

SPECIAL AND REGULAR MEETING MINUTES

Date: 9/26/2023 Time: 5:00 p.m. Locations: Teleconference and City Council Chambers 751 Laurel St., Menlo Park, CA 94025

Special and Regular Session

A. Call To Order

Mayor Wolosin called the meeting to order at 5:04 p.m.

B. Roll Call

Present:	Combs, Doerr, Nash, Taylor, Wolosin
Absent:	None
Staff:	City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, City
	Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren

C. Report from Closed Session

No reportable actions.

D. Agenda Review

The City Council reordered P. Closed Session before E. Public Comment.

The City Council adjourned to closed session.

P. Closed Session

- P1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (Paragraph (2) of subdivision (d) of Gov. Code § 54956.9) Significant exposure to litigation: Three cases
- P2. 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 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

Roll Call

Mayor Wolosin re-called the meeting to order at 6:22 p.m.

E. Public Comment

- Edward Schlesinger spoke in support of smoke free multi-unit housing.
- Dr. Warren Hayman spoke in support of retaining the Onetta Harris Community Center name for the new community center and creating a documentary on the life of Onetta Harris to be made available at the center.
- Kathleen Hohalek spoke on construction rules and the impacts to 1455 Woodland Ave.
- Kenneth Harris spoke in support of retaining the Onetta Harris Community Center name for the new community center.
- Juanita Croft spoke in support of local rental assistance.

F. Presentations and Proclamations

F1. Proclamation: Recovery Happens Month (Attachment)

Mayor Wolosin read the proclamation (Attachment).

Voices of Recovery San Mateo County Executive Director ShaRon Heath accepted the proclamation.

F2. Proclamation: Suicide Prevention Month (Attachment)

Mayor Wolosin read the proclamation (Attachment).

John Butler accepted the proclamation.

G. Study Session

G1. Review and provide direction on the proposed Stormwater Master Plan (Staff Report #23-218-CC)

Senior Civil Engineer Pam Lowe and Wood Rodgers representative Cheng Soo made the presentation (Attachment).

• Pam D Jones spoke in support of a stormwater master plan update and educating the public on how they can help including resident initiatives.

The City Council received clarification on resident and volunteer initiatives (e.g., "adopt a drain"), modeling used to create the draft plan, capital costs to meet the 2-year and 10-year design storms, other jurisdictions plans, future funding study and opportunities for safe streets and green infrastructure to align with stormwater improvements.

The City Council discussed sanitary district coordination and adding Cambridge Avenue at El Camino Real and Middle Avenue between Morey Drive and Kenwood Drive.

G2. Provide direction on a proposal to install Flock fixed automated license plate readers with gunshot detection capability citywide (Staff Report #23-215-CC)

Police Chief David Norris made the presentation (Attachment).

- Randy Avalos spoke in opposition of a Flock system installation and in support of updating the data retention policy.
- Pam D Jones spoke on concerns related to data storage retention timing and requested clarification on officer recordings and requested definition of "agencies".
- Karen Grove spoke in opposition of a Flock system installation and data retention and requested clarification collected data access.
- Jason Miles spoke in opposition of a Flock system installation.

The City Council took a recess at 8:29 p.m.

The City Council reconvened at 8:36 p.m.

The City Council received clarification on data on improved safety and usefulness, length of data retention, current system read rates compared to proposed, costs in relation to the number of cameras, vendor costs, equipment ownership and maintenance, crime solving opportunities, camera placement and locations, number of violent crimes in the city, road rage and speed detection capabilities, data sharing arrangement with other cities and bifurcating automatic license plate readers and Raven gunshot detection technology.

The City Council discussed gunshot detection citywide, increasing public outreach, privacy concerns and policing value.

The City Council directed staff to not move forward with Flock automatic license plate readers.

H. Consent Calendar

- H1. Adopt resolution designating the public works director and assistant public works director as authorized agents to provide for all matters related to obtaining federal financial assistance from the California Governor's Office of Emergency Services and Federal Emergency Management Agency (Staff Report #23-211-CC)
- H2. Authorize the Mayor to sign the City's response to the San Mateo County Civil Grand Jury Report: "Bike Safety in San Mateo County: Making Bicycling Safer in the County" (Staff Report #23-212-CC)
- H3. Award a construction contract to Bay Point Control, Inc. dba Marina Mechanical for the minimum point of entry and dispatch rooms heating, ventilation, and air conditioning upgrade project (Staff Report #23-213-CC)

The City Council received clarification on the efficiency of the HVAC (heating, ventilation, and air conditioning) system.

- H4. Award purchase contracts to National Auto Fleet Group, Pape, and Coach West Luxury Performance Motorcars for the fiscal year 2023-24 vehicle and equipment purchase and allow \$50,000 for contingency (Staff Report #23-217-CC)
- H5. Approve advisory body annual work plans for the Complete Streets Commission, Environmental

Quality Commission, Finance and Audit Commission, Housing Commission and Library Commission (Staff Report #23-223-CC)

The City Council directed staff to include research of opportunities for paying down successor agency debt as a Finance and Audit Commission (FAC) work plan item.

H6. Authorize the city manager to execute a revised agreement with Tripepi Smith for communications support services (Staff Report #23-221-CC)

ACTION: Motion and second (Taylor/ Nash), to approve the consent calendar including update to FAC work plan, passed unanimously.

I. Public Hearing

11. Consider and adopt resolutions approving 1) the below market rate housing agreements, and 2) a vesting tentative map for a major subdivision to create 116 for-sale townhome units for the 123 Independence Dr. housing development project, with a total of 432 dwelling units and 2,000 square feet of commercial space, located at 119 Independence Dr., 123-125 Independence Dr., 127 Independence Dr., 1205 Chrysler Dr., and 130 Constitution Dr. (commonly referred to as 123 Independence Dr.) (Staff Report #23-219-CC)

Contract Principal Planner Payal Bhagat made the presentation (Attachment).

Peter Tsai with the Sobrato Organization and Constanza Asfura-Heim with Habitat for Humanity Greater San Francisco, applicant representatives made a presentation (Attachment).

Mayor Wolosin opened the public hearing.

- Ali Sapirman spoke in support of the project and below market rate (BMR) housing.
- Matt Regan spoke in support of the project and the organizations.
- Rosanne Foust spoke in support of the project and the organizations.
- Ross Silverstein spoke in support of the project, additional BMR housing and on concerns to the lack of a creation of a neighborhood.

Mayor Wolosin closed the public hearing.

The City Council received clarification on the need for two alternative forms of BMR agreement governing production of 18 for-sale inclusionary units.

The City Council discussed amendments to the BMR agreement resolution and overall community creation to include retail.

ACTION: Motion and second (Wolosin/ Taylor), to adopt resolutions approving the following actions associated with the project at 123 Independence Dr.: 1) Three below market rate (BMR) housing agreements for the provision of 56 BMR rental apartment units and 18 for-sale BMR townhome units, affordable to low-income households; and 2) Vesting tentative map for a major subdivision to modify the parcel configuration and to create 116 for-sale townhome units, including updates to the agreement resolution, passed unanimously.

J. Regular Business

J1. Direct staff to return with funding agreements authorizing the grant of below market rate housing funds as follows: 1) \$2,000,000 for Habitat for Humanity of Greater San Francisco, 2) \$2,000,000 for MidPen Housing, Inc., and 3) \$180,000 to Rebuilding Together Peninsula and to provide direction on a notice of funding availability application at 1162 El Camino Real (Staff Report #23-220-CC)

Housing Manager Tim Wong made the presentation (Attachment).

• Julie Shanson spoke in support of increasing affordable housing stock and deepening affordability of existing BMR units.

The City Council directed staff to proceed with recommended NOFA (notice of funding availability).

The City Council received clarification on 1162 El Camino Real options and potential city costs.

The City Council discussed land donation for 1162 El Camino Real and in-lieu fees per unit.

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

The City Council directed staff to return with additional information and context for 1162 El Camino Real donation, in-lieu fee and project obligation.

ACTION: Motion and second (Doerr/ Nash), to direct staff to return with funding agreements authorizing the grant of BMR housing funds as follows: 1) \$2,000,000 for Habitat for Humanity of Greater San Francisco; and 2) \$2,000,000 for MidPen Housing, Inc. and 3) \$180,000 for Rebuilding Together Peninsula, passed unanimously.

K. Informational Items

K1. City Council agenda topics: October 2023 (Staff Report #23-222-CC)

L. City Council Initiated Items

- L1. Direction on the mobile market (Staff Report #23-214-CC)
 - Pam D Jones spoke on concerns to the ending of the mobile market closing and no notification.

Vice Mayor Taylor introduced the item.

The City Council received clarification on provisional options to keep the mobile market open with city assistance.

The City Council discussed city costs.

The City Council directed the city manager to prioritize staff resources to prepare a formal staff report for further City Council consideration and/or action.

M. City Council Reconsideration

M1. Direction on the reconsideration authorizing the city manager to execute an agreement with Team Sheeper, Inc., to operate Burgess Pool and the future Menlo Park Community Campus aquatics center specifically regarding Solo Aquatics services (Staff Report #23-216-CC)

Mayor Wolosin introduced the item.

The City Council received clarification on equivalent services across the two pools.

The City Council discussed the responsibility to provide equivalent services.

N. City Manager Report's

City Manager Justin Murphy reported out on scheduling a special meeting to review the Housing Element.

O. City Councilmember Reports

Mayor Wolosin reported out on the California League of Cities conference, an upcoming Local Policy Makers Group for Caltrain and quarterly in-person office hour on September 30 at noon.

City Councilmember Combs reported out on the public works open house event and office hours on Saturdays from 9-10 a.m. at Café Zoe (1929 Menalto Ave.).

City Councilmember Doerr reported on an upcoming second annual climate summit for San Mateo County and in-person office hours restarting Tuesdays from 8–9:30 a.m. at Woodside Bakery and Café in Sharon Heights.

City Councilmember Nash reported out on the safe routes to school committee at Oak Knoll.

Vice Mayor Taylor reported out on an upcoming disaster preparedness workshop and SFO Airport/Community Roundtable meeting.

P. Closed Session

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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

Q. Adjournment

Mayor Wolosin adjourned to the closed session at 11:48 p.m.

Mayor Wolosin adjourned the meeting at 12:59 a.m.

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

These minutes were approved at the City Council meeting of October 24, 2023.

Recognizing September as Recovery Happens Month

WHEREAS, the month of September 2023 is National Recovery Month; and

WHEREAS, National Recovery Month spreads the positive message that behavioral health is essential to overall health; and

WHEREAS, treatment and prevention providers across the communities of San Mateo County have dedicated themselves to promoting recovery, saving lives, destigmatizing and educating the public about substance use and co-occurring disorders; and

WHEREAS, every day, in Menlo Park, community members and neighbors of all ages enter treatment for substance use and mental health disorders and begin the road to wellness and recovery in a system that emphasizes behavioral health as an essential part of overall health; and

WHEREAS, San Mateo County continues to support Recovery Month's mission to improve the lives of those living with these disorders, to celebrate individuals in recovery and to acknowledge those working to provide integrated recovery services; and

WHEREAS, prevention works, treatment is effective, and recovery is possible; and

WHEREAS, while the road to recovery may be difficult, the benefits of preventing and overcoming substance use and co-occurring disorders are significant and valuable to individuals, families, and communities. People can and do recover; and

WHEREAS, Recovery Happens Month is supported and celebrated in Menlo Park and promotes the importance of prevention, treatment, and recovery. In this spirit, this year's theme is: "Recovery is for Everyone: Every Person. Every Family. Every Community."

NOW, THEREFORE, BE IT RESOLVED that I, Jen Wolosin, Mayor of the City of Menlo Park, on behalf of the City Council and the City, do hereby, hereby designate September 2023 as Recovery Happens Month. Let us remember there are multiple pathways to recovery and let us remember everyone's journey results in their own unique experience of recovery.

> Jen Wolosin, Mayor September 26, 2023

Recognizing September as Suicide Prevention Month

WHEREAS, Menlo Park has joined the county, state, and country in honoring Suicide Prevention Month in September, which included National Suicide Prevention Week from September 10 - 16 and World Suicide Prevention Day on September 10, to spread the message that suicide can be prevented; and

WHEREAS, in 2022, 67 people died by suicide in San Mateo County and 13,525 calls were received by the San Mateo County Crisis Line run by StarVista Crisis Center; and

WHEREAS, in July 2022, the StarVista Crisis Hotline received a 10% increase compared to July 2021, likely due to the debut of the 988 number on July 16 of that year; and

WHEREAS, suicide is a preventable national and state public health problem with no single cause and suicide most often occurs when stressors exceed the coping abilities of someone struggling with a mental health condition; and

WHEREAS, no single suicide prevention program or effort is appropriate for all populations or communities and therefore we must also acknowledge and address the disparity in access to mental healthcare for underrepresented groups and advocate for ending these disparities by encouraging culturally informed and evidence-based mental healthcare and services; and

WHEREAS, residents can play a role in suicide prevention by supporting local Suicide Prevention Month every September and working within their communities to learn how to discuss suicide without increasing the risk of harm; and

WHEREAS, Menlo Park residents are also urged to play a role in supporting each other and preventing suicide by knowing the signs of suicide, finding the words to communicate, and reaching out to local 24/7 resources, including our local San Mateo County StarVista Crisis Hotline (650-579-0350) or National Suicide Prevention Lifeline (988 or 1-800-273-TALK); and

> **NOW, THEREFORE, BE IT RESOLVED** that I, Jen Wolosin, Mayor of the City of Menlo Park, on behalf of the City Council and the City, do hereby designate September 2023 as Suicide Prevention Month and call upon everyone in our community to find their role in suicide prevention.

> > Jen Wolosin, Mayor September 26, 2023



STORMWATER MASTER PLAN

September 26, 2023



STORM DRAIN SYSTEM



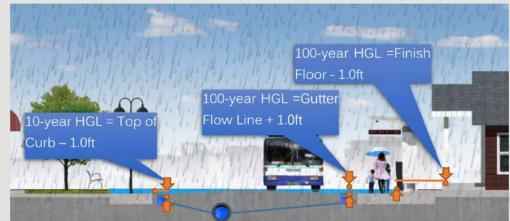
- Mostly built between 1950 1965
- 46 miles of storm drain pipes, gutters, manholes, bubblers, catch basins, open channels, and pump stations (\$187M investment)
- Collects and discharges rainwater and runoff, untreated, into San Francisquito Creek, Atherton Channel, and San Francisco Bay
- Provides flood control with sufficient pipe sizes
- Plan at the very beginning for climate change impacts on the storm system for better resiliency/adaptation



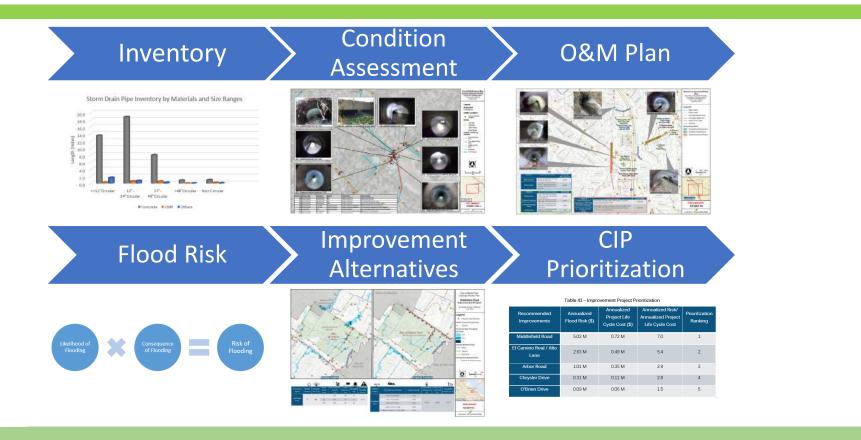
STORMWATER MASTER PLAN



- Last citywide storm drainage needs study was completed in 1990
- Oct 2019, the City Council approved an agreement with Wood Rodgers, Inc. to develop the Plan
- Meet level-of-service goals (10-year design storm for pipes and top of curb)



APPROACH | Comprehensive, Realistic, Optimized



WOOD RODGERS

DATABASE | Facility Inventory



Storm Drainage Facilities



Georeferenced As-Builts



Inspection & Condition Assessment



Hydrologic & Hydraulic Model Input



SURVEY + INSPECTION | Site Prioritization



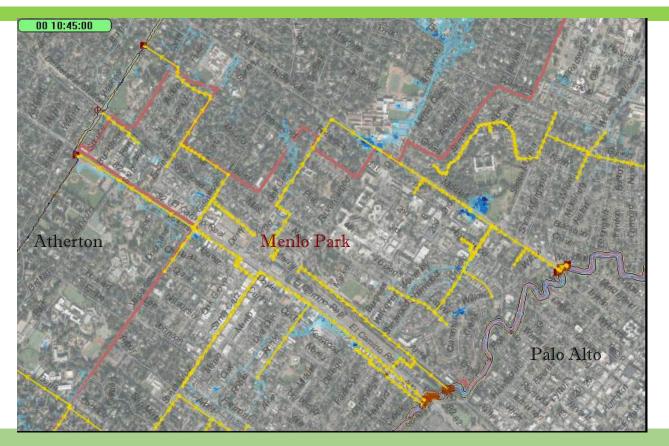


CONDITION ASSESSMENT | Structural Deficiency



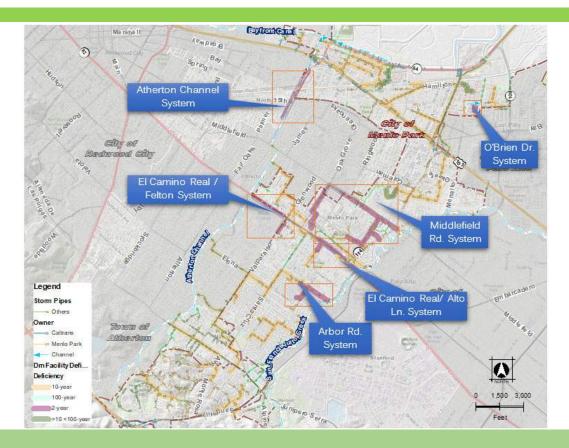


CAPACITY ASSESSMENT | Conveyance Deficiency





CAPACITY ASSESSMENT | Conveyance Deficiency





CIP | Recommendations

The 2-year storm improvements are included as part of the 10-year storm improvements.

	2-Year	Storm	10-Yea	r Storm
Drainage Basin	Capital Costs, \$	Total Costs*, \$	Capital Costs, \$	Total Costs*, \$
Middlefield Road	6.2 M	8.7 M	16.4 M	23.0 M
El Camino Real / Alto Lane	2.7 M	3.8 M	11.0 M	15.4 M
Arbor Road	2.3 M	3.2 M	7.8 M	10.9 M
Chrysler Drive	-	-	2.5 M	3.5 M
O'Brien Drive	0.8 M	1.1 M	1.4 M	2.0 M
TOTAL	12.0 M	16.8 M	39.1 M	54.8 M

* Total Costs includes administration, permitting, and project management



Resource Needs | Engineering + O&M

Recommended Improvements	Engineering Staffing Analysis	O&M Staffing Analysis	
Total CIP Cost	\$39 M	Maintenance	
Administration & Construction Management	\$8 M	Activities	
Implementation Schedule	10 years	Recurring Annually	
Engineering Staff Salary with Benefits	\$250/ hour	\$100/ hour	
Required Staff Hour	3,200 hour/ year	700 hour/ year	
Number of Staff (80% billable hours)	2	0.5	





NEXT STEPS

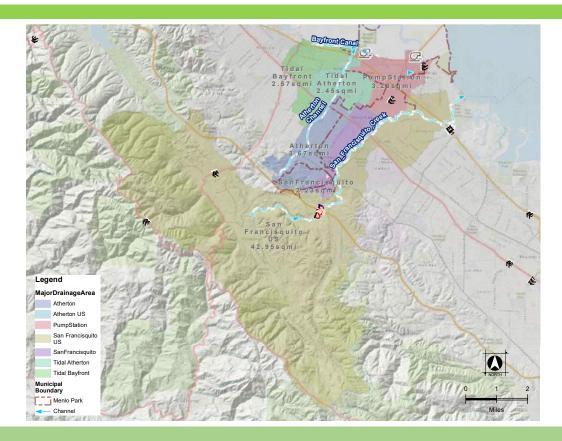


- Tonight Receive City Council feedback on the Plan
- Tentatively Oct 2023 Present the Plan to City Council for acceptance
- Spring 2024 Seek City Council approval for consultant agreement for Storm System Funding Study (funded for this fiscal year)
- Fall 2024 Complete Storm System Funding Study
- Implementation timeline dependent on funding



THANK YOU

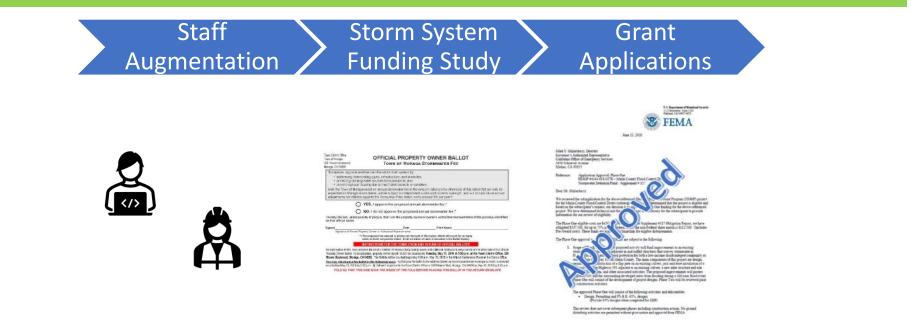
DRAINAGE SYSTEM | Characteristics







APPROACH | Fundable







DRAINAGE SYSTEM | Age





WOOD RODGERS

CONDITION ASSESSMENT | Maintenance Deficiency





WOOD RODGERS

CAPACITY ASSESSMENT | Conveyance Deficiency







FUNDING | Financing Success (and failures)

	Recent Stormwater Fee Ballot Measures						
	Annual Sup						
	Agency	Year	Amount	Туре	Level	_	
	City of Sacramento	2022	\$ 207	Fee	52%	*	
	Vallejo Flood & Storm	2022	\$ 54	Fee	32%	*	
Recent	City of Davis	2021	\$ 157	Fee	61%	*	
Stormwater	City of San Bruno	2021	\$ 154	Fee	36%	*	
Funding	City of Alameda	2019	\$ 129	Fee	57%	*	
Measures	City of Cupertino	2019	\$ 56	Fee	51%	*	
INICASULES	City of Los Altos	2019	\$ 88	Fee	44%	*	
	City of Berkeley	2018	\$ 96	Fee	61%	*	
	Los Angeles County	2018	\$ 83	Тах	69%	*	
	Town of Moraga	2018	\$ 120	Fee	48%	*	
	City of Palo Alto	2017	\$ 164	Fee	64%	*	
	City of Culver City	2016	\$ 99	Тах	74%		





FUNDING | Grant Funding

HAZUS

	Marin_Ex2014_18
icenario Name:	8x2014_10
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	Study Region Overview Map
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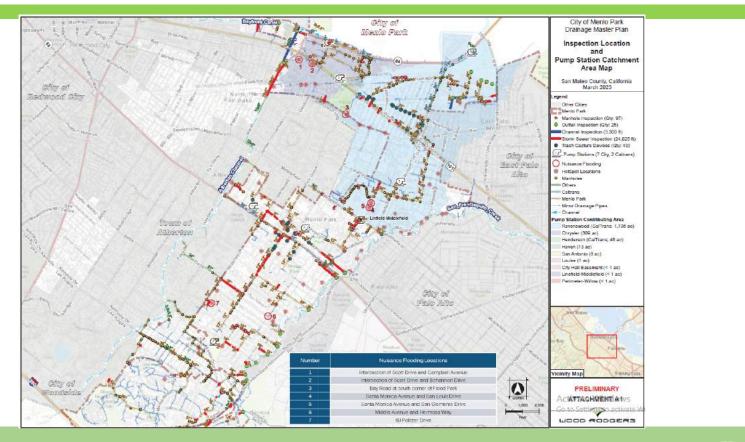
	Date of Grant Application	Client	Value of Grant	Funding Source	Was it Successful?
	2021	Redwood City, CA	\$ 7,600,000	FEMA HMGP	Yes
	2021	Redwood City, CA	\$ 13,100,000	FEMA HMGP	Yes (tentative)
	2017	Marin County Flood Control District, CA	\$ 12,000,000	FI	M
	2015	Alameda County Flood Control District, CA	\$ 3,600,000	C See 23, 200	
	2011	Alameda County Flood Control District, CA	\$ 16,000,000	C Mask 5 Galardises, Davens Generative Administrat Representative Colliness Office at Research Foreign	
	2011	City of Salinas, CA	\$ 50,000,000	U Medan, CA 2001 El Referenze Application Approvid, Place One BUMP #1124/01/07 - 5 beins Commer Freed Commer Deed	ng
	2011	City of Rancho Cordova CA	\$ 3,000,000	Somerone Development of State	Pr project
	2011	Desert Research Institute, NV	\$ 3,000,000	Final on the information in the second secon	doncel scoule
	2011	Washoe County, NV	\$ 3,000,000	The Phase One eligible room are \$45% (some - in Supplement #117 Obligation Exect - oblight\$317.5% for up to 17% p. for some - if are not shown and are statil as \$11200 7%-hourse another the statistical for eligible theoreman.	laikde
	2011	Douglas County / Nevada Tahoe Conservation District. NV	\$ 600,000	U 1. Seeper - West of proposed servicy will find a approvement to a quarting inter the service of the properties	acauty as lenaps, Son of a
	2008	Alameda County Flood Control District, CA	\$ 1,000,000	Provide a set of the set of	enter of ment relignor
	2008	Marin County	\$ 180,000	C The approved Flace One via Council of the following strutter and detrembline Design Housing and PA St at 51%. Aurgum Design when couplined for E329 This review days are over independent planes and datage countrycous actions. No prove distance bage struttures are presented without provide the BTMA.	
	2007	Levee District No.1	\$ 14,100,000	danting screams as persided within part sense and approxit than FEML Proposition as	
	2007	RD 2103	\$ 10,800,000	Proposition 1E	Yes
	2006	Washoe County, NV	\$ 3,000,000	USFS, Southern Nevada Public Lands Management Act (SNPLMA)	Yes



Funding



O&M MANUAL | Predictive vs. Preventive





wood rodgers



POLICE DEPARTMENT - STUDY SESSION ALPRS & GUNSHOT DETECTION

Sept. 26, 2023

OBJECTIVES & RECOMMENDATION



- Understand and address questions and/or concerns from our public and City Council
- Receive direction from the City Council:
 - Direction to proceed with preparation for Public Safety deployment of fixed Automated License Plate Readers (ALPRs) and Gunshot Detection Technology
 - Major themes and issues to be addressed while reviewing and modifying Menlo Park Municipal Code and Menlo Park Police Department Policy specifically related to data collection retention and use related to ALPRs
 - Return with a proposed agreement, budget amendment request, and modified Municipal Ordinance for approval, as well as a draft Policy for review.



MENLO PARK PD – HISTORY & BACKGROUND - ALPR



Automated License Plate Readers at Menlo Park PD:

- In operation as "Mobile ALPRs" since 2013-14
 - 3 vehicles currently deployed with ALPR technology
 - ALPR data retention to restricted to 6 months by City Ordinance in 2013.
- MPPD signed a "Memorandum of Understanding" (MOU) with Flock Safety ("Flock") in 2022, providing access to Flock ALPR data from Law Enforcement partners, with access approved by mutual agreement with each participating agency.





WHAT ARE ALPRS, AND HOW DO THEY WORK?



• Mobile (mounted to a vehicle or other movable apparatus)



- Fixed (placed permanently or semi-permanently in one location)
- ALPRs use high-resolution video to identify vehicle characteristics
 - License plate, date, time location
 - Additional characteristics (i.e. make / color)*
- This information becomes DATA (Owned by MPPD)





HOW DOES ALPR DATA WORK?

- 1. Camera retrieves digital information (data)
- 2. Data belongs to MPPD (exclusive control)
- 3. Data checked against "hotlist"

All data relayed via end-to-end encryption to secured storage.

Hotlist alerts relayed to Officers **Hotlist:**

- Wanted Vehicles
- Vehicles associated with Wanted People
- Missing Adults and Children
- Amber Alerts, etc.

HOW DOES ALPR DATA WORK?



- 5. Information is accessible only with Officer ID, case or incident number, and valid reason (all agencies)
- 6. Data is purged by MP City Ordinance after 6 months ‡ (most agencies are 1 year)

* If activated, Flock's server is also highly secure
‡ Flock, if activated, purges data after 30 days. By Agency option, NCRIC may still hold for 6 months.



ABOUT DATA SHARING



- Data that goes to NCRIC is shared with Bay Area Agencies and other Law Enforcement Agencies
 - subject to strict auditing
 - accessible only with specific requestor ID information plus need and right to know
- NCRIC does not share information for the sole purpose of Immigration Enforcement (CA Values Act)



SHARING -HOW DOES FLOCK DIFFER?



- Flock is designed to also share data with Bay Area Agencies and other Law Enforcement Agencies
 - subject to strict auditing
 - accessible only with specific requestor ID information plus need and right to know
- Sharing via Flock requires agencies to mutually agree to share data, and all agency policies require an approval process for this. (Chief's Authorization)
- Flock never shares or sells data. It belongs to MPPD.



WHY FLOCK?

- More economical, efficient equipment
- Fixed ALPRs are far more objective and indiscriminate than mobile ALPRs
 - Single location 24-7-365 vs.
 dependent on where and when officers drive on patrol.
- Law Enforcement information sharing
 - Existing / Planned in nearly every city from Daly City to Palo Alto on the Peninsula, providing a critical network of monitoring for criminal activity.
 - This is a tremendous amount of license plate information.
 The only pieces of that data reach Law Enforcement under legitimate public safety circumstances two ways
 - Alerts from hot list
 - Investigative searches with strict accountability

NOTE – Bay Area Agencies consistently conduct investigative searches for less than a tenth of 1% of plates recorded by the system.

Hotlists alert on 1 to 2 license plates per 1000 read, per NCRIC.

The rest of that data sits securely and privately in the server until it is purged. (99.5%) (never exposed to anyone)



WHY FLOCK, CONT'D -

- Proven and tested crime fighting and public safety tool:
 - Can be placed strategically based on traffic patterns and ingress/egress from our community
 - Serve as a strong deterrent to criminal activity
 - Fixed perimeter of Flock cameras provide real time alerts to established crime-related vehicles entering our neighborhoods
 - Provide a significantly more useful tool for investigations than Mobile ALPRs, and are an enormous and time-saving supplement to investigative activity



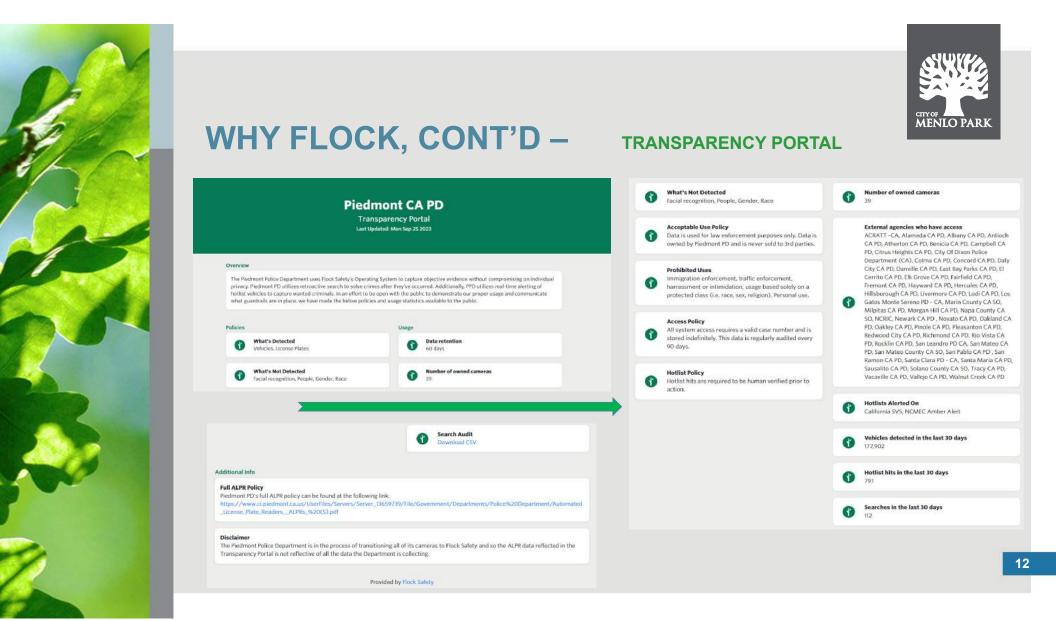
LOCAL EXAMPLE:

Shooting Incidents on Windermere on Coleman and at 7-Eleven Oak Grove in the last 13 months would have been solved or significantly aided by local ALPRs.



WHY FLOCK, CONT'D -

- While robustly present on the San Mateo Peninsula, Flock maintains objectivity, ethics and integrity.
 - All data end-to-end encrypted, stored securely and owned by the agency (NEVER sold or shared by Flock)
 - Fully auditable, and requiring accountability and legitimate public safety reasons for access to data
 - Retention period within Flock's server is purposely short (30 days)
 - Provides a Public Transparency Portal tracking the latest 30 days of activity
 - It is NOT:
 - Facial recognition
 - Predictive policing
 - Connected to DMV registration information or other third parties like Carfax
 - Holding personal identifying information of ANY kind





WHY FLOCK, CONT'D -

- Sharing
 - Requires agreement between agencies which includes a commitment for each agency to treat any information received "with the same degree of care normally used to protect its own."
 - Is governed by sharing guidelines laid out already in our Policy and Muni Ordinance. *
 - Mandates the already described strict requirements and accountability for access.



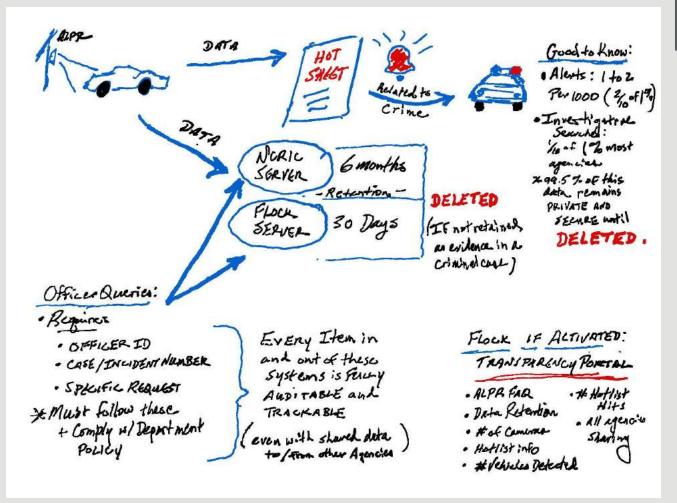
Networks

City of Fremont × Morgan Hill CA PD × Vallejo CA PD × NCRIC x Novato CA PD x San Ramon CA PD x San Mateo CA PD × Hercules CA PD × Atherton CA PD × Livermore CA PD × San Mateo County CA SO × Santa Clara CA PD × Oakley CA PD × Danville CA PD × Foster City CA PD × Anderson City CA PD × CS Bio Co (CA) × San Bruno CA PD x Dixon CA PD x Ontario CA PD x Milpitas CA PD × City of Millbrae CA × Tracy CA PD × Burlingame CA PD × Clearlake CA PD × × Contra Costa CA SO Alamo P5 × Vacaville CA PD × Beverly Hills CA PD × City of Palm Desert CA - RCSD × City of Loma Linda (SBCSO) × Menlo Park CA PD × City of San Carlos (SMCSO) × Contra Costa CA SO Bay Point × Delano CA PD × Cal-Fire Wing × San Leandro PD CA × Lakeport CA PD x Palo Alto CA PD x Seaside CA PD x Suisun City PD- CA × Corona CA PD × Fairfield CA PD × Merced County CA SO × City of Orinda CA × Menifee CA PD × Costa Mesa CA PD x Contra Costa CA SO Alamo P2 x

*ALPR shall not be used to invade the privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists, nor shall they be used to harass, intimidate or discriminate against any individual or group, nor for any purpose not specifically authorized by this chapter. - MP Muni Ordinance 2.56.040 (a)



ALPR AT-A-GLANCE





FLOCK SUCCESS STORIES



- Flock used to locate missing elderly subject driving for hours up and down the Bay Area
- ·Flock used in San Mateo to identify homicide suspect
- Officers received a Flock alert on a vehicle believed to be associated with burglaries in the area, yielding1.5 ounces of meth, stolen property and burglary tools in the vehicle

2022

- •Flock used to ID suspect vehicle involved in a theft, Vehicle was located occupied in RWC, multiple ID theft items located, suspect arrested.
- •Flock used to locate a wanted vehicle who had committed dozens of mail thefts in MP, suspect was arrested.
- •Stolen vehicle located in MP due to Flock, recovered multiple stolen bicycles



- Flock used by MPPD to locate a suspect vehicle that had committed multiple thefts at local business as well as other business around bay area. Suspect ID'd
- Hit & Run with a child victim at Hillview middle school, Flock used to ID suspect vehicle and get driver statement
- Flock used to locate suspect vehicle associated to a subject who was wanted by the Marshalls for kidnapping.
- Flock used to ID suspect vehicle that used stolen credit cards from a theft in MP. Suspect ID'd



GUNSHOT DETECTION PEACE OF MIND – IMMEDIATE AID



In addition to ALPRs, Flock is also providing gunshot detection technology over a majority of our community –

- We know that seconds count when gunfire occurs, and there are times when automated detection is the only information reported
- Gunshot detection software exists in our adjoining jurisdictions of East Palo Alto, North Fair Oaks , and Redwood City, but Menlo Park is not covered
- 4 square miles of our city land footprint
- Flock's "Raven" detection technology sorts out true firearm discharges and pinpoints them within about 90 feet
- Very short clips of only the incident are recorded this is not voice or people detection only the specific audio event
- Raven immediately pairs with associated ALPRs to begin collecting crucial data linked to the incident



WHERE ARE WE DEPLOYING?



- Dumbarton Bridge entering / exiting MP
- Willow / Newbridge
- Willow / Middlefield
- Marsh / Bay
- Middlefield / Ravenswood
- El Camino at Downtown
- Santa Cruz into / out of Downtown
- El Camino / Sand Hill
- Sand Hill / I-280

FLOCK RAVEN – Gunshot Detection

 4 square miles from Bayshore to Alameda







COST BREAKDOWN

Flock Project Costs -		
<u>Item</u>	<u>Cost</u>	
Flock Falcon ALPR Cameras (36 at about \$3000 ea.)	\$108,000	
Flock Raven Gunshot Detection System (4 sq. mi @ about \$35K / sq. mi.)	\$140,000	
Flock Advanced Search Operating System	\$3,500	
 Total Ongoing – Cameras and Detection, Software & Secure Data Storage 	\$251,500	
Professional Services Implementation Fees (First Year Only)	\$33,400	
Total First Year	\$284,900	

CONSIDERATIONS FOR DEPLOYMENT OF FLOCK

- **Municipal Ordinance (Chapter 2.56)**
 - Several sections describing the definition of terms, use of ALPR systems and data storage / retention, prohibited uses, auditing and reporting, and agency policy.
 - A draft Municipal Ordinance revision will be ۲ brought forth to Council in coordination with any movement forward with Flock, in coordination with the City Attorney's Office.
 - A revised Municipal Ordinance will be in place prior to any utilization of an updated ALPR deployment.

enlo Park Municipal	Code	
uniter 2.56 PUBLIC	SAFETY INFORMATION.	

Page 1/4

Chapter 2.56

PUBLIC SAFETY INFORMATION

CONT'D

Purpose. Definitions.

- Sections: 2.56.010 2.56.020 2 56 030
- Automated license plate reader data use. Prohibited use of automated license plate reader and data. 2.56.040
- 2 56 050 Automated license plate reader auditing and reporting
- Public safety camera system data use. Prohibited use of public safety camera system and data. 2 56 060
- 2.56.070 2 56 080 Public safety camera system auditing and reporting.
- 2.56.090 Adoption of department policies

2.56.010 Purpose. The purpose of this chapter is to provide for the proper use of data and recordings gathered by the city through the use of automated license readers and the public safety camera system. (Ord. 1007 § 2 (part), 2014).

2.56.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this

"Automated license plate reader" or "ALPR" means technology, also known as license plate recognition which provides automated detection of license plates.

(2) "Data" means information gathered by the automated license plate reader in the form of license plates and metadata (location and time license plate was viewed).

(3) "Public safety camera system" means cameras that record images only and not sound and that are placed in strategic fixed locations within the city at the direction of the chief of police and with the approval of the city council for the purpose of detecting and deterring crime, to help emergency services personnel maintain public order, to help manage emergency response situations during natural and mamande disasters, to monitor pedestrain and vehicle traffic activity, to assist in the preparation of traffic reports, and to assist city officials in pro and/or defending civil or administrative actions.

"Recordings" means the recorded images, without sound, recorded by the public safety camera system. (Ord 1007 § 2 (part), 2014).

2.56.030 Automated license plate reader data use.

(a) Data will be securely transmitted to the Northern California Regional Intelligence Center ("NCRIC") as part of a multi-jurisdictional public safety program created to assist local, state, federal and tribal public safety agencie and critical infrastructure locations with the collection, analysis, and dissemination of criminal threat information, provided NCRIC has executed an agreement with the city agreeing to comply with the retention/destruction provisions set forth in this section.

(b) Data transmitted to NCRIC from the police department shall be kept no more than six (6) months, and then destroyed, unless retention of specific identified license plate data is necessary for an active criminal case or pursuant to a valid court order.

Data may only be accessed by law enforcement personnel who are approved to access the data and who have undergone required NCRIC training for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department-related civil or administrative action

CONSIDERATIONS FOR DEPLOYMENT OF FLOCK

MPPD Lexipol Policy – ALPRs (462)

- Several sections describing the collection & retention, release & sharing, relationships with other agencies, and audits & accountability will be reviewed and revised.
- Prior to any approval request for agreement with Flock and deployment, the Police
 Department will have a revised policy ready to cover operations, based on feedback and operations-based changes.



Menio Park Police Department Merio Park PD Policy Manual MENIO PARI

Automated License Plate Readers (ALPRs)

462.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

462.2 ADMINISTRATION

Hard a "download references of the second second

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Commander. The Support Services Commander will assign members under his/her command to administer the islay-to-day operation of the ALPR equipment and data.

462.2.1 ALPR ADMINISTRATOR

The Support Services Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Menio Park's Municipal Code § 2.56 - Public Safety Information and Criel Code § 1799.90 5 et seq. This includes, but is not limited to (Chill Code § 1799.90 53); Cuill Code § 1799.90 53);

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws in compliance with Municipal Code § 2.66.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52 and in compliance with Municipal Code § 2.56.
- (e) The bile and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data in compliance with Municipal Code § 2.56.030.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

Automated Usame Plate Readers (ALPRs)

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OBJECTIVES & RECOMMENDATION



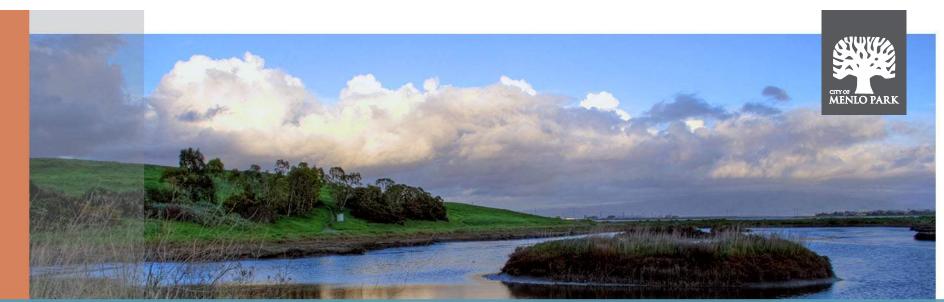
- Understand and address questions and/or concerns from our public and City Council
- Receive direction from the City Council:
 - Direction to proceed with preparation for Public Safety deployment of fixed Automated License Plate Readers (ALPRs) and Gunshot Detection Technology
 - Major themes and issues to be addressed while reviewing and modifying Menlo Park Municipal Code and Menlo Park Police Department Policy specifically related to data collection retention and use related to ALPRs
 - Return with a proposed agreement, budget amendment request, and modified Municipal Ordinance for approval, as well as a draft Policy for review.





THANK YOU





123 INDEPENDENCE DRIVE PROJECT 119, 123-125, 127 Independence Dr., 130 Constitution Dr., 1205 Chrysler Dr. BMR housing agreements and vesting tentative map Staff presentation to City Council, September 26, 2023



CITY COUNCIL REVIEW

- Project-specific modifications to the Below Market Rate (BMR) Guidelines for Equivalent Alternatives
- Three BMR housing agreements
 - Rental BMR agreement
 - For-sale BMR agreement with Habitat for Humanity Greater San Francisco
 - For-sale BMR agreement with The Sobrato Organization in case Habitat unable to proceed
- Vesting tentative map
 - Parcelization
 - Creation of 116 for-sale condominium townhouse units



PROJECT PROPOSAL

- 316 rental apartment units (48 BMR units)
- 116 for-sale townhome units (18 forsale BMR units)
- 8 additional BMR rental units as community amenity
- All BMR units affordable to low-income households
- 2,000 sq.ft. ground floor commercial space
- Vesting tentative map





PLANNING COMMISSION ACTIONS

On August 28 the Commission adopted resolutions:

- Certifying Final Environmental Impact Report, adopting CEQA findings, and Mitigation Monitoring and Reporting Program
- Approving use permit and architectural control for building and site design
 - Including community amenities in exchange for bonus level development
- Recommending approval of three BMR housing agreements and vesting tentative map to City Council



PROJECT SPECIFIC BMR HOUSING GUIDELINES MODIFICATIONS

- Modifications to programmatic and administrative elements of the BMR Guidelines, including:
 - Characteristics of units (Section 5)
 - Eligibility requirements (Section 7)
 - Occupancy requirements (Section 10)
 - Resale of BMR units (Section 11)





VESTING TENTATIVE MAP

- Allows the project to be developed in phases
 - Phase 1:
 - Reconfigure existing lots
 - Allows development of apartment building and paseo/open space
 - Phase 2:
 - Creates three townhome parcels
 - Vesting tentative map would abandon and establish easements
- The 116 townhomes would be mapped as condominium units to allow for individual ownership of each unit

6



RECOMMENDED ACTIONS

Adopt resolutions:

- Approving three BMR housing agreements including requested project-specific modifications to the BMR Housing Guidelines for provision of 56 BMR rental apartments and 18 for-sale townhome units (Attachment A)
- Approving vesting tentative map for a major subdivision to modify the parcel configuration and create 116 townhome condominium units (Attachment B)





THANK YOU



I1-APPLICANT PRESENTATION

123 Independence Drive Menlo Park, CA

City Council Meeting September 26, 2023

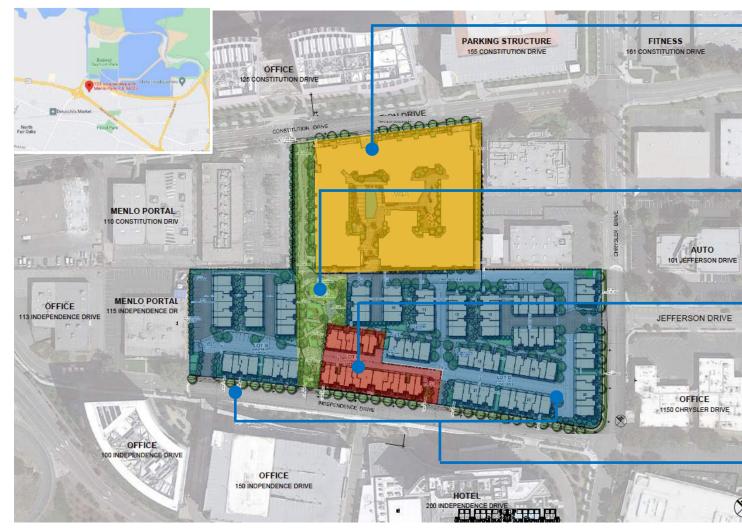


The **SOBRATO** Organization





PROJECT LOCATION & DESCRIPTION



LOT A: APARTMENTS

5 Stories 316 Units | 56 BMR Units 2,000 sf commercial space

LOT 1: PASEO & PUBLIC PARK

Fire Access Neighborhood Park Ped/Bike Connection to greater network

LOT C: HABITAT FOR HUMANITY

3-story townhomes 18 BMR Units Habitat for Humanity as affordable developer

LOTS B & D: TOWNHOMES

3-story townhomes98 Units





Mortgage

0% down 0% interest

Costs

Housing payments capped at 30% of income

Criteria AMI range 50-120% Credit score 650+

Requirements

500 hours of sweat equity Willingness to partner





95% Say that their children will go on to college

73%

Say that they have financial security

69% Are able to save for the future

REASONABLY EQUIVALENT ALTERNATIVES

AS ALLOWED UNDER SECTION 13 OF THE BMR GUIDELINES



	BMR Guideline	Reasonably Equivalent Alternative
1	Affordable units have a Right of First Refusal in Favor of the City	As the lender, HGSF requests maintaining the Right of First refusal, with the City in second position.
2	All members of the Applicant Household to be First Time Homebuyers	Only those on title will be required to be first-time homebuyers; this is the Habitat model and enables multigenerational accommodation for families.
3	Makes an exception to the first-time homebuyer preference for households that already own BMR units	Allows HGSF to provide homeownership opportunities to buyers who do not already have access to affordable housing.
4	Households Complete Education Prior to Applying	HGSF's program requires different timing for education, which occurs during the home building process, but accomplishes the same intent as the guideline, ensuring new homeowners are prepared for ownership.

REASONABLY EQUIVALENT ALTERNATIVES

AS ALLOWED UNDER SECTION 13 OF THE BMR GUIDELINES



	BMR Guideline	Reasonably Equivalent Alternative
5	Defines how Homeowner's Assets count towards Income Limits to ensure only households that truly need assistance are considered eligible (households with non- retirement assets that do not exceed the purchase price are eligible)	HGSF asset test ensures that homes go to those who need them most and requires liquid assets over \$60K to be assessed at 10% of their value and be added to the annual income calculation.
6	Discusses Refinancing Options	As the mortgage lender, HGSF does not allow Habitat homeowners to refinance homes or assume second loans.
7	Establishes Resale Process within the BMR Guidelines including the computed price calculation, and the use of realtors and a city designee to assist with title	HGSF uses its standard Resale Process including our computed resales calculation and directly facilitates the resale with the homeowners and the title company.
8	Allows the City To Choose a Designee or Program Provider	Allows HGSF as the City's program provider for education, marketing, applicant selection, and title using HGSF's education, marketing, and selection strategies.





PROJECT ENDORSEMENTS









THANK YOU ANY QUESTIONS?



PROJECT DETAILS FOR BMR TOWNHOMES



USING STATE DENSITY BONUS LAW THE PROJECT QUALIFIES FOR 2 CONCESSIONS AND UNLIMITED WAIVERS WHICH INCLUDE :



COMMUNITY WITHIN A COMMUNITY

Clustering all 18 BMR townhomes on one parcel

TIMING



BMR Townhomes on its own construction timeline with completion guarantees

DESIGN



BMR Townhomes use donated materials and volunteer labor and will have separate materials and finish package

LAYOUT



BMR Townhomes are designed consistent with other HGSF homes for overall size including # of bedrooms, bathrooms, etc.



FINANCING

HGSF's unique financing model

COMMUNITY ENGAGEMENT + AMENITY



met throughout this process, including open houses and an online sessions

15 Groups

including local schools, small business owners, faith leaders and more

74

BMR units

56 apartment units & 18 for-sale townhomes

17%

Affordable

and will be offered at low-AMI levels



TIMELINE

PRELIMINARY APPLICATION383 Units 90K sf Office1/29/20REVISED APPLICATIONAll-Residential 432 un (330/3)6/30/3PLANNING COMMISSIONScoping Session (1/2)(1)	nits 6/07/23	FEIR 8/28/23
2020 2021	2022 2023	2024





CITY BELOW MARKET RATE FUND NOFA

Tim Wong, Housing Manager



OVERVIEW

CITYOF MENLO PARK

- Consider BMR housing fund recommendations
- Provide direction to staff regarding1162 El Camino Real



BELOW MARKET RATE (BMR) NOTICE OF FUNDING AVAILABILITY (NOFA)

- NOFA released December 23, 2022
- \$2.0 Million initial NOFA amount
- Four applications submitted
- August 2, 2023 Housing Commission meeting
 - Three applications recommended for funding
 - Total amount awarded: \$4.18 Million





SUMMARY OF SUBMITTED APPLICATIONS



Organization	Type of Activity	Description	Amount Requested	
Habitat for Humanity-Greater San Francisco	New Ownership Construction	18 low income townhomes	\$2,000,000	
HIP Housing	New Rental Construction	Nine low income units	\$11,300,000*	
MidPen Housing, Inc.	New Rental Construction	62 extremely and very-low income units for veterans	\$2,000,000	
Rebuilding Together-Peninsula	Housing Rehabilitation	Rehabilitate eight units	\$180,000	
Total Requested			\$15,480,000	
* Not recommended for funding by Housing Commission				



BELLE HAVEN ACTION PROPOSAL

- Rent Assistance Program
 - 5 year pilot program
 - Buy down unit affordability
 - Managed by Samaritan House
 - Request \$120,000 per year for pilot program
 - Staff has not reviewed and Housing Commission did not consider this proposal

ENLO PAR



1162 EL CAMINO REAL

- Staff is seeking direction how to proceed with 1162 El Camino Real
- Prince Street Partner is exploring options to fulfill its BMR requirements for its Santa Cruz Ave./Merrill St. projects
 - Use of 1162 ECR as potential as off-site fulfillment
 - Donation of the parcel or partnering with an affordable housing developer
 - Current BMR agreements require units by April 2026 or pay in lieu BMR fees for SCA/Merrill





RECOMMENDATION

Staff recommends the City Council:

- 1. Direct staff to return with funding agreements authorizing the grant of below market rate (BMR) housing funds as follows:
 - \$2,000,000 for Habitat for Humanity of Greater San Francisco (HGSF),
 - \$2,000,000 for MidPen Housing, Inc. (MidPen), and
 - \$180,000 for Rebuilding Together Peninsula (RTP).
- 2. Provide direction regarding potential options of a land donation and/or affordable housing development for the 1162 El Camino Real development project in fulfilling its BMR requirements.







THANK YOU





1162 ECR (CONT.)

	Opportunity	Consideration
Donation of land	 Secure site Access to transit and services 	Smaller parcelFew funding sourcesUncertain timeline
AH development	Meet RHNAActual units	Very expensiveCity will be main funding source
In-lieu funding	 Additional funding for affordable housing Other AH developments could use the funding 	 No actual units (in short term)