



**REGULAR MEETING MINUTES**

**Date:** 10/11/2022  
**Time:** 6:00 p.m.  
**Locations:** Zoom and City Council Chambers  
701 Laurel St., Menlo Park, CA 94025

**Regular Session**

**A. Call To Order**

Mayor Nash called the meeting to order at 6:03 p.m.

**B. Roll Call**

Present: Combs, Mueller (exited the meeting at 6:15 p.m.), Nash, Taylor, Wolosin  
Absent: None  
Staff: City Manager Justin I. C. Murphy, City Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren

**C. Agenda Review**

None.

**D. Public Comment**

- Jasmine Soria-Delgado spoke on a mural project by MidPen Housing seeking muralists for Gateway Rising at 1345 Willow Road.

**E. Presentations and Proclamations**

E1. Proclamation: Latino Heritage Month (Attachment)

Mayor Nash read the proclamation (Attachment).

**F. Consent Calendar**

- F1. Accept the City Council meeting minutes for September 13 and 20, 2022 (Attachment)
- F2. Receive and file the annual inflation protection adjustment of \$0.45 per hour for an approved local minimum wage effective January 1, 2023 of \$16.20 per hour (Staff Report #22-189-CC)
- F3. Adopt a resolution 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 #22-196-CC)
- F4. Authorize the Mayor to submit a letter in support of efforts to mitigate community impacts associated with Stanford University's development (Staff Report #22-194-CC)

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

## **G. Regular Business**

- G1. Provide input on a request for proposals for an aquatics operator at Burgess Pool and the future Menlo Park Community Campus aquatics center (Staff Report #22-191-CC)

Library and Community Services Director Sean Reinhart and Library and Community Services Supervisor Tricia Mullan made the presentation (Attachment).

City Councilmember Mueller was recused and exited the meeting.

- Lynne Bramlett spoke in support of a policy regulating oversight of public/private partnerships.
- Janet Davis spoke in support of a City operated pool and to prioritize residents' needs in the request of proposals (RFP).

The City Council discussed forming a City Council subcommittee to assist in the contract negotiations after RFP award, incentivizing resident programming, seasonal reporting of resident/non-resident and revenues opposed to annual, lane hour allocations, selection criteria to include an explanation of experiences, documentation of emergency calls and issues for the operator, therapeutic classes, a transparent process, and utilizing the Parks and Recreation Commission.

The City Council received clarification on a City operated pool, competitive proposals, baseline hours and days, and incentivizing resident programming.

- G2. Award vehicle purchase contracts to Deere & Company, National Auto Fleet Group, Toro Company, Vermeer Manufacturing Company, and Volvo Construction Equipment and Services for the purchase and modification of police vehicles and motorcycles, light-duty trucks, and heavy-duty equipment for the fiscal year 2022-23 vehicle purchase (Staff Report #22-193-CC)

Assistant Public Works Director Brian Henry and Public Works Supervisor – Fleet Don Weber made the presentation (Attachment).

The City Council discussed replacing the senior shuttle before 2025.

The City Council received clarification on the total amount of all vehicles, total cost compared to potential recovery through maintenance and fuel, Citywide electric vehicles in fleet, and the senior shuttle replacement schedule.

**ACTION:** Motion and second (Taylor/ Nash ), to award vehicle purchase contracts to Deere & Company, National Auto Fleet Group, Toro Company, Vermeer Manufacturing Company, and Volvo Construction Equipment and Services for approximately \$1.11 million, plus a contingency of \$50,000 (held by the City), for the purchase and modification of five electric police vehicles, three lower emission police motorcycles, three electric light-duty public works trucks, one piece of electric equipment, and four pieces of renewable diesel powered equipment, and direct staff to conduct a study to replace senior shuttle sooner than 2025, passed 4-0 (Mueller absent).

## **H. Informational Items**

- H1. City Council agenda topics: October 18 – November 1, 2022 (Staff Report #22-195-CC)
- H2. Drought update for Menlo Park Municipal Water (Staff Report #22-190-CC)
- Jenny Michel spoke in support of deterring excess water use for single-family residences.
- H3. Menlo Park local hazard mitigation plan annex to the San Mateo County multijurisdictional local hazard mitigation plan update (Staff Report #22-192-CC)
- Pam Jones spoke in support of addressing comprehensive communications outside of electronic communications.
  - Lynne Bramlett spoke in support of the annual progress report and on concerns on policy issues, emergency coordinator position, and the lack of a disaster preparedness plan.

The City Council received clarification on the City's mechanisms to mitigate ornamental water usage, water regulations throughout multiple water districts within Menlo Park, and the "Lawn Be Gone" incentive program.

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

City Manager Justin Murphy reported out on environmental documents released for the proposed Hotel Moxy and Willow Village projects, current advisory body recruitments, hybrid advisory body meeting schedule, and the Halloween Hoopla and parade downtown on October 29.

## **J. City Councilmember Reports**

City Councilmember Combs expressed condolences to family and co-works of the landscaper who passed away today, reported out on a walking tour Flood Triangle for transportation improvements, and requested a left turn lane from Bay Road onto Willow Road return to the City Council.

Vice Mayor Wolosin reported out on attending the Palo Alto Community Fund Advisory Board and the Community Trust meetings and requested City Council liaisons be appointed in December.

Mayor Nash reported out on Peninsula Clean Energy 2021 Community Benefits Summary (Attachment).

## **K. Adjournment**

Mayor Nash adjourned the meeting at 7:41 p.m.

Judi A. Herren, Assistant to the City Manager/City Clerk

These minutes were approved at the City Council meeting of November 1, 2022.

# Recognizing October 2022 as Latino Heritage Month

**WHEREAS**, Governor Gavin Newsom has issued a proclamation recognizing Latino Heritage Month in the State of California, and

**WHEREAS**, during Latino Heritage Month, we honor and celebrate the immeasurable contributions and unique stories of Latinos, California's largest ethnic group, and

**WHEREAS**, Californians know that our strength and prosperity lie in our state's diversity, including the 15.6 million Latino Californians with roots that can be traced across the Americas, indigenous communities of Latin America and Africa, and beyond, and

**WHEREAS**, our Latino community has always been and will always be deeply rooted in California's history, identity and success. From the state's beginnings to the present day, generations of Latinos helped build our state as we know it and shaped our social, political and economic landscapes. Across all facets of society, Latino Californians contribute to our state's vibrancy and growth every day, and

**WHEREAS**, throughout California history, our Latino communities have fought inequalities and injustices, shaping the state's social, political, and economic landscapes, and that legacy continues today. We recognize and are grateful to the Latino Californians who help keep our neighborhoods and communities vibrant and prosperous. They are teachers and business owners, scientists and soldiers, farmworkers and first responders, artists and activists, colleagues, and friends, and

**WHEREAS**, we also recognize the persistent disparities and disproportionate challenges that Latino communities face, and recommit to our work to help all Californians thrive. Our state has made historic strides to expand access to health care coverage, advance major investments in educational equity and affordable housing and provide unprecedented relief for Californians hit hardest by the pandemic, among other targeted investments and efforts, and

**WHEREAS**, with bold action and inclusive policies to expand opportunity across the board, push back against the forces of hate and advance our collective progress, California will continue to lead the march towards equality and prosperity for all.

**NOW THEREFORE, BE IT RESOLVED** that I, Betsy Nash, Mayor of the City of Menlo Park, on behalf of the City Council and the City, do hereby proclaim October 2022, as "Latino Heritage Month."

DocuSigned by:

*Betsy Nash*

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Betsy Nash, Mayor  
October 11, 2022



# REQUEST FOR PROPOSALS FOR AN AQUATICS OPERATOR

City Council – October 11, 2022



## Background

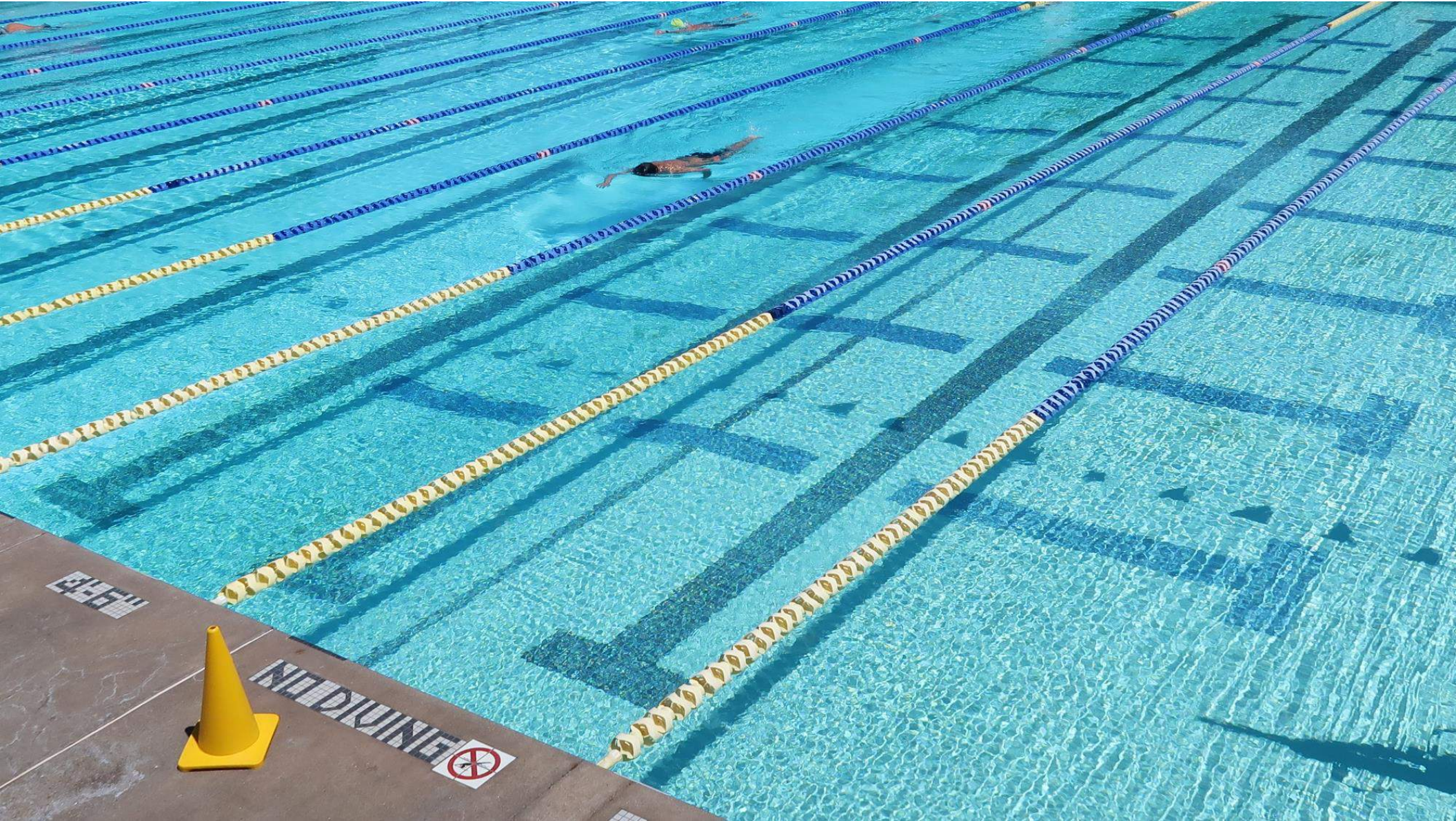
- February 8, 2022. City Council directed staff to prepare a Request for Proposals (RFP) to be issued in Autumn 2022 – to which current operator Team Sheeper, Inc. would be invited and encouraged to respond – for an aquatics operator at Burgess Pool and the future MPCC aquatics center.
- August 23, 2002. City Council reviewed an aquatics program analysis, which included a citywide community survey, and provided direction to staff regarding desired elements of the RFP



## Proposed RFP timeline

- October 11 – City Council review and provide input on the draft RFP
- October 24 – RFP issued
- November 30 – Proposals due
- December to January – Staff review proposals
- January 2023 – City Council identify preferred Provider; authorize city manager to negotiate agreement
- February 2023 – City Council authorize city manager to execute agreement.









## Key City priorities

- The RFP is structured to offer some flexibility to RFP respondents to develop proposals that balance the City's key priorities with respondents' operational needs.
- Proposals from qualified aquatics operators that demonstrate a high degree of responsiveness to most or all of the key priorities in addition to the basic capabilities and competencies that are required to operate quality aquatics programs will be deemed more competitive for selection.



## Draft RFP – key City priorities

1. Operate the Burgess Pool and the future MPCC aquatics center for public access year-round, 7 days per week, no fewer than 63 hours per week at each location as calculated by average applied over the course of a full calendar year—with exceptions for closures to observe major holidays or to complete necessary maintenance or repair work.
2. Operate Burgess Pool and MPCC aquatics center with comparable or equivalent operating schedules and programs at both locations, with allowance for some variances to respond to hyperlocal needs and other unique considerations of each site and the neighborhoods in which they are located.



## Draft RFP – key City priorities

3. Seek City approval for new aquatics user fees or modifications to existing aquatics user fees, with the mutual understanding by City and operator that:
  - a. User fees are the primary source of revenue necessary for operator to deliver and sustain safe, quality aquatics operations for the community
  - b. User fees can and do present barriers to entry for some residents, especially residents who are most vulnerable, and barriers can persist even with the availability of scholarship or subsidy programs.



## Draft RFP – key City priorities

4. Revenue sharing agreement with the City to offset a portion of the City’s facility maintenance costs at Burgess Pool and the MPCC aquatics center, preferably at a “medium” cost recovery rate to the City of 30-70%. The City’s total costs to maintain the Burgess Pool facility were approximately \$645,000 in FY2021-2022.
5. Dedicate operating hours and pool space to open swim/community swim for play and social time during times that are deemed convenient and accessible to Menlo Park resident children and families, as measured in part by community satisfaction surveys to be jointly administered by operator and the City.





## Draft RFP – key City priorities

6. Offer aqua wellness and/or therapeutic classes in formats and at times that are deemed convenient and accessible to Menlo Park for seniors and others who benefit from such programs, as measured in part by community satisfaction surveys to be jointly administered by operator and the City.
7. Provide meaningful access to effective water safety instruction at City aquatics centers for every Menlo Park resident child regardless of their family's ability to pay user fees.



## Draft RFP – key City priorities

### 8. Diversity, equity, inclusion, belonging

- a. Provide meaningful employment opportunities in City aquatics facilities to qualified Menlo Park residents, especially residents who live in the immediate vicinity of City aquatics centers.
- b. Foster an organizational culture that is based on foundations of equity, inclusion, belonging and justice to create a safe and welcoming environment in City aquatics facilities for all Menlo Park residents regardless of background, income, race, religion, sexual orientation, gender identity, and other lived experiences that contribute to a vibrant and accepting community.
- c. Reduce and/or remove barriers to entry for City residents who are most vulnerable, including children and families who reside in low-income households, seniors and people with disabilities.





## Proposed requirements and terms

Per City Council's feedback and direction, various requirements and terms are incorporated into the draft RFP and/or will be included in the resulting operator agreement with the selected Provider.





## Proposed requirements and terms\*

1. Provider to prepare and submit a detailed annual performance report to City staff no later than January 30 of each year, including:
  - Total program hours by program area
  - Participation statistics including resident and non-resident percentages
  - Community satisfaction survey results and user group feedback by program area
  - Pool schedule and allocation including projections to the upcoming year
  - Fees by program area and a fee comparison to other public pools in the region
  - Annual audits and reviews demonstrating standards of care are met
  - Risk management documentation and training certifications by staff member.
2. Present report to City Council no later than March 31 of each year.

\* Partial list. Requirements and terms are incorporated into the draft RFP and/or will be included in the resulting agreement with the selected Provider.



## Proposed requirements and terms\*

3. Provider submit to City staff quarterly financial statements no later than 45 days after the end of each fiscal quarter, and annual financial statements no later than 45 days after the close of the fiscal year. Financial statements submitted to the City shall be considered public records subject to applicable government transparency law.
4. Provider to consult with City staff before altering the operating hours, launching new aquatics programs, making significant changes to existing programs, or significantly altering any other substantive aspects of Provider's operations and programs at City aquatics centers.



## Proposed requirements and terms\*

5. Provider to seek City approval before engaging the services of subcontractors or other parties not directly employed by Provider to deliver aquatics programs and/or services in City aquatics facilities.
6. Provider to assign sufficient qualified staffing to maintain safe and effective operations at City aquatics facilities. Provider's staff will have the required qualifications and certifications for each position.
7. Provider to maintain appropriate and safe ratios of lifeguards to pool users at all times, consistent with industry best practices and applicable regulations.



## Proposed requirements and terms\*

8. Provider to maintain reasonable evidence and documentation of its hiring practices, background checks, certifications and training, including documentation of pre-service/employment orientation, on-the-job training, regular in-service training, and certification training for each employee. Provider will furnish these records to the City for inspection on request.
9. Provider to demonstrate adequate risk management planning and practices by conducting annual audits and reviews by qualified external experts in coordination and with oversight by City staff.

\* Partial list. Requirements and terms are incorporated into the draft RFP and/or will be included in the resulting agreement with the selected Provider.







# VEHICLE AND EQUIPMENT PURCHASE PROPOSAL

For fiscal year 2022-23

ANNUNCIATION  
CYCLASTIC



## BACKGROUND ON VEHICLE/EQUIPMENT PURCHASES



- Replacement based on mileage, age, downtime for repairs, and mandated emission regulations
- Adhere to the City's Climate Action Plan No. 5 goal to eliminate fossil fuels from city operations by 2030
- Adhere to the Sustainable Fleet Policy to reduce greenhouse gas emissions by increasing the number of zero-emission fleet vehicles





## SUSTAINABLE FLEET

- Police began its commitment to reduce GHG emission in 2008
  - 5 EVs were purchased from the FY20-21 vehicle purchase
  - Major milestone for a small-sized police department
  - 15 bicycles for street patrol when possible
- Public Works began its commitment in 2021
  - Large equipment uses renewable diesel, which reduces GHG emissions by up to 90 percent
  - 1 hybrid aerial lift truck





## ENVIRONMENTAL QUALITY COMMISSION FEEDBACK



- On August 31, staff presented the proposed fleet purchase to the Environmental Quality Commission (EQC) and they voted 6-0 (one commissioner absent) to recommend and advise the City Council the following actions:
  - To accept the proposed police department vehicle purchases
  - To request that staff consider the following feedback for the proposed public works purchases:
    - Timing purchases in relation to air quality requirements and end of life of combustion fired equipment
    - Looking into further alternatives for public works combustion fired equipment to present to City Council
    - Checking with agencies that are providing electric incentives to inform about available technologies





## PROPOSED VEHICLE PURCHASE FOR POLICE



- One electric Ford Mustang Mach-E pool vehicle
- One electric Ford F-150 Lightning community service truck
- Three electric detective vehicles (two Mustang Mach-Es, and one F-150 Lightning)
- Three lower emission BMW 1250 RT-P gasoline powered motorcycles
- If approved, the department would have 14 electric vehicles and 18 hybrids
  - More than 60 percent of the police fleet operates at significantly reduce or zero emissions



## PROPOSED VEHICLE/EQUIPMENT PURCHASE FOR PUBLIC WORKS



- Staff contacted multiple municipalities and located an electric reel mower being used in South Pasadena.
- Three electric Ford F-150 Lightning light-duty trucks
- One electric reel mower
- Four renewable diesel powered maintenance equipment





## RECOMMENDATION



- Staff recommends the City Council award vehicle purchase contracts for approximately \$1.11 million, plus a contingency of \$50,000 (held by the City), for the purchase and modification of:
  - Five electric police vehicles
  - Three lower emission police motorcycles
  - Three electric light-duty public works trucks
  - One piece of electric equipment
  - Four pieces of renewable diesel powered equipment



**THANK YOU**