



SPECIAL AND REGULAR MEETING MINUTES

Date: 6/27/2023
Time: 5:00 p.m.
Locations: Teleconference and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

Special Session

A. Call To Order

Mayor Wolosin called the meeting to order at 5:22 p.m.

B. Roll Call

Present: Doerr, Nash, Wolosin
Absent: Combs, Taylor
Staff: City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, Acting City Attorney Mary Wagner, Assistant to the City Manager/City Clerk Judi A. Herren

C. Closed Session

C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the Service Employees International Union Local 521 (SEIU)

Agency designated representatives: City Manager Justin I.C. Murphy, Administrative Services Director Brittany Mello, Assistant City Manager Stephen Stolte, City Attorney Nira Doherty, Special Counsel Charles Sakai

Regular Session

D. Call To Order

Mayor Wolosin re-called the meeting to order at 6:05 p.m.

E. Roll Call

Present: Doerr, Nash, Wolosin
Absent: Combs, Taylor
Staff: City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, Acting City Attorney Mary Wagner, Assistant to the City Manager/City Clerk Judi A. Herren

Report from Closed Session

Mayor Wolosin reported that an agreement was reached with SEIU for a successor labor agreement and the early release staff report was made available on Monday, June 26 for the July 11 City Council meeting.

F. Agenda Review

The City Council pulled item H1.

G. Public Comment

- John McKenna spoke in support of the youth voices being heard this evening.
- Katie Rueff spoke in support of action on climate change mitigations and proposed a Menlo Park Youth Climate Team to assist.
- Angeli Mishra spoke in support of action on climate change mitigations.
- Alex Wagonfeld spoke in support of action on climate change mitigations.
- Will Simon spoke in support of action on climate change mitigations.
- Nikki Donovan spoke in support of effective climate action, water efficient landscaping, energy efficient buildings and additional bike lanes.
- Crystal Hernandez spoke in support of implementing the adopted climate action plan.
- Chloe Chiang spoke in support of implementing the adopted climate action plan.

H. Consent Calendar

H1. Accept the City Council meeting minutes for May 9, 23, 30, and June 13, 2023 (Attachment)

The City Council requested that the May 30 minutes reflect a request for a joint meeting between the Menlo Park Fire Protection District and Menlo Park, Atherton and East Palo Alto.

- H2. Amend the agreement with APTIM Environmental and Infrastructure, LLC for the operation, maintenance and reporting of the Bedwell Bayfront Park Landfill gas and leachate collection and control systems for an additional six months (Staff Report #23-143-CC)
- H3. Amend the contract with Chrisp Company to add funding to install the Middle Avenue bicycle lane pilot (Staff Report #23-144-CC)
- H4. Authorize the city manager to enter into a five-year maintenance agreement with ADVNC Air Technologies for the preventative maintenance and repair services for heating, ventilation, and air conditioning systems within city buildings (Staff Report #23-145-CC)
- H5. Waive the second reading and adopt an ordinance adding Chapter 1.15 “Administrative Citations” and amending Chapter 8.04 “Nuisances” to add additional “Enumerated” nuisances to subsection 8.04.010 (Staff Report #23-146-CC)
- H6. Adopt a resolution amending City Council Policy CC-23-004 Commissions/Committees Policies and Procedures, Roles and Responsibilities (Staff Report #23-151-CC)

ACTION: Motion and second (Doerr/ Nash), to approve the consent calendar with the update to the May 30 minutes, passed 3-0 (Combs and Taylor absent).

I. Public Hearing

I1. Adopt a resolution overruling protests, ordering the improvements, confirming the diagram/area of

assessment and ordering the levy and collection of assessments for Landscaping Assessment District for fiscal year 2023-24 (Staff Report #23-147-CC)

Management Analyst II Joanna Chen made the presentation (Attachment).

Mayor Wolosin opened the public hearing.

Mayor Wolosin closed the public hearing.

ACTION: Motion and second (Nash/ Wolosin), to adopt a resolution overruling protests, ordering the improvements, confirming the diagram/area of assessment, and ordering the levy and collection of assessments, passed 3-0 (Combs and Taylor absent).

J. Regular Business

- J1. Adopt resolutions for fiscal year 2023-24: adopting budget and capital improvement plan; establishing appropriations limit; amending the salary schedule effective July 2, 2023; extending rate assistance program through June 2024; and accept award authority and bid requirement through June 2024 (Staff Report #23-150-CC)

Administrative Services Director Brittany Mello and Interim Finance Director Marvin Davis made the presentation (Attachment).

- Jeff Schmidt spoke in support of protecting the Urban Forest Master Plan in the Capital Improvements Plan.
- Ezio Alviti spoke on concerns related to the city's website accessibility.

The City Council received clarification on special districts.

The City Council discussed discretionary cuts, revenue generators, potential Transient Occupancy Tax (TOT) or Utility User Tax (UUT) ballot measures in 2024, a resident survey on ballot measures, Flock cameras, Menlo Park Community Campus (MPCC) staffing, cultural and community grant program and grant opportunities.

The City Council directed staff to return with item on receiving community feedback on ballot measures and a list of current grants retained by the city.

ACTION: Motion and second (Nash/ Doerr), to adopt the following resolutions, establish award levels and provide bid requirements:

1. Resolution adopting fiscal year 2023-24 budget and capital improvement plan (CIP)
2. Resolution establishing the appropriations limit
3. Resolution amending the salary schedule effective July 2, 2023
4. Resolution extending the solid waste and water rate assistance program through June 2024
5. Accept award memo for authority and bid requirement through June 2024, passed 3-0 (Combs and Taylor absent).

- J2. Review and authorize staff to submit the revised Housing Element for the 2023 to 2031 planning period to the California Department of Housing and Community Development

(Staff Report #23-148-CC)

Principal Planner Tom Smith made the presentation (Attachment).

- Adina Levin spoke on submitted Housing Element comments provided by California Department of Housing and Community Development (HCD).
- Olivia Grimes spoke in support of the Housing Element, affordable housing and increased tenant protections.
- Jenny Michel spoke in support of taxes that benefit Menlo Park.
- Katherine Dumont spoke in support of zoning changes and reducing emissions.
- Brittani Baxter spoke on potential housing sites and downtown vacancies and zoning.

The City Council received clarification on downtown vacancies on the opportunity sites, zoning update requirements, the Downtown Specific Plan amendments and deadlines and community engagement and outreach to include those engaged in the original El Camino Real/Downtown Specific Plan process.

The City Council discussed the jobs housing linkage program.

The City Council directed staff to update the Housing Element page 8-28 Program H4.M to “reducing multi-family parking ratios” removing specific number of spaces or, if required by HCD, for staff to clarify that the specific number of spaces listed is the maximum parking amount.

ACTION: Motion and second (Wolosin/ Doerr), to authorize staff to submit the revised 2023 to 2031 (6th Cycle) Housing Element to the California Department of Housing and Community Development (HCD) including an update to the Housing Element page 8-28 Program H4.M parking language, passed 3-0 (Combs and Taylor absent).

The City Council took a recess at 8:33 p.m.

The City Council reconvened at 8:40 p.m.

- J3. Waive the first reading and introduce by title only an ordinance adding Menlo Park Municipal Code Chapter 8.05 to require the use of zero emission landscaping equipment (ZELE)
(Staff Report #23-153-CC)

Sustainability Manager Rebecca Lucky made the presentation (Attachment).

- Jackie Ishimaru-Gachina requested that the ordinance not be adopted until zero emission landscaping equipment is upgraded for commercial use.

The City Council received clarification on zero emission landscaping equipment in other jurisdictions, battery life of zero emission landscaping equipment and the California Air Resources Board (CARB) rebate program.

ACTION: Motion and second (Doerr/ Nash), to waive the first reading and introduce an ordinance adding Menlo Park Municipal Code Chapter 8.05 (gasoline powered landscape equipment) to require use of zero

emission landscaping equipment (ZELE) by a certain date and repeal Chapter 8.07 (leaf blowers) and subsection (C) of §8.06.040 exceptions for gas powered leaf blowers, passed 3-0 (Combs and Taylor absent).

- J4. Adopt a resolution setting forth civil fines, charges and interest rate for unpaid fines from administrative citations pursuant to Menlo Park Municipal Code Chapter 1.15 “Administrative Citations” (Staff Report #23-149-CC)

Police Chief Dave Norris introduced the item.

ACTION: Motion and second (Wolosin/ Nash), to adopt a resolution setting forth the civil fines, charges and interest rate for unpaid fines from administrative citations issued pursuant to Menlo Park Municipal Code (MPMC) Chapter 1.15, passed 3-0 (Combs and Taylor absent).

ACTION: Motion and second (Wolosin/ Nash), to reopen item J3., passed 3-0 (Combs and Taylor absent).

- J3. Waive the first reading and introduce by title only an ordinance adding Menlo Park Municipal Code Chapter 8.05 to require the use of zero emission landscaping equipment (ZELE) (Staff Report #23-153-CC)

The City Council directed staff to send a letter to the Bay Area Air Quality Management District requesting CARB rebates being applied to large companies.

K. Informational Items

- K1. City Council agenda topics: July 11 – August 15 (Staff Report #23-152-CC)

L. City Manager Report's

City Manager Justin Murphy reported out on 4th of July event in downtown, Caltrain road work on Encinal Avenue this summer and Middle Avenue railroad crossing project.

M. City Councilmember Reports

City Councilmember Nash reported out on a Peninsula Clean Energy meeting.

City Councilmember Doerr reported out on the summer concert series events.

Mayor Wolosin reported out on the new SamTrans shuttle service in Belle Haven.

N. Adjournment

Mayor Wolosin adjourned the meeting at 9:14 p.m.

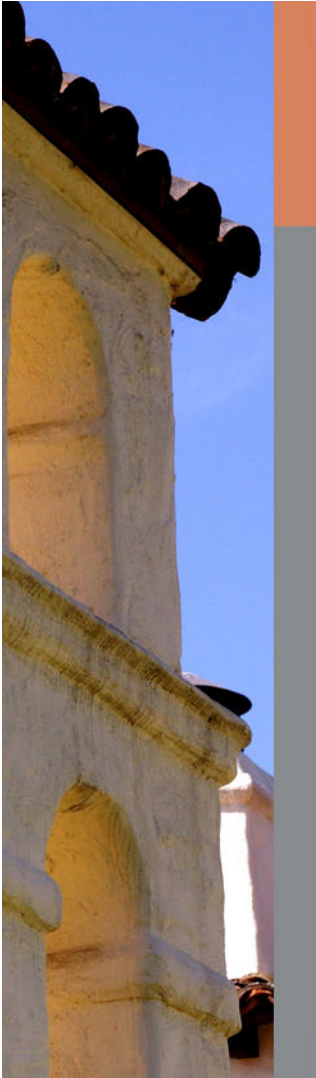
Judi A. Herren Assistant to the City Manager/City Clerk

These minutes were approved at the City Council meeting of August 15, 2023.



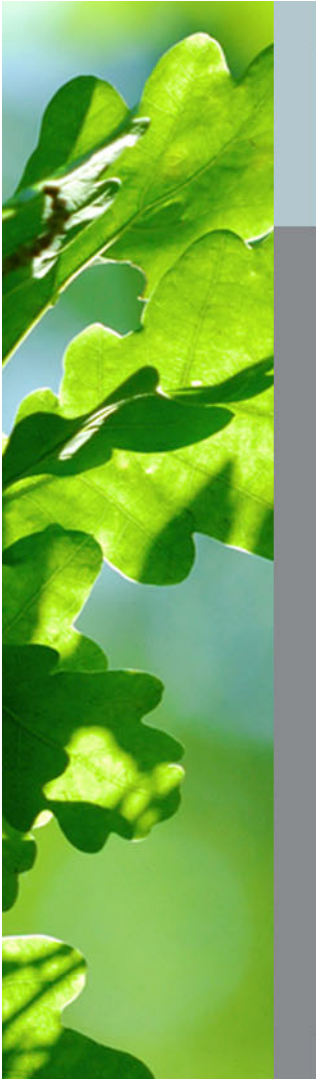
LANDSCAPING ASSESSMENT DISTRICT

June 27 City Council meeting



BACKGROUND

- 1982: Voters approved Measure N to form the Landscaping Assessment District (District)
- 1983: City established the District to provide proper street tree maintenance
- 1990: City added an assessment for the repair and maintenance of sidewalks, curb, gutter, and parking strips
- 1998: Voters approved ballot measure to increase the District fees



SERVICES PROVIDED

- City street tree maintenance
- Street sweeping services
- Sidewalk, curb, gutter, and parking strip repair and replacement for areas damaged by street trees





TREE MAINTENANCE PROGRAM

- Team
 - City staff and one contractor, West Coast Arborist
- Scope of work
 - Routine maintenance every five years
 - Inspections, trimming, planting, and removal requests
 - Submit city tree-related requests through ACT Menlo Park
 - menlopark.gov/Services/ACT-Menlo-Park
- Funding from the District and general fund





STREET SWEEPING SERVICES



- Team:
 - City staff and one contractor, Contract Sweeping Services
- Scope of work:
 - Remove litter and debris from the streets
 - Reduce the amount of debris flowing to the bay
 - Minimize flooding during heavy rains
- Funding from Measure M and the District





SIDEWALK, CURB, GUTTER, AND PARKING STRIP MAINTENANCE



- Team:
 - City staff and two contractors, Trip Stop and Golden Bay Constructions
- Scope of work:
 - Public-right-of-way damaged by city trees
 - Repair: horizontal saw cuts to address minor tripping hazards
 - Replacement: Varies based on damages caused by city tree roots
- Funding from Capital Improvement Program and the District





DIFFERENT FEE LEVELS

Figure 2 – Tree Maintenance Assessments

Property Type	2023-24 Assessment Rates	
Parcels with Trees		
	Assessment Rate	
Single Family	\$91.38	(per Parcel)
R-2 Zone, in use as single family	\$91.38	(per Parcel)
Condominium/Townhouse	\$82.24	(per Unit, \$411.21 max. per Project)
Other Multi-family	\$73.10	(per Unit, \$365.52 max. per Project)
Commercial	\$91.38	(per 1/5 acre, \$456.90 max. per Project)
Industrial	\$91.38	(per 1/5 acre, \$456.90 max. per Project)
Parks, Educational	\$91.38	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
Parcels without Trees		
Single Family	\$45.69	(per Parcel)
R-2 Zone, in use as single family	\$45.69	(per Parcel)
Condominium/Townhouse	\$41.12	(per Unit, \$205.61 max. per Project)
Other Multi-family	\$36.55	(per Unit, \$182.76 max. per Project)
Commercial	\$45.69	(per 1/5 acre, \$228.45 max.)
Industrial	\$45.69	(per 1/5 acre, \$228.45 max.)
Parks, Educational	\$45.69	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

Figure 3 – Sidewalk, Curb, Gutter, Parking Strip Assessments

Property Type	2023-24 Assessment Rates	
Parcels with Trees		
	Assessment Rate	
Sidewalks, curbs, gutters	\$48.82	(per Parcel)
Parking strips and gutters	\$48.82	(per Parcel)
Curbs and/or gutters only	\$32.71	(per Parcel)
No improvements	\$16.11	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
Parcels without Trees		
Parcels with or without improvements	\$16.11	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)



FISCAL YEAR 2023-24 PROPOSAL



- The amount increase per single family equivalent accounts for:
 - Tree care
 - Tree pruning and street sweeping agreement costs
 - Annual sidewalk replacement needs and the current backlog
- Annual action is required by the City to continue the collection of assessments

Assessment	Fiscal year 2022-23 rate	Percent increase	Fiscal year 2023-24 rate	Amount increase
Tree	\$88.72	3.0%	\$91.38	\$2.66
Sidewalk	\$47.40	3.0%	\$48.82	\$1.42



THANK YOU



FISCAL YEAR 2023-24 BUDGET ADOPTION

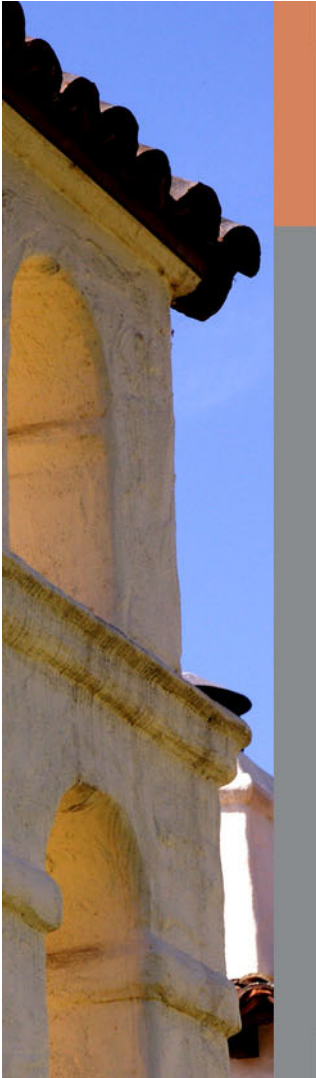
June 27, 2023



AGENDA

- City Council Priorities
- Summary of budget changes
- Summary of 5-Year forecast changes
- Enabling resolutions and actions
- Final City Council direction and adoption





CITY COUNCIL PRIORITIES



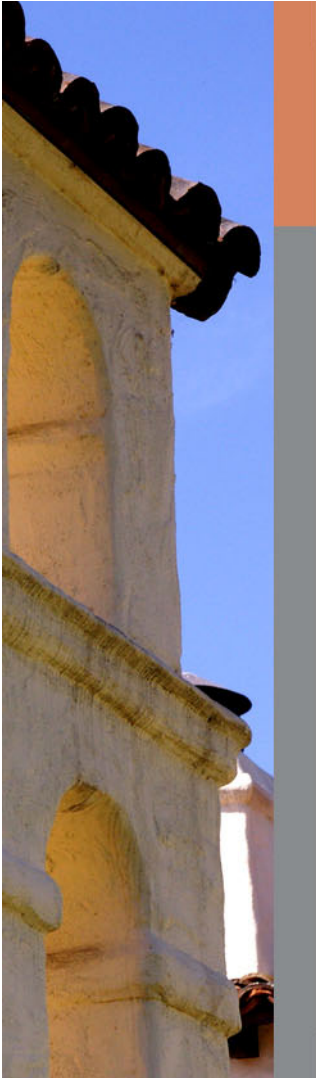
- The City Council held its annual priority and goal setting workshop on March 18, 2023, to provide direction to the city manager on aligning resources and work plans for the next year.

- The City Council identified the following priorities:
 - Housing
 - Emergency Preparedness
 - Climate Action Plan
 - Activating Downtown
 - Safe Streets



BUDGET OVERVIEW

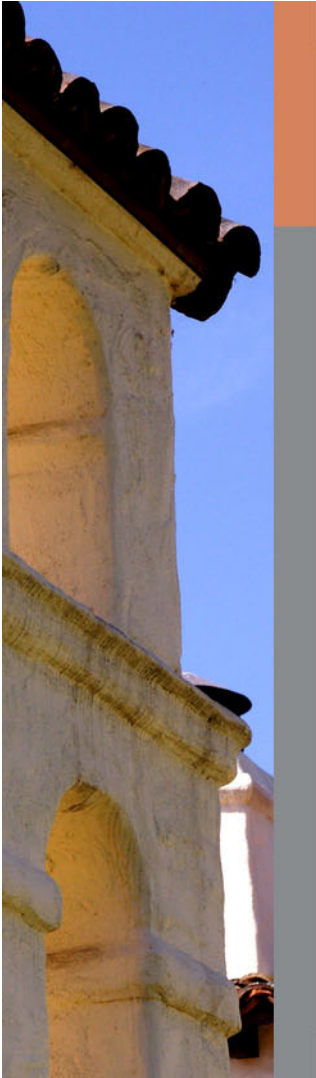




FY 2023-24 OPERATING BUDGET - UPDATES



- Changes to budget since June 13 public hearing:
 - Clearly identified annual and ongoing expenses for Service Level Enhancements (SLEs)
 - Excluded Menlo Park Community Campus (MPCC) additional staffing, pending further review by City Council
 - Excluded the police Flock camera purchase; future study session will be scheduled
 - Strategic Pension Funding Reserve used to maintain additional payment for Unfunded Accrued Liability (UAL)
 - Increased from (\$0.96) million to (\$1) million



ANTICIPATED BUDGET AMENDMENTS DURING THE FISCAL YEAR

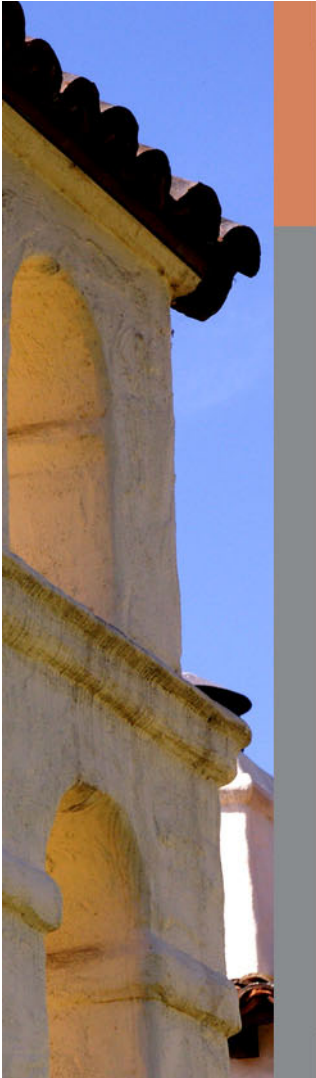
- Successor labor agreements
- MPCC staffing
- Use of special revenue funds (developer payments, Downtown Public Amenity, In-Lieu Community Amenities, Below Market Housing Fund)
- Police Flock cameras
- Environmental Justice Element programs
- Cultural and community event grant program





GENERAL FUND 5-YEAR FORECAST

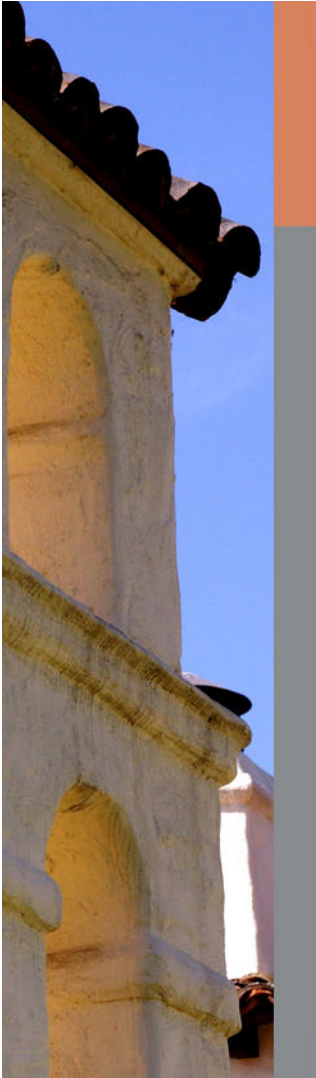




GENERAL FUND FIVE-YEAR FORECAST



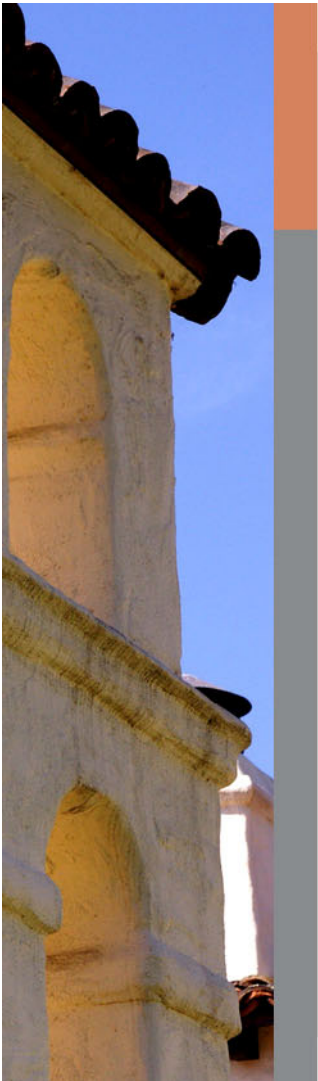
- Forecast incorporates changes since June 13 public hearing.
- Emergency Contingency Reserve is maintained at minimum policy levels through forecast. Economic Stabilization Reserve is used to cover deficits.
- Additional UAL payment: In year 3, Strategic Pension Funding Reserve is supplemented with General Fund for overall \$500,000 payment; continues at same level using General Fund in years 4 and 5.



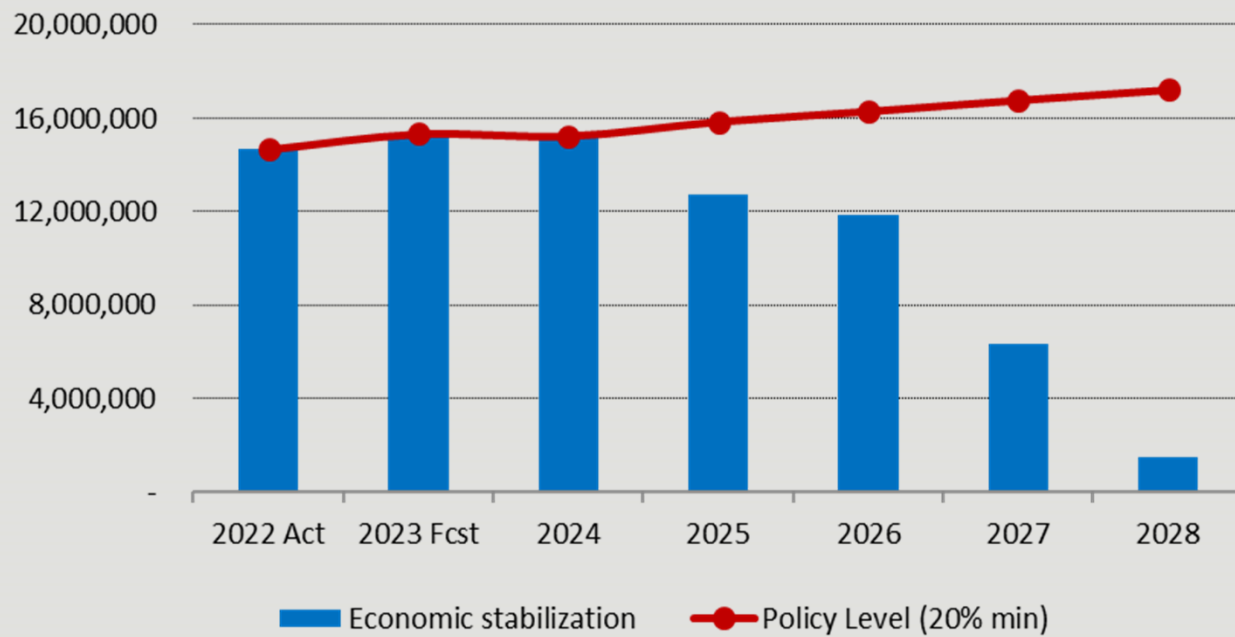
GENERAL FUND FIVE-YEAR FORECAST

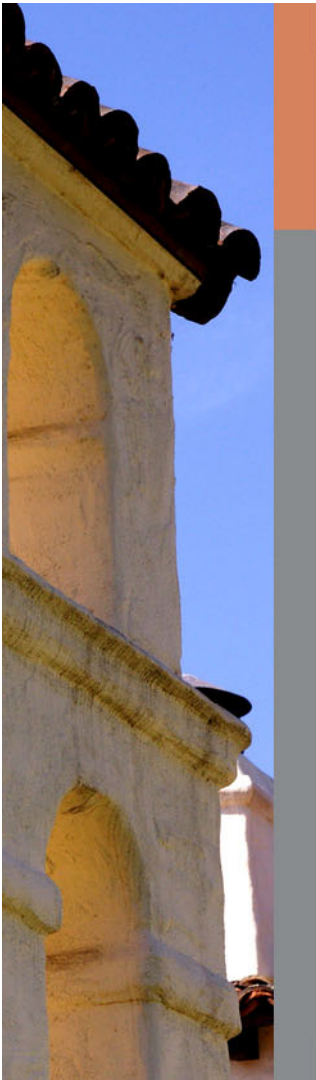


- Two scenarios presented for General Fund annual contribution to Capital Improvement Program:
 - Maintain \$3 million contribution:
 - Economic Stabilization Reserve decreases to 2% in year five
 - Unassigned fund balance decreases to \$0.25 million in fiscal year 2024-25
 - Reduce to \$1 million contribution beginning fiscal year 2024-25:
 - Economic Stabilization Reserve decreases to 13% in year five
 - Unassigned fund balance decreases to \$0.25 million in fiscal year 2026-27
 - Deferred maintenance costs rise with lower contribution

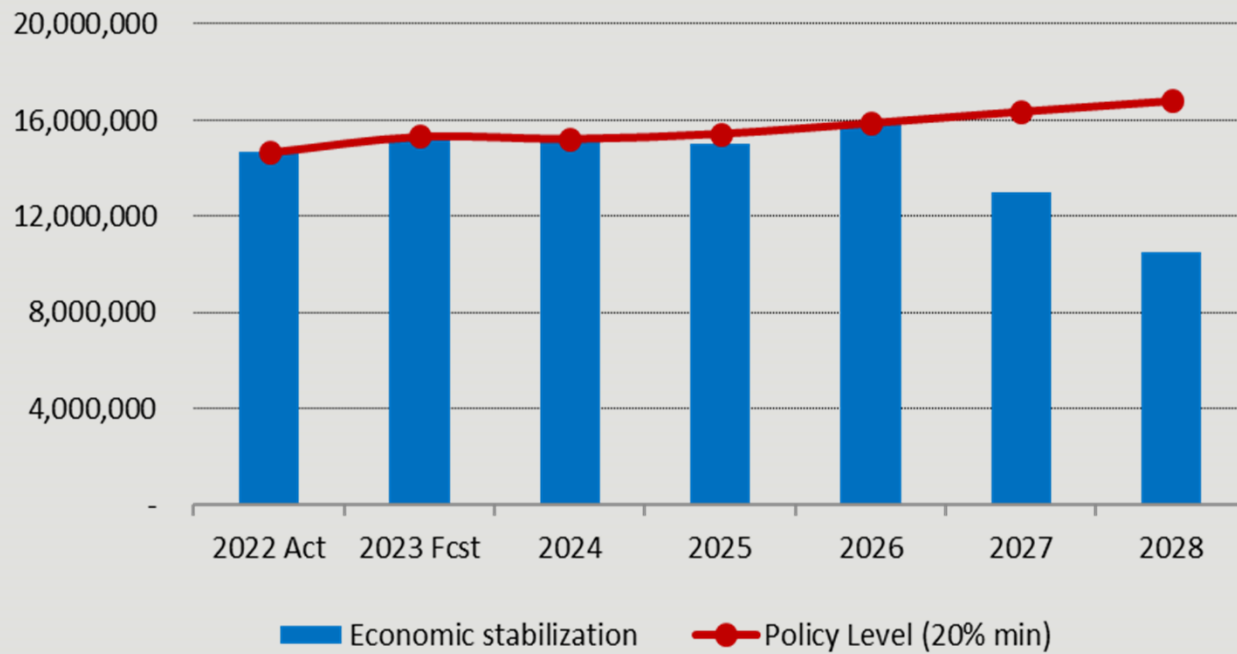


GENERAL FUND: ECONOMIC STABILIZATION RESERVE \$3 MILLION CIP CONTRIBUTION





GENERAL FUND: ECONOMIC STABILIZATION RESERVE \$1 MILLION CIP CONTRIBUTION



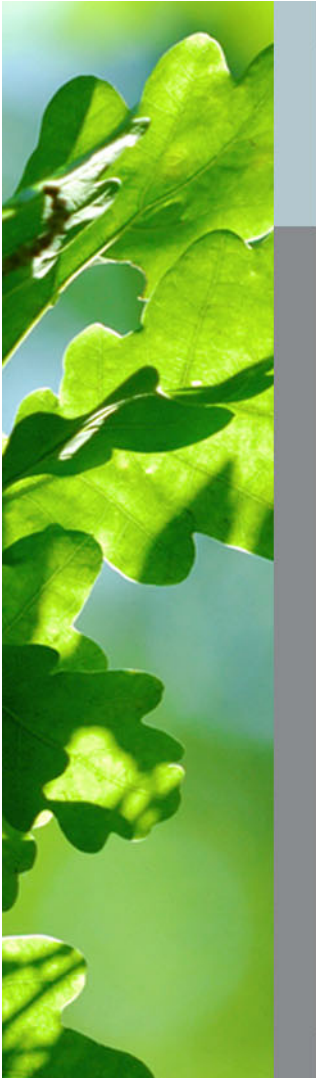
A photograph of a street scene. In the foreground, there are green plants with red flowers. In the background, there is a building with a brown oval sign that says "harvest" and a red circular sign that says "TABAC". There are also some outdoor chairs and a person walking in the distance.

ENABLING RESOLUTIONS



ENABLING RESOLUTIONS AND ACTIONS

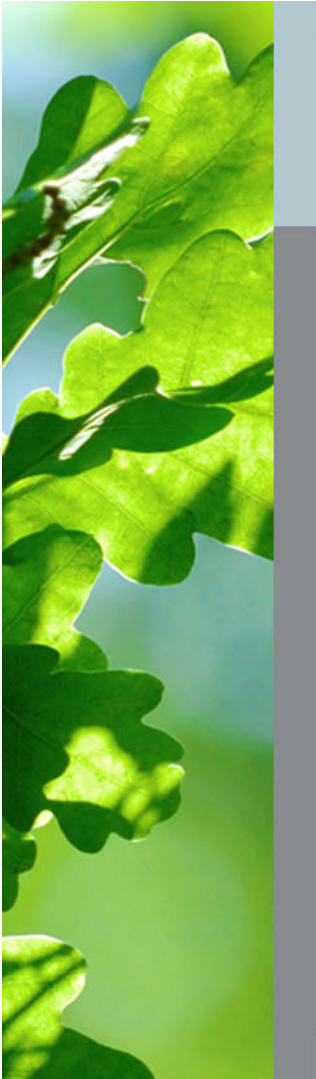
- Staff recommends the City council adopt enabling resolutions:
 - Fiscal year 2023-24 budget and capital improvement plan
 - Appropriations limit
 - Salary schedule amendment effective July 2, 2023
 - Extension of solid waste and water rate assistance program through June 2024
 - Award authority and bid requirements



RESOLUTION: ADOPTING FY 2023-24 BUDGET



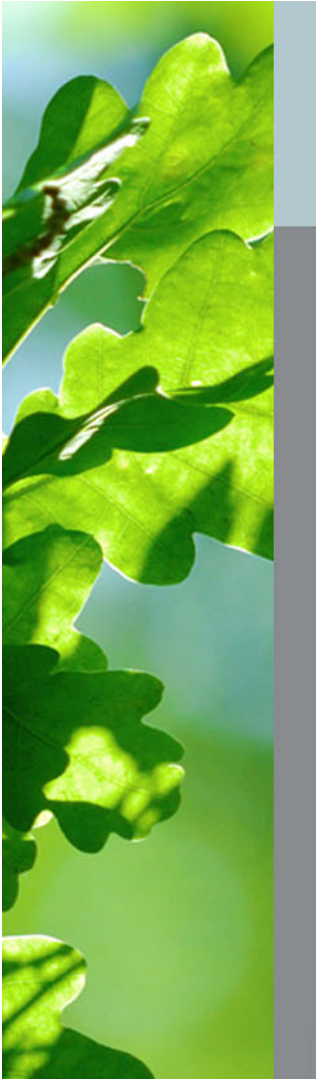
- Adopts the fiscal year 2023-24 budget and capital improvement plan authorizing appropriations
- Authorizes changes directed prior to adoption and clerical clean-up
- Authorizes payments up to budgeted amounts for:
 - Debt service on currently-issued debt
 - Utilities
 - Employee benefits
 - Inter-governmental agreements
 - Information technology internal services fund for hardware and software subscription services



RESOLUTION: ADOPTING APPROPRIATIONS LIMIT



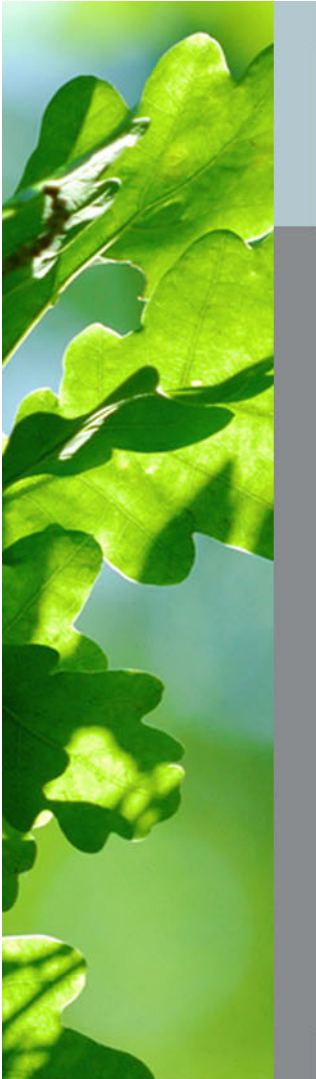
- Establishes the appropriations limit at \$78.2 million
- Meets California Government Code requirements
- Appropriations limit calculations
 - Prior year limit: \$75.5 million, plus population and inflation adjustment
 - Proceeds of taxes subject to limit total \$57.5 million
 - Results in appropriations \$20.6 million below limit
- Amounts may be adjusted depending on direction received during adoption



RESOLUTION: AMENDING SALARY SCHEDULE



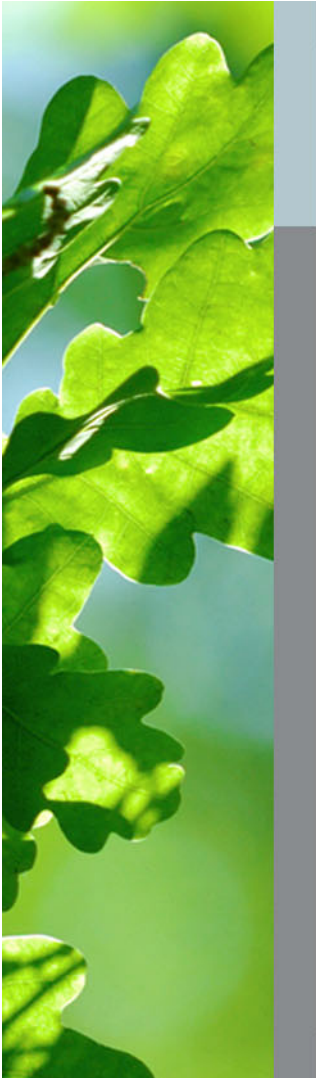
- Sets the pay schedule for all regular classifications
- Effective date July 2, 2023
 - Implements previously-negotiated wage increases included in existing labor agreements with Police Officers' Association (POA) and Police Sergeants' Association (PSA)



RESOLUTION: RATE ASSISTANCE PROGRAM



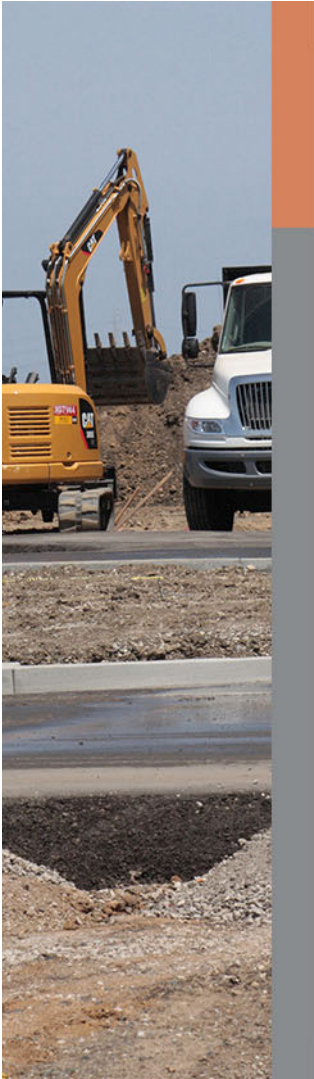
- Extends solid waste and water rate assistance program
 - Program promotes equity and helps low-income households cover basic living expenses
 - Continues program to June 30, 2024
 - Re-certify eligibility according to PG&E California Alternative Rate Energy (CARE) program



RESOLUTION: AWARD AUTHORITY & BID REQUIREMENTS



- Sets the amounts, approving authority, and bid requirements in the following categories:
 - Goods, general services, and professional services
 - Public projects
 - Claims settlements
- \$93K limit for City Manager approving authority amount; all amounts above this limit must be approved by City Council



COUNCIL DIRECTION NEEDED

- Provide final direction on the proposed fiscal year 2023-24 budget and adopt enabling resolutions

NEXT STEPS

- Publication of fiscal year 2023-24 budget
- Staff to continue research on possible Transient Occupancy Tax (TOT) ballot measure in 2024

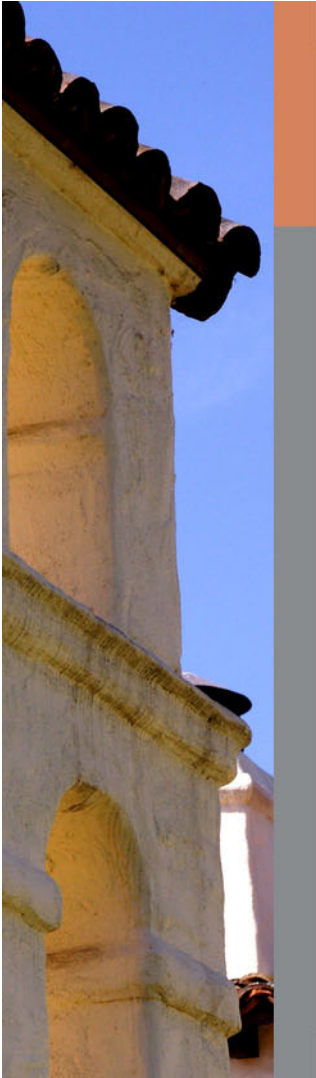


THANK YOU

A photograph of a construction site showing workers on a wooden frame structure with rebar. The workers are wearing safety gear, including hard hats and high-visibility vests. The background is a clear blue sky.

HOUSING ELEMENT UPDATE

2023 to 2031 (6th Cycle) Housing Element Revisions
June 27, 2023



BACKGROUND

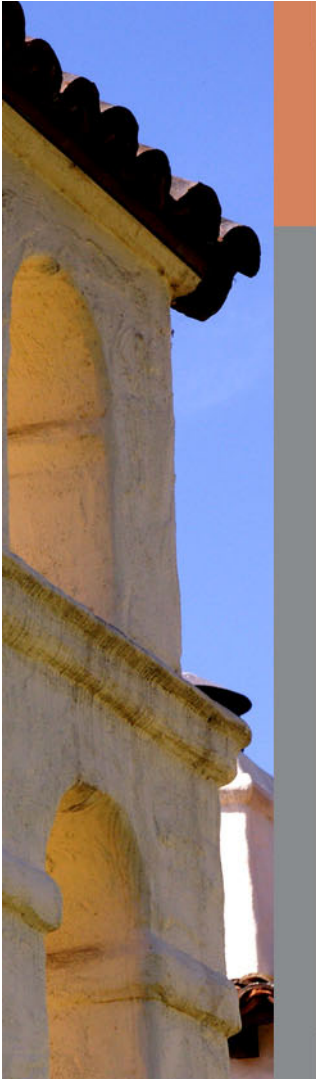
- Council adopted Housing Element on Jan. 31 and staff submitted for review Feb. 8
 - Extensive process of public engagement and coordination with stakeholders
 - Developed to meet city’s regional housing needs allocation of 2,946 net new units across all incomes over 8-year period
 - Establishes policies and programs that set framework for City’s housing-related actions
- HCD sent letter on April 7 requesting additional changes to document



HCD COMMENTS ON ADOPTED HOUSING ELEMENT

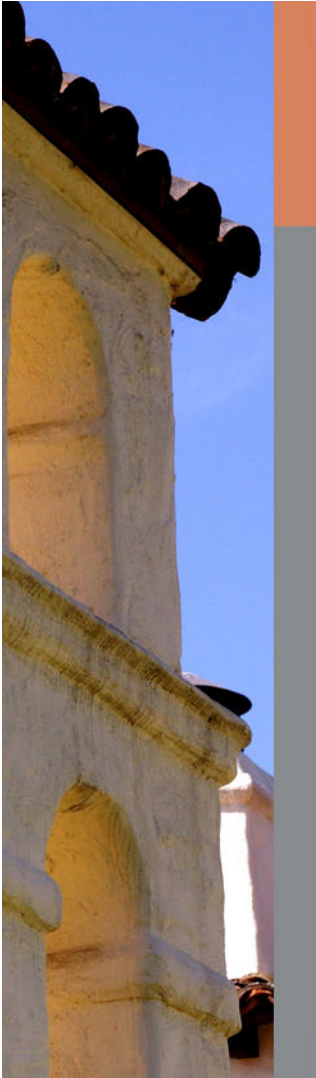


- Adopted Housing Element addresses many statutory requirements
- Majority of comments were in the following topic areas:
 - Affirmatively furthering fair housing (AFFH)
 - Housing sites inventory and realistic capacity
 - Analysis of constraints that would reduce housing development
 - Addressing programs with more specificity and concrete action
- Nearly all requested changes were for more detail and more data to support information in the adopted Housing Element



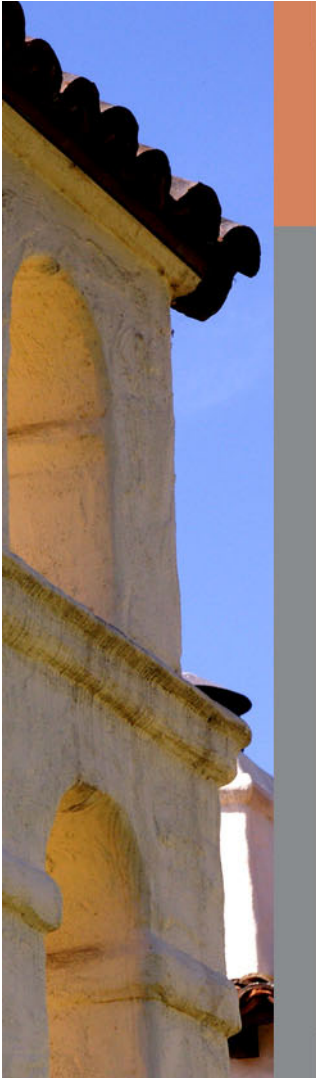
CHANGES TO HOUSING ELEMENT

- Staff report Attachment D provides detailed summary of changes made in response to HCD comments
- Changes also made based on correspondence and meetings with commenters



CHANGES TO HOUSING ELEMENT

- Examples of changes include:
 - Program H1.H: Commitment to mid-cycle check-in (2027)
 - Program H3.G: Expands number of beds allowed by-right in Emergency Shelters for Homeless Overlay
 - Program H4.J: Development standards for R-3 properties
 - Program H7.A: Objective standards for architectural control review
 - Appendix 7-7: New matrix of inventory sites and example projects
 - Updates on information regarding large project sites



RECOMMENDED SITE INVENTORY CHANGE

- Following feedback from HCD and community feedback, project team recommends removal of post office site (#63, 3875 Bohannon Drive) from site inventory
- Would result in loss of 85 potential moderate-income units from site inventory
- Would not affect City's ability to accommodate RHNA in Housing Element





HOUSING ELEMENT NEXT STEPS

- 7-day public review period ends Thursday, June 29
- Project team will prepare any final changes based on feedback and submit Housing Element to HCD
- 60-day HCD review period anticipated to end late Aug./early Sept.
- If HCD certifies document after review, Housing and Planning Commissions would make recommendations and City Council would consider re-adoption in fall 2023



TENTATIVE UPCOMING MILESTONES

- Summer 2023: Planning Commission and City Council study sessions on zoning changes to the El Camino Real/Downtown Specific Plan
- Fall 2023: Study sessions on zoning changes to commercial districts, R-3 parcels around downtown, and the affordable housing overlay (AHO)
- Late Fall 2023 / Early Winter 2024: Planning Commission and City Council hearings on zoning changes



REMAIN ENGAGED IN THE PROCESS

- Staff will continue to provide updates on the various elements of the Housing Element Update project on the City's webpage
- menlopark.gov/HousingElement



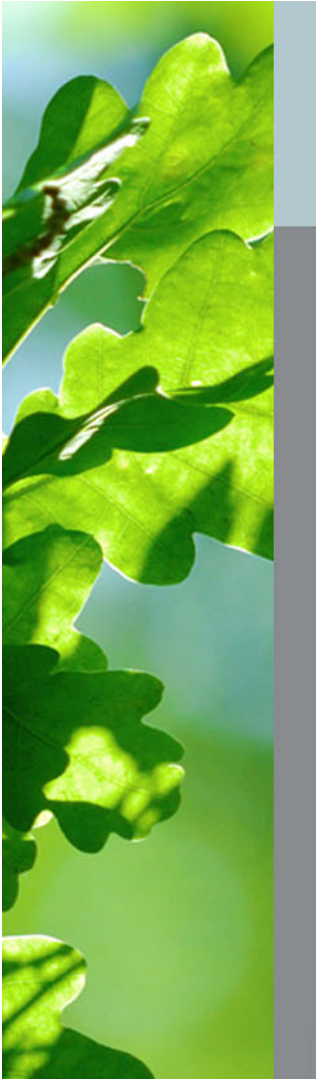
THANK YOU



PROPOSED ZERO EMISSION LANDSCAPING EQUIPMENT (ZELE) RULES

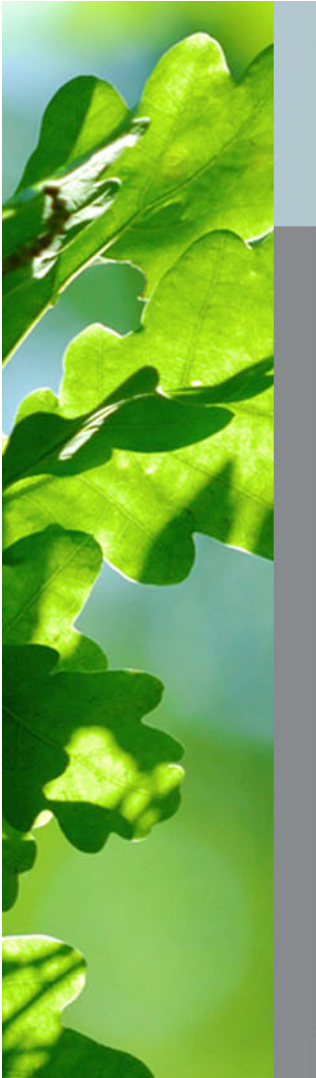
Rebecca Lucky, Sustainability Manager





STAFF RECOMMENDATION

- City Council waive the first reading and introduce an ordinance adding Menlo Park Municipal Code Chapter 8.05 to require use of zero emission landscaping equipment (ZELE) as proposed
 - Adoption would occur on July 11



JUNE 13, 2023 CITY COUNCIL MEETING

- City Council introduced rules that would regulate 5 types of gasoline powered gardening equipment 3-2 (Combs and Taylor dissenting):
 - July 1, 2024: Gas-powered leaf blowers and string trimmers would be prohibited
 - January 1, 2029: Gas-powered chainsaws, walk-behind lawnmowers, and hedge trimmers
- Directed that outreach begin as soon as possible
- Directed to move forward with a Menlo Park electric gardening equipment rebate program
- Next step was to consider formal adoption tonight



PREVENTING CONFUSION WITH NOISE ORDINANCE



- The proposed ZELE ordinance attached to tonight's report resolves that confusion by removing hours of operation from the ZELE ordinance
- Refers to the noise ordinance for hours of operation restrictions
- Requires the City Council to reintroduce the ordinance
- A second reading to adopt the ordinance is tentatively scheduled for July 11



THANK YOU