) |
| Branden Kfoury <i>Senior Associate</i> | Transaction Execution Support | Tustin, CA | Experience with tax-exempt and taxable debt (including lease revenue bonds/COPs, electric utility bonds, water/wastewater Revenue Bonds, TABs, CFDs, GOs) |

B. PERSONNEL QUALIFICATIONS

We believe that the core professionals that UFI has assembled possess the proven capabilities necessary to provide the City with comprehensive financial advisory services for any of its financing assignments. Three senior-level staff members and one Senior Associate will be assigned to the City to fulfill the Scope of Work in the City’s RFP. **Michael Busch** will provide input on financing strategy and ensure client service delivery; **Wing-See Fox** will serve as the engagement lead and primary contact for the City’s financings; **Branden Kfoury** will provide transaction execution support. All assigned municipal advisors will be available to the City as often as necessary to complete respective assignments. Provided below is a summary of the team members’ experience and role with the City followed by detailed biographies. All UFI municipal advisors, including support staff, hold a Series 50 municipal advisor registration.

Michael Busch, Chief Executive Officer

Michael Busch is the firm’s Chief Executive and Strategy Officer. He is an accomplished municipal executive and public finance professional who has helped manage several public agencies as an assistant city manager and finance director. Michael has also applied his diverse leadership experiences with a number of professional organizations, as former President of the Municipal Management Association of Southern California (MMASC), former Chair of Cal-International City/County Management Association (Cal-ICMA), and Founding Member of the California Utility Executive Management Association (CUEMA). Through his leadership of UFI and engagement with professional organizations, Michael helps cities, counties, special districts, and nonprofits across the State of California identify emerging trends, engage in critical policy issues, exchange proven practices, and advance their missions through sound fiscal and operational policy.



During his 14-year tenure with UFI, numerous public agencies have engaged Michael as both a strategic consultant and municipal advisor based on his public finance expertise and broad understanding of fiscal issues affecting the public sector. Michael’s engagements include over 60 public agencies throughout California and recently include the cities of Culver City, Santa Ana, Glendora, Arcadia, Pomona, Coachella, Desert Hot Springs, Monrovia, Artesia, Cudahy, Menifee, Salinas, Santa Fe Springs, Beaumont, Lake Elsinore, Covina, and Azusa as well as several special districts including Camrosa Water District and Rowland Water District. Additionally, Michael was the lead municipal advisor and public finance expert for the City of San Bernardino, helping to guide the city through its Chapter 9 bankruptcy restructuring, including providing written and oral testimony in the federal mediation and bankruptcy proceedings.

Mr. Busch holds a Bachelor of Arts degree in Urban and Regional Planning from California State Polytechnic University, Pomona, and a Master of Public Administration degree (Finance and Public Works emphasis) from California State University, Long Beach.

Wing-See Fox, Managing Director

Wing-See Fox is a Managing Director of the Public Finance Group at Urban Futures, Inc. (UFI). Wing-See has a decade of experience in the fields of municipal advising, public finance and municipal securities. She has worked on over \$3 billion in municipal debt offerings for cities and special districts in California including water/wastewater bonds, general obligation bonds, lease revenue bonds, certificates of participation, tax allocation bonds, CFD and assessment district bonds, and enterprise bonds. Her current and recent clients include Oakland, San Jose, San Francisco, Hercules, San Ramon, Diablo Water District, Atherton, Los Angeles, Pismo Beach, Apple Valley, Victorville, Tamalpais Community Services District, Scotts Valley Water District, Ukiah Valley Sanitation District.



As a municipal advisor, Wing-See excels in gaining a thorough understanding of credits, validating assumptions in financial projections, and structuring bond transactions to meet the needs of the issuer while maximizing credit strength and marketability to investors. She has extensive experience putting together credit presentations geared towards the criteria of rating agencies in order to achieve the highest possible ratings.

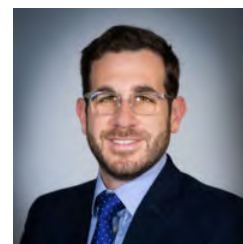
Prior to joining UFI, Wing-See was a Vice President at Raymond James Public Finance where she worked on a broad range of tax-exempt and taxable bond issuances for cities and special districts. Her investment banking experience also includes work in the Municipal Securities Group at UBS Investment Bank in New

York. Outside of public finance, Wing-See has served as the CEO of Prevent Blindness Northern California (PBNC), a nonprofit organization providing free vision health services for Head Start and unified school district preschoolers in Oakland and San Francisco, and a business development consultant in West Africa for small and medium-sized locally owned enterprises.

Wing-See received a Master of Business Administration degree from Columbia Business School, a Master of Social Work degree from Columbia University School of Social Work, and a Bachelor of Arts degree in Psychology from Stanford University. An active member of the Northern California Chapters of Women in Public Finance (WIP) and Asian Americans in Public Finance (AAPF), she is also a Class of 2015 LeaderSpring Fellow. Additionally, Wing-See serves as a member of the CSMFO Communications Committee.

Branden Kfoury, Senior Associate

Branden Kfoury joined Urban Futures in June 2019. Previously, Mr. Kfoury was a Senior Associate at Fieldman, Rolapp & Associates where he worked from 2017 to 2019 supporting the firm’s City clients. He has provided financing and execution support for general fund, enterprise revenue, general obligation, special tax, and tax allocation bond issuances. Prior to Fieldman, he managed revenue reporting and analysis for the brand advertising group at the website Houzz. From 2010 to 2013, Mr. Kfoury was an associate in the public finance group at BMO Capital Markets in New York. He began his career in the municipal securities industry as a credit analyst at National Public Finance Guarantee Corporation.



Mr. Kfoury received his Bachelor of Science degree in Finance with a minor in Politics from the New York University Stern School of Business.

C. REFERENCES AND CASE STUDIES

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| Town of Atherton |
| Robert Barron III, Finance Director |
| Tel: (650) 752-0552; E-mail: rbarron@ci.atherton.ca.us |
| 150 Watkins Avenue, Atherton, CA 94027 |
| Projects: 2020 Lease Agreement (Town Center Project Financing); Financing Options |

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| City of Cupertino |
| Kristina Alfaro, Administrative Services Director |
| Tel: (408) 777-3220; E-mail: kristinaa@cupertino.org |
| 10300 Torre Ave., Cupertino, CA 95014 |
| Projects: Financial Forecast; Capital Financing/Revenue Options; 2020A Certificates of Participation |

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| City and County of San Francisco |
| Anna Van Degna, Office of Public Finance, Director |
| Tel: (415) 554-5956; E-mail: Anna.VanDegna@sfgov.org |
| 1 Dr. Carlton B. Goodlett Place, Room 336, San Francisco, CA 94102 |
| Projects: General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018), Series 2020A; General Obligation Bond (Earthquake Safety and Emergency Response, 2020), Series 2021B-1 and 2021B-2; Part of Municipal Advisory Pool |

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| City of San Jose |
| Nikolai Sklaroff, Deputy Director, Debt & Treasury Management |
| Tel: (408) 535-7832; E-mail: nikolai.sklaroff@sanjoseca.gov |
| 200 E. Santa Clara St., San Jose, CA 95113 |
| Projects: Pension Obligation Funding Strategies |

Provided below are representative case studies, which we believe underscore the results we have achieved for our clients.



City and County of San Francisco – UFI recently served as the co-municipal advisor to the City and County of San Francisco on its \$80.7 million General Obligation Bonds, Series 2021B, which sold in March 2021, as well the municipal advisor on the City’s \$49.675 million Taxable General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018), Series 2020A, which sold in May 2020.

We were first engaged by the City in March 2019 as the municipal advisor for the competitive sale of the first tranche of general obligations bonds authorized through the passage of Proposition A on November 6, 2018. Proposition A approves the issuance of up to \$425,000,000 in general obligation bonds to protect the waterfront, BART and Muni, buildings, historic piers, and roads from earthquake, flooding and rising seas by repairing the 100-year old Embarcadero Seawall, strengthening the Embarcadero, and fortifying transit infrastructure and utilities serving residents and businesses. The 2020A Bonds fund preliminary project planning and design, as well as the first set of pilot projects intended to allow the Port of San Francisco to determine the preferred approaches to achieve the intended objectives outlined in the bond measure.

After kicking off the financing and reviewing initial drafts of legal documents, a lawsuit was filed in April 2019 challenging the validity of Proposition A which delayed the financing. The City Attorney’s office immediately filed a demurrer, which was decided upon by the Courts in resounding favor of the City. However, in July 2019, an appeal was filed by the plaintiff. Despite the appeal, bond counsel and the City Attorney’s office provided clean opinions on issuance of the bonds on the grounds that the appeal has no merit.

Given these clean opinions, the City and County decided to move forward with the financing but with a negotiated method of sale rather than competitive. UFI worked with the City to engage an underwriting syndicate. We assisted the City in negotiating the underwriter’s discount with the syndicate as well as negotiating the rating agency fees with S&P, Moody’s, and Fitch. Additionally, the financing team drafted

disclosure of the lawsuit and pending appeal as well as up-to-date disclosure items related to the impact of the unprecedented COVID-19 pandemic on San Francisco's financial projections. The taxable bonds were structured with a unique 2-week maturity at the rate of 0.35% and a one-year maturity at the rate of 0.75%, which beat the tax-exempt one-year maturity that priced the month prior. The City and County successfully closed the bonds in June 2020, allowing the Port of San Francisco to move forward with the planning and design phase of their critical Embarcadero Seawall project.



City of San Jose—In 2021, UFI was selected via a competitive RFP process to serve as municipal advisor to the City of San Jose for Phase 1 of their two-phase plan to evaluate pension obligation funding strategies, including the potential issuance of POBs. From January through April, UFI engaged in 2-hour weekly meetings with the City's Director of Finance, Deputy Director for Debt and Treasury Management and his Debt Team, Assistant to the City Manager, Budget Director, Assistant Budget Director, and Senior Deputy City Attorney to work towards a 3-hour Study Session on pension obligation bonds with the City Council in April.

UFI's assignment culminated in a final report and presentation that: 1) Reviewed the current funding status and anticipated annual UAL payments for the Federated and Police & Fire Plans; 2) Broke each plan's UAL down to its amortization bases (or individual loans that make up the entire UAL); 3) Discussed the fiscal impact of selecting various amortization bases within each Plan for prepayment (targeting strategies); 4) Outlined alternative funding options for prepayment of the City's UAL; 5) Discussed pension obligation bonds, including market landscape, risk considerations, the characteristics of current POBs ("POB 2.0") that mitigate against certain risks, credit implications, case studies, and factors contributing to successes and failures; 6) Presented scenarios for the City's potential issuance of POBs, provided risk analysis specific to these scenarios, and assessed the impact of different strategies for applying future POB savings to actively manage the City's UAL; and 7) Presented our recommendations and reviewed a timeline for the POB validation process. The Study Session was well received by the Council, and we continue assisting the City in evaluating the issuance of Pension Obligation Bonds.



City of Arcadia 2020 Leveraged Refunding – UFI advised the City of Arcadia on a refunding of two tax allocation bonds with outstanding principal amounts of \$2.1 million and \$10.9 million. The refunding generated upfront cash flow debt service savings of approximately \$4.8 million, with the City expecting to receive approximately \$498,000 in savings based on its residual share of RPTTF funds. The City anticipates executing a **leveraged refunding structure**, whereby it will apply the additional property tax revenues received from the refunding towards the City's CalPERS Unfunded Accrued Liability (UAL), resulting in the elimination of \$1.0 million in total UAL payments to CalPERS.

The concept of a Leveraged Refunding is to recycle the savings generated from a traditional bond financing. As a taxing entity receiving property tax revenues from the Former Redevelopment Agency's Central Redevelopment Project Area, the City will receive a portion of the savings produced by the refunding of the bonds. The City's share of the cash flow savings will be transferred to CalPERS as a form of pre-payment of the City's UAL (i.e., Additional Discretionary Payment or ADP). Applying funds to the longest outstanding Amortization Base will result in the greatest savings.



Successor Agency to the Redevelopment Agency for the City of Goleta—In December 2019, UFI was hired to serve as the municipal advisor on \$11,760,000 Successor Agency to the Redevelopment Agency for the City of Goleta, Tax Allocation Refunding Bonds, Series 2020A, issued to refund, for savings, the outstanding 2011 Tax Allocation Bonds. The Redevelopment Agency had originally planned to issue new money bonds in 2007 but failed to do so because of the Great Recession. They finally came back to the market in 2011, unfortunately at a time when draft legislation was introduced to eliminate redevelopment agencies and restrict their activities. Therefore, the 2011 Bonds were issued without a rating and at very high interest rates. The Successor Agency has been eager to refinance the 2011 Bonds since the first call date in 2016.

UFI was selected as the municipal advisor through a competitive process, and we assisted the Agency with soliciting and selecting an underwriter and bond/disclosure counsel in compliance with the City's Debt Management Policy. Since the 2011 Bonds were not rated, this would be the first time that S&P reviewed the credit. UFI took the lead in developing a rating agency presentation that highlighted the strengths of the project area despite its high volatility ratio. Ultimately, the 2020A Bonds received a very strong A+ rating which resulted in aggressive insurance and surety bids.

The transaction was scheduled to price on March 12, 2020. Unfortunately, the Agency was once again met with unusual market challenges. This time, it was the rapid spread of COVID-19 which brought people and businesses to a standstill and sent the financial markets into a tailspin. The primary municipal market essentially froze up as investors desperately converted their investments into cash, and there were many more sellers than buyers. The underwriter recommended postponing the sale of the 2020A Bonds and taking a day-to-day approach to pricing the Bonds.

Over the course of the following week, MMD (the index for tax-exempt municipal securities) increased by 50 basis points across all maturities in one day, representing one of the largest single-day moves ever. UFI quickly worked with the financing team on options for the Agency, including a private placement since we had received strong indicative rates from a few banks. The Agency decided to move forward with going back to the Successor Agency Board to authorize a private placement.

However, a few days before we were set to return to the Successor Agency Board, the underwriter notified us that there appeared to be a small window to price and sell the 2020A Bonds in the public market. UFI quickly discussed the opportunity with Successor Agency staff; and a few hours later, the entire transaction was successfully sold. The refinancing resulted in \$8.9 million in net present value savings, or 61.8% of refunded par.

D. CLIENT LIST

Listed below are California cities and special districts (excluding our school district clients which include Contra Cost County school districts such as Walnut Creek SD, Moraga SD, and Martinez SD) for which Urban Futures is presently under contract, and the services provided for each. We can say with confidence that we are successfully meeting our clients' needs in terms of client relationship and delivering services on scope, quality, schedule, and budget. Should you want to confirm this with any of the clients below, we would be happy to provide their contact information.

| Client | Types of Service |
|--|--|
| City of Alameda | Assessment District Formation, Financial Forecasting, Pension Analysis |
| Altadena Library District | CFD |
| Town of Apple Valley | Revolving Line of Credit, COPs |
| City of Azusa | CFD, Continuing Disclosure |
| Camrosa Water District | Water Revenue Bonds |
| City of Commerce | Pension Obligation Bonds |
| City of Covina | Pension Obligation Bonds |
| Cosumnes CSD | Certificates of Participation |
| City of Crescent City | Energy Efficiency Project |
| City of Culver City | Pension Obligation Bonds, Financial Forecasting |
| City of El Cajon | Pension Obligation Bonds |
| City of Fullerton | CFD Formation, CFD Refunding |
| City of Desert Hot Springs | CFD, New Market Tax Credit, Continuing Disclosure |
| City of Hercules | Wastewater Revenue Bonds, Continuing Disclosure |
| City of Jurupa Valley | Transportation Sales Tax Bonds |
| City of King City | Certificates of Participation |
| City of Lake Elsinore | CFD, TABs, EIFD Analysis, Financial Forecasting |
| Los Angeles County Sanitation District | Pension Analysis |
| City of Menifee | CFD |
| City of Moorpark (ICFA) | Revenue Bonds |
| City of Montclair | Pension Obligation Bonds |
| City of Montebello | Lease Revenue Bonds |
| City of Needles | Water Revenue Bonds |
| City of Newport Beach | Assessment District Bonds |
| City of Oakland | Tax and Revenue Anticipation Notes |
| City of Pico Rivera | Tax Allocation Bonds |
| City of Pismo Beach | Lease Revenue Bonds, Recycled Water Project, Continuing Disclosure |
| Placer County Water Agency | Pension Analysis |
| Puente Basin Water Agency | Water Revenue Refunding |
| City of Rosemead | Consulting |
| City of San Fernando | Pension Obligation Bonds |
| City of San Gabriel | Pension Obligation Bonds |
| City of Sanger | Pension Obligation Bonds |
| City of San Jose | Pension Analysis |

| Client | Types of Service |
|----------------------------------|--|
| City of South San Francisco | Pension Analysis |
| City of Santa Ana | Pension Obligation Bonds, Parking Revenue Bonds, Continuing Disclosure |
| City of Santa Fe Springs | Pension Obligation Bonds |
| Scotts Valley Water District | Water Revenue Bonds |
| Ukiah Valley Sanitation District | Consulting |
| City of Upland | Pension Obligation Bonds, CFD, Housing Note |
| City of Victorville | Electric Revenue Bonds |
| City of Whittier | Pension Obligation Bonds |

E. APPROACH TO PERFORMING SCOPE OF WORK

Every financing undertaken by UFI begins with proper planning and financial due diligence and ends with ongoing monitoring and administration. As such, we believe that our normal project planning and implementation process incorporates the Scope of Service outlined in the City’s RFP. Most of the tasks can be handled via conference calls, but we are happy to hold in-person meetings as requested by the City. Additionally, we attend all required City Council and Committee meetings and are available to give presentations and to answer questions.

Activity 1: Preliminary Analysis/Recommendation

No financing is ever recommended without first conducting a complete assessment of the client’s needs and financial constraints. During this period, UFI staff performs the following tasks:

1. Schedule meetings or calls with staff to request all necessary data and discuss the needs, goals, and constraints of the City
2. Evaluate revenue options (i.e., ad valorem property tax, parcel tax, sales tax, transient occupancy tax)
3. Evaluate alternative financing options (i.e., bond sale, state or federal loans, line of credit, interfund borrowing) and present results to the City
4. Analyze existing outstanding debt to determine parity test requirements, feasibility of refunding certain outstanding series of Bonds, and debt affordability
5. Perform a comprehensive credit analysis to determine the anticipated rating, preferred structure, and interest rate scale for the Bonds
6. Prepare a summary of cost of issuance
7. Independently structure the financing and present results to the City

Activity 2: Assemble the Finance Team and Manage the Financing Process

After an evaluation of financing options/alternatives, should it be determined that financing targets will be met through a bond issuance, UFI will begin work on the financing schedule and the implementation of the agreed upon financing strategy. The scope of work includes, but is not limited to, the following:

- 1) *Evaluate Method of Sale:* The City has employed all three methods of sale in the past: competitive public offering, negotiated public offering, and private placement. Each method of sale has its advantages and disadvantages depending on various factors of the bond sale, and we will provide

an evaluation to discuss with the City at the beginning of each transaction. Whichever method of sale is selected by the City, UFI is prepared to lead the financing process.

- 2) *Assist in the selection of additional service providers:* UFI is knowledgeable of, and has worked with, most major firms in the California public finance sector. Should the City wish to go out for RFP for services such as underwriter/placement agent, bond counsel, disclosure counsel, or trustee, we are experienced with managing and assisting staff with the selection process for these services.
- 3) *Develop the financing timetable:* UFI will coordinate with staff to develop a schedule that is consistent with the City's goals, staff availability, financing timing, and existing City Council meeting schedules.
- 4) *Monitor the transaction process:* A primary role as municipal advisor involves the close monitoring of the financing to ensure successful completion. As such, UFI will coordinate all activities of the financing team and will assist in the preparation of information for and review of Official Statements, Legal Documents, Loan Term Sheets, cash flows, staff reports, and all other applicable documents or presentations to the Council or rating agency.
- 5) *Provide support to the City relating to financing documents:* We are experienced in the delivery of presentations to City Councils and drafting of applicable staff reports regarding adoption of the financing documents.
- 6) *Compute Sizing and Structure of Debt Issue:* Utilizing municipal market data and bond sizing applications, UFI will structure the debt offering for competitive sales and verify cash flows presented by underwriters for negotiated sales.
- 7) *Plan and Coordinate Presentations to Ratings Agencies, Bond Insurers, and Investors:* UFI is well prepared to assist in the drafting and delivery of credit presentations to rating agencies. While many factors go into the investment decision-making process, the bond rating is often the single most important factor affecting the interest cost on bonds. These credit presentations are then easily adapted for discussions with bond insurers and investors.
- 8) *Interest Rates and Timing:* As a result of the ever-changing municipal market environment, UFI will constantly monitor market rates to ensure that financing alternatives as well as refinancing assumptions and recommendations are maximized through proper timing.

Activity 3: Independently Verify Pricing

Performance matters, and we care about the rates at which the City will ultimately be issuing bonds—they should be in line with the current market and other similar bond sales. To ensure the underwriter is performing in the best interest of the City in a negotiated sale, we will prepare comparables to discuss with the City, monitor proposed rates throughout the pre-pricing and pricing process, culminating with a post-sale book that is provided to summarize the basis for investors approving or not approving a credit, the allotment sizes, and the orders themselves. We view this as a crucial step toward maintaining a strong understanding of movements in investor preferences which pays dividends for subsequent bond sales. For competitive sales, we will manage the marketing and sale of the Bonds and call all our underwriter contacts to ensure their participation in the bond sale.

Activity 4: Post-Issuance Compliance

Urban Futures has two staff members dedicated to managing the continuing disclosure and dissemination agent needs of our clients. We have over 20 years of experience providing continuing disclosure and dissemination agent services, and we currently serve over 200 public agency clients with the preparation of over 400 reports annually. We have extensive experience covering every type of credit, including General Obligation Bonds, Lease Revenue Bonds, Enterprise Fund Bonds, Tax Allocation Bonds, Community Facilities Districts, and Pension Obligation Bonds.

As a function of providing municipal advisory services, UFI reviews the Continuing Disclosure Certificates and Bond Indentures for every bond issuance at the very beginning of the financing process. This ability to work with the financing team to draft the Continuing Disclosure Certificate is key, as we ensure it is formed in a manner that strikes the balance between providing pertinent information to investors versus minimizing the administrative burden on City staff. It is also another way that we can provide nimble and cost-effective service to the City. In addition to our experience in drafting such documents, the firm has adopted a practice of reviewing each Continuing Disclosure Certificate on an annual basis. This practice ensures that each report is being prepared in accordance with the bond’s disclosure obligations.

Additionally, we can assist the City with implementation of the provisions of SB 1029 and CDIAC’s related transparency regulations. We have developed a checklist of required reports and their due dates. For example, Annual Debt Transparency Reports are due by January 31 of each year, and CDIAC has developed an online form for issuers to submit the required data (i.e., debt authorized during the reporting period, debt outstanding during the reporting period, list of purposes for which debt has been issued, and amounts expended for each purpose in the prior fiscal year). We can assist the City in the preparation and submission of required reports. Finally, we can assist the City with arbitrage rebate reporting required by the IRS.

City of Menlo Park Debt Profile

The City currently has the following long-term debt outstanding:

| Series | Dated Date | Outstanding Par | Coupons | Tax Status | Final Maturity | Call Date |
|--|------------|---------------------|-------------|------------|----------------|-----------------|
| General Obligation Bonds | | | | | | |
| 2019 General Obligation Bonds | 10/10/2019 | \$9,465,000 | 2.00%-5.00% | Tax-Exempt | 8/1/2039 | 8/1/2029 @ 100 |
| 2012 General Obligation Bonds | 01/18/2012 | \$6,315,000 | 3.750% | Tax-Exempt | 8/1/2032 | 8/1/2022 @ 100 |
| Total General Obligation Bonds | | \$15,780,000 | | | | |
| Tax Allocation Bonds | | | | | | |
| 2015 Tax Allocation Refunding Bonds (Las Pulgas) | 11/05/2015 | \$35,365,000 | 2.00%-5.00% | Tax-Exempt | 10/1/2029 | 10/1/2025 @ 100 |
| Total Tax Allocation Bonds | | \$35,365,000 | | | | |

Financing and Refunding Opportunities

The City’s 2012 General Obligation Bonds, issued as a private placement with Capital One, are callable at par beginning August 1, 2022. Although legislators have introduced bills to reinstate tax-exempt advance refundings, the likelihood and timing of this legislation is uncertain. Therefore, the City currently has three refunding options for its 2012 General Obligation Bonds: 1) advance taxable refunding; 2) forward-delivery refunding; or 3) “Cinderella” refunding where taxable refunding bonds convert to a tax-exempt rate at the call date.

We reached out to underwriters and confirmed the current estimated forward delivery premium of five basis points per month. Based on this estimate, the City can expect to pay approximately 40 basis points of premium (assuming a pricing in September 2021 and closing in May 2022) in order to refund the 2012 General Obligation Bonds on a forward basis. We also received feedback from underwriting desks that there have been a limited number of forward delivery bonds executed in recent months due to uncertainty in the market and concerns over inflation. Given the high forward premium and lack of market demand, we do not recommend pursuing a forward delivery refunding at this time. Similarly, although Cinderella Bonds are not a new municipal product, they have not received much investor interest, and only a limited number of Cinderella Bonds (a couple of which our firm has advised on) are getting done on a private placement basis.

The City could consider a taxable advance refunding of the 2012 General Obligation Bonds. However, we believe the City should wait to refund the 2012 Bonds on a tax-exempt current refunding basis (which

would require timing the closing to be no sooner than May 2022) to maximize savings. Savings would be further enhanced if the refunding was timed with the issuance of new money bonds, given the City's desire to fund additional infrastructure projects and remaining authorization of \$14.315 million under Measure T.

We have attached cash flows as an appendix reflecting the issuance of General Obligation Bonds for the remainder of the Measure T authorization and a current refunding of the 2012 General Obligation Bonds with a closing date in May 2022. Because there is a new money component, the amount that can be deposited into the Project Fund cannot exceed the par amount of the Bonds. This can be challenging if too much premium is generated and the costs of issuance do not fully absorb the premium. Given the low interest rate environment and recent investor demand for 4.00% coupons, significant premium has been generated for public offering tax-exempt bond issuances. One solution is to work with the underwriter to structure the bonds with lower coupons; however, this may impact the investor demand for the bonds. Alternatively, the City can capitalize interest so that extra premium is set aside to pay debt service on the new bonds. One final strategy is to issue a short taxable note to absorb the extra premium, which results in lower overall borrowing costs for the City. We look forward to walking the City through this last structuring option.

City of Menlo Park's Pension Liability

According to CalPERS' most recent actuarial report, dated July 2020, the City's Classic Tier UAL for FY 21-22 is equal to \$56 million and is comprised of 44 Amortization Bases:

- 24 Classic Miscellaneous Plan Bases = \$36,281,764
- 20 Classic Safety Plan Bases = \$19,847,054

If the City desires to analyze various pension obligation funding strategies, we believe that our unmatched experience and technical skills with CalPERS plans can provide significant value to the City. Below is a summary of our distinguishing expertise and services related to pensions.

- **Industry Leader:** UFI has in-depth understanding of pension liabilities, POBs, and CalPERS' administrative processes. As a result, UFI is hired to evaluate a variety of pension-related issues (not just POBs), including: Additional Discretionary Payments (ADP) strategies, Unfunded Accrued Liability (UAL) base projections, impact of salary increases on UAL, education workshops, exiting CalPERS, pay-offs, and fund exchange strategies.
- **Comprehensive Approach:** UFI evaluates our clients' entire balance sheet and all available resources. We have developed multiple funding strategies in addition to POBs and deliver customized Pension Funding Plans to address our clients' current and future UAL payments. We do not start with the conclusion to issue pension obligation bonds, but rather with the objective to minimize their use.
- **Unmatched Technical Expertise:** UFI has more pension advisory experience than any other firm in California. We are the only Municipal Advisor in California that has a dedicated full-time person addressing pension/OPEB related issues. We build customized pension models that allow us to develop complex scenarios, projections, and specific base-by-base recommendations; and we run a Monte Carlo risk simulation in house.

- **Evaluate & Understand Risk:** POBs provide a very compelling economic option. However, they are not without risk. UFI analyzes and quantifies risks by performing Risk/Scenario Analysis and Monte Carlo Simulation, and we provide risk mitigation strategies.
- **Top Ranked Municipal Advisor:** UFI has ranked as the top municipal advisory firm in California for the past four consecutive years as measured by the number of deals completed. *We are also ranked #1 for Pension Obligation Bonds and General Fund Debt.*

**Top Municipal Advisors for California Municipal Bonds
 2019 Financial Advisor Rankings (California)**

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|--------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 170 | \$3,415.8 |
| 2 | PFM Financial Advisors LLC | 90 | 8,835.8 |
| 3 | Fieldman Rolapp & Associates | 89 | 3,339.3 |
| 4 | KNN Public Finance | 72 | 6,416.7 |
| 5 | Public Resources Advisory Grou | 42 | 13,967.4 |

**Top Municipal Advisors for California Municipal Bonds
 2020 Financial Advisor Rankings (California)**

| Rank | Firm | No. of Issues | Par (\$MM) |
|------|---------------------------------|---------------|------------|
| 1 | Urban Futures Inc | 162 | \$3,753.4 |
| 2 | Fieldman Rolapp & Associates | 109 | 3,882.9 |
| 3 | KNN Public Finance | 82 | 10,151.0 |
| 4 | PFM Financial Advisors LLC | 44 | 3,335.6 |
| 5 | Public Resources Advisory Group | 40 | 13,835.9 |

- **Pricing Results:** As the leading financial advisor in the State, UFI is in the market virtually every week, *advising on more bond sales than any other firm.* We have a proven track record of advocating on behalf of our clients to extract every basis point of savings. Our unmatched experience with California POBs translates to a thorough understanding of the current POB market and allows us to convincingly push back on underwriters' proposed pricings.
- **Credit Expertise:** The rating process is critical for the issuance of POBs, especially during these unprecedented times. UFI has extensive experience in developing the narrative for the issuance of POBs that demonstrates a thorough understanding of how rating agencies view unfunded pension liabilities and rating metrics for POBs.
- **Stakeholder Education:** In our experience, we have found that the education process with stakeholders is as important as the technical analysis. *UFI has a depth of experience presenting to City Councils, Committees, Tax Associations, and other stakeholder groups.* UFI has the ability to convey complex terms in simple to understand concepts. We are committed to making ourselves available to meet with the City and its constituents as often as needed.

F. COMPENSATION AND FEES

The schedule of our municipal advisory fees for bond financings, which are fixed and contingent upon closing, is provided below. There will be no retainer for municipal advisory services. Our fees are exclusive of out-of-pocket expenses such as travel, meals, data recovery, third party data fees, and internal compliance requirements. **Out-of-pocket expenses will not exceed \$2,500 on any transaction.**



UFI Municipal Advisory Fee Schedule

| Bond Transaction Type | Municipal Advisory Fee |
|---|-----------------------------------|
| COPs/Lease Revenue, Utility Revenue, Tax Allocation Bonds, CFD/Assessment Districts, Tax and Revenue Anticipation Notes | \$40,000 |
| Private Placements/Loans | \$30,000 |
| General Obligation Bonds | \$50,000 |
| Pension Obligation Bonds | \$50,000 - \$100,000 ¹ |
| Federally Subsidized Bonds/Notes | \$45,000 |

(1) Dependent upon scope of bond issue.

UFI is also available on a time and materials or hourly basis to provide services such as long-term financial forecasts, consulting on the management of pension and OPEB liabilities, special fiscal studies, etc. To the right are the hourly rates of proposed positions; typically, most of the work is completed by Managing Directors and Directors.

| Hourly Rate Schedule | |
|----------------------------|-------|
| Position | Rate |
| CEO/President | \$350 |
| Managing Director/Director | \$325 |
| Associate/Analyst | \$200 |

Given that working with the City is of highest priority to our firm, we are open to negotiating our fees should the City find it necessary.

APPENDIX: CASH FLOWS

TABLE OF CONTENTS

City of Menlo Park
General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
Market Conditions as of June 29, 2021

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SOURCES AND USES OF FUNDS

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

Dated Date 05/03/2022
 Delivery Date 05/03/2022

| Sources: | General Obligation Bonds, Series 2022 (TE) | General Obligation Bonds, Series 2022 (TX) | Refunding of 2012 GO Bonds | Total |
|---------------------------------------|---|---|-------------------------------|----------------------|
| Bond Proceeds: | | | | |
| Par Amount | 11,650,000.00 | 2,385,000.00 | 5,190,000.00 | 19,225,000.00 |
| Premium | 2,630,440.80 | | 911,742.95 | 3,542,183.75 |
| | <u>14,280,440.80</u> | <u>2,385,000.00</u> | <u>6,101,742.95</u> | <u>22,767,183.75</u> |
| Other Sources of Funds: | | | | |
| Proceeds Transferred In - Taxable DSF | | 2,430,440.80 | | 2,430,440.80 |
| | 14,280,440.80 | 4,815,440.80 | 6,101,742.95 | 25,197,624.55 |

| Uses: | General Obligation Bonds, Series 2022 (TE) | General Obligation Bonds, Series 2022 (TX) | Refunding of 2012 GO Bonds | Total |
|---|---|---|-------------------------------|---------------------|
| Project Fund Deposits: | | | | |
| Project Subaccount | 11,620,947.63 | 2,379,052.37 | | 14,000,000.00 |
| Refunding Escrow Deposits: | | | | |
| Cash Deposit | | | 0.66 | 0.66 |
| SLGS Purchases | | | 5,999,993.00 | 5,999,993.00 |
| | | | <u>5,999,993.66</u> | <u>5,999,993.66</u> |
| Other Fund Deposits: | | | | |
| Debt Service Fund for Taxable Series | | 2,386,457.50 | | 2,386,457.50 |
| Delivery Date Expenses: | | | | |
| Cost of Issuance | 121,196.36 | 24,811.44 | 53,992.20 | 200,000.00 |
| Underwriter's Discount | 104,850.00 | 21,465.00 | 46,710.00 | 173,025.00 |
| Proceeds Transferred Out - Deposit to Taxable DSF | 2,430,440.80 | | | 2,430,440.80 |
| | <u>2,656,487.16</u> | <u>46,276.44</u> | <u>100,702.20</u> | <u>2,803,465.80</u> |
| Other Uses of Funds: | | | | |
| Additional Proceeds | 3,006.01 | 3,654.49 | 1,047.09 | 7,707.59 |
| | 14,280,440.80 | 4,815,440.80 | 6,101,742.95 | 25,197,624.55 |

SUMMARY OF REFUNDING RESULTS

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| | |
|--|--------------|
| Dated Date | 05/03/2022 |
| Delivery Date | 05/03/2022 |
| Arbitrage yield | 1.260408% |
| Escrow yield | 0.030263% |
| Value of Negative Arbitrage | 17,957.21 |
| | |
| Bond Par Amount | 5,190,000.00 |
| True Interest Cost | 0.866934% |
| Net Interest Cost | 0.971032% |
| Average Coupon | 4.000000% |
| Average Life | 5.503 |
| | |
| Par amount of refunded bonds | 5,890,000.00 |
| Average coupon of refunded bonds | 3.750000% |
| Average life of refunded bonds | 5.607 |
| | |
| PV of prior debt to 05/03/2022 @ 1.260408% | 6,729,235.01 |
| Net PV Savings | 795,232.85 |
| Percentage savings of refunded bonds | 13.501407% |
| Percentage savings of refunding bonds | 15.322406% |

SAVINGS

City of Menlo Park
Refunding of 2012 GO Bonds

AAA Rating; No Reserve
Market Conditions as of June 29, 2021

| Date | Prior Debt Service | Refunding Debt Service | Savings @ | Present Value to 05/03/2022 @ 1.2604085% |
|------------|--------------------|------------------------|------------|--|
| 08/01/2022 | 555,437.50 | 550,746.67 | 4,690.83 | 4,676.45 |
| 08/01/2023 | 664,187.50 | 577,600.00 | 86,587.50 | 85,295.62 |
| 08/01/2024 | 666,937.50 | 582,000.00 | 84,937.50 | 82,621.45 |
| 08/01/2025 | 658,937.50 | 575,600.00 | 83,337.50 | 80,048.91 |
| 08/01/2026 | 665,562.50 | 583,800.00 | 81,762.50 | 77,551.52 |
| 08/01/2027 | 661,250.00 | 576,000.00 | 85,250.00 | 79,843.85 |
| 08/01/2028 | 661,375.00 | 577,800.00 | 83,575.00 | 77,293.44 |
| 08/01/2029 | 660,750.00 | 573,800.00 | 86,950.00 | 79,405.05 |
| 08/01/2030 | 664,375.00 | 579,200.00 | 85,175.00 | 76,808.23 |
| 08/01/2031 | 662,062.50 | 578,600.00 | 83,462.50 | 74,319.70 |
| 08/01/2032 | 664,000.00 | 577,200.00 | 86,800.00 | 76,321.55 |
| | 7,184,875.00 | 6,332,346.67 | 852,528.33 | 794,185.76 |

Savings Summary

| | |
|-------------------------------|------------|
| PV of savings from cash flow | 794,185.76 |
| Plus: Refunding funds on hand | 1,047.09 |
| Net PV Savings | 795,232.85 |

SUMMARY OF BONDS REFUNDED

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Bond | Maturity Date | Interest Rate | Par Amount | Call Date | Call Price |
|---|---------------|---------------|--------------|------------|------------|
| Series 2012 General Obligation Bonds, 2012, SERIAL: | | | | | |
| | 08/01/2022 | 3.750% | 445,000.00 | | |
| | 08/01/2023 | 3.750% | 460,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2024 | 3.750% | 480,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2025 | 3.750% | 490,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2026 | 3.750% | 515,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2027 | 3.750% | 530,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2028 | 3.750% | 550,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2029 | 3.750% | 570,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2030 | 3.750% | 595,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2031 | 3.750% | 615,000.00 | 08/01/2022 | 100.000 |
| | 08/01/2032 | 3.750% | 640,000.00 | 08/01/2022 | 100.000 |
| | | | 5,890,000.00 | | |

BOND SUMMARY STATISTICS

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| | General Obligation Bonds, Series 2022 (TE) | General Obligation Bonds, Series 2022 (TX) | Refunding of 2012 GO Bonds | Aggregate |
|---------------------------------|--|--|-------------------------------|---------------|
| Dated Date | 05/03/2022 | 05/03/2022 | 05/03/2022 | 05/03/2022 |
| Delivery Date | 05/03/2022 | 05/03/2022 | 05/03/2022 | 05/03/2022 |
| Last Maturity | 08/01/2052 | 08/01/2022 | 08/01/2032 | 08/01/2052 |
| Arbitrage Yield | 1.260408% | 0.250080% | 1.260408% | 1.260408% |
| True Interest Cost (TIC) | 2.480735% | 3.987643% | 0.866934% | 2.274142% |
| Net Interest Cost (NIC) | 2.834725% | 3.931818% | 0.971032% | 2.620860% |
| All-In TIC | 2.544438% | 8.438759% | 1.042554% | 2.362675% |
| Average Coupon | 4.000000% | 0.250000% | 4.000000% | 3.991108% |
| Average Life (years) | 18.604 | 0.244 | 5.503 | 12.790 |
| Duration of Issue (years) | 13.672 | 0.244 | 5.133 | 10.193 |
| Par Amount | 11,650,000.00 | 2,385,000.00 | 5,190,000.00 | 19,225,000.00 |
| Bond Proceeds | 14,280,440.80 | 2,385,000.00 | 6,101,742.95 | 22,767,183.75 |
| Total Interest | 8,669,511.11 | 1,457.50 | 1,142,346.67 | 9,813,315.28 |
| Net Interest | 6,143,920.31 | 22,922.50 | 277,313.72 | 6,444,156.53 |
| Total Debt Service | 20,319,511.11 | 2,386,457.50 | 6,332,346.67 | 29,038,315.28 |
| Maximum Annual Debt Service | 676,000.00 | 2,386,457.50 | 583,800.00 | 3,051,115.28 |
| Average Annual Debt Service | 671,842.76 | 9,762,780.68 | 618,124.95 | 960,120.64 |
| Underwriter's Fees (per \$1000) | | | | |
| Average Takedown | | | | |
| Other Fee | 9.000000 | 9.000000 | 9.000000 | 9.000000 |
| Total Underwriter's Discount | 9.000000 | 9.000000 | 9.000000 | 9.000000 |
| Bid Price | 121.678891 | 99.100000 | 116.667302 | 117.524883 |

| Bond Component | Par Value | Price | Average Coupon | Average Life | PV of 1 bp change |
|---------------------|---------------|---------|----------------|--------------|-------------------|
| Taxable Serial Bond | 2,385,000.00 | 100.000 | 0.250% | 0.244 | 47.70 |
| Serial Bond | 11,835,000.00 | 120.751 | 4.000% | 9.517 | 9,281.85 |
| Term Bond 2047 | 2,560,000.00 | 122.064 | 4.000% | 24.323 | 2,713.60 |
| Term Bond 2052 | 2,445,000.00 | 121.329 | 4.000% | 28.793 | 2,567.25 |
| | 19,225,000.00 | | | 12.790 | 14,610.40 |

BOND SUMMARY STATISTICS

City of Menlo Park

General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve

Market Conditions as of June 29, 2021

| | TIC | All-In TIC | Arbitrage Yield |
|----------------------------|---------------|---------------|--------------------|
| Par Value | 19,225,000.00 | 19,225,000.00 | 16,840,000.00 |
| + Accrued Interest | | | |
| + Premium (Discount) | 3,542,183.75 | 3,542,183.75 | 3,542,183.75 |
| - Underwriter's Discount | -173,025.00 | -173,025.00 | |
| - Cost of Issuance Expense | | -200,000.00 | |
| - Other Amounts | | | |
| Target Value | 22,594,158.75 | 22,394,158.75 | 20,382,183.75 |
| Target Date | 05/03/2022 | 05/03/2022 | 05/03/2022 |
| Yield | 2.274142% | 2.362675% | 1.260408% |

BOND PRICING

**City of Menlo Park
General Obligation Bonds, Series 2022 (TE)**

**AAA Rating; No Reserve
Market Conditions as of June 29, 2021**

| Bond Component | Maturity Date | Amount | Rate | Yield | Price | Call Date | Call Price |
|-----------------|---------------|-------------------|--------|--------|-----------|------------|------------|
| Serial Bond: | | | | | | | |
| | 08/01/2023 | 210,000 | 4.000% | 0.090% | 104.861 | | |
| | 08/01/2024 | 215,000 | 4.000% | 0.170% | 108.575 | | |
| | 08/01/2025 | 225,000 | 4.000% | 0.260% | 112.075 | | |
| | 08/01/2026 | 235,000 | 4.000% | 0.390% | 115.181 | | |
| | 08/01/2027 | 245,000 | 4.000% | 0.490% | 118.150 | | |
| | 08/01/2028 | 255,000 | 4.000% | 0.590% | 120.875 | | |
| | 08/01/2029 | 265,000 | 4.000% | 0.700% | 123.270 | | |
| | 08/01/2030 | 275,000 | 4.000% | 0.820% | 125.299 | | |
| | 08/01/2031 | 285,000 | 4.000% | 0.900% | 127.437 | | |
| | 08/01/2032 | 295,000 | 4.000% | 1.000% | 129.141 | | |
| | 08/01/2033 | 305,000 | 4.000% | 1.060% | 128.468 C | 08/01/2032 | 100.000 |
| | 08/01/2034 | 320,000 | 4.000% | 1.130% | 127.688 C | 08/01/2032 | 100.000 |
| | 08/01/2035 | 330,000 | 4.000% | 1.170% | 127.245 C | 08/01/2032 | 100.000 |
| | 08/01/2036 | 345,000 | 4.000% | 1.220% | 126.693 C | 08/01/2032 | 100.000 |
| | 08/01/2037 | 360,000 | 4.000% | 1.270% | 126.145 C | 08/01/2032 | 100.000 |
| | 08/01/2038 | 375,000 | 4.000% | 1.340% | 125.381 C | 08/01/2032 | 100.000 |
| | 08/01/2039 | 390,000 | 4.000% | 1.370% | 125.056 C | 08/01/2032 | 100.000 |
| | 08/01/2040 | 405,000 | 4.000% | 1.400% | 124.731 C | 08/01/2032 | 100.000 |
| | 08/01/2041 | 420,000 | 4.000% | 1.430% | 124.407 C | 08/01/2032 | 100.000 |
| | 08/01/2042 | 435,000 | 4.000% | 1.460% | 124.085 C | 08/01/2032 | 100.000 |
| | 08/01/2043 | 455,000 | 4.000% | 1.500% | 123.656 C | 08/01/2032 | 100.000 |
| | | <u>6,645,000</u> | | | | | |
| Term Bond 2047: | | | | | | | |
| | 08/01/2044 | 475,000 | 4.000% | 1.650% | 122.064 C | 08/01/2032 | 100.000 |
| | 08/01/2045 | 490,000 | 4.000% | 1.650% | 122.064 C | 08/01/2032 | 100.000 |
| | 08/01/2046 | 510,000 | 4.000% | 1.650% | 122.064 C | 08/01/2032 | 100.000 |
| | 08/01/2047 | 530,000 | 4.000% | 1.650% | 122.064 C | 08/01/2032 | 100.000 |
| | 08/01/2048 | 555,000 | 4.000% | 1.650% | 122.064 C | 08/01/2032 | 100.000 |
| | | <u>2,560,000</u> | | | | | |
| Term Bond 2052: | | | | | | | |
| | 08/01/2049 | 575,000 | 4.000% | 1.720% | 121.329 C | 08/01/2032 | 100.000 |
| | 08/01/2050 | 600,000 | 4.000% | 1.720% | 121.329 C | 08/01/2032 | 100.000 |
| | 08/01/2051 | 625,000 | 4.000% | 1.720% | 121.329 C | 08/01/2032 | 100.000 |
| | 08/01/2052 | 645,000 | 4.000% | 1.720% | 121.329 C | 08/01/2032 | 100.000 |
| | | <u>2,445,000</u> | | | | | |
| | | <u>11,650,000</u> | | | | | |

| | | |
|------------------------|---------------|-------------|
| Dated Date | 05/03/2022 | |
| Delivery Date | 05/03/2022 | |
| First Coupon | 08/01/2022 | |
| Par Amount | 11,650,000.00 | |
| Premium | 2,630,440.80 | |
| Production | 14,280,440.80 | 122.578891% |
| Underwriter's Discount | -104,850.00 | -0.900000% |
| Purchase Price | 14,175,590.80 | 121.678891% |
| Accrued Interest | | |
| Net Proceeds | 14,175,590.80 | |

BOND PRICING

City of Menlo Park
 General Obligation Bonds, Series 2022 (TX)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Bond Component | Maturity Date | Amount | Rate | Yield | Price |
|----------------------|---------------|-----------|--------|--------|---------|
| Taxable Serial Bond: | 08/01/2022 | 2,385,000 | 0.250% | 0.250% | 100.000 |
| | | 2,385,000 | | | |

| | | |
|-------------------------|--------------|-------------|
| Dated Date | 05/03/2022 | |
| Delivery Date | 05/03/2022 | |
| First Coupon | 08/01/2022 | |
| Par Amount | 2,385,000.00 | |
| Original Issue Discount | | |
| Production | 2,385,000.00 | 100.000000% |
| Underwriter's Discount | -21,465.00 | -0.900000% |
| Purchase Price | 2,363,535.00 | 99.100000% |
| Accrued Interest | | |
| Net Proceeds | 2,363,535.00 | |

BOND PRICING

City of Menlo Park
 Refunding of 2012 GO Bonds

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Bond Component | Maturity Date | Amount | Rate | Yield | Price |
|----------------|---------------|-----------|--------|--------|---------|
| Serial Bond: | | | | | |
| | 08/01/2022 | 500,000 | 4.000% | 0.080% | 100.957 |
| | 08/01/2023 | 390,000 | 4.000% | 0.090% | 104.861 |
| | 08/01/2024 | 410,000 | 4.000% | 0.170% | 108.575 |
| | 08/01/2025 | 420,000 | 4.000% | 0.260% | 112.075 |
| | 08/01/2026 | 445,000 | 4.000% | 0.390% | 115.181 |
| | 08/01/2027 | 455,000 | 4.000% | 0.490% | 118.150 |
| | 08/01/2028 | 475,000 | 4.000% | 0.590% | 120.875 |
| | 08/01/2029 | 490,000 | 4.000% | 0.700% | 123.270 |
| | 08/01/2030 | 515,000 | 4.000% | 0.820% | 125.299 |
| | 08/01/2031 | 535,000 | 4.000% | 0.900% | 127.437 |
| | 08/01/2032 | 555,000 | 4.000% | 1.000% | 129.141 |
| | | 5,190,000 | | | |

| | | |
|------------------------|--------------|-------------|
| Dated Date | 05/03/2022 | |
| Delivery Date | 05/03/2022 | |
| First Coupon | 08/01/2022 | |
| Par Amount | 5,190,000.00 | |
| Premium | 911,742.95 | |
| Production | 6,101,742.95 | 117.567302% |
| Underwriter's Discount | -46,710.00 | -0.900000% |
| Purchase Price | 6,055,032.95 | 116.667302% |
| Accrued Interest | | |
| Net Proceeds | 6,055,032.95 | |

BOND DEBT SERVICE BREAKDOWN

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | General Obligation Bonds, Series 2022 (TE) | General Obligation Bonds, Series 2022 (TX) | Refunding of 2012 GO Bonds | Total |
|---------------|--|--|----------------------------|---------------|
| 08/01/2022 | 113,911.11 | 2,386,457.50 | 550,746.67 | 3,051,115.28 |
| 08/01/2023 | 676,000.00 | | 577,600.00 | 1,253,600.00 |
| 08/01/2024 | 672,600.00 | | 582,000.00 | 1,254,600.00 |
| 08/01/2025 | 674,000.00 | | 575,600.00 | 1,249,600.00 |
| 08/01/2026 | 675,000.00 | | 583,800.00 | 1,258,800.00 |
| 08/01/2027 | 675,600.00 | | 576,000.00 | 1,251,600.00 |
| 08/01/2028 | 675,800.00 | | 577,800.00 | 1,253,600.00 |
| 08/01/2029 | 675,600.00 | | 573,800.00 | 1,249,400.00 |
| 08/01/2030 | 675,000.00 | | 579,200.00 | 1,254,200.00 |
| 08/01/2031 | 674,000.00 | | 578,600.00 | 1,252,600.00 |
| 08/01/2032 | 672,600.00 | | 577,200.00 | 1,249,800.00 |
| 08/01/2033 | 670,800.00 | | | 670,800.00 |
| 08/01/2034 | 673,600.00 | | | 673,600.00 |
| 08/01/2035 | 670,800.00 | | | 670,800.00 |
| 08/01/2036 | 672,600.00 | | | 672,600.00 |
| 08/01/2037 | 673,800.00 | | | 673,800.00 |
| 08/01/2038 | 674,400.00 | | | 674,400.00 |
| 08/01/2039 | 674,400.00 | | | 674,400.00 |
| 08/01/2040 | 673,800.00 | | | 673,800.00 |
| 08/01/2041 | 672,600.00 | | | 672,600.00 |
| 08/01/2042 | 670,800.00 | | | 670,800.00 |
| 08/01/2043 | 673,400.00 | | | 673,400.00 |
| 08/01/2044 | 675,200.00 | | | 675,200.00 |
| 08/01/2045 | 671,200.00 | | | 671,200.00 |
| 08/01/2046 | 671,600.00 | | | 671,600.00 |
| 08/01/2047 | 671,200.00 | | | 671,200.00 |
| 08/01/2048 | 675,000.00 | | | 675,000.00 |
| 08/01/2049 | 672,800.00 | | | 672,800.00 |
| 08/01/2050 | 674,800.00 | | | 674,800.00 |
| 08/01/2051 | 675,800.00 | | | 675,800.00 |
| 08/01/2052 | 670,800.00 | | | 670,800.00 |
| | 20,319,511.11 | 2,386,457.50 | 6,332,346.67 | 29,038,315.28 |

BOND DEBT SERVICE BREAKDOWN

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | General Obligation Bonds, Series 2022 (TE) | General Obligation Bonds, Series 2022 (TX) | Refunding of 2012 GO Bonds | Total |
|---------------|--|--|----------------------------|---------------|
| 08/01/2022 | 113,911.11 | 2,386,457.50 | 550,746.67 | 3,051,115.28 |
| 08/01/2023 | 676,000.00 | | 577,600.00 | 1,253,600.00 |
| 08/01/2024 | 672,600.00 | | 582,000.00 | 1,254,600.00 |
| 08/01/2025 | 674,000.00 | | 575,600.00 | 1,249,600.00 |
| 08/01/2026 | 675,000.00 | | 583,800.00 | 1,258,800.00 |
| 08/01/2027 | 675,600.00 | | 576,000.00 | 1,251,600.00 |
| 08/01/2028 | 675,800.00 | | 577,800.00 | 1,253,600.00 |
| 08/01/2029 | 675,600.00 | | 573,800.00 | 1,249,400.00 |
| 08/01/2030 | 675,000.00 | | 579,200.00 | 1,254,200.00 |
| 08/01/2031 | 674,000.00 | | 578,600.00 | 1,252,600.00 |
| 08/01/2032 | 672,600.00 | | 577,200.00 | 1,249,800.00 |
| 08/01/2033 | 670,800.00 | | | 670,800.00 |
| 08/01/2034 | 673,600.00 | | | 673,600.00 |
| 08/01/2035 | 670,800.00 | | | 670,800.00 |
| 08/01/2036 | 672,600.00 | | | 672,600.00 |
| 08/01/2037 | 673,800.00 | | | 673,800.00 |
| 08/01/2038 | 674,400.00 | | | 674,400.00 |
| 08/01/2039 | 674,400.00 | | | 674,400.00 |
| 08/01/2040 | 673,800.00 | | | 673,800.00 |
| 08/01/2041 | 672,600.00 | | | 672,600.00 |
| 08/01/2042 | 670,800.00 | | | 670,800.00 |
| 08/01/2043 | 673,400.00 | | | 673,400.00 |
| 08/01/2044 | 675,200.00 | | | 675,200.00 |
| 08/01/2045 | 671,200.00 | | | 671,200.00 |
| 08/01/2046 | 671,600.00 | | | 671,600.00 |
| 08/01/2047 | 671,200.00 | | | 671,200.00 |
| 08/01/2048 | 675,000.00 | | | 675,000.00 |
| 08/01/2049 | 672,800.00 | | | 672,800.00 |
| 08/01/2050 | 674,800.00 | | | 674,800.00 |
| 08/01/2051 | 675,800.00 | | | 675,800.00 |
| 08/01/2052 | 670,800.00 | | | 670,800.00 |
| | 20,319,511.11 | 2,386,457.50 | 6,332,346.67 | 29,038,315.28 |

NET DEBT SERVICE

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | Principal | Coupon | Interest | Total Debt Service | Debt Service Fund for Taxable Series | Net Debt Service |
|---------------|------------|--------|--------------|--------------------|--------------------------------------|------------------|
| 08/01/2022 | 2,885,000 | ** % | 166,115.28 | 3,051,115.28 | 2,386,457.50 | 664,657.78 |
| 08/01/2023 | 600,000 | 4.000% | 653,600.00 | 1,253,600.00 | | 1,253,600.00 |
| 08/01/2024 | 625,000 | 4.000% | 629,600.00 | 1,254,600.00 | | 1,254,600.00 |
| 08/01/2025 | 645,000 | 4.000% | 604,600.00 | 1,249,600.00 | | 1,249,600.00 |
| 08/01/2026 | 680,000 | 4.000% | 578,800.00 | 1,258,800.00 | | 1,258,800.00 |
| 08/01/2027 | 700,000 | 4.000% | 551,600.00 | 1,251,600.00 | | 1,251,600.00 |
| 08/01/2028 | 730,000 | 4.000% | 523,600.00 | 1,253,600.00 | | 1,253,600.00 |
| 08/01/2029 | 755,000 | 4.000% | 494,400.00 | 1,249,400.00 | | 1,249,400.00 |
| 08/01/2030 | 790,000 | 4.000% | 464,200.00 | 1,254,200.00 | | 1,254,200.00 |
| 08/01/2031 | 820,000 | 4.000% | 432,600.00 | 1,252,600.00 | | 1,252,600.00 |
| 08/01/2032 | 850,000 | 4.000% | 399,800.00 | 1,249,800.00 | | 1,249,800.00 |
| 08/01/2033 | 305,000 | 4.000% | 365,800.00 | 670,800.00 | | 670,800.00 |
| 08/01/2034 | 320,000 | 4.000% | 353,600.00 | 673,600.00 | | 673,600.00 |
| 08/01/2035 | 330,000 | 4.000% | 340,800.00 | 670,800.00 | | 670,800.00 |
| 08/01/2036 | 345,000 | 4.000% | 327,600.00 | 672,600.00 | | 672,600.00 |
| 08/01/2037 | 360,000 | 4.000% | 313,800.00 | 673,800.00 | | 673,800.00 |
| 08/01/2038 | 375,000 | 4.000% | 299,400.00 | 674,400.00 | | 674,400.00 |
| 08/01/2039 | 390,000 | 4.000% | 284,400.00 | 674,400.00 | | 674,400.00 |
| 08/01/2040 | 405,000 | 4.000% | 268,800.00 | 673,800.00 | | 673,800.00 |
| 08/01/2041 | 420,000 | 4.000% | 252,600.00 | 672,600.00 | | 672,600.00 |
| 08/01/2042 | 435,000 | 4.000% | 235,800.00 | 670,800.00 | | 670,800.00 |
| 08/01/2043 | 455,000 | 4.000% | 218,400.00 | 673,400.00 | | 673,400.00 |
| 08/01/2044 | 475,000 | 4.000% | 200,200.00 | 675,200.00 | | 675,200.00 |
| 08/01/2045 | 490,000 | 4.000% | 181,200.00 | 671,200.00 | | 671,200.00 |
| 08/01/2046 | 510,000 | 4.000% | 161,600.00 | 671,600.00 | | 671,600.00 |
| 08/01/2047 | 530,000 | 4.000% | 141,200.00 | 671,200.00 | | 671,200.00 |
| 08/01/2048 | 555,000 | 4.000% | 120,000.00 | 675,000.00 | | 675,000.00 |
| 08/01/2049 | 575,000 | 4.000% | 97,800.00 | 672,800.00 | | 672,800.00 |
| 08/01/2050 | 600,000 | 4.000% | 74,800.00 | 674,800.00 | | 674,800.00 |
| 08/01/2051 | 625,000 | 4.000% | 50,800.00 | 675,800.00 | | 675,800.00 |
| 08/01/2052 | 645,000 | 4.000% | 25,800.00 | 670,800.00 | | 670,800.00 |
| | 19,225,000 | | 9,813,315.28 | 29,038,315.28 | 2,386,457.50 | 26,651,857.78 |

NET DEBT SERVICE

City of Menlo Park
 General Obligation Bonds, Series 2022 (TE)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | Principal | Coupon | Interest | Total Debt Service | Net Debt Service |
|---------------|------------|--------|--------------|--------------------|------------------|
| 08/01/2022 | | | 113,911.11 | 113,911.11 | 113,911.11 |
| 08/01/2023 | 210,000 | 4.000% | 466,000.00 | 676,000.00 | 676,000.00 |
| 08/01/2024 | 215,000 | 4.000% | 457,600.00 | 672,600.00 | 672,600.00 |
| 08/01/2025 | 225,000 | 4.000% | 449,000.00 | 674,000.00 | 674,000.00 |
| 08/01/2026 | 235,000 | 4.000% | 440,000.00 | 675,000.00 | 675,000.00 |
| 08/01/2027 | 245,000 | 4.000% | 430,600.00 | 675,600.00 | 675,600.00 |
| 08/01/2028 | 255,000 | 4.000% | 420,800.00 | 675,800.00 | 675,800.00 |
| 08/01/2029 | 265,000 | 4.000% | 410,600.00 | 675,600.00 | 675,600.00 |
| 08/01/2030 | 275,000 | 4.000% | 400,000.00 | 675,000.00 | 675,000.00 |
| 08/01/2031 | 285,000 | 4.000% | 389,000.00 | 674,000.00 | 674,000.00 |
| 08/01/2032 | 295,000 | 4.000% | 377,600.00 | 672,600.00 | 672,600.00 |
| 08/01/2033 | 305,000 | 4.000% | 365,800.00 | 670,800.00 | 670,800.00 |
| 08/01/2034 | 320,000 | 4.000% | 353,600.00 | 673,600.00 | 673,600.00 |
| 08/01/2035 | 330,000 | 4.000% | 340,800.00 | 670,800.00 | 670,800.00 |
| 08/01/2036 | 345,000 | 4.000% | 327,600.00 | 672,600.00 | 672,600.00 |
| 08/01/2037 | 360,000 | 4.000% | 313,800.00 | 673,800.00 | 673,800.00 |
| 08/01/2038 | 375,000 | 4.000% | 299,400.00 | 674,400.00 | 674,400.00 |
| 08/01/2039 | 390,000 | 4.000% | 284,400.00 | 674,400.00 | 674,400.00 |
| 08/01/2040 | 405,000 | 4.000% | 268,800.00 | 673,800.00 | 673,800.00 |
| 08/01/2041 | 420,000 | 4.000% | 252,600.00 | 672,600.00 | 672,600.00 |
| 08/01/2042 | 435,000 | 4.000% | 235,800.00 | 670,800.00 | 670,800.00 |
| 08/01/2043 | 455,000 | 4.000% | 218,400.00 | 673,400.00 | 673,400.00 |
| 08/01/2044 | 475,000 | 4.000% | 200,200.00 | 675,200.00 | 675,200.00 |
| 08/01/2045 | 490,000 | 4.000% | 181,200.00 | 671,200.00 | 671,200.00 |
| 08/01/2046 | 510,000 | 4.000% | 161,600.00 | 671,600.00 | 671,600.00 |
| 08/01/2047 | 530,000 | 4.000% | 141,200.00 | 671,200.00 | 671,200.00 |
| 08/01/2048 | 555,000 | 4.000% | 120,000.00 | 675,000.00 | 675,000.00 |
| 08/01/2049 | 575,000 | 4.000% | 97,800.00 | 672,800.00 | 672,800.00 |
| 08/01/2050 | 600,000 | 4.000% | 74,800.00 | 674,800.00 | 674,800.00 |
| 08/01/2051 | 625,000 | 4.000% | 50,800.00 | 675,800.00 | 675,800.00 |
| 08/01/2052 | 645,000 | 4.000% | 25,800.00 | 670,800.00 | 670,800.00 |
| | 11,650,000 | | 8,669,511.11 | 20,319,511.11 | 20,319,511.11 |

NET DEBT SERVICE

City of Menlo Park
 General Obligation Bonds, Series 2022 (TX)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | Principal | Coupon | Interest | Total Debt Service | Debt Service Fund for Taxable Series | Net Debt Service |
|------------------|-----------|--------|----------|-----------------------|--|---------------------|
| 08/01/2022 | 2,385,000 | 0.250% | 1,457.50 | 2,386,457.50 | 2,386,457.50 | |
| | 2,385,000 | | 1,457.50 | 2,386,457.50 | 2,386,457.50 | 0 |

NET DEBT SERVICE

City of Menlo Park
 Refunding of 2012 GO Bonds

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Period Ending | Principal | Coupon | Interest | Total Debt Service | Net Debt Service |
|---------------|-----------|--------|--------------|--------------------|------------------|
| 08/01/2022 | 500,000 | 4.000% | 50,746.67 | 550,746.67 | 550,746.67 |
| 08/01/2023 | 390,000 | 4.000% | 187,600.00 | 577,600.00 | 577,600.00 |
| 08/01/2024 | 410,000 | 4.000% | 172,000.00 | 582,000.00 | 582,000.00 |
| 08/01/2025 | 420,000 | 4.000% | 155,600.00 | 575,600.00 | 575,600.00 |
| 08/01/2026 | 445,000 | 4.000% | 138,800.00 | 583,800.00 | 583,800.00 |
| 08/01/2027 | 455,000 | 4.000% | 121,000.00 | 576,000.00 | 576,000.00 |
| 08/01/2028 | 475,000 | 4.000% | 102,800.00 | 577,800.00 | 577,800.00 |
| 08/01/2029 | 490,000 | 4.000% | 83,800.00 | 573,800.00 | 573,800.00 |
| 08/01/2030 | 515,000 | 4.000% | 64,200.00 | 579,200.00 | 579,200.00 |
| 08/01/2031 | 535,000 | 4.000% | 43,600.00 | 578,600.00 | 578,600.00 |
| 08/01/2032 | 555,000 | 4.000% | 22,200.00 | 577,200.00 | 577,200.00 |
| | 5,190,000 | | 1,142,346.67 | 6,332,346.67 | 6,332,346.67 |

NET DEBT SERVICE

City of Menlo Park
 General Obligation Bonds, Series 2022 (Refunding and Measure T New Money)

AAA Rating; No Reserve
 Market Conditions as of June 29, 2021

| Date | Principal | Coupon | Interest | Total Debt Service | Debt Service Fund for Taxable Series | Net Debt Service | Annual Net D/S |
|------------|------------|--------|--------------|--------------------|--------------------------------------|------------------|----------------|
| 08/01/2022 | 2,885,000 | ** % | 166,115.28 | 3,051,115.28 | 2,386,457.50 | 664,657.78 | 664,657.78 |
| 02/01/2023 | | | 326,800.00 | 326,800.00 | | 326,800.00 | |
| 08/01/2023 | 600,000 | 4.000% | 326,800.00 | 926,800.00 | | 926,800.00 | 1,253,600.00 |
| 02/01/2024 | | | 314,800.00 | 314,800.00 | | 314,800.00 | |
| 08/01/2024 | 625,000 | 4.000% | 314,800.00 | 939,800.00 | | 939,800.00 | 1,254,600.00 |
| 02/01/2025 | | | 302,300.00 | 302,300.00 | | 302,300.00 | |
| 08/01/2025 | 645,000 | 4.000% | 302,300.00 | 947,300.00 | | 947,300.00 | 1,249,600.00 |
| 02/01/2026 | | | 289,400.00 | 289,400.00 | | 289,400.00 | |
| 08/01/2026 | 680,000 | 4.000% | 289,400.00 | 969,400.00 | | 969,400.00 | 1,258,800.00 |
| 02/01/2027 | | | 275,800.00 | 275,800.00 | | 275,800.00 | |
| 08/01/2027 | 700,000 | 4.000% | 275,800.00 | 975,800.00 | | 975,800.00 | 1,251,600.00 |
| 02/01/2028 | | | 261,800.00 | 261,800.00 | | 261,800.00 | |
| 08/01/2028 | 730,000 | 4.000% | 261,800.00 | 991,800.00 | | 991,800.00 | 1,253,600.00 |
| 02/01/2029 | | | 247,200.00 | 247,200.00 | | 247,200.00 | |
| 08/01/2029 | 755,000 | 4.000% | 247,200.00 | 1,002,200.00 | | 1,002,200.00 | 1,249,400.00 |
| 02/01/2030 | | | 232,100.00 | 232,100.00 | | 232,100.00 | |
| 08/01/2030 | 790,000 | 4.000% | 232,100.00 | 1,022,100.00 | | 1,022,100.00 | 1,254,200.00 |
| 02/01/2031 | | | 216,300.00 | 216,300.00 | | 216,300.00 | |
| 08/01/2031 | 820,000 | 4.000% | 216,300.00 | 1,036,300.00 | | 1,036,300.00 | 1,252,600.00 |
| 02/01/2032 | | | 199,900.00 | 199,900.00 | | 199,900.00 | |
| 08/01/2032 | 850,000 | 4.000% | 199,900.00 | 1,049,900.00 | | 1,049,900.00 | 1,249,800.00 |
| 02/01/2033 | | | 182,900.00 | 182,900.00 | | 182,900.00 | |
| 08/01/2033 | 305,000 | 4.000% | 182,900.00 | 487,900.00 | | 487,900.00 | 670,800.00 |
| 02/01/2034 | | | 176,800.00 | 176,800.00 | | 176,800.00 | |
| 08/01/2034 | 320,000 | 4.000% | 176,800.00 | 496,800.00 | | 496,800.00 | 673,600.00 |
| 02/01/2035 | | | 170,400.00 | 170,400.00 | | 170,400.00 | |
| 08/01/2035 | 330,000 | 4.000% | 170,400.00 | 500,400.00 | | 500,400.00 | 670,800.00 |
| 02/01/2036 | | | 163,800.00 | 163,800.00 | | 163,800.00 | |
| 08/01/2036 | 345,000 | 4.000% | 163,800.00 | 508,800.00 | | 508,800.00 | 672,600.00 |
| 02/01/2037 | | | 156,900.00 | 156,900.00 | | 156,900.00 | |
| 08/01/2037 | 360,000 | 4.000% | 156,900.00 | 516,900.00 | | 516,900.00 | 673,800.00 |
| 02/01/2038 | | | 149,700.00 | 149,700.00 | | 149,700.00 | |
| 08/01/2038 | 375,000 | 4.000% | 149,700.00 | 524,700.00 | | 524,700.00 | 674,400.00 |
| 02/01/2039 | | | 142,200.00 | 142,200.00 | | 142,200.00 | |
| 08/01/2039 | 390,000 | 4.000% | 142,200.00 | 532,200.00 | | 532,200.00 | 674,400.00 |
| 02/01/2040 | | | 134,400.00 | 134,400.00 | | 134,400.00 | |
| 08/01/2040 | 405,000 | 4.000% | 134,400.00 | 539,400.00 | | 539,400.00 | 673,800.00 |
| 02/01/2041 | | | 126,300.00 | 126,300.00 | | 126,300.00 | |
| 08/01/2041 | 420,000 | 4.000% | 126,300.00 | 546,300.00 | | 546,300.00 | 672,600.00 |
| 02/01/2042 | | | 117,900.00 | 117,900.00 | | 117,900.00 | |
| 08/01/2042 | 435,000 | 4.000% | 117,900.00 | 552,900.00 | | 552,900.00 | 670,800.00 |
| 02/01/2043 | | | 109,200.00 | 109,200.00 | | 109,200.00 | |
| 08/01/2043 | 455,000 | 4.000% | 109,200.00 | 564,200.00 | | 564,200.00 | 673,400.00 |
| 02/01/2044 | | | 100,100.00 | 100,100.00 | | 100,100.00 | |
| 08/01/2044 | 475,000 | 4.000% | 100,100.00 | 575,100.00 | | 575,100.00 | 675,200.00 |
| 02/01/2045 | | | 90,600.00 | 90,600.00 | | 90,600.00 | |
| 08/01/2045 | 490,000 | 4.000% | 90,600.00 | 580,600.00 | | 580,600.00 | 671,200.00 |
| 02/01/2046 | | | 80,800.00 | 80,800.00 | | 80,800.00 | |
| 08/01/2046 | 510,000 | 4.000% | 80,800.00 | 590,800.00 | | 590,800.00 | 671,600.00 |
| 02/01/2047 | | | 70,600.00 | 70,600.00 | | 70,600.00 | |
| 08/01/2047 | 530,000 | 4.000% | 70,600.00 | 600,600.00 | | 600,600.00 | 671,200.00 |
| 02/01/2048 | | | 60,000.00 | 60,000.00 | | 60,000.00 | |
| 08/01/2048 | 555,000 | 4.000% | 60,000.00 | 615,000.00 | | 615,000.00 | 675,000.00 |
| 02/01/2049 | | | 48,900.00 | 48,900.00 | | 48,900.00 | |
| 08/01/2049 | 575,000 | 4.000% | 48,900.00 | 623,900.00 | | 623,900.00 | 672,800.00 |
| 02/01/2050 | | | 37,400.00 | 37,400.00 | | 37,400.00 | |
| 08/01/2050 | 600,000 | 4.000% | 37,400.00 | 637,400.00 | | 637,400.00 | 674,800.00 |
| 02/01/2051 | | | 25,400.00 | 25,400.00 | | 25,400.00 | |
| 08/01/2051 | 625,000 | 4.000% | 25,400.00 | 650,400.00 | | 650,400.00 | 675,800.00 |
| 02/01/2052 | | | 12,900.00 | 12,900.00 | | 12,900.00 | |
| 08/01/2052 | 645,000 | 4.000% | 12,900.00 | 657,900.00 | | 657,900.00 | 670,800.00 |
| | 19,225,000 | | 9,813,315.28 | 29,038,315.28 | 2,386,457.50 | 26,651,857.78 | 26,651,857.78 |

Regulatory Disclosure

Disclosure of Conflicts of Interest and Legal or Disciplinary Events. Pursuant to Municipal Securities Rulemaking Board (“MSRB”) Rule G-42, on Duties of Non-Solicitor Municipal Advisors, Municipal Advisors are required to make certain written disclosures to clients and potential clients which include, amongst other things, Conflicts of Interest and any Legal or Disciplinary events of Urban Futures, Inc. (“UFI”) and its associated persons.

Conflicts of Interest. Compensation. UFI represents that in connection with the issuance of municipal securities, UFI may receive compensation from an Issuer or Obligated Person for services rendered, which compensation is contingent upon the successful closing of a transaction and/or is based on the size of a transaction. Consistent with the requirements of MSRB Rule G-42, UFI hereby discloses that such contingent and/or transactional compensation may present a potential conflict of interest regarding UFI’s ability to provide unbiased advice to enter into such transaction. This conflict of interest will not impair UFI’s ability to render unbiased and competent advice or to fulfill its fiduciary duty to the Issuer.

It should be noted that other forms of compensation (i.e., hourly or fixed fee based) may also present a potential conflict of interest regarding UFI’s ability to provide advice regarding a municipal security transaction. These other potential conflicts of interest will not impair UFI’s ability to render unbiased and competent advice or to fulfill its fiduciary duty to the Issuer.

Other Municipal Advisor Relationships. UFI serves a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of another UFI client. These other clients may, from time to time and depending on the specific circumstances, have competing interests. In acting in the interests of its various clients, UFI could potentially face a conflict of interest arising from these competing client interests. UFI fulfills its regulatory duty and mitigates such conflicts through dealing honestly and with the utmost good faith with its clients.

If UFI becomes aware of any additional potential or actual conflict of interest after this disclosure, UFI will disclose the detailed information in writing to the issuer or obligated person in a timely manner.

Legal or Disciplinary Events. UFI does not have any legal events or disciplinary history on UFI’s Form MA and Form MA-I, which includes information about any criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation. The Issuer may electronically access UFI’s most recent Form MA and each most recent Form MA-I filed with the Commission at the following website: www.sec.gov/edgar/searchedgar/companysearch.html. There have been no material changes to a legal or disciplinary event disclosure on any Form MA or Form MA-I filed with the SEC. If any material legal or regulatory action is brought against UFI, UFI will provide complete disclosure to the Issuer in detail allowing the Issuer to evaluate UFI, its management and personnel



June 30, 2021

475 Sansome Street
Suite 1700
San Francisco, CA 94111
t. 415.391.5780
f. 415.276.2088

By Email

Dan Jacobson
Assistant Administrative Services Director
City of Menlo Park
701 Laurel St.
Menlo Park, CA 94025

Cc: John McGirr, Patricia Barboza

Re: *Response to RFP – Bond Counsel*

Dear Dan:

Thank you for the opportunity to respond to the RFP – Bond Counsel Services to assist the City of Menlo Park with the issuance and sale of Measure T general obligation bonds to finance construction, acquisition and improvement of City parks and recreation facilities.

We would appreciate the opportunity to continue to work as bond counsel to the City.

Our proposal is attached to this letter. Please contact me with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Chris Lynch'.

Christopher K. Lynch

PROPOSAL TO PROVIDE BOND COUNSEL SERVICES CITY OF MENLO PARK

1. Description of Jones Hall.

Jones Hall is a public finance-only law practice. We pride ourselves on our ability to provide thoughtful, partner-level representation to municipal clients and help guide transactions efficiently from inception to close. Jones Hall is one of the most active municipal finance firms in the United States, having represented over 1,100 California public entities as bond or disclosure counsel since the firm's founding in 1978.

Jones Hall's roster of attorneys consists of 12 shareholders and 5 non-shareholder attorneys. Jones Hall operates from a single office in San Francisco. Assisting the attorneys are two types of non-attorney staff:

- Closers, who are paraprofessionals that assist with pre-closing, closing and post-closing logistics; and
- Disclosure analysts, who assist attorneys with researching and drafting bond disclosure -documents.

For each of the past three calendar years, Jones Hall was ranked by Thomson-Reuters News Group as either the number one or number two bond counsel firm in California based on number of transactions:

2020: 2nd (23.1% of market share)
2019: 1st (23.6% of market share)
2018: 1st (24.6% of market share)

Our attorneys' depth and breadth of experience, and the resulting knowledge and creativity we bring to the structuring of transactions, sets Jones Hall apart. For more information about Jones Hall, our practice and our professionals, please visit our website, which is located at www.JonesHall.com.

2. Proposed Staffing.

Chris Lynch would be the lead attorney assigned to this project, and Dave Walton would provide federal tax law support. Both attorneys are licensed and active members of the California State Bar, with five or more years of municipal legal experience in California as bond counsel on public finance transactions. Both Chris and Dave will be available during the next 24 months to provide the proposed bond counsel services.

a. Biographies of Assigned Attorneys.

Brief biographies of Chris and Dave are set forth below:

Chris Lynch. Chris first practiced in the area of municipal finance in 1992 and has extensive experience as lead bond and lead disclosure counsel in a variety of financings. Prior to joining the firm in 1994, Chris practiced real estate and land use law as well as municipal bond law, and served as a law clerk to Justice Stanley Mosk on the California Supreme Court. Beginning in 2000 and continuing until mid-2003, Chris served as general counsel for two private companies. Chris attended Dartmouth College and Stanford University, where he received his A.B. degree in 1986 and his J.D. degree in 1989. He was admitted to the California Bar in 1989.

Chris has a general municipal finance practice, with extensive experience with general obligation, general fund, enterprise, redevelopment and land-secured financings. Chris was the lead drafter on a variety of State legislation, including provisions of the Mello-Roos Community Facilities Act, the Infrastructure Financing District (IFD) law, the Property Assessed Clean Energy (PACE) laws, and the redevelopment dissolution act (specifically adding Health & Safety Code Section 34177.5 to authorize refundings). Chris also contributed to the initial drafting of the Infrastructure and Revitalization Financing District (IRFD) law.

Chris was the lead attorney and Dave was the primary tax attorney when Jones Hall acted as bond counsel to Menlo Park in connection with the 2019 Measure T refunding transaction. Chris acts as bond counsel for a number of other Bay Area cities, including Mountain View, Palo Alto, Redwood City, San Mateo, Foster City, San Francisco, Berkeley, Oakland, Hayward, El Cerrito and Fremont, and other northern California cities including Napa, Fairfield, Livermore, Santa Rosa and Tracy.

David Walton. Dave Walton would provide tax counsel as needed. Dave provides tax advice on all financings for which Jones Hall serves as bond counsel. Dave has over 35 years of municipal bond experience. Dave joined Jones Hall in 1992. From 1989 to 1990 he was Counsel to the Assistant Chief Counsel (Technical) - Financial Institutions and Products at the Internal Revenue Service; and for two years after that, he served as an Attorney-Advisor in the Office of Tax Policy at the United States Department of Treasury where he specialized in tax-exempt finance. He was also chair of the National Association of Bond Lawyers Committee on Arbitrage and Rebate from 1994 to 1997. He is a member of the Subcommittee on Tax-Exempt Finance of the American Bar Association, and a member of the Editorial Advisory Board of the *Municipal Finance Journal*. Dave received his law degree from Hastings College of the Law in 1983 and undergraduate degree from Brigham Young University in 1980.

b. Jones Hall's experience with Menlo Park.

Chris was the lead attorney and Dave was the primary tax attorney when Jones Hall acted as bond counsel to Menlo Park in connection with the 2019 Measure T refunding transaction. Jones Hall also acted as disclosure counsel.

At that time, Chris drafted the City's Debt Management Policy (City Council Procedure #CC-19-008) and Debt Disclosure Policy (City Council Procedure #CC-19-009), and provided disclosure training to elected officials and staff on August 20, 2019.

In addition, Chris worked with City staff and consultants (including Dan Jacobson, Azalea Mitch, Justin Murphy, Bill McClure, Nick Pegueros and Michael Frank) in 2018 and 2019 to evaluate a number of possible financing programs, including:

- a Mello-Roos CFD financing for the Chrysler Pump Station
- a CFD financing for the Life Sciences district fire flow improvements
- an enterprise financing for high-priority water and stormwater projects
- a variety of financing options for Bayfront Area development projects
- a “density bonus” program for ConnectMenlo and Belle Haven community amenities, based on the San Francisco Transbay transit center model (where Chris acts as bond counsel to the City and County of San Francisco on its CFD density bonus program).

Jones Hall also represented the Community Development Agency of the City of Menlo Park (and its successor agency) on financings in 2015 (as bond counsel and disclosure counsel) and 2006 (as disclosure counsel).

3. Response to Specific Questions.

a. Role of Bond Counsel.

Historically, bond counsel was considered to be a representative of bondowners. Over time, the role of bond counsel has evolved, and it is now clear that an attorney-client relationship exists between the bond issuer and bond counsel, and that bond counsel owes a duty of loyalty to the bond issuer. Our role as bond counsel to the City is to help it achieve its financing options while complying with applicable law, by (a) providing legal advice about California law and federal tax law, (b) helping structure a cost-effective financing, (c) drafting the necessary legal documents and (d) managing an efficient closing process.

The 2019 Measure T transaction offers a good example of our approach to the bond counsel role:

- At the outset of the financing process, we identified a new state law requirement for the City to adopt a debt management policy, and took the lead on drafting the policy and the related staff report and resolution.
- We counseled the City that the Securities and Exchange Commission, the regulatory body with authority over municipal bond financings, was strongly encouraging bond issuers to adopt written disclosure policies and procedures and to provide elected officials and staff with securities law training. Again, we took the lead on drafting the policy and the related staff report and resolution, and we provided securities law training for elected officials and staff at the August 20, 2019 City Council meeting.
- We identified a number of possible federal tax law issues related to the Arrillaga Family Gymnasium, Arrillaga Family Gymnastics Center and Arrillaga Family

Recreation Center. As a first step, we wrote a lengthy email to City staff, including Dan Jacobson, Lenka Diaz, Bill McClure and Kristen Middleton, in which we described the federal tax law rules in plain English, explained their application to the financing, and asked specific questions to help us evaluate the City's compliance with the rules. Once the City had responded to our questions, we explained (by email and in phone calls) our analysis and described the actions that the City must take to remain in compliance with federal tax law. Finally, we prepared a Certificate Regarding Use of Proceeds (which is part of the bond transcript) that (i) clearly explained our analysis, (ii) identified necessary ongoing City monitoring of the Arrillaga Centers and (iii) more generally, established post-issuance procedures to help the City comply with federal tax law best practices.

b. Process for Informing Staff and City Council.

In a typical financing, our primary interaction is with staff. As described above, we believe we are responsible for identifying key legal and structuring issues, clearly communicating them to staff, then helping staff make informed decisions.

However, as the issuer's bond counsel, our ultimate reporting relationship lies with the legislative body, Consequently:

- We always participate in the meeting at which the legislative body approves the transaction.
- To ensure that the legislative body understands the transaction, including any risks, it is Chris' practice to prepare the initial draft of the staff report. More specifically, Chris believes that it is important to include in the staff report a description of the legislative body's responsibilities under federal securities law (a concept embedded in the City's disclosure policies and procedures, as Exhibit A).

c. Manage and Track Legal Costs.

Public finance professionals, including bond counsel, are typically paid on a contingent, fixed-fee basis at bond closing. We do not charge for travel or internal costs such as photocopying or phone calls. We rarely incur third-party costs as part of our work, except publication costs to comply with California law, which we pass through without markup. We will ask for some modest compensation (as described in our proposal below) for closing transcript preparation.

As a result, we will not keep hourly time records, but we will provide copies of receipts for all third-party costs.

d. Charging Menlo Park for Fair Share of Legislative Analysis.

Because we expect to be paid on a fixed-fee basis, we will not separately charge Menlo Park for legislative analysis.

e. Compensation for Services to Parties Other than Clients.

Although Chris regularly speaks at industry conferences (for example, Chris wrote a white paper and made a presentation on “Redevelopment 2.0” at the California League of Cities conference in 2019: <https://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Library/2019/2019-Annual-Conference/10-2019-AC-PPT;-Lynch-Morales-Redevelopment-2-0-Ex.aspx>), and Dave is a regular panelist at the National Association of Bond Lawyer’s annual Bond Attorneys’ Workshop, we have not received compensation for teaching, speaking or writing to organizations outside our client base in the past 36 months.

f. Experience as Governing Board Member or Officer of Certain Organizations.

In the past 36 months, neither Chris nor Dave has served as a governing board member or officer of any of the listed organizations.

g. No Legal Services to Menlo Park’s Top 10 Employers.

Jones Hall does not provide legal services to any of the principal employers listed in the City’s 2019-20 CAFR (other than the City).

h. Use of Other Attorneys.

Chris and Dave have the necessary expertise to provide the proposed bond counsel services. If engaged as disclosure counsel, we would engage another Jones Hall shareholder to provide those services.

We do not expect to need the services of non-Jones Hall attorneys to provide the proposed bond counsel services.

i. Professional Development and Training.

Jones Hall ensures that its attorneys receive professional development and training in the following ways:

- Jones Hall is certified as a continuing education provider by the California State Bar, and the firm holds monthly attorney meetings where education is provided. In addition, whenever there are new developments in applicable law – such as proposed or newly-adopted California statutes or IRS or SEC regulations – Jones Hall attorneys immediately meet to evaluate them.

- Jones Hall's attorneys are members of the National Association of Bond Lawyers ("NABL"), and participate in the annual Bond Attorneys' Workshop and the annual Tax and Securities Law Institute. Dave Walton frequently acts as a speaker at NABL conferences.
- Jones Hall attorneys participate in industry conferences sponsored by the California League of Cities and similar organizations, frequently acting as speakers.
- Jones Hall attorneys write articles and client updates when new legal developments occur.

4. Compensation.

We propose a flat fee of \$30,000 for bond counsel services, plus reimbursement for preparation of closing transcripts for the financing team and any publication costs (not to exceed \$1,500).

Our compensation would be contingent upon issuance of the bonds, and would be paid from bond proceeds.

5. Additional Required Information.

a. Statement of Availability and Commitment.

Each of the Jones Hall attorneys and other professionals involved in any financing undertaken for the City would devote whatever time is required to ensure that the transaction is completed on schedule and in accordance with the City's expectations. They would be available for meetings, telephone conferences, consultations and otherwise, as and when needed. Jones Hall's primary office is located in San Francisco, the two assigned attorneys are resident in the San Francisco office, and each is available to attend meetings in Menlo Park as needed.

Chris and Dave return routine phone calls and email within 24 hours, but usually much more rapidly, and they immediately respond to urgent calls and emails.

b. Support Staff.

We will assign Chris Lynch as the lead attorney, Dave Walton on federal tax law issues, and a closer when the transaction is ready to close.

We are proposing to be compensated on a contingent, fixed-fee basis, and would not bill separately for the participation of Dave Walton or the closer.

c. Conflicts of Interest.

Jones Hall has a policy that limits our representation to issuers, underwriters, purchasers and insurers of municipal bonds. We adopted this policy in order avoid conflicts with municipal issuers. We do not represent our clients in litigation, except judicial validation actions related to financings under Code of Civil Procedure Section 860. As such we are not aware of any actual or perceived conflicts between other Jones Hall clients and Menlo Park.

d. Familiarity with SEC Rules and Regulations.

Jones Hall's attorneys are experts on federal securities laws and the SEC's rules and regulations, and we apply that knowledge for the benefit of our clients and the public finance industry as detailed below.

Relationship Focus. When we represent a public agency, we focus on helping the agency develop procedures to ensure that their elected officials and staff discharge their securities law obligations. Most of these procedures will be familiar to you as a result of us working with the City on its debt disclosure policy.

- We suggest that our clients adopt written disclosure policies and procedures. In the policies and procedures, we address not only primary offering documents but also other communications likely to reach the investing marketplace, including the issuer's website and its audited financial statements.
- We discuss with our clients whether a disclosure working group would be appropriate for their organization.
- For primary offerings, we emphasize the need for at least one all-hands meeting of the financing team before the preliminary Official Statement is sent to the legislative body for approval.
- We make sure that the appropriate representatives of the issuer's staff are included in the due diligence process.
- We encourage preparation of a detailed staff report that summarizes the financing; describes the security for the financings and the related risks; refers to specific sections of the Preliminary Official Statement; and outlines the legislative body's responsibilities under federal securities laws.
- We encourage staff to send the staff report (along with, at least, the draft Preliminary Official Statement) to the legislative body in sufficient time for the elected officials to review and ask questions.
- We encourage regular training for members of an issuer's legislative body and the staff that are involved in the disclosure process, to ensure that they are familiar with their disclosure obligations. On most transactions where we are bond counsel or disclosure counsel, we provide a training session to our clients as part of our services.

Industry Contributions. A number of our attorneys are active contributors to the National Association of Bond Lawyers, specifically providing training to other attorneys at the annual Bond Attorneys' Workshop. With respect to disclosure, since 2009, Chris Lynch has led the firm's effort to provide securities law training to a variety of industry participants, including issuers, underwriters, financial advisors, the California Debt and Investment Advisory Commission, and chapters of the California Society of Municipal Finance Officers, the California Municipal Treasurer's Association, the California Redevelopment Association and the California Association of County Treasurers and Tax Collectors.

e. Compliance with AB 1234.

Jones Hall is in compliance with AB 1234, to the extent applicable.

f. Statement of Economic Interest Form 700.

We believe that we are not required to file a Statement of Economic Interest (Form 700) when we act as bond counsel because we don't make decisions related to our clients' financings, but merely provide advice to assist them in their decision-making. It is our experience that our clients' general counsels agree with this approach.

g. Sexual Harassment Prevention Training.

Jones Hall provided sexual harassment training to its employees in compliance with California law, and Chris Lynch and Dave Walton completed the training.

h. Equity Training.

Jones Hall will provide equity training to assigned personnel within 90 days of commencement of service, as required to comply with applicable law or City policy.

i. General Liability and Malpractice Insurance.

The City maintains the following insurance policies:

- Professional liability insurance with Allied World Surplus Lines Insurance Company, with a deductible of \$250,000 and individual/aggregate liability limits of \$5,000,000
- Commercial general liability insurance with Sentinel Insurance Co. and Republic Indemnity Co. of America with a \$2,000,000/occurrence limit and a \$4,000,000 general aggregate limit
- Workers Compensation and Employers Liability insurance with Republic Indemnity
- Cyber Risk insurance with Travelers.

We will provide more detailed information, upon request.

j. References.

The following individuals may be contacted by the City for background information and qualification:

City and County of San Francisco

Name: Mark Blake

Title: Deputy City Attorney

Contact Information:

Phone: (415) 554-4738

Email: mark.blake@sfcityatty.org

Related Transactions:

1. Acted as bond counsel in connection with formation of City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill) (2010).
2. Drafted a Special Tax Financing Law for San Francisco's municipal code and acted as bond counsel in connection with PACE special tax district (2011). Acted as bond counsel on two PACE financings.
3. Assisted with negotiation of Disposition and Development Agreement Financing Plan for Treasure Island (2011), and acted as bond counsel in connection with formation of CFD and Infrastructure Revitalization and Financing District (2016). Ongoing assistance with annexation and formation of new improvement areas. Acted as bond counsel on initial series of CFD bonds (2020), and currently acting as bond counsel on subsequent series.
4. Acted as bond counsel in connection with formation of CFD for Transbay Transit Center and related public improvements (2014). Acted as bond counsel on financings in 2017, 2019 and 2020, and currently acting as bond counsel on subsequent series.
5. Acted as bond counsel for Port of San Francisco Revenue Bonds (2014, 2020).
6. Acted as bond counsel in connection with formation of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco), covering all of the property in the Port's jurisdiction (2016). Subsequently:
 - a. For Pier 70 Historic Core development, assisted with negotiation of Disposition and Development Agreement/Lease and acted as bond counsel in connection with formation of IFD No. 2 Project Area G-1.
 - b. For Pier 70 Brookfield project, assisted with negotiation of Disposition and Development Agreement Financing Plan and acted as bond counsel in connection with formation of IFD No. 2 Project Area G-2/G-3/G-4, Infrastructure Revitalization and Financing District and two CFDs (one for leasehold properties and one for fee simple properties).
 - c. For Mission Rock project, assisted with negotiation of Disposition and Development Agreement Financing Plan and acted as bond counsel in connection with formation of IFD No. 2 Project Area I and a leasehold

property CFD. Served as bond counsel in connection with issuance of initial series of CFD bonds in 2021, and currently acting as bond counsel on subsequent series.

7. Assisted with negotiation of Disposition and Development Agreement Financing Plan for India Basin project (2018).
8. Acted as bond counsel in connection with formation of future annexation CFD for Central South of Market infrastructure and public services (2019)
9. Assisted with negotiation of Disposition and Development Agreement Financing Plan for Portrero Power Plant project (2019-2020).
10. Assisted with negotiation of Disposition and Development Agreement Financing Plan for Balboa Reservoir project (2020).
11. Participated as bond counsel for the \$254,585,000 City and County of San Francisco Taxable General Obligation Bonds (Social Bonds – Affordable Housing, 2019), Series 2021A.

City of Fremont

Name: David Persselin

Title: Finance Director

Contact Information:

Phone: (510) 494-4631

Email: dpersselin@fremont.gov

Related Transactions:

Chris Lynch worked as bond counsel (the firm also worked as disclosure counsel) on approximately 10 transactions for the City of Fremont since 2005, including general obligation, variable rate, special tax, tax increment, and general fund lease revenue financings.

City of San Mateo

Name: Richard Lee

Title: Finance Director

Contact Information:

Phone: 650-522-7102

Email: rlee@cityofsanmateo.org

Related Transactions:

Chris worked as bond counsel (the firm also worked as disclosure counsel on some of these financings) on approximately 8 transactions for the City of San Mateo and its related entities since 2012, including general obligation, enterprise line of credit, wastewater, redevelopment, and general fund lease financings. In addition, Chris Lynch assisted the cities of San Mateo and Foster City with formation of a joint powers authority in 2016 to finance jointly-owned wastewater treatment facilities, acted as bond counsel on an initial \$270 million wastewater financing for that entity in 2019 and is currently acting as bond counsel on a \$416 million revenue bond financing and an SRF financing. Chris also worked as disclosure counsel on three CFD financings for the City of San Mateo since 2012.



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-256-CC

Consent Calendar: Adopt a resolution rescinding Resolution Nos. 4354, 5832, 6479 and adopting City Council Procedures No. CC-21-024 updating the City's purchasing policy

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) rescinding Resolution Nos. 4354, 5832, 6479 and adopting City Council Procedures No. CC-21-024 updating the City's purchasing policy (Attachment B) to incorporate the new state requirements under Senate Bill 1383 and to establish new processes and procedures.

Policy Issues

Policies adopted by the City Council must be amended or replaced by further action by the City Council. Adoption of this resolution fully incorporates Senate Bill (SB) 1383 requirements for procuring recycled-content paper products and recordkeeping.

Background

The Menlo Park Municipal Code Chapter 2.42 establishes the City's purchasing system and provides that the City Council shall approve policies and procedures necessary to implement such system, such as the purchase of goods and supplies. The City established a purchasing policy March 17, 1992 and amended city manager's signature authority to include contract approval and annual inflation adjustment October 21, 2008. Then February 12, 2019, the City Council adopted City Council Procedure No. CC-19-001 establishing award authority and bid requirements.

The revised purchasing policy includes administrative changes to update its language and incorporates the SB 1383 requirements:

- On June 28, the City Council adopted Resolution No. 6633 (Attachment C) to adopt the budget and capital improvement plan for fiscal year 2021-22. The resolution authorized the city manager, or designee, to make payments in excess of \$79,000.
- On November 16, the City Council adopted an enforceable ordinance in compliance with SB 1383. As the last component to comply with the state requirement before January 1, 2022, the City needs to update its purchasing policy to incorporate purchasing requirements for recycled-content paper products.

Analysis

The revised purchasing policy (Attachment B) would be effective January 1, 2022 and it includes the following amendments:

City manager's signature authority (CMSA)

According to Resolution No. 6633, the limit is in excess of \$79,000.

Recycled paper products (RPP) procurement requirements

According to Senate Bill 1383, all departments in a jurisdiction that make paper purchases are required to purchase and keep purchase records for paper products that contain postconsumer recycled content and are recyclable. All paper purchases must contain 30 percent postconsumer recycled content, when available at no more than fifteen percent (15%) of the total cost than non-recycled products and the products must be recyclable. For the purpose of SB 1383, "paper products" includes all types of traditional paper (copy paper, note pads, etc.) as well as janitorial supplies, cartons, wrapping, packaging, file folders, corrugated boxes, tissue and towels.

Emergency procurement

CMSA shall increase to \$250,000 during a declared emergency to procure goods and services consistent with any purchasing requirements set by the Federal Emergency Management Agency and any applicable federal and state regulations.

Impact on City Resources

City staff cannot quantify the fiscal impacts of SB 1383, which include additional staff work to manage and monitor SB 1383 compliance and costs incurred in the procurement process. The city manager's proposed fiscal year 2022-23 budget will incorporate any fiscal impacts associated with the new mandate based on actual experience with the state requirements.

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
- B. City Council Policy #CC-21-024 – redlined and clean versions
- C. Resolution No. 6633

Report prepared by:
Joanna Chen, Management Analyst I

Reviewed by:
Theresa DellaSanta, Interim Administrative Services Director

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING AN AMENDMENT TO THE CITY'S PURCHASING POLICY**

WHEREAS, Chapter 2.42 of the Menlo Park Municipal Code establishes the City's Purchasing System and Section 2.42.30 provides that the City Council shall approve policies and procedures necessary to implement a purchasing system including dollar limits associated with the purchase of goods, supplies and services, professional services agreements, and Public Projects; and

WHEREAS, the City Council adopted Resolution No. 6479 on February 12, 2019 to rescind City Council Procedure No. CC-92-004 and adopt City Council Procedure No. CC-19-002 establishing award authority and bid requirements; and

WHEREAS, the Purchasing Policy needs to incorporate the new state requirements under Senate Bill 1383; and

WHEREAS, Senate Bill 1383 requirements include procurement of recyclable and recycled-content paper products; and

WHEREAS, additional administrative changes have also been revised throughout the policy to update its language.

NOW, THEREFORE, BE IT RESOLVED, by the Menlo Park City Council that the City Council does hereby approve the updates to the Purchasing Policy and authorizes the City Manager to execute the Policy and distribute it to staff for immediate implementation.

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 fourteenth day of December, 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 ___ day of December, 2021.

Judi A. Herren, City Clerk

AWARD AUTHORITY AND BID REQUIREMENTS

City Council Procedure #CC-21-XXX
Proposed December 14, 2021
Resolution No. XXX



| |
|--|
| Purpose |
| To ensure adequate internal controls, avoid conflicts of interests, and achieve maximum efficiency in the administration of City resources, this policy establishes the award authority and bid requirements for the procurement of goods, general services, professional services, and public projects, and the settlement of claims as set forth in the Menlo Park Municipal Code (MPMC) Chapter 2.42. This policy replaces City Council Procedure # CC-92-004: "Award Authority for Purchases and Professional Service" and establishes the city's manager's authority to issue administrative policies necessary to implement this policy. |
| Definitions |
| <p>Approval authority. The approval authority is the entity who has authority to approve and sign agreements and settlements on behalf of the City. The approval authority is determined by type and amount of the transaction as established below in this policy.</p> <p>City manager's signature authority (CMSA). This is the maximum authorization for city manager approval of purchases, tort claims, and contracts. CMSA shall be adjusted every July 1st based on the year-over-year change in the engineering news record's construction cost index as measured in the month of January. All adjustments are rounded up to the nearest increment of \$1,000. The 2021-22 CMSA is \$79,000 effective July 1, 2021.</p> <p>Change order/contract amendment. A change in the scope of work, amount of compensation, time of completion or other provision of an approved contract or agreement.</p> <p>Claims settlement. Monetary settlement of any claim against the City or City employee seeking money or damages under the Government Claims Act or other applicable law.</p> <p>Cooperative purchasing agreements ("Piggyback Agreements"). A form of intergovernmental cooperative purchasing in which an entity will be extended the same pricing and terms of a contract entered by another entity commonly referred to as "piggyback" provisions. Generally, the originating entity will competitively award a contract that will include language allowing for other entities to utilize the contract, which may be to their advantage in terms of pricing, thereby gaining economies of scale that they would otherwise not receive if they competed on their own. Piggyback Agreements apply only to goods, general services, and professional services.</p> <p>Force account. Force account is the budget designation used for work performed on public projects using internal resources, including but not limited to labor, equipment, materials, supplies, and subcontracts of the City.</p> <p>Formal bid. All purchases greater than the stated limits shall be based on competitive sealed written bids. Notices inviting bids no fewer than 14 days prior to the date set for receiving bids. As practicable, bids shall be solicited from a minimum of three bidders. The notices inviting bids shall generally describe the goods and/or services to be purchased or acquired or the public project to be constructed, identify the place where the bid proposal form, specifications and other contract documents may be obtained, and specify the date, time and place when and where bids will be opened. All bids shall be sealed and submitted at the place and at or before the date and time specified in the notice inviting bids. Bids received after the specified date and time shall not be accepted and shall be returned to the bidder unopened unless the opening is necessary for identification purposes. Bids timely received shall be opened in public, at the date, time and place specified in the notice inviting bids, and the aggregate bid of each bidder shall be announced. This guidance supplements Menlo Park Municipal Code Section 2.42.090.</p> <p>General service. General services provide for work, labor or services not requiring specialized experience, knowledge or training with or without the furnishing of goods, materials, supplies or equipment, including maintenance of public buildings, streets, parks and playgrounds and other public improvements; repair, modification and maintenance of equipment or other goods; licensing, installation and maintenance of or relating to information technology property, goods and services, including, without limitation, computer hardware and software, and including the provision of data storage services, unless the information technology services that would require specialized certification, expertise, knowledge, or training are needed and provided; janitorial services, uniform cleaning, tree trimming, street sweeping, and landscape maintenance; leasing or licensing of goods and other personal property for use by the city; and general class instruction, including recreation class instruction services.</p> |

AWARD AUTHORITY AND BID REQUIREMENTS

City Council Policy #CC-21-XXX

Proposed December 14, 2021

Resolution No. XXXX

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Goods. Goods include supplies, materials, or equipment including office supplies, janitorial supplies, furnishings, equipment, machinery, tools, vehicles, computer hardware and software, and other personal property, materials or goods. Goods may be purchased using a blanket purchase order, where a specified quantity of units to be purchased is not established at the time the purchase order or contract is executed. A blanket purchase order or contract must establish a maximum dollar amount of expenditure for the contract and set forth pricing terms for the items to be purchased. Goods purchases may include labor incidental to the purchase of goods, including any set-up, installation, and testing services.

Informal bid. Informal bids, proposals, or quotations may be solicited by any reasonable means including mail, telephone, electronic mail, or posting to the City's website. Quotations shall be solicited from a minimum of three bidders or proposers; if quotations from three bidders or proposers cannot be obtained by the exercise of due diligence, quotations may be solicited from less than three bidders or proposers, as practicable. All informal bids must be submitted in writing by the bidder. Informal bidding for public projects shall comply with Menlo Park Municipal Code Section 2.42.170. This guidance supplements Menlo Park Municipal Code Section 2.42.080.

Negotiated contract. A contract awarded without bidding for the purchase of goods, general services, or professional services whose total does not exceed the delegated award authority limit. Negotiated contracts shall comply with Menlo Park Municipal Code Section 2.42.060.

Professional services. Professional services include services which involve the exercise of professional discretion and independent judgment based on specialized certification, knowledge, expertise or training. These services may include those provided by accountants, actuaries, auditors, appraisers, architects, attorneys, engineers, financial advisors, information technology experts, instructors, and environmental and land use planners.

Public projects. A public project includes a contract paid for in whole or in part out of public funds for the construction, alteration, improvement, reconstruction or demolition of any public building, facility, street, sidewalk, utility, park or open space improvement, or other public improvement. A public project does not include "Maintenance Work". For more information on public projects see Menlo Park Municipal Code Section 2.42.020.

Purchase order. A purchase order is authorization for the procurement of goods, general services, professional services, and public projects. Purchase order thresholds are established by administrative policy for all purchases under the CMSA. All purchases exceeding the CMSA require a purchase order once approved by the City Council.

Recycled paper products (RPP). Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper, "RPP," consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, and shall be eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013). Non-RPP are Paper Products and Printing and Writing Paper that do not meet RPP requirements.

Uniform Public Construction Cost Accounting Act (UPCCAA). Award of contracts for public projects shall be in accordance with the Uniform Public Construction Cost Accounting Act, State of California Public Contract Code Sections 22000 et seq., or any successor provision thereto.

Administrative provisions

These administrative provisions provide direction to City staff in the daily application of the City's procurement system. The City Manager shall establish administrative procedures to ensure the efficient operation of the City's purchasing system.

Award authority

The City Manager may approve all purchases, settlement of monetary claims against the City or its employees, and contracts at or below the City Manager Signature Authority (CMSA.) The City Manager may approve change orders and contract amendments that 1) do not affect the compensation and only make minor adjustments to the scope of work or term, or 2) change orders/contract amendments increasing compensation up to ten percent of the original contract amount approved by the City Council, or increasing compensation in amount not to exceed the CMSA for contracts not approved by the City Council, or 3) upon special circumstances as delegated by City Council resolution.

AWARD AUTHORITY AND BID REQUIREMENTS

City Council Policy #CC-21-XXX

Proposed December 14, 2021

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- The City Council shall review and authorize all purchases, settlements of claims against the City or its employees, and contracts in excess of the CMSA with the following exceptions: Multi-year goods and services agreements. For the procurement of goods, general services, and professional services, the City Manager may execute a multi-year agreement not to exceed three fiscal years and three times the CMSA in force upon execution provided that no single year in the three-year term exceeds the CMSA in effect on date of execution.
- On-call services master agreements. For on-call contract and professional services, the City Manager may execute a multi-year master agreement, not to exceed three years, with an annual amount not-to-exceed the CMSA in force on date of contract execution.

Piggyback agreements. The city manager may waive bidding requirements if the city is eligible to exercise a “Piggyback Agreement” for goods, general services, or professional services.

Recycled Paper Products (RPP) procurement requirements

If fitness and quality are equal, City shall purchase RPP whenever RPP is available at a cost of no more than one hundred fifteen percent (115%) of the cost for non-recycled items, consistent with the requirements of the Public Contracts Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended. In procurement of RPP, the City shall require the vendor to certify the minimum percentage of postconsumer material, unless the information can be verified by a product label, catalog, invoice, or website information, and shall require certification that the product is eligible to be labeled with an unqualified recyclable label as defined in 16 CFR Section 260.12.

- **Examples of goods subject to the RPP requirement:**

- *Office supplies:* file folders, hanging file folders, white envelopes, manila envelopes, index cards, wrapping, packaging, and corrugated boxes;
- *Writing and printing paper:* copy, xerographic, watermark, cotton fiber, offset, note pads, computer printout paper, and other uncoated writing paper;
- *Printed materials:* calendars, brochures, reports, magazines, publications, posters, newsprint, book paper, and forms; and
- *Paper janitorial supplies:* toilet paper, toweling, facial tissues, and toilet seat covers.

- **Records maintenance**

The City Manager shall issue administrative procedures to ensure compliance with all applicable reporting requirements under any SB 1383 regulations promulgated by CalRecycle, including 14 Cal. Code Regulations section 18993.4.

Digital signatures

The City Council authorizes acceptance of electronic signatures for all City contracts and delegates the creation of any administrative procedures on the use and acceptance of digital signatures as defined in Government Code 16.5 to the City Manager.

Emergency procurement

The City Council may suspend the procurement requirements set forth in this policy when adopting or ratifying a declaration of emergency, and in doing so may empower the City Manager to directly procure goods and services consistent with any purchasing requirements established by the Federal Emergency Management Agency (FEMA) and applicable federal and state regulations.

During a declared emergency, the CMSA shall be increased to \$250,000 during the period of the declared emergency (the “Emergency CMSA”), which amount shall be adjusted every July 1st based on the year-over-year change in the Engineering News-Record’s construction cost index as measured in the month of January. All adjustments shall be rounded up to the nearest increment of \$10,000. The increased purchasing authority provided under the Emergency CMSA shall only apply to goods or services necessary to protect against an immediate and present threat to life, safety, public health, or improved property.

Award authority and bid requirements

Approval authority and limits. The following table establishes thresholds for contract approval and bid requirements. The approving authority as outlined in this policy is responsible for ensuring compliance with the City’s purchasing system as established by Chapter 2.42 of the Menlo Park Municipal Code and any applicable City Council or Administrative policy.

AWARD AUTHORITY AND BID REQUIREMENTS

City Council Policy #CC-21-XXX
 Proposed December 14, 2021
 Resolution No. XXXX

| Category | Amount | Approving authority | Requirement |
|---|--|---------------------|--|
| Goods, general services, and professional services | Up to 50% of CMSA | City Manager | Negotiated contract or informal bid |
| | CMSA | | Informal bid |
| | CMSA to UPCCAA informal bid limit | City Council | Informal bid |
| | Greater than UPCCAA informal bid limit | | Formal bid |
| Public projects | Up to the CMSA | City Manager | Informal bid if over the force account/negotiated contract limit in Public Contract Code section 22032(a). |
| | CMSA to UPCCAA informal bid limit | City Council | Informal bid |
| | Greater than UPCCAA informal bid limit | | Formal bid |
| Claims settlement | Less than or equal to the CMSA | City Manager | N/A |
| | Greater than the CMSA | City Council | |

CMSA – City manager’s signature authority
 UPCCAA – Uniform Public Construction Cost Accounting Act

Procedure history

| Resolution | Date | Notes |
|------------|----------------|-----------------------------------|
| No. 4354 | March 17, 1992 | Established Procedure # CC-92-004 |

AWARD AUTHORITY AND BID REQUIREMENTS

City Council Policy #CC-21-XXX

Proposed December 14, 2021

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| | | |
|--|-------------------|--|
| No. 5832 | October 21, 2008 | Amended CC-92-004 to add contract approval; established annual inflation adjustments to CM's authority |
| No. 6479 | February 12, 2019 | Adopted Procedure # CC-19-001 |
| No. XXXX | December 14, 2021 | Rescind Resolution Nos. 4354, 5832, and 6479 Adopts Procedure # CC-21- XXX |
| Procedure maintenance | | |
| As part of their annual review of procedures establishing internal controls, the administrative services department shall prepare a memo every July informing the organization of the City Manager's signature authority (CMSA) and applicable limits in the Uniform Public Construction Cost Accounting Act (UPCCAA). | | |

AWARD AUTHORITY AND BID REQUIREMENTS POLICY

City Council Procedure #CC-1921-001-XXX

Effective 2/12/2019 Proposed December 14, 2021

Resolution No. XXX6479



Purpose

To ensure adequate internal controls, avoid conflicts of interests, and achieve maximum efficiency in the administration of City resources, this policy establishes the award authority and bid requirements for the procurement of goods, general services, professional services, and public projects, and the settlement of claims as set forth in the Menlo Park Municipal Code (MPMC) Chapter 2.42. This policy replaces City Council Procedure # CC-92-004: "Award Authority for Purchases and Professional Service" and establishes the city's manager's authority to issue administrative policies necessary to implement this policy.

Definitions

Approval authority. The approval authority is the entity who has authority to approve and sign agreements and settlements on behalf of the City. The approval authority is determined by type and amount of the transaction as established below in this policy.

City manager's signature authority limit (CMSAL). This is the maximum authorization for city manager approval of purchases, tort claims, and contracts. CMSAL shall be adjusted every July 1st based on the year-over-year change in the engineering news record's construction cost index as measured in the month of January. All adjustments are rounded up to the nearest increment of \$1,000. The ~~2021-22 base year CMSAL is set at \$79,000~~ ~~75,000~~ effective on the adoption date July 1, 2021.

Change order/contract amendment. A change in the scope of work, amount of compensation, time of completion or other provision of an approved contract or agreement.

Claims settlement. Monetary settlement of any claim against the City or City employee seeking money or damages under the Government Claims Act or other applicable law.

Cooperative purchasing agreements ("Piggyback Agreements"). A form of intergovernmental cooperative purchasing in which an entity will be extended the same pricing and terms of a contract entered by another entity commonly referred to as "piggyback" provisions. Generally, the originating entity will competitively award a contract that will include language allowing for other entities to utilize the contract, which may be to their advantage in terms of pricing, thereby gaining economies of scale that they would otherwise not receive if they competed on their own. Piggyback Agreements apply only to goods, general services, and professional services.

Force account. Force account is the budget designation used for work performed on public projects using internal resources, including but not limited to labor, equipment, materials, supplies, and subcontracts of the City.

Formal bid. All purchases greater than the stated limits shall be based on competitive sealed written bids. Notices inviting bids no fewer than 14 days prior to the date set for receiving bids. As practicable, bids shall be solicited from a minimum of three bidders. The notices inviting bids shall generally describe the goods and/or services to be purchased or acquired or the public project to be constructed, identify the place where the bid proposal form, specifications and other contract documents may be obtained, and specify the date, time and place when and where bids will be opened. All bids shall be sealed and submitted at the place and at or before the date and time specified in the notice inviting bids. Bids received after the specified date and time shall not be accepted and shall be returned to the bidder unopened unless the opening is necessary for identification purposes. Bids timely received shall be opened in public, at the date, time and place specified in the notice inviting bids, and the aggregate bid of each bidder shall be announced. This guidance supplements Menlo Park Municipal Code Section 2.42.090.

General service. General services provide for work, labor or services not requiring specialized experience, knowledge or training with or without the furnishing of goods, materials, supplies or equipment, including maintenance of public buildings, streets, parks and playgrounds and other public improvements; repair, modification and maintenance of equipment or other goods; licensing, installation and maintenance of or relating to information technology property, goods and services, including, without limitation, computer hardware and software, and including the provision of data storage services, unless the information technology services that would require specialized certification, expertise, knowledge, or training are needed and provided; janitorial services, uniform cleaning, tree trimming, street sweeping, and landscape maintenance; leasing or licensing of goods and other personal property for use by the city; and general class instruction, including recreation class instruction services.

AWARD AUTHORITY AND BID REQUIREMENTS ~~POLICY~~

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~~Effective 2/12/2019 Proposed December 14, 2021~~

Resolution No. ~~6479XXXX~~

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Goods. Goods include supplies, materials, or equipment including office supplies, janitorial supplies, furnishings, equipment, machinery, tools, vehicles, computer hardware and software, and other personal property, materials or goods. Goods may be purchased using a blanket purchase order, where a specified quantity of units to be purchased is not established at the time the purchase order or contract is executed. A blanket purchase order or contract must establish a maximum dollar amount of expenditure for the contract and set forth pricing terms for the items to be purchased. Goods purchases may include labor incidental to the purchase of goods, including any set-up, installation, and testing services.

Informal bid. Informal bids, proposals, or quotations may be solicited by any reasonable means including mail, telephone, electronic mail, or posting to the City's website. Quotations shall be solicited from a minimum of three bidders or proposers; if quotations from three bidders or proposers cannot be obtained by the exercise of due diligence, quotations may be solicited from less than three bidders or proposers, as practicable. All informal bids must be submitted in writing by the bidder. Informal bidding for public projects shall comply with Menlo Park Municipal Code Section 2.42.170. This guidance supplements Menlo Park Municipal Code Section 2.42.080.

Negotiated contract. A contract awarded without bidding for the purchase of goods, general services, or professional services whose total does not exceed the delegated award authority limit. Negotiated contracts shall comply with Menlo Park Municipal Code Section 2.42.060.

Professional services. Professional services include services which involve the exercise of professional discretion and independent judgment based on specialized certification, knowledge, expertise or training. These services may include those provided by accountants, actuaries, auditors, appraisers, architects, attorneys, engineers, financial advisors, information technology experts, instructors, and environmental and land use planners.

Public projects. A public project includes a contract paid for in whole or in part out of public funds for the construction, alteration, improvement, reconstruction or demolition of any public building, facility, street, sidewalk, utility, park or open space improvement, or other public improvement. A public project does not include "Maintenance Work". For more information on public projects see Menlo Park Municipal Code Section 2.42.020.

Purchase order. A purchase order is authorization for the procurement of goods, general services, professional services, and public projects. Purchase order thresholds are established by administrative policy for all purchases under the CMSA. All purchases exceeding the CMSA require a purchase order once approved by the City Council.

Recycled paper products (RPP). Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper, "RPP," consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, and shall be eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013). Non-RPP are Paper Products and Printing and Writing Paper that do not meet RPP requirements.

Uniform Public Construction Cost Accounting Act (UPCAA). Award of contracts for public projects shall be in accordance with the Uniform Public Construction Cost Accounting Act, State of California Public Contract Code Sections 22000 et seq., or any successor provision thereto.

Award authority and bid requirements Administrative provisions

These administrative provisions provide direction to City staff in the daily application of the City's procurement system.
Approval authority and limits. The following table establishes thresholds for approval authority and bid requirements. The approving authority as outlined in this policy is responsible for ensuring compliance with the City's purchasing system as established by Chapter 2.42 of the Menlo Park Municipal Code and any applicable City Council or Administrative policy.
The City Manager shall establish administrative procedures to ensure the efficient operation of the City's purchasing system.

Award authority

The City Manager may approve all purchases, settlement of monetary claims against the City or its employees, and contracts at or below the City Manager Signature Authority (CMSA.) The City Manager may approve change orders and contract amendments that 1) do not affect the compensation and only make minor adjustments to the scope of work or term, or 2) change orders/contract amendments increasing compensation up to ten percent of the original

AWARD AUTHORITY AND BID REQUIREMENTS POLICY

City Council Policy #CC-19-001-21-XXX

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contract amount approved by the City Council, or increasing compensation in amount not to exceed the CMSA for contracts not approved by the City Council, or 3) upon special circumstances as delegated by City Council resolution.

~~The City Council shall review and authorize all purchases, settlements of claims against the City or its employees, and contracts in excess of the CMSA with the following exceptions: **Approval of change orders and contract amendments. The city manager may approve change orders and contract amendments that do not affect the compensation and only make minor adjustments to the scope of work or term. The city manager has authority to approve change orders/contract amendments up to ten percent of the original contract amount approved by the City Council. Upon special circumstances, the City Council may delegate additional change order/contract amendment authority to the city manager.**~~

- Multi-year goods and services agreements. For the procurement of goods, general services, and professional services, the City Manager may execute a multi-year agreement not to exceed three fiscal years and three times the CMSA in force upon execution provided that no single year in the **three-year** term exceeds the CMSA in effect on date of execution.
- On-call services master agreements. For on-call contract and professional services, the City Manager may execute a multi-year master agreement, not to exceed three years, with an annual amount not-to-exceed the CMSA in force on date of contract execution.

Piggyback agreements. The city manager may waive bidding requirements if the city is eligible to exercise a "Piggyback Agreement" for goods, general services, or professional services.

Recycled Paper Products (RPP) procurement requirements

If fitness and quality are equal, City shall purchase ~~RPP~~ RPP whenever RPP is available at a cost of no more than one hundred fifteen percent (115%) of the cost for non-recycled items, consistent with the requirements of the Public Contracts Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended. In procurement of RPP, the City shall require the vendor to certify the minimum percentage of postconsumer material, unless the information can be verified by a product label, catalog, invoice, or website information, and shall require certification that the product is eligible to be labeled with an unqualified recyclable label as defined in 16 CFR Section 260.12.

• **Examples of goods subject to the RPP requirement:**

- Office supplies: file folders, hanging file folders, white envelopes, manila envelopes, index cards, wrapping, packaging, and corrugated boxes;
- Writing and printing paper: copy, xerographic, watermark, cotton fiber, offset, note pads, computer printout paper, and other uncoated writing paper;
- Printed materials: calendars, brochures, reports, magazines, publications, posters, newsprint, book paper, and forms; and
- Paper janitorial supplies: toilet paper, toweling, facial tissues, and toilet seat covers.

• **Records maintenance**

~~—The City Manager shall issue administrative procedures to ensure compliance with all applicable reporting requirements under any SB 1383 regulations promulgated by CalRecycle, including 14 Cal. Code Regulations section 18993.4.~~

~~**City manager authorization.** The city manager is authorized to establish administrative policies and procedures to ensure the efficient operation of the City's purchasing system.~~

Digital signatures

~~The City Council authorizes acceptance of electronic signatures for all City contracts and delegates the creation of any administrative procedures on the use and acceptance of digital signatures as defined in Government Code 16.5 to the City Manager.~~

~~**Delegation of CMSAL.** The city manager may delegate up to fifty percent of the CMSAL for goods, general services, and professional services and one hundred percent for public projects and public projects change orders.~~

Emergency procurement

~~The City Council may suspend the procurement requirements set forth in this policy when adopting or ratifying a declaration of emergency, and in doing so may empower the City Manager to directly procure goods and services~~

AWARD AUTHORITY AND BID REQUIREMENTS POLICY

City Council Policy #CC-19-001-21-XXX

Effective 2/12/2019 Proposed December 14, 2021

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consistent with any purchasing requirements established by the Federal Emergency Management Agency (FEMA) and applicable federal and state regulations.

During a declared emergency, the CMSA shall be increased to \$250,000 during the period of the declared emergency (the “Emergency CMSA”), which amount shall be adjusted every July 1st based on the year-over-year change in the Engineering News-Record’s construction cost index as measured in the month of January. All adjustments shall be rounded up to the nearest increment of \$10,000. The increased purchasing authority provided under the Emergency CMSA shall only apply to goods or services necessary to protect against an immediate and present threat to life, safety, public health, or improved property.

~~Digital signature policy.~~ the city manager shall have authority to adopt electronic signature policies that authorize the use and acceptance of digital signatures as defined in Government Code 16.5

~~Duration of agreements.~~ for the procurement of goods, general services, and professional services, the city manager may execute a multi-year agreement not to exceed three fiscal years and three times the CMSA in force upon execution.

~~Piggyback agreements.~~ The city manager may also waive bidding requirements if the city is eligible to exercise a “Piggyback Agreement” for goods, general services, and professional services.

Award authority and bid requirements

Approval authority and limits. The following table establishes thresholds for contract approval authority and bid requirements. The approving authority as outlined in this policy is responsible for ensuring compliance with the City’s purchasing system as established by Chapter 2.42 of the Menlo Park Municipal Code and any applicable City Council or Administrative policy.

| Category | Amount | Approving authority | Requirement |
|--|---|---------------------|--|
| Goods, general services, and professional services | Up to 50% of CMSA | City Manager | Negotiated contract or informal bid |
| | CMSA | | Informal bid |
| | CMSA to UPCCAA informal bid limit | City Council | Informal bid |
| | Greater than UPCCAA informal bid limit | | Formal bid |
| Public projects | UPCCAA force account limit-Up to the CMSA | City Manager | Informal bid/force account if over the force account/negotiated contract limit in Public Contract Code section 22032(a). |
| | | City Council | Informal bid |

AWARD AUTHORITY AND BID REQUIREMENTS ~~POLICY~~

City Council Policy #CC-~~19-001-21-XXX~~

Effective 2/12/2019 Proposed December 14, 2021

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| | | | |
|---|--|--|------------|
| | CMSAL to UPCCAA informal bid limit | | Formal bid |
| | Greater than UPCCAA informal bid limit | | |
| Claims settlement | Less than <u>or equal to</u> the CMSAL | City Manager | N/A |
| | Greater than the CMSAL | City Council | |
| CMSAL – City manager’s signature authority limit UPCCAA – Uniform Public Construction Cost Accounting Act | | | |
| Procedure history | | | |
| Resolution | Date | Notes | |
| No. 4354 | March 17, 1992 | Established Procedure # CC-92-004 | |
| No. 5832 | October 21, 2008 | Amended CC-92-004 to add contract approval; established annual inflation adjustments to CM’s authority | |
| No. 6479 | February 12, 2019 | Adopted Procedure # CC-19-001 | |
| <u>No. XXXX</u> | <u>December 14, 2021</u> | <u>Rescind Resolution Nos. 4354, 5832, and 6479</u> <u>Adopts Procedure # CC-2119-XXX001</u> | |
| <u>Policy-Procedure</u> maintenance | | | |
| As part of their annual review of policies-procedures establishing internal controls, the administrative services department shall prepare a memo every July informing the organization of the <u>City Manager’s</u> signature authority limit (CMSAL) and applicable limits in the Uniform Public Construction Cost Accounting Act (UPCCAA). | | | |

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-eighth day of June, 2021, by the following vote:


AYES: Combs, Mueller, Nash, Wolosin

NOES: Taylor

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this third day of December, 2021.

DocuSigned by:

 39280A20D0BE491...
 Judi A. Herren, City Clerk

| Resolution No. 6633 adopting the fiscal year 2021-22 budget and capital improvement plan | | | |
|--|---------------------------|--------------------------------|----------------------------|
| 2021-22 Adopted Budget | | | |
| | Revenues and Transfers In | Expenditures and Transfers Out | Net Revenue/ (Expenditure) |
| General Funds | | | |
| (100) General Fund | 62,703,307 | 62,703,307 | - |
| (111) One-time Revenue Fund | 1,686,000 | | 1,686,000 |
| General Funds Total | 64,389,307 | 62,703,307 | 1,686,000 |
| Special Revenue Funds | | | |
| (201) EIR Fees | - | - | - |
| (202) Miscellaneous Trust Fund | - | - | - |
| (211) Heritage Tree | 10,000 | 135,000 | (125,000) |
| (221) Housing Special Revenue Fund | - | 4,000 | (4,000) |
| (222) Below Market Rate Housing Special Revenue | - | 336,611 | (336,611) |
| (223) Federal Revenue Sharing | - | 4,000 | (4,000) |
| (224) Community Development Block Grant | - | 4,000 | (4,000) |
| (251) Big Lift | 190,000 | 260,149 | (70,149) |
| (252) Childcare Food | 31,500 | 50,000 | (18,500) |
| (253) Belle Haven Child Development Center | 1,255,000 | 1,557,689 | (302,689) |
| (254) Preschool-QRIS | - | - | - |
| (255) Senior Transportation | - | - | - |
| (256) Recreation In-Lieu | 1,074,334 | 1,624,334 | (550,000) |
| (301) Literacy Grant | - | - | - |
| (303) Family Literacy Grant | - | - | - |
| (304) Menlo Park Community Campus Fund | 15,614,847 | 13,617,900 | 1,996,947 |
| (326) Narcotic Seizure Fund | - | - | - |
| (327) Supplemental Law Enforcement Services | - | - | - |
| (328) Downtown Parking Permits | 500,000 | 2,589,600 | (2,089,600) |
| (329) OTS Grant | - | - | - |
| (331) ABC Grant | - | - | - |
| (332) Bayfront Impact Fund | 2,434,625 | - | 2,434,625 |
| (351) Transportation Impact Fees | 9,688,723 | 9,813,723 | (125,000) |
| (352) Transportation Fund | 1,427,466 | 1,427,466 | - |
| (353) Downtown Public Amenity Fund | 100,000 | 300,000 | (200,000) |
| (354) Storm Drainage Fees | 1,800 | 50,000 | (48,200) |
| (355) Shuttle Program | 841,046 | 1,200,398 | (359,352) |
| (356) County Transportation Tax (Measure A) | 1,199,459 | 1,350,484 | (151,025) |
| (357) Highway Users (Gas Tax) Fund | 2,332,964 | 2,610,245 | (277,281) |
| (358) Landscape/Tree Assessment | 1,287,457 | 1,046,071 | 241,386 |
| (359) Sidewalk Assessment | 305,838 | 277,050 | 28,788 |
| (360) Measure M | 146,000 | 146,000 | - |
| (361) Storm Water Management(NPDES) | 425,862 | 514,969 | (89,107) |
| (362) Construction Impact Fee Fund | 4,032,990 | 5,156,584 | (1,123,594) |
| (363) Measure W | 300,000 | 500,000 | (200,000) |
| (364) HUT Repair and Maintenance | - | 550,000 | (550,000) |
| (365) Landfill Post-Closure | 4,883,569 | 4,495,404 | 388,165 |
| (366) Vintage Oaks Landscape | - | - | - |
| (367) Sharon Hills Park | - | - | - |
| (368) Bayfront Park Maintenance | - | 248,484 | (248,484) |
| (391) Ravenswood Ave Grade Separation Study | - | - | - |
| (397) American Rescue Plan Act Fund | 4,150,250 | 847,740 | 3,302,510 |
| Special Revenue Funds Total | 52,233,730 | 50,717,901 | 1,515,829 |
| Debt Service Funds | | | |
| (400) Library GO Bond 1990 | 7,545 | - | 7,545 |
| (401) Recreation GO Bond | - | 1,041,281 | (1,041,281) |
| Debt Service Funds Total | 7,545 | 1,041,281 | (1,033,736) |
| Capital Project Funds | | | |
| (501) General Capital Improvement Fund | 26,793,742 | 34,952,356 | (8,158,614) |
| Internal Service Funds | | | |
| (701) Workers' Compensation Fund | 1,234,411 | 1,050,019 | 184,392 |
| (702) General Liability Fund | 863,081 | 1,431,169 | (568,088) |
| (703) Other Post Employment Benefits | 318,750 | 648,018 | (329,268) |
| (704) IT Internal Service Fund | 2,781,801 | 2,823,083 | (41,282) |
| (705) Vehicle Replacement Fund | 1,396,380 | 1,570,000 | (173,620) |
| Internal Service Funds Total | 6,594,423 | 7,522,289 | (927,866) |
| Enterprise Funds | | | |
| (600) Water Capital Fund | 13,364,782 | 16,430,567 | (3,065,785) |
| (601) Water Operations Fund | 13,774,400 | 10,239,617 | 3,534,783 |
| (610) Solid Waste Service | - | 334,032 | (334,032) |
| Enterprise Funds Total | 27,139,182 | 27,004,216 | 134,966 |
| All Funds Total | 177,157,929 | 183,941,350 | (6,783,421) |



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-248-CC

Consent Calendar: Approve the 2022 City Council regular meeting schedule

Recommendation

Staff recommends the City Council approve the City Council's 2022 meeting schedule (Attachment A.)

Policy Issues

The proposed action conforms to the current practice of having the City Council set its meeting schedule annually in December. According to the City's municipal code, Section 2.04.010, a regular meeting of the City Council shall be held on the second and fourth Tuesday of every month commencing at six p.m.

Background

The purpose of the annual City Council meeting schedule is to provide the City Council, staff and the public with advance notice of proposed meeting dates. The meeting schedule has typically been approved by the City Council at a regular meeting in December each year.

Analysis

Staff is proposing a meeting schedule for 2022 with meetings held on the second and fourth. The proposed dates have been scheduled taking into consideration City holidays, school holidays, and important City Council and staff-related conferences.

Once a meeting schedule is approved by the City Council, it will be used by staff to create a tentative calendar to identify when items will likely be considered by the City Council. It is important to note that the tentative calendar is a fluid document that serves as an ongoing reference guide, and that items are frequently rescheduled. The City Council is requested to keep Tuesday evenings free so that meetings, including closed sessions or study sessions, can be scheduled as the need arises.

Staff has proposed the following rescheduling of the following regular meetings:

- September 27, 2022 – Rosh Hashanah – rescheduled to September 20, 2022
- November 22, 2022 – Thanksgiving holiday week – rescheduled to November 15, 2022
- December 27, 2022 – Christmas holiday week – rescheduled to December 6, 2022

Table 1 outlines neighboring jurisdiction governing board meeting schedules.

| Table 1: Regular governing board meeting schedule | |
|---|--|
| Board | Meeting schedule |
| City of Palo Alto | First three Mondays of each month, at 6 p.m. |
| City of East Palo Alto | First and third Tuesdays of each month at 6:30 p.m. |
| City of Redwood City | Second and fourth Mondays of each month at 7 p.m. |
| Las Lomas School District | Second Wednesday of each month at 7 p.m. |
| Menlo Park City School District | Second Thursday of each month at 5 p.m. |
| Menlo Park Fire Protection District | Third Tuesday of every month at 7 p.m. |
| Ravenswood City School District | Second and fourth Thursdays of each month at 7:15 p.m. |
| Sequoia Union High School District | Wednesdays at 6 p.m. - adopted by Board |
| Town of Atherton | Third Wednesday of each month at 7 p.m. |
| Town of Portola Valley | Second and fourth Wednesdays of the month at 7 p.m. |
| Town of Woodside | Second and fourth Tuesday of each month at 7:30 p.m. |
| West Bay Sanitary District | Second and fourth Wednesdays of each month at 7 p.m. |

Impact on City Resources

There is no impact on City resources.

Public Notice

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

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.

Attachments

- A. Proposed 2022 City Council meeting schedule

Report prepared by:
 Judi A. Herren, City Clerk



PROPOSED CITY COUNCIL MEETING SCHEDULE 2022

JANUARY

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |

FEBRUARY

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | | | | | |

MARCH

| S | M | T | W | T | F | S |
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| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

APRIL

| S | M | T | W | T | F | S |
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| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

MAY

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

JUNE

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

JULY

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

AUGUST

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

SEPTEMBER

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |

OCTOBER

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |

NOVEMBER

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | | | |

DECEMBER

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |



REGULAR MEETING AGENDA

Date: 12/14/2021

Time: 6:00 p.m.

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

STAFF REPORT RELEASE NOTICE

The Staff Report No. 21-252-CC for Consider adoption of a resolution to authorize the city manager to enter into an agreement with ENGIE Services US Inc. to design, construct, operate, and maintain clean energy infrastructure for the Menlo Park Community Campus project in an amount not to exceed \$5.72 million and appropriate \$5.72 million from the unassigned funds in the general fund for the project will be available on December 10, 2021.

Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the City Clerk's Office at 650-330-6620. (Posted 12/9/2021.)



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-250-CC

Consent Calendar: **Adopt fiscal year 2021-22 budget amendments and authorize city manager to execute agreement amendments for public works maintenance, city arborist, and community development contract services**

Recommendation

City staff recommended adopting budget amendments and authoring city manager to execute agreement amendments for public works maintenance, city arborist and community development contract services.

Policy Issues

City Council takes action after budget adoption to amend the adopted budget to incorporate new programs or initiatives or information, positive and negative that materially impact the City's financial condition.

Background

Since budget adoption, City Council has taken several actions to amend the fiscal year 2021-22 adopted budget. The City has also entered into agreements to provide certain contract services necessary to provide services to the community. By City Council adopted procedures, the city manager may enter into agreements up to \$79,000 in the fiscal year 2021-22. Contract expenses above \$79,000 require City Council authorization.

Analysis

Tables 1 and 2 summarize the recommended action to amend the adopted budget and authorize the city manager to amend existing agreements for certain current contracts.

City Council directed amendments (Table 1)

City Council-directed amendments capture actions taken by City Council since budget adoption. Each line item includes the staff report number for City Council action through December 7. A positive number indicates a revenue or resource that offsets increased expenditure or requirement. "Transfer In" is revenue or resource to the fund where the expenditure occurs. For example, City Council approved an additional \$59,000 for the routine 2021 vehicle purchases as an expenditure in the vehicle replacement fund (Fund No. 705.) Given that Fund No. 705 does not have sufficient funds to complete the purchase, City Council also approved a transfer in of \$59,000 from the general fund (Fund No. 100), where the transfer is recorded as a transfer out or expense. For presentation purposes, City staff aggregated all transfers out of Fund No. 100 to demonstrate the cumulative impact view of the various approvals.

| Table 1 – City Council directed amendments | | | |
|--|--------------------------------|---------------------|-------------|
| Item | Increase to revenue/ (expense) | Staff report number | Fund number |
| 2021 vehicle purchase | (59,000) | 21-213-CC | 705 |
| EV patrol vehicle pilot program | (350,000) | 21-213-CC | 705 |
| Transfer in, fund 705 | 409,000 | 21-213-CC | 705 |
| MPCC land acquisition | (610,000) | 21-206-CC | 304 |
| Transfer in, fund 304 | 610,000 | 21-206-CC | 304 |
| Menlo Park Sister Cities Association | 10,000 | 21-179-CC | 100 |
| Transfers out | (1,029,000) | n/a | 100 |
| Use of assigned fund balance | 1,029,000 | n/a | 100 |
| 1300 ECR contribution | 300,000 | 21-241-CC | 353 |
| Quiet zones CIP | (300,000) | 21-241-CC | 353 |
| Haven Avenue streetscape grant | 600,000 | 21-242-CC | 352 |
| Have Avenue streetscape CIP | (600,000) | 21-242-CC | 352 |
| Surplus/(Deficit) | 0 | | |

City staff recommended amendments and contract authority increases (Table 2)

City staff identifies areas requiring additional funding or contract authority resulting from factors not reasonably anticipated during budget preparation or regular contract review and approval. The City Council’s willingness to amend budgets and contract authority after initial adoption promotes fiscal responsibility and transparency by discouraging contingency budgets. Table 2 summarizes City staff’s recommendation. Recommendations include

- *Reimagining public safety contract authority increase.* Dr. Terri Givens has facilitated internal work with the City Council’s reimagining public safety ad hoc subcommittee, city manager Jerome-Robinson and police chief Norris. Work will continue into 2022, with focused community involvement as well as broad community participation. Staff recommends a budget of \$20,000 for Dr. Givens continued facilitation.
- *Public works maintenance and repair contract authority increases.* The City’s contract with Cal West for park lighting requires an additional \$35,000 for maintenance, repair of tennis courts and sports fields lights no longer under warranty. Additionally the contract with Cal West for street lighting requires an additional \$35,000 for street light repairs and replacements caused by motorists or storm-related knockdowns and an additional \$23,000 to maintain and improve traffic signal/speed feedback signs, including new speed feedback signs on Willow Road, Hamilton Avenue, Chilco Street and Valparaiso Avenue; 7 new flashing crosswalks installed in 2020; and maintenance for two new traffic signals in Bayfront area previously under construction warranty. The recent departure of the City’s arborist requires a \$50,000 increase to the City’s contract with Calyx Tree Landscaping to backfill for the vacancy. Following direction from City Council at their November 6 meeting, Staff Report No. 21-221-CC, City staff recommends a budget and contract authority with a to be determined contractor to support the development of a wireless facilities ordinance. Finally, an anticipated increase in commute times is expected as major regional employers return to the office; City staff recommend restoring the employee Caltrain GoPass incentive to encourage the City’s staff use of public transit as opposed to a single-

- occupancy vehicle, where practical.
- Community Development contract authority increases.* Continued vacancies in Community Development’s building and housing division require backfill by contract staff. City staff recommends additional contract authority of \$50,000 with BRP to provide remote front-counter support. City staff also recommends increased contract authority of \$100,000 with Interwest to support housing division projects while the Housing Manager/Deputy Community Development Director-Housing position remains vacant.
- Finance division contract authority increase.* Continued vacancies in the finance division of Administrative Services require an additional contract authority with Maze and Associates of \$100,000. Maze consultants support accounting functions during the transition to the City’s new financial management software.
- Use of unassigned fund balance.* Use of unassigned fund balance offsets the requested budgetary and contract authority increases.

| Table 2 – City staff recommended amendments and contract authority increases | | | |
|--|--------------------------------|-----------------------------------|-------------|
| Item | Increase to revenue/ (expense) | Contract | Fund number |
| Reimagining public safety contract | (20,000) | Dr. Terri Givens | 100 |
| Park lighting contract (maint/repair) | (35,000) | Cal West | 100 |
| Street lighting contract (maint/repair) | (25,000) | Cal West | 100 |
| Traffic signal and lighted signs contract | (23,000) | Cal West | 100 |
| City arborist contract(staff backfill) | (50,000) | Calyx Tree | 100 |
| Wireless facilities ordinance contract (contract services) | (25,000) | Staff will be soliciting proposal | 100 |
| Building division contract (staff backfill) | (50,000) | BRP | 100 |
| Housing division contract (staff backfill) | (100,000) | Interwest | 100 |
| Finance division contract (staff backfill) | (100,000) | Maze Associates | 100 |
| Use of assigned fund balance | 428,000 | n/a | 100 |
| Surplus/(Deficit) | 0 | | |

Impact on City Resources

Sufficient general fund unassigned fund balance exists to offset the \$1.457 million in expenditures and contract authority transmitted in this staff report. City staff anticipate a significant midyear budget amendment recommendations, both revenue and expenditures increases. Expenditure increases will focus on restoring programs and services eliminated during the fiscal year 2020-21 budget cycle including public safety and library and community services.

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 this agenda item being listed, at least 72 hours prior to the meeting.

Attachments

None.

Report prepared by:

Theresa DellaSanta, Interim Administrative Services Director



REGULAR MEETING AGENDA

Date: 12/14/2021

Time: 6:00 p.m.

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

STAFF REPORT RELEASE NOTICE

The Staff Report No. 21-257-CC for Receive and file personnel update as of November 30, 2021 will be available on December 10, 2021.

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STAFF REPORT

City Council
Meeting Date: 12/14/2021
Staff Report Number: 21-258-CC

Regular Business: **Appoint City Council representatives and alternates to various local and regional agencies and as liaisons and members to City Council advisory bodies**

Recommendation

Staff recommends that the City Council:

1. Appoint representatives and alternates to various local and regional agencies;
2. Appoint members to applicable advisory bodies;
3. Appoint liaisons to applicable advisory bodies;

Policy Issues

The proposed action conforms to the current practice of annually updating the City Council's appointments to various local and regional agencies, boards and City Council-appointed advisory bodies.

Discussion

Each year, after the City Council reorganization, City Council appoints its members to represent the City or liaison for City Council. Attachment A is a full roster of current City Council assignments for 2021. Attachment B includes a brief description of each agency's purpose and respective meeting schedule.

City staff recommends consideration of the reappointment of former City Councilmember Catherine Carlton to the San Mateo County Mosquito and Vector Control District (Attachment C.)

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. List of current 2021 City Council assignments
- B. 2022 City Council assignments to regional boards and advisory bodies
- C. Letter of reappointment interest from former City Councilmember Catharine Carlton

Report prepared by:
Judi A. Herren, City Clerk

| MAYOR ASSIGNMENTS | 2021 Primary | 2021 Alternate |
|--|----------------------|-----------------------|
| Association of Bay Area Governments (ABAG) | Drew Combs | Betsy Nash |
| League of California Cities (Peninsula Division) | Drew Combs | Betsy Nash |
| Menlo Park Chamber of Commerce / City liaison position | Drew Combs | Betsy Nash |
| San Mateo County Council of Cities – City Selection Committee | Drew Combs | Betsy Nash |
| REGIONAL ASSIGNMENTS | 2021 Primary | 2021 Alternate |
| Airport Community Roundtable | Cecilia Taylor | Ray Mueller |
| Caltrain Modernization Local Policy Group | Jen Wolosin | Ray Mueller |
| City Council Ad Hoc Subcommittee on Stanford General Use Permit | Ray Mueller | |
| City/County Association of Governments of San Mateo County (C/CAG) | Cecilia Taylor | Ray Mueller |
| County of Santa Clara Community Resources Group for Stanford University | Betsy Nash | Cecilia Taylor |
| Emergency Services Council (San Mateo County JPA) | Cecilia Taylor | Drew Combs |
| Facebook Local Community Fund | Cecilia Taylor | Betsy Nash |
| Grand Boulevard Task Force | Jen Wolosin | Drew Combs |
| HEART Board Member Agency Committee (MAC) | Ray Mueller | Jen Wolosin |
| Peninsula Clean Energy (PCE) Community Choice Energy | Betsy Nash | Jen Wolosin |
| San Francisquito Creek Joint Powers Authority | Drew Combs | Cecilia Taylor |
| San Mateo County Mosquito and Vector Control District | Catherine Carlton* | n/a |
| South Bayside Waste Management Authority (SBWMA) | Cecilia Taylor | Drew Combs |
| CITY COUNCIL BOARD MEMBERS | 2021 Member 1 | 2021 Member 2 |
| Bay Area Water Supply & Conservation Agency (BAWSCA) - through June 25, 2025 | Drew Combs | |
| CITY COUNCIL ADVISORY BODY MEMBERS | 2021 Member 1 | 2021 Member 2 |
| Finance and Audit Committee | Drew Combs | Ray Mueller |
| ADVISORY BODY LIAISONS | 2021 Member 1 | 2021 Member 2 |
| Complete Streets Commission | Cecilia Taylor | n/a |
| Community Engagement and Outreach Committee | Drew Combs | Jen Wolosin |
| Environmental Quality Commission | Betsy Nash | n/a |
| Housing Commission | Jen Wolosin | n/a |
| Library Commission | Betsy Nash | n/a |
| Parks and Recreation Commission | Drew Combs | n/a |
| Planning Commission | Jen Wolosin | n/a |
| OUTSIDE AGENCY LIAISONS | 2021 Member 1 | 2021 Member 2 |
| Menlo Park City School District | Jen Wolosin | Drew Combs |
| Menlo Park Fire Protection District | Cecilia Taylor | Ray Mueller |
| San Mateo County Flood and Sea Level Rise District (FSLR, OneShoreline) | Cecilia Taylor | Betsy Nash |
| OUTSIDE AGENCY TASKFORCE | 2021 Member 1 | 2021 Member 2 |
| Downtown Street Closure Task Force | Betsy Nash | Ray Mueller |

* requesting reappointment

2022 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

| Regional assignments (Mayor and/or Vice Mayor) | | | |
|---|---|--|--|
| Assignment | Details | Meeting time / location | Representative / alternate |
| <p>Association of Bay Area Governments (ABAG)</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: https://abag.ca.gov/</p> | <p>General Assembly meets 1-2 times annually (April and October)</p> | <p>Primary (Mayor):</p> <p>Alternate (Vice Mayor):</p> |
| <p>League of California Cities – Peninsula Division</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: https://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula-Division</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):</p> <p>Alternate (Vice Mayor):</p> |
| <p>Menlo Park Chamber of Commerce</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: http://menloparkchamber.com</p> | <p>Meets monthly on the third Thursday with City representatives joining at 8 a.m., in the Chamber of Commerce Board Room/virtual</p> | <p>Primary (Mayor):</p> <p>Alternate (Vice Mayor):</p> |
| <p>San Mateo County Council of Cities – City Selection Committee</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):</p> <p>Alternate (Vice Mayor):</p> |

| Regional Board Appointments | | | |
|--|---|---|--|
| <p>Bay Area Water Supply & Conservation Agency (BAWSCA)</p> | <p>The Bay Area Water Supply & 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: http://bawasca.org</p> | <p>Meets as needed</p> <p>Drew Combs through June 25, 2025</p> |

| Regional assignments | | | |
|--|---|---|--|
| <p>Airport Community Roundtable</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: http://sforoundtable.org</p> | <p>Generally, first Wednesdays at 7 p.m. at Millbrae City Hall/virtual</p> <p>Confirmed dates: February 6, 2019</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>Caltrain Modernization Local Policy Group</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: http://www.caltrain.com/projectsplans/CaltrainModernization/Local_Policy_Maker_Group.html</p> | <p>Meets monthly on the fourth Thursday, 5:30 p.m., in the Edward J. Bacciocco Auditorium, SamTrans Administrative Offices, 2nd Floor, 1250 San Carlos Ave., San Carlos, CA/virtual</p> | <p>*Same as City Council Rail Subcommittee</p> <p>Primary:</p> <p>Alternate:</p> |
| <p>City/County Association of Governments (C/CAG)</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: http://ccag.ca.gov</p> | | <p>Primary:</p> <p>Alternate:</p> |
| <p>County of Santa Clara Community Resources Group for Stanford University</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: https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/StanfordCRG.aspx</p> | <p>Meets monthly on the second Thursday, 7–8:30 p.m., at the Palo Alto Art Center, 1313 Newell Road, Palo Alto, CA/virtual</p> | <p>Primary:</p> <p>Alternate:</p> |

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|---|---|--|-----------------------------------|
| <p>Emergency Services Council (San Mateo County Joint Powers Authority)</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: https://hsd.smcsheriff.com/emergency-services-council</p> | <p>Meets quarterly on Thursdays, 5 – 7 p.m.</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>Facebook Local Community Fund</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: http://www.venturesfoundation.org/programs/community-initiatives/facebook-local-community-fund/</p> | <p>Meets as needed</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>Grand Boulevard Initiative Taskforce</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: http://grandboulevard.net</p> | <p>Meets quarterly on Wednesdays</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>HEART Board Member Agency Committee (MAC)</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: https://www.heartofsmc.org/events/member-agency-committee-mac-meeting/</p> | <p>Meets as needed</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>Peninsula Clean Energy Authority (PCE)</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&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: http://www.peninsulacleanenergy.com</p> | <p>Meets monthly on the fourth Thursday, 6:30 p.m., at the Peninsula Clean Energy Office, 2075 Woodside Road, Redwood City, CA/virtual</p> | <p>Primary:</p> <p>Alternate:</p> |

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| <p>San Francisquito Creek Joint Powers Authority</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: http://sfcjpa.org</p> | <p>Meets monthly on the fourth Thursday of the month at 6 p.m. in the Menlo Park City Council Chambers/ virtual</p> | <p>Primary:</p> <p>Alternate:</p> |
| <p>San Mateo County Mosquito and Vector Control District</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: https://www.smcmvcd.org/</p> | <p>Meets monthly on the second Wednesday of the month at 6 p.m.</p> | <p>Primary: Carlton</p> <p>Alternate:</p> |
| <p>South Bayside Waste Management Authority (SBWMA)</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: http://rethinkwaste.org</p> | <p>Meets monthly on the fourth Thursday of the month at 2 p.m. in the San Carlos Library conference room/virtual</p> | <p>Primary:</p> <p>Alternate:</p> |

| City Council advisory body members assignments | | | |
|---|---|---|-------------------------------|
| Assignment | Details | Meeting time / location | Representative / alternate |
| <p>Finance and Audit Committee (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 third Wednesday of every quarter at 5:30 p.m. in the Sharon Heights Conference Room, 2nd Floor, City Hall/virtual. Additional special meetings as needed</p> | <p>Member:</p> <p>Member:</p> |

| Advisory body liaison assignments | | | |
|---|---|---|-----------------|
| <p>Complete Streets Commission</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 second Wednesday, 7 p.m., in the City Council Chambers/virtual</p> | <p>Liaison:</p> |
| <p>Community Engagement and Outreach Committee</p> | <p>City Council-appointed advisory body</p> | <p>Meets as needed</p> | <p>Liaison:</p> |
| <p>Environmental Quality Commission</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 third Wednesday, 6:30 p.m., in the Downtown Conference Room, 1st Floor, City Hall/virtual</p> | <p>Liaison:</p> |

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| <p>Housing Commission</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 second Wednesday, 6:30 p.m., in the Cypress Room, Arrillaga Family Recreation Center/virtual</p> | <p>Liaison:</p> |
| <p>Library Commission</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 third Monday, 6:30 p.m., in the Downstairs Meeting Room, Main Library, 800 Alma St. /virtual</p> | <p>Liaison:</p> |

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| <p>Parks and Recreation Commission</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 fourth Wednesday, 6:30 p.m., in the Cypress Room, Arrillaga Family Recreation Center/virtual</p> | <p>Liaison:</p> |
| <p>Planning Commission</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/virtual</p> | <p>Liaison:</p> |

| City Council outside agency liaison assignments | | | |
|--|---|---|----------------------------|
| Assignment | Details | Meeting time / location | Representative / alternate |
| Flood and Sea Level Rise Agency (FSLR) | Website: https://resilientsanmateo.org/ | Meets monthly on the second and fourth Monday, 4 p.m. | Primary: Alternate: |
| Menlo Park City School District | | Meets as needed | Member: |
| Menlo Park Fire Protection District | | Meets as needed | Member: |

| Outside agency taskforce liaison assignments | | | |
|---|---------|-------------------------|----------------------------|
| Assignment | Details | Meeting time / location | Representative / alternate |
| Downtown Street Closure Task Force | | Meets as needed | Member: |



**SAN MATEO COUNTY
MOSQUITO & VECTOR
CONTROL DISTRICT**

Protecting public health since 1916

1351 Rollins Road
Burlingame, CA 94010

phone (650) 344-8592
fax (650) 344-3843

www.smcmvcd.org

October 21, 2021

City of Menlo Park
Attn: Judi Herren, City Clerk
701 Laurel Street
Menlo Park, CA 94025

Dear Judi Herren,

The current term of office for Catherine Carlton, representative to the Board of Trustees of this District from the City of Menlo Park, will expire on December 31, 2021.

It is kindly requested that the City Council make an appointment or reappointment for the ensuing term of January 1, 2022 through December 31, 2023 or through December 31, 2025. According to the California Health and Safety Code, Section 2020-2030, which dictates appointments to Vector Control District Boards:

- The city council of each city or town may appoint one person to the board of trustees.
- The term of office for a member of the board of trustees shall be for a term of two or four years, at the discretion of the appointing authority.
- Terms of office begin at noon on the first Monday in January.

The common law incompatibility of office doctrine was addressed in SB 1588, (2002) and now a City Council member may be appointed to the Board of Trustees.

Once an appointment has been made, please forward a letter to that fact indicating the term length (two or four years).

Thank you for your attention to this request,

A handwritten signature in black ink, appearing to read 'Brian Weber', with a stylized, cursive script.

Brian Weber, District Manager

Herren, Judi A

From: Herren, Judi A
Sent: Wednesday, November 10, 2021 9:23 PM
To: 'Catherine Carlton'
Subject: RE: Mozzie Board

Hi Cat,

Thanks for letting me know you are still interested in serving on the SMCMVCD.

I'll add that you wish to continue serving to the staff report that goes before City Council when selections are made.

J

From: Catherine Carlton [REDACTED]
Sent: Wednesday, November 10, 2021 6:06 PM
To: Herren, Judi A <jaherren@menlopark.org>
Subject: Mozzie Board

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Judi,

Is there a form that I need to fill in to be reappointed to the Mosquito and Vector board, or is em email indicating my intent to stay on the board enough?

Many thanks,

Catherine
Catherine Carlton
CRO

MOB: [REDACTED]
[REDACTED]





STAFF REPORT

City Council
Meeting Date: 12/14/2021
Staff Report Number: 21-249-CC

Regular Business: **Appoint City Councilmembers to various standing and ad hoc subcommittees, and disband inactive ad hoc subcommittees**

Recommendation

Staff recommends that the City Council:

1. Make appointments to City Council standing subcommittees
2. Make appointments to active City Council ad hoc subcommittees
3. Disband inactive City Council ad hoc subcommittees

Policy Issues

City Council establishes subcommittees to expedite review and consideration of matters requiring City Council action. Standing subcommittees are ongoing with regular duties and their activities are subject to the open meetings act (e.g., Brown Act.) Ad hoc subcommittees are limited in duration and scope and generally do not exist for longer than a year or a specified task. Ad hoc subcommittees are informal and their meetings are not subject to the open meetings act.

Discussion

Each year, after the City Council reorganization, City Council may make appointments to City Council standing subcommittees and ad hoc subcommittees.

Attachment A lists current City Council subcommittees, both standing and ad hoc. Ad hoc subcommittees are further distinguished by active and inactive. City staff recommends that inactive subcommittees be disbanded.

Impact on City Resources

There is no impact on City resources associated with this action outside of any staff assistance required.

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. List of current 2021 City Council assignments

Report prepared by:
Judi A. Herren, City Clerk

| CITY COUNCIL STANDING COMMITTEES | 2020 Member | 2020 Member |
|--|--------------------|--------------------|
| Community Grant Funding | Drew Combs | Cecilia Taylor |
| Rail Subcommittee | Ray Mueller | Jen Wolosin |
| ACTIVE CITY COUNCIL AD HOC SUBCOMMITTEES | 2020 Member | 2020 Member |
| Business | Betsy Nash | Ray Mueller |
| City Manager Priorities/Recruitment | Jen Wolosin | Cecilia Taylor |
| Climate Action Plan | Jen Wolosin | Betsy Nash |
| ConnectMenlo Community Amenities | Betsy Nash | Cecilia Taylor |
| Facebook/Willow Village Development Agreement Negotiations | Betsy Nash | Cecilia Taylor |
| Housing Element subcommittee | Drew Combs | Jen Wolosin |
| Menlo Park Community Campus | Betsy Nash | Cecilia Taylor |
| Quality of Life Ordinance | Cecilia Taylor | Drew Combs |
| Reimagining Public Safety | Cecilia Taylor | Jen Wolosin |
| West Menlo Triangle Annexation | | |
| Willow Road Highway 101 Interchange Improvements | Drew Combs | Cecilia Taylor |
| INACTIVE CITY COUNCIL AD HOC SUBCOMMITTEES (DISBAND UNLESS REACTIVATED) | Member | Member |
| City Attorney Recruitment | Drew Combs | Ray Mueller |
| Inventory Existing, Proposed and Potential Citywide Development | Nash | Taylor |
| Emergency Response Homeless Encampment in Bayfront | Cecilia Taylor | Ray Mueller |



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-247-CC

Regular Business: Provide direction to the City's voting delegate regarding regional vacancies for the next City Selection Committee meeting December 17, 2021

Recommendation

Staff recommends that the City Council provide direction to the City's voting delegate regarding vacancies on various regional boards to be voted on at the next City Selection Committee meeting December 17, 2021.

Policy Issues

The proposed action conforms to current practice.

Background

The City Selection Committee meeting will take place at the Colma Fire House, 50 Reiner Street, Colma CA, 94014 at 6:15 p.m., December 17, 2021. According to the City Council of Cities bylaws, the Mayor is designated as the voting member for each city. Following past practice, this item is on the agenda in order to provide input to the Mayor or alternate for voting purposes. The 2022 City Selection Committee proxy designee form can be found as Attachment B.

Several regional seats will become vacant through the San Mateo County Council of Cities. Under consideration are the following (Attachment A):

Bay Area Air Quality Management District (BAAQMD)

- Selection of one (1) City Councilmember to serve on BAAQMD representing all Cities for a term of two (2) years beginning January 1, 2022 through December 31, 2023
 - City Councilmember Davina Hurt, City of Belmont, is seeking reappointment

San Mateo County Transportation Authority (SMCTA)

- Selection of one (1) City Councilmember to serve on the SMCTA representing all Cities for a term of two (2) years beginning January 1, 2022 through December 31, 2023
 - City Councilmember Emily Beach, City of Burlingame, is seeking reappointment

San Mateo County Transportation Authority (SMCTA) representing Northern Cities (Eligible Cities: Brisbane, Colma, Daly City, Pacifica, San Bruno, and South San Francisco)

- Selection of one (1) City Councilmember to serve on the SMCTA representing Northern Cities for a term of two (2) years beginning January 1, 2022 through December 31, 2023

- Vice Mayor Mark Nagales, City of South San Francisco, is seeking reappointment City Selection Committee for 2022
- Election of a Chairperson to the City Selection Committee for 2022
(Note: Candidates must be a current mayor or city councilmember)
- Election of a Vice Chairperson to the City Selection Committee for 2022
(Note: Candidates must be a current mayor or city councilmember)
 - City Councilmember Eddie Flores, City of South San Francisco, is seeking appointment

Impact on City Resources

There is no impact on City resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it 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. December 17, 2021, City Selection Committee agenda
- B. 2021 City Selection Committee proxy designee form

Report prepared by:
Judi A. Herren, City Clerk

SAN MATEO COUNTY

CITY SELECTION COMMITTEE

Sue Vaterlaus, Chairperson
Regina Wallace-Jones, Vice Chairperson

Sukhmani S. Purewal, Secretary
 400 County Center
 Redwood City, 94063
 650-363-1802

TO: MAYORS OF SAN MATEO COUNTY
 FROM: SUKHMANI S. PUREWAL, SECRETARY
 SUBJECT: MEETING OF THE CITY SELECTION COMMITTEE

Councilmember Sue Vaterlaus, Chairperson of the San Mateo County City Selection Committee called for a meeting of the Committee at **6:15 p.m. on Friday, December 17, 2021**, at Colma Fire House, 50 Reiner Street, Colma CA 94014.

AGENDA

- 1) Roll Call
- 2) Selection of one (1) Councilmember to serve on the Bay Area Air Quality Management District (BAAQMD) representing *Cities* (all Cities are eligible), for a term of two (2) years beginning January 1, 2022 through December 31, 2023.
 - i. Councilmember Davina Hurt, City of Belmont, is seeking reappointment*
- 3) Selection of one (1) Councilmember to serve on the San Mateo County Transportation Authority (SMCTA) representing *Cities* (all Cities are eligible) for a term of two (2) years beginning January 1, 2022 through December 31, 2023
 - i. Councilmember Emily Beach, City of Burlingame, is seeking reappointment*
- 4) Selection of one (1) Councilmember to serve on the San Mateo County Transportation Authority (SMCTA) representing *Northern Cities* (Eligible Cities: Brisbane, Colma, Daly City, Pacifica, San Bruno, and South San Francisco) for a term of two (2) years beginning January 1, 2022 through December 31, 2023
 - i. Vice Mayor Mark Nagales, City of South San Francisco, is seeking reappointment*
- 5) Election of a Chairperson to the City Selection Committee for 2022
(Note: Candidates must be a current Mayor or Council Member)
- 6) Election of a Vice Chairperson to the City Selection Committee for 2022
(Note: Candidates must be a current Mayor or Council Member)
 - i. Councilmember Eddie Flores, City of South San Francisco, is seeking appointment*

7) Oral Communications and Announcements

- i. Public Comment – Opportunity for the public to address the San Mateo County City Selection Committee.*
- ii. Any subject not on the agenda may be presented at this time by members of the City Selection Committee. These topics cannot be acted upon or discussed, but may be agendized for a later meeting date.*

If you have any questions or require additional information, contact Sukhmani S. Purewal at (650) 363-1802 or via email at spurewal@smcgov.org



One Twin Pines Lane
Belmont, CA 94002
650-595-7408
belmont.gov

San Mateo County City Selection Committee
The Honorable Sue Vaterlaus, Chairperson
% Sukhmani S. Purewal, Secretary
400 County Center
Redwood City, 94063

December 3, 2021

Dear Honorable Chairperson, Mayors and City Council Members of San Mateo County,

I am writing to you to request your support so that I may continue to represent the 20 cities and towns of San Mateo County on the Bay Area Air Quality Management District Board of Directors (BAAQMD.)

As we are aware, BAAQMD aims to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality and the global climate.

Recently, I was appointed to the Executive Committee for the BAAQMD positioning me to advocate for our communities more effectively. Moreover, my appointment to this regional board has enabled me to gain an appointment by Governor Gavin Newsom with confirmation by the California State Senators to the California Air Resources Board (CARB), the air quality regulatory body for the state.

As a board member of the CARB, I am one of only three board members appointed from locally elected positions that bring the direct voice of cities, towns and counties to the important work of CARB. Since my appointment, I have hit the ground running by forging new relationships for the county, bolstering existing ones, and making policy decisions to implement funding from the California State Budget as well as a range of programmatic funds derived from fees and penalties that will shape how well our communities transition to a green economy and attain carbon neutrality.

It is an understatement to say that the past few years of Covid-19 have been difficult for families and communities. The pandemic has revealed and exacerbated many challenges within communities greatly impacted by air pollution while also incentivizing and accelerating our common focus to improve the health and well-being of our constituents through innovative air quality policy, regulation and investment.

Like all of you, we have had many responsibilities during this time that have called us to focus on the health and well-being of our communities and families. Thus, it has been my honor representing San Mateo County Cities on the Bay Area Air Quality Management District on all of our behalf.

Since my appointment, I have pushed BAAQMD professional staff to improve and deepen community engagement strategies with our county and all Bay Area counties to better understand the unique challenges and opportunities in San Mateo County. With this improved knowledge and understanding, BAAQMD has begun exploring new frameworks for developing policy. I look forward to furthering my understanding and expertise by continuing to closely work with staff and board leadership that is focused on community collaboration, improved public health outcomes, and vigorously pursuing meaningful climate goals.

I was honored and humbled to be selected as a member of California's official delegation to the 26th United Nations Climate Change Conference of the Parties (COP26) in Scotland last month. At every level of community and government, we have critical work to do to combat climate change. I have returned with ideas on how we can invest and support our cities in achieving carbon neutrality while doing so with equity at the forefront.

As a BAAQMD board member, I have successfully advocated for clear air filters for San Mateo County communities that have both stationary and mobile sources of air pollution, supported regulatory efforts to decrease large-scale sources of pollution in the region and strategically invested resources in historically underserved communities.

For the last decade, I have dedicated my time and energy to help shape local, regional and state policy to enhance and strengthen consumer protection, public transportation, social justice and building healthy, sustainable communities. I have seen from the ground up how residents and stakeholders engage regarding these issues and how agencies and communities can work better together.

Leadership means listening, learning and acting - this is what we do in San Mateo County to make positive changes.

As a policymaker, I will continue to work to make a positive difference for our communities. As co-chair of the first Community Equity Health and Justice Committee for the BAAQMD, I have invested time and effort with communities and the committee to provide policy recommendations to the full board and staff to ensure traditionally underrepresented and under-resourced communities benefit greatly from district investments and regulatory policy to improve air quality and health outcomes. I am committed to continuing to fulfill BAAQMD's critical mission and to take a progressive approach to regulate air pollution by internal and external systems.

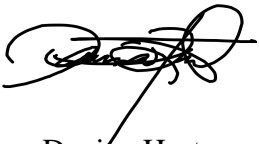
Throughout my tenure on the BAAQMD board, I have made great effort to learn about the regulatory and programmatic efforts of the district – which are many. The work of the district is critically important to protecting and improving public health and in meeting the challenges of decarbonization to mitigate the worst outcomes of climate change. In concert with the Chair and my colleagues, I will remain an advocate for meaningful regulation, transparency and accountability. In addition, I am passionately committed to ensuring programs such as the Community Air Protection Program (CAPP), Clean Cars for All Program, the Clean Air Filtration Program, and the Spare the Air service continue to provide tangible and equitable benefits to all district residents.

As a current board member of BAAQMD and CARB, I am gaining a unique perspective on the hard work that the board will need to be invested in to continue California’s planned transition to a zero-emission future.

I look forward to the opportunity to continue serving with your trust as a San Mateo County Cities’ representative, Secretary for BAAQMD, and board member for CARB. I will continue to work hard and advocate for the needs of our communities.

Thank you for your consideration.

Sincerely,



Davina Hurt

City of Belmont Councilwoman/Former Mayor

Board member, California Air Resources Board

Director, Bay Area Air Quality Management District of San Mateo County Cities

Vice-Chair, City/County Association of Governments of San Mateo County



ANN O'BRIEN KEIGHRAN, MAYOR
RICARDO ORTIZ, VICE MAYOR
MICHAEL BROWNRIGG
DONNA COLSON
EMILY BEACH

The City of Burlingame

CITY HALL -- 501 PRIMROSE ROAD
BURLINGAME, CALIFORNIA 94010-3997

TEL: (650) 558-7201
www.burlingame.org

December 1, 2021

Dear Colleagues,

I would be honored to earn your support as I seek reappointment to the San Mateo County Transportation Authority (TA) Board of Directors representing Peninsula Cities-at-Large. I am passionate about improving our county's mobility with cost-effective and equitable solutions. I prioritize transparency, fiscal responsibility, and sustainability – core values that guide my work on the TA. Serving on the TA has been a highlight of my public service, and I'm so grateful for the opportunity you've given me to serve during the past five years.

I take my role as your Cities-at-Large Representative seriously, and I always cast my vote with the long-term best interests of San Mateo County residents in mind. I've worked hard to earn your trust by actively listening and seeking your perspectives, touring your communities, preparing diligently for meetings and policy discussions, and by working to spread Measure A & W grant dollars fairly throughout the county. In my 2019 letter of interest, I promised you that I would consistently advocate for sustainability, mode-shift, and equity – and that I would never become complacent about our fiduciary responsibility to the taxpayers of San Mateo County. I'm proud to report back about how I've delivered on these promises.

Fiduciary Duty

During the remaining 11-year life of Measure A and 27-year life of Measure W, our County will entrust the TA Board to administer more than \$2.5 billion in transportation funds and oversee past Measure A commitments. I've worked proactively with our finance staff to fully understand and monitor our revenues and expenditures, and continuously improve the TA's transparency. Special thanks to Director Mates for serving as our Board liaison to help staff to write quarterly TA email updates to you during the past two years. Early in 2022, our Board will also consider migrating our investment portfolio into ESG funds, where environmental, social, and governance factors are integrated into the investment selection process.

Attendance, Engagement, & Continuity

I've demonstrated my commitment to the TA with a high level of engagement and an exemplary attendance record. I've volunteered on TA subcommittees, and I haven't missed a single board or subcommittee meeting during my current term. I attend community outreach meetings about TA projects throughout the County to hear first-hand input from constituents, plus Community Advisory Committee meetings on controversial issues. It's also been my honor to serve as one of three TA representatives on the San Mateo County U.S. 101 Express Lane JPA.

As the longest-serving city representative on the TA, I bring important continuity to our decision-making process – which means we have a relatively young team compared to past TA Boards. I've effectively used my institutional memory to assist colleagues in our decision making—like during our March 2021 discussion about Caltrain electrification's revised budget gap. I insisted TA staff follow-up with a briefing about the TA's "financial backstop" commitment to the Caltrain electrification project, which secured the federal grant five years ago. This decision occurred during my very first SMCTA Board meeting in January 2017.

SMCTA Board Accomplishments

Our TA Board of Directors and staff work closely as a team and I'm proud of our progress and accomplishments. As I close out my two-year term as Chairperson of SMCTA, here are some highlights of the work we've done together:

- Implemented the TA's new 5-Year Strategic Plan which incorporated Measure W funds and core principals. This effort helped us modernize Measure A grant criteria by prioritizing equity and sustainability more than ever before.
- Leveraged the TA's outstanding credit rating to fund a \$100 million loan for the construction of the US 101 Express Lanes. Our innovative financing strategy also enabled San Mateo County to create the first pre-funded Express Lane Equity Program in the United States (rather than waiting for future toll revenues to fund it.) This pioneering program helps low-income community members access the express lanes and provides free public transit passes to encourage sustainable commuting—which is particularly important given that many can't afford to own a car. Our Express Lanes JPA (consisting of three C/CAG Directors and three TA Directors) has also led the state in forward-thinking clean air vehicle toll discount policy. Recently, the California Transportation Commission (CTC) even invited our staff to present an update about our express lane's equity program and analysis as an innovative state-wide model.
- Created and approved the TA's Short Range Highway Program Strategic Plan to prioritize \$2.9 billion in future highway projects (thank you Directors Medina, Mates, and Horsley for their subcommittee work.) This plan ensures highway funds equitably prioritized and distributed throughout the county.
- Developed the TA's first-ever Alternative Congestion Relief Program Strategic Plan to fund Transportation Demand Management (TDM) planning and programs in a way that prioritizes equity and sustainability. On 12/3, our Board will consider recommendation from our subcommittee (thank you Directors Romero and Groom for joining me on this subcommittee) that include the creation of a separate grant process for coastal communities to compete among themselves for TDM grant funds, instead of competing against larger cities along the Caltrain corridor. Our proposal also preferences SamTrans Equity Priority Areas that consider the Peninsula's high cost of living compared to other parts of the state.
- Delivered the largest bike-ped grant in TA History in 2020 (+35% to \$7.7 million which funded 62 projects your cities throughout the county.) Special congrats to Daly City, Redwood City, Half Moon Bay, Belmont, San Carlos, and Atherton for working quickly to build these projects within just one year! We also increased our Safe Routes to School funding by approximately 50% to fund safety infrastructure and crossing guards around our schools.
- Rescued two critical Caltrain projects by backfilling construction gap funding for San Mateo's 25th Avenue Grade Separation and the South San Francisco Caltrain Station.
- Invested significant funds in the planning, design, and implementation of US 101/92 interchange improvements, and Produce Avenue in South San Francisco
- Celebrated TA ribbon-cuttings with many of you in East Palo Alto and Menlo Park (Willow Road overpass) Half Moon Bay (Highway 1 Safety Improvements) San Mateo (25th Avenue Caltrain Grade Separation) -- and we look forward to celebrating the opening of South San Francisco's new Caltrain station next month!
- Co-sponsored a county-wide autonomous vehicle workshop webinar on 11/17/2021 with expert speakers from private and public sectors to help our cities prepare for this transformative technology. The Zoom recording and meeting materials are available for everyone on Granicus at the [following link](#) (note program begins 22:00 minutes into the recording.)

Upcoming SMCTA Work Plan

Looking ahead, I couldn't be more excited about our work plan which includes:

- Developing a strategic plan for Regional Transit Connections category like Dumbarton Rail
- Implementing \$110 million of new highway projects throughout the county

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- Funding planning and construction phases for the county's top four priority Caltrain grade separation projects (three of which are on the CPUC's top ten priority list!)
- Implementing the 101 Express Lanes—including the segment north of 380 to San Francisco—with forward-thinking, equitable, and sustainable policies.

Personal Commitment

Transportation policy is where I've chosen to focus significant time and attention. I believe thoughtful investment in transit improves our community's quality of life and helps address housing and environmental challenges. My service on other regional transportation bodies helps broaden my perspective as a TA decision-maker. I also serve as Vice Chair of Caltrain's Modernization Local Policy Makers Group, Vice Chair of Commute.org Board of Directors, and as a member of C/CAG's Congestion Management and Environmental Quality Committee (CMEQ), C/CAG's Bicycle Pedestrian Advisory Committee (BPAC), and The County Office of Education's Safe Routes to Schools Advisory Committee. This past year during our nation's infrastructure debate, I was appointed to a Federal Transportation and Infrastructure Advocacy Committee with the National League of Cities. I used that platform to advocate on behalf of our region for additional commuter rail funding for Caltrain (the electrification project, service improvements, and safety improvements like grade separations) plus robust bicycle and pedestrian grants for cities. I do my best to stitch together learnings from these committees to add value, insight, and context in our work together. Mobility solutions are also important to me personally. Literally every day, my family depends on Caltrain, SamTrans, the Dumbarton Express Bus line, BART, Commute.org shuttles, bicycles, and pedestrian infrastructure to get us where we need to go.

With your support, I will continue to steward Measure A and Measure W funds to improve our quality of life here in San Mateo County. Thank you for your consideration and I look forward to seeing you on December 17th!

Respectfully,



Emily Beach
Councilmember and former Mayor
City of Burlingame
(415) 377-8125 (mobile)



CITY COUNCIL 2021

MARK ADDIEGO, MAYOR
MARK NAGALES, VICE MAYOR (DIST. 2)
JAMES COLEMAN, MEMBER (DIST. 4)
EDDIE FLORES, MEMBER
FLOR NICOLAS, MEMBER

MIKE FUTRELL, CITY MANAGER

November 23, 2021

OFFICE OF THE CITY COUNCIL

City Selection Committee
C/o Sukhmani Purewal
Secretary of City Selection Committee/Assistant Clerk of the Board of Supervisors

RE: Re-appointment to the San Mateo County Transportation Authority (TA) - Northern Jurisdiction Seat

Dear Honorable Mayors and Councilmembers,

I seek your support for my re-appointment to the San Mateo County Transportation Authority (TA) for the Northern Jurisdiction of San Mateo County. We must continue to have strong representation on the TA to ensure that we have an impactful voice in the direction of transportation in the Bay Area.

It has been my honor to serve on the TA this past year. During my tenure, the TA has made tremendous progress on several key projects, including constructing managed lanes along Highway 101, completing South San Francisco's new Caltrain station, and funding grade separation projects to improve pedestrian safety and local traffic in our communities. Whether it's increasing Caltrain service, building grade separations for Caltrain tracks, expanding Ferry service, envisioning a more robust bicycle and pedestrian network, or exploring new alternative modes of transportation, there are many opportunities ahead for San Mateo County to create a vital transportation network that serves us now and well into the future.

As one of the first Filipino Americans elected to the South San Francisco City Council, I understand how important it is to have a seat at the table. I have advocated for the TA to expand its approaches to addressing equity and inclusion, to ensure that more residents can benefit from the improvements we're making and enjoy a better quality of life. While the pandemic has greatly impacted ridership on public transportation, it's imperative that we plan for our economic recovery and the growing demand for transit as more people return to work post-COVID. In the long-term, public transportation and other alternative modes of transportation must continue to be part of the solution to mitigate traffic gridlock and its impact on the environment.

While I am running for the Northern district seat, I believe strongly in taking a regional approach to our County's transportation challenges. In seeking this re-appointment, I will be a representative for all cities in San Mateo County to voice your concerns, questions, and priorities to the entire TA Board. My door will always be open to anyone to share their conversations and ideas.

Re-appointment SMC TA – Nagales

November 23, 2021

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I will continue to look out for the best interests of San Mateo County. I will leverage my experience and connections on the local, State, and Federal levels to strengthen the County's transportation and infrastructure. The recent passage of the Biden Administration's infrastructure plan presents a tremendous opportunity to invest in our future. I pledge to be a regional leader and a strong advocate for you while bringing people together to find sensible solutions. I humbly ask for your support.

Thank you for your consideration.

All the best,

A handwritten signature in black ink that reads "Mark Nagales". The signature is written in a cursive style with a long horizontal flourish at the end.

Mark Nagales

Vice Mayor

City of South San Francisco



CITY COUNCIL 2021

MARK ADDIEGO, MAYOR
 MARK NAGALES, VICE MAYOR (DIST. 2)
 JAMES COLEMAN, MEMBER (DIST. 4)
 EDDIE FLORES, MEMBER
 FLOR NICOLAS, MEMBER

MIKE FUTRELL, CITY MANAGER

December 3, 2021

OFFICE OF THE CITY COUNCIL

City Selection Committee
 Clo Sukhmani Purewal
 Secretary of City Selection Committee/Assistant Clerk of the Board of Supervisors
 Via email: spurewal@smcgov.org

RE: Letter of Interest – City Selection Committee Vice Chairperson 2022

Dear Honorable Mayors and Councilmembers,

I am writing to express my interest and seek your support for the role of Vice Chairperson to the City Selection Committee for 2022. Our regional body representatives are essential to ensuring the best investments possible to improve the lives of all residents in San Mateo County, and I welcome this opportunity to help lead active and thoughtful dialogue amongst our local elected leaders to ensure our communities remain well represented in each of our regional bodies.

I am only the second Latinx member in the history of the South San Francisco City Council. Prior to that, I was only the second Latinx member in the history of the South San Francisco Unified School District Board, where I had the honor of serving as Board President. Experiences like these have highlighted the value of representation and having a seat at the table, as well as the importance of effective communication, positive relationship building, and managing efficient and productive meetings. I fully appreciate the diversity of perspectives and collaboration that this collective group of leaders brings about. I am ready to serve and engage ALL city/town members and continue enhancing the level of participation in our monthly meetings.

I look forward to partnering with you all to make this a great convening and a safe space for sharing and brainstorming. My dedication to serve is enhanced by my current council appointed seats on the Commute.Org Board of Directors, the Caltrain Modernization Local Policy Maker Group (LPMG), and the San Mateo Emergency Services Council amongst others. My experience in serving our communities of color is also heightened by humbly serving as a founding board member of the San Mateo County REACH Coalition, which addresses issues of racial and social equity in San Mateo County, and on the executive board of the San Mateo County Latinx Democratic Club.

In seeking this appointment, I will be a representative to engage all cities in San Mateo County to share ideas, voice concerns, raise questions, and help set our group's priorities. I thank you for your consideration and I humbly ask for your support.

In service,

Eddie Flores
 Councilmember
 City of South San Francisco

SAN MATEO COUNTY

CITY SELECTION COMMITTEE

ATTACHMENT B
Sue Vaterlaus, Chairperson
Regina Wallace-Jones, Vice Chairperson

Sukhmani S. Purewal, City Selection Secretary
400 County Center
Redwood City, 94063
650-363-1802

TO: Sukhmani S. Purewal, Secretary
City Selection Committee

SUBJECT: Alternate to the City Selection Committee

I _____, Mayor of the City/Town of _____,
hereby appoint Councilmember _____, to serve as my
alternate to the City Selection Committee meeting(s).

In the absence of my appointee, I then appoint: **(Please choose one)**

- Councilmember _____ to represent me
- Vice-Mayor and each Councilmember in order of seniority

(You must check only ONE of the following options)

My alternate is to serve for the:

- _____ meeting only
Date
- duration of my term of office as Mayor
- I do not choose to appoint an alternate

Signature of Mayor

Date

Please return to:

Sukhmani S. Purewal, Secretary
City Selection Committee
Hall of Justice, 400 County Center / CMO 105
Redwood City, CA 94063

Or Fax to 650 363-1916 or bring to the meeting

If you should have any questions please do not hesitate to call me (650) 363-1802



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-521-CC

Public Hearing: Adopt a resolution directing the city manager and city attorney to develop interim guidance rules and regulations for implementation of Senate Bill 9 (SB 9) before January 1, 2022

Recommendation

Staff recommends that the City Council adopt a resolution directing City staff to prepare interim guidance rules and regulations for the implementation of SB 9 before January 1, 2022 and to prepare an ordinance implementing the provisions of SB 9. The resolution identifies that City staff will bring back a future ordinance codifying these objective standards and rules and regulations to the City Council for review and adoption as a priority item in 2022. The draft City Council resolution is included in Attachment A.

Policy Issues

Governor Newsom signed SB 9 September 16, 2021 and the law goes into effect January 1, 2022. The City is limited to regulating projects submitted under the provisions of SB 9 ministerially (i.e., without discretionary review) and may only apply objective standards to a proposed project. Staff recommends adoption of interim implementation guidance rules and regulations which invoke the State standards set forth in SB 9, establish application criteria for urban duplexes and urban lot splits, identify the source of existing objective standards and establish an FAL standard for SB 9 urban duplexes on lots less than 5,000 square feet. Due to the upcoming effective date of SB 9 and the need to adopt interim standards expeditiously, the City Council should direct staff to prepare and publish on the City's website, interim guidance rules and regulations before January 1, 2022 with direction to bring an ordinance back early in 2022. The interim guidance rules and regulations would incorporate the proposed objective standards to establish a floor area limit (FAL) for lots less than 5,000 square feet and to invoke State standards reserved to the City such as:

- Limit accessory dwelling units (ADUs) on lots utilizing the provisions of SB 9 for both urban duplexes and urban lot splits. This would limit the number of units to no more than two units on each lot (two single family homes or one single family home and one ADU);
- Require off-street parking spaces except in certain circumstances;
- Require lot splits to adjoin public right-of-way or include access easements; and
- Setbacks of up to four feet for side and rear yards (with exceptions for existing structures.)

These interim rules and regulations would be used by staff in its review of projects submitted under the provisions of SB 9 until an SB 9 implementing ordinance is adopted by the City Council. A full summary of the law is included in the background section of this report.

Background

SB 9 (Atkins) requires proposed housing developments containing no more than two residential units on a single parcel within a single-family residential zone to be considered ministerially. SB 9 further requires a local agency to ministerially approve a parcel map for an urban lot split to create two parcels from one single-family residential parcel that meets certain requirements, resulting in the potential to build up to four units on existing single family zoned lots. There are some exceptions to these requirements, but they are minor. The legislative intent of SB 9 was to spur additional housing development in single family zoned residential districts. SB 9 was not intended to mandate that cities utilize its streamlined provisions for applications for the demolition and reconstruction of single family dwellings. SB 9 removes discretionary review for two unit projects on single family zoned lots and lot splits. The legislative text is included in the link in Attachment B.

SB 9 creates a framework similar to recent ADU legislation, in that it requires ministerial approval of applications for two to four units (with a qualifying lot split) for projects that meet minimum criteria defined by the state or local standards that further facilitate housing approvals.

Specifically, if an applicant invokes the authority of SB 9's urban lot split and urban duplex provisions, up to four units could be constructed on single family zoned parcels. The City must approve an application to develop up to two units on nearly all lots in zones that are zoned for single-family housing (including via partial or full teardown of an existing unit), so long as:

1. the parcel is within an unincorporated urbanized area or in a city with an urbanized area;
2. the parcel is not located on or within farmland, wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, special flood hazard areas, regulatory floodways, lands identified for conservation, habitats for protected species, government or historic properties, or where the owner withdrew accommodations for rent or lease in the last 15 years (prohibited sites);
3. the development does not require the demolition of affordable housing, rent controlled housing, or housing occupied by a tenant for the last three years; and
4. the development will not require the demolition of more than 25 percent of existing walls, unless allowed by ordinance or a tenant has not occupied the unit in the last three years.

Development standards – urban duplexes

Local governments may impose local development standards, but they cannot preclude developments of two attached or detached primary dwelling units, each no more than 800 square feet in size with side and rear setbacks of four feet. In addition, any setback standards shall not apply to any dwelling unit on a site that existed before the construction of the urban duplex or any new dwelling that was constructed within the footprint of a dwelling that existed on the site before the construction of the urban duplex. Only one parking space per unit may be required, unless the unit is within a half mile of certain types of public transit or within a block of a car share vehicle, in which case, no parking may be required.

Development standards – urban lot splits

In addition, SB 9 requires ministerial approval of an application to split a lot in order to create not more than two new parcels. The two new parcels must be of approximately equal size, and one parcel cannot be smaller than 40 percent of the lot area of the original parcel being subdivided; neither lot may be smaller than 1,200 square feet (subject to the local jurisdiction's ability to adopt a smaller minimum lot size by ordinance), subject to similar provisions as noted above. Also similar to the above, the agency may adopt objective standards applicable to SB 9 projects, but the standards cannot preclude the construction of two

units on either parcel, result in a unit smaller than 800 square feet, or require setbacks of more than four feet from rear and side lot lines.

An applicant must agree to occupy one of the housing units as their principal residence for at least three years from the date of approval of the lot split. Approvals of up to two units and lot splits are ministerial and are not subject to California Environmental Quality Act as a California (CEQA) review.

SB 9 does not require a local jurisdiction to amend its zoning ordinance to be consistent with the legislation, although the bill authorizes the local jurisdiction to adopt an ordinance to implement the law, and exempts the adoption of such an ordinance from the CEQA process. SB 9 prohibits the denial of a project that conforms to the specified requirements in the bill and those allowed to be adopted by the local jurisdiction.

Analysis

In preparation for the effective date of SB 9, City staff reviewed the single-family zoning districts to identify all current objective standards. The provisions of SB 9 apply to the following zoning districts within the City: R-E-S, R-E, R-1-S, R-1-S(FG), R-1-U and R-1-U(LM.) A map of these zoning districts within the City is included in Attachment C for reference. The City currently applies various objective standards to residential development projects within single family zoning districts (e.g., the City's zoning ordinance, Municipal Code, general plan, specific plan, commission and City Council adopted policies, and State and Federal government codes.) It should be noted that any subjective standards contained within any of the applicable zoning districts would not be applicable to projects under SB 9 (e.g., establishing FAL by use permit.) As staff develops an SB 9 implementing ordinance for future review and action, additional objective standards may be identified by staff for consideration of the Planning Commission and City Council, including the addition of new standards or the conversion of existing subjective standards to objective requirements.

Floor area limit (FAL)

The City does not currently have an objective standard for FAL for lots less than 5,000 square feet and the zoning ordinance currently establishes the FAL for these parcels through a discretionary process (i.e., use permit) which is no longer permissible for projects pursuing SB 9. SB 9 requires that the City permit up to two units on single family lots and the zoning ordinance cannot preclude either of the units from being at least 800 square feet in size. Therefore, the interim guidance for lots that are less than 5,000 square in area is a maximum FAL of 1,600 square feet.

This interim guidance, over some variation thereof, would be incorporated into a future SB 9 implementing ordinance that would include review by the Planning Commission and City Council. This application would ensure an interim objective standard.

Accessory dwelling units (ADUs)

The provisions of SB 9 reserve to the City the ability to determine if the City will permit ADUs on parcels that have taken advantage of SB 9's urban lot splits and conversion to urban duplexes. Therefore, the City can adopt a standard permitting no more than four units, including primary dwelling units, ADUs, and/or junior ADUs in any combination on a parcel. Invoking this State standard would limit the total number of dwellings for an existing single family zoned lot to four units.

Impact on City Resources

Additional planning, engineering, and legal time would likely be needed during implementation of the interim regulations and development of the implementation ordinance.

Environmental Review

Adoption of this resolution and an interim SB 9 guidance document are not projects under the CEQA pursuant to Government Code sections 65852.21(j) and 66411.7(n.) No environmental review is required.

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. Draft City Council resolution directing the preparation of interim guidance rules and regulations to implement SB 9 and directing the implementation of an SB 9 implementing ordinance
- B. SB 9 legislative text link: [leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB9](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB9)
- C. Single family zoning districts map

Report prepared by:
Kyle Perata, Acting Planning Manager

RESOLUTION NO. XXXX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
DIRECTING THE PREPARATION OF INTERIM GUIDANCE RULES AND
REGULATIONS TO IMPLEMENT SB 9—THE CALIFORNIA HOME ACT; AND
DIRECTING THE PREPARATION OF AN SB 9 IMPLEMENTING ORDINANCE**

WHEREAS, Senate Bill 9 (Atkins) (“SB 9”), entitled the California Home Act, was signed into law by the Governor on September 19, 2021 and becomes effective on January 1, 2022; and

WHEREAS, SB 9 amends Government Code Section 66452.6, and adds two new Government Code Sections 65852.1 and 66411.7; and

WHEREAS, SB 9 requires cities and counties, including charter cities, to provide for the ministerial approval of a housing development containing two residential units of at least 800 square feet in floor area (“duplex”) and a parcel map dividing one existing lot into two approximately equal parts (“lot split”) within a single-family residential zone for residential use; and

WHEREAS, SB 9 eliminates discretionary review and public oversight of proposed subdivisions of one lot into two parcels by removing public notice and hearings by the Planning Commission, by requiring administrative review of the project, and by providing ministerial approval of a lot split; and

WHEREAS, SB 9 exempts projects authorized thereunder from environmental review pursuant to the California Environmental Quality Act (CEQA), by establishing a ministerial review process without discretionary review or a public hearing; and

WHEREAS, SB 9 further stipulates that a city or county cannot require a duplex project to comply with any standard that would prevent two units of at least 800 square feet each from being built on each resultant lot, and prohibits a local agency from imposing regulations that require dedications of rights-of way or the construction of offsite improvements for parcels created through a lot split; and

WHEREAS, in addition to various constraints on SB 9 developments as set forth therein, SB 9 also authorizes cities and counties to enact local SB 9 implementation ordinances and guidelines that are objective and that are not inconsistent with its mandatory provisions; and

WHEREAS, the City’s existing Zoning Ordinance, municipal code, General Plan, Specific Plan, Commission and Council adopted policies, and State and Federal government codes include various objective standards that would continue to apply to urban duplexes in single family zoning districts; and

WHEREAS, the City desires to establish a floor area limit for SB 9 urban duplexes on lots less than 5,000 square feet; and

WHEREAS, the interim guidance rules and regulations would inform the future SB 9 implementing ordinance;

WHEREAS, due to SB 9’s effective date of January 1, 2022, there is insufficient time for a publicly-considered implementation ordinance to be developed, publicly reviewed, and adopted by January 1, 2022; therefore, in the short term, the City wishes to adopt and establish interim

regulations and standards to guide City Departments to implement SB 9 until such time as an implementation ordinance may be considered by the City Council for adoption; and

WHEREAS, adoption of this Resolution and an interim SB 9 guidance document are not projects under the California Environmental Quality Act pursuant to Government Code sections 65852.21(j) and 66411.7(n).

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

Section 1. The City of Menlo Park finds and declares that urban housing developments authorized under SB 9 are a valuable form of housing that allows for the expansion of affordable and flexible housing options.

Section 2. The purpose of this resolution is to direct the preparation of interim guidance to comply with Government Code Sections 65852.21 and 66411.7 until an SB 9 implementation ordinance may be prepared and considered for adoption by the City Council. The City Manager and the City Attorney are therefore directed to consult with the appropriate City Departments and staff to develop an interim guidance document for City staff to reference and apply in connection with any applications submitted pursuant to SB 9 until such time as an SB 9 implementation ordinance has been adopted by the City Council.

Section 3. The City Council authorizes the City Manager and City Attorney to incorporate into the interim guidance rules and regulations a new standard for floor area limit for lots less than 5,000 square feet where the maximum floor area limit is 1,600 square feet.

Section 4. The City Manager and the City Attorney are further directed to consult with the appropriate City Departments and staff to develop an SB 9 implementation ordinance for presentation to, and consideration by, the City Council.

Section 5. The City Manager and City Attorney are directed to establish application procedures for SB 9 housing development and urban lot split applications, and to include, at a minimum, the following provisions in an SB 9 interim guidance document:

1. All SB 9 housing developments shall meet the requirements mandated by SB 9 (Government Code sections 65852.21(a), (b)(2), (e), (g), and (h).)
2. All SB 9 housing developments shall be subject to the following conditions (which conditions are reserved to City discretion pursuant to SB 9):
 - a. Setbacks of up to four feet from side and rear yard lot lines, except No setback shall be required for an existing structure constructed in the same location and to the same dimensions as an existing structure (Gov. Code § 65852.21 (b)(2)(B)(ii).)
 - b. One off-street parking space per unit, except no parking shall be required in either of the following instances:
 - i. The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code. (Gov. Code § 65852.21(c)(1).)
 - ii. There is a car share vehicle located within one block of the parcel.
 - c. The City shall deny an SB 9 housing development application if the Building Official makes a specific written finding that the development project would have an adverse impact as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public

- health and safety or the physical environment and for which there is no method to mitigate or avoid the specific, adverse impacts. (Gov. Code § 65852.21(d).)
- d. The City shall not permit any ADUs or JADUs on parcels that use both the authority of Government Code section 65852.21 (SB 9 housing developments) and section 66411.7 (SB 9 urban lot splits.)
3. All SB 9 urban lot splits shall meet the requirements mandated by SB 9 (Government Code sections 66411.7(a), (b), (c)(2), (f), (g), (h), (k) and (l).)
 4. All SB 9 urban lot splits shall be subject to the following conditions (which conditions are reserved to City discretion pursuant to SB 9):
 - a. Setbacks of up to four feet from side and rear yard lot lines, except no setback shall be required for an existing structure constructed in the same location and to the same dimensions as an existing structure (Gov. Code § 66411.7(c)(3).)
 - b. The City shall deny an SB 9 urban lot split application if the Building Official makes a specific written finding that the development project would have an adverse impact as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no method to mitigate or avoid the specific, adverse impacts. (Gov. Code § 66411.7 (d).)
 - c. Each lot created by an SB 9 urban lot split must adjoin the public right-of-way, or provide access to the public right-of-way, by way of a recorded access easement in favor of the parcel requiring ROW access. (Gov. Code § 66411.7(e)(2).)
 - d. One off-street parking space per unit, except no parking shall be required in either of the following instances:
 - i. The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
 - ii. There is a car share vehicle located within one block of the parcel. (Gov. Code § 66411.7(e)(3).)
 - e. The City shall not permit more than two units of housing, including primary dwelling units, SB 9 housing development units, ADUs, and/or JADUs, on lots created pursuant to the authority of Government Code section 66411.7 (SB 9 urban lot splits.) (Gov. Code § 66411.7(j).)

EFFECTIVE PERIOD.

This Resolution, and the SB 9 implementing guidance document authorized by this Resolution, shall become effective immediately upon adoption and shall expire, and be of no further force effect, upon the effective date of an ordinance, adopted by the City Council, implementing the provisions of SB 9.

SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project Revisions, shall continue in full force and effect unless amended or modified by the City.

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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 fourteenth day of December, 2021, by the following votes:

AYES:

NOES:

ABSENT:

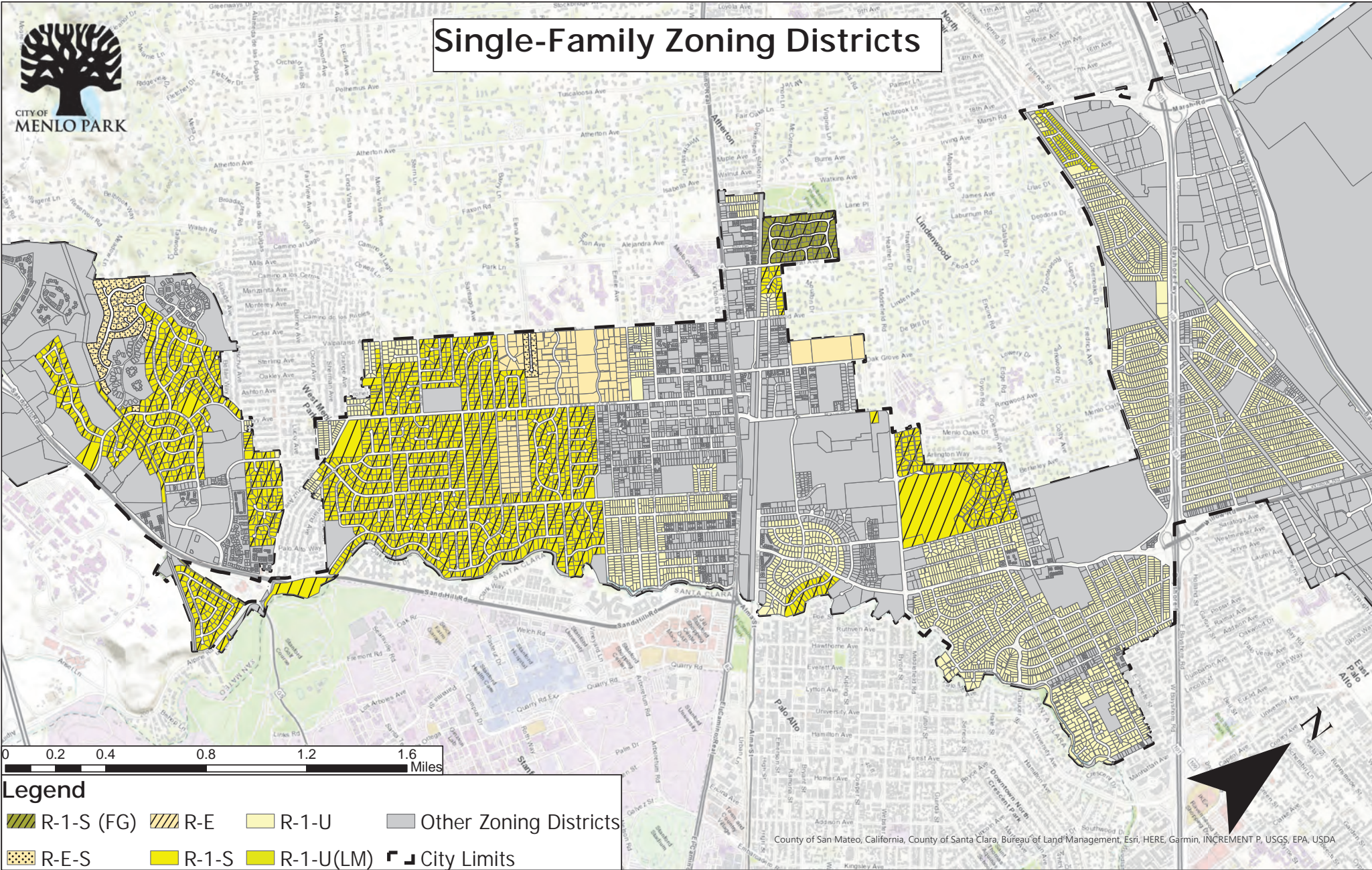
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ___ day of December, 2021.

Judi A. Herren, City Clerk



Single-Family Zoning Districts



County of San Mateo, California, County of Santa Clara, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



STAFF REPORT

City Council

Meeting Date: 12/14/2021

Staff Report Number: 21-253-CC

Informational Item: City Council agenda topics: January 2022

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 January 2022. 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: January 2022

Report prepared by:
Judi A. Herren, City Clerk

Tentative City Council Agenda

| # | Title | Department | Item type | City Council action |
|----|---|------------|-----------|----------------------------|
| 1 | Minutes: 10/13, 11/9, 11/16 12/7, 12/8, and 12/14 | CMO | Consent | Approve |
| 2 | Authorize the city manager to enter into a master professional agreement with Optony, Inc. to support CAP No.1 and CAP No.5 for a three year period up to \$1XXK per year | CMO | Consent | Approve |
| 3 | 2021 priorities and work plan year-end report as of December 31 | CMO | Consent | Receive and file |
| 5 | Adopt Resolution No. XXXX approving the City Council Community Funding Subcommittee's recommendations regarding the 2021-22 community funding allocation | CMO | Regular | Adopt resolution |
| 4 | Adopt Community Amenity Implementing Regulations and Updated Amenities List | CMO | Regular | Adopt resolution |
| 6 | Approve climate resiliency position | CMO | Regular | Direction to staff, Decide |
| 7 | Adopt resolution and approve MOU for FEMA BRIC grant/SAFER Bay | PW | Consent | Adopt resolution, Approve |
| 8 | Award a construction contract to XXX for the streetlight conversion project | PW | Consent | Contract award or amend |
| 9 | Adopt a resolution to authorize agreement to join Commute.org | PW | Consent | Adopt resolution |
| 10 | Authorize the City Manager to Execute a Cost Sharing Agreement with San Mateo County for the Coleman-Ringwood Avenues Transportation Study | PW | Consent | Approve |
| 11 | Approve update to VMT thresholds | PW | Regular | Approve |
| 12 | Adopt Resolution No. 6690 authorizing the city manager to execute a purchase and sale agreement for a portion of 700-800 El Camino Real to support implementation of the Middle Avenue pedestrian and bicycle rail crossing project | PW | Regular | Approve |

Agenda item D
Charlotte Willner, resident

Dear Mayor Combs and Menlo Park City Council,

My name is Charlotte Willner. I have been a resident of Menlo Park for 24 years (currently residing in Vice Mayor Nash's district) and now serve as the Vice President of the Board of Directors of GeoKids Early Childhood Center. GeoKids has been serving the local community of Menlo Park since 1987 and sits on the campus of the USGS that is now being discussed as part of a redevelopment project through the Housing Element.

The GeoKids Board of Directors is pleased to hear that the city council is considering zoning the property for educational purposes. We wholeheartedly agree that new residential development must take into account the educational needs of the families that will live in the neighborhood. We would like to encourage the city council to consider not just elementary and secondary education, but also early childhood education when discussing the needs of our community.

Before the Coronavirus pandemic, the 2017 Menlo Park Child Care & Preschool Needs Assessment found a deficit of over 500 childcare spaces in the city in the preschool age group alone. The city was only meeting the needs of 37% of families looking for infant care, and GeoKids remains one of the only licensed childcare centers that accepts infants in the city. The pandemic has intensified the childcare shortage at both the national and local levels. Facilities like GeoKids not only provide high-quality education for children in those critical first five years of life; they also allow parents to remain in the workforce. Speaking in a personal capacity for a moment, I would have dropped out of the workforce if our first child had not found a place at GeoKids - a decision that research shows can have long-lasting consequences on lifetime earning potential. I have always been grateful that I was able to access quality childcare in my hometown, and we must ensure that Menlo Park continues to be a place where parents can access it.

As the city council focuses on how to best use the space provided by the USGS property, our Board of Directors would like to remind you of the important role GeoKids plays in supporting the young families of Menlo Park, and we intend to continue providing high-quality childcare to members of our community from our current location. We are eager to work together with the council and with other members of the community to ensure that GeoKids' 34 year legacy in Menlo Park continues long after the USGS property sale.