



SPECIAL AND REGULAR MEETING AGENDA

Date: 5/8/2018
Time: 6:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

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

6:00 p.m. Special Session

PR. Presentation

PR1. United States Geological Survey and Menlo Park Fire Protection District regarding earthquake readiness

7:00 p.m. Regular Session

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Presentations and Proclamations

D1. Proclamation recognizing Bike to Work Day May 10, 2018

D2. Proclamation recognizing National Water Safety Month

E. Public Comment

Under "Public Comment," the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

F. Consent Calendar

F1. Accept the City Council meeting minutes for April 17, 2018 ([Attachment](#))

F2. Approve scope of work and authorize the formation of a taskforce for the heritage tree ordinance review and update ([Staff Report #18-102-CC](#))

G. Public Hearing

- G1. City Council direction on placing City Charter on November 2018 ballot
([Staff Report #18-098-CC](#))

H. Regular Business

- H1. Appoint a City Council member to the Stanford General Use Permit ad hoc Committee
([Staff Report #18-105-CC](#))
- H2. Appoint a City Council ad hoc committee to assist with the downtown parking structure project
([Staff Report #18-103-CC](#))
- H3. Identify a preferred alternative for the Ravenswood Avenue Railroad Crossing study appropriate funds, and authorize the city manager to amend AECOM Technical Services, Inc. contract
([Staff Report #18-104-CC](#))

I. Informational Items

- I1. Update on Library Department operational and administrative review ([Staff Report #18-099-CC](#))
- I2. Update on the Community Services Department 2015 operational review and strategic plan
([Staff Report #18-100-CC](#))
- I3. City Council term limits ([Staff Report #18-101-CC](#))

J. City Manager's Report

K. Councilmember Reports

L. Adjournment

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

At every Special Meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the Mayor, either before or during consideration of the item.

Any writing that is distributed to a majority of the City Council 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 for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 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: 5/03/2018)



SPECIAL AND REGULAR MEETING MINUTES - DRAFT

Date: 4/17/2018
Time: 6:30 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

6:30 p.m. Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)

Mayor Ohtaki called the closed session to order at 6:30 p.m.

Present: Carlton, Ohtaki, Mueller
Excused: Cline, Keith (at Rail Subcommittee meeting)

There were no comments from the public.

- CL1.** Closed session conference with legal counsel on anticipated litigation pursuant to Government Code §54956.9(d)(2) – one case

Attendees: City Manager Alex McIntyre, Community Development Director Arlinda Heineck, Community Development Director Mark Muenzer, Outside Counsel Barbara Kautz

7 p.m. Regular Session (City Council Chambers)

- A.** Mayor Ohtaki called the meeting to order at 7:12 p.m.

B. Roll Call

Present: Carlton, Cline, Ohtaki, Mueller, Keith
Staff: City Manager Alex McIntyre, City Attorney Bill McClure, City Clerk Judi A. Herren, Deputy City Clerk Jelena Harada

C. Pledge of Allegiance

Mayor Ohtaki led the Pledge of Allegiance.

D. Report from Closed Session

There were no reports from closed session.

E. Presentations and Proclamations

There were no presentations or proclamations.

F. Study Session

- F1.** Provide direction on the next steps for the Water System Master Plan Capital Improvement Plan funding strategy and staffing recommendations (Staff Report #18-080-CC)

City Engineer Azalea Mitch introduced the item and made a presentation.

After the discussion, City Council directed staff to utilize the loan options from Safe Drinking Water State Revolving Fund (DWSRF) and Proposition 1 for funding. City Council requested the report to be shared with the Finance and Audit Committee. Clarification was provided that costs associated with staffing is funded from the water-operating budget, not the general fund. Finally, City Council requested that staff communicates, to the public, strategies and phasing.

G. Public Comment

- Anne Craib thanked City Council and staff for the opportunity to serve on the Finance and Audit Committee and requested more communication with members on term limits and expirations.
- Chris DeCardy thanked City Council for the opportunity to serve on the Environmental Quality Commission. DeCardy spoke about the need for updating the heritage tree policy and consideration for climate change.
- Ann Eisenberg invited the City Council and members of the public to the Meals on Wheels event May 1, 2018.
- Steven Van Pelt spoke on options for the high-speed rail costs.
- Katie Behroozi invited the City Council to Parents for Safe Routes event April 21, 2018.
- Greg Conlon commented on the Ravenswood intersection and urged City Council to research the high-speed rail proposed costs.

H. Commissioner Reports

There were no reports.

I. Consent Calendar

- I1. Second reading and adoption of Ordinance No. 1045 amending Chapters 16.96, below market rate program, and 16.97, state density bonus, of Menlo Park Municipal Code and adoption of Resolution No. 6432 updating the city's below market rate program guidelines (Staff Report #18-081-CC)
- I2. Adopt Resolution No. 6431 accepting dedication of a public access easement for the 1275 El Camino Real project (Staff Report #18-074-CC)

ACTION: Motion and second (Cline/Carlton) to approve the consent calendar, passed unanimously.

J. Public Hearing

- J1. Receive input on the final five-district map and election sequencing and introduction and first reading of an ordinance amending Municipal Code Chapter 2.04, City Council, of Title 2, Administration and Personnel, to establish a district-based electoral system and to adopt a map describing the boundaries of each district (Staff Report #18-076-CC)

Assistant City Attorney Cara Silver introduced the item and made a presentation.

Mayor Ohtaki opened the public hearing.

Public Comment:

- Pamela Jones spoke in support of districting and recommend a “best practices” be put in place.
- Greg Conlon commented that the population of the districting was not balanced.
- Betsey Nash requested the election include a representative from district three.

Mayor Ohtaki closed the public hearing by acclamation.

The City Council clarified the balance of the districting maps and Assistant City Attorney Silver explained the legal boundaries of the maps creation.

ACTION: Motion and second (Cline/Ohtaki) to approve received input on final five-district map and election sequencing; introduce and conduct a first reading of Ordinance No. 1044 amending Chapter 2.04, City Council, of Title 2, administration and personnel, to establish a district based electoral system and to adopt a map describing the boundaries of each district; and make a finding that adoption of the Ordinance No. 1044 is exempt from the California Environmental Quality Act, passes unanimously.

- J2. Amendment to the City’s Comprehensive Master Fee Schedule for Community Development, Community Services, Library, Police and Public Works (This public hearing item will be open for public comment, but continued to the April 24, 2018, City Council meeting.)

Mayor Ohtaki opened the public hearing.

No public comment.

ACTION: Motion and second (Cline/Carlton) to continue the public hearing to April 24, 2018, City Council meeting, passes unanimously.

K. Regular Business

Mayor Ohtaki reordered the regular session items K3, K1 and K2.

At 10:50 p.m., Mayor Ohtaki announced item K2 would be continued to April 24, 2018, City Council meeting.

- K1. Adopt a resolution No. 6430 extending the Bicycle Commission and Transportation Commission pilot merger to form a Complete Streets Commission (Staff Report #18-075-CC)

Assistant Public Works Director Nicole Nagaya introduced the item and made a presentation.

ACTION: Motion and second (Keith/Carlton) to adopt a Resolution No. 6430 extending the Bicycle Commission and Transportation Commission pilot merger to form a Complete Streets Commission, passes 3-2-0 (Mueller/Cline Noes).

- K2. Receive an update on the Transportation Master Plan and provide direction on regional infrastructure priorities (Staff Report #18-084-CC)

- K3. Complete the biennial review of the El Camino Real/Downtown Specific Plan and provide direction (Staff Report #18-079-CC)

City Attorney Bill McClure recused himself from hearing the item due to proximity of his property to the project location.

Outside Counsel Barbara Kautz introduced the item and made a presentation.

Community Development Director Mark Muenzer confirmed that the item will be brought before the Planning Commission and include a summary of City Council direction. Muenzer also commented that staff would incorporate other city commissions and then return to the City Council with a tentative work plan.

L. Informational Items

- L1. Update on 241 El Camino Real (The Oasis) and 201-211 El Camino Real/610 Cambridge Ave (Staff Report #18-073-CC)
- L2. Participation in the 2018 San Mateo County Gun Buyback Program (Staff Report #18-082-CC)
- L3. Update on employee engagement and organizational development project (Staff Report #18-072-CC)
- L4. Biannual review of data captured by Automated License Plate Readers (ALPR) for the period beginning October 2, 2017 through April 2, 2018, and request to transition to annual reports (Staff Report #18-078-CC)
- L5. Biannual review of Taser program for the period beginning October 2, 2017 and ending April 2, 2018, and transition to annual reports (Staff Report #18-077-CC)

M. City Manager's Report

There was no city manager's report.

N. Councilmember Reports

There were no councilmember reports.

O. Adjournment

Mayor Ohtaki adjourned the meeting at 11:09 p.m.

Judi A. Herren, City Clerk



STAFF REPORT

City Council Meeting Date: 5/8/2018
Staff Report Number: 18-102-CC

Consent Calendar: Approve scope of work and authorize the formation of a taskforce for the heritage tree ordinance review and update

Recommendation

Staff recommends that the City Council:

1. Approve the scope of work for the heritage tree ordinance review and update
2. Authorize the formation of a community taskforce to support the update

Policy Issues

The heritage tree ordinance update was included on the 2017 City Council Work Plan (No. 8) and remains a priority for the 2018 Work Plan. The City Council has previously formed taskforces and subcommittees on specialized topics to provide the community with focused opportunities to offer input on a policy question of significance. The community taskforce will be a Brown Act body with a specific scope that disbands after the project is complete, and all meetings of the taskforce would be open to the public and noticed at least 72 hours before the meeting.

Background

In 1979, the city's first heritage tree ordinance was adopted. The heritage tree ordinance governs trees growing on private property with the primary goal of ensuring a significant and thriving population of large, healthy trees in Menlo Park. The ordinance protects heritage trees by regulating their removal and heavy pruning through a permit process administered by multiple departments. It also specifies penalties for violation of the ordinance, and establishes an appeals process for the permit applicant or community if there is disagreement on the permitting decision.

Amendments to the ordinance have been made on five occasions with the last occurring in 2006. The amendments ranged from adjustments to the definition of heritage trees (e.g., reduction in minimum diameter requirements) to expansion of the appeals process. Over the last several years, concerns have arisen with development-related appeals, unpermitted removals and enforcement of tree replacements. As a result, the City Council and the Environmental Quality Commission (EQC) included updating the heritage tree ordinance as part of their 2017 and 2018 work plans.

In April 2017, the City Council selected California Tree and Landscape Consulting, Inc. (CalTLC) to review and update the heritage tree ordinance. However, the heritage tree ordinance update was delayed due to the departure of the sustainability manager in January 2017, and was on hold until the position was filled again in August 2017. A kick-off meeting was held with the consultant and city staff in February 2018 to begin the frontend planning of the project.

In April 2018, the EQC reviewed the proposed work package and inclusion of a taskforce, and provided feedback on additional members for the taskforce, such as a habitat expert. They reached a consensus to proceed with the proposed work package and taskforce.

The heritage tree ordinance scope of work is being presented to the City Council for approval and/or feedback. In addition, staff recommends that the City Council consider appointing a taskforce to collaborate with staff throughout the review and update process to balance discussion of property rights and overall community value of heritage trees.

Analysis

Summary of proposed scope of work

The desired outcome of the ordinance update is to ensure a significant and thriving population of large healthy trees in Menlo Park for public enjoyment and environmental sustainability while balancing property rights and implementation efficiency. The ordinance update will evaluate current issues and successes related to the ordinance and explore options based on evidence and best practices from other communities to achieve the desired outcome.

- Some initial areas being examined for enhancement are:
- Definition of a heritage tree
- Permit procedure for protection, heavy pruning and removal
- Specification of penalties for violation and enforcement mechanisms
- Replacement and mitigation procedures for removals (replacement ratios, identifying appropriate species)
- Role of city staff, city commissions, and City Council in permit and appeal process

The heritage tree ordinance review and update is estimated to be completed by winter 2019. Table 1 illustrates a summary of the project schedule. Attachment A provides a high-level summary of the project scope, activities and project team.

Table 1: Tentative project schedule	
Activity	Duration
Project planning	February to April 2018
Community task force formation and first meeting	March to July 2018
Research and evidence gathering of Menlo Park data and other communities' best practices and policies	June to November 2018
Complete policy options analysis	November 2018 to February 2019
Taskforce, EQC and Planning Commission (PC) review and develop recommendation of preferred option	February to April 2019
City Council study session to select preferred option	May 2019
Draft heritage tree ordinance amendments	July to September 2019
Communitywide engagement	July to October 2019
Taskforce, EQC and PC review and develop recommendation on final heritage tree ordinance amendments	October 2019
City Council first reading/introduction and second reading/adoption of ordinance	November to December 2019
Implementation rollout and development of standard operating procedures to implement the amendments	January to July 2020
Monitoring and evaluation	TBD



Formation of Heritage Tree Ordinance Taskforce

Due to the ordinance's governance of heritage trees on private property, forming a taskforce would assist in a well-rounded review and update of the ordinance. The taskforce will ensure that diverse interests and concerns are discussed and worked through to find middle ground solutions to achieve the desired outcome described above.

Attachment B includes the proposed scope for the Heritage Tree Ordinance Taskforce, and includes a tentative meeting schedule. The first meeting would occur June 26, 2018.

The taskforce will be appointed by the City Council and consist of no fewer than seven (7) members, and would not exceed 12 members. The taskforce will aim to represent a balanced mix of community stakeholders, which may include, but is not limited to:

- City Council representative
- Environmental Quality Commission representative
- Planning Commission representative
- Residents and homeowners
- Ecologists/ wildlife biologists/ naturalists
- Nonprofit environmental organizations
- Private arborists
- Property managers
- Real estate agents
- Developers
- Architects
- Landscape architects
- Other

Applicants will be required to:

- Maintain a residence and/or operate a licensed business within Menlo Park
- Select which group they most identify with from the above categories

The term for this taskforce will start June 26, 2018, and is expected to end December 2019. The taskforce will be expected to attend (at minimum) 10 meetings.

An open application process for all member candidates will be issued in May 2018. City Council would appoint the Heritage Tree Ordinance Community Taskforce members June 2018.

A City Council appointed taskforce can ensure that an open and transparent process was undertaken to evaluate various policy options. Since the taskforce will be a City Council appointed body, all meetings would be open to the public and notice will be given at least 72 hours before the meeting. This provides an additional benefit as it allows the community at large to attend meetings and provide input early on and at regular intervals in the policy development process.

Risks

Potential risks related to the taskforce include receiving applications from only one or two stakeholder groups that could create a bias for the review and update of the ordinance. Staff will reach out to various stakeholder groups to mitigate the risk of only one or two interests being represented on the taskforce. However, this could delay the project timeline in order to fill the taskforce seats. If the taskforce lacks

various stakeholder representation, staff will return to the City Council to advise or seek direction on how to proceed.

In addition, a collaborative taskforce can cause delays in meeting project milestones due to disagreements, unresolved issues or requests for additional information. This risk is considered acceptable given the sensitive balance between property rights and how the community values heritage trees. In addition, there is a greater risk of failure if the preferred option is put forward to the community for feedback without having an open and transparent process for stakeholder input on the other options explored or developed.

Alternatives

1. Provide staff with a different direction on the scope of work or taskforce.
2. Decide not to form a taskforce and conduct community engagement after a preferred option is selected to expedite the project.

Impact on City Resources

The project is a funded general fund capital improvement project. No additional appropriations are requested.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Future meeting agendas will also be listed at least 72 hours in advance of the meetings.

Attachments

- A. Heritage tree project summary
- B. Heritage Tree Ordinance Community Taskforce scope
- C. Heritage tree ordinance

Report prepared by:
Candise Almendral, Project Contractor

Reviewed by:
Rebecca Lucky, Sustainability Manager

HERITAGE TREE ORDINANCE UPDATE

City of Menlo Park
701 Laurel St., Menlo Park, CA 94025
Rebecca Lucky, Sustainability Manager
tel 650-330-6765
email rllucky@menlopark.org



Project Summary

The City of Menlo Park is in the process of updating the Heritage Tree Ordinance. Over the past several years, concerns have arisen with development-related appeals, unpermitted removals, and enforcement of tree replacements. As a result, the City Council included reviewing and updating the Heritage Tree Ordinance as part of their 2017 and 2018 work plans. The project is being led by the Sustainability Division of the City Manager's Office, and includes collaboration across various city departments and community stakeholders.

The desired outcome of the ordinance update is to ensure a significant and thriving population of large healthy trees in Menlo Park for public enjoyment and environmental sustainability while balancing property rights and implementation efficiency. The ordinance update will evaluate current issues and successes related to the ordinance and explore options based on evidence and best practices from other communities to achieve the desired outcome.

Some initial areas being examined for enhancement are:

- Definition of a heritage tree
- Permit procedure for protection, heavy pruning, and removal
- Specification of penalties for violation and enforcement mechanisms
- Replacement and mitigation procedures for removals (replacement ratios, identifying appropriate species)
- Purview of City staff, City commissions, and City Council in permit and appeal process

Key Project Activities and Timeline

Activity No. 1- Project Planning (February 2018 to July 2018)

- Project plan and schedule with consultant
- Formation of a community taskforce
- Data and evidence collection (Menlo Park and other communities)

Activity No. 2: Policy Options Analysis (August 2018 to Spring 2019)

- Complete policy options analysis
- Review and recommendation by taskforce and applicable commissions
- City Council study session on preferred option

Activity No. 3: Draft Ordinance and Community Engagement (Summer 2019 to Fall 2019)

- Refine preferred option and draft ordinance update
- Community wide engagement of draft ordinance
- Final policy review and recommendation by taskforce and applicable commissions
- City Council adoption

Activity No. 4: Implementation Roll-out (January to July 2020)

- Implementation plan, education materials, revisions to standard operating procedures and forms

Related Existing Policies, Programs, Future Projects

Urban Forest Master Plan, Climate Action Plan

Key People

Interdepartmental and community engagement throughout this process is vital to the meaningful update and the successful implementation of this ordinance. An initial assessment of the project has identified the following key people to assist in moving this project forward.

Project Team:

Rebecca Lucky, Sustainability Manager,
Project Lead
Candise Almendral, Project contractor
Christian Bonner, City Arborist
Deanne Ecklund, Contract Arborist
Thomas Rogers, Principal Planner
Ivan Toews, Engineering Technician I

Internal Stakeholders:

Ron LaFrance, Assistant Community
Development Director
Street Tree Maintenance Team
Brian Henry, Public Works
Superintendent
Whitney Loy, Senior Engineering
Technician
City Attorney

Community Task Force:

To be determined
7 to 12 members appointed by City Council

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Heritage Tree Ordinance Review and Update Community Task Force Scope

Summary: The heritage tree ordinance governs trees growing on private property. Over the past several years, concerns have arisen with development related heritage tree appeals, unpermitted removals, and enforcement of tree replacements. As a result, the City Council included reviewing the heritage tree ordinance for potential amendments as part of their 2017 and 2018 work plans.

The desired outcome of the heritage tree ordinance review and update is to ensure a significant and thriving population of large healthy trees in Menlo Park for public enjoyment and environmental sustainability while balancing property rights and implementation efficiency. The ordinance update will evaluate current issues and successes related to the ordinance and explore options based on best practices from other communities to achieve the desired outcome.

The City Council has authorized creation of a community taskforce to fill an essential role in the heritage tree ordinance update. This document provides general direction to the taskforce, scope of duties, and roles and responsibilities.

General Direction: The taskforce will function as a *collaborative* engagement process. This means that the taskforce will be a *partner* in each aspect of the heritage tree ordinance update, such as development of alternatives and choice of the preferred option. Working in partnership with the consultant team and staff, the taskforce will ensure that diverse interests and concerns are discussed and worked through to find middle ground solutions to meet the desired outcome described above. Staff will look to the taskforce for advice and innovation in formulating solutions and options, and incorporate taskforce advice and recommendations into decisions to the maximum extent possible.

Key Roles and Responsibilities of the Taskforce:

- *Attend all meetings (see attached schedule)*
- Work in partnership with staff and other members of the taskforce while advocating for their particular interest
- Manage conflict by listening to differing values, concerns and experiences, and work through them to find and propose middle ground solutions
- Review the background materials in advance of meetings if provided
- Recommend to staff a list of criteria to weigh options against
- Review best practices provided by consultant and recommend to staff practices that could address existing issues with or enhance the ordinance in Menlo Park
- Review and discuss policy options to make a final recommendation to City Council
- *Develop a recommendation to the City Council on the preferred option for the heritage tree ordinance by summer 2019 and final recommendation by winter 2019*
- Assist with communitywide engagement once City Council has selected a preferred option
 - This will be a *consult* type of community engagement where information about the draft ordinance (preferred option) is provided communitywide, and any member of the public can provide feedback that *may* influence the final recommendation and decision

Key Roles and Responsibilities of City Staff:

- Work in partnership with the taskforce to develop a staff recommendation on a preferred option to City Council
- Provide advice and research to the taskforce
- Track input and provide feedback on results of the taskforce to the City Council
- Serve as information-givers, using technical expertise and professional experience to describe options as well as their pros and cons, benefits, and implications in order for the taskforce to formulate a recommendation to the City Council
- Develop a policy options analysis based on input from the taskforce
- Draft an ordinance update based on City Council's selection of a preferred option
- Conduct communitywide engagement of the draft ordinance (preferred option) before formal adoption by the City Council
- Implement the draft ordinance

Key Roles and Responsibilities of the City Council:

- Provide, guide, and clarify policy and scope direction to the taskforce and staff during the heritage tree update process
- Consider the recommendations put forward by staff and the taskforce
- Decide which option to pursue for wider community engagement
- Decide on which (if any) amendments will be made to the heritage tree ordinance

Givens (non-negotiable):

- The City Council is the decision maker on all changes to City ordinances and policies
- The taskforce's role is to make recommendations to City Council
- Staff and taskforce recommendations to City Council could differ entirely or on specific subject matter within the Heritage Tree Ordinance, but staff and taskforce will practice due diligence to reach agreement to the maximum extent possible
- The taskforce will operate under the Brown Act using Robert's Rules of Order and the City of Menlo Park Guide for Advisory Bodies
- The options analysis will be evidence-based, meaning that any options explored or considered will be based on quantitative and/or qualitative data from within the City of Menlo Park, other communities, or other credible sources
- Preferred option must be implementable, efficient and cost effective
- Preferred option must meet legal requirements for balancing property rights with community values
- The safety of the public will be maintained through evidence based data

Tentative Schedule		
Heritage Tree Ordinance Update Community Task Force Meetings		
Meeting No.	Date and Time	Meeting Purpose
1	June 26, 2018 6 pm to 9 pm	<ul style="list-style-type: none"> • Introduction and discussion of taskforce roles and responsibilities • Urban forestry education presentation • Review progress to-date and scope being considered for policy options analysis
2	August 25, 2018 6 pm to 9 pm	<ul style="list-style-type: none"> • Brief urban forestry education presentation • Brainstorm on criteria to weigh policy options • Start to review best practices by subject (e.g. enforcement, heritage tree definition, etc.) and discuss what practices should be considered in the options analysis
3	September 13, 2018 6 pm to 9 pm	<ul style="list-style-type: none"> • Brief urban forestry education presentation • Finalize criteria to weigh options • Continued discussion on best practices by subject
4	October 7, 2018 6 pm to 9 pm	<ul style="list-style-type: none"> • Brief urban forestry education presentation • Continued discussion best practices by subject to incorporate in policy options analysis • Discussion of policy options to be and/or under consideration for the ordinance update • Discuss initial outline for policy options analysis
5	February 13, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Review and discuss draft policy options analysis • Discuss recommendation to City Council
6	March 13, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Review and discuss draft policy options analysis • Discuss recommendation to City Council
7	April 10, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Finalize recommendation to City Council on preferred option for May 2019 Council meeting
8	June 12, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Placeholder if City Council provides different direction to the taskforce or additional work needs to be done
9	September 12, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Placeholder in the event that additional work needs to be done • Discuss feedback from communitywide engagement process
10	October 10, 2019 6 pm to 9 pm	<ul style="list-style-type: none"> • Discuss feedback from communitywide engagement process • Finalize recommendation to City Council based on communitywide engagement and feedback

**Additional meetings if deemed necessary by the project team*

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Chapter 13.24

HERITAGE TREES

Sections:

- 13.24.010 Intent and purpose.
- 13.24.020 Heritage tree defined.
- 13.24.025 Maintenance and preservation of heritage trees.
- 13.24.030 Removal and major pruning of heritage trees prohibited.
- 13.24.040 Permits.
- 13.24.060 Appeals.
- 13.24.070 Enforcement--Remedies for violation.

13.24.010 Intent and purpose.

This chapter is adopted because the city has been forested by stands of oak, bay and other trees, the preservation of which is necessary for the health and welfare of the citizens of this city in order to preserve the scenic beauty and historical value of trees, prevent erosion of topsoil and sedimentation in waterways, protect against flood hazards and landslides, counteract the pollutants in the air, maintain the climatic balance and decrease wind velocities. It is the intent of this chapter to establish regulations for the removal of heritage trees within the city in order to retain as many trees as possible consistent with the purpose of this chapter and the reasonable economic enjoyment of private property.

(Ord. 928 § 1 (part), 2004).

13.24.020 Heritage tree defined.

As used in this chapter "heritage tree" means:

- (1) A tree or group of trees of historical significance, special character or community benefit, specifically designated by resolution of the city council;
- (2) An oak tree (*Quercus*) which is native to California and has a trunk with a circumference of 31.4 inches (diameter of ten (10) inches) or more, measured at fifty-four (54) inches above natural grade. Trees with more than one trunk shall be measured at the point where the trunks divide, with the exception of trees that are under twelve (12) feet in height, which will be exempt from this section.
- (3) All trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of fifteen (15) inches) or more, measured fifty-four (54) inches above natural grade. Trees with more than one trunk shall be measured at the point where the trunks divide, with the exception of trees that are under twelve (12) feet in height, which will be exempt from this section.

(Ord. 928 § 1 (part), 2004).

13.24.025 Maintenance and preservation of heritage trees.

Any person who owns, controls, has custody or possession of any real property within the city shall use reasonable efforts to maintain and preserve all heritage trees located thereon in a state of good health pursuant

to the provisions of this chapter. Failure to do so shall constitute a violation of this chapter. Any person who conducts any grading, excavation, demolition or construction activity on property shall do so in such a manner as to not threaten the health or viability or cause the removal of any heritage tree. Any work performed within an area ten (10) times the diameter of the tree (i.e., the tree protection zone) shall require submittal of a tree protection plan for review and approval by the director of community development or his or her designee prior to issuance of any permit for grading or construction. The tree protection plan shall be prepared by a certified arborist and shall address issues related to protective fencing and protective techniques to minimize impacts associated with grading, excavation, demolition and construction. The director of community development or his or her designee may impose conditions on any city permit to assure compliance with this section. (Ord. 928 § 1 (part), 2004).

13.24.030 Removal and major pruning of heritage trees prohibited.

It is unlawful for any person to remove, or cause to be removed any heritage tree from any parcel of property in the city, or prune more than one-fourth of the branches or roots within a twelve (12) month period, without obtaining a permit; provided, that in case of emergency, when a tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the director of public works or their respective designees. Any person who vandalizes, grievously mutilates, destroys or unbalances a heritage tree without a permit or beyond the scope of an approved permit shall be in violation of this chapter. (Ord. 928 § 1 (part), 2004).

13.24.040 Permits.

Any person desiring to remove one or more heritage trees or perform major pruning as described in Section 13.24.030 shall apply for a permit pursuant to procedures established by the director of public works and shall pay a fee established by the city council. It is the joint responsibility of the property owner and party removing the heritage tree or trees, or portions thereof to obtain the permit. The director of public works or his or her designee may only issue a permit for the removal or major pruning of a heritage tree if he or she determines there is good cause for such action. In determining whether there is good cause, the director of public works or his or her designee shall give consideration to the following:

- (1) The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
- (2) The necessity to remove the tree or trees in order to construct proposed improvements to the property;
- (3) The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;
- (4) The long-term value of the species under consideration, particularly lifespan and growth rate;
- (5) The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;
- (6) The number, size, species, age distribution and location of existing trees in the area and the effect

the removal would have upon shade, privacy impact and scenic beauty;

- (7) The number of trees the particular parcel can adequately support according to good arboricultural practices;
- (8) The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).

(Ord. 928 § 1 (part), 2004).

13.24.060 Appeals.

Any Menlo Park resident or property owner may appeal the decision of the director of public works or his or her designee to the environmental quality commission in writing within fifteen (15) days after his or her decision. Such a request shall be submitted to the city clerk and it shall state the reasons for the appeal. The matter will be reviewed by the commission at its earliest opportunity. Any Menlo Park resident or property owner may appeal the decision of the environmental quality commission to the city council in writing within fifteen (15) days after the decision of the commission. Such a request shall be submitted to the city clerk and it shall state the reasons for the appeal. The matter will be reviewed by the city council at its earliest opportunity. A permit shall not be issued until all appeals are completed and/or the time for filing an appeal has expired. (Ord. 928 § 1 (part), 2004).

13.24.070 Enforcement--Remedies for violation.

In addition to all other remedies set forth in this code or otherwise provided by law, the following remedies shall be available to the city for violation of this chapter:

- (1) If a violation occurs during development, the city may issue a stop work order suspending and prohibiting further activity on the property pursuant to the grading, demolition, and/or building permit(s) (including construction, inspection and issuance of certificates of occupancy) until a mitigation plan has been filed with and approved by the director of community development or his or her designee, agreed to in writing by the property owner(s), and either implemented or guaranteed by the posting of adequate security. The mitigation plan shall include measures for protection of any remaining trees on the property, and shall provide for replacement of each tree removed or heavily damaged on the property or at locations approved by the director of community development or his or her designee and by the director of public works, if replacement is to occur on public property. The replacement ratio shall be determined by the director of community development or his or her designee and shall be at a greater ratio than that required where tree removal is permitted pursuant to the provisions of this chapter.
- (2) If a violation occurs in the absence of development, or while an application for a building permit or discretionary development approval for the lot upon which the tree is located is pending, the director of community development or his or her designee may issue a temporary moratorium on development of the subject property, not to exceed eighteen (18) months from the date the violation occurred. The purpose of the moratorium is to provide the city an opportunity to study and determine appropriate mitigation measures for the tree removal, and to ensure measures are incorporated into any future development approvals for the property. Mitigation measures as

determined by the director of community development or his or her designee shall be imposed as a condition of any subsequent permits for development on the subject property.

- (3) As part of a civil action brought by the city, a court may assess against any person who commits, allows, or maintains a violation of any provision of this chapter a civil penalty in an amount not to exceed five thousand dollars (\$5,000.00) per violation. Where the violation has resulted in removal of a tree, the civil penalty shall be in an amount not to exceed five thousand dollars (\$5,000.00) per tree unlawfully removed, or the replacement value of each such tree, whichever amount is higher. Such amount shall be payable to the city. Replacement value for the purposes of this section shall be determined utilizing the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers. Regarding injunctive relief, a civil action may be commenced to abate, enjoin, or otherwise compel the cessation of such violation. In any civil action brought pursuant to this chapter in which the city prevails, the court shall award to the city all costs of investigation and preparation for trial, the costs of trial, reasonable expenses including overhead and administrative costs incurred in prosecuting the action, and reasonable attorney fees.

(Ord. 928 § 1 (part), 2004).



STAFF REPORT

City Council

Meeting Date:

5/8/2018

Staff Report Number:

18-098-CC

Public Hearing:

City Council direction on placing City Charter on November 2018 ballot

Recommendation

Staff recommends that the City Council conduct a public hearing to review and provide input on several different charter options.

Policy Issues

Becoming a charter city would permit Menlo Park to exert control over municipal affairs in the interests of the community. Given the state's increased incursion into areas of municipal affairs in recent years, transitioning to a charter city would put Menlo Park in a better position to protect local control. Members of the public have expressed concerns that becoming a charter city would grant the City Council more authority than it currently has and would make it more difficult for the community to oppose local legislation or policy it disagreed with. It is also a 2018 City Council work plan item.

Background

Menlo Park is currently a general law city subject to state restrictions even in the area of "municipal affairs." Over the years, Menlo Park has wanted to pursue certain initiatives only available to charter cities. Most recently, both residents and the City Council have expressed a desire to examine other types of voting systems currently not available to general law cities. To avail itself of other types of voting systems and/or a hybrid district/at large voting process, Menlo Park would need to become a charter city.

To become a charter city, a city must adopt a charter. Adoption of a charter requires a vote of the people.¹ Once a charter is adopted, it operates as a local "constitution." Like the federal and state constitutions, a charter may only be adopted, amended, or repealed by a majority vote of a city's residents.

Charter cities have more authority over their municipal affairs than general law cities. Charter cities also have greater flexibility in government operations as they are not bound by certain state requirements and are free to devise their own processes. A charter city has more options when considering how to handle a number of municipal affairs. The courts determine what constitutes a "municipal affair" and thus this is fluid. The list includes, but is not limited to, the following:

- City government structure
- Elections
- City finances
- Construction and maintenance contracting

¹ Cal Const art XI, §3(a).

- Land use

Notwithstanding these advantages, there are several limitations and safeguards on a charter city's powers. In particular, a charter city's decision-making authority is specifically limited to only municipal affairs and does not extend to matters of "statewide concern." Generally speaking, a matter of statewide concern is something that is determined, by the courts, to be of importance to the entire state. In those cases, state law preempts local regulations. For example, many traffic regulations are matters of statewide concern. A charter city would not be able to adopt local traffic regulations that would conflict with those enacted by the legislature.

In addition, if voters thought the charter provided City Council members with too much authority, voters could repeal or amend the charter. Changes to the charter must be approved by a majority vote.

Finally, in the area of taxation, regardless of charter provisions, under the state constitution, voters must still vote on taxes.

Attached is a chart published by the League of Cities comparing the key characteristics of general law and charter cities (Attachment G). The city attorney has annotated this chart to show the impact to Menlo Park in each of these key areas of local concern. Given the current encroachment into local control by both the legislature and courts, the distinctions between general law and charter cities is probably at an all-time low. That said charter city status could provide flexibility in key areas (currently or in the future) with little downside risk.

On January 16, the City Council discussed the process for adopting a charter utilizing the traditional process of a charter commission or committee. The timeline for utilizing a committee would preclude a November 2018 election. On February 13 and March 27, the City Council discussed adopting a simpler enabling charter. Under this approach, the charter would reserve municipal affairs power in specified areas (such as voting methods). The City Council would then have a framework in place where additional provisions could be added through amendment to the charter or by ordinance. At the March 27 meeting, several members of the public spoke against a broad enabling charter expressing concern that it would grant the City Council or staff too much power, make it more difficult to oppose local legislation and be confusing to the voters. Following public testimony, the City Council directed staff to consider the public's comments and return with a range of charter options.

Analysis

Range of municipal affairs authority

One purpose of a charter is to enumerate which municipal affairs powers should be governed by state law and which should be governed by local law. The typical structure of a charter is to begin with a broad enabling provision followed by additional provisions limiting or constraining the authority. These supplemental provisions can either codify existing practices (i.e., specify the number of existing City Council members and how they are elected – at large or by district); place limitations on exercise of municipal affairs authority (i.e., all public works contracts over \$100,000 should be publicly bid); or submit to be governed by state law (i.e., elections shall be governed by the state elections code). At the March 27 hearing, members of the public expressed concern about the insufficient time before the November 2018 election to have a community dialogue over which areas of municipal concern should be governed by state law versus city law. In addition, members of the community expressed concern about a broad enabling charter containing few limitations. Some residents expressed an interest in having a more limited charter that would primarily serve as a placeholder for future charter amendments following more robust community outreach or even a charter committee process. Given this community input, the City Council directed staff to come up with a

range of different charter provisions for the City Council's consideration. The city attorney has prepared four different options described below and attached to this report as Attachments A - D, respectively:

- Option 1: Placeholder charter asserting municipal affairs authority over election methods.
- Option 2: Limited charter asserting municipal affairs authority over elections and taxation only.
- Option 3: Limited charter asserting municipal affairs authority over elections, taxation and public contracting only, with a carve out for prevailing wages.
- Option 4: Broad charter asserting municipal affairs authority overall municipal affairs, with "A" carve out for prevailing wages.

Option 1: placeholder charter

Option 1 is intended to serve primarily as a placeholder until a larger community charter outreach process can take place. This placeholder option is similar to the charter proposed by Mr. Chessin at an earlier hearing (Attachment F), but contains alternative language more suitable for a city charter as opposed to a county charter.² Like Mr. Chessin's original proposal, option 1 contains two limiting provisions by codifying the existing five-member City Council as well as the by district election process. Thus, to the extent the community wanted to switch to citywide cumulative or ranked choice voting, the district provision in this charter option would require a subsequent voter-approved amendment.

The benefit of having a placeholder charter is once agreement is made on specific charter provisions, they can be voted on at the next election without having to wait until the general municipal election. In addition, this iterative approach gives voters the opportunity to warm up to being a charter city. The disadvantage of having a placeholder charter is the voters may not understand the need for such a charter, a transition to another voting method would require both a charter amendment and voter approved ordinance and there would be extra election costs associated with multiple elections.

Options 2 and 3: limited charter

Option 2 serves as a limited charter in the municipal affairs areas where the City Council has previously expressed a desire to assert local control: elections and taxation. Option 2 differs from option 1 in that the elections provision simply asserts municipal affairs authority over elections. To transition to cumulative/ranked choice voting, the City could either adopt a charter amendment or enact an implementing ordinance. To ensure that the community supported such a transition, the charter could also provide the transition to cumulative/ranked choice voting be subject to voter approval. Option 2 also contains a taxation provision. Since all new taxes are subject to voter approval (in fact special taxes require 2/3 voter approval), this provision does not run afoul of the public concerns about implementing new initiatives without voter approval.

Option 3 is similar to option 2, but it also asserts municipal affairs authority over public contracting issues with the exception of prevailing wages. (Option 3 varies from option 2 by adding sections 302 and 303.) Public contracting is included because, as discussed previously, the state public contracts code places undue limitations on contracting processes that can impact price and quality of construction. Prevailing

² Mr. Chessin's charter is modeled after a county charter. However, county and city charter authority is fundamentally different. A charter county possesses only those powers specifically enumerated in the California Constitution (Cal. Const. Art. XI, Section 4) while a charter city's powers encompass the enumerated items in the constitution plus all municipal affairs (Cal. Const. Art. XI, Section. 5). Since counties' home rule authority is much narrower than cities', a court may uphold a narrowly written charter for a county but find a similarly worded charter illusory as to a city.

wages will continue to be paid on public works projects as SB 7³ has taken away the incentive for charter cities to exempt themselves from this requirement.

The advantage of a limited charter is that it asserts municipal affairs authority in circumscribed areas where a need can be justified. It would be less likely to be criticized as a “shell” charter and would be easier for voters to understand. The disadvantage is that some voters might view even a limited charter as granting too much unbridled discretion to the City Council or staff.

Option 4: broad charter

Option 4 is similar to the charter proposed at the March 27 hearing (see Attachment E), except it removes the bulk of the separately enumerated powers and expressly states that land use and zoning shall be subject to general laws. These modifications address comments that some of the provisions would be confusing to voters and that residents were particularly concerned about making changes in the areas of zoning and land use, especially in light of the impacts associated with increased regional development growth.

The advantage of a broad charter is that City Council members are in a better position than state legislators to make decisions regarding local issues. The disadvantage of a broad charter is that voters across the state are viewing any increased authority of elected officials with skepticism.

Alternative approaches

The City Council could establish a charter commission or advisory committee to make recommendations on the content of a more robust charter to be placed on a future ballot, possibly 2020. Such a process would take staff and city attorney resources and would be a more significant undertaking.

Process for putting charter on ballot

A charter must be voted on at a general municipal election (i.e., November of even numbered years) and is subject to the state-prescribed public hearing process for charter adoption. This public hearing process requires approximately 75 days. In order to place a charter on the ballot, two public hearings must take place within at least 30 days of each other. This hearing constitutes the second public hearing. Following the second public hearing, the item may be set for final City Council deliberation after another 21-day waiting period.⁴ Once this process is completed, the city clerk can forward the measure regarding the proposed charter to the County Clerk-Recorder's Office. The county's deadline for submittal of measures for the November 2018 ballot is August 10, 2018.

Attachment H contains a tentative schedule for placing a simple enabling charter on the November 6, 2018 ballot.

Impact on City Resources

A broad enabling charter would take less staff to draft in the short term. Over time, however, considerable staff time would be needed to implement local ordinances in the areas of municipal affairs. The San Mateo County Elections Office cost estimate for placing a measure on the ballot is \$19,900 - \$23,880; this will be in addition to the estimated cost to render election services with the county of San Mateo.

Environmental Review

³ Labor Code 1782(a) (SB 7) provides in relevant part: A charter city shall not receive or use state funding or financial assistance for a construction project if the city has a charter provision or ordinance that authorizes a contractor to not comply with the provisions of this article on any public works contract.

⁴ Cal. Gov't Code § 34458.

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Option 1: placeholder charter
- B. Option 2: limited charter
- C. Option 3: limited charter
- D. Option 4: broad charter
- E. March 27, 2017, charter option
- F. Correspondence from Mr. Chessin
- G. Chart comparing general law and charter cities
- H. Charter timeline

Report prepared by:

Cara E. Silver, Assistant City Attorney

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OPTION 1: PLACEHOLDER CHARTER

CITY OF MENLO PARK

Charter of the City of Menlo Park, California 2018

PREAMBLE

WE THE PEOPLE of the City of Menlo Park declare our intent to restore to our community the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Menlo Park.

ARTICLE 1. MUNICIPAL AFFAIRS

Section 101. Municipal Affairs Powers of City.

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to the municipal affairs **set forth in this Charter**, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California.

Section 102. Areas Where General Laws Govern.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the City of Menlo Park.

In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

ARTICLE 2. CITY COUNCIL AND ELECTIONS

Section 201. Governing Body.

The governing body of the City is a Council of five (5) members.

Section 202. Terms of Office.

The term of the office of Council Member is four (4) years.

Section 203. Method of Election.

Notwithstanding any other provision of law, the Council shall be elected by district, with three members elected at the same time as the statewide general election in 2020 and

every four (4) years thereafter, and two (2) members elected at the same time as the statewide general election in 2022 and every four (4) years thereafter.

ARTICLE 3. GENERAL

Section 301. Initiative and Referenda.

This charter does not abridge or modify the rights of citizens to propose initiatives and referenda (including but not limited to amendments to this charter) as provided for in the general laws of the State of California.

Section 302. City Ordinances Enacted by the Voters Remain in Effect.

Ordinances of the city of Menlo Park adopted by the voters prior to the enactment of this charter shall remain in full force and effect and may only be modified or repealed by a vote of the people.

ARTICLE 4. INTERPRETATION

Section 401. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair.

Section 402. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

PASSED, APPROVED and ADOPTED by the voters at the general municipal election of November 6, 2018.

OPTION 2: LIMITED CHARTER**CITY OF MENLO PARK****Charter of the City of Menlo Park, California 2018****PREAMBLE**

WE THE PEOPLE of the City of Menlo Park declare our intent to restore to our community the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Menlo Park.

ARTICLE 1. MUNICIPAL AFFAIRS**Section 101. Municipal Affairs Powers of City.**

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to the municipal affairs set forth in this Charter, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. [Note: The highlighted language limits the City's municipal affairs powers to those enumerated in the charter only.]

Section 102. Areas Where General Laws Govern.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the City of Menlo Park.

In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

ARTICLE 2. CITY COUNCIL AND ELECTIONS**Section 201. Governing Body.**

The governing body of the City is a Council of five (5) members.

Section 202. Terms of Office.

The term of the office of Council Member is four (4) years.

Section 203. Method of Election.

The City shall have the power to adopt ordinances establishing procedures, rules or regulations concerning the City of Menlo Park elections and public officials, including but not limited to, the qualifications and compensation of elected officials, the method, time and requirements to hold elections, to fill vacant offices and for voting by mail. Unless in conflict with ordinances adopted by the City, state law regarding elections shall apply. **[Note: This provision would permit the Council to transition to other voting methods without amending the charter.]**

ARTICLE 3. FISCAL MATTERS

Section 301. Public Finance and Taxation.

The City shall have the power to establish standards, procedures, rules and regulations related to taxation, assessments and public financing.

ARTICLE 4. INTERPRETATION

Section 401. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair.

Section 402. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

PASSED, APPROVED and ADOPTED by the voters at the general municipal election of November 6, 2018.

OPTION 3: LIMITED CHARTER**CITY OF MENLO PARK****Charter of the City of Menlo Park, California 2018****PREAMBLE**

WE THE PEOPLE of the City of Menlo Park declare our intent to restore to our community the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Menlo Park.

ARTICLE 1. MUNICIPAL AFFAIRS**Section 101. Municipal Affairs Powers of City.**

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to the municipal affairs set forth in this Charter, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. [Note: The highlighted language limits the City's municipal affairs powers to those enumerated in the charter only.]

Section 102. Areas Where General Laws Govern.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the City of Menlo Park.

In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

ARTICLE 2. CITY COUNCIL AND ELECTIONS**Section 201. Governing Body.**

The governing body of the City is a Council of five (5) members.

Section 202. Terms of Office.

The term of the office of Council Member is four (4) years.

Section 203. Method of Election.

The City shall have the power to adopt ordinances establishing procedures, rules or regulations concerning the City of Menlo Park elections and public officials, including but not limited to, the qualifications and compensation of elected officials, the method, time and requirements to hold elections, to fill vacant offices and for voting by mail. Unless in conflict with ordinances adopted by the City, state law regarding elections shall apply. **[Note: This provision would permit the Council to transition to other voting methods without amending the charter.]**

ARTICLE 3. FISCAL MATTERS

Section 301. Public Finance and Taxation.

The City shall have the power to establish standards, procedures, rules and regulations related to taxation, assessments and public financing.

Section 302. Purchasing.

The City shall have the power to establish standards, procedures, rules and regulations related to the purchasing of goods, equipment, property, services, equipment and public works construction.

Section 303. Prevailing Wages.

The provisions of California Labor Code Section 1770 *et seq.* regarding the payment of prevailing wages on public works and related regulations as now existing and as may be amended, are accepted, reaffirmed and made applicable to the City.

ARTICLE 4. INTERPRETATION

Section 401. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair.

Section 402. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

PASSED, APPROVED and ADOPTED by the voters at the general municipal election of November 6, 2018.

OPTION 4: BROAD CHARTER**CITY OF MENLO PARK****Charter of the City of Menlo Park, California 2018****PREAMBLE**

WE THE PEOPLE of the City of Menlo Park declare our intent to restore to our community the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Menlo Park.

ARTICLE 1. MUNICIPAL AFFAIRS**Section 101. Municipal Affairs Powers of City.**

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to the municipal affairs ~~set forth in this Charter~~, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. **[Note: By striking the highlighted language, the City has authority to regulate in all areas of municipal affairs, except as limited by charter.]**

Section 102. General Law Powers.

In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control. **[Note: In the broad charter, the general law powers are supplementary to the municipal affairs powers.]**

ARTICLE 2. CITY COUNCIL AND ELECTIONS**Section 201. Governing Body.**

The governing body of the City is a Council of five (5) members.

Section 202. Terms of Office.

The term of the office of Council Member is four (4) years.

Section 203. Method of Election.

The City shall have the power to adopt ordinances establishing procedures, rules or regulations concerning the City of Menlo Park elections and public officials, including but not limited to, the qualifications and compensation of elected officials, the method, time and requirements to hold elections, to fill vacant offices and for voting by mail. Unless in conflict with ordinances adopted by the City, state law regarding elections shall apply. **[Note: This provision would permit the Council to transition to other voting methods without amending the charter.]**

ARTICLE 3. FISCAL MATTERS

Section 301. Prevailing Wages.

The provisions of California Labor Code Section 1770 *et seq.* regarding the payment of prevailing wages on public works and related regulations as now existing and as may be amended, are accepted, reaffirmed and made applicable to the City.

ARTICLE 4. INTERPRETATION

Section 401. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair.

Section 402. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

PASSED, APPROVED and ADOPTED by the voters at the general municipal election of November 6, 2018.

VERSION 1

CITY OF MENLO PARK

Charter of the City of Menlo Park, California 2018

PREAMBLE

WE THE PEOPLE of the City of Menlo Park declare our intent to restore to our community the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Menlo Park.

ARTICLE 1. MUNICIPAL AFFAIRS**Section 100. Powers of City.**

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California.

Section 101. Municipal Affairs; Generally.

Without limiting in any manner the foregoing power and authority, each of the matters set forth in this Charter are declared to be municipal affairs, consistent with the laws of the State of California. The implementation of each matter uniquely benefits the citizens of the City of Menlo Park and addresses peculiarly local concerns within the City of Menlo Park. The municipal affairs set forth in this Charter are not intended to be an exclusive list of municipal affairs over which the City Council may govern.

Section 102. General Law Powers.

In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

ARTICLE 2. FORM OF GOVERNMENT**Section 200. Council-Manager Form of Government.**

The municipal government established by this Charter shall be the "Council-Manager" form of government, under which the City Council sets policy and the City Manager will carry out that policy.

ARTICLE 3. FISCAL MATTERS

Section 300. Public Works Contracts.

Except as provided by City ordinance or by agreement approved by the City Council, the City of Menlo Park, as a charter City, is exempt from the provisions of the California Public Contracts Code and from the provisions of any other California statute regulating public contracting and purchasing. The City shall have the power to establish standards, procedures, rules or regulations to regulate all aspects of the bidding, award, contract provisions and requirements and performance of any public works contract, including, but not limited to, the compensation rates to be paid for the performance of such work. The City shall have the power to accept gifts and donations, including donations of material and labor, in the construction of any public works project. The City shall have the power to perform any work of improvement by use of its own forces and is not required to contract for the construction of works of public improvement. The City may also contract with other public agencies for the construction of works of public improvement.

Section 301. Prevailing Wages.

The provisions of California Labor Code Section 1770 et seq. regarding the payment of prevailing wages on public works and related regulations as now existing and as may be amended, are accepted, reaffirmed and made applicable to the City.

Section 302. Purchasing.

The City shall have the power to establish standards, procedures, rules or regulations related to the purchasing of goods, properly, or services.

Section 303. Public Financing.

The City shall have the power to establish standards, procedures, rules or regulations related to any public financing.

Section 304. Utilities and Utility Franchises.

The City shall have the power to own, acquire, develop, and/or operate any utility, and to adopt any ordinance providing for the granting of a franchise to any utility not owned by the City that proposes to use or is using City streets, highways or other rights-of-way.

Section 305. Enterprises.

The City shall have the power to lawfully engage in any enterprise deemed necessary to provide revenues for the general fund or any other fund established by the City Council.

ARTICLE 4. REVENUE RETENTION

Section 400. Reductions Prohibited.

All revenues due to, and raised by the City, shall remain within the City of Menlo Park for appropriation solely by the City Council. No such revenue shall be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

Section 401. Mandates Limited.

No person, whether elected or appointed, acting on behalf of the City, shall be required to implement or give effect to any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by such mandating authority.

ARTICLE 5. LAND USE REGULATION

Section 500. Local Control of Land Use.

The citizens of Menlo Park recognize and declare that managing land use and development within the City of Menlo Park and ensuring that necessary public facilities are provided to the citizens of the City of Menlo Park are quintessential elements of local control and therefore are municipal affairs. The adoption of this Charter recognizes and reaffirms the principles of local land use management and control and affirms the principle that City of Menlo Park local land use regulations may be superior to and take precedence over any conflicting general laws of the State of California. The intent of this Charter is to allow the City Council and the voters to exercise the maximum degree of control over land use matters within the City of Menlo Park.

ARTICLE 6. ELECTIONS

Section 600. Elections.

The City shall have the power to adopt ordinances establishing procedures, rules or regulations concerning the City of Menlo Park elections and public officials, including but not limited to, the qualifications and compensation of elected officials, the method, time and requirements to hold elections, to fill vacant offices and for voting by mail. Unless in conflict with ordinances adopted by the City, state law regarding elections shall apply.

ARTICLE 7. FINES AND PENALTIES FOR VIOLATIONS OF CITY ORDINANCES

Section 700. Fines and Penalties.

The City shall have the power to adopt ordinances establishing penalties, fines and forfeitures for violations of the provisions of the Menlo Park Municipal Code.

ARTICLE 8. INTERPRETATION

Section 800. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair.

Section 801. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

PASSED, APPROVED and ADOPTED by the voters at the general municipal election of November 6, 2018.

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To Mayor Ohtaki and Council Members Keith, Mueller, Carlton, and Cline
Cc: City Attorney McClure

At your meeting of 13 February 2018 you directed the City Attorney to "proceed with placing an enabling charter on November 2018 ballot and set specific guidelines for instances when the City Council is considering legislation that would vary from existing State statutes".

I am concerned that you may submit to the voters a charter that gives you broad but vague powers that the voters will reject. The example of the City of Davis, a general law city similar to Menlo Park, is instructive.

Two years after students at UC Davis voted in 2002 to change the way they elect their student government to use the single transferable vote (STV) form of ranked choice voting (RCV), the City of Davis appointed a committee to examine if they should use a similar system to elect the City Council. They recommended "yes", and an advisory question was put on the November 2004 ballot, asking "Should the City of Davis consider adopting choice voting, also known as instant runoff or preference voting, as the system to elect City Council members?" [STV was called "choice voting" back then.]

Measure L passed 54.7% to 45.3%. Since a general law city cannot use STV, the City Council appointed a subcommittee to draft a charter so that they could. But instead of a two-article charter that effectively said "The City Council will be elected using choice voting, everything else is covered by the general laws of the State of California", they wrote an "enabling charter" (although they didn't call it that) that didn't even mention how the City Council should be elected. (See attached for what I believe was the final report of the subcommittee.) The charter was "broad and allows for maximum flexibility" (page 11-16; PDF page 16). It was placed on the November 4, 2008, ballot.

Needless to say, the voters rejected it. The citizens of Davis weren't willing to buy a pig in a poke. My conversations with various citizens of Menlo Park have led me to believe that there is an undercurrent of mistrust with the City Council, that there is a suspicion that the Council will give itself the authority to dictate Menlo Park's electoral system without requiring a vote of the people, as well as other powers that the citizens may not approve of. If you do that, I predict that there will be vigorous opposition to such a charter and it will lose at the ballot box. To avoid that fiasco, I recommend the following: At a future meeting you will be deciding whether to adopt

a plan of five districts or a plan of six districts plus a separately-elected mayor. Whatever plan you adopt should also become the first article of your charter. The second article would specify that everything else would be covered by general law. An example of such a charter is attached.

Such a simple charter would be adopted easily by the City's voters, as it would be completely transparent. All the City would be doing is codifying whatever districting plan you adopt. Once adopted, at future elections you could propose subsequent amendments to address other issues, after appropriate public input. This could include changing the electoral system, or giving the City Council additional powers, but even if those changes are rejected by the voters, you would still be a charter city.

I hope you find this useful.

Sincerely, Steve Chessin
President, Californians for Electoral Reform

City of Menlo Park

DRAFT CHARTER

PREAMBLE

We, the citizens of the City of Menlo Park, with a desire for self-determination in selecting our elected officials and to initiate the process to govern our City by charter government, do hereby adopt this charter.

ARTICLE I. - CITY COUNCIL

101. - Governing Body.

The governing body of the City is a Council of /five (5) members/six (6) members plus a separately elected Mayor/ elected as specified in this Charter.

102. - Terms of Office.

The term of the office of Council Member is four (4) years.

103. - Method of election.

Notwithstanding any other provision of law, the Council shall be elected by district, with /two/three/ members elected at the same time as the statewide general election in 2020 and every four years thereafter, and three members /plus the Mayor/ elected at the same time as the statewide general election in 2022 and every four years thereafter.

ARTICLE II. - GENERAL

201. - Initiative and Referenda.

This charter does not abridge or modify the rights of citizens to propose initiatives and referenda (including amendments to this charter) as provided for in the general laws of the State of California.

202. - General Law Governs.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the City of Menlo Park.

203. - City Ordinances Enacted by the Voters Remain in Effect.

Ordinances of the City of Menlo Park adopted by the voters prior to the enactment of this charter shall remain in full force and effect and may only be modified or repealed by a vote of the people.

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General Law City v. Charter City

Originally published by League of California Cities and Updated by City Attorney

Characteristic	General City Law	Charter City	How Impacts Menlo Park
Ability to Govern Municipal Affairs	Bound by the state's general law, regardless of whether the subject concerns a municipal affair.	Has supreme authority over "municipal affairs." Cal. Const. art. XI, § 5(b).	If City adopts broad enabling charter it would be able to adopt any and all ordinances governing "municipal affairs."
Form of Government	State law describes the city's form of government For example, Government Code section 36501 authorizes general law cities be governed by a city council of five members, a city clerk, a city treasurer, a police chief, a fire chief and any subordinate officers or employees as required by law. City electors may adopt ordinance which provides for a different number of council members. Cal. Gov't section 34871. The Government Code also authorizes the "city manager" form of government. Cal. Gov't Code § 34851.	Charter can provide for any form of government including the "strong mayor," and "city manager" forms. See Cal. Const. art. XI, § 5(b); Cal. Gov't Code § 34450 <i>et seq.</i>	Not likely to impact Menlo Park unless it wanted to pursue a "strong mayor" or other non-traditional form of government.
Elections Generally	Municipal elections conducted in accordance with the California Elections Code. Cal. Elec. Code §§ 10101 <i>et seq.</i>	Not bound by the California Elections Code. May establish own election dates, rules, and procedures. See Cal. Const. art. XI, § 5(b); Cal. Elec. Code §§ 10101 <i>et seq.</i> <i>After Bell scandal</i> , charter cities subject to some statewide elections laws.	Many charter cities have implemented all-mail elections to save costs. Starting with June 2018 primary, San Mateo County is implementing an all-mail election law (Voters' Choice Act) which could neutralize distinction.
Methods of Elections	Generally holds at-large elections whereby voters vote for any candidate on the ballot. Cities may also choose to elect the city council "by" or "from" districts, so long as the election system has been established by ordinance and approved by the voters. Cal. Gov't Code § 34871. Mayor may be elected by the city council or by vote of the people. Cal. Gov't Code §§ 34902.	May establish procedures for selecting officers. May hold at-large or district elections. See Cal. Const. art. XI, § 5(b).	Would allow Menlo Park to implement hybrid voting systems and cumulative/ranked choice voting.

Characteristic	General City Law	Charter City	How Impacts Menlo Park
City Council Member Qualifications	<p>Minimum qualifications are:</p> <ol style="list-style-type: none"> 1. United States citizen 2. At least 18 years old 3. Registered voter 4. Resident of the city at least 15 days prior to the election and throughout his or her term 5. If elected by or from a district, be a resident of the geographical area comprising the district from which he or she is elected. <p>Cal. Elec. Code § 321; Cal. Gov't Code §§ 34882, 36502; 87 Cal. Op. Att'y Gen. 30 (2004).</p>	<p>Can establish own criteria for city office provided it does not violate the U.S. Constitution. Cal. Const. art. XI, § 5(b), 82 Cal. Op. Att'y Gen. 6, 8 (1999).</p>	<p>No significant differences in this area. Charter cities typically have same candidate qualifications as general law cities.</p>
Public Funds for Candidate in Municipal Elections	<p>No public officer shall expend and no candidate shall accept public money for the purpose of seeking elected office. Cal. Gov't Code § 85300.</p>	<p>Public financing of election campaigns is lawful. <i>Johnson v. Bradley</i>, 4 Cal. 4th 389 (1992).</p>	<p>Historically, this has not been perceived as a problem in Menlo Park.</p>
Term Limits	<p>May provide for term limits. Cal. Gov't Code § 36502(b).</p>	<p>May provide for term limits. Cal. Const. art. XI, § 5(b); Cal Gov't Code Section 36502 (b).</p>	<p>No difference in this area.</p>
Vacancies and Termination of Office	<p>An office becomes vacant in several instances including death, resignation, removal for failure to perform official duties, electorate irregularities, absence from meetings without permission, and upon non-residency. Cal. Gov't Code §§ 1770, 36502, 36513.</p>	<p>May establish criteria for vacating and terminating city offices so long as it does not violate the state and federal constitutions. Cal. Const. art. XI, § 5(b).</p>	<p>Historically, this has not been a problem in Menlo Park.</p>

Characteristic	General City Law	Charter City	How Impacts Menlo Park
Council Member Compensation and Expense Reimbursement	Salary-ceiling is set by city population and salary increases set by state law except for compensation established by city electors. See Cal. Gov't Code § 36516. If a city provides any type of compensation or payment of expenses to council members, then all council members are required to have two hours of ethics training. See Cal. Gov't Code §§ 53234 - 53235.	May establish council members' salaries. See Cal. Const. art. XI, § 5(b). If a city provides any type of compensation or payment of expenses to council members, then all council members are required to have two hours of ethics training. See Cal. Gov't Code §§ 53234 - 53235. Post-Bell reforms require charter proposals to disclose whether council members will have power to increase their own salary.	Historically, this has not been a problem in Menlo Park. Post-Bell it could be politically challenging to adopt changes in this area.
Legislative Authority	<p>Ordinances may not be passed within five days of introduction unless they are urgency ordinances. Cal. Gov't Code § 36934.</p> <p>Ordinances may only be passed at a regular meeting, and must be read in full at time of introduction and passage except when, after reading the title, further reading is waived. Cal. Gov't Code § 36934.</p>	May establish procedures for enacting local ordinances. <i>Brougher v. Bd. of Public Works</i> , 205 Cal. 426 (1928).	Could be easier to adopt legislation as a charter city, though historically, this has not been a barrier in Menlo Park.
Resolutions	May establish rules regarding the procedures for adopting, amending or repealing resolutions.	May establish procedures for adopting, amending or repealing resolutions. <i>Brougher v. Bd. of Public Works</i> , 205 Cal. 426 (1928).	Historically, this has not been a problem in Menlo Park.
Quorum and Voting Requirements	<p>A majority of the city council constitutes a quorum for transaction of business. Cal. Gov't Code § 36810.</p> <p>All ordinances, resolutions, and orders for the payment of money require a recorded majority vote of the total membership of the city council. Cal. Gov't Code § 36936. Specific legislation requires supermajority votes for certain actions.</p>	May establish own procedures and quorum requirements. However, certain legislation requiring supermajority votes is applicable to charter cities. For example, see California Code of Civil Procedure section 1245.240 requiring a vote of two-thirds of all the members of the governing body to adopt an eminent domain resolution unless a greater vote is required by charter.	Historically, this has not been a problem in Menlo Park.

Characteristic	General City Law	Charter City	How Impacts Menlo Park
<p>Rules Governing Procedure and Decorum</p>	<p>Ralph Brown Act is applicable. Cal. Gov't Code §§ 54951, 54953(a).</p> <p>Conflict of interest laws are applicable. See Cal. Gov't Code § 87300 <i>et seq.</i></p>	<p>Ralph Brown Act is applicable. Cal. Gov't Code §§ 54951, 54953(a).</p> <p>Conflict of interest laws are applicable. See Cal. Gov't Code § 87300 <i>et seq.</i></p> <p>May provide provisions related to ethics, conflicts, campaign financing and incompatibility of office.</p>	<p>Historically, this has not been a problem in Menlo Park.</p>
<p>Personnel Matters</p>	<p>May establish standards, requirements and procedures for hiring personnel consistent with Government Code requirements.</p> <p>May have "civil service" system, which includes comprehensive procedures for recruitment, hiring, testing and promotion. See Cal. Gov't Code § 45000 <i>et seq.</i></p> <p>Meyers-Milias-Brown Act applies. Cal. Gov't Code § 3500.</p> <p>Cannot require employees be residents of the city, but can require them to reside within a reasonable and specific distance of their place of employment. Cal. Const. art. XI, § 10(b).</p>	<p>May establish standards, requirements, and procedures, including compensation, terms and conditions of employment for personnel. See Cal. Const. art. XI, § 5(b).</p> <p>Procedures set forth in Meyers-Milias-Brown Act (Cal. Gov't Code § 3500) apply, but note, "[T]here is a clear distinction between the <i>substance</i> of a public employee labor issue and the <i>procedure</i> by which it is resolved. Thus there is no question that 'salaries of local employees of a charter city constitute municipal affairs and are not subject to general laws.'" <i>Voters for Responsible Retirement v. Board of Supervisors</i>, 8 Cal.4th 765, 781 (1994).</p> <p>Cannot require employees be residents of the city, but can require them to reside within a reasonable and specific distance of their place of employment. Cal. Const. art. XI, section 10(b).</p> <p>Evolving area, but more latitude to "out source" certain jobs.</p>	<p>Could provide more flexibility to outsource jobs.</p>

Characteristic	General City Law	Charter City	How Impacts Menlo Park
Contracting Services	Authority to enter into contracts to carry out necessary functions, including those expressly granted and those implied by necessity. See Cal. Gov't Code § 37103; <i>Carruth v. City of Madera</i> , 233 Cal.App.2d 688 (1965).	Full authority to contract consistent with charter. May transfer some of its functions to the county including tax collection, assessment collection and sale of property for non-payment of taxes and assessments. Cal. Gov't Code §§ 51330, 51334, 51335.	Could provide more flexibility to outsource services, such as parking violations.
Public Contracts	Competitive bidding required for public works contracts over \$5,000. Cal. Pub. Cont. Code § 20162. Such contracts must be awarded to the lowest responsible bidder. Pub. Cont. Code § 20162. If city elects subject itself to uniform construction accounting procedures, less formal procedures may be available for contracts less than \$100,000. See Cal. Pub. Cont. Code §§ 22000, 22032. Contracts for professional services such as private architectural, landscape architectural, engineering, environmental, land surveying, or construction management firms need not be competitively bid, but must be awarded on basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of services. Cal. Gov't Code § 4526.	Not required to comply with bidding statutes provided the city charter or a city ordinance exempts the city from such statutes, and the subject matter of the bid constitutes a municipal affair. Pub. Cont. Code § 1100.7; see <i>R & A Vending Services, Inc. v. City of Los Angeles</i> , 172 Cal.App. 3d 1188 (1985); <i>Howard Contracting, Inc. v. G.A. MacDonald Constr. Co.</i> , 71 Cal. App. 4th 38 (1998).	Could shorten time for construction bidding and allow for awards to most qualified, rather than lowest monetary, bidder.
Payment of Prevailing Wages	In general, prevailing wages must be paid on public works projects over \$1,000. Cal. Lab. Code § 1771. Higher thresholds apply (\$15,000 or \$25,000) if the public entity has adopted a special labor compliance program. See Cal. Labor Code § 1771.5(a)-(c).	Historically, charter cities have not been bound by state law prevailing-wage requirements so long as the project is a municipal affair, and not one funded by state or federal grants. <i>Vial v. City of San Diego</i> , 122 Cal. App. 3d 346, 348 (1981). SB 7 largely eliminated charter cities' incentive to exempt themselves from prevailing wage laws by disallowing State grant funding.	Given SB 7, charter cities no longer exempt themselves from paying prevailing wages. Thus no longer distinction in this area.

Characteristic	General City Law	Charter City	How Impacts Menlo Park
<p>Finance and Taxing Power</p>	<p>May impose the same kinds of taxes and assessment as charter cities. See Cal. Gov't Code § 37100.5.</p> <p>Imposition of taxes and assessments subject to Proposition 218. Cal. Const. art. XIII C.</p> <p>Examples of common forms used in assessment district financing include:</p> <ul style="list-style-type: none"> • Improvement Act of 1911. Cal. Sts. & High. Code § 22500 <i>et seq.</i> • Municipal Improvement Act of 1913. See Cal. Sts. & High. Code §§ 10000 <i>et seq.</i> • Improvement Bond Act of 1915. Cal. Sts. & High. Code §§ 8500 <i>et seq.</i> • Landscaping and Lighting Act of 1972. Cal. Sts. & High. Code §§ 22500 <i>et seq.</i> • Benefit Assessment Act of 1982. Cal. Gov't Code §§ 54703 <i>et seq.</i> <p>May impose business license taxes for regulatory purposes, revenue purposes, or both. See Cal. Gov't Code § 37101.</p> <p>May not impose real property transfer tax. See Cal. Const. art. XIII A, § 4; Cal. Gov't Code § 53725; <i>but see</i> authority to impose documentary transfer taxes under certain circumstances. Cal. Rev. & Tax. Code § 11911(a), (c).</p>	<p>Have the power to tax.</p> <p>Have broader assessment powers than a general law city, as well as taxation power as determined on a case-by case basis.</p> <p>Imposition of taxes and assessments subject to Proposition 218, Cal. Const. art. XIII C, § 2, and own charter limitations.</p> <p>May proceed under a general assessment law, or enact local assessment laws and then elect to proceed under the local law. See <i>J.W. Jones Companies v. City of San Diego</i>, 157 Cal. App. 3d 745 (1984).</p> <p>May impose business license taxes for any purpose unless limited by state or federal constitutions, or city charter. See Cal. Const. art. XI, § 5.</p> <p>May impose real property transfer tax; does not violate either Cal. Const art. XIII A or California Government Code section 53725. See <i>Cohn v. City of Oakland</i>, 223 Cal. App. 3d 261 (1990); <i>Fielder v. City of Los Angeles</i>, 14 Cal. App. 4th 137 (1993).</p>	<p>Adoption of documentary transfer tax has been noted as a benefit of charter city status.</p>
<p>Streets and Sidewalks</p>	<p>State has preempted entire field of traffic control. Cal. Veh. Code § 21.</p>	<p>State has preempted entire field of traffic control. Cal. Veh. Code § 21.</p>	<p>No significant difference in this area.</p>

Characteristic	General City Law	Charter City	How Impacts Menlo Park
Penalties & Cost Recovery	May impose fines, penalties and forfeitures, with a fine not exceeding \$1,000. Cal. Gov't Code § 36901.	May enact ordinances providing for various penalties so long as such penalties do not exceed any maximum limits set by the charter. <i>County of Los Angeles v. City of Los Angeles</i> , 219 Cal. App. 2d 838, 844 (1963).	Historically, this has not been a problem in Menlo Park.
Public Utilities/Franchises	<p>May establish, purchase, and operate public works to furnish its inhabitants with electric power. See Cal. Const. art. XI, § 9(a); Cal. Gov't Code § 39732; Cal. Pub. Util. Code § 10002.</p> <p>May grant franchises to persons or corporations seeking to furnish light, water, power, heat, transportation or communication services in the city to allow use of city streets for such purposes. The grant of franchises can be done through a bidding process, under the Broughton Act, Cal. Pub. Util. Code §§ 6001-6092, or without a bidding process under the Franchise Act of 1937, Cal. Pub. Util. Code §§ 6201-6302.</p>	<p>May establish, purchase, and operate public works to furnish its inhabitants with electric power. See Cal. Const. art. XI, § 9(a); <i>Cal. Apartment Ass'n v. City of Stockton</i>, 80 Cal. App. 4th 699 (2000).</p> <p>May establish conditions and regulations on the granting of franchises to use city streets to persons or corporations seeking to furnish light, water, power, heat, transportation or communication services in the city.</p> <p>Franchise Act of 1937 is not applicable if charter provides. Cal. Pub. Util. Code § 6205.</p>	Historically, this has not been identified as a problem area in Menlo Park.
Zoning	Zoning ordinances must be consistent with general plan. Cal. Gov't Code § 65860.	<p>Zoning ordinances are not required to be consistent with general plan unless the city has adopted a consistency requirement by charter or ordinance. Cal. Gov't. Code § 65803.</p> <p>Exemptions from certain procedural requirements of Government Code.</p>	Recent judicial trend to expand issues of statewide concern in this area. Similarly, State legislature is expanding reach to charter cities requiring litigation to assert local control. While pendulum may shift in future, the gap between general law and charter cities continues to narrow.

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**CITY OF MENLO PARK
CHARTER ADOPTION SCHEDULE*
NOVEMBER 6, 2018 ELECTION**

Action	Date	Status
City Council directs City Attorney to prepare Enabling Charter	February 13, 2018	Completed
Provide 21 days notice of first hearing	Publishing begins on March 2, 2018	Completed
First public hearing on Draft Charter language; Council directed City Attorney to prepare range of charter options	March 27, 2018	Completed
Provide 21 days notice of second hearing	Publishing begins on April 13, 2018	Completed
Second public hearing on Draft Charter language (must be at least 30 days after first public hearing)	May 8, 2018	
21 day hold until City Council can take action to submit charter to voters	(May 9-29, 2018)	
Third public meeting to call election and submit charter ballot measure to voters	June 5, 2018	
Last day to deliver Ballot Measure to County Clerk	August 10, 2018	
Election (must be at General Municipal Election)	November 6, 2018	

*Charter adoption hearing process governed by Government Code Section 34458.

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STAFF REPORT

City Council

Meeting Date:

5/8/2018

Staff Report Number:

18-105-CC

Regular Business:

Appoint a City Council member to the Stanford General Use Permit ad hoc Committee

Recommendation

Staff recommends that the City Council appoint one of its members to the Stanford University 2018 General Use Permit ad hoc Committee.

Policy Issues

The City Council establishes limited term ad hoc committees to work with staff on matters of significance that benefit from in-depth participation by one or two City Council members. Only the City Council has the authority to appoint members to an ad hoc committee. The Stanford General Use Permit ad hoc Committee communicates with Santa Clara County and Stanford University on topics that should be considered in reviewing the proposal.

Background

Mayor Peter Ohtaki and Mayor Pro Tem Ray Mueller were appointed to the ad hoc committee by unanimous acclamation at the March 28, 2017, City Council meeting. Mayor Pro Tem Mueller has informed the city clerk that he will be resigning from the Stanford University 2018 General Use Permit ad hoc committee because of a recent potential conflict of interest with the company he is employed. At this point Mayor Pro Tem Mueller does not currently have a disqualifying economic interest under the Fair Political Practices Commission regulations, but in an abundance of caution, he has voluntarily decided to resign from the ad hoc committee.

Analysis

With the recusal of Mayor Pro Tem Mueller, the City Council may seek to appoint a Councilmember to join Mayor Ohtaki on the Stanford General User Permit ad hoc committee. This ad hoc committee is charged with reviewing and communicating with Santa Clara County and Stanford on the proposed 2018 general use permit. It is important to note that the city does not have discretion over Stanford University's application with Santa Clara County.

Impact on City Resources

There is no impact on city resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA)

Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Report prepared by:
Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date:

5/8/2018

Staff Report Number:

18-103-CC

Regular Business:

Appoint a City Council ad hoc committee to assist with the downtown parking structure project

Recommendation

Staff recommends that the City Council create and appoint two of its members to an ad hoc Downtown Parking Structure ad hoc committee.

Policy Issues

At its January 29, 2018, goal-setting meeting, the City Council identified a downtown parking structure as one of its top six priorities for 2018. The proposed action conforms to the current practice related to City Council ad hoc committees. The City Council has previously established ad hoc committees to assist in researching and preparing policy alternatives and implications for the City Council's deliberation.

Background

Staff presented public survey results, example mixed-use Bay Area parking structure projects and potential project costs at the April 24, 2018, City Council meeting. As part of the presentation, staff identified possible parking structure uses, current zoning scenarios and potential funding sources for a downtown parking garage and/or mixed-use structure. The City Council determined an ad hoc committee would provide additional assistance to staff as potential future parking structures are researched and provide a benefit to the potential redevelopment of City parking plazas one, two or three.

Milestones have been outlined in City Council's 2018 Work Plan for this project. Staff have completed the first milestone prior to June 30, 2018, of holding a community meeting (April 16, 2018) and City Council study session (April 24, 2018). By December 31, 2018, additional community outreach to be completed based on City Council direction and City Council funding of next steps.

Analysis

The ad hoc Downtown Parking Structure Committee would focus on two critical issues necessary for the parking structure to move forward. First, the ad hoc committee would review specific plan modifications necessary to construct a parking garage or mixed-use parking structure. As previously shared with the City Council, the only use that complies with the current El Camino Real/Downtown Specific Plan zoning in the parking plazas is at-grade parking or structured parking. Second, the ad hoc committee would explore potential funding sources and options to finance construction.

As noted to the City Council at the April 24 meeting, due to limited staff capacity caused by recent vacancies, the subcommittee could see delays in the project through August 1, 2018. Milestones have been outlined in City Council's 2018 Work Plan for this project. Staff have completed the first milestone before

June 30, 2018, of holding a community meeting (April 16, 2018) and City Council study session (April 24, 2018). By December 31, 2018, additional community outreach to be completed based on City Council direction and City Council funding of next steps.

Impact on City Resources

There is no fiscal impact to creation of an ad hoc committee.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Report prepared by:

Mike Noce, Management Analyst II



STAFF REPORT

City Council Meeting Date: 5/8/2018
Staff Report Number: 18-104-CC

Regular Business: Identify a preferred alternative for the Ravenswood Avenue Railroad Crossing study appropriate funds, and authorize the city manager to amend AECOM Technical Services, Inc. contract

Recommendation

Staff recommends that the City Council provide direction on the Ravenswood Avenue railroad crossing to finalize the project study report. A complete report will allow staff to finish the 15 percent design plans, which is necessary to ensure the city's readiness to compete for limited regional transportation grant funding opportunities. Depending on the City Council's direction, additional appropriations are necessary to amend the AECOM Technical Services, Inc. (AECOM) contract to deliver the desired work product. The options for City Council consideration are as follows:

1. Move forward with design of either "Alternative A" which provides for an underpass crossing at Ravenswood Avenue or "Alternative C" which provides for a hybrid crossing with three grade separated crossings. This option is consistent with the original scope and is approximately 95 percent complete. Due to the city's multiple requests for additional work to be performed by AECOM to explore other alternatives, an additional appropriation of \$31,000 is required complete the scope of work.
-or-
2. Amend the project scope to eliminate "Alternative A," continue to consider "Alternative C" and design an additional alternative which provides for a new fully elevated crossing (approximately 22 feet high) at Ravenswood and Oak Grove Avenues. This option expands the scope of the project and will require additional appropriations for the AECOM contract of \$81,000. In addition, this modification will require additional time and will adversely impact the city's ability to make progress on other projects such as the Middle crossing project.

Policy Issues

The project is included in the 2018 City Council's work plan that was approved February 6, 2018. In addition, during discussion of the work plan January 27, 2018, the City Council also requested that the recommended action include options to explore safety improvements that could allow for a quiet zone at any crossings not grade separated as part of a chosen alternative. Recommendations following this direction are provided in the analysis section below.

The project is consistent with the City Council rail policy and with the 2016 general plan goals to increase mobility options to reduce traffic congestion and greenhouse gas emissions; increase safety; improve Menlo Park's overall health, wellness, and quality of life through transportation enhancements; support local and regional transit that is efficient, frequent, convenient and safe; provide a range of transportation choices for the Menlo Park community; and to promote the safe use of bicycles as a commute alternative and for recreation.

Background

On October 10, 2017, staff presented to City Council a summary of the project to date and made a recommendation that the City Council identify a Ravenswood Avenue railroad crossing project preferred alternative to finalize the project study report and complete the 15 percent design plans to be eligible for future grant opportunities. The options presented that evening for the City Council consideration were as follows:

- Alternative A: Ravenswood Avenue underpass
- Alternative C: Hybrid with three grade separated crossings
- Do nothing
- Additional studies

The City Council continued the item and requested staff to return with the following additional information to help inform their decision:

3. Coordinate with the Atherton City Council on rail elevation;
4. Coordinate with City of Palo Alto on current study efforts, with specific interest in financing study;
5. Report back with remaining San Mateo County Transportation Authority (SMCTA) Measure A grade separation grant funds available;
6. Coordinate with city's legal counsel on developing a policy concerning passing tracks;
7. Report back with peak hour gate downtime.

On January 16, 2018, the City Council received an update through an informational item outlining the ongoing coordination efforts with the City of Palo Alto and Town of Atherton. As described in the report, staff prepared presentations for both the Town of Atherton City Council and City of Palo Alto City Council Rail Subcommittee in November and December 2017, respectively. The Town of Atherton expressed that they are not interested in pursuing any elevated rail alternatives for grade separations at Watkins Avenue or Fair Oaks Avenue. The City of Palo Alto identified the Palo Alto Avenue crossing near Alma Street for ongoing coordination as both cities work progresses. Since the January 2018 City Council update, staff has continued coordination efforts with City of Palo Alto staff including attending workshops for Connecting Palo Alto, meeting directly with staff, participating in Palo Alto's Technical Advisory Committee, and attending regional rail meetings. Connecting Palo Alto is currently working with the Palo Alto Rail Committee to narrow down the alternatives from 34 initial ideas to a current list of 13 with the goal of selecting a preferred option by December 2018. The Palo Alto Rail Committee will be hearing an update on these ideas at future meetings in advance of the item going to Palo Alto City Council.

Analysis

Alternatives

The current alternatives are described briefly below. Exhibits of each are included as Attachments A and B. A comparison matrix is included as Attachment C and an exhibit of the railroad profiles is included as Attachment D.

Alternative A: Ravenswood Avenue underpass

Under this alternative, the rail tracks would remain at the existing elevation and Ravenswood Avenue would be lowered approximately 22 feet below existing elevation to run under the railroad tracks. Existing at-grade crossings at Oak Grove, Glenwood and Encinal avenues would continue to provide vehicular access.

Alternative C: Hybrid with three grade separated crossings

Under this alternative, grade separations would be constructed at Ravenswood, Oak Grove and Glenwood

avenues and the railroad profile elevation would be generally flat. The rail tracks would be raised approximately 10 feet at Ravenswood and Oak Grove avenues and approximately 5 feet at Glenwood Avenue. Ravenswood Avenue would be lowered approximately 12 feet, Oak Grove Avenue approximately 11 feet and Glenwood Avenue approximately 15 feet at the railroad tracks. A maximum rail elevation of approximately 10 feet from existing grade would occur from Ravenswood Avenue to Oak Grove Avenue including the station area.

SMCTA Measure A grade separation grant funds

The city's current project addresses up to three of Caltrain's 30 active at-grade rail crossings within San Mateo County; of these, one is under construction (25th Avenue in San Mateo); two others are progressing through planning and design (Broadway in Burlingame and Whipple Avenue in Redwood City). The remaining SMCTA Measure A grade separation grant funding is completely committed to existing projects and is not available for future grant applications. The draft expenditure plan for the current Get Us Moving San Mateo County effort to put a sales tax measure on the November 2018 ballot, if approved by voters, could generate additional funding for grade separation projects in the future. Those agencies capable of submitting complete grant applications and those which have demonstrated strong support for grade separations are most successful in securing limited grant funds. The City Council's direction to move forward with the original scope of work could place the city in line for limited funding ahead of other agencies seeking funds from the same pot of money. A representative from Get Us Moving San Mateo County will be presenting an update to the City Council at the May 22, 2018, meeting. In addition, three cities in Santa Clara County are also moving forward with grade separation projects along the Caltrain corridor: Palo Alto, Mountain View and Sunnyvale.

Passing tracks policy

Staff coordinated with the city's legal counsel regarding the current City Council rail policy, which is comprised of the City Council Rail Subcommittee mission statement, statement of principles for rail and City Council position summary. It is recommended that the statement of principles for rail and City Council Rail Subcommittee mission statement remain as-is, as they reflect the current principles and viewpoints of the City Council and community heard throughout the project. The City Council position summary could be updated to reflect the City's view of current proposals from the Caltrain electrification project and the High Speed Rail Authority. Staff and legal counsel's recommended edits are included in a marked up format as Attachment E, and summarized as follows:

- Emphasizes the city's highest priority to grade separate Ravenswood Avenue
- Removes reference to items that have already been constructed and/or fully funded, such as positive train control and electrification
- Adds reference to city opposition to elevated three track system, in addition to elevated four track system
- Updates of grammar and verbiage for clarity

Peak hour gate downtime

The traffic analysis for the Caltrain/High Speed Rail blended system included an evaluation of gate down times along the entire corridor. Under the six Caltrain/four high speed rail per direction per peak hour scenario, gate down times in Menlo Park are anticipated to increase between 14-53 percent at the four Menlo Park crossings in the morning peak hour and between 33-70 percent in the afternoon peak hour. Attachment F shows the gate down times at each crossing location. Average gate down time per crossing is 45 seconds. These increases are anticipated to result in worsened east-west traffic congestion in Menlo Park due to the gates being down more frequently. This would also impact emergency vehicle access along these east-west routes. Assuming a preferred alternative is selected, it is anticipated that construction of the project would occur after completion of Caltrain electrification and before high-speed rail according to current projected schedules.

Trench and fully elevated options analyses

Staff has received on-going inquiries from community members regarding the trench, tunnel and fully elevated (viaduct) alternatives and questions regarding why they were not included in this project's scope. In order to help inform the community, staff directed the consultant to perform high-level analyses of an open trench alternative and a fully elevated (viaduct) alternative using data and analyses from previous studies as well as from the current study. Closed trench and tunnel alternatives were not included in these high-level analyses due to both being more impactful and costly than the open trench. The project team created multiple exhibits to help illustrate the feasibility and constraints of both open trench and viaduct alternatives and presented this information at numerous public meetings since October 2017. This analysis was out of the consultant's scope, and as such, an appropriation and contract amendment is requested for this additional work, as detailed further below.

On April 17, 2018, a City Council Rail Subcommittee held a public meeting to present questions and options received from the community since the October 10, 2017 City Council meeting. Staff presented the project background, the current study status and the trench and fully elevated (viaduct) specific questions. Twenty-two members of the public provided public comment including four in support of studying a viaduct alternative and 18 against any rail elevation within the northern city limits near the Felton Gables neighborhood. The Rail Subcommittee directed staff to move forward with the current scope in order to continue pursuit of funding opportunities and given upcoming Caltrain electrification. The Subcommittee also expressed a willingness to receive more information about what would be necessary to further study the fully elevated alternative.

Next steps

Staff is requesting the City Council select an option to move the project forward. The options are as follows:

Option 1 – Maintain original scope

- A. Select a preferred alternative between: Alternative A: Ravenswood Avenue underpass or Alternative C: hybrid with three grade separated crossings
- B. Appropriate \$31,000 from the undesignated fund balance and authorize the city manager to amend AECOM's contract

Option 2 – Amend scope for additional studies

- A. Eliminate Alternative A: Ravenswood Avenue underpass
- B. Provide direction to produce new fully elevated alternative (approximately 22 feet high) at Ravenswood and Oak Grove avenues and prepare comparison matrices between the new alternative and Alternative C: a hybrid with three grade separated crossings
- C. Appropriate \$85,000 from the undesignated fund balance and authorize the city manager to amend AECOM's contract

If City Council selects option 1 – maintain original scope, staff requests the City Council select a preferred alternative at the May 8, 2018, meeting. Additionally, City Council is being asked to appropriate \$31,000 from the undesignated fund balance and authorize the city manager to amend AECOM's contract to cover the out of scope high-level analyses, community outreach and preparation of additional exhibits to address the trench and fully elevated (viaduct) inquiries. Once the City Council has selected a preferred alternative, the project team will complete the 15 percent design plans and the project report. Upon completion, city staff will then explore funding opportunities to advance the project to the environmental study and design phase. Based upon typical planning level estimates, the environmental study and design phase could take approximately 3-5 years depending upon funding availability, followed by securing funding for construction and approximately 3-5 years of construction. Depending upon availability of funding sources, this schedule could be potentially expedited or delayed.

If City Council selects option 2 – amend scope for additional studies, staff requests the City Council direct staff to eliminate Alternative A: Ravenswood Avenue underpass from further consideration and; provide direction to produce new fully elevated alternative (approximately 22 feet high) at Ravenswood and Oak Grove avenues and prepare comparison matrices between the new alternative and Alternative C: a hybrid with three grade separated crossings; and appropriate \$85,000 from the undesignated fund balance and authorize the city manager to amend AECOM’s contract to include the scope of work needed to evaluate a new fully-elevated alternative.

If City Council selects option 2 – amend scope for additional studies, the additional scope will adversely impact the City’s ability to make progress on other transportation projects. The Middle Avenue pedestrian and bicycle-crossing project will continue to be delayed until the selection of a preferred alternative for this project. The Transportation Master Plan is ongoing and may not be able to adequately include prioritization for grade separation projects without City Council’s selection of a preferred alternative.

Per City Council’s direction at the City Council annual goal setting January 27, 2018, the next phase of work following the selection of a preferred alternative for this project would include evaluation of and proposals for safety improvements that could allow for a quiet zone at any crossings not grade separated as part of a chosen alternative.

Key remaining milestones for the two options are summarized below:

Table 1: Key project milestones – option 1 – maintain original scope	
Preferred alternative selection by City Council	May 8, 2018
Project completion (e.g., 15 percent design, project report)	August 2018
Staff to begin applying for environmental/design funding	Upon project completion

Table 2: Key project milestones – option 2 – amend scope for additional studies	
Appropriation of additional budget and amendment of AECOM contract by City Council	May 8, 2018
Analysis of additional alternative (assuming one additional alternative) including a one new round of community outreach	November 2018
Preferred alternative selection by City Council	November/December 2018
Project completion (e.g., 15 percent design, project report)	February 2019
Staff to begin applying for environmental/design funding	Upon project completion

Impact on City Resources

The project was included in the Capital Improvement Projects (CIP) for FY 2015-16, with a total budget for \$750,000. Through the Measure A grade separation program, the SMCTA will reimburse the city up to \$750,000 for the project upon timely completion of the project study report. Including contingency and staff time, the total approved budget is \$825,000. If City Council selects option 1 – maintain original scope, appropriation of \$31,000 from the undesignated fund balance is requested to cover the additional scope items that were needed to address the trench and viaduct alternatives inquiries. If City Council selects option 2 – amend scope for additional studies, appropriation of \$81,000 from the undesignated fund balance is requested to cover the additional engineering, analyses, community outreach and public meetings

required to evaluate one additional alternative as well as the additional scope items that were needed to address the trench and viaduct alternatives inquiries.

Environmental Review

The results of this phase of the Project will identify required environmental reviews and studies required to advance the project. Environmental reviews and studies will be completed as part of the next phase of work.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Additional notifications are being made through flyers posted at various City facilities, a Public Works Project List email blast, a NextDoor post and a City Council Digest article.

Attachments

- A. Alternative A exhibits
- B. Alternative C exhibits
- C. Comparison matrix
- D. Railroad profiles
- E. Recommended revisions to City Council rail policy
- F. Caltrain/high speed rail blended system peak hour gate downtimes

Report prepared by:

Angela R. Obeso, Senior Transportation Engineer

Report reviewed by:

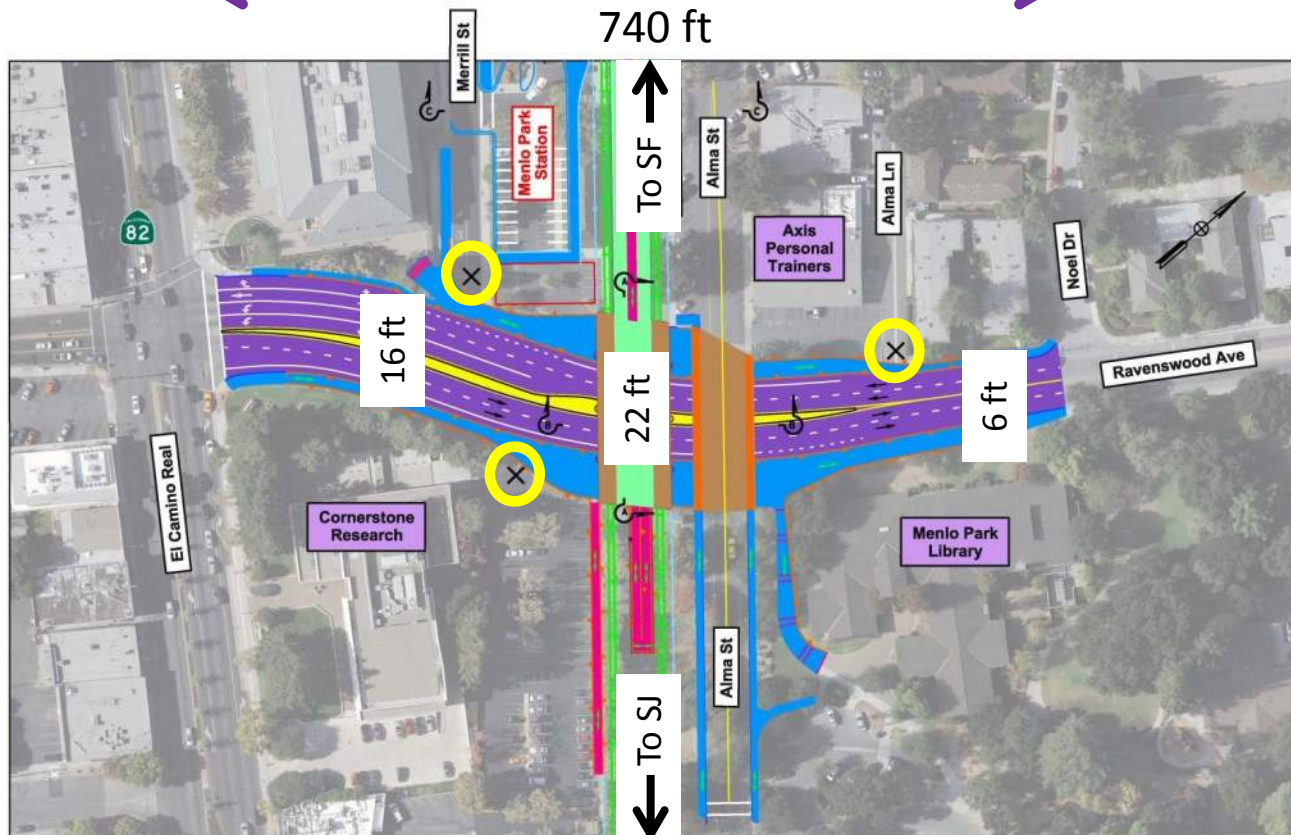
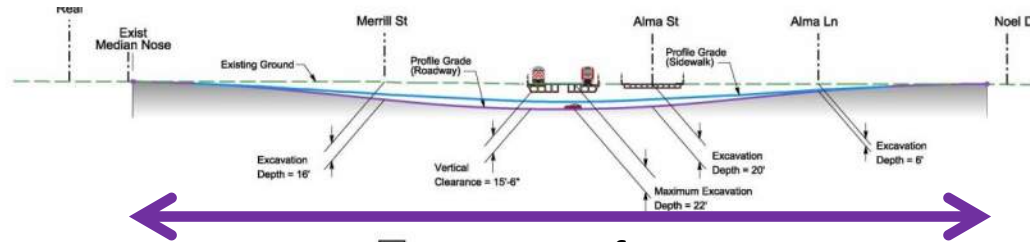
Nicole H. Nagaya, Assistant Public Works Director



ALTERNATIVE A: UNDERPASS
(RAVENSWOOD ONLY)

Alternative A

Ravenswood Ave



Ravenswood Avenue Railroad Crossing Project





ALTERNATIVE A: UNDERPASS
(RAVENSWOOD ONLY)

Alternative A

Photo Simulation Looking East along Ravenswood

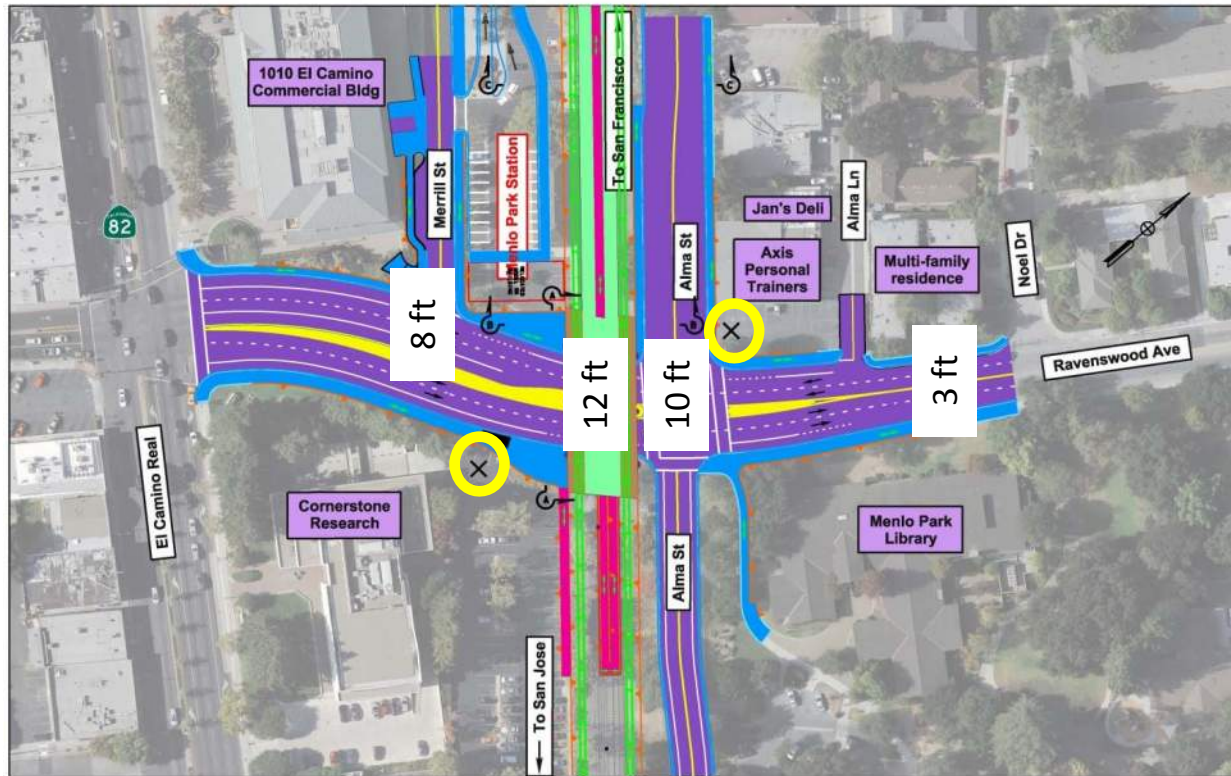
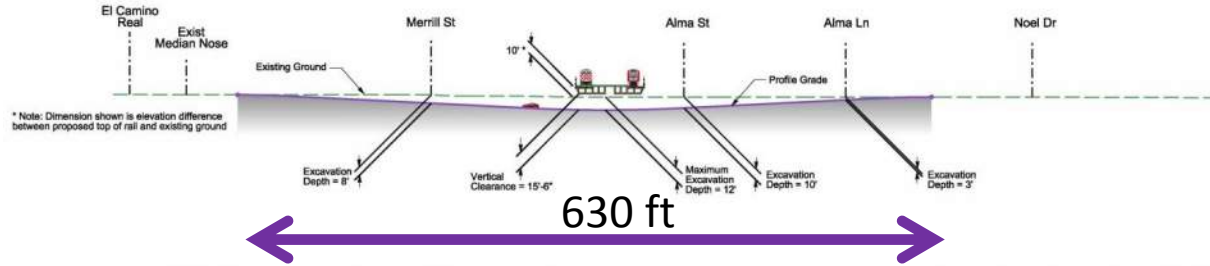


Ravenswood Avenue Railroad Crossing Project



Alternative C

Ravenswood Ave



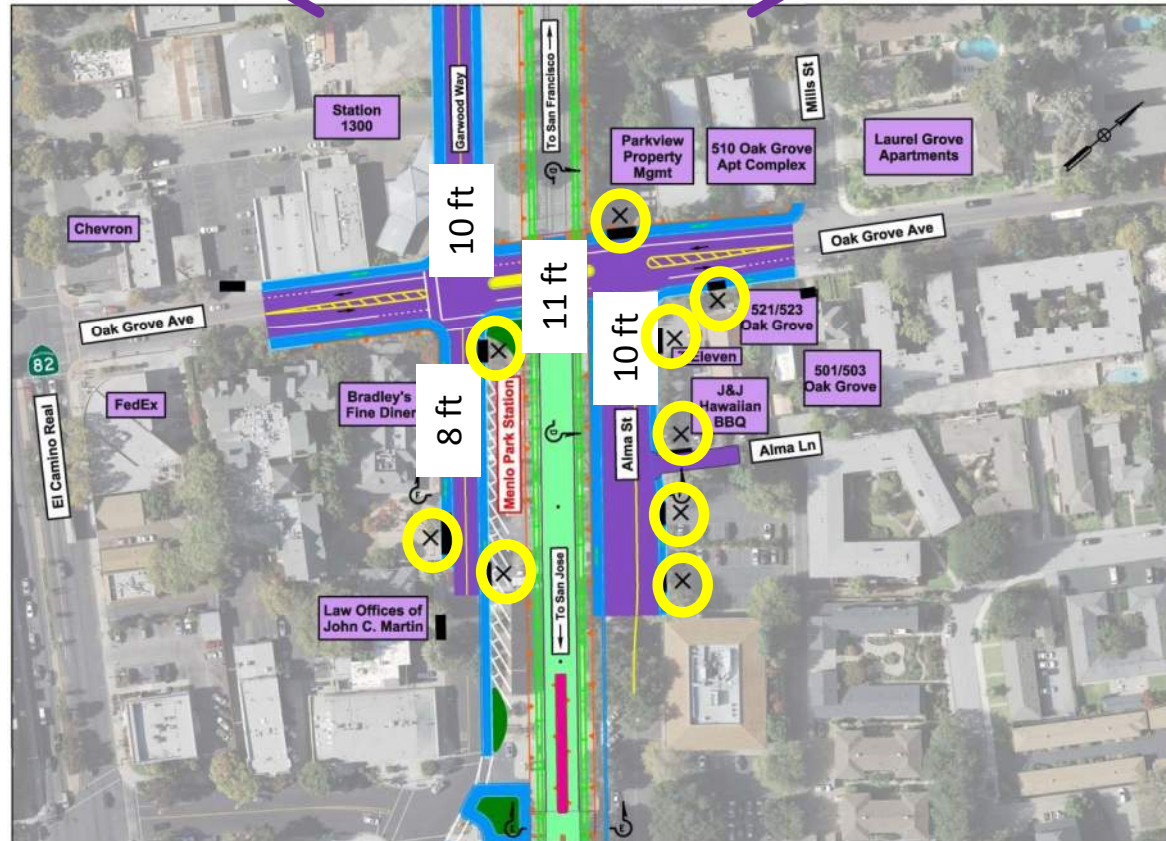
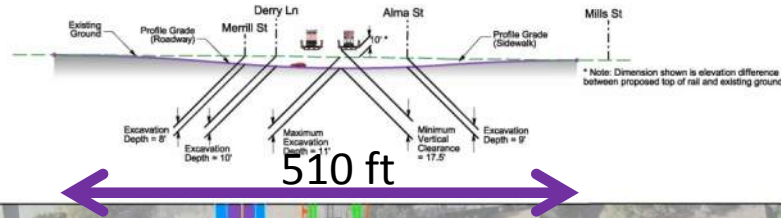
Ravenswood Avenue Railroad Crossing Project





Alternative C

Oak Grove Ave



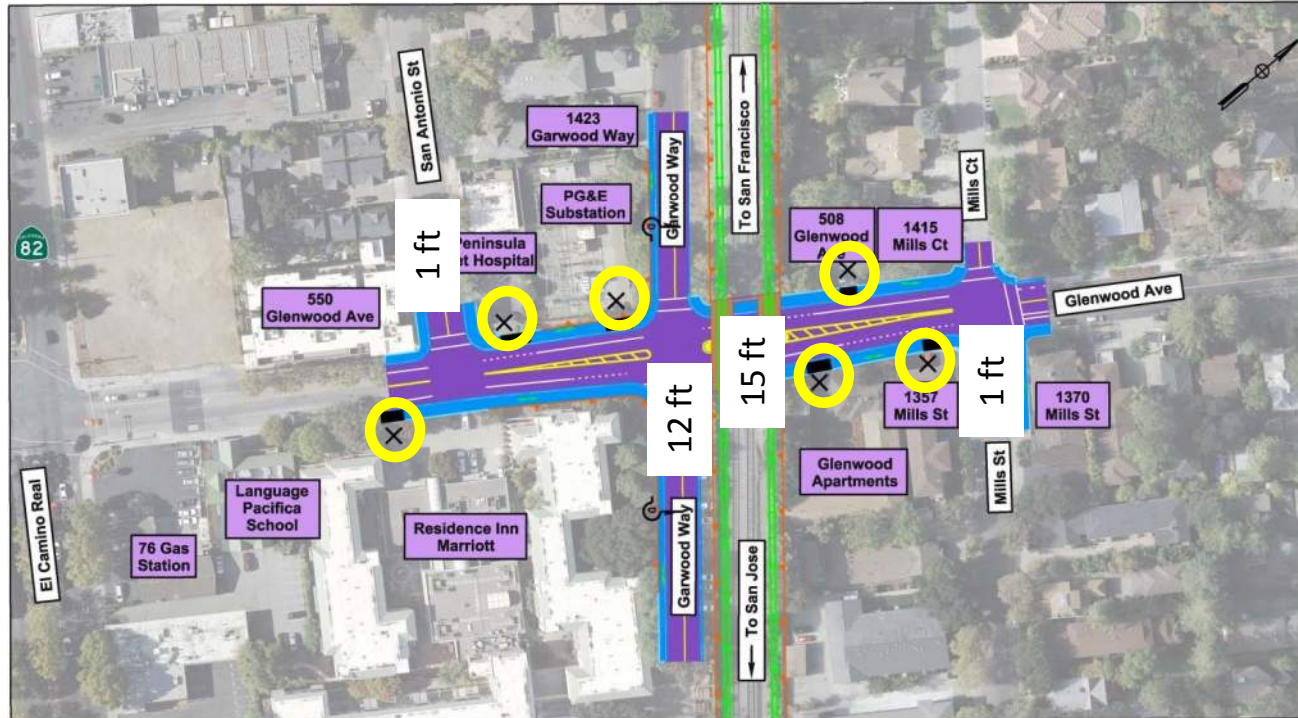
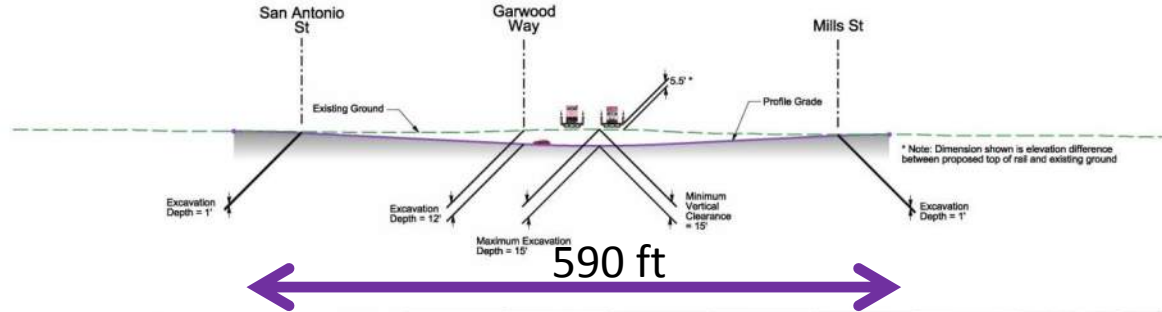
Ravenswood Avenue Railroad Crossing Project





Alternative C

Glenwood Ave



Ravenswood Avenue Railroad Crossing Project



Alternative C

Simulation Looking East along Ravenswood

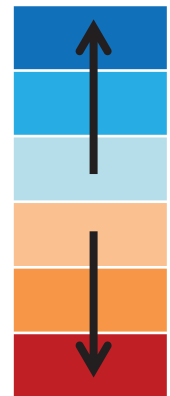


Ravenswood Avenue Railroad Crossing Project

Alternatives Matrix

	A	C	
Alternatives →	ALTERNATIVE A: UNDERPASS (RAVENSWOOD ONLY)	ALTERNATIVE C: HYBRID (RAVENSWOOD, OAK GROVE, & GLENWOOD)	
Reduce Potential Rail/Vehicle Conflict			Three grade separations for Alt C vs. one for Alt A
Improve East/West Connectivity			More grade separations, better east/west mobility across town
Improve East/West Ped/Bike Access			Increased safety and connectivity for Alt C
Reduce Potential Horn & Gate Noise			With elimination of at-grade crossings, horn or gate noise will potentially be reduced
Maintain Alma St/Ravenswood Ave Connection			No direct access to/from Ravenswood from/to Alma St for Alt A
Increase Visual Impacts			Railroad profile remains at current elevation for Alt A
Minimize Property/Driveway Impacts			More impacts to properties with 3 grade separations, Alt C
Minimize Disruption During Construction			Fewer roads and properties impacted during construction for Alt A
Improve Traffic Pattern Predictability			Improved traffic circulation for Alt C
Order of Magnitude Cost	\$160-200M*	\$310-390M*	Lower overall cost for Alt A

Improvement



Impact

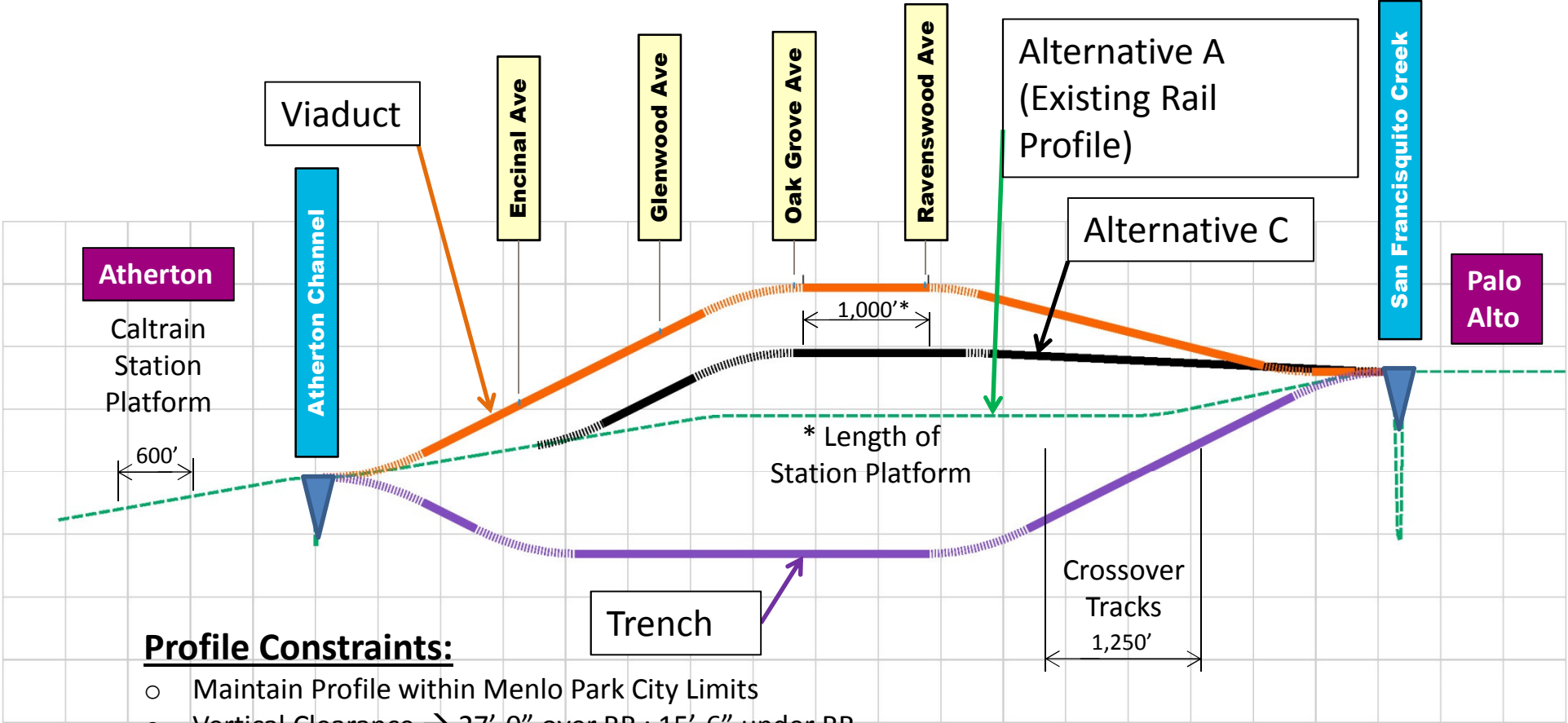
* Preliminary (Subject to Change)

Ravenswood Avenue Railroad Crossing Project



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Rail Profiles



Profile Constraints:

- Maintain Profile within Menlo Park City Limits
- Vertical Clearance → 27'-0" over RR ; 15'-6" under RR
- 1% Maximum Grade
- Station & Crossover Tracks must be on a constant grade (vertical tangent)
- Vertical Curves needed to transition from one grade to the next

Ravenswood Avenue Railroad Crossing Project



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City of Menlo Park
City Council Rail Subcommittee
Mission Statement

The City Council Rail Subcommittee will advocate for ways to reduce the negative impacts and enhance the benefits of Rail in Menlo Park. The Subcommittee will ensure all voices are heard and that thoughtful ideas are generated and alternatives vetted. It will collaborate with other local and regional jurisdictions in support of regional consensus of matters of common interest related to Rail. Additionally, the subcommittee will support City Council planning efforts and decision making on Rail-related issues with information, research and other expertise.

City of Menlo Park Statement of Principles for Rail

The City of Menlo Park City Council Rail Subcommittee works to protect and enhance the character of Menlo Park and the community's economic vitality while supporting the conditions needed to maximize the local benefits and the long-term potential of rail.

- The character of Menlo Park includes:
 - Our connected, —walkable, —bikeable, —safe —and —accessible neighborhoods, parks, commercial areas and civic center
 - Our vision and specific plan for the downtown and El Camino Real including improved east-west mobility for all modes of travel

- The community's economic vitality includes:
 - The continued success of our small and large businesses
 - The maintenance of our property values
 - Rail agencies responsibly mitigating impacts of rail, including but not limited to, HSR, Caltrain, and freight

- The conditions needed to maximize the long-term potential of the City's rail corridor include:
 - Improvements to east/west connectivity; rail unifies rather than divides
 - Improvements to local transit
 - The negative physical and social impacts of rail are minimized and the positive impacts are enhanced by using context sensitive design solutions
 - Consider —all —reasonable —alternatives —including —those —discussed previously by Menlo Park

Implied "decision criteria" from these principles might include:

- Does the alternative protect or enhance connectivity to additional modes of travel/ accessibility to city locations?
- Does the alternative protect or enhance walk-ability?
- Does the alternative protect or enhance bike-ability?
- Does the alternative protect or enhance the economic vitality of businesses?
- Does the alternative protect or enhance property values?
- Does the alternative align with/support the El Camino Real/ Downtown Specific Plan?
- Does the alternative protect or enhance local transit opportunities?
- Does the alternative enhance the level of transit service?

City of Menlo Park Council Position Summary

The following bullet points clarify the Council's position on high speed rail on the Caltrain corridor through Menlo Park.

- The City opposes any exemption or elimination of any part of the CEQA review for the High Speed Rail Project environmental review process;
- The high speed rail within Menlo Park should be ~~either~~ in a two-track envelope system, and stay within the existing Caltrain right-of-way (with very minor exceptions such as for Caltrain electrification equipment, and in very limited locations);
- No Environmental Impact Report should go forward which increases ~~the rail corridor beyond to greater than~~ two tracks in Menlo Park;
 - ~~□ City is interested in positive train control and alternative propulsion systems as an early investment project to increase regional mobility and local train service. We are in favor of positive train control and electrification, provided they increase train service at or beyond 2005 levels at the Menlo Park Caltrain Station.~~
- The City approves of the currently approved blended system but opposes passing tracks located in Menlo Park;
- The City is interested in quiet zones for the rail corridor in Menlo Park;
- The City intends to pursue a grade separation project with a focus on the Ravenswood Avenue crossing that can be constructed independent of the blended system, High Speed Rail and any passing track scenario; and
- Our strategy is to work cooperatively with the blended system planning efforts while preventing an at-grade or elevated 3 or 4 track system through Menlo Park.

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Gate Down Time – Morning Peak Hour				
Crossing	Current Gate Down Time (minutes/peak morning hour)	Future Change in Gate Down Time (minutes/peak morning hour)	Total Gate Down Time (minutes/peak morning hour)	Worst Case Morning Peak Hour
Encinal Avenue	10.0	3.5	13.5	7:01-8:01 a.m.
Glenwood Avenue	9.5	5.0	14.5	7:26-8:26 a.m.
Oak Grove Avenue	14.0	2.0	16.0	7:26-8:26 a.m.
Ravenswood Avenue	12.0	5.0	17.0	7:37-8:37 a.m.

Source: Final Caltrain/HSR Blended Grade Crossing and Traffic Analysis, June 2013,
<http://www.caltrain.com/Assets/Caltrain+Modernization+Program/Blended+System/Caltrain-HSR+Blended+Grade+Crossing%26Traffic+Analysis-Final.pdf>

Gate Down Time – Afternoon Peak Hour				
Crossing	Current Gate Down Time (minutes/peak afternoon hour)	Future Change in Gate Down Time (minutes/peak afternoon hour)	Total Gate Down Time (minutes/peak afternoon hour)	Worst Case Afternoon Peak Hour
Encinal Avenue	8.0	5.5	13.5	4:51-5:51 p.m.
Glenwood Avenue	10.5	3.5	14.0	4:51-5:51 p.m.
Oak Grove Avenue	11.5	4.0	15.5	4:51-5:51 p.m.
Ravenswood Avenue	10.0	7.0	17.0	4:52-5:52 p.m.

Source: Final Caltrain/HSR Blended Grade Crossing and Traffic Analysis, June 2013,
<http://www.caltrain.com/Assets/Caltrain+Modernization+Program/Blended+System/Caltrain-HSR+Blended+Grade+Crossing%26Traffic+Analysis-Final.pdf>

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STAFF REPORT

City Council

Meeting Date:

5/8/2018

Staff Report Number:

18-099-CC

Informational Item:

Update on Library Department operational and administrative review

Recommendation

This is an information item and no City Council action is required.

Policy Issues

The City Council adopted work plan prioritizes the use of city resources to meet goals that deliver the projects and services desired by the City Council and community.

Background

In May 2014, Municipal Resource Group (MRG) began an operational and administrative review of the library at the request of City Manager Alex McIntyre -- part of his practice to have outside reviews conducted for all city departments. MRG made a presentation to City Council in November 2014 and released their final report in January 2015. An executive summary of the report is included as Attachment A. The library recently presented an update to the Library Commission on the status of the report's recommendations. That report is included as Attachment B.

Analysis

MRG's report included 48 recommendations for the library in three categories: organizational culture, climate and structure; administrative and support services; and operations.

MRG highlighted key strategic and tactical goals, which would enable the library to enhance and improve services to Menlo Park residents. The library made these a priority, and has accomplished several, including:

- Completing a Strategic Plan for the library in 2016,
- Completing a space needs assessment for the main library in 2017,
- Beginning a neighborhood library needs assessment for the Belle Haven branch (scheduled for completion in June 2018).

The department focused its limited resources on completing these three plans and assessments due to the importance of the plans in determining the role of the library in the community. Staff is committed to further work on the remaining recommendations with the particular attention on the following:

- Developing non place-based services for the Belle Haven neighborhood – In the 2016/17 budget, the City Council approved an additional 0.50 full time equivalent personnel to expand hours at the branch library in the Belle Haven neighborhood. While the expanded hours has met certain needs, the

operational and administrative review recommended the library develop a program of non-place-based services that would reach out into the community.

- Developing nontraditional services for teens
- Creating a regular method for gathering community input on library services
- Creating a library-specific marketing
- Developing new partnerships with community organizations

A key element in the providing all of the abovementioned services is a reliance on professional staff. Contrary to current best practices and noted in the MRG review, the library relies heavily on the use of part-time and temporary staff. Temporary staff provide the majority of staff hours each workweek and spend a high percentage of their time at public service points. The ability to use the full capacity of these individuals to develop library services is limited, and negatively impacts the library's bench strength, ability to develop new programs, and focus on future growth.

The library's future success is compromised by the continuation of the current staffing model. The library has developed a plan to convert part-time and temporary positions to full-time permanent positions. The plan is based on a two-year implementation, and the first year of staffing model changes is proposed as part of the fiscal year 2018-19 budget.

Short updates on each of the 48 recommendations can be seen in Attachment B.

Environmental Review

A This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Executive summary of library department operational and administrative review
- B. Status report of department review recommendations

Report prepared by:
Nick Szegda, Assistant Library Services Director

CITY OF MENLO PARK

Operational & Administrative Review of Library Department
Executive Summary and Recommendations



Anne Marie Gold, Principal Consultant
Pamela Sloan, Senior Associate

January 2015

Executive Summary

Public libraries are in an exciting period of intense change and challenge. Analyzing current library operations and services, in the context of this exciting future, will enable the Menlo Park Library to best utilize its current resources to position itself more effectively to serve the community.

Background

In the spring of 2014 the City of Menlo Park requested consulting assistance in conducting an operational and administrative review of the Menlo Park Library. The Municipal Resource Group, LLC (MRG) was engaged to perform the review between May – September 2014.

As part of its review, MRG consultants reviewed a range of library operational and organizational materials, conducted stakeholder interviews and key focus groups with library staff, library administration, City elected and appointed leadership, and library support groups. Both library facilities were toured. The major themes from the interviews and focus groups centered around positive customer service, strong children’s programming and services, concerns about relevancy of the collection and inadequacy of the facilities, lack of institutional direction and need for technology improvements, and a mixed reaction to the relevancy of the library to the community.

Six benchmark libraries were identified, based on similar funding and demographics and an analysis conducted of key metrics. In general, the Menlo Park Library falls below the average for benchmark libraries in Expenditures per Capita but expends a higher percentage on Staff and Collections than the average of the other libraries. It has more square footage per capita and staff per borrower than the benchmark libraries, as well as more hours per capita and holdings per capita. In terms of use, the library lags behind its peers in the per capita measures of visits, circulation, registered borrowers and website visits and exceeds its peers in the per capita measures of reference, in library computer use and program attendance.

Best practices interviews were conducted with the six benchmark library directors and the information integrated into the resulting gap analysis, along with the materials review and benchmark data.

Analysis and Recommendations

Organizational Culture, Climate and Structure

The outstanding hallmark of library services is the excellent customer services provided by library staff. However, a lack of strategic direction and planning, accompanied by minimal assessment, impedes the overall value of library services to the community and needs to be a primary leadership focus. Better

communications, both internal and external, are needed, with an overall marketing plan a key element to be developed. The library is fortunate in having four support groups, and better coordination and communication will improve their effectiveness. The library's staffing model, with its significant reliance on part time and temporary staff, while providing some scheduling flexibility and cost savings, significantly impairs staff capacity and program development. Development of overall bench strength and a staff training and development plan will provide more stability for library operations.

Administrative and Support Services

Library position descriptions are generally out of date and need to be updated to insure effective supervision and evaluation. The Main Library facility is aging and a comprehensive facility assessment needs to be completed to determine future direction. There is a significant lack of comprehensive policies for library operations and they need to be developed by library management, reviewed by the Library Commission and submitted to the City Manager for action; implementing procedures for such policies need to be developed by library management. A critical focus for the Library needs to be on enhancing partnerships with city departments and community partners and businesses, both to enhance services and the overall image of the Library in the community. Currently the focus of the Library Director on strategic direction is diminished by her direct responsibility for the Adult Services operation, rather than thru a subordinate supervisor. The Technical Services division should consider higher usage of vendor supplied cataloging and processing, develop and document cataloging standards, do a cost benefit analysis of cataloging costs versus use, review and rebid all vendor contracts, and institute a regular collection assessment process.

Operations

The Adult Services division needs to develop a new service model, reflecting current user patterns and future service needs, as well as implement a full time supervisor. The Youth Services division, while heavily used and strongly appreciated, could examine partnerships with the Community Services Department to expand access to programming. The teen services program, while improved by the development of the new teen area, needs to be refocused on non-traditional services. The Circulation Services division should have a full time supervisor who supervises both the Technical Services and Circulation Services operations, and review staffing in light of the changes in service models and use. A library-specific technology plan should be developed, in conjunction with overall strategic planning efforts. The Belle Haven Library is a missed opportunity. The community is seriously underserved by the current library service model focused almost exclusively on children. A new strategic direction for non-traditional, non-place based services should be implemented, supported by branch leadership focused on community wide services.

Conclusion

The Recommendations in the report are categorized by timeframe for implementation and whether they are tactical or strategic.

The key short term strategic recommendations focus on:

- Strategic planning
- Belle Haven planning
- Facility needs assessment
- City partnerships

The key short term tactical recommendations focus on the areas of:

- Staffing model changes
- Staff communications
- Metrics usage

The Menlo Park Library is at a crossroads. The Library has strong assets in the positive customer service ethic of its staff and in its multiple support organizations but needs to develop the leadership to take full advantage of these assets to address the challenges it faces. Implementation of the Recommendations in the report will assist the Menlo Park Library in addressing the challenges above and enhancing and improving services to the benefit of all Menlo Park residents.

Recommendations

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
Organizational Culture, Climate and Structure	Customer Service	<ul style="list-style-type: none"> Develop clear customer service policy statement, and related procedures. 	M	S
		<ul style="list-style-type: none"> Provide formal and informal training to new and current staff on core customer service ethic. 	M	T
	Planning	<ul style="list-style-type: none"> Determine resources needed for strategic planning; choose planning methodology. 	S	T
		<ul style="list-style-type: none"> Launch and complete strategic planning process, with support from Library support organizations, to coincide with planning for Library centennial. 	S	S
	Assessment	<ul style="list-style-type: none"> Develop, analyze and utilize monthly metrics to manage library services. 	S	T
		<ul style="list-style-type: none"> Share monthly metrics with Library staff, supporters, City leadership and the public. 	S	T
		<ul style="list-style-type: none"> Utilize Counting Opinions to benchmark library services on an annual basis. 	M	T
		<ul style="list-style-type: none"> Develop, implement, analyze and communicate assessment metrics related to strategic planning on a regular 	M	S

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
		basis.		
	Internal Staff Communications	<ul style="list-style-type: none"> Because of the difficulties with multiple work schedules and work locations, consider development of a digitally based communication system, e.g. via an intranet or email, that will reach staff quickly, regularly and concisely, to disseminate key staff communications. 	S	T
		<ul style="list-style-type: none"> Engage staff in testing, determining, implementing and assessing best methodologies to enhance internal staff communications – print, email, IM, intranet, meetings, etc. 	S	T
	Community Input	<ul style="list-style-type: none"> Develop and implement a methodology to regularly assess community input on library services. 	M	S
	Public Communications	<ul style="list-style-type: none"> Develop a library-specific marketing policy. 	L	S
		<ul style="list-style-type: none"> Develop a community-wide Marketing Plan for the Library that incorporates in-library and external communication vehicles, as well as print and digital 	L	T

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
		communication methodologies.		
		<ul style="list-style-type: none"> Coordinate Library Marketing Plan with other City services for media messaging and publications to reach broader audience, e.g. Community Services Department. 	L	T
	Library Support Groups	<ul style="list-style-type: none"> Implement regular, semi-annual joint meetings of the Library support groups for information sharing and discussion of individual and joint focus. 	S	T
		<ul style="list-style-type: none"> Utilize the community network provided by the Library support groups to raise the visibility of the library in the community. 	M	S
	Staffing Model	<ul style="list-style-type: none"> Change the staffing model from primary usage of part time/temporary staff to a more balanced permanent full time staffing model. 	S	T
	Bench Strength	<ul style="list-style-type: none"> Insure bench strength of all library staff, to insure capacity for future growth. 	M	T
	Staff Training and Development	<ul style="list-style-type: none"> Develop and implement a library specific new employee orientation and training program. 	M	T

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
		<ul style="list-style-type: none"> Work with City resources to insure that all Library employees have access to general training opportunities. 	M	T
		<ul style="list-style-type: none"> Utilize the Library’s membership in and access to library-specific training and development resources. 	M	T
Administrative and Support Services	Personnel	<ul style="list-style-type: none"> Update all library position descriptions to reflect current job responsibilities, knowledge, skills and abilities. 	L	T
	Library Facilities	<ul style="list-style-type: none"> Complete current facility needs assessment to determine future direction for Main Library facility. 	S	S
		<ul style="list-style-type: none"> Insure that new and/or remodeled/enlarged facility reflects new and emerging service trends and models. 	M	S
		<ul style="list-style-type: none"> Link any required changes in a library facility in Belle Haven to decisions regarding service model. 	M	S
	Library Policies and Procedures	<ul style="list-style-type: none"> Develop, implement and regularly review a Library policy and procedure manual. 	M	T

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
		<ul style="list-style-type: none"> Task the Library Commission with review of library policies, with recommendations to the City Manager. 	M	T
	City and Community Partnerships	<ul style="list-style-type: none"> Develop and implement more broad-reaching, strategically focused partnerships with community partners to enhance library services and library image in the community. 	M	S
		<ul style="list-style-type: none"> Develop and implement partnerships with city departments, in particular the Community Services Department, that share audience and services. 	S	S
	Administrative Operations/Focus	<ul style="list-style-type: none"> Remove direct operational responsibility for Adult Services from Library Director position. 	S	T
		<ul style="list-style-type: none"> Refocus Library Director on strategic direction issues. 	S	S
	Technical Services	<ul style="list-style-type: none"> Increase usage of vendor supplied cataloging and processing, in order to reduce cost and improve time to shelf. 	S	T
		<ul style="list-style-type: none"> Review use of items which require original cataloging, or extensive editing of catalog records, 	M	T

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
		to assess community need for unique materials versus high cost of access.		
		<ul style="list-style-type: none"> Implement cataloging standards that reflect user needs. 	M	T
		<ul style="list-style-type: none"> Review and rebid materials vendor contracts on a regular basis, generally on a 3-5 year timeline. 	M	T
		<ul style="list-style-type: none"> Initiate a regular collection assessment process, utilizing DecisionCenter. 	L	S
Operations	Adult Services/Reference	<ul style="list-style-type: none"> Implement a full time supervisory position for Adult Services. 	S	T
		<ul style="list-style-type: none"> Create a Collection Management Policy and link it to resource allocation for collection acquisitions. 	M	S
		<ul style="list-style-type: none"> Develop and implement a new service model for Adult Services, in conjunction with overall library strategic planning and future facility planning. 	M	S
	Adult Literacy Services	<ul style="list-style-type: none"> No recommendations. 		

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
	Youth and Teen Services	<ul style="list-style-type: none"> Change staffing model to include more permanent part time and full time staff to improve capacity. Investigate use of Community Services facilities in the Civic Center complex for shared programming space. 	S	T
		<ul style="list-style-type: none"> Plan and implement a more effective and community focused non-traditional teen services program. 	M	S
	Circulation Services	<ul style="list-style-type: none"> Provide full time division supervision by increasing the current 30 hours per week Librarian III position responsible for Technical Services to full time, supervising both Technical Services and Circulation Services. 	S	T
		<ul style="list-style-type: none"> Review staffing mode/levels in light of reduction in service demands and changes in service model (self-check/AMH) and implement any needed changes. 	M	T
		<ul style="list-style-type: none"> Develop a Library-specific technology plan, in conjunction with strategic planning efforts. 	L	S

DIVISION	SECTION	RECOMMENDATION	TIMEFRAME S=SHORT M=MID RANGE L= LONG	S=STRATEGIC T=TACTICAL
	Belle Haven Library	<ul style="list-style-type: none"> Develop and implement a new staffing model for the library that insures leadership and outreach capacity for dynamic community reflected services for community members of all ages. 	S	S
		<ul style="list-style-type: none"> Initiate a community based planning process that develops a new community based, non-place based service model for services to the Belle Haven community, in coordination with the overall strategic planning process for the entire Library. 	S	S
		<ul style="list-style-type: none"> Implement a joint use agreement between the City and the Ravenswood School District for the tenancy of the Belle Haven Library on the Belle Haven School campus. 	S	T



MEMORANDUM

Date: 4/16/2018
To: Menlo Park Library Commission
From: Nick Szegda, Assistant Director of Library Services
Re: Operational and Administrative Review Recommendations – Status Update

In May of 2014, Municipal Resource Group (MRG) began an operational and administrative review of the library at the request of City Manager Alex McIntyre -- part of his practice to have outside reviews conducted for all City departments. MRG made a presentation to Council in November of 2014 and released their final report in January of 2015.

Commissioner Bugna recently requested an update on the status of the report's recommendations.

MRG's report included 48 recommendations for the library in three categories: Organizational Culture, Climate, and Structure; Administrative and Support Services; and Operations.

Each recommendation was further classified according to a time frame for implementation (short, mid-range or long) and classified as tactical or strategic in nature. 19 of the 20 short term recommendations have been completed or are in process. 15 of the 22 mid-range recommendations have been completed or are in process, and 5 of the 6 long term recommendations have been completed or are in process.

Of the 21 recommendations in the Organizational Culture group, 9 have been completed, 7 are in process, and 5 have not been completed. Of the 15 recommendations in the Administrative and Support Services group, 10 have been completed, 3 are in process, and 2 have not been completed. Of the 12 recommendations in the Operations group, 4 have been completed, 5 are in process, and 3 have not been completed.

MRG highlighted key short term strategic and tactical goals as good starting points for the Library's efforts.

Key short term strategic recommendations

- Strategic planning
- Belle Haven planning
- Facility needs assessment
- City partnerships

Key short term tactical recommendations

- Staffing model changes
- Staff communication
- Metrics usage

MRG's strategic recommendations have informed the Library's departmental goals and objectives during the last three years. The Library's Strategic Plan (completed in

2016), the main library Space Needs Assessment (completed in 2017), and the Library Needs Assessment for the Belle Haven neighborhood (begun in 2017) were all initiated with the departmental review recommendations in mind, and incorporate many of the report's recommendations. Intradepartmental cooperation between the library and other City departments, especially the Community Services Department, have been strengthened. Staff in both departments routinely assist at special events, and the two departments share an employee who is primarily responsible for the departments' marketing efforts.

The report's tactical recommendations around staff communications and metrics use are substantially completed.

Staffing model recommendations have proven more difficult to implement, and a lack of staff capacity has hindered the completion of many of the report's overall short and mid-range recommendations.

Short updates on each of the 48 recommendations can be seen below.

A.

Completed recommendations are marked by green text, incomplete tasks are marked by red text, and tasks that are in progress are marked with purple text.

Organizational Culture, Climate and Structure

Customer Service

- Develop clear customer service policy statement and related procedures
 - **Not Completed**. Staffing levels are insufficient to support this work.
- Provide formal and informal training to new and current staff on core customer service ethic
 - **In Progress**. Funds for the development of a library specific employee development program are part of the budget request for the 18/19 FY

Planning

- Determine resources needed for strategic planning; choose planning methodology
 - **Completed**. The Library completed its Strategic plan in 2016.
- Launch and complete strategic planning process, with support from Library support organizations, to coincide with planning for Library centennial
 - **Completed**. And ongoing. The library completed its Strategic Plan in 2016 and is holding annual plan update sessions.

Assessment

- Develop, analyze and utilize monthly metrics to manage library services
 - **Completed**. And ongoing. The library uses monthly and annual statistics to manage projects, workflow, purchase materials, and book programs.
- Share monthly metrics with Library staff, supporters, City leadership and the public
 - **In Progress**. Metrics are shared with these groups, but not on a monthly or systematic basis.
- Utilize Counting Opinions to benchmark library services on an annual basis

- **Not Completed.**
- Develop, implement, analyze and communicate assessment metrics related to strategic planning on a regular basis
- **Completed.** And ongoing. The library tracks the metrics included in the Strategic Plan and reports out to library staff, City staff, and to the Strategic Planning group annually.

Internal Staff Communications

- Because of the difficulties with multiple work schedules and work locations, consider development of a digitally based communication system, e.g. via an intranet or email, that will reach staff quickly, regularly and concisely, to disseminate key staff communications
 - **Completed.** And ongoing. The library communicates internally through a staff intranet, email, IM, and with paper notices.
- Engage staff in testing, determining, and implementing and assessing best methodologies to enhance internal staff communications – print, email, IM, intranet, meetings, etc.
 - **Completed.** And ongoing. Library staff have been instrumental in developing new means of sharing internal communication (staff message wall, electronic calendar display, meeting schedules, staff huddles).

Community Input

- Develop and implement a methodology to regularly assess community input on library services
 - **Not Completed.** Staffing levels are insufficient to support this work. Library services are assessed during the bi-annual City Survey of residents.

Public Communications

- Develop a library specific marketing policy
 - **Not Completed.** Staffing levels are insufficient to support this work.
- Develop a community wide Marketing Plan for the library that incorporates in-library and external communication vehicles, as well as print and digital communication methodologies
 - **In Progress.** And ongoing. Staffing levels are insufficient to support the development of a Marketing Plan. Marketing specific to library programming is currently handled by the Programming Specialist position, using the methods detailed above.
- Coordinate library marketing plan with other City services for media messaging and publications to reach broader audience, e.g. Community Services Department
 - **Completed.** And ongoing. Marketing and branding is coordinated and controlled at a City-wide level. Cross promotion of Library and CSD programs occurs regularly onsite, electronically, and in collateral materials (e.g. recreation guides, special events emails)

Library Support Groups

- Implement regular, semi-annual joint meetings of the Library support groups for information sharing and discussion of individual and joint focus
 - **Not Completed.**
- Utilize the community network provided by library support groups to raise the visibility of the library in the community
 - **In Progress.** And ongoing.

Staffing Model

- Change the staffing model from primary usage of part time/temporary staff to a more balanced full time staffing model
 - **In Progress.** And ongoing. The library received funds to convert a PT 30 hour position to a FT position as part of its efforts to increase branch services in January 2018. The library's budget request for FY 18/19 includes a request for 8 more FT positions, to be phased in over the next three years.

Bench Strength

- Insure bench strength of all library staff, to insure capacity for future growth
 - **In Progress.** Funds for the development of a library specific employee development program are part of the budget request for the 18/19 FY

Staff Training and Development

- Develop and implement a library specific new employee orientation and training program
 - **In Progress.** Funds for the development of a library specific employee development program are part of the budget request for the 18/19 FY.
- Work with City resources to insure that all library employees have access to general training opportunities
 - **Completed.** And ongoing. Available City training programs include HR's Friday Morning Bites series for supervisors, the City's Leadership Academy, City specific trainings, and employee access to County training opportunities.
- Utilize the Library's membership in and access to library-specific training and development resources
 - **Completed.** And ongoing. Training opportunities are available from Pacific Library Partnership sources, Califa, Infopeople, ALA, CLA, and through the Peninsula Library System.

Administrative and Support Services

Personnel

- Update all library position descriptions to reflect current job responsibilities, knowledge, skills, and abilities
 - **Completed.** City HR completed a job classification study in July of 2016. Each position description contains the position definition, supervisory structure, class characteristics, example job functions, qualifications,

education and experience, licenses and certifications, physical demands, and environmental elements and can be found here:
<https://www.menlopark.org/1155/Job-classifications>

Library Facilities

- Complete current facility needs assessment to determine future direction for Main Library facility
 - **Completed.** The main library Space Needs Assessment was completed and presented to the Council in March 2017. The Belle Haven Space Needs Assessment will follow the completion of the library needs assessment for the neighborhood.
- Insure that new and/or remodeled/enlarged facility reflects new and emerging service trends and models
 - **In Progress.** Schematic design for the new main library has not been started.
- Link any required changes in a library facility in Belle Haven to decisions regarding service model
 - **In Progress.** Any service model changes would arise from findings in the Needs Assessment currently underway. Facility decisions would be based on needs from the Needs Assessment.

Library Policies and Procedures

- Develop, implement and regularly review a Library policy and procedures manual
 - **In Progress.** Staffing levels are insufficient to support the completion of this work.
- Task the Library Commission with review of library policies, with recommendations to the City Manager
 - **Not Completed.** Staffing levels are insufficient to support this work. Updated policy and procedure manual not yet developed. Commission has reviewed some existing procedures and policies.

City and Community Partnerships

- Develop and implement more broad-reaching, strategically focused partnerships with community partners to enhance library services and library image in the community
 - **Not Completed.** Staffing levels are insufficient to support this work. Some partnerships are existing and ongoing (e.g. local schools).
- Develop and implement partnerships with city departments, in particular the Community Services Department, that share audience and services
 - **Completed.** And ongoing. The two departments share a full time staff member responsible for developing marketing materials and promoting events, and share staff who work at either department's large, special events. Regular meetings between department staff explore opportunities for collaborative work and programs.

Administrative Operations/Focus

- Remove direct operational responsibility for Adult Services from Library Director position

- **Completed.** The Assistant Director has direct responsibility for Adult Services. That task would be handed to a Supervising Librarian position which is being requested in the FY 18/19 budget.
- Refocus Library Director on strategic direction issues

- **Completed.**

Technical Services

- Increase usage of vendor supplied cataloging and processing, in order to reduce cost and improve time to shelf
 - **Completed.** Most of the library's materials arrive pre-processed from vendors, reducing the time required to get items shelf ready.
- Review use of items which require original cataloging, or extensive editing of catalog records, to assess community need for unique materials versus high cost of access
 - **Completed.** The library uses a ranking service based on current and past library usage to assist in selecting and acquiring materials.
- Implement cataloging standards that reflect user needs
 - **Completed.**
- Review and rebid materials vendor contracts on a regular basis, generally on a 3-5 year timeline
 - **Completed.** The library most recently went through a bid process for its materials in February of 2017.
- Initiate a regular collection Assessment process, utilizing Decision Center
 - **Completed.** The library uses Collection HQ and related products to regularly assess collection use. Baker & Taylor Titlesource360 and ESP ranking service used to assist in selecting and acquiring materials.

Operations

Adult Services/Reference

- Implement a full time supervisory position for adult services
 - **In Progress.** Budget request for FY 18/19 includes full time Supervising Librarian position for adult services. Changing staffing models can take time in light of union contracts and the need for City Manager and Council approval for new positions
- Create a collection management policy and link it to resource allocation for collection acquisitions
 - **Not Completed.** Staffing levels are insufficient to support this work.
- Develop and implement a new service model for Adult Services, in conjunction with overall library strategic planning and future facility planning
 - **In Progress.** Service model in adult services is shifting to include more programming, self-service technology stations, and outreach. Budget request for FY 18/19 includes a service level enhancement for adult programming.

Adult Literacy Services

- No recommendations
 - Staff turnover in 17/18 FY has led to reduced services. New PR lead in place and recruitment underway for outreach specialist. FY 18/19 budget request includes a request for \$110,000 for PR operations, to reduce reliance on grants from the State.

Youth and Teen Services

- Change staffing model to include more permanent part time and full time staff to improve capacity.
 - **In Progress.** Budget request for FY 18/19 includes full time Librarian position for Youth/Teen services. Changing staffing models can take time in light of union contracts and the need for City Manager and Council approval for new positions
- Investigate use of Community Services facilities in the Civic Center complex for shared programming space
 - **Completed.** Community Services facility occupancy rate precludes Library usage.
- Plan and implement a more effective and community focused non-traditional teen services program
 - **Not Completed.** Staffing levels are insufficient to support this work.

Circulation Services

- Provide full time division supervision by increasing the current 30 hrs per week Librarian III position responsible for Technical Services to full time, supervising both Technical Services and Circulation Services
 - **Completed.** New full time Senior Library Assistant position oversees Circ and Tech Services
- Review staffing mode/levels in light of reduction in service demands and changes in service model (self-check/AMH) and implement any needed changes
 - **Completed.** Staff adjustments have been made internally (more circ staff are cross trained and work in multiple departments) – more adjustments will be made as needed to support any changes in service model.
- Develop a library-specific technology plan, in conjunction with strategic planning efforts
 - **Not Completed.** Staffing levels are insufficient to support this work.

Belle Haven Library

- Develop and implement a new staffing model for the library that insures leadership and outreach capacity for dynamic community reflected services for community members of all ages
 - **In Progress.** Responsibility for branch management and branch staffing shifted from stand-alone Branch Manager and branch-only staff to combined branch/main staff and combined management. Outreach capacity limited by staffing levels. New Facebook funded position at branch in Literacy Services coming in 2018.
- Initiate a community based planning process that develops a new community based, non-place based service model for services to the Belle Haven

community, in coordination with the overall strategic planning process for the entire library

- **In Progress**. Belle Haven Neighborhood Library Needs Assessment began in September of 2017. Unsure if results will suggest non place-based services or service model.
- Implement a joint use agreement between the City and the Ravenswood School District for the tenancy of the Belle haven Library on the Belle haven School campus
 - **Completed**. MOU in place and renews year to year.



STAFF REPORT

City Council Meeting Date: 5/8/2018
Staff Report Number: 18-100-CC

Informational Item: Update on the Community Services Department 2015 operational review and strategic plan

Recommendation

This is an informational item and does not require City Council action.

Policy Issues

In 2013, the City Council supported the city manager’s request to have all city departments undergo operational reviews designed to assess department policies, procedures, programs and services against national best practices. Reviews were completed of the Police Department and Administrative Services in 2014 and the Library and Community Services Departments (CSD) were reviewed in 2014-15.

Background

The Community Services Department operational review, conducted by Municipal Resource Group (MRG), concluded in early 2015. MRG reviewed the department’s current systems and organizational structure, recreation services and programs, and collaborations with the community. Department employees participated in various interviews, conversations, and group workshops conducted by MRG. In addition to the internal meetings and interviews, MRG conducted phone and/or in person interviews with members of the Menlo Park community, Parks and Recreation Commission, and the broader region including local agency park and recreation directors. Based on this analysis, MRG made several recommendations for process and policy improvements, suggested an update to the department’s mission and strategic plan and recommended a modified organizational structure. Since 2015, the department has made substantial progress on the recommendations and implementation of the strategic plan, as detailed below.

Analysis

Operational review

The status of implementation on the primary recommendations from the community services operation review include:

Table 1: CSD operational review	
Recommendation	Status as of May 1, 2018
Annually update Park and Recreation Commission work plan	Annual commission work plan retreat held in September to update workplan each year
Update duties and salaries for all positions, including temporary staff	CSD participated in organizationwide class and comp study in 2016. New temp classifications completed in 2017

Improve communication around cost recovery policy. Reaffirm cost recovery goals	In 2015, communication about cost recovery was included in Council Digest, activity guides and presentation at commission meeting. City Council recently reaffirmed cost recovery targets with updated fee study
Refresh focus on customer service	Response included; new uniform policy, review of expectations at annual training day, front desk staff team created for all facilities, inclusion in annual performance reviews for all staff
Complete policy updates	All policies now updated to include; standardization at all programs and facilities; formatting into graphic standard; reviewed with other departments where appropriate. Consolidation and publication in employee handbook underway
Improve coordination with other city departments	Began meeting regularly with public works, finance and library. Include attendance of other department reps at monthly team meetings; department head meets monthly with key partner departments
Develop strategies to improve morale	Added monthly Rock Star awards, CSD employee recognition program, and additional social events. CSD will benefit from current employee engagement project
Implement reorganization to add supervisor level positions	This was done in 2015 by converting a vacant manager position, a vacant program assistant position and a vacant office assistant position to create the three new divisions
Participate in National Parks and Recreation Association (NPRA) benchmarking efforts	Data collection has begun in a number of the national benchmark areas and now appears in city budget document

Strategic plan implementation

An additional recommendation from the operational review was to undertake a strategic plan update, including refinement of departmental mission, vision and values. The status of the strategic plan update is included as Attachment A.

Impact on City Resources

The cost of the operational review, follow up coaching and creation of the strategic plan was included in the 2014-15 department budget at approximately \$35,000.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Community Services Department strategic plan update as of May 1, 2018
- B. Community Services Department mission, vision and values

Report prepared by:

Cherise Brandell, Organizational Development Project Manager

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**2016 – 2021 Menlo Park
Community Services Department Strategic Plan
May 1, 2018 Update**

BACKGROUND

Menlo Park residents enjoy a rich legacy of parks, open spaces, and active recreational facilities that are important for creating a vibrant community for families, community organizations and businesses. Looking toward the future, in the fall of 2014, the City of Menlo Park retained Municipal Resource Group, LLC (MRG) to review Community Services Department operations in order to improve upon best practices, identify opportunities to enhance programs and services in an efficient manner and develop a five year strategic Plan.

MRG reviewed the Department's current systems and organizational structure, recreation services and programs, and collaborations with the community. Department employees participated in various interviews, conversations, and group workshops conducted by MRG. In addition to the internal meetings and interviews, MRG conducted phone and/or in-person interviews with members of the Menlo Park community, Parks and Recreation Commission, and the broader region including local agency park and recreation directors.

The Strategic Planning Process, modeled upon the process recommended by the California Parks and Recreation Society (see Figure 1) included the following steps:

1. Review and modify (if needed) the values, vision and mission of the organization
2. Complete a performance analysis (the MRG Operational Review)
3. Complete a SWOT analysis
4. Identify strategic issues and response strategies
5. Approve and Implement the plan
6. Monitor and evaluate the plan; update as needed

This document includes summaries of each of those steps.

STEP 1: REVIEW VALUES, MISSION AND VISION

MRG worked with Community Services Staff through several meetings and at various levels to review the existing Mission statement and Values and to develop a Vision statement upon which to build the Strategic Plan. The final values, mission and vision are attached as Attachment B.

STEP 2: COMPLETE A PERFORMANCE ANALYSIS

MRG reviewed documents, visited facilities and audited programs, convened stakeholders for focus groups, interviewed other departments and program partners and interviewed Community Services staff in their analysis of operational performance. They developed over 50 recommendations that have already been addressed or are now included in the final strategic plan. The MRG Operational Review is included here as Attachment A.

An important outcome of the Operational Review by MRG was the identification of Menlo Park Community Services Department's Core Services, which were defined as those businesses we are best at; we are known for and at which we are most successful. MRG helped staff identify key skill strengths we possess that are needed for success when working in these people-centered businesses, including

- Compassion
- Strong customer service
- Commitment
- Communication
- Empathy
- Technological efficiency
- Innovation
- Creativity
- Resourcefulness
- Accountability

Given these departmental strengths, our Core Services, in rank order were determined to be:

1. Child Care/Education
2. Social and Senior Services
3. Community Events
4. Youth enrichment
5. Aquatics
6. Adult Health and Fitness

STEP 3: SWOT Analysis

For the SWOT Analysis, Community Services staff reviewed the National Parks and Recreation Association 2015 Trends Report (<http://www.nrpa.org/Blog/Five-Park-and-Recreation-Trends-from-the-2015-Field-Report/>) and included the following Opportunities/Threats in the strategic planning process:

- One of the most prominent trends is intake of revenue. NRPA reports a decline in the amount of revenue accumulated from parks through entry fees and membership passes. In comparison, data shows increased revenue from facility-based programs and an uptick in demand for more programs.
- Programming may be the key to increasing park attendance. Surveys show positive response to structured programs being held in parks and open spaces managed by Parks and Recreation Departments.
- It is becoming increasingly important for agencies to draw on new funding methods due to the infrastructure deficit after the recession.
- A positive trend is the steady rebound of full-time employees. Parks and recreation departments are showing a shifting in resources from part-time and seasonal workers to re-establishing a strong core of full-time professionals.

- The demand for agencies to perform “non-park” management and maintenance functions of facilities is increasing as parks and recreation departments begin bundling these tasks for more budget-challenged jurisdictions. There is also an increase in the popularity of a single department within an agency designated to manage and lease performing arts centers, tourism-generating facilities and event venues. Operations prove most effective when a single department carries out all of the parks and field maintenance responsibilities.

Staff also discussed the impacts of Menlo Park’s (including Belle Haven’s) changing demographics and identified the following Opportunities/Threats:

- An important trend for the City of Menlo Park, given the explosion of Facebook, is to focus on is the desire and draw of more walkable environments. Millennials are fueling the “suburban exodus” in search of these settings with more social and cultural amenities.
- Facilities in the Belle Haven area should be prepared to address the needs of the changing neighborhood, including changes in programming and use at:
 - Belle Haven Pool
 - Onetta Harris Community Center and Senior Center
 - Belle Haven CDC
 - Belle Haven Youth Center
 - Bedwell – Bayfront Park (which has been identified by Facebook as an amenity they’d like to invest in)

Finally, the Community Survey recently completed by Godbe Research identified the following strategic issues:

- Menlo Park residents are pleased with the quality and accessibility of parks and facilities
- Programs rated most highly include Senior services, child care, youth sports and recreation classes
- Programs in need of improvement (although still rated positively) include adult sports and fitness classes
- The major strategic issue for the department appears to be the large proportion of people who have no awareness of Community Services programs

STEP 4: STRATEGIC ISSUES AND RESPONSES

Issues

Based on the above steps, the priority strategic issues identified for the Community Services Department in the next 5 years include:

- How do we maximize the opportunities presented by Facebook (child care, Bedwell Bayfront Park, sponsorships, programming on their site, for example)
- How do we improve communication with those unaware of our programs – ie where will our new users come from?
- What facilities will we need to address community changes (ie Belle Haven demographic changes including younger, more diverse users)?

- Who will be our partners?
- How can we diversify our funding sources and sponsorship opportunities?

Response Strategies

Program plans were reviewed by each program's community stakeholders and the Parks and Recreation Commission in the fall of 2015, and include strategies for responding to these strategic issues and other program specific issues, are summarized here by program area:

Child Care

Overall

1. Increase teacher qualifications / raise the minimum standard for all teachers' training and education level to meet community expectations.
 - a. Current status: annual teacher training programs now in place for all child care centers; MCC staff on track to be 100% certified by 2020.
2. Modify job descriptions per MRG recommendation for more flexible staffing
 - a. Current status: New child care classifications as of 2016 allow flexible staffing across the four child care programs as needed.
3. Improve parent education and community outreach
 - a. Current status: Two Parent Workshops planned at each site this year.
4. Develop a proposal for part day preschool program at the Onetta Harris Community Center resulting in increasing social opportunities for children while helping to provide additional preschool opportunities identified as a need in the Belle Haven Neighborhood
 - a. Current status: Since this strategy was identified, Mark Zuckerberg and Priscilla Chen have opened up a free Preschool in the East Palo Alto / Belle Haven neighborhood that is helping to address this need. However, staff will continue to evaluate demand and explore this strategy to address future needs.

Afterschool Programs

1. Undertake community needs analysis resulting in recommendations for service delivery improvements and efficiencies while meeting the identified needs of the community for programs:
 - a. Current status: Working on a plan to gradually eliminate the older grades. Now offering school break camps to the entire community not just enrolled families.

Belle Haven CDC

1. Improve extra-curricular activities per results of DRDP assessments (field trips, exposure to other cultures, environments, etc)
 - a. Current status: Thanks to Big Lift funding, this need is now being addressed.
2. Address facility issues (inside and outside) to align with increasing community expectations and children's needs.

- a. Current status: Major interior renovation completed summer of 2017.

MCC Preschool

- 1. Review classroom structure and curriculum to accommodate less play based and more academic based expectations of community.
 - a. Current status: MCC staff now using similar assessments and curriculum as CDC staff.

Special Events and Facilities

Events

- 1. Design and implement updated sponsorship policy to address need for diversified funding for this low cost recovery area.
 - a. Current status: Complete
- 2. Improve communications about events through social media and expanded marketing activities
 - a. Current status: Complete
- 3. Investigate opportunities for volunteerism at events
 - a. Current status: This item on hold due to limited staffing

Aquatics

- 1. Update lease with Menlo Swim and Sport, including increased programming at Belle Haven and supporting facility enhancements
 - a. Current status: Complete

PAC

- 1. Increase number of renters and decrease City-operated programs
 - a. Current status: Complete (all 55 City-designated days now used)

Facilities

- 1. Electronic key upgrade for tennis to improve customer service and operational efficiency
 - a. Current status: This project is currently infeasible.
- 2. Improve outdoor shade structures and seating
 - a. Current status: Determined not to be a priority in the CIP process

Youth Enrichment

Recreation

- 1. Determine feasibility of creating a Youth Advisory Committee
 - a. Current status: On hold due to lack of staff
- 2. Determine feasibility of expanding Summer of Service, CIT and other youth leadership opportunities
 - a. Current status: Summer of service now full summer camp experience

Sports

- 1. Identify additional sports fields to meet the short term and long term demands by youth sports organizations.
 - a. Current status: Actively participated with County on design of sports fields at Flood Park. Renovation of Nealon Field completed.

2. Explore other youth sports offerings (niches) as trends in youth sports programming changes in the coming years.
 - a. Current status: Expanding field space availability for lacrosse.

Gymnastics

1. Develop and implement a pre-school gymnastics program in the Belle Haven community resulting in new class offerings at OHCC
 - a. Current status: completed
2. Implement an early childhood education training program for the Preschool Gymnastics staff resulting in staff learning new skills for working with children and parents.
 - a. Current status: suspended due to high staff vacancies and turnover
3. Investigate MRG recommendation to sunset “elite” gymnastics program at the developmental level through contract or elimination.
 - a. Current status: no support for this action by Parks and Rec Commission

Adult Sports and Fitness

1. Develop a Corporate Health and Wellness Program for Silicon Valley companies resulting in more company partnerships, new class offerings, and program participation, including development of a new membership software platform.
 - a. Current status: On hold due to lack of staff
2. Investigate conversion of spin room at gymnastics center to drop-in fitness center
 - a. Current status: Bids from contractor and design for space complete. Implementation not possible with current staffing level
3. Improve marketing for adult sports and fitness opportunities
 - a. Current status: complete
4. Follow current trends in adult health and fitness and modify programs and service delivery models as the market demands.
 - a. Current status: continually working with fitness and other contractors to update offerings.
5. Explore partnering with health care providers on health and wellness programs to promote adult fitness.
 - a. Current status: ongoing partnership with Stanford

Social Services

Seniors

1. Develop alternate funding sources, partnerships or sponsorships for the Senior Center resulting in a \$20,000 increase in sponsorship revenue
 - a. Current status: Complete
2. Increase rentals, hours of operation and community use of facility OHCC
 - a. Current status: Several classroom upgrades and pending CIP projects are on tap to continue steady increase in use of OHCC facilities; staff accepting periodic “off hours” openings as interest arises.

Department-wide

1. Continually evaluate and improve our customer service through
 - a. Refinement of greetings / welcomes and facility appearance
 - b. Refinement of survey techniques to support data-based improvements
 - c. Improved program evaluation to maintain quality
 - d. Participation in NRPA Benchmarking program
 - i. Current status: all complete or in process
2. Develop an aggressive communication and marketing plan to address number of residents unaware of community services offerings
 - a. Current status: All programs and services now have annual marketing plans
3. Initiate preventative maintenance program in partnership with Public Works
 - a. Current status: complete – ongoing meetings to monitor
4. Initiate technology upgrades to improve customer service and efficiencies including investigation of new registration system / customer interface
 - a. Current status: included as part of Technology Master Plan; internal team evaluating options to EGOV.

STEP 5: PLAN APPROVAL AND IMPLEMENTATION

The draft Community Services Strategic Plan has been shared with a wide variety of department stakeholders and program participants for review and feedback, including the Parks and Recreation Commission who approved the plan for submission to the City Manager in November, 2015.

STEP 6: MONITOR AND EVALUATE THE PLAN

The plan has been incorporated into performance plans and evaluations including use of SMART goals to support ongoing plan monitoring and evaluation. Based on progress and an annual review of changing conditions, staff update the plan annually.

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**City of Menlo Park
Community Services Department**

Mission

The Menlo Park Community Services Department exists to create a healthy community; a safe, secure community; a strong sense of community and a community nurturing human development.

Vision

We are essential for inspiring all residents to achieve excellence. The staff is motivated to grow and change with the community while providing the highest quality public services.

Values

Our teamwork, friendship, and diversity allow us to provide high-quality services and outstanding activities that contribute to Menlo Park's vibrant quality of life. The Community Services Department staff values –

- Honesty
- Innovation
- Integrity
- Passion
- Respect
- Accountability
- Open Communication, and
- Fun!

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STAFF REPORT - AMENDED

City Council
Meeting Date: 5/8/2018
Staff Report Number: 18-101-CC

Informational Item: City Council term limits

Recommendation

This is an informational item and does not require City Council action.

Policy Issues

The City Council requested information regarding term limits for City Council seats.

Background

California Government Code Section 36502 (b) provides that “Any proposal to limit the number of terms a member of the city council may serve on the city council, or the number of terms an elected mayor may serve, shall apply prospectively only and shall not become operative unless it is submitted to the electors of the city at a regularly scheduled election and a majority of the votes cast on the question favor the adoption of the proposal.” The next regularly scheduled election where the City may elect to place a term limit item on the ballot is November 6, 2018. If such proposal is placed on the ballot and receives a majority vote, it would be effective for the November 2020 election.

Analysis

Staff obtained a copy of the 2011 State of California Council Member Term Limits Survey; Attachment A. Table 1 illustrates City Council term limits for cities within San Mateo County.

Table 1: San Mateo County cities with term limits		
Cities	General law or charter city	Term limits if applicable
Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Portola Valley, San Bruno, San Carlos, South San Francisco, and Woodside	General law	n/a
Millbrae	General law	two (2) consecutive four (4)-year terms; two (2) year break
Pacifica	General law	two (2) consecutive four (4)-year terms
Redwood City	Charter	n/a
San Mateo	Charter	three (3) consecutive four (4)-year terms

Over the last nine election cycles there have been 46 candidates for City Council. During this time, incumbents sought re-elections. A breakdown of the number of candidates from each election since 2000 is included in table 2.

Table 2: Menlo Park City Council election history					
Election year	City Council candidates	Seats to be filled	Results	Notes	
2000	5	2	Two Incumbents re-elected	Two incumbents filed	
2002	8	3	Two incumbents re-elected One new elected	Two incumbents filed	
2004	4	2	Two new elected	No incumbents filed	
2006	6	3	Three new elected	Two incumbents filed	
2008	3	2	Two Incumbents re-elected	Two incumbents filed	
2010	6	3	Two new elected One incumbent re-elected	Two incumbents filed	
2012	5	2	Two new elected	One incumbent filed	
2014	6	3	Three incumbents re-elected	Three incumbents filed	
2016	3	2	Two incumbents re-elected	Two incumbents filed	

From the year 2000 to date:

- The city has had 16 City Council Members
- The average length of time served has been 6.25 years

Impact on City Resources

During the last City Council election (2016), the City’s election cost was \$30,682.54 for a two-seat City Council race.

According to the estimates from the San Mateo County Elections Office, the City’s anticipated cost for the 2018 election is \$19,600 - \$23,520 and the addition of a Term Limits Initiative to the November 6, 2018 election could increase the costs by as much as \$23,880, which would bring the estimated cost of the 2018 election to \$43,480-\$47,400. Additionally, in 2018, the City Council is considering a charter measure on the ballot. Each additional initiative adds approximately \$19,900 - \$23,880 to the city’s cost for the election, according to the San Mateo County Elections Office. To include an initiative on the November 6, 2018 ballot, the deadline for the city to submit the measure with San Mateo County clerk is August 10, 2018.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it proposes an organizational structure change that will not result in any direct or indirect physical change in the environment.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. 2011 State of California Council Member Term Limits Survey

Report prepared by:
Judi A. Herren, City Clerk

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State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

ATTACHMENT A

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
1	Adelanto	San Bernardino	28,540	Charter	No	
2	Agoura Hills	Los Angeles	22,180	General Law	No	
3	Alameda	Alameda	75,409	Charter	Yes	2 Consecutive 4 Year Terms; 4 Year Break
4	Albany	Alameda	17,021	Charter	Yes	2 Consecutive 4 Year Terms; 2 Year Break
5	Alhambra	Los Angeles	85,953	Charter	Yes	3 Consecutive 4 year terms; Candidate okay after 3 years from last term expiration
6	Aliso Viejo	Orange	49,000	General Law	No	
7	Alturas	Modoc	2,900	General Law	No	
8	Amador	Amador	210	General Law	No	
9	American Canyon	Napa	17,000	General Law	No	
10	Anaheim	Orange	345,495	Charter	Yes	2 Consecutive terms; 2 Year Break
11	Anderson	Shasta	10,650	General Law	No	
12	Angels Camp	Calaveras	3,800	General Law	No	
13	Antioch	Contra Costa	100,219	General Law	No	
14	Apple Valley	San Bernardino	72,922	General Law	No	
15	Arcadia	Los Angeles	58,345	Charter	Yes	2 Consecutive terms; 2 Year Break
16	Arcata	Humboldt	17,000	General Law	No	
17	Arroyo Grande	San Luis Obispo	17,252	General Law	No	
18	Artesia	Los Angeles	17,000	General Law	No	
19	Arvin	Kern	16,000	General Law	No	
20	Atascadero	San Luis Obispo	30,000	General Law	No	
21	Atherton	San Mateo	7,406	General Law	No	
22	Atwater	Merced	23,000	General Law	No	
23	Auburn	Placer	13,000	General Law	No	
24	Avalon	Los Angeles	3,800	General Law	No	
25	Avenal	Kings	16,236	General Law	No	
26	Azusa	Los Angeles	44,712	General Law	No	
27	Bakersfield	Kern	341,483	Charter	No	
28	Baldwin Park	Los Angeles	75,837	General Law	No	
29	Banning	Riverside	28,751	General Law	No	
30	Barstow	San Bernardino	21,119	General Law	No	
31	Beaumont	Riverside	33,449	General Law	No	

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32	Bell	Los Angeles	38,000	Charter	No	
33	Bell Gardens	Los Angeles	46,000	General Law	No	
34	Bellflower	Los Angeles	77,110	General Law	No	
35	Belmont	San Mateo	26,000	General Law	No	
36	Belvedere	Marin	2,068	General Law	No	
37	Benicia	Solano	27,916	General Law	No	
38	Berkeley	Alameda	112,580	Charter	No	
39	Beverly Hills	Los Angeles	35,983	General Law	No	
40	Big Bear Lake	San Bernardino	6,700	Charter	No	
41	Biggs	Butte	1,793	General Law	No	
42	Bishop	Inyo	3,500	General Law	No	
43	Blue Lake	Humboldt	1,300	General Law	No	
44	Blythe	Riverside	23,000	General Law	No	
45	Bradbury	Los Angeles	1,028	General Law	No	
46	Brawley	Imperial	26,948	General Law	No	
47	Brea	Orange	40,377	General Law	No	
48	Brentwood	Contra Costa	50,000	General Law	No	
49	Brisbane	San Mateo	3,597	General Law	No	
50	Buellton	Santa Barbara	4,800	General Law	No	
51	Buena Park	Orange	84,141	Charter	Yes	3 Consecutive 4 Year Terms; 1 Year Break
52	Burbank	Los Angeles	108,469	Charter	No	
53	Burlingame	San Mateo	28,158	General Law	No	
54	Calabasas	Los Angeles	23,058	General Law	No	
55	Calexico	Imperial	37,000	General Law	No	
56	California City	Kern	14,365	General Law	No	
57	Calimesa	Riverside	7,300	General Law	No	
58	Calipatria	Imperial	8,108	General Law	No	
59	Calistoga	Napa	5,300	General Law	No	
60	Camarillo	Ventura	65,000	General Law	No	
61	Campbell	Santa Clara	40,420	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break
62	Canyon Lake	Riverside	12,000	General Law	No	
63	Capitola	Santa Cruz	10,000	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break

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64	Carlsbad	San Diego	106,000	Charter	No	
65	Carmel-By-The-Sea	Monterey	4,000	General Law	No	
66	Carpinteria	Santa Barbara	13,990	General Law	No	
67	Carson	Los Angeles	100,000	General Law	No	
68	Cathedral City	Riverside	55,000	General Law	No	
69	Ceres	Stanislaus	42,000	General Law	No	
70	Cerritos	Los Angeles	55,074	Charter	Yes	2 Consecutive 4-Year Terms; 2 Year Break
71	Chico	Butte	87,313	Charter	No	
72	Chino	San Bernardino	84,000	General Law	No	
73	Chino Hills	San Bernardino	80,000	General Law	No	
74	Chowchilla	Madera	11,127	General Law	No	
75	Chula Vista	San Diego	230,000	Charter	Yes	2 Consecutive 4-Year Terms; 1 Year Break
76	Citrus Heights	Sacramento	88,000	General Law	No	
77	Claremont	Los Angeles	35,000	General Law	No	
78	Clayton	Contra Costa	11,000	General Law	No	
79	Clearlake	Lake	14,500	General Law	No	
80	Cloverdale	Sonoma	8,500	General Law	No	
81	Clovis	Fresno	96,000	General Law	No	
82	Coachella	Riverside	42,951	General Law	No	
83	Coalinga	Fresno	13,380	General Law	No	
84	Colfax	Placer	1,700	General Law	No	
85	Colma	San Mateo	1,600	General Law	No	
86	Colton	San Bernardino	51,816	General Law	No	
87	Colusa	Colusa	5,300	General Law	No	
88	Commerce	Los Angeles	13,292	General Law	Yes	Approved March 8, 2011; 3 Consecutive 4-Year Terms
89	Compton	Los Angeles	97,000	Charter	No	
90	Concord	Contra Costa	12,450	General Law	No	
91	Corcoran	Kings	25,893	General Law	No	
92	Corning	Tehama	7,400	General Law	No	
93	Corona	Riverside	152,400	General Law	No	

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94	Coronado	San Diego	23,000	General Law	Yes	2 Consecutive 4 Year Terms; Break not yet addressed; Court will determine outcome if former councilmember runs
95	Corte Madera	Marin	9,100	General Law	No	
96	Costa Mesa	Orange	113,805	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break
97	Cotati	Sonoma	7,535	General Law	No	
98	Covina	Los Angeles	49,655	General Law	No	
99	Crescent City	Del Norte	8,900	General Law	No	
100	Cudahy	Los Angeles	25,870	General Law	No	
						2 Consecutive Terms; 2 Year Break City Council placed a major Charter update before the electorate in April, 2006 that included the term limit provisions. The "New Charter" passed;
101	Culver City	Los Angeles	41,000	Charter	Yes	
102	Cupertino	Santa Clara	55,000	General Law	Yes	2 Consecutive Terms; 4 Year Break
103	Cypress	Orange	48,000	Charter	Yes	2 Consecutive 4-Year Terms
104	Daly City	San Mateo	108,383	General Law	No	
105	Dana Point	Orange	35,000	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break
106	Danville	Contra Costa	42,000	General Law	No	
107	Davis	Yolo	65,000	General Law	No	
108	Del Mar	San Diego	4,400	Charter	No	
109	Del Rey Oaks	Monterey	1,649	General Law	No	
110	Delano	Kern	54,447	General Law	No	
111	Desert Hot Springs	Riverside	26,068	Charter	No	
112	Diamond Bar	Los Angeles	59,000	General Law	No	
113	Dinuba	Tulare	21,542	Charter	No	
114	Dixon	Solano	17,605	General Law	No	
115	Dorris	Siskiyou	900	General Law	No	
116	Dos Palos	Merced	5,024	General Law	No	
117	Downey	Los Angeles	111,772	Charter	Yes	2 Consecutive Terms; Lifetime ban
118	Duarte	Los Angeles	22,000	General Law	No	

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119	Dublin	Alameda	48,821	General Law	Yes	2 Consecutive 4-Year Terms (Council); 4 Consecutive 2-year Terms (Mayor)
120	Dunsmuir	Siskiyou	1,800	General Law	No	
121	East Palo Alto	San Mateo	29,000	General Law	No	
122	Eastvale	Riverside	47,635	General Law	No	
123	El Cajon	San Diego	99,637	General Law	No	
124	El Centro	Imperial	45,365	Charter	No	
125	El Cerrito	Contra Costa	23,666	General Law	No	
126	El Monte	Los Angeles	22,000	General Law	No	
127	El Segundo	Los Angeles	16,182	General Law	No	
128	Elk Grove	Sacramento	143,885	General Law	No	
129	Emeryville	Alameda	10,080	General Law	No	
130	Encinitas	San Diego	61,593	General Law	No	
131	Escalon	San Joaquin	7,100	General Law	No	
132	Escondido	San Diego	147,000	General Law	No	
133	Etna	Siskiyou	775	General Law	No	
134	Eureka	Humboldt	28,000	Charter	Yes	2 Consecutive Terms; 4 Year Break
135	Exeter	Tulare	10,334	Charter	No	
136	Fairfax	Marin	7,492	General Law	No	
137	Fairfield	Solano	106,024	General Law	No	
138	Farmersville	Tulare	11,000	General Law	No	
139	Ferndale	Humboldt	1,441	General Law	No	
140	Fillmore	Ventura	15,787	General Law	No	
141	Firebaugh	Fresno	6,675	General Law	No	
142	Folsom	Sacramento	78,000	Charter	No	
143	Fontana	San Bernardino	196,069	General Law	No	
144	Fort Bragg	Mendocino	7,000	General Law	No	
145	Fort Jones	Siskiyou	829	General Law	No	
146	Fortuna	Humboldt	11,000	Charter	No	
147	Foster City	San Mateo	30,000	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break (2010 election had ballot measure to change to 3-4 Year terms but failed)

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Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
148	Fountain Valley	Orange	55,313	General Law	Yes	3 Consecutive 4 Year Terms; 2 Year Break
149	Fowler	Fresno	5,700	General Law	No	2 Consecutive 4 Year Terms for Mayor plus Council; 4 Year Break
150	Fremont	Alameda	214,000	General Law	Yes	2 Consecutive 4-Year Terms; 4 Year Break
151	Fresno	Fresno	481,035	Charter	Yes	3 Consecutive 4-Year Terms; 4 Year Break
152	Fullerton	Orange	135,000	General Law	Yes	3 Consecutive 4-Year Terms; 4 Year Break
153	Galt	Sacramento	24,000	General Law	No	Mayor: 4 2-Year Terms; 2 Year Break; Council 2 4-Year Terms; 2 Year Break
154	Garden Grove	Orange	172,781	General Law	Yes	3 Consecutive 4-Year Terms; 4 Year Break (applies to Mayor and Council)
155	Gardena	Los Angeles	58,000	General Law	Yes	
156	Gilroy	Santa Clara	52,000	Charter	No	
157	Glendale	Los Angeles	200,000	Charter	No	
158	Glendora	Los Angeles	52,000	General Law	No	
159	Goleta	Santa Barbara	28,000	General Law	No	
160	Gonzales	Monterey	9,100	General Law	No	
161	Grand Terrace	San Bernardino	12,500	General Law	No	
162	Grass Valley	Nevada	13,000	Charter	No	
163	Greenfield	Monterey	18,000	General Law	No	
164	Gridley	Butte	6,400	General Law	No	Mayor 2 Consecutive 2-Year Terms w/2 Year Break; Council 2 Consecutive 4-Year Terms w/2 Year Break; No break required between Council term and Mayor term
165	Grover Beach	San Luis Obispo	13,200	General Law	Yes	
166	Guadalupe	Santa Barbara	7,080	General Law	No	
167	Gustine	Merced	5,000	General Law	No	
168	Half Moon Bay	San Mateo	13,000	General Law	No	
169	Hanford	Kings	53,266	General Law	No	
170	Hawaiian Gardens	Los Angeles	15,000	General Law	No	
171	Hawthorne	Los Angeles	90,000	General Law	No	
172	Hayward	Alameda	144,700	Charter	No	
173	Healdsburg	Sonoma	12,000	General Law	No	

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 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
174	Hemet	Riverside	74,361	General Law	Yes	3 Terms - Any elected official
175	Hercules	Contra Costa	24,000	General Law	No	
176	Hermosa Beach	Los Angeles	20,000	General Law	No	
177	Hesperia	San Bernardino	90,000	General Law	No	
178	Hidden Hills	Los Angeles	1,856	General Law	No	
179	Highland	San Bernardino	52,803	General Law	No	
180	Hillsborough	San Mateo	11,537	General Law	No	
181	Hollister	San Benito	38,218	General Law	No	
182	Holtville	Imperial	6,000	General Law	No	
183	Hughson	Stanislaus	6,200	General Law	No	
184	Huntington Beach	Orange	193,566	Charter	Yes	2 Consecutive 4-Year Terms; 2 Year Break
185	Huntington Park	Los Angeles	65,000	General Law	Yes	3 Consecutive 4-Year Terms; 2 Year Break
186	Huron	Fresno	8,082	General Law	No	
187	Imperial	Imperial	45,365	General Law	No	
188	Imperial Beach	San Diego	28,243	General Law	No	
189	Indian Wells	Riverside	5,000	Charter	Yes	2 Consecutive 4-Year Terms; 2 Year Break
190	Indio	Riverside	89,000	General Law	No	
191	Industry	Los Angeles	777	Charter	No	
192	Inglewood	Los Angeles	142,000	Charter	No	
193	Ione	Amador	3,700	General Law	No	
						2 Consecutive 4 Year Terms (Council)
194	Irvine	Orange	216,000	Charter	Yes	2 Consecutive 2 Year Terms (Directly Elected Mayor)
195	Irwindale	Los Angeles	1,500	Charter	No	
196	Isleton	Sacramento	840	General Law	No	
197	Jackson	Amador	4,900	General Law	No	
198	Kerman	Fresno	14,689	General Law	Yes	2 Consecutive Terms (Mayor 2 Year/Council 4 Year); 2 Year break or can switch to other seat
199	King City	Monterey	12,000	Charter	No	
200	Kingsburg	Fresno	11,504	Charter	No	
201	La Canada Flintridge	Los Angeles	21,261	General Law	No	
202	La Habra	Orange	67,000	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
203	La Habra Heights	Los Angeles	6,161	General Law	No	
204	La Mesa	San Diego	56,000	General Law	No	
205	La Mirada	Los Angeles	50,000	General Law	No	
206	La Palma	Orange	16,304	General Law	Yes	2 Consecutive Terms; 4 Year Break
207	La Puente	Los Angeles	43,355	General Law	No	
208	La Quinta	Riverside	44,421	Charter	No	
209	La Verne	Los Angeles	34,051	General Law	No	
210	Lafayette	Contra Costa	23,908	General Law	No	
211	Laguna Beach	Orange	25,000+	General Law	No	
212	Laguna Hills	Orange	30,344	General Law	Yes	2 Consecutive Terms; 2 Year Break
213	Laguna Niguel	Orange	67,000	General Law	Yes	2 Consecutive Terms; 2 Year Break
214	Laguna Woods	Orange	18,747	General Law	No	
215	Lake Elsinore	Riverside	50,983	General Law	No	
216	Lake Forest	Orange	78,000	General Law	No	
217	Lakeport	Lake	5,100	General Law	No	
218	Lakewood	Los Angeles	83,000	General Law	No	
219	Lancaster	Los Angeles	154,000	Charter	No	
220	Larkspur	Marin	13,000	General Law	No	
221	Lathrop	San Joaquin	17,969	General Law	No	
222	Lawndale	Los Angeles	30,000	General Law	No	
223	Lemon Grove	San Diego	24,953	General Law	No	
224	Lemoore	Kings	25,000	Charter	No	
225	Lincoln	Placer	34,000	General Law	No	
226	Lindsay	Tulare	10,700	Charter	No	
227	Live Oak	Sutter	8,791	General Law	No	
228	Livermore	Alameda	80,723	General Law	Yes	Council - 2 Consecutive Terms (4 yr); 2 Year Break; Mayor - 4 Consecutive Terms (2 yrs); 2 year Break
229	Livingston	Merced	12,000	General Law	No	
230	Lodi	San Joaquin	58,950	General Law	No	
231	Loma Linda	San Bernardino	21,000+	Charter	No	
232	Lomita	Los Angeles	20,100	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
233	Lompoc	Santa Barbara	41,167	General Law	No	
234	Long Beach	Los Angeles	462,257	Charter	Yes	2 Consecutive terms; can be write-ins; no break
235	Loomis	Placer	6,466	General Law	Yes	Passed but in litigation due to written retroactive; going to Attorney General for review
236	Los Alamitos	Orange	13,000	Charter	Yes	3 Consecutive terms; 4 year break
237	Los Altos	Santa Clara	28,349	General Law	Yes	2 Consecutive Terms + completion of any unexpired term appointed or elected to
238	Los Altos Hills	Santa Clara	8,300	General Law	Yes	2 Consecutive Terms; 4 Year Break
239	Los Angeles	Los Angeles	3,792,621	Charter	Yes	3 Consecutive 4-Year Terms; lifetime ban
240	Los Banos	Merced	36,198	General Law	No	
241	Los Gatos	Santa Clara	29,132	General Law	No	
242	Loyalton	Sierra	830	General Law	No	
243	Lynwood	Los Angeles	70,000	General Law	Yes	2 Consecutive 4-Year Terms; cannot be re-elected
244	Madera	Madera	61,400	General Law	No	
245	Malibu	Los Angeles	12,575	General Law	Yes	2 Consecutive 4-Year Terms; 2 Year Break
246	Mammoth Lakes	Mono	7,500	General Law	No	
247	Manhattan Beach	Los Angeles	33,000	General Law	Yes	2 Consecutive 4-Year Terms; 2 Year Break
248	Manteca	San Joaquin	68,000	General Law	No	
249	Maricopa	Kern	1,132	General Law	No	
250	Marina	Monterey	19,718	Charter	No	
251	Martinez	Contra Costa	36,000	General Law	No	
252	Marysville	Yuba	12,240	Charter	No	
253	Maywood	Los Angeles	28,137	General Law	No	
254	Mcfarland	Kern	12,728	General Law	No	
255	Mendota	Fresno	11,014	General Law	No	
256	Menifee	Riverside	68,905	General Law	Yes	2 Consecutive 4 Year Terms; 2 Year Break
257	Menlo Park	San Mateo	32,000	General Law	No	2 Consecutive 4-Year Terms for Council; 2 Consecutive 2-Year Terms for Mayor; then lifetime ban
258	Merced	Merced	80,000	Charter	Yes	lifetime ban

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
259	Mill Valley	Marin	14,000	General Law	Yes	2 Consecutive 3-Year Terms; 3 Year Break
260	Millbrae	San Mateo	22,000	General Law	Yes	2 consecutive 4-Year terms; 2 year break 4 Consecutive Terms (maximum 3 of one type, 1 of another) ie: councilmember or mayor); 2 Year Break
261	Milpitas	Santa Clara	70,000	General Law	Yes	
262	Mission Viejo	Orange	93,000	General Law	Yes	3 Consecutive 4-Year Terms; 1 Year Break
263	Modesto	Stanislaus	210,000	Charter	Yes	2 Consecutive 4 Year Terms; 4 Year Break
264	Monrovia	Los Angeles	36,000	General Law	No	
265	Montague	Siskiyou	1,500	General Law	No	
266	Montclair	San Bernardino	36,530	General Law	No	
267	Monte Sereno	Santa Clara	4,500	General Law	Yes	2 Consecutive 4-Year Terms; 2 Year Break
268	Montebello	Los Angeles	65,000	General Law	No	
269	Monterey	Monterey	30,000	Charter	No	
270	Monterey Park	Los Angeles	65,500	General Law	No	
271	Moorpark	Ventura	37,675	General Law	No	
272	Moraga	Contra Costa	16,016	General Law	No	
273	Moreno Valley	Riverside	188,000	General Law	No	
274	Morgan Hill	Santa Clara	37,882	General Law	No	
275	Morro Bay	San Luis Obispo	10,500	General Law	No	
276	Mountain View	Santa Clara	79,000	Charter	Yes	2 Consecutive 4 Year Terms; 2 Year Break
277	Mt. Shasta	Siskiyou	3,608	General Law	No	2 Consecutive Terms; 4 Year Break
278	Murrieta	Riverside	103,466	General Law	Yes	
279	Napa	Napa	78,000	Charter	No	
280	National City	San Diego	58,000	General Law	No	Mayor - 4 consecutive terms (2 year terms); Council no term limits; break is not addressed in Charter
281	Needles	San Bernardino	4,844	Charter	Yes	
282	Nevada City	Nevada	3,001	General Law	No	
283	Newark	Alameda	43,872	General Law	No	
284	Newman	Stanislaus	11,000	General Law	No	
285	Newport Beach	Orange	87,000	Charter	Yes	2 Consecutive 4 Year Terms; 4 Year Break

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
286	Norcc	Riverside	27,063	Charter	No	
287	Norwalk	Los Angeles	109,695	General Law	No	
288	Novato	Marin	54,000	General Law	No	
289	Oakdale	Stanislaus	20,000	General Law	No	
						Mayor Only - two consecutive terms (4 years) and no person who has held the office of Mayor, or acted as Mayor, for more than two years of a term may be elected to more than one more consecutive term as Mayor.
290	Oakland	Alameda	404,155	Charter	Yes	
291	Oakley	Contra Costa	36,000	General Law	No	
292	Oceanside	San Diego	183,095	Charter	No	
293	Ojai	Ventura	7,852	General Law	No	
294	Ontario	San Bernardino	173,690	General Law	No	
						2 Consecutive 4 Year Terms; 2 Year Break (Council) 3 Consecutive 2 Year Terms; 2 Year Break (Directly Elected Mayor); Total No More Than 14 Years (Council & Mayor)
295	Orange	Orange	140,000	General Law	Yes	
296	Orange Cove	Fresno		General Law	No	
297	Orinda	Contra Costa	17,500	General Law	No	
298	Orland	Glenn	7,174	General Law	No	
299	Oroville	Butte	14,684	Charter	No	
300	Oxnard	Ventura	200,000	General Law	No	
						Mayor and Council more than eight years in succession (Mayor - 2 yr term/Council - 4 yr term). A partial term which is one-half or less shall not be counted toward the eight year limitation
301	Pacific Grove	Monterey	15,522	Charter	Yes	
						2 Consecutive 4 Year Terms; No Longer Eligible After
302	Pacifica	San Mateo	38,390	General Law	Yes	
303	Palm Desert	Riverside	52,000	Charter	No	
304	Palm Springs	Riverside	50,000	Charter	No	
						Term Limits established in 2001 and repealed in 2009
305	Palmdale	Los Angeles	147,897	Charter	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
306	Palo Alto	Santa Clara	60,171	Charter	Yes	2 Consecutive Terms; Break Length not specified Effective 1/1/1992
307	Palos Verdes Estates	Los Angeles	14,085	General Law	No	
308	Paradise	Butte	26,240	General Law	No	
309	Paramount	Los Angeles	56,540	General Law	No	
310	Parlier	Fresno	12,300	General Law	No	
311	Pasadena	Los Angeles	150,000	Charter	No	
312	Paso Robles	San Luis Obispo	30,000	General Law	No	
313	Patterson	Stanislaus	21,229	General Law	No	
314	Perris	Riverside	68,000	General Law	No	
315	Petaluma	Sonoma	58,401	Charter	No	
316	Pico Rivera	Los Angeles	65,651	General Law	No	
317	Piedmont	Alameda	11,000	Charter	Yes	2 Consecutive 4 Year Terms; 4 Year Break Adopted by Council upon certification of election
318	Pinole	Contra Costa	19,700	General Law	Yes	
319	Pismo Beach	San Luis Obispo	8,500	General Law	No	
320	Pittsburg	Contra Costa	64,148	General Law	No	
321	Placentia	Orange	51,932	Charter	Yes	3 Consecutive 4-Year Terms; No break specifics in charter
322	Placerville	El Dorado	9,994	General Law	No	
323	Pleasant Hill	Contra Costa	33,000	General Law	No	
324	Pleasanton	Alameda	67,544	General Law	Yes	2 Consecutive Terms; Break Length not specified
325	Plymouth	Amador	1,011	General Law	No	
326	Point Arena	Mendocino	491	General Law	No	
327	Pomona	Los Angeles	143,000	Charter	No	
328	Port Hueneme	Ventura	22,000	Charter	No	
329	Porterville	Tulare	52,960	Charter	No	
330	Portola	Plumas	1,998	General Law	No	
331	Portola Valley	San Mateo	4,600	General Law	No	
332	Poway	San Diego	47,811	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
333	Rancho Cordova	Sacramento	63,000	General Law	No	
334	Rancho Cucamonga	San Bernardino	188,000	General Law	No	
335	Rancho Mirage	Riverside	17,218	Charter	No	
336	Rancho Palos Verdes	Los Angeles	41,145	General Law	Yes	2 Consecutive Terms (6 month break)
337	Rancho Santa Margarita	Orange	50,000	General Law	No	
338	Red Bluff	Tehama	13,147	General Law	No	
339	Redding	Shasta	89,861	General Law	No	
340	Redlands	San Bernardino	70,000	General Law	No	
341	Redondo Beach	Los Angeles	62,000	Charter	Yes	2 Consecutive terms as Mayor and 2 as Councilmember; then lifetime ban 4 consecutive terms; doesn't address breaks after 4 terms
342	Redwood City	San Mateo	79,000	Charter	Yes	
343	Reedley	Fresno	23,439	General Law	No	
344	Rialto	San Bernardino	105,000	General Law	No	
345	Richmond	Contra Costa	102,186	Charter	Yes	Mayor seat has 2 4-Year Term Limits; Councilmembers do not have term limits (Being voted on November 2012 election)
346	Ridgecrest	Kern	26,515	General Law	No	
347	Rio Dell	Humboldt	3,182	General Law	No	
348	Rio Vista	Solano	8,000	General Law	No	
349	Ripon	San Joaquin	15,468	General Law	No	
350	Riverbank	Stanislaus	22,678	General Law	No	
351	Riverside	Riverside	304,000	Charter	No	
352	Rocklin	Placer	50,000	General Law	No	
353	Rohnert Park	Sonoma	40,000	General Law	No	
354	Rolling Hills	Los Angeles	2,000	General Law	No	
355	Rolling Hills Estates	Los Angeles	8,000	General Law	No	
356	Rosemead	Los Angeles	57,000	General Law	No	
357	Roseville	Placer	116,000	Charter	Yes	2 Consecutive 4-Year Terms; 4 Year Break
358	Ross	Marin	2,422	General Law	No	
359	Sacramento	Sacramento	466,676	Charter	No	
360	Salinas	Monterey	150,000	Charter	No	
361	San Anselmo	Marin	12,400	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
362	San Bernardino	San Bernardino	204,800	Charter	No	
363	San Bruno	San Mateo	40,000	General Law	No	
364	San Carlos	San Mateo	28,000	General Law	No	
365	San Clemente	Orange	68,763	General Law	No	
366	San Diego	San Diego	1,376,173	Charter	Yes	2 Consecutive 4-Year Terms; 2 Year Break
367	San Dimas	Los Angeles	37,000	General Law	No	
368	San Fernando	Los Angeles	25,366	General Law	No	
369	San Francisco	San Francisco	856,095	Charter	Yes	2 Consecutive 4-Year Terms; 4 Year Break
370	San Gabriel	Los Angeles	40,000	General Law	No	
371	San Jacinto	Riverside	40,000	General Law	No	
372	San Joaquin	Fresno	4,067	General Law	No	
373	San Jose	Santa Clara	1,023,083	Charter	Yes	2 consecutive 4-Year terms
374	San Juan Bautista	San Benito	1,780	General Law	No	
375	San Juan Capistrano	Orange	34,593	General Law	No	
376	San Leandro	Alameda	82,000	Charter	Yes	2 Consecutive 4-Year Terms; 2 Year Break 2 Consecutive 4-Year Terms (Council); 4 Consecutive 2-Year Terms (Mayor); 1 Year Break
377	San Luis Obispo	San Luis Obispo	44,000	Charter	Yes	
378	San Marcos	San Diego	85,000	Charter	Yes	3 Consecutive Terms
379	San Marino	Los Angeles	13,000	General Law	No	
380	San Mateo	San Mateo	90,000+	Charter	Yes	3 Consecutive Terms
381	San Pablo	Contra Costa	31,000	General Law	No	
382	San Rafael	Marin	58,000	Charter	No	
383	San Ramon	Contra Costa	72,000+	Charter	Yes	4 Consecutive 2 Year Terms; Per City Charter (Directly Elected Mayor Only)
384	Sand City	Monterey	320	Charter	No	
385	Sanger	Fresno	25,664	General Law	No	
386	Santa Ana	Orange	324,525	Charter	Yes	3 Consecutive 4 Year Terms; 8 Year Break

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
387	Santa Barbara	Santa Barbara	90,893	Charter	Yes	2 Consecutive 4 Year Terms (Council); 2 Consecutive 4 Year Terms (Directly Elected Mayor); Cannot have more than 4 Consecutive terms as Councilmember/Mayor; No Break Specifics in Charter
388	Santa Clara	Santa Clara	120,000	Charter	Yes	2 consecutive 4-Year Terms; 4 year break / filling an unexpired term, less than 2 years doesn't count towards consecutive term / after 1 term if not re-elected or doesn't run eligible after 2 years
389	Santa Clarita	Los Angeles	177,000	General Law	No	
390	Santa Cruz	Santa Cruz	56,000	Charter	Yes	2 consecutive 4-Year terms; 2 year break
391	Santa Fe Springs	Los Angeles	18,500	General Law	No	
392	Santa Maria	Santa Barbara	99,000	Charter	No	
393	Santa Monica	Los Angeles	90,000	Charter	No	
394	Santa Paula	Ventura	30,000	General Law	No	
395	Santa Rosa	Sonoma	155,796	Charter	No	
396	Santee	San Diego	58,044	Charter	No	
397	Saratoga	Santa Clara	30,000	General Law	Yes	2 Consecutive 4 Year Terms; 1 Year Break
398	Sausalito	Marin	7,596	General Law	No	
399	Scotts Valley	Santa Cruz	11,700	General Law	No	
400	Seal Beach	Orange	26,010	Charter	Yes	2 Consecutive 4 Year Terms
401	Seaside	Monterey	34,000	General Law	No	
402	Sebastopol	Sonoma	8,000	General Law	No	
403	Selma	Fresno	24,000	General Law	No	
404	Shafter	Kern	19,400	Charter	No	
405	Shasta Lake	Shasta	10,150	General Law	No	
406	Sierra Madre	Los Angeles	11,000	General Law	No	
407	Signal Hill	Los Angeles	11,500	Charter	No	
408	Simi Valley	Ventura	126,000	General Law	No	
409	Solana Beach	San Diego	12,867	General Law	No	
410	Soledad	Monterey	25,738	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
411	Solvang	Santa Barbara	5,300	Charter	No	
412	Sonoma	Sonoma	10,000	General Law	No	
413	Sonora	Tuolumne	4,666	General Law	No	
414	South El Monte	Los Angeles	22,000	General Law	No	
415	South Gate	Los Angeles	102,816	General Law	No	
416	South Lake Tahoe	El Dorado	21,400	General Law	No	
417	South Pasadena	Los Angeles	25,700	General Law	No	
418	South San Francisco	San Mateo	65,872	General Law	No	
419	St Helena	Napa	6,000	General Law	No	
420	Stanton	Orange	39,000	General Law	No	
421	Stockton	San Joaquin	295,000	Charter	Yes	2 Consecutive 4-year terms
422	Suisun City	Solano	28,000	General Law	No	
423	Sunnyvale	Santa Clara	140,000	Charter	Yes	2 Consecutive 4-Year terms; 2 year break
424	Susanville	Lassen	18,500	General Law	No	
425	Sutter Creek	Amador	2,500	General Law	No	
426	Taft	Kern	9,300	General Law	No	
427	Tehachapi	Kern	13,631	General Law	No	
428	Tehama	Tehama	435	General Law	No	
429	Temecula	Riverside	105,000	General Law	No	
430	Temple City	Los Angeles	36,000	Charter	Yes	2 Consecutive 4-Year Terms; 2 year break Initiative Pending for 11/6/12 Election: 3 Consecutive 4-Year Terms; 4 Year Break
431	Thousand Oaks	Ventura	130,209	General Law	No	
432	Tiburon	Marin	8,800	General Law	No	
433	Torrance	Los Angeles	150,000	Charter	Yes	2 Consecutive 4-year terms (Council); 4 year break; 2 Consecutive Terms (Mayor) 2 Consecutive 2-year term Mayor or 2 Consecutive 4-year term Council; lifetime ban
434	Tracy	San Joaquin	81,000	General Law	Yes	
435	Trinidad	Humboldt	320	General Law	No	
436	Truckee	Nevada	16,168	Charter	No	
437	Tulare	Tulare	59,000	Charter	No	
438	Tulelake	Siskiyou	1,020	General Law	No	
439	Turlock	Stanislaus	56,000	General Law	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
440	Tustin	Orange	76,000	General Law	Yes	2 Consecutive 4-year term; 2 year break
441	Twentynine Palms	San Bernardino	28,000	General Law	No	
442	Ukiah	Mendocino	16,000	General Law	No	
443	Union City	Alameda	72,124	General Law	Yes	3 Consecutive Terms as Council and 3 Consecutive Terms as Mayor; 2 Year Break Thereafter
444	Upland	San Bernardino	75,000	General Law	No	
445	Vacaville	Solano	97,000	General Law	No	
446	Vallejo	Solano	114,729	Charter	Yes	2 Consecutive 4-Year terms (Mayor or Councilmember) nor serve Mayor or Councilmember for longer than 3 consecutive 4 yr terms. Two year break
447	Ventura	Ventura	106,433	Charter	No	
448	Vernon	Los Angeles	117	Charter	No	
449	Victorville	San Bernardino	99,395	Charter	No	
450	Villa Park	Orange	5,800	General Law	Yes	2 Consecutive 4-Year Terms; Lifetime ban
451	Visalia	Tulare	125,000	Charter	No	
452	Vista	San Diego	97,513	Charter	No	
453	Walnut	Los Angeles	32,659	General Law	No	
454	Walnut Creek	Contra Costa	65,000	General Law	No	
455	Wasco	Kern	25,800	General Law	No	
456	Waterford	Stanislaus	8,000	General Law	No	
457	Watsonville	Santa Cruz	50,000+	Charter	Yes	2 Consecutive 4 Year Terms; 2 Year Break
458	Weed	Siskiyou	2,835	General Law	No	
459	West Covina	Los Angeles	112,666	General Law	No	
460	West Hollywood	Los Angeles	38,000	General Law	No	
461	West Sacramento	Yolo	45,000	General Law	No	
462	Westlake Village	Los Angeles	8,825	General Law	No	
463	Westminster	Orange	93,027	General Law	No	
464	Westmorland	Imperial	2,444	General Law	No	
465	Wheatland	Yuba	3,558	General Law	No	
466	Whittier	Los Angeles	87,190	Charter	No	

State of California
 Council Member Term Limits Survey by City in Alphabetical Order
 (As of April, 12, 2011)

Number	City	County	Population	Charter or General Law	Term Limits?	Term Info/Other Notes
467	Wildomar	Riverside	32,000	General Law	No	
468	Williams	Colusa	5,500	General Law	No	
469	Willits	Mendocino	5,073	General Law	No	
470	Willows	Glenn	6,505	General Law	No	
471	Windsor	Sonoma	26,000	General Law	No	
472	Winters	Yolo	7,000	General Law	No	
473	Woodlake	Tulare	7,400	Charter	No	
474	Woodland	Yolo	55,270	General Law	No	
475	Woodside	San Mateo	5,600	General Law	No	
476	Yorba Linda	Orange	58,918	General Law	Yes	3 Consecutive 4-Year Terms; Lifetime ban
477	Yountville	Napa	3,263	General Law	No	
478	Yreka	Siskiyou	7,765	General Law	No	
479	Yuba City	Sutter	65,000	General Law	No	
480	Yucaipa	San Bernardino	52,000	General Law	No	
481	Yucca Valley	San Bernardino	21,268	General Law	No	
Totals				52 Charter	Yes = 98	20%
				46 General Law	No = 383	80%
				98 Total		
				w/term limits	481	Total Cities