



**REGULAR MEETING MINUTES**

**Date:** 2/23/2021  
**Time:** 5:00 p.m.  
**Location:** Zoom

**Closed Session**

**A. Call To Order**

Mayor Combs called the meeting to order at 5:03 p.m.

**B. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson

**C. Closed Session**

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

Attendees: City Manager Starla Jerome-Robinson, Special Counsel Charles Sakai

Web form public comment received on item C1. (Attachment).

No reportable actions.

Mayor Combs adjourned to the regular session at 6 p.m.

**Regular Session**

**D. Call To Order**

Mayor Combs called the meeting to order at 6:08 p.m.

**E. Roll Call**

Present: Combs, Mueller, Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren

**F. Study Session**

- F1. User fee cost recovery fiscal policy (City Council Procedure #CC-10-001) (Staff Report #21-048-CC) (Presentation)

Assistant Administrative Service Director Dan Jacobson made the presentation (Attachment).

- Julie Shanson spoke in support for Menlo Park youth and resident preference and priority for the use of City facilities.
- Karen Grove spoke in support of using the best practice for equity related to library fines and services.

The City Council received clarification on library overdue fines, compensation structure on the pay-what-you-can structure, scholarship application and documentation process, and online class and services registration. The City Council discussed the removal of library fines, facility use preference and priority for Menlo Park youth and residents, no-fee for services model, and budget impacts.

The City Council directed staff to remove library overdue fines, identify policy objective areas for pilot proposals, consider implications to City finances and budget development, impacts to service reactivation, provide examples of equity based recreations from other cities, provide information on how fees for residents and non-residents are calculated, information on what scholarships are current in place, policy consideration for prioritizing City services opposed to revenue based, options for unincorporated Menlo Park residents, registration, and consideration for the upcoming Menlo Park community campus project.

#### **G. Report from Closed Session**

None.

#### **H. Public Comment**

None.

#### **I. Presentations and Proclamations**

I1. Proclamation: Black History Month (Attachment)

Mayor Combs read the proclamation (Attachment).

I2. Proclamation: COVID-19 Victims and Survivors Memorial Day (Attachment)

Mayor Combs read the proclamation (Attachment).

#### **J. Consent Calendar**

City Councilmember Wolosin pulled item J3.

J1. Accept the City Council meeting minutes for January 30, February 5, and February 9, 2021 (Attachment)

J2. Receive and file the general fund operations report for the quarter ended December 31, 2020 (Staff Report #21-041-CC)

J3. Adopt fiscal year 2021-22 budget principles (Staff Report #21-040-CC)

The City Council received clarification on maintaining the CalPERS liability reporting, balancing of

resources, multiple discount rate preferences, equal services Citywide, transparency with development agreement funded projects and disclosure of non-City budgets, and project standards

**ACTION:** Motion and second (Wolosin/ Taylor), to adopt fiscal year 2021-22 budget principles including; adding long term monitoring and reporting of CalPERS, addition of language on infrastructure and quality of life to residents, and to include a budget in brief, passed unanimously.

**ACTION:** Motion and second (Nash/ Taylor), to approve the consent calendar except item J3., passed unanimously.

## **K. Regular Business**

K1. Adopt Resolution No. 6617 to authorize a loan to HIP Housing Development Corporation up to \$5.5 million for the acquisition and conversion of existing housing units to deed restricted affordable housing units at 6 – 8 Coleman Place and authorize the city manager to execute all related agreements and loan documents (Staff Report #21-042-CC) (Staff Presentation) (HIP Presentation)

Web form public comment received on item K1. (Attachment).

Management Analyst II Mike Noce made the presentation (Attachment).

HIP Housing representative Kate Comfort Harr made a presentation (Attachment).

- Karen Grove spoke in support of the resolution and agreement.
- Pam Jones spoke in support of the resolution and agreement.
- Lynne Bramlett spoke in support of the resolution and agreement.

The City Council received clarification on HIP Housing Development Corporation's experience with community land trust and qualification requirements. The City Council discussed energy efficiencies within below market rate units.

**ACTION:** Motion and second (Mueller/ Wolosin), to adopt Resolution No. 6617 to authorize a loan to HIP Housing Development Corporation up to \$5.5 million for the acquisition and conversion of existing housing units to deed restricted affordable housing units at 6 – 8 Coleman Place and authorize the city manager to execute all related agreements and loan documents, passed unanimously.

## **Recess**

The City Council took a recess at 8:52 p.m.

The City Council reconvened at 9:17 p.m.

## **K. Regular Business – continued**

K2. Consider modifications to the Downtown street closure and temporary outdoor use permit pilot program and adopt urgency Ordinance No. 1075 regarding travel lanes on Santa Cruz Avenue and Ryan's Lane (Staff Report #21-043-CC) (Presentation)

Web form public comment received on item K2. (Attachment).

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

- Fran Dehn reported out on the Chamber of Commerce survey results.
- David Miller spoke in support of the continued closure.
- Marc Bryman spoke in support of the continued closure.
- Skip Hilton spoke in support of the continued closure.

The City Council received clarification on Menlo Park Fire Protection District impacts and tent/canopy capacity and enclosures. The City Council discussed improving Santa Cruz Avenue hardscape and consideration of one-way only traffic, City-owned Downtown parking structure, assigned timed parking for specific businesses, installation of hand sanitizers Downtown, and increased traffic signage.

**ACTION:** Motion and second (Nash/ Taylor), to extend Ordinance No. 1073 and extend the street closure and temporary outdoor use permit program through January 31, 2022 by adopting Ordinance No. 1085, with amendment to Section 7 to revise the expiration date to January 31, 2022, passed unanimously.

- K3. Adopt Resolution No. 6616 approving an agreement between the City of Menlo Park and Burke Williams Sorenson, LLP for city attorney services, with Nira F. Doherty as designated city attorney and authorize the mayor to execute the agreement (Staff Report #21-047-CC)

Web form public comment received on item K3. (Attachment).

Special Counsel Greg Rubens introduced the item.

The City Council received clarification on the quarterly report outs related to billing redactions and the transitional matters related to two firm's costs for work on same the items. The City Council discussed the impacts to the City on the transfer of city attorney services and impact to the budget and timelines.

**ACTION:** Motion and second (Nash/ Wolosin), to adopt Resolution No. 6616 approving an agreement between the City of Menlo Park and Burke Williams Sorenson, LLP for city attorney services, with Nira F. Doherty as designated city attorney and authorize the mayor to execute the agreement and to include billing information on a quarterly report and the additional language related to transitional matters related to two firm's costs for work on same the items, passed 3-2 (Combs and Mueller dissenting).

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

- K4. Approve legal services agreement with Jorgenson, Siegel, McClure & Flegel to provide transitional services (Staff Report #21-045-CC)

Special Counsel Greg Rubens introduced the item.

**ACTION:** Motion and second (Combs/ Wolosin), to approve legal services agreement with Jorgenson, Siegel, McClure & Flegel to provide transitional services, passed unanimously.

- K5. 2021 City Council priorities and work plan adoption (Staff Report #21-046-CC)

Web form public comment received on item K5. (Attachment).

Assistant City Manager Nick Pegueros introduced the item.

- Adina Levin spoke in support of prioritizing the transportation master plan.
- Amy Mushlin spoke in support of prioritizing quiet zones.
- Kevin Gallagher spoke in support of prioritizing reallocating Facebook's funding of police to other public health and safety measures.
- Matthew Normington spoke in support prioritizing of quiet zones.
- Marcy Abamowitz spoke in support prioritizing of quiet zones.

The City Council continued the item to a future special meeting.

## **L. Informational Items**

- L1. City Council agenda topics: March 2021 (Staff Report #21-038-CC)
- L2. 2030 climate action plan progress on existing building electrification requirements (CAP No. 1) (Staff Report #21-039-CC)

The City Council discussed shortening the proposed timeline.

- L3. Transmittal of background information on the City's 2020-2025 capital improvement plan (Staff Report #21-044-CC)

The City Council requested that project budgets be bifurcated based on project location, that projects funded by development agreements or as environmental mitigation measures required as a result of development be shown in the capital improvement plan, and requested clarifying information about City standards.

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

None.

## **N. City Councilmember Reports**

City Councilmember Mueller reported out on Youth Advisory Commission meeting.

Vice Mayor Nash reported out on Community Amenities Subcommittee meeting.

## **O. Adjournment**

Mayor Combs adjourned the meeting at 11:27 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of March 9, 2021.

## NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
  - Submit a written comment online:  
[menlopark.org/publiccommentFebruary23](https://menlopark.org/publiccommentFebruary23)\*
  - Record a comment or request a call-back when an agenda topic is under consideration:  
Dial 650-474-5071\*
  - Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 922 5530 4268
  - Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 922 5530 4268  
Press \*9 to raise hand to speak  
\*Written and recorded public comments are accepted up to 1-hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch meeting:
  - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:  
Channel 26
  - Online:  
[menlopark.org/streaming](https://menlopark.org/streaming)

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

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

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

Agenda item C1  
Sody Tronson, Resident

C1: Re Closed Session Labor Negotiations

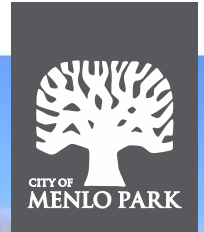
Residents need great transparency into the total compensation of City employees. The current 2020 table on the City's website does not provide the total cost of each position to the City and its residents. Meanwhile, the disclosed compensation for certain functions, such as the City Manager or Police Chief, does not provide the total cost.

That said, let's take one position for the sake of example: Police Officer working 2184 hours (that is 45 hours per week for 48 weeks), at the maximum Step of E, has an annual compensation of \$133,216 as shown in the table. In contrast, according to Transparent California website for 2019, the compensation for a police Sergeant ranges from \$300,000 to \$346,942. Similarly, the compensation for the Deputy City Manager on the City's website is shown at \$227,436 maximum. In contrast, Transparent California 2019 shows it at \$309,829.

Understanding the total compensation for City employees is a critical piece of information when evaluating budgeting and hiring initiatives.

For example, despite multiple requests for the City to justify the use of 1.5 multiplier (1.5 times the population) to calculate the number of active police personnel, no defensible explanation has been provided, and yet the City continues to request more police personnel.

**RECOMMENDATION:** I request that the City of Menlo Park promptly implement an overhaul of what and how it presents the data around compensation and its justification to the City Council and the residents before implementing any additional hires.



# USER FEE COST RECOVERY POLICY

Study Session – February 23, 2021







## REQUESTED DIRECTION

- Staff seeks direction on desired changes to the user fee cost recovery policy (City Council Procedure #CC-10-001) and associated programmatic direction
  - Equity as a priority
  - User fees / scholarship programs
  - Library overdue fines
  - Separation or clarification of categories
  - Other direction
  - Current / no change



## COST RECOVERY POLICY

- Established in 2010 to identify where tax dollars should subsidize programming and services
- Multiple factors considered when setting fees
  - Community-wide vs special benefit
  - Service recipient vs service driver
  - Consistency with City public policies and objectives
  - Demand, discounted rates, feasibility of collection
- Three target cost recovery categories
  - Low recovery (0 to 30 percent)
  - High recovery (70 to 100 percent)
  - Medium recovery (30 to 70 percent)



## SERVICE CATEGORIES

- Social services and recreation programs
- Development review services
- Public Works Department – engineering, transportation, and maintenance
- Public safety



## POTENTIAL CHANGES

- Equity as a priority for quality-of-life programming
  - Incorporation could mirror budget principles (previously adopted for fiscal year 2020-21)
    - 2. Provide City services and infrastructure that contribute to quality of life in Menlo Park
    - c) Strive to balance the resources and requirements of each area of the City in an equitable manner through the use of equitable tools
  - May be implemented as a “pay what you can” approach to pricing for non-competitive services
  - Existing nonprofit partners -- Friends of Menlo Park Library, Menlo Park Library Foundation – illustrate the potential of this approach
  - No change to services with private sector equivalent



## POTENTIAL CHANGES

- Quality-of-life services
  - Library storytime, literary and cultural events
  - Senior transportation
  - Park and playground use
  - Citywide events such as the egg hunt
  - Recreational activities that promote movement and health for all residents
  - Educational classes that contribute to Menlo Park residents' quality-of-life



## POTENTIAL CHANGES

- Services that are comparable to private-sector alternatives
  - Sports leagues
  - Facility rentals for private events
  - Childcare other than State-or Federally-sponsored programs
  - Camps and clinics



## POTENTIAL CHANGES

- Scholarship programs
  - Not a change to the cost recovery policy
  - Direction to staff to incorporate in budget preparation
  - Requires identification of which programs and qualification criteria
  - Potential barriers to participation: hesitancy, stigma, burden of proving eligibility



## POTENTIAL CHANGES

- Separation or clarification of categories
  - Examples include social services and recreation programs
  - Direction on desired programming component of budget preparation





## POTENTIAL CHANGES

- Other changes
  - Requires direction from City Council
- Current / no change
  - No changes to policy
  - May be applied to particular sections, e.g. development review, public safety



## REQUESTED DIRECTION

- Staff seeks direction on desired changes to the user fee cost recovery policy (City Council Procedure #CC-10-001) and associated programmatic direction
  - Equity as a priority
  - User fees / scholarship programs
  - Library overdue fines
  - Separation or clarification of categories
  - Other direction
  - Current / no change

## Agenda item K1 Soody Tronson, Resident

I don't think the housing crisis in Bay Area and, in particular, Menlo Park is questionable. That said, let's move to a solution.

The City needs to re-evaluate how it continues to cater to large corporations, which continue to reduce the available housing, increase housing prices, and gentrify what remains of a diverse Menlo Park. The same type of companies can pack up and leave if asked to pay their fair share of taxes or treat the people who work for them fairly and treating them as employees.

California ranked 49th among the United States when it comes to housing units per resident as of 2018. More than one in five households statewide spend more than half of their income on housing expenses.

California District 25 Assemblyman Alex Lee (D-San Jose) a couple of weeks ago introduced AB 387, also known as the Social Housing Act of 2021. The aim of AB 387, according to Lee, is to address the severe shortage of affordable homes for both low- and moderate-income households.

The bill, meant to provide affordable housing for Californians across the income spectrum, would put the state in the development business. The ideal result, according to Lee, would be a slew of mixed-income rentals and even some for-sale homes, perhaps in mixed-use developments with retail, jobs, or other amenities. In America today, the closest thing to social housing is what is known as public housing, or the "housing of last resort," often in old, crumbling buildings filled only with low-income residents. But in Europe, South America, Asia, and elsewhere, the term "social housing" is commonly used to describe state-built homes, generally on publicly owned land, for people of all incomes.

Such developments abroad are typically well-maintained, sometimes overseen by the government, a private company, or the residents themselves. Unlike many affordable housing developments in the U.S. and California, the rents or mortgages aren't allowed to one day become market rate.

The City of Menlo Park owns at least 43 parcels throughout the City, as far as I know (as far as I know, this list is not available on the City's website). This number does not include any other property rights it may have elsewhere. The City, a few years back, through its fire department, bought a property for use by the fire department staff. As such, this concept should not be a novel idea.

**RECOMMENDATION:** I request that the City of Menlo Park be among the leading city governments to initiate and implement the development (directly or through contractors) of the properties that it owns to provide the mixed housing as described above while retaining the title to such developments (i.e., not sell it off).

A photograph of a brick building at dusk, with warm interior lights glowing from the windows and under the eaves. The building has a prominent gabled roofline. A semi-transparent blue horizontal band is overlaid across the middle of the image, containing the title text. The overall scene is set against a deep blue twilight sky.

# AFFORDABLE HOUSING LOAN AUTHORIZATION

2020 Notice of Funding Availability



# AGENDA

- Summary of 2020 NOFA
- Acquisition of 6-8 Coleman Place
- Funding and loan structure
- HIP Housing Development Corp. presentation





## NOTICE OF FUNDING AVAILABILITY (NOFA)

- Below market rate (BMR) housing fund
  - Special fund separate from general fund with revenue generated mostly via development fees
  - Specified uses are outlined in the BMR housing program guidelines
- 2020 NOFA
  - Released \$10 million in available funds
  - Received three proposals submitted by nonprofit housing organizations
    - HHDC – acquisition of 14 existing units converted to affordable housing
    - Habitat for Humanity – assist 20 low income homeowners with rehab repairs
    - MidPen Housing – build and sell 12 two bedroom townhomes for low income



## ACQUISITION OF EXISTING HOUSING

- HIP Housing Development Corporation (HHDC)
  - Development arm of HIP Housing
  - Serves approximately 1,400 low income individuals in San Mateo County
- 6-8 Coleman Place
  - Two 7-unit buildings (12 one bedroom & 2 two bedroom units)
  - Location is south of Hwy 101 and close to Willow Rd.
  - Property has 5 vacant units available immediately
    - Priority for tenants whom live or work in Menlo Park
  - Existing tenants will not be displaced
- Deed restriction
  - Term of 55 years secures affordability for years to come



## FUNDING AND LOAN STRUCTURE

- HHDC requesting \$5.5 million in City BMR funds
  - Sales price of 6-8 Coleman Place is \$7.45 million
  - Private banking institution and donation funds will fulfil the difference
- BMR housing fund balance
  - \$17.2 million as of February 18, 2021
  - \$10 million announced in 2020 NOFA
  - Estimated \$7.2 million ending balance
- Total of all three 2020 NOFA requests is \$10.3 million
  - In March and/or April 2021 the Habitat for Humanity and MidPen Housing proposals will be presented to City Council
  - City Council has the ability to earmark full funding of all 2020 NOFA requests





## BENEFITS TO THE COMMUNITY



- NOFA provides investment in local affordable housing
  - Long term housing stability for BMR tenants and owners
  - Rents and sales prices strictly regulated
- BMR unit availability
  - Affordable units have low turnover
  - Pandemic has increased the number of families experiencing job loss and other economic hardships
  - Units available promptly as a result of the purchase and conversion of 6-8 Coleman Place
- City funding is vital to the project moving forward
- Staff will be available for questions after the HHDC presentation



**THANK YOU**

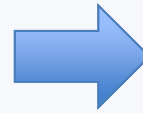
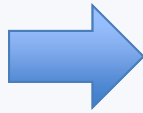


Creative affordable housing solutions in  
San Mateo County, CA  
since 1972

# AFFORDABLE HOUSING CONTINUUM

Shelters

- Life Moves



Big Developers

- MidPen
- Eden
- Mercy



Owned

- H4H
- City loan programs



## 1400 People Housed Annually

- Home Sharing (600)
- Family Self Sufficiency (100)
- Property Development  
& Property Management (700)

*Housing Information & Referral (3,000)*

# 100 in Menlo Park

## **Home Sharing = 7 people**

- Housing Element
- *Tow Company Dispatcher, Home Health Aid, Menlo Park Records Coordinator, Menlo College Teacher, 3 Seniors*

## **Self Sufficiency Program = 5 families**

- *5 (6 adults/6 children)*
- All completing degrees to exit poverty  
*(Psychology, Journalism, English)*

## **Our Menlo Park Properties = 33**

## **Housing Information and Referrals = 49**

# Property

## Development & Management



1157-1161 Willow Road, Menlo Park

**PRESERVATION:** Expanding the San Mateo County affordable housing inventory by purchasing, deed restricting, and managing affordable residential properties.



## UNITS:

- Own = 265 units in 18 complexes
- Manage = 138 units
- Compliance = 35 units (2 at Live Oaks)



# 1157 – 1161 WILLOW



- Purchased July 20, 2012
- Fully Rehabbed in 2013
- 12 Units: Ten 1-bdrms and two 2-bdrms
- Financing:
  - City of Menlo Park
  - City of Redwood City
  - County of San Mateo
  - Boston Private Bank

# 1430 CHILCO



- Donated to our Self Sufficiency Program in 2017
- 4 bedrooms and 2 bath
- Fully remodeled interior
- On Facebook campus trail
- Has a PBA contract deed restriction

# PRESERVATION MODEL

## 5 CRITICAL CONSIDERATIONS

**LOCATION:** Close to services, transportation and in a city with interest and available funds

**SELLER:** Interested in NP | Escrow timing

**SIZE:** 6 – 16 units

**CONDITION:** Well maintained and in good condition

**TENANTS:** Tenants that likely income qualify / vacant units

## Why Preservation is Unique

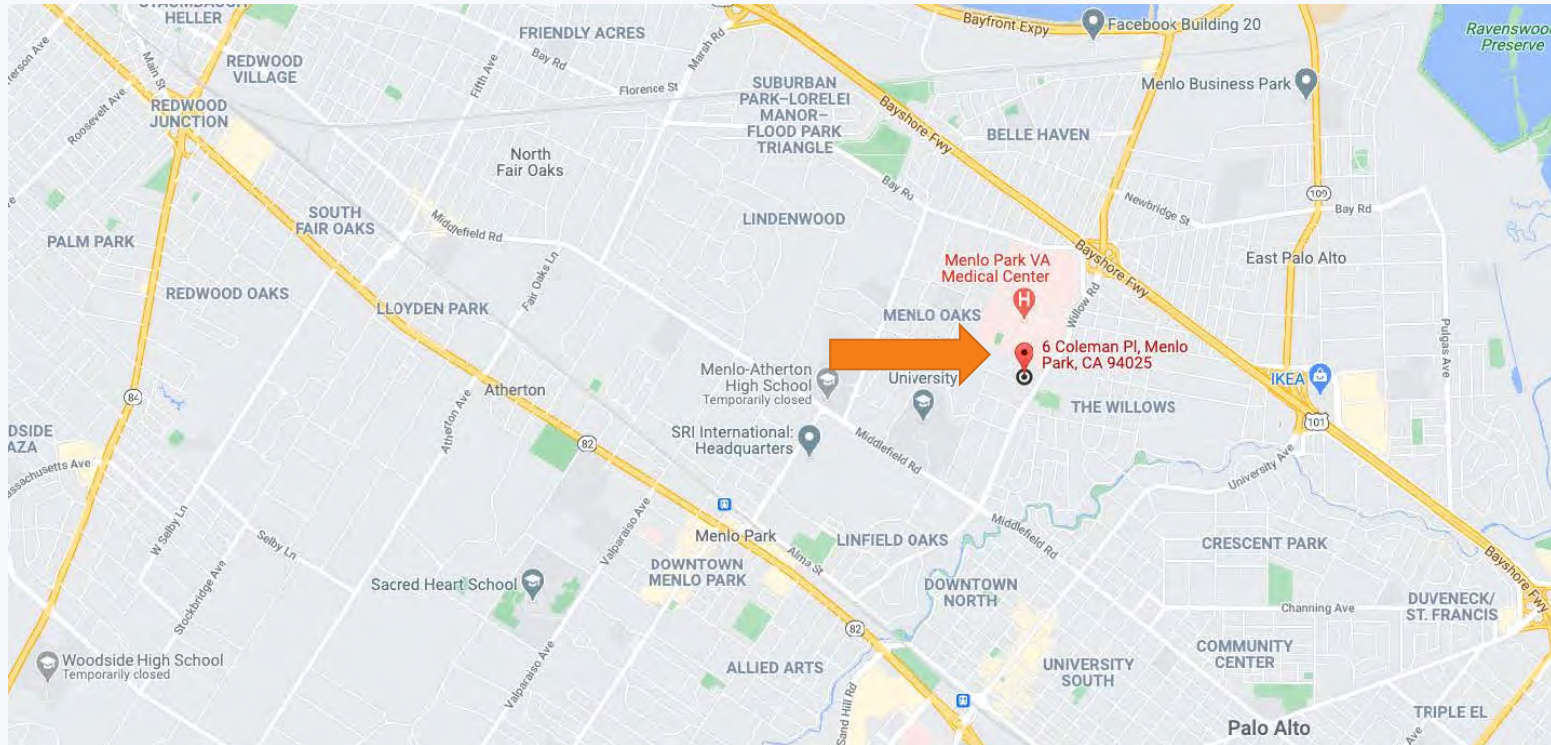
1. Come up quickly and unexpectedly
2. Bound by tight escrow limitations
3. Require a simplified financing stack
4. Already in neighborhoods – Less NIMBY
5. Prevents displacement
6. Preserves naturally affordable housing –  
and a quick way to increase affordable  
housing stock and diversify neighborhoods

## 6 -8 COLEMAN PLACE



14 UNITS (12 one Bedroom and 2 two-bedrooms)

# LOCATION



South (and west) of Highway 101  
promoting neighborhood diversity, opportunity, equity and inclusion

# AMENITEIS

- **2 two-bedroom units** – highly coveted
- 12 units have renovated with **new kitchens**, light fixtures, upgraded electrical, plumbing and subpanels
- New **double paned windows** and exterior **doors**
- Newly installed **garage doors**
- Newly renovated **laundry rooms and stairwells**
- **Heritage tree** prominently located in the front and well maintained landscaping
- Shared outdoor courtyard with **BBQ picnic area**

# GENERAL PLAN AND HOUSING ELEMENT

## General Plan:

Guiding Principal of Citywide Equity, which specifically includes limiting displacement of current residents and neighborhood inclusion.

## Housing Element:

- **H4.9:** Supporting long-term affordability (55 year-deed restriction)
- **H2.1:** Enhanced Community Stability
- **H2.4:** Housing Affordability Preservation
- **H2.5:** Maintenance of Quality Housing
- **H2.6:** Energy Efficiency Goals: (Electrical upgrade and possible solar)
- **H4.1:** Housing Opportunity Site: (Unique opportunity for conversion into long-term affordability)





## PROPERTY MANAGEMENT

- A. 30 - Years of Experience (438 units)
- B. Non-Displacement Strategy
- C. Turn Over – Income Qualify
- D. Annual Certification
- F. Marketing Plan
- G. Willow Work/Live



Agenda item K2  
Mark Martella, Resident

I am writing in support of our downtown businesses and support the continuation of the traffic modifications on Santa Cruz Avenue. Our downtown restaurant owners need all the help they can get and the expansion of dining areas has been the only thing keeping them afloat. They have invested in their businesses and their investment has paid off for them. There has been an increase in foot traffic, an increase in diners and an increase in civic pride.

Please allow them to continue this progress and keep the current configuration of Santa Cruz Avenue as is.

Thank you,

Mark Martella  
750 Lemon Street

## Agenda item K2 Carolyn Poe, Resident

I agree wholeheartedly with Dana Hendrickson's suggestions for revitalizing downtown. I have never before observed so much energy or activity or even attractive scenery on Santa Cruz Avenue. I have lived in Menlo Park for five years and, for the previous 43 years residing in Ladera, I would drive in to Menlo Park for services and shopping. But my family and I almost never went to the restaurants because they all seemed sterile, just like Santa Cruz Avenue. However, we almost always joined the crowds for the food and wine festivals and the arts sidewalk shopping. That means the town can attract people but it needs a pedestrian mall-like atmosphere permanently. The restaurants are already here. (But please remove the ugly cement barriers.) Start the preparations for the occupants of the new buildings being completed on nearby El Camino Real. Have them bring their purses and wallets to Santa Cruz Avenue!

Agenda item K2  
Barbara Zivkov, Resident

I write to strongly support the continued closure of portions of Santa Cruz Avenue and other downtown streets for use by local restaurants and retailers. Firstly, it is apparent that restaurants will not be able to open for indoor dining at full capacity for quite some time. There may be some potential patrons who will not yet feel comfortable eating indoors at that time.

I would also support some additional closures for use by the larger community for one-off events. Downtown Menlo Park has been hit hard by the pandemic, I support anything that can be done to entice residents and visitors to return.

## Agenda item K2 Richard Vaughan

I fully support the continued lane closure and traffic modifications on Santa Cruz Ave. I find the ambiance of Santa Cruz Ave now to be much more inviting than when it was just cars travelling both ways. I look to the European concept of dedicated Pedestrian Zones as a model. The current configuration seems to work just fine.

Not only does it provide an enhanced pedestrian zone but one must also consider the investments the restaurants have made to make their businesses work in these COVID times. With all of the outside closures that have been built, businesses need more time to recoup their investments. Given the enforced Purple Tier closures during December and January and the fact that many patrons are not ready, willing or vaccinated to return comfortably to indoor dining - forcing the restaurants to remove these will only hurt them.

I am especially enjoying the current traffic modifications because it allows for greater community activities. For example, on Sunday mornings there is always live jazz provided by local high school musicians to the patrons of Bistro Vida and the Left Bank. I would like to applaud the City Council and the Chamber of Commerce for allowing these events to happen and flourish. The more music and live Performing Arts we can have in Menlo Park the better!

As we emerge from our Covid-induced hibernations, rebuilding our Community Spirit can only be enhanced by having the ability to meet and mingle in public spaces such as those created by the traffic barriers. I really enjoy having Santa Cruz Ave be more dedicated to pedestrian traffic than just cars. Please consider making this a permanent fixture. Thank you.



# CITY COUNCIL MEETING

Downtown Santa Cruz Avenue





## AGENDA ITEM

Council action on the following:

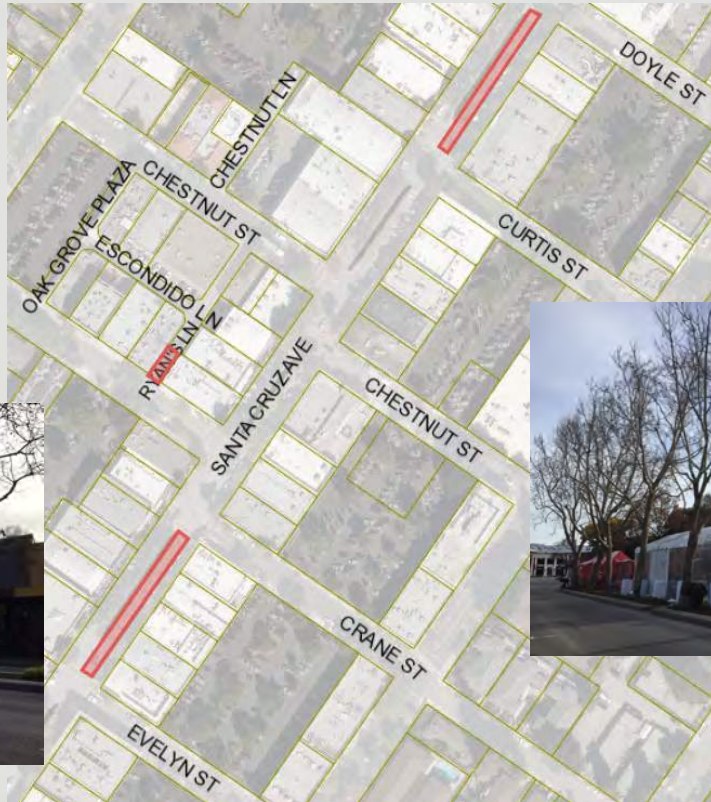
- Consider modifications to the Downtown street closure and temporary outdoor use permit pilot program and adopt urgency Ordinance No.1075 regarding travel lanes on Santa Cruz Avenue and Ryan's Lane







## DOWNTOWN STREET CLOSURES





## RECOMMENDATION

- Adopt urgency Ordinance No. 1075 (Attachment A), with potential modifications as determined by the City Council, to allow any of the following street segments to remain closed until September 6, 2021:
  - 600 block (odd) of Santa Cruz Avenue northbound lane toward El Camino Real from Curtis Street to Doyle Street;
  - 800 block (odd) of Santa Cruz Avenue northbound lane toward El Camino Real from Evelyn Street to Crane Street; and
  - Ryan’s Lane both directions from Crane Street to Escondido Lane.
- Other elements of the temporary outdoor use permit program to allow parklets/street cafes in off-street parking spaces remain until September 6, 2021



**THANK YOU**

## Agenda item K3 Soody Tronson, Resident

The present firm has been the Menlo Park City outsourced Attorney for 60+ years. Even under the best of circumstances change is often a good thing.

So kudos to Council members for making this long-overdue change.

In reviewing the contract with the new law firm, Burke Williams Sorenson, LLP, an item which is glaringly missing is provisions of conflict of interest (real or perceived) regarding representation of private companies who may have an interest relating to their transactions with the City of Menlo Park.

By way of example, the BWS firm is a full service firm and caters not only to government agencies but also to private entities regarding, for example, real estate transactions. While this may not appear to be a conflict with the city in and of itself, representing the interests of both parties even in separate transactions may lead to real or perceived conflict. As such the agreement should include provisions of disclosure by the firm to the city, when the firm has represented the same entity.

This is a vulnerability that comes with retaining general service firms with both government and private entity clients.

I provide you with three references. Their purpose is elaborate on this vulnerability and request that even though the firm itself, most assuredly will observe the highest standards of ethics, the City, nevertheless should be advised in writing when the firm represent entities which have or had dealings with the city in different matters.

Again, thank you for listening to the concerns of the residents of Menlo Park and bringing about this change.

ACLU\_Conflict of Interests Involving Private Practitioners Representing Cities and Counties:  
[https://www.law.ua.edu/pubs/jlp\\_files/issues\\_files/vol06/vol06art07.pdf](https://www.law.ua.edu/pubs/jlp_files/issues_files/vol06/vol06art07.pdf)

League of California Cities\_Practicing Ethics: <https://www.cacities.org/practicingethics>

The State Bar of California\_Special Conflicts of Interest for Former and Current Government Officials and Employees: [https://www.calbar.ca.gov/Portals/0/documents/rules/Rule\\_1.11-Exec\\_Summary-Redline.pdf](https://www.calbar.ca.gov/Portals/0/documents/rules/Rule_1.11-Exec_Summary-Redline.pdf)

Agenda item K5  
Resident

Please consider prioritizing quiet zones for Menlo Park's four grade crossings. My home is located between two grades and approximately 100 ft from the tracks. The caltrain passes approximately 62 times a day, with a minimum of one long horn sounding per grade crossing, for at least 248 horn soundings per day. Since we have been home bound during the pandemic it's been unbearable and a true detriment to our mental health. The sounds is deafening if outside and still very disturbing when inside. The amount of noise pollution could be greatly reduced by eliminating the horns. The mental health of those of us along the tracks near the grades could be very positively impacted by taking action on this.

## Agenda item K5 Ming Tsai, Resident

Dear City Council Members,

We are writing to urge the city to consider acquiring quad-gates, at all applicable intersections (e.g. Encinal, Glenwood and others), for enabling quiet zones as one of the top priorities in 2021.

Consider these factors:

- Conservative estimate shows close to 10% of the city residents will benefit from this. (Based on 2019 city census, and low estimate of 1000 households being impacted along the 2 mile corridor with 3 person in each unit.)
- The fact that more than half of all public comments/requests on Jan 30 meeting are urging is a reflection of the estimate above.
- As proven in Atherton's deployment, quad-gates are physically blocking barriers that actually REDUCE city's liability, as opposed to the current gate which are actually more dangerous.
- Atherton's QZ accidents reports/statistics have shown it's more effective in providing safety without horns, improving life quality drastically.
- Nearby residential units will have property value increased. It is fiscally sensible using gate estimates from director Nikki Nagaya's and that of increased tax/revenue for the city in the long run.

We kindly ask for the ability to see past the virtual/zoom meeting, online posts amid the pandemic, but imagine seeing ~3000 Menlo Park residents, suffering from the horn noise, physically in this planning meeting urging for this. Thank you.

## Agenda item K5 Resident

Please consider implementing quiet zones along the caltrain corridor.

The number of trains that pass through the corridor each day is over 60. Living directly on the train corridor, between two crossings (Encinal and Watkins), there is persistent noise disturbance all day long (and in the night as well). Train horns sound before and after each crossing, and because of our location, the sound is constant through the entire block.

The train noise is well beyond the Menlo Park noise ordinance limits of 60 dBA and 85 dBA throughout all hours, and greatly impacts quality of life for Menlo Park residents (young, old, and those in between!)

As a young couple who has lived in the area for a few years, the persistent train noise/honking would be completely unsuitable for raising a young infant or small children directly on the corridor. We love this city and our neighborhood and it is a true and heartbreaking situation that the horns have caused us to delay our plans to start a family and debate how we will need to move elsewhere before we do so. This is an issue that could be greatly helped by the establishing of quiet zones along the corridor. Please please please make this a 2021 initiative.

Agenda item K5  
Karen Wang, Resident

I would like to express support for prioritizing a Quiet Zone study. I have lived in Linfield Oaks for many years, about a block from the train tracks. Train noise seems to have increased significantly over the past year or so, presumably from all the trees that have been cut down or trimmed along Alma. At times the horn noise has become almost unbearable. I ask you to prioritize this issue that adversely affects so many Menlo Park residents.



## Agenda item K5 Matt Normington, Resident

Dear Menlo Park City Council Members:

My name is Matt Normington and I am the President of the Marquis Homeowners Association in Menlo Park. I represent the 24 homeowners who live in the recently constructed homes on the corner of Encinal Avenue and Garwood Way at the site of the former Roger Reynolds Nursery. Our residents have lived in this community since the summer of 2019. I have been a resident of downtown Menlo Park since 1991 and am very familiar with Caltrain and the City's ongoing, decades-long grade separation efforts.

I am writing to urge Council prioritize an evaluation of a train quiet zone at the Encinal Avenue grade crossing.

An evaluation of a quiet zone at this location is critical at this time for three reasons:

1. Caltrain's horn blasts throughout the day are disruptive to the residents working from home and school-age children that are distance learning. Historically the daytime horn noise was not a major concern to the homeowners due to the fact that many of our residents were outside the home at work and/or school during the day. Train horn noise has become a significant issue over the past year due to the pandemic as the vast majority of our homeowners and children are now at home working or distance learning during the day. Many companies have publicly stated that post-pandemic they will allow a flexible remote working arrangement which means our residents will continue working from home for the foreseeable future. Although Caltrain has currently reduced service as a result of the pandemic, this issue will only intensify as daytime train frequency increases when Caltrain ramps up its service post pandemic.
2. Atherton currently has a quiet zone established at the Fair Oaks grade crossing. The Town of Atherton will be partnering with Caltrain to establish a second quiet zone at the Watkins grade crossing beginning in the Summer of 2021. By adding a quiet zone at Encinal, trains passing through Menlo Park would not be required to sound its horn for approximately one mile between Fair Oaks and Encinal, thus significantly improving quality of life for all local residents.
3. The Encinal Avenue quiet zone is synergistic with the grade separation project in Menlo Park. All trains would return to grade level at Encinal Avenue regardless of the two different grade separation options currently being studied (i.e., a fully elevated platform or the hybrid alternative "Option C"). Because the Encinal Avenue crossing is not part of the future grade separation, any investment in evaluating and developing a quiet zone at Encinal Avenue would not be duplicative with the City's future grade separation project. For example, any required modification to the Encinal Avenue grade crossing to comply with Federal Railroad Administration quiet zone requirements would remain and not torn out as a result of future grade separation projects at other Menlo Park crossings.

As you evaluate 2021 priorities, please consider studying the establishment of a quiet zone at the Encinal Avenue grade crossing.

Thank you for your consideration and for your continued service to our community.

Respectfully,  
Matt Normington  
President, Marquis Homeowner Association

Agenda item K5  
Russ Peterson, Resident

Dear Council Members,

As a 25+ year resident of Felton Gables my family has lived through the ups and downs of Caltrain horn noise. The noise is excessive once again, not 90 dB but 100-120 db (logarithmic scale = 2x to 4x and louder), without the safety of quad-gate crossings or similar features. It is long over-due to make our crossings safe, and then make them quiet.

Constant, near constant horns are not a deterrent, not a warning (above and beyond the gates and flashing lights), and are simply not a useful safety measure. Consider they routinely blast the horns 50', 100', 200' after they have gone through an intersection. Who or what is crossing the tracks with 6' to 10' fencing on both sides? The noise is clearly too loud but worse it is not serving a useful purpose and we should not have to battle Caltrain every few years to make them be reasonable.

Finally, there are a host of community health related issues Caltrain's excessive noise can cause...and not just hearing loss. Families and students live here so it is up to Menlo Park to protect our region (i.e. Encinal Ave., there is a school at the end of the street). Please make Quiet-Zones a safety priority in 2021 and until they are implemented for all residents and businesses, especially those near the the tracks and downtown station area.

Regards,

Russ & Diana Peterson

Agenda item K5  
Joy Pang, Resident

Hello, Please consider establishment of a Quiet Zone at the Encinal Avenue Caltrain crossing. Our lives are impacted daily by the intrusive and frequent train horns sounded - they wake all of us up before sunrise and interrupt our sleep; they reduce the time we spend enjoying meals outdoors; they invade our conference calls for both school and work; they interfere with conversations we have with friendly neighbors and friends when outdoors; they prevent us from keeping our windows and doors open for fresh air and sunlight. We know people who are moving out specifically because of the train noise. We suspect it limits people wanting to move here. All of this affects our beautiful and amazing town. Thank you.

Agenda item K5  
Rick Rosensweig, Resident

This is Rick Rosensweig. [REDACTED], Menlo Park regarding item K. Five. Twenty Twenty-One birthday parties. Stop the train horns.

Agenda item K5  
Renee Barnstone, Resident

Hi, my name is Renee Barnstone. I live at [REDACTED] in Menlo Park, and I would like to put in my support for quiet zones for Metro Park for the trains, and I'd like to see that on the agenda, and I'd be really interested in having a little peace and quiet in our neighborhood. My phone number is [REDACTED]. If you have any questions, I look forward to your support. Thank you.

Hi, my name is Renee Barnstone. I'm at [REDACTED] in Menlo Park calling regarding agenda item k551 priorities and interested in quiet Zone here in Menlo Park with the trains and I'm very much in support of this and hope you make this an active part of your agenda tonight and really asking for your support and voting this through cuz I think it'll change the entire neighborhood off our ability to live peacefully as opposed to having to listen to the trains pass by every five minutes during rush hour and you know all through Thursday em. Anyway, I really appreciate it. Thank you very much.

Agenda item K5  
Will Olsen, Resident

Hello, my name is Will Olsen. And I'm a resident of Menlo Park. This is in regard to agenda item K-5 20-21 priorities. I'm specifically to offer support establishing a quiet Zone to limit train noise in Menlo Park. I have strong support for home.

Agenda item K5  
Nicole Byoh, Resident

Hello, my name is Nicole Byoh, I live in Menlo Park, and I'm calling regarding a agenda item K-5 20-21 priorities. I live one block from the Menlo Park train station and strong support establishing a quiet Zone back in 2016 certain established a quiet Zone at Fair Oaks Lanes by implementing the necessary Federal safety standards. It's mystery song by five years later. We in Menlo Park are still unable to work study or sleep in peace despite having a blueprint from our neighbors in hand and a postcode world. I hope that once again invite friends over with Windows wide open and this time not profusely apologize for the ear-splitting Blair of the train horn. Thanks.

Agenda item K5  
Andrew Fraser, Resident

Hi, my name is Andrew Fraser. My address is [REDACTED]. I live in Menlo Park, California. I'm calling to leave a message about the agenda item twenty Twenty-One priorities, which is the ignition to establish a quiet Zone a Menlo Park where by trains no longer honk their horns. I'm strongly in support of this measure quiet zones would be critically important for our family for the following reactions. First of all, the on the father of a 68 year old the trains consistently wake up. My daughter's every night night after night after night. The impact of that is they obviously wake up sleep-deprived and therefore not able to study may not able to they are able to study but it's significantly impacts their ability to perform at school because they're constantly tired the same can be said for at home schooling the train horns repeatedly, I interrupt the zoom classes that are students are having to do now on my daughters have you do now due to the cobit pandemic and then number three the fact that it off. Been established in a certain shows that it can be safely done in the community right next door to ours. So, like I said, I think this is a critically important initiative that I hope that the city council is able to implement this measure to create a quiet Zone in Menlo Park. Thank you very much. Good. Bye.



Agenda item K5  
Diana Holiday, Resident

Yes, my name is Diana Holiday. I am a resident of city city of Villa Park and I'm calling to leave a comment for Tuesday, February 23rd council meeting that's in order to determine priorities for a 2021. And the reason I'm calling is that I'd like to put emphasis on the quiet Zone project. I believe that this is has enormous benefit to our community it provides opportunity for families to raise children for the working Community to work at home without disruption. It improves the quality of life for a believe. It's an a mile radius from the from the train itself or it's a quarter-mile. I'm sorry. But anyway a large swath of our our our city would have a much more Serene and healthy and dead. Wised living situation and I think as the as the future of working at home and raising children at home continues to move in that direction that this would be an outstanding project for us to wage look at and consider based on your investigations. My phone number is [REDACTED] if you have any questions, thank you so much for your time and your service off.

## Agenda item K5 Jane Moskowitz, Resident

Hello, this is agenda item K priorities. My name is Jane Moskowitz wage. I live in Menlo Park. I live on Noel right by the train station and I totally disagree with this quiet Zone. I think it's wrong and I think that it will leave the train tracks vulnerable to accidents or suicide attempts and you've already been enough suicide attempt at railroads and even one in particular here, and I'm totally against it and the train does not bother me in the least and that that people just need to get used to it because it's for safety and you can't compare the Menlo Park train station with a certain which is which is definitely not dead. Town There's No, downtown African. So I totally opposed this quiet Zone, and I plead with you to not do this for the safety of the citizens of Menlo Park. Thank you very much, bye-bye.

Agenda item K5  
Larry Hamilton

Hello, this is Larry Hamilton Menlo Park. I'm interested in commenting on the train noise initiative. I support investigation of how to minimize train noise. Thank you.

Agenda item K5  
Peggy Hettrick, Resident

Yes, my name is Peggy Hettrick and I live with my husband Paul on Mills Street in Menlo Park. We are backyard backs up to the tracks and we were discussing the idea of the trains today and his comment I think is very important Paul. Does the yard work out back and walk he says when the trains go by cuz we're we're just like five houses in from the end of the street here at Oak Grove that he has just stopped work at hold his ears because it hurts his ears and I think that's just a very important comment. He says if they just work quieter lower the decibel what he says, and I think that's if they have to blow their horns and just make it softer. I guess that's my comment. Thank you.

Agenda item K5  
Gabrielle

Hi, this is Gabrielle. I live in a certain. I'm calling regarding agenda item K5 20-21 priorities. I like to vote help. Stop the train horn. Thank you.

Agenda item K5  
Steve Zanolli, Resident

My name is Steve Zanolli. I reside at [REDACTED] Menlo Park 94025 and I'm calling regarding agenda item K. 2021 priorities the quiet zones for Menlo Park. I'd like to make my comment in favor of quiet Zone as The Crossings have regulated safety measures and at the trains honking their horns, especially all through the middle of the night off providing any additional safety two people. Yeah, just disturbing residents. Thank you

Agenda item K5  
Jill Zanolli, Resident

Heidi agenda item I would like to refer to is k21 priorities. My name is Jill Zanolli. I am a memo Park residents live close to the Glenwood Crossing and I am calling in support of quiet zones for the trains that are railroad crossing. I am probably woke up. One two three times a night every once in a while. I'll make it through due to the train whistle and I have read information. It seems to me that if we've got train crossings and they meet all the federal safety standards. I would love for a quiet Zone to be established. Thank you for your consideration.

Agenda item K5  
Caswell, Resident

Hello, I'm an Caswell and I live in Menlo Park and I'm calling about the establishing a quiet zone for the trains in Menlo Park. And I don't think it's a good idea to have a quiet Zone because our tracks are very open around here. And there's a lot of people and animals wandering around across those trucks and things but I think reducing the loudness of the train horns would be a good idea. They are they're excessively loud people three or four blocks away. Don't need to have that train noise so loud. So I would be in favor of reduction in volume of the train horns wage then having a quiet show. Thank you very much.



## Agenda item K5

Linda

Please stop the train horns. I think it's an agenda item K-5 20-21 priorities off Linda Mota. 9025 I can't remember what was supposed to put. Thank you.

Agenda item K5  
Peter Regan, Resident

Hi, my name is Peter Regan. I was just calling regarding the train whistle noise agenda meeting agenda item on the meeting and I just like to say yeah, it's terribly loud to the point where some nights I have to wear earplugs. I mean coming into the station one time for instance like counted. The train blew the whistle eleven times. Sometimes they'll just blow the whistle and just hold it down for a long time. Whatever the case. It's really. Thing. I understand that there's safety concerns with, you know, alerting people to the trains presence and movement, but you know it off the quality of life issue as well for everybody lives on this tracks. Anyway, when I first moved in I know they had a sort of simulated steam whistle. It was much more pleasant and not as piercing. So maybe that's an option. Okay. That's my input. My name is Peter Regan r e g a n and I live at [REDACTED] in Menlo Park. Thanks a lot.

Agenda item K5  
Monique Mota, Resident

Hi, my name is Monique Mota and I live on Mill Street on the railroad tracks and the agenda number is k v 2021 priorities and I would love a quiet Zone. We've lived here eleven twelve years my children go to school here. Even if the horns were less loud would be nice or if they did short quiet or short horn sounds instead of laying on the horn for a long time. That would be great. But quiet Zone would be wonderful. Anyway, thank you very much.