

#### REGULAR MEETING AGENDA Date: 5/4/2022

 Date:
 5/4/2022

 Time:
 6:30 p.m.

 Location:
 Zoom.us/join – ID # 825 4657 7292

# NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

- How to participate in the meeting
  - Access the meeting real-time online at: Zoom.us/join –Meeting ID# 825 4657 7292
  - Access the meeting real-time via telephone at: (669) 900-6833
     Meeting ID# 825 4657 7292
     Press \*9 to raise hand to speak

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

#### Regular Meeting (Zoom.us/join - ID# 825 4657 7292)

- A. Call To Order
- B. Roll Call
- C. Public Comment

Under "Public Comment," the public may address the Commission on any subject not listed on the agenda. Each speaker may address the Commission once under Public Comment for a limit of three minutes. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

#### D. Regular Business

- D1. Approve minutes for the Housing Commission regular meeting on March 2, 2022 (Attachment)
- D2. Presentation from the City's Below Market Rate Housing Program administrator, HouseKeys
- D3. Selection of the Chair and Vice Chair
- D4. Review and receive the 2022 advisory body handbook and 2020-21 Housing Commission work plan (Attachment)

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#### E. Reports and Announcements

- E1. Ad hoc subcommittee reports
- E2. Commissioner updates
- E3. Recommend future agenda items
- E4. Staff updates and announcements

#### F. Adjournment

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

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

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

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

Agendas are posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 04/28/2022)



#### **REGULAR MEETING MINUTES – DRAFT**

 Date:
 3/2/2022

 Time:
 6:30 p.m.

 Location:
 Zoom

#### A. Call To Order

Chair Grove called the meeting to order at 6:33 p.m.

#### B. Roll Call

Present:Grove, Leitch, Merriman, PimentelAbsent:Bigelow, NguyenStaff:Acting Housing Manager Mike Noce, Acting Principal Planner Tom Smith

#### C. Public Comment

None.

#### D. Regular Business

D1. Approve minutes for the Housing Commission regular meeting on February 2, 2022 (Attachment)

**ACTION:** Motion and second (Leitch/ Merriman), to approve minutes for the Housing Commission regular meeting on February 2, 2022, passed 4-0 (Bigelow and Nguyen absent).

D2. Review and recommend that the City Council accept the 2021 Housing Element Annual Progress Report (Staff Report #22-003-HC)

Acting Principal Planner Tom Smith and Acting Housing Manager Mike Noce made the presentation (Attachment).

- Jill Olson spoke on housing on the Flood Park school site.
- Michal Bortnik spoke on below market rate (BMR) unit targets between the current and upcoming Housing Element cycle.

**ACTION:** Motion and second (Leitch/ Merriman), to approve the recommendation that the City Council accept the 2021 Housing Element Annual Progress Report and the to include the addition of an income limits table and information pertaining to Menlo Park housing needs to the City Council staff report, passed 4-0 (Bigelow and Nguyen absent).

#### E. Reports and Announcements

E1. Ad hoc subcommittee reports (10 minutes)

None.

E2. Commissioner updates

None.

Housing Commission Regular Meeting Minutes – DRAFT March 2, 2022 Page 2 of 2

E3. Recommended future agenda items.

None.

E4. Staff updates and announcements

Acting Housing Manager Mike Noce provided updates on:

- The City Council approved the first phase of updates to the BMR Housing Program Guidelines on March 1, 2022.
- Potentially cancelling the April 6, 2022 Housing Commission meeting.

#### F. Adjournment

Chair Grove adjourned the meeting at 7:55 p.m.

Mike Noce, Acting Housing Manager, Community Development





# OUTLINE

- Background
- Summary of housing production
- Milestones



#### BACKGROUND

- Since 1969, California has required all local governments to adequately plan to meet the housing needs of everyone in the community
- Annual Progress Report (APR) Due by April 1<sup>st</sup> every year
- Documents housing production amounts and housing-related activities
- 5<sup>th</sup> Cycle Housing Element (2015-2023)
   Provides a blueprint for meeting housing needs
   Regional Housing Needs Allocation (RHNA)

  - CA Department of Housing and Community Development (HCD)
  - Association of Bay Area Governments
     Menlo Park 5<sup>th</sup> Cycle RHNA is 655 dwelling units



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#### HOUSING PRODUCTION STATUS

- APR tracks lifecycle of an application
- 96 net new dwelling units in 2021
- Based on building permits issued
- 1345 Willow Road 58 net new very-low income units
- 36 ADUs
- SB 35 streamlining exemption One of only 29 jurisdictions in CA
  - Maintaining RHNA production
- ADU production increasing
- Increase from 13 in 2020 to 36 in 2021 (177% increase)
- Increase likely due to changes in state laws that went into effect in 2020, which aimed to streamline ADU permitting



ADU PRODUCTION BY COUNCIL DISTRICT	<b>DU</b>	PRODUC	CTION B	Y COUN	<b>CIL DIST</b>	RICT
------------------------------------	-----------	--------	---------	--------	-----------------	------

Units	
4	
13	
0	
5	
14	
36	
	0 5 14

RHNA	
Income level	RH 20 2
Very low	:
Low	
Moderate	
Above moderate	
Total	
<ul> <li>Breakdo</li> </ul>	wn

#### **DEVELOPMENT PROGRESS**

Income level	RHNA 2015- 2023	2015	2016	2017	2018	2019	2020	2021	Total units to date	Tota remaining RHNA
Very low	233	85	45	0	0	1	0	69	217	16
Low	129	22	4	6	6	16	26	11	91	38
Moderate	143	0	0	1	2	7	0	11	22	121
Above moderate	150	712	17	20	26	172	230	5	1 1 9 2	Exceeded
moderate	150	712	17	20	20	172	230	5	1,102	Exceeded
Total	655	819	66	35	44	196	256	96	1,512	17





#### POTENTIAL FUTURE HOUSING PRODUCTION



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#### 890 new units entitled in 2021 (3,600% increase from 2020)

- Will count toward future APRs when building permits are granted
- From three projects of over 100 dwelling units:
  - 14 very low income units
  - 46 low income units
- 73 moderate income units
- 748 above moderate income units
- Over 2,300 units under review for potential entitlements
- Could produce over 390 additional BMR units



#### MILESTONES

- Housing Element APR program areas (Table D)
- BMR housing fund 2021 highlights

  - Notice of Funding Availability (NOFA) released for \$10 million Three proposals received, all from nonprofit housing organizations
  - \$5.5 million HIP Housing for the acquisition of 6-8 Coleman Place Approved by City Council in February 2021 with sale completed in March 2021
  - Conversion to 14 low income units, included in 2021 APR
  - \$1.2 million Homeownership Preservation Program, Habitat for Humanity Greater S.F.
     Repair and rehabilitation for low income homeowners in the Belle Haven neighborhood
  - Approved by City Council in May 2021 with program initiating in 2022 Pending \$3.6 million – MidPen Housing proposing the construction of 12 low-income ownership units at 335 Pierce Road
    - Inits at 335 Pierce Road Anticipated for City Council consideration in Spring 2022 (study session held in Nov. 2021)



#### Housing Assistance Program

- Formerly the Rental Assistance Program
- Expanded to include both rental and mortgage assistance
- Assists qualified households related to COVID-19 pandemic or other emergency circumstances Administered by Samaritan House San Mateo
- Council approved \$250,000 of American Rescue Plan funds in October 2021
- Allocation was an additional supplement to initial funding of \$100,000
- Funding has assisted 32 households (86 persons) to remain housed during periods of economic



#### **LOOKING AHEAD**

- 6<sup>th</sup> Cycle Housing Element Update
- Will cover planning period from 2023-2031
- RHNA including buffer is 3,830 dwelling units (1,490 affordable units)
- Preparation for 6<sup>th</sup> Cycle Housing Element is underway • EIR studying up to 4,000 units
- Draft Housing Element to be released Spring 2022
- Draft EIR to be released Summer 2022
- Safety and Environmental Justice Elements also under development
- Deadline for submittal to HCD is January 31, 2023
- Project timelines and information available on the City's website
- menlopark.org/housingelement





Income Category	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Perso
Extremely low income (30% AMI)	\$38,400	\$43,850	\$49,350	\$54,800	\$59,200	\$63,6
Very low income (50% AMI)	\$63,950	\$73,100	\$82,250	\$91,350	\$98,700	\$106,0
Low income (80% AMI)	\$102,450	\$117,100	\$131,750	\$146,350	\$158,100	\$169,8
Area median income (100% AMI)	\$104,700	\$119,700	\$134,650	\$149,600	\$161,550	\$173,5
Moderate income (120% AMI)	\$125,650	\$143,600	\$161,550	\$179,500	\$193,850	\$208,2

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#### WELCOME

The City of Menlo Park City Council, City Manager and City staff are pleased that you are interested in serving your community as a member of one of the City's advisory bodies.

As a City Council-appointed resident member of a Menlo Park advisory body, you are considered a public official serving in an advisory capacity to the City Council performing a valuable service by addressing community issues and needs. City Councilmembers look forward to your contribution as we all work together to provide efficient municipal service that is responsive to local needs and expectations. This handbook has been prepared to acquaint advisory body members with the established policies and procedures of the City Council and to assist them in understanding and carrying out their roles and responsibilities.

The City Council appreciates your willingness to work in this capacity and hopes your experience will be stimulating, enjoyable and satisfying. If you have any questions or comments, please call the City Clerk at 650-330-6620.

#### **GENERAL INFORMATION**

The City of Menlo Park is a general law city governed by a five-member City Council elected by electoral districts to serve a four-year term. The Mayor and Vice Mayor are selected each December by majority vote of the City Council and each serve in these positions for one year. Menlo Park has a City Council-Manager form of government. Under this form of government, the City Council acts as the legislative body and is responsible for setting policies and providing overall direction for City operations. The City Manager is appointed by the City Council and is responsible for ensuring these policies are implemented.

As elected representatives, City Councilmembers provide a direct link with residents and, consequently, ensure the responsiveness of municipal activities. In order to gain a greater awareness of the sentiments of residents, the City Council also appoints advisory bodies composed of local residents familiar with the community and its needs. These advisory commissions and committees review City programs, projects and community issues and further expand the opportunity for resident participation in City government. The input gathered by the advisory bodies facilitate informed decisions by the City Council.

This handbook is designed as an informational guide regarding the purpose, policies, roles and responsibilities to foster the successful functioning of the advisory bodies.

#### **CITY OF MENLO PARK ADVISORY BODIES**

The City of Menlo Park currently has seven active advisory bodies which are: Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, and Planning Commission.

#### PURPOSE

Advisory bodies play an important role in city government by assisting and advising the City Council in formulating and implementing policy. Advisory bodies also develop recommendations and present supporting information to the City Council. The Environmental Quality Commission and Planning Commission have the authority to make final decisions that, if desired, can be appealed to the City Council.

The City of Menlo Park advisory bodies' roles and responsibilities are set by City Council resolution.

# DUTIES

#### **Complete Street Commission**

The Complete Streets Commission shall advise the City Council on realizing the City's adopted goals for complete streets, vision zero, climate action plan, and provide input on major land use and development projects as it relates to transportation.

To advance the goals of the city's newly adopted climate action plan by making alternatives to driving safer and more attractive, namely by:

- Reviewing the city's transportation master plan (TMP) and recommending the projects most likely to reduce vehicle miles traveled (VMT)
- Providing input on major development projects such as the Menlo Park Community Campus, by looking at them through the lens of transportation accessibility, especially bicycle/pedestrian/public transportation accessibility
- Advise City Council on the implementation of the TMP.
- Continue to advocate for and advise the City Council on the planning and installation of the Middle Avenue pedestrian and bicycle rail crossing, and safe cycling/pedestrian infrastructure connecting the Burgess complex to the Middle Avenue corridor to Olive Street, and north on Olive Street to Hillview Middle School.
- Continue to support City Council in ongoing initiatives to improve access to Downtown and support downtown businesses.
- Continue to support the implementation of the Safe Routes to School strategy and advocate for community engagement, program continuity and engineering implementation.
- Continue to support City Council's role as a stakeholder with regard to regional multi-modal and transportation demand management programs projects to increase

#### **Environmental Quality Commission**

The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement and sustainability. Commission priorities:

- Preserving heritage trees
- Using best practices to maintain city trees
- Preserving and expanding the urban canopy
- Making determinations on appeals of heritage tree removal permits
- Administering annual Environmental Quality Awards program
- Organizing annual Arbor Day Event; typically, a tree planting event
- Advising on programs and policies related to protection of natural areas, recycling and waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation

#### **Finance and Audit Committee**

The Finance and Audit Committee is charged primarily to support delivery of timely, clear and comprehensive reporting of the City's fiscal status to the community at large. Committee priorities:

- Review the process for periodic financial reporting to the City Council and the public, as needed
- Review financial audit and annual financial report with the City's external auditors
- Review of the resolution of prior year audit findings
- Review of the auditor selection process and scope, as needed

### Housing Commission

The Housing Commission is charged primarily with advising the City Council on housing matters including housing supply and housing related problems.

Commission priorities:

- Community attitudes about housing (range, distribution, racial, social-economic problems)
- Programs for evaluating, maintaining, and upgrading the distribution and quality of housing stock in the City
- Planning, implementing and evaluating City programs under the Housing and Community Development Act of 1974
- Members serve with staff on a loan review committee for housing rehabilitation programs and a first time homebuyer loan program
- Review and recommend to the City Council regarding the Below Market Rate (BMR) program
- Initiate, review and recommend on housing policies and programs for the City
- Review and recommend on housing related impacts for environmental impact reports
- Review and recommend on State and regional housing issues
- Review and recommend on the Housing Element of the General Plan
- The five most senior members of the Housing Commission also serve as the members of the Relocation Appeals Board (City Resolution 4290, adopted June 25, 1991)

#### Library Commission

The Library Commission is charged primarily with advising the City Council on matters related to the maintenance and operation of the City's libraries and library systems. Commission priorities:

- The scope and degree of library activities
- Maintenance and protection of City libraries
- Evaluation and improvement of library service
- Acquisition of library materials
- Coordination with other library systems and long range planning
- Literacy and English as a second language (ESL) programs

# Parks and Recreation Commission

The Parks and Recreation Commission is charged primarily with advising the City Council on matters related to City programs and facilities dedicated to recreation. Commission priorities:

- Those programs and facilities established primarily for the participation of and/or use by residents of the City, including adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities and equipment
- Adequacy, operation and staffing of recreation programs
- Modification of existing programs and facilities to meet developing community needs
- Long range planning and regional coordination concerning park and recreational facilities

# Planning Commission

Established according to state law, the Planning Commission makes decisions in many areas of the land use process and also makes recommendations to the City Council in other areas:

• The Planning Commission reviews development proposals on public and private lands for compliance with the General Plan and Zoning Ordinance

- The Commission reviews all development proposals requiring a use permit, architectural control, variance, minor subdivision and environmental review associated with these projects. The Commission is the final decision-making body for these applications, unless appealed to the City Council
- The Commission serves as a recommending body to the City Council for major subdivisions, rezoning's, conditional development permits, Zoning Ordinance amendments, General Plan amendments and the environmental reviews and Below Market Rate (BMR) Housing Agreements associated with those projects
- The Commission works on special projects as assigned by the City Council

#### **RECRUITMENT PROCESS**

The City Clerk's Office oversees the recruitment process for all city advisory bodies. Recruitment for vacancies begins in February of each year and appointments are typically made at a City Council meeting in April. Any resident interested in serving on an advisory body, who is a resident of the City and over the age of 18, is invited to apply during this time. Applications are available through The City Clerk's Office or on the City website. Applicants to the Planning Commission may be interviewed by the City Council as part of the recruitment and selection process. The City Clerk's Office communicates with all applicants with information and instructions throughout the process.

#### QUALIFICATIONS

To serve on a City of Menlo Park advisory body, an appointee must be a resident of the City of Menlo Park and over the age of 18. A completed application must be submitted to the City Clerk's Office on or before the closing of each recruitment period in order to be considered for appointment.

#### APPOINTMENT AND TERM OF OFFICE

Appointments to serve on a City of Menlo Park advisory body are made at a regular meeting of the City Council. Meetings are open to the public and applicants are welcome to attend but are not required to be present in order to be considered for appointment. Unless specified otherwise, the term of office for all advisory bodies shall be four (4) years unless a resignation or a removal has taken place. The Finance and Audit Committee term of office shall be two (2) years. Appointees serve at the pleasure of the City Council and can be removed at any time by a majority vote of the City Council.

#### OATH OF OFFICE

Upon appointment to a City of Menlo Park advisory body, members shall be administered the Oath of Office by the City Clerk before beginning their advisory body service.

#### ORIENTATION

All appointed advisory body members must attend an orientation provided by the City Clerk and any additional training as may be required pursuant to State Law or City Council direction.

#### VACANCIES

If an unscheduled vacancy occurs, whether due to resignation, death, termination or other cause, a special vacancy notice shall be posted pursuant to Government Code Section §54974. An appointment to fill an unexpired term shall be for the period remaining on the unexpired term.

Following posting, the City Clerk will conduct a formal recruitment in order to invite interested residents to apply for the remaining unexpired term. In the event the vacancy occurs near the time of the annual recruitment, the position will be left open and filled during the regular recruitment. Resignations should be addressed to the attention of the City Council and forwarded to the City Clerk for distribution.

# OFFICERS

A chair and a vice chair are selected annually in May by the members of the advisory body. The chair serves as the presiding officer of all meetings. In the chair's absence, the vice chair serves as the presiding officer.

In the event of both being absent, the staff liaison will call the meeting to order and the members shall select a temporary chair to serve until adjournment or the arrival of the chair or vice chair.

#### ATTENDANCE REQUIREMENTS

For advisory bodies to function effectively and accomplish their goals, all members must be active participants. This means all members must be present at all meetings. City Council reviews the attendance report for all advisory bodies on an annual basis and may make recommendations for removal of an advisory body member for excessive absences.

When appointed, it is expected that members will attend all regular meetings of their respective advisory body. In order that the City Council is kept advised of attendance of advisory body members, the City Clerk provides a report to the City Council March of each year. The City Council is also advised if a member misses one-third of meetings, and removal of a member may occur at City Council's discretion (Policy: CC-22-004).

#### MISSED MEETINGS

If an appointed member of an advisory body misses one-third of the meetings of the advisory body, the staff liaison shall report to the City Clerk the name of the member having missed such meetings, together with the dates of the meetings at which such member was absent and the reason for such absences, if known. The City Clerk shall forward the information to the City Council and removal of the member may occur at the City Council's discretion (Policy: CC-22-004).

#### **CONFLICTS OF INTEREST**

All members of City advisory bodies should avoid the appearance of bias in pending City matters at all times. Any member who has a doubt as to whether or not there is a financial interest in any decision before the advisory body should contact the city attorney's office or staff liaison before that decision.

As required by State law and the City's conflict of interest code, some appointees are required to disclose certain financial information on a Statement of Economic Interests form (Form 700) and/or advise the staff liaison of any potential conflict of interest which may arise. The City Clerk will provide appointees who are included in the conflict of interest code with forms and instructions following appointment. Appointees must file these forms within 30 days of assuming office.

The City Council adopted Resolution No. 6622 that requires additional appointed officials who are not required to submit Form 700s as governed by the City's conflict of interest code, to submit, on an annual basis, a report detailing real property interests within the City of Menlo Park. Those required to report such

interests include those officials and positions that impact, influence or advise on land use, real property, and the City's general plan housing element (e.g., Complete Streets Commission and Housing Commission).

### RESPONSIBILITIES

The primary role of the advisory body is to provide judicious advice to the City Council, the elected policymaking body of the City. The advisory body's role can include hearing public testimony on the City Council's behalf, building community consensus for proposals or projects, reviewing written materials, facilitating study of issues, guiding implementation of new or regulating established programs, assessing the alternatives regarding issues of community concern and ultimately forwarding recommendations to the City Council for its consideration.

There may be times when the advisory body's recommendations will not be sustained or will be modified by the City Council. It is important for the advisory body members to recognize that this is not a rejection of the integrity of the recommendation but is an inevitable part of the process of community decision-making. Members should be prepared for every meeting. This includes reviewing staff reports, maps, studies, proposals, correspondence, minutes, etc. before the meeting and having all referenced materials at hand during the meeting. Although it is the responsibility of the chair or vice chair to ensure that meetings proceed in a timely fashion, each member needs to do his or her part by becoming familiar with parliamentary procedures and all of the items on the agenda.

#### WORK PLAN

In order to respond to the ever-changing needs of the community, the City Council provides direction to staff by setting priorities at City Council meetings, taking formal actions, reviewing strategic or staffing plans, and most importantly, by review, approval and adoption of the budget. City Council actions and direction ultimately lay the foundation for all the work expected to be accomplished in that particular period.

Each advisory body will be required to develop an annual work plan that supports the goals of the City Council. The plan, once finalized by the advisory body, will be formally presented to the City Council for feedback, if any and approval and then reported out on by the advisory body on a quarterly basis.

#### **MEETINGS**

City of Menlo Park advisory bodies are subject to State law governing open meetings and records. The California law governing open meetings is found in the California Government Code, Sections 54950-54962 and is popularly referred to as the "Brown Act." The intent of the Brown Act requires that meetings of legislative bodies, including advisory bodies, be transparent and open to the public.

#### WHAT IS A MEETING?

The term "meeting" is very broadly defined as any congregation of a majority or quorum of the members of the advisory body at the same time and place to hear, discuss or deliberate upon any matter, which comes under the subject matter jurisdiction of the advisory body. Meetings may occur in a variety of situations.

#### QUORUM

A majority of the number of members shall constitute a quorum for purposes of conducting business and unless otherwise posted, a majority vote of those present and voting shall be sufficient to adopt motions. For an advisory body with seven members, four must be present to qualify as a quorum. For an advisory body with five members, three will qualify for a quorum. There are specific rules as to the procedure when there is a lack of a quorum in City Council Policy CC-22-004. It is critical to advise the staff liaison and the chair, in advance, if you are not going to be able to attend the meeting.

### **MEETING TYPES**

City advisory bodies may hold two types of meetings: regular meetings and special meetings. The staff liaison to the advisory body is responsible for identifying the type of meeting to be held and for posting all notices, including the agenda.

#### **Regular meetings**

Regular meetings are held at a set time and place specified in the procedures for that particular advisory body.

#### **Special meetings**

Special meetings may be held at a different time or place where only those issues as noted on the meeting agenda can be discussed.

#### **MEETINGS TO AVOID**

The Brown Act prohibits a majority or quorum from meeting privately. Furthermore, the Brown Act specifically prohibits "any use of direct communication, personal intermediaries or technological devices...employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on any item by the members of the legislative body." Therefore, the prohibition extends not only to personal contacts of the advisory body members among themselves outside the public meeting, but it also prohibits "serial" meetings whereby information is ultimately exchanged among a quorum of advisory body members whether or not simultaneously in one another's presence, for example, via email.

#### Face to face meetings (including in-person, virtual, and hybrid)

A meeting occurs whenever a majority of the members of the advisory body meets face to face to discuss, decide, or vote on an issue within its subject matter jurisdiction. The advisory body need not take any action for a gathering to be considered a "meeting." A gathering is a "meeting" if a majority of the members of the body receives information, hears a proposal, discusses their views on an issue, or takes action on any issue under the subject matter jurisdiction of the body.

#### Informal gathering (including in-person, virtual, and hybrid)

A gathering need not be formally convened to be considered a "meeting," and may occur in a variety of social situations. For example, if a majority of the members of the body has lunch together and discusses or decides matters within its subject matter jurisdiction, the gathering is a "meeting." A meeting may arise in other contexts, such as at social gatherings where a majority of the members of the advisory body discusses any matter within the body's subject matter jurisdiction.

#### Serial meetings (including in-person, virtual, and hybrid)

A meeting may also take place in situations where a majority of the members of the body does not meet face to face. The Brown Act expressly prohibits the use of devices, such as direct communication, personal intermediaries, or technological devices to develop a collective concurrence as to actions to be taken. For example, a member of the advisory body may not contact a majority of its members by telephone, email, fax, or by a third party to discuss any matter within its subject matter jurisdiction outside of the public domain. Most often, this type of a meeting occurs through a series of communications by individual

members or groups smaller than a quorum that ultimately involves a majority of the members. These meetings are called serial meetings.

### **GATHERINGS THAT ARE NOT MEETINGS**

There are six types of gatherings that are not subject to the Brown Act. If a gathering does not fall within any of the six exceptions, a majority of the members in the same room who are merely listening to a discussion of the body's business will be participating in a meeting that requires notice, an agenda, and a period for public comment.

The six exceptions are as follows:

#### Individual contact exception

Conversations between a member of the body and any other person that does not serve to "poll" members of the body does not constitute a meeting for purposes of the Brown Act.

#### **Conference exception**

Attendance of a majority of the members of the body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the body, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

#### Other public meetings

Attendance of a majority of the members of the body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

#### Meetings of other legislative bodies

Attendance of a majority of the members of the body at an open and noticed meeting of another body of the local agency, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

#### Social or ceremonial occasions

Attendance of a majority of the members of the body at a purely social or ceremonial occasion, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

#### Standing committee exception

Attendance by a majority of the members of the body at an open and noticed meeting of a standing committee of that body, provided that the members of the body who are not members of the standing committee attend only as observers.

#### **MEETING PROTOCOL**

It is the chair's role to facilitate meeting protocol. Staff liaisons may assist the chair in starting the meeting on time, and provide guidance in meeting protocol. Staff may also facilitate and promote effective communication.

# **ROLE AND RESPONSIBILITIES OF THE CHAIR**

The chair is the presiding officer of the advisory body and shall preserve order and decorum at all meetings of the advisory body, announce each agenda item to be discussed, announce the body's decisions, and decide questions of order. The chair is responsible for ensuring the effectiveness of the group process. A good chair will facilitate the involvement of all members of the advisory body at the same time allowing for adequate public participation. In the absence of the chair, the vice chair shall act as the presiding officer.

In addition, the chair shall confine members to the question under discussion and ensure that they, as well as the balance of the advisory body, refrains from commenting or entering into conversation with speakers during public comments or during public hearings, until all speakers have been heard.

The chair shall ensure that members of the public, who address the advisory body during public comment, address matters not appearing on the agenda which are of interest to such person and which is within the jurisdiction of the advisory body.

#### ROLES AND RESPONSIBILITIES OF THE STAFF LIAISON

The City has designated staff to act as a liaison between the advisory body and the City Council. The City shall provide staff services to the advisory body which will include:

- Developing a rapport with the Chair and advisory body members
- Providing a schedule of meetings to the City Clerk's Office and advisory body members, arranging meeting locations, maintaining the minutes and other public records of the meeting, and preparing and distributing appropriate information related to the meeting agenda.
- Advising the advisory body on directions and priorities of the City Council.
- Informing the advisory body of events, activities, policies, programs, etc. occurring within the scope of the advisory body's function.
- Ensuring the City Clerk is informed of all vacancies, expired terms, changes in offices, or any other changes to the advisory body.
- Providing information to the appropriate appointed official including reports, actions, and recommendations of the advisory body and notifying them of noncompliance by the advisory body or chair with City policies.
- Ensuring that agenda items approved by the advisory body are brought forth in a timely manner taking into consideration staff capacity, City Council priorities, the advisory body work plan, and other practical matters such as the expense to conduct research or prepare studies, provided appropriate public notification, and otherwise properly prepare the item for advisory body consideration.
- Take action minutes; upon agreement of the advisory body, this task may be performed by one of the members (staff is still responsible for the accuracy and formatting of the minutes)
- Maintain a minute book with signed minutes

# CODE OF CONDUCT

The code of conduct governs the actions, deliberations of City advisory bodies so that public deliberations and actions can be conducted in an atmosphere free from personal animosity and hostility, and that all actions serve to increase public confidence in the City of Menlo Park's government.

Each member of all City advisory bodies has the duty to:

- Adhere to a high level of ethical conduct in the performance of public duties.
- Represent and work for the common good of the City.

- Pursuant to state law, refuse to accept gifts or favors or promises of future benefits that might compromise or tend to impair independent judgment or action.
- Provide fair and equal treatment for all persons and matters coming before the advisory body whether in person, in writing or in an email communication.
- Faithfully perform all duties of office.
- Learn and study the background and purpose of important items of business before voting.
- Be tolerant of all views expressed at public meetings.
- Refrain from abusive conduct, personal charges or verbal attacks upon others.
- Most importantly, advisory bodies are not to be involved in administration or operation of City departments. Advisory body members may not direct administrative staff to initiate programs, conduct major studies, or develop changes in policy without the direct approval of the City Council. City staff members are available to provide general staff assistance to the advisory body.

# ESTABLISH A GOOD WORKING RELATIONSHIP WITH OTHER ADVISORY BODY MEMBERS

On many occasions, the success or failure of the efforts of an advisory body is largely dependent upon the degree of cooperation evident among the individual members of the body. In order to build a consensus around common goals and objectives, members will often have to first reconcile contradictory viewpoints and show a willingness to objectively consider the real and/or basic issues.

One way of developing this cooperation is for each advisory body member to ensure that meetings proceed in an orderly manner. The chair is primarily responsible for seeing that consideration of agenda items move along expeditiously, but with reasonable time allocated to each item. Each member can assist the chair by becoming familiar with the basic rules of parliamentary procedure and by adequately preparing any presentation to be made to the advisory body.

Other important points, which each advisory body member should consider in the relationship with other members, are:

- Always show respect for each individual's viewpoint.
- Allow other members adequate time to present their views fully before making comments.
- Be open and honest at all times.
- Recognize new members and see that they are made welcome and receive assistance in becoming acquainted with their new duties.

#### **BE PREPARED TO VOTE**

It is the responsibility of advisory body members to make adequate preparations for each meeting. Asking questions of staff before the meeting is very beneficial to the process. Being prepared will greatly assist you when it comes time to vote on an issue. If members do not participate when they do not have a genuine conflict of interest, they are not carrying out the primary job for which they were appointed.

#### **SCOPE OF AUTHORITY**

Advisory bodies are not involved in the administration or operation of City departments. Advisory body members may not direct administrative or professional staff to initiate programs and may not conduct major studies or establish policy. City staff members are available to provide general staff assistance to the advisory body.

# STAFF-ADVISORY BODY RELATIONSHIP

The relationship of the advisory body members and staff is an active, continuous and nuanced one. Both advisory body members and staff are motivated by the shared goal of furthering the City's best interests. Yet, while the goal is shared, there are times when the approach and responsibility toward implementing the goal are significantly different. Some things that one body can do, the other cannot. Sometimes staff may wish to accomplish a specific goal, but due to the constraints of their employment, they may not readily be able to advance their ideas. Likewise, the advisory body members recognize their obligations to fulfill larger objectives that staff, in their demanding workloads, may sometimes overlook. Because the distinctions in responsibility are not always explicit, cultivating a balanced understanding of your role is essential. The interaction should promote respect for different perspectives, and appreciation for each other's strengths.

#### AGENDAS AND MINUTES

Advisory body agendas will be prepared by staff liaisons in accordance with the requirements set forth in the Brown Act. Staff is to provide "action-only" minutes for advisory body meetings.

#### Agendas

The agenda is the guiding document for conducting business during advisory body meetings. The agenda lists the items to be discussed and is used to notify the public of what actions the advisory body will be considering. The chair and the staff liaison formulate agendas.

Agendas must meet the following requirements:

- The agenda must be posted in an area freely accessible to the public.
- The agenda for regular meetings must be posted at least 72 hours in advance.
- The agenda for special meetings must be posted at least 24 hours in advance with the media notified as well.
- The agenda must list a brief description of each item of business to be transacted or discussed 20 words, unless complex [GC 54954.2(a)(1)].
- The agenda must include the date, time and location of the meeting.

# Non-Agenda Items

A body cannot discuss or take action on any item not appearing on the agenda.

#### "Narrow" exceptions to the rule include:

- Briefly responding to comments made by a private person during the public comment period.
- Asking staff for clarification, requesting staff to place an item on a future agenda.
- Making a brief announcement or report regarding the member's own activities.

#### Additional exceptions to the non-agenda items rule include the following:

- Emergency situations that qualify for "emergency meetings."
- When two-thirds of the members of the advisory body decide there is a need to take immediate action that was brought to their attention after the agenda was posted.
- When an item was continued from a prior meeting that was posted no more than five days before the date action is taken on the item.

#### Minutes

The minutes are the official, permanent, legal record of the advisory body's actions and proceedings.

Minutes should include the following elements:

- The minutes must record the date, time and location of the meeting.
- The minutes must record members present and members absent. If a member arrives after the meeting has been called to order or departs before the adjournment, note the time of arrival or departure.
- The approved form of minutes are action minutes. Recording discussion is not required.
- The minutes must record each vote taken by the advisory body and should account for all members (the numbers must add up).
- If a member is recused from participating in an item, the minutes must state the time the member left the room, the reason for the recusal, and the time of return to the meeting.

# PROCEEDINGS

- Start meetings on time. Keep the agenda in mind in order to give each item the appropriate amount of time.
- Announce at the start of the meeting if the order of agenda items is to be rearranged either for convenience, response to those attending only for certain items, or for better pacing of the agenda.
- Let the chair run the meeting.
- Be fair, impartial and respectful of the public, staff and each other. Give your full attention when others speak.
- Trust your own good judgment on decisions.
- Keep in mind that people may be attending a meeting for the first time and are unfamiliar with the advisory body procedures. In your discussion, either avoid or explain technical terms or verbal shorthand.
- Listen to audience concerns.
- Do not engage the public in debate.
- Remember that your advisory body exists to take action. It is not simply a discussion group or debating society.
- End meetings at a reasonable hour.

# **PREPARING MOTIONS**

Advisory body meetings are usually conducted according to parliamentary procedure. The chair directs the meeting, and his/her rulings must be followed unless the body overrules them.

When a member wishes to propose an action on a particular item on the posted agenda for the advisory body to consider, the member makes a motion. A motion goes through the following steps:

- 1. The member asks to be recognized by the chair.
- 2. After being recognized, the member makes the motion: "I move that we...."
- 3. Another member seconds the motion: "I second the motion."
- 4. The chair restates the motion and asks for discussion on the motion.
- 5. When the chair determines that there has been enough discussion, the debate may be closed with: "Is there any further discussion?" or, if a member of the advisory body "calls for the question."
- 6. If no one asks for permission to speak, the chair then puts the question to a vote: "All those in favor say aye." "All those opposed say nay." The chair should restate the motion before the vote to ensure the motion is clearly understood by all. Any member may request a roll call vote on a motion.
- 7. After the vote, the chair announces the decision.

Properly phrasing a motion can be difficult and corrections may be necessary before it is acted upon. Until the chair states the motion, the member making the motion may rephrase or withdraw it. Only motions that are voted on will appear in the minutes.

# **REFERENCE MATERIALS**

CC-21-022-Anti Harassment and Non-discrimination Policy CC-21-023-Anti-Bullying Policy CC-22-004-Commission Committee Policy CC-19-002-Travel Policy Robert's Rules of Order – The Basics League of CA Cities Guide to the Ralph M. Brown Act

# HOUSING COMMISSION

City Manager's Office 701 Laurel St., Menlo Park, CA 94025 tel 650-330-6620 menlopark.org/housingcommision



# WORK PLAN 2020-21 (approved by City Council 11/17/2020)

Mission Statement							
housing matters. We are a conduit of information out to the c matters to the City Council.	uncil on issues related to housing policy, implement Council policy decisions, and represent the City where needed on community about affordable housing programs and a conduit of information back from the community regarding housing						
Committee Members Listing and Term E							
Lauren Bigelow     April 30, 2023							
Curtis Conroy April 30, 2021							
Karen Grove - Chair     April 30, 2022							
Rachel Horst – Vice Chair     April 30, 2021							
Vendy McPherson April 30, 2021							
Nevada Merriman April 30, 2021							
John Pimentel	April 30, 2024						
Priority List							
The Housing Commission has identified the	e following priorities to focus on during 2020-21:						
Summary of common high priority items:							
<ul> <li>Production of accessory dv</li> </ul>	welling units (ADU's) – near term goal						
	preservation of naturally affordable housing – near term goal						
Develop a mix of affordabl	e housing at all affordability levels including extremely low income near El Camino Real – longer term goal						
Overarching goal							
Need for more affordable housing	in Menlo Park (west side of 101, west of Middlefield, west of El Camino Real)						

#### Work Plan Worksheet

#### Step 1 - Review purpose of Commission as defined by Menlo Park Council Policy CC-01-0004

Each advisory body has a primary role of advising the City Council on policy matters or reviewing specific issues and carrying out assignments as directed by the City Council or prescribed by law. The Housing Commission is charged primarily with advising the City Council on housing matters. including housing supply and housing related problems. Specific focus areas include:

- · Community attitudes about housing (range, distribution, racial, social-economic problems
- Programs for evaluating, maintaining, and upgrading the distribution and quality of housing stock in the City
- Planning, implementing and evaluating City programs under the Housing and Community Development Act of 1974
- Review and recommend to the Council regarding the Below Market Rate (BMR) program
- · Initiate, review and recommend on housing policies and programs for the City
- Review and recommend on housing related impacts for environmental impact reports
- Review and recommend on State and regional housing issues
- Review and recommend on the Housing Element of the General Plan

#### Step 2 - Develop or review a Mission Statement that reflects that purpose (Who we are, what we do, who we do it for, and why we do it)

No changes were made to the Mission Statement included above.

#### Step 3 - Discuss any priorities already established by Council

Y-Plan study, Housing Element development

#### Step 4 - Brainstorm goals, projects or priorities of the Committee

Brainstorm goals, projects or priorities of the Committee	Benefit, if completed <u>NOTE: GREEN</u> <u>HIGHLIGHTED TEXT ARE</u> <u>ITEMS RELATED TO THE Y-</u> <u>PLAN</u>	<u>Mandated?</u> by State/local law or by <u>Council</u> <u>direction</u>	Policy change? <u>At Council</u> <u>level</u>	Resources needed for completion (Staff, subcommittees, funds)	Estimated Completion <u>Time</u>	<u>Measurement Criteria</u> (How will we know how we are doing?)
<ul> <li>Increase production of Accessory Dwelling Units (ADUs):</li> <li>Streamline and simplify by making process easier and less expensive</li> <li>Provide funds to assist property owners to develop (or convert unpermitted) ADU/JADU's</li> </ul>	<ul> <li>Increase supply of housing</li> <li>Make ADU's accessible to wider range of people</li> <li>Increase health and safety of current occupants (of unpermitted conversions)</li> </ul>	Yes ⊠ No □	Yes ⊠ No □	<ul> <li>Produce ADU development process navigation tools (resources: staff, ad-hoc, consultants)</li> <li>Develop ADU/JADU funding program for lower income</li> </ul>	2021	<ul> <li>Navigation tools developed</li> <li>ADU/JADU production increase (beyond baseline for past few years, tie to HE?)- can we say what is our baseline?</li> <li>Funding program developed and</li> </ul>

<ul> <li>through the BMR Housing Fund with grants and loans</li> <li>Create incentives for property owners to deed restrict affordable housing units (long term affordability)</li> </ul>	<ul> <li>Help existing lower income households create ADU's to supplement income, produce more housing units and create opportunities for multi- generation living</li> </ul>			homeowners (resources: staff, ad-hoc, non-profit organizations, community land trusts)		implemented, funds issued.
<ul> <li>Partner with and support Community Land Trusts (CLTs): <ul> <li>Provide funding support to CLT's to acquire units offered for sale for conversion to deed restricted affordable (in perpetuity)</li> <li>Look into community land trust in greater detail to consider additional opportunities for affordable housing preservation (develop expertise)</li> </ul> </li> <li>Develop programs or process w/CLT to produce affordable housing (e.g. ADU's, rental, ownership)</li> </ul>	<ul> <li>Promote community stability through affordable housing preservation activities (e.g. prevent foreclosure and displacement)</li> <li>Increase housing production through ADU development</li> <li>Program w/CLT will allow city to be competitive and agile in housing acquisition for preservation</li> </ul>	Yes □ No ⊠	Yes 🗌 No 🖾	<ul> <li>Development and partnerships (staff, ad-hoc, community land trusts)</li> </ul>	2020-2021	<ul> <li>Provided access to BMR funds for acquisition of rental housing or other housing production activities (e.g. ADU/JADU loan program, home ownership program, etc.)</li> <li>Gained a better understanding of the CLT models and programs</li> <li>Mastery of CLT concept by staff and HC ad-hoc; scan of field for local-serving CLT organizations; evaluation and due diligence of local-serving CLT organizations; selection of a CLT to partner with; partnership agreement in place; program established and funded; preservation and/or production projects completed.</li> </ul>
<ul> <li>Increase Density/Zoning (density and height):</li> <li>Downtown and west side of town, along ECR and Willow</li> </ul>	<ul> <li>Increase housing production dispersed throughout the City</li> </ul>	Yes □ No ⊠	Yes ⊠ No □	Staff, HC ad-hoc, HC, PC, CC, consultants, City Attorney	2020-2021	<ul> <li>Zoning amended</li> </ul>

<ul> <li>road (already have high density east of 101)</li> <li>Allocate time and resources to big picture opportunities to create affordable housing (e.g. USGS site, school site)</li> <li>Support housing production near transit</li> </ul>	<ul> <li>Affordable housing production</li> <li>AFFH (except for last bullet). For example, prioritize production of ELI and VL income housing near ECR/transit corridor</li> <li>Traffic reduction</li> <li>Achieve climate goals</li> </ul>					
<ul> <li>Identify sites where affordable housing can be built on publicly owned land and high opportunity sites</li> <li>Development of affordable housing on the downtown parking lots</li> <li>Explore partnerships with school districts and faith based organizations. Help them rezone for affordable housing</li> <li>Consider downtown library area as a site for affordable housing, potentially as part of a library renewal project</li> </ul>	<ul> <li>Affordable housing production</li> <li>AFFH</li> <li>Traffic reduction</li> <li>Achieve climate goals</li> </ul>	Yes □ No ⊠	Yes ⊠ No □	<ul> <li>Obtain site inventory of City/Publicly owned land (resources: staff, consultants)</li> <li>Review current use and zoning (resources: staff, ad-hoc, consultants)</li> <li>Make recommendations (resources: staff, HC, ad-hoc, consultants)</li> </ul>	2020-2021	<ul> <li>Site inventory complete, available to public</li> <li>Study session or other public meeting to review current use and zoning</li> <li>HC votes on recommendations</li> </ul>
Administration/Strategies <ul> <li>Amend/updated NOFA (annual and over the counter)</li> <li>Update BMR Guidelines to include funding programs and administrative updates: <ul> <li>ADU/JDU loan program</li> <li>Foreclosure prevention program</li> <li>First time homebuyer program</li> </ul> </li> </ul>	<ul> <li>OTC NOFA will allow us to fund project in a timely and opportunistic manner</li> <li>ADU/JDU loan program will expand ADU opportunity to lower income, lower wealth residents. (AFFH)</li> <li>Foreclosure prevention – prevent</li> </ul>	Yes □ No ⊠	Yes ⊠ No □	<ul> <li>Amend NOFA (staff, ad hoc)</li> <li>Update BMR Guidelines (staff, ad-hoc)</li> </ul>	• Fall 2020	<ul> <li>NOFA issued</li> <li>BMR update recommendations passed by HC</li> <li>Recommendations approved by PC/CC</li> </ul>

<ul> <li>Review BMR proposals and make recommendations to PC and CC</li> </ul>	displacement, community stability, improved health and equity							
<ul> <li>Community Engagement</li> <li>Expand engagement with monolingual Spanish speaking community members</li> <li>Housing Element update – host/co-host educational events/workshops on the housing element process</li> </ul>	<ul> <li>Increase diversity of community participation and input</li> </ul>	Yes ⊠ No □	Yes □ No ⊠	<ul> <li>Resources: staff, funding for community organization partners, interpreters, ad- hoc</li> </ul>	2020-2021	<ul> <li>Three monolingual Spanish-inclusive community meetings by end of 2021</li> </ul>		
Step 5 - Prepare final work plan for submission to the City Council for review, possible direction and approval and attach the worksheets used to determine priorities, resources and time lines.								
Step 6 - Once approved, use this plan Step 7 - Report out on status of items								

need additional time in order to complete.