



SPECIAL AND REGULAR MEETING AGENDA – AMENDED

Date: 1/29/2019
Time: 5:30 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

City Councilmember Cat Carlton will be participating by phone from:
Hama’agal 9, 1st floor
Givatayim, Israel

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.

5:30 p.m. Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)

Public Comment on these items will be taken before adjourning to Closed Session.

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

7:00 p.m. Regular Session

- A. Call to Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Report from Closed Session**

Report on action taken in Closed Session, if required, pursuant to Government Code §54957.1.

E. Presentations and Proclamations

- E1. Professional Staff Commendation: Tree Lighting Ceremony
- E2. Professional Staff Commendation: Football Parade and Rally

F. 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.

G. Commission Report

- G1. Consider applicants and make appointments to fill unexpected vacancies on the various City commissions and committees ([Staff Report #19-010-CC](#))

H. Consent Calendar

- H1. Accept the City Council meeting minutes for January 15 and January 22, 2019 ([Attachment](#))
- H2. Adopt Resolution No. 6477 approving updates to City Council Policy CC-01-0004, Commissions/Committees Policies and Procedures Roles ([Staff Report #19-011-CC](#))
- H3. Adopt Resolution No. 6478 initiating the Menlo Park Landscape Assessment District proceedings for fiscal year 2019-20 ([Staff Report #19-013-CC](#))
- H4. Adopt Resolution No. 6480 proposing to abandon public right-of-way and public utility easements adjacent to 1345 Willow Road ([Staff Report #19-015-CC](#))

I. Regular Business

- I1. Receive and file the comprehensive annual financial report for the fiscal year ended June 30, 2018 ([Staff Report #19-016-CC](#))
- I2. Approve the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Officers' Association ([Staff Report #19-012-CC](#))
- I3. Adopt Resolution Nos. 6481 and 6482 to amend the City salary schedule ([Staff Report #19-017-CC](#))

J. Informational Items

- J1. 2019 City Council policy priorities and work plan ([Staff Report #19-018-CC](#))

K. City Manager's Report

L. Councilmember Reports

- L1. Mayor's Future Calendar Request: Sunshine calendar transparency policy
- L2. Mayor's Future Calendar Request: Travel policy direction
- L3. Mayor's Future Calendar Request: Unincorporated Menlo Park annexation policy

M. 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 Commission on any item listed on the agenda at a time designated by the Chair, 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 Chair, 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: 01/24/2019)



STAFF REPORT

City Council
Meeting Date: 1/29/2019
Staff Report Number: 19-010-CC

Commission Reports **Consider applicants and make appointments to fill unexpected vacancies on the various City commissions and committees**

Recommendation

Staff recommends making appointments to the Complete Streets, Environmental Quality, Planning, and Sister City commissions/committees.

Policy Issues

City Council Policy CC-01-004 (Attachment A) establishes the policies, procedures, roles and responsibilities for the City's appointed commissions and committees, including the manner in which commissioners are selected.

Background

The Complete Streets, Environmental Quality, Planning, and Sister City commissions/committees have unexpected vacancies which should be filled prior to the annual recruitment in April. These positions will fill the current term and have various expirations. This recruitment involved a 5-week period of advertisements and announcements.

Following City Council's appointment, the City Clerk's Office provides onboarding and orientation for the new commission/committee members. This includes the oath of office, commissioner handbook, introduction of commission/committee liaison staff, Form 700 Statement of Economic Interests filing (if applicable) and Brown Act training.

The City Clerk's Office regularly reviews all agendas and minutes, tracks attendance and serves as the principal staff liaison contact for all commissions/committees.

Analysis

Pursuant to City Council Policy CC-01-0004, commission members must be residents of the City of Menlo Park and serve for designated terms for filling a vacancy. Residency for all applicants has been verified by the City Clerk's office. In addition, the City Council's policy states that the selection/appointment process shall be conducted before the public at a regularly scheduled meeting of the City Council. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the councilmembers present shall be appointed.

The City received the following applicants, presented by commission/committee and listed in alphabetical order by last name.

Complete Streets Commission – 1 vacancy – term expires April 30, 2022:

- Jacqui Cebrian
- John Cromie
- Evan Goldin
- Sylvia Smullin

Environmental Quality Commission – 1 vacancy – term expires April 30, 2019:

- Judy Horst
- Rebecca Turley

Planning Commission – 1 vacancy – term expires April 30, 2022:

- Michael Doran
- Nancy Terry
- Brian Westcott

Sister City Committee – 1 vacancy – term expires April 30, 2020:

- Stuart Soffer

Note, all applications will be provided to the City Council under separate cover and are also available for public viewing at the City Clerk's office during regular business hours or by request.

Recommended voting process:

The City Clerk will call for City Council nominations on applicants for each commission/committee one at a time. Similar to a traditional election process, each City Councilmember has as many votes as seats are available on the subject commission/committee and may only vote once for an applicant. If, after all City Councilmembers cast their vote, no candidate receives a majority of the votes cast, the applicants with fewer than two votes will be removed from consideration. The City Council will then hold runoff votes until a single applicant receives a majority of votes cast. For the Environmental Quality Commission and Sister City Committee, there will only be one round of voting. For Complete Streets and Planning Commissions, there will be multiple rounds of voting if a single applicant does not receive the majority of votes in the first round.

Impact on City Resources

Staff support for commissions and funds for recruitment advertising are provided in the annual budget.

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



SPECIAL AND REGULAR MEETING MINUTES – DRAFT

Date: 1/15/2019
Time: 5:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

6:00 p.m. Study Session

SS1. Provide direction on the future process for the draft project study report for the Ravenswood Avenue railroad crossing study and the draft scope for additional studies ([Staff Report #19-009-CC](#))

Senior Transportation Engineer Angela Obeso made the presentation.

- Verle Aebi spoke in support of option C and asked that the City Council consider traffic impacts and a possible traffic signal at Ravenswood Avenue and Alma Street.
- Marcy Abremowrtz spoke against the elevated track option.
- Bob Kelly spoke against the elevated track option.
- Ike Griffin made a presentation regarding the design of the crossing.
- Elizabeth Blois spoke against the elevated track option and in support of revisiting the trench/tunnel option.
- Shazank Charan spoke against the elevated track option.
- Katie Behroozi spoke about the increased bicycle and pedestrian safety resulting from grade separation and the reduction of noise.
- Adina Levin with donated time from Jen Wolosin spoke in favor of option C and funding opportunities.
- Philip Miller spoke in favor of multi-grade separation, which is not present in option A.
- Charles Thompson spoke against grade separation in its entirety.
- Brooke C. spoke against option A and in support of option C.
- Henry Riggs expressed concerns regarding construction.
- Steven Geiser spoke against option A and in favor of option C.

City Council requested staff to return this item in February as a regular business item with modifications to option C.

7:00 p.m. Regular Session

A. Call to Order

Mayor Pro Tem Taylor called the meeting to order at 7:37 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Taylor
Absent: Mueller
Staff: Interim City Manager Starla Jerome-Robinson, City Attorney Bill McClure, City Clerk Judi A. Herren

C. Pledge of Allegiance

Mayor Pro Tem Taylor led the Pledge of Allegiance.

D. Report from Closed Session

None.

E. Presentations and Proclamations

E1. Proclamation: Recognizing John McGirr

Mayor Pro Tem Taylor read the proclamation. John McGirr accepted the proclamation.

F. Public Comment

- Madeleine Roe spoke in favor of the removal of red light cameras.
- Jason Pressesky spoke about growing noise pollution in the City from gas-powered blowers and requested that the City Council require electric blowers and ban gas powered blowers.

G. Consent Calendar

G1. Accept the City Council meeting minutes for December 18, 2018 ([Attachment](#))

G2. Approval of City Council appointments to various regional agencies, to City Council subcommittees, and as liaisons to City Council advisory bodies and outside agencies ([Staff Report #19-002-CC](#))

G3. Authorize the City Manager to execute an agreement with Beyaz and Patel, Inc. for Reservoir No. 2 roof replacement design and engineering services ([Staff Report #19-004-CC](#))

G4. Second reading and adoption of Ordinance No. 1052 amending the City Manager's powers and duties to include design approval authority ([Staff Report #19-005-CC](#))

G5. Authorize the City Manager to enter into a joint permitting agreement with the City of East Palo Alto and the Midpeninsula Regional Open Space District for the Ravenswood Bay Trail project ([Staff Report #19-006-CC](#))

G6. Authorize the City Manager to execute an agreement with Cartegraph Systems, LLC. for implementation of an operations management system enterprise software as a service solution in amount not to exceed \$213,248 over three fiscal years ([Staff Report #19-008-CC](#))

The City Council received confirmation about data safety during the conversion.

ACTION: Motion and second (Combs/Nash) to approve the consent calendar, passed unanimously (Mueller absent).

H. Regular Business

H1. Approve the proposed Library System Improvements project scope, planning process, goals and tentative timeline ([Staff Report #19-001-CC](#))

Interim Library Services Director Sean Reinhart made the presentation.

- Monica Corman spoke in support of approving the proposed Library System Improvements project.
- Lynne spoke in support of approving the proposed Library System Improvements project.
- Elyse Stein spoke in support of approving the proposed Library System Improvements project.
- Katie Hadrovic spoke in support of approving the proposed Library System Improvements project.
- Libby Toub spoke in support of approving the proposed Library System Improvements project.
- Jacqui Cebrian spoke in support of approving the proposed Library System Improvements project.

The City Council reinforced the need to make the Belle Haven branch a priority and the need to shorten the timeline.

ACTION: Motion and second (Combs/Carlton) to approve the proposed Library System Improvements project scope, planning process, goals and tentative timeline, failed 2-2 (Nash and Taylor dissenting, Mueller absent).

The City Council requested staff update the Attachment A to the staff report to reflect the prioritization of the Belle Haven branch.

ACTION: Motion and second (Carlton/Combs) to approve the proposed Library System Improvements project scope, planning process, goals and tentative timeline with an updated Attachment A prioritizing the Belle Haven branch, passed 3-1 (Nash dissenting, Mueller absent).

I. Informational Items

- I1. Update on the Transportation Master Plan status ([Staff Report #19-007-CC](#))

J. City Manager's Report

K. Councilmember Reports

City Councilmember Carlton reported on an upcoming World Economic Forum in Davos Switzerland.

L. Adjournment

Mayor Pro Tem Taylor adjourned the regular meeting to closed session at 9:12 p.m.

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 1/22/2019

Time: 4:00 pm

**City Hall – “Downtown” Conference Room, 1st Floor
701 Laurel St., Menlo Park, CA 94025**

A. Call to Order

B. Roll Call

Present: Combs, Nash, Taylor

Absent: Carlton, Mueller

Staff: Interim City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Senior Planner Kyle Perata

Applicants: Michael Doran, Brian Wescott

C. Special Business

C1. Interviews of Planning Commission applicants

(Note: No action will be taken at this meeting. Appointments are scheduled for the January 29, 2019, City Council meeting.)

The City Council interviewed two applicants for one open vacancy on the Planning Commission.

D. Adjournment

Mayor Pro Tem Taylor adjourned the meeting at 4:50 p.m.

Judi A. Herren, City Clerk.

**STAFF REPORT****City Council**

Meeting Date: 1/29/2019
Staff Report Number: 19-011-CC

Consent Calendar: **Adopt Resolution No. 6477 approving updates to City Council Policy CC-01-0004, Commissions/Committees Policies and Procedures Roles**

Recommendation

Staff recommends approving the following updates to City Council Policy CC-01-0004, Commissions/Committees Policies and Procedures Roles and Responsibilities adopt Resolution No. 6477 (Attachment B):

- Modify Housing Commission meeting schedule from second Wednesday of the month to first Wednesday of the month
- Modify Environmental Quality Commission meeting schedule start time from 6:30 p.m. to 6 p.m.
- Merge the Belle Haven Neighborhood Library Advisory Committee and the Library Commission
- Reduce the number of members on the Heritage Tree Task Force from 12 to 10
- Establish the meeting schedule and time for the Finance and Audit Committee
- Remove the Bicycle Commission and Transportation Commission and establish the Complete Streets Commission as a permanent commission
- Correct any grammar or language to bring the policy up to date

Policy Issues

The proposed action would bring the existing policy up to date.

Background

City Council Policy CC-01-004 was adopted in 1991 and outlines the procedures, roles and responsibilities of the City Council-appointed advisory bodies for optimal functioning. Amendments were made to the policy in 2001, 2011, 2013, and 2017.

Analysis

To keep the City Council policy governing Commissions/Committees current, periodic updates are necessary to reflect the City's practices and needs. As discussed below, staff recommends several changes to the policy that reflect either direction from the City Council, formal request by the commission/committee, or procedural updates to streamline the commission/committee process. Additionally, staff recommends several minor changes to correct grammar or antiquated language. All of the recommended changes are reflected in a redlined version of the policy (Attachment A.)

City Council initiated changes

Heritage Tree Task Force (HTTF) – The HTTF was created and the City Council made 12 appointments August 6, 2018. The roles and responsibilities of the task force are to represent the community's diverse interests and concerns while working collaboratively with city staff, review and discuss policy options regarding potential changes to the heritage tree ordinance, and determine and recommend a preferred option for updating the heritage tree ordinance for presentation to City Council for its consideration. With the resignation of Ron Shepherd and the City Council appointing only one City Councilmember as a voting member, the task force is requesting that the task force be reduced from 12 to 10 members.

Finance and Audit Committee (FAC)– In their committee assignment process, Mayor Mueller indicated that participation by the City Councilmembers appointed to the FAC has been difficult due to Committee's tradition of meeting midday. The Mayor recommended that the meeting time be moved to the evening to increase participation. Upon review of other commission/committee schedules and considering the scope of the FAC's work, staff recommends establishing a regular schedule for the FAC of the third Wednesday of every quarter at 5:30 p.m. This schedule results in meetings on the third Wednesday of January, April, July and September. A special meeting of the FAC can be scheduled for the Committee to review the comprehensive annual financial report, typically in November or December. It should be noted that members of the FAC, acting as individuals and not representing the Committee, have submitted recommendations for changes to the FAC structure and responsibilities. Recently the Committee has not been able to achieve quorum to hold meetings to consider the request or other business items requiring the Committee's attention such as review of the comprehensive annual financial report. The challenge of assembling a quorum of the Committee is due in large part to the unspecified meeting schedule. It is staff's conclusion that a set meeting schedule will address the problem of quorum.

Bicycle Commission, Transportation Commission and Complete Streets Commission (CSC) - At the February 28, 2017 City Council meeting the Bicycle Commission and Transportation Commission were merged to form a CSC one-year pilot. On April 17, 2018, the City Council voted to extend the pilot through December 2018. At the December 12, 2018 the CSC voted to request the City Council establish the CSC as a permanent commission comprised of nine members.

Belle Haven Neighborhood Library Advisory Committee(BHNLAC) – Upon establishment of the BHNLAC, the City Council charged the group with advising the staff and consultants on the library needs assessment process, anticipated to span approximately 6 – 12 months. BHNLAC has served its advisory role to the City Council and it is appropriate at this time to disband BHNLAC and direct the Library Commission to assist, as needed, in the future efforts for the Library System Improvements Project, including the branch library. If current members of BHNLAC desire to continue their advisory role, staff recommend augmenting the Library Commission membership to allow for those members to continue service. The current policy calls for any standing or special advisory body to be disbanded due to lack of business.

Formal commission/committee requests

Housing Commission – The current Housing Commission schedule conflicts with the CSC schedule. The Housing Commission is requesting that their current schedule, second Wednesday of the month, be changed to the first Wednesday of the month.

Environmental Quality Commission (EQC) – The EQC has requested an earlier start time for their meetings from 6:30 p.m. to 6 p.m.

Procedural recommendations

Commission/Committee work plans – The current policy requires commissions/committees to develop and submit to City Council for approval, a two-year work plan. While this practice is generally suitable, the work plan is less nimble and has greater opportunity to diverge from the City Council's goals, priorities and budget. To better align commission/committees work plans with that of the City Council, staff recommends transition to one-year work plans that are presented to the City Council by the end of August of every year. This allows the City Council to review all work plans holistically and ensures that resources are assigned as required. Additionally, staff recommends reducing the minimum reporting to the City Council from three times per year to annually. Additional reports can be scheduled as business needs require. These changes are redlined in Section A.4.

Training – The current policy must be updated to reflect training requirements for all commissioners and committee members. The changes are redlined in Section A.8.

Impact on City Resources

There is no impact on City resources associated with this action outside of any associated membership dues, meeting related expenses, and/or staff assistance required and budgeted.

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 is a minor 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. Redline version of City Council Policy CC-01-0004
- B. Resolution No. 6477

Report prepared by:
Judi A. Herren, City Clerk

Approved by:
Nick Pegueros, Assistant City Manager

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES



City Council Policy #CC-01-0004

Effective ~~4/17/2018~~1/29/2019

Resolution No. ~~64306477~~

Purpose
To define policies and procedures and roles and responsibilities for Menlo Park appointed commissions and committees.
Authority
Upon its original adoption, this policy replaced the document known as “Organization of Advisory Commissions of the City of Menlo Park.”
Background
<p>The City of Menlo Park currently has nine-eight active Commissions and Committees. The active advisory bodies are: Bicycle Commission<u>Complete Streets Commission</u>, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, Transportation Commission and the Sister City Committee. Those not specified in the City Code are established by City Council ordinance or resolution. Most of these advisory bodies are established in accordance with Resolution 2801 and its amendments. Within specific areas of responsibility, each advisory body has a primary role of advising the City Council on policy matters or reviewing specific issues and carrying out assignments as directed by the City Council or prescribed by law.</p> <p>Seven of the nine-eight commissions and committees listed above are advisory in nature. The Planning Commission is both advisory and regulatory and organized according to the City Code (Ch. 2.12) and State statute (<u>Government Code</u> 65100 et seq., 65300-65401).</p> <p>The City has an adopted Anti-Harassment and Non-Discrimination Policy (CC-95-001), and a Travel and Expense Policy (CC-91-002), which are also applicable to all advisory bodies.</p>
Policies and Procedures
<p>A. <u>Relationship to City Council, staff and media</u></p> <ol style="list-style-type: none"> 1. Upon referral by the City Council, the commission/committee shall study referred matters and return their recommendations and advise to the City Council. With each such referral, the City Council may authorize the City staff to provide certain designated services to aid in the study. 2. Upon its own initiative, the commission/committee shall identify and raise issues to the City Council’s attention and from time to time <u>survey-explore</u> pertinent matters and make recommendations to the City Council. 3. At a request of a member of the public, the commission/committee may consider appeals from City actions or inactions in pertinent areas and, if deemed appropriate, report and make recommendations to the City Council. 4. Each commission/committee is required to develop a <u>two-year annual</u> work plan which will be the foundation for the work performed by the advisory body in support of City Council <u>goals annual work plan</u>. The plan, once finalized by <u>a majority of</u> the commission/committee, will be formally presented to the City Council for direction and approval <u>no later than September 30 of each year</u> and then reported out on by a representative of the advisory body at a regularly scheduled City Council meeting at least <u>three times per year annually</u>. <u>The proposed work plan must align with the City Council’s adopted work plan.</u> Each April, of alternating years, the Commissions/Committees and their support staff shall review their approved work plans and modify as needed. When modified, the work plan must be taken to the City Council for approval. The Planning Commission

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~ 1/29/2019

2

is exempt from this requirement as its functions are governed by the Menlo Park municipal code (Chapter 2.12) and State law (Government Code 65100 et seq, 65300-65401).

5. Commissions and committees shall not become involved in the administrative or operational matters of City departments. Members may not direct staff to initiate major programs, conduct large studies or establish department policy. City staff assigned to furnish staff services shall be available to provide general staff assistance, such as preparation of agenda/notice materials and minutes, general review of department programs and activities, and to perform limited studies, program reviews, and other services of a general staff nature. Commissions/Committees may not establish department work programs or determine department program priorities. The responsibility for setting policy and allocating scarce City resources rests with the City's duly elected representatives, the City Council.
6. Additional or other staff support may be provided upon a formal request to the City Council.
7. The staff liaison shall act as the commission/committee's lead representative to the media concerning matters before the commission/committee. Commission/Committee members should refer all media inquiries to their respective Liaisons for response. Personal opinions and comments may be expressed so long as the commission/committee member clarifies that his or her statements do not represent the position of the City Council.
8. Commission/Committee members will have mandatory training every two years regarding the Brown Act and parliamentary procedures, anti-harassment training, ethics training, and other training required by the City Council or State Law. The commission/committee members may have the opportunity for additional training, such as training for chair and vice chair. Failure to comply with the mandatory training will be reported to the City Council and may result in replacement of the member by the City Council.

B. Recommendations, requests and reports

Near the beginning of each regular City Council meeting, there will be an item called "Commission/Committee Reports." At this time, commissions/committees may present recommendations or status reports and may request direction and support from the City Council. Such requests shall be communicated to the staff liaison in advance, including any written materials, so that they may be listed on the agenda and distributed with the agenda packet. The materials being provided to the City Council must be approved by a majority of the commission/committee at a commission/committee meeting before submittal to the City Council. The City Council will receive such reports and recommendations and, after suitable study and discussion, respond or give direction.

C. City Council referrals

The City Clerk shall transmit to the designated staff liaison all referrals and requests from the City Council for advice and recommendations. The commissions/committees shall expeditiously consider and act on all referrals and requests made by the City Council and shall submit reports and recommendations to the City Council on these assignments.

D. Public appearance of commission/committee members

When a commission/committee member appears in a non-official, non-representative capacity before the public, for example, at a City Council meeting, the member shall indicate that he or she is speaking only as an individual. This also applies when interacting with the media and on social media. If the commission/committee member appears as the representative of an applicant or a member of the public, the Political Reform Act may govern this appearance. In addition, in certain circumstances, due process considerations might apply to make a commission/committee member's appearance inappropriate. Conversely, when a member who is present at a City Council meeting is asked to address the City Council on a matter, the member should represent the viewpoint of the particular commission/committee as a whole

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~1/29/2019

3

(not a personal opinion).

E. Disbanding of advisory body

Upon recommendation by the Chair or appropriate staff, any standing or special advisory body, established by the City Council and whose members were appointed by the City Council, may be declared disbanded due to lack of business, by majority vote of the City Council.

F. Meetings and officers

1. *Agendas/notices/minutes*

- All meetings shall be open and public and shall conduct business through published agendas, public notices and minutes and follow all of the Brown Act provisions governing public meetings. Special, canceled and adjourned meetings may be called when needed, subject to the Brown Act provisions.
- Support staff for each commission/committee shall be responsible for properly noticing and posting all regular, special, canceled and adjourned meetings. Copies of all meeting agendas, notices and minutes shall be provided to the City Council, City Manager, City Attorney, City Clerk and other appropriate staff, as requested.
- Original agendas and minutes shall be filed and maintained by support staff in accordance with the City's adopted records retention schedule.
- The official record of the commissions/committees will be preserved by preparation of action minutes.

2. *Conduct and parliamentary procedures*

- Unless otherwise specified by State law or City regulations, conduct of all meetings shall generally follow Robert's Rules of Order.
- A majority of commission/committee members shall constitute a quorum and a quorum must be seated before official action is taken.
- The chair of each commission/committee shall preside at all meetings and the vice chair shall assume the duties of the chair when the chair is absent.
- The role of the commission/committee chair (according to Roberts Rules of Order): To open the session at the time at which the assembly is to meet, by taking the chair and calling the members to order; to announce the business before the assembly in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote; to protect the assembly from annoyance from evidently frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if s/he thinks it advisable; to restrain the members when engaged in debate, within the rules of order, to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal to the assembly by any two members) unless when in doubt he prefers to submit the question for the decision of the assembly; to inform the assembly when necessary, or when referred to for the purpose, on a point of order to practice pertinent to pending business; to authenticate by his/her signature, when necessary, all the acts, orders, and proceedings of the assembly declaring it will and in all things obeying its commands.

3. *Lack of a quorum*

- When a lack of a quorum exists at the start time of a meeting, those present will wait 15 minutes for additional members to arrive. If after 15 minutes a quorum is still not present, the meeting will be adjourned by the staff liaison due to lack of a quorum. Once the meeting is adjourned it cannot be reconvened.
- The public is not allowed to address the commissioners present during the 15 minutes the

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~ 1/29/2019

4

commission/committee is waiting for additional members to arrive.

- Staff can make announcements to the members during this time but must follow up with an email to all members of the body conveying the same information.
- All other items shall not be discussed with the members present as it is best to make the report when there is a quorum present.

4. *Meeting locations and dates*

- Meetings shall be held in designated City facilities, as noticed.
- All commissions/committees with the exception of the Planning Commission, Finance and Audit Committee and Sister City Committee shall conduct regular meetings once a month. Special meetings may also be scheduled as required by the commission/committee. The Planning Commission shall hold regular meetings twice a month. The Finance and Audit Committee and Sister City Committee shall hold quarterly meetings.
- Monthly regular meetings shall have a fixed date and time established by the commission/committee. Changes to the established regular dates and times are subject to the approval of the City Council. An exception to this rule would include any changes necessitated to fill a temporary need in order for the commission/committee to conduct its meeting in a most efficient and effective way as long as proper and adequate notification is provided to the City Council and made available to the public.

The schedule of Commission/Committee meetings is as follows:

- ~~Bicycle Commission – Suspended~~
- Complete Streets Commission – Every second Wednesday at 7 p.m.
- Environmental Quality Commission – Every third Wednesday at 6:~~30~~00 p.m.
- Finance and Audit Committee – Third Wednesday of every quarter at 5:30 p.m.,
 - ~~Quarterly; Date and time to be determined~~
 - Housing Commission – Every ~~second~~first Wednesday at 5:30 p.m.
 - Library Commission – Every third Monday at 6:30 p.m.
 - Parks and Recreation Commission – Every fourth Wednesday at 6:30 p.m.
 - Planning Commission – Twice a month at 7 p.m.
 - Sister City Committee – Quarterly; Date and time to be determined
- ~~Transportation Commission – Suspended~~

Each commission/committee may establish other operational policies subject to the approval of the City Council. Any changes to the established policies and procedures shall be subject to the approval of the City Council.

5. *Selection of chair and vice chair*

- The chair and vice chair shall be selected in May of each year by a majority of the members and shall serve for one year or until their successors are selected.
- Each commission/committee shall annually rotate its chair and vice chair.

G. Memberships

Appointments/Oaths

1. The City Council is the appointing body for all commissions ~~and~~ committees. All members serve at the pleasure of the City Council for designated terms.
2. All appointments and reappointments shall be made at a regularly scheduled City Council meeting, and require an affirmative vote of not less than a majority of the City Council present.
3. Before taking office, all members must complete an Oath of Allegiance required by Article XX, §3, of the Constitution of the State of California. All oaths are administered by the City Clerk or

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~ 1/29/2019

5

his/her designee.

4. Appointments made during the middle of the term are for the unexpired portion of that term.

Application and selection process

1. The application process begins when a vacancy occurs due to term expiration, resignation, removal or death of a member.
2. The application period will normally run for a period of four weeks from the date the vacancy occurs. If there is more than one concurrent vacancy in a Commission, the application period may be extended. Applications are available from the City Clerk's office and on the City's website.
3. The City Clerk shall notify members whose terms are about to expire whether or not they would be eligible for reappointment. If reappointment is sought, an updated application will be required.
4. Applicants are required to complete and return the application form for each commission/committee they desire to serve on, along with any additional information they would like to transmit, by the established deadline. Applications sent by email are accepted; however, the form submitted must be signed.
5. After the deadline of receipt of applications, the City Clerk shall schedule the matter at the next available regular City Council meeting. All applications received will be submitted and made a part of the City Council agenda packet for their review and consideration. If there are no applications received by the deadline, the City Clerk will extend the application period for an indefinite period of time until sufficient applications are received.
6. Upon review of the applications received, the City Council reserves the right to schedule or waive interviews, or to extend the application process in the event insufficient applications are received. In either case, the City Clerk will provide notification to the applicants of the decision of the City Council.
7. If an interview is requested, the date and time will be designated by the City Council. Interviews are open to the public.
8. The selection/appointment process by the City Council shall be conducted open to the public. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the City Council present shall be appointed.
9. Following a City Council appointment, the City Clerk shall notify successful and unsuccessful applicants accordingly, in writing. Appointees will receive copies of the City's Non-Discrimination and Sexual Harassment policies, and disclosure statements for those members who are required to file under State law as designated in the City's Conflict of Interest Code. Copies of the notification will also be distributed to support staff and the commission/committee chair.
10. An orientation will be scheduled by the City Clerk following an appointment (but before taking office) and a copy of this policy document will be provided at that time.

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~ 1/29/2019

6

Attendance

1. An Attendance Policy (CC-91-001), shall apply to all advisory bodies. Provisions of this policy are listed below.
 - A compilation of attendance will be submitted to the City Council at least annually listing absences for all Commissions/Committee members.
 - Absences, which result in attendance at less than two-thirds of their meetings during the calendar year, will be reported to the City Council and may result in replacement of the member by the City Council.
 - Any member who feels that unique circumstances have led to numerous absences can appeal directly to the City Council for a waiver of this policy or to obtain a leave of absence.
 - ~~(Add two additional provisions if approved by City Council)~~
2. While it is expected that members be present at all meetings, the chair and staff liaison should be notified if a member knows in advance that he/she will be absent.
3. When reviewing commissioners for reappointment, overall attendance at full commission meetings will be given significant consideration.

—Compensation

1. Members shall serve without compensation (unless specifically provided) for their services, provided, however, members shall receive reimbursement for necessary travel expenses and other expenses incurred on official duty when such expenditures have been authorized by the City Council (See Policy CC-91-002).

—Conflict of interest and disclosure requirements

1. A Conflict of Interest Code has been updated and adopted by the City Council and the Community Development Agency pursuant to Government Code §87300 et seq. Copies of this Code are filed with the City Clerk. Pursuant to the adopted Conflict of Interest Code, members serving on the Planning Commission are required to file a Statement of Economic Interest with the City Clerk to disclose personal interest in investments, real property and income. This is done within 30 days of appointment and annually thereafter. A statement is also required within 30 days after leaving office.
2. If a public official has a conflict of interest, the Political Reform Act may require the official to disqualify himself or herself from making or participating in a governmental decision, or using his or her official position to influence a governmental decision. Questions in this regard may be directed to the City Attorney.

—Qualifications, compositions, number

1. In most cases, members shall be residents of the City of Menlo Park, at least 18 years of age and a registered voter.
2. Current members of any other City commission-~~or~~-committee are disqualified for membership, unless the regulations for that advisory body permit concurrent membership. Commission/Committee members are strongly advised to serve out the entirety of the term of their current appointment before seeking appointment on another commission-~~or~~-committee.
3. Commission/Committee members shall be permitted to retain membership while seeking any elective office. However, members shall not use the meetings, functions or activities of such bodies for purposes of campaigning for elective office.
4. There shall be seven (7) members on each commission/committee with the exception of:

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~1/29/2019

- ~~• the Finance and Audit Committee – five (5) members and the~~
- ~~• Housing Commission –, which each have five (5) members~~
- ~~• Complete Streets Commission – nine (9) members~~

—Reappointments, resignations, removals

1. Incumbents seeking a reappointment are required to complete and file an application with the City Clerk by the application deadline. No person shall be reappointed to a commission/committee who has served on that same body for two consecutive terms; unless a period of one year has lapsed since the returning member last served on that ~~Commission~~ commission/committee (the one year period is flexible subject to City Council’s discretion.).
2. Resignations must be submitted in writing to the City Clerk, who will distribute copies to City Council and appropriate staff.
3. The City Council may remove a member by a majority vote of the City Council without cause, notice or hearing.

—Term of office

1. Unless specified otherwise, the term of office for all commission/committee shall be four (4) years unless a resignation or a removal has taken place.
2. If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term.
3. Terms are staggered to be overlapping four-year terms, so that all terms do not expire in any one year.
4. If a member resigns before the end of his/her term, a replacement serves out the remainder of that term.

—Vacancies

1. Vacancies are created due to term expirations, resignations, removals or death.
2. Vacancies are listed on the City Council agenda and posted by the City Clerk in the City Council Chambers bulletin board and on the city website.
3. Whenever an unscheduled vacancy occurs in any commission/committee, a special vacancy notice shall be posted within 20 days after the vacancy occurs. Appointment shall not be made for at least 10 working days after posting of the notice (Government Code 54974).
4. On or before December 31 of each year, an appointment list of all regular advisory commissions ~~and~~ committees of the City Council shall be prepared by the City Clerk and posted in the City Council Chambers bulletin board and on the City’s website. This list is also available to the public. (Government Code 54972, Maddy Act).

Roles and Responsibilities

~~Bicycle Commission~~

~~The Bicycle Commission is charged primarily with advising the City Council on ways to improve the bicycling environment, implementation of the bikeways plan and other related matters.~~

Complete Streets Commission

~~The Complete Streets Commission is charged primarily with advising the City Council on multi-modal~~

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~1/29/2019

8

transportation issues according to the goals and policies of the City's General Plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City. The Complete Streets Commission's responsibilities would include:

- Coordination of motor vehicle, bicycle, transit and pedestrian transportation facilities
- Advising City Council on ways to encourage pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan
- Coordination on providing a citywide safe routes to school plan
- Coordination with regional transportation systems
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.028

~~The Complete Streets Commission is a one year pilot beginning in May 2017. City Council extended this merger through December 2018 at the April 7, 2018 City Council meeting. The Complete Streets Commission's responsibilities would include:~~

- ~~• Coordination of motor vehicle, bicycle, transit and pedestrian transportation facilities~~
- ~~• Advising City Council on ways to encourage pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan~~
- ~~• Coordination on providing a citywide safe routes to school plan~~
- ~~• Coordination with regional transportation systems~~

Environmental Quality Commission

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

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

Finance and Audit Committee

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

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

Housing Commission

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

- Community attitudes about housing (range, distribution, racial, social-economic problems)
- Programs for evaluating, maintaining, and upgrading the distribution and quality of housing stock in the City
- Planning, implementing and evaluating City programs under the Housing and Community Development Act of 1974
- Members serve with staff on a loan review committee for housing rehabilitation programs and a first time homebuyer loan program
- Review and recommend to the City Council regarding the Below Market Rate (BMR) program
- Initiate, review and recommend on housing policies and programs for the City
- Review and recommend on housing related impacts for environmental impact reports

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

Effective ~~4/17/2018~~1/29/2019

9

- Review and recommend on State and regional housing issues
- Review and recommend on the Housing Element of the General Plan
- The five most senior members of the Housing Commission also serve as the members of the Relocation Appeals Board (City Resolution 4290, adopted June 25, 1991).

Library Commission

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

- The scope and degree of library activities
- Maintenance and protection of City libraries
- Evaluation and improvement of library service
- Acquisition of library materials
- Coordination with other library systems and long range planning
- Literacy and ESL programs

Parks and Recreation Commission

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

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

Planning Commission

The Planning Commission is organized according to State Statute.

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

Sister City Committee

The Sister City Committee is primary charged with promoting goodwill, respect and cooperation by facilitating cultural, educational and economic exchanges

- Develop a mission statement and program plan consisting of projects, exhibits, contacts and exchanges of all types to foster and promote the objectives of the mission statement
- Implement the approved program plan upon request of the City Council
- Keep the community informed concerning the Sister City program
- Advise the City Council on matters pertaining to any sister city affairs
- Perform other duties as may be assigned to the committee by the City Council

Transportation Commission

~~The Transportation Commission is charged primarily with advising the City Council on matters related to the adequacy and improvement of all types of public and private transportation within and across the City,~~

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004

10

Effective ~~4/17/2018~~1/29/2019

~~including the best approaches to establishing and maintaining systems and facilities for the transport of people and goods around the City. Specific focus areas include:~~

- ~~• The coordination of motor vehicle, bicycle, mass transit and pedestrian traffic facilities~~
- ~~• The development and encouragement of the most efficient and least detrimental overall transportation system for the City supporting the goals of the General Plan~~
- ~~• Coordination with regional transportation systems~~
- ~~• Serve as the appeals board for appeals from staff determinations concerning establishment of traffic signs, pavement markings, speed zones, parking regulations, traffic signals, bike lanes, bus stops, etc.~~

Special Advisory Bodies

The City Council has the authority to create ~~ad hoc~~ad hoc standing committees, task forces or subcommittees for the City, and from time to time, the City Council may appoint members to these groups. The number of persons and the individual appointee serving on each group may be changed at any time by the City Council. There are no designated terms for members of these groups; members are appointed by and serve at the pleasure of the City Council.

Any requests of city commissions or committees to create such ad hoc advisory bodies shall be submitted in writing to the City Clerk for City Council consideration and approval.

RESOLUTION NO. 6477**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO RESCINDING CITY COUNCIL POLICY NO. CC-01-0004 AND ADOPTING UPDATED COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES POLICY AND ESTABLISH THE COMPLETE STREETS COMMISSION AS A PERMANENT COMMISSION**

WHEREAS, this policy defines policies, procedures, and roles and responsibilities for Menlo Park appointed commissions and committees.

WHEREAS, this policy satisfies the requirements of Government Code sections 65100 et seq., 65300-65401, 87300, 54974, and 54972.

WHEREAS, the Complete Street Commission is composed of nine (9) members, all of whom shall be residents who represent varying interests in transportation circulation and safety, was identified to support the City Council's 2018 workplan; and,

WHEREAS, the Complete Street Commission will continue to address the following subject areas:

- Coordination of motor vehicle, bicycle, transit, and pedestrian transportation facilities,
- Advising City Council on ways to encourage pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan,
- Coordination on providing a citywide safe routes to school plan,
- Review of the proposed circulation plans for major development projects, and
- Coordination with regional transportation systems.
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.028

NOW, THEREFORE, IT IS RESOLVED, the City Council of Menlo Park does hereby establish the Complete Streets Commission as a permanent commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Menlo Park hereby rescinds policy No. CC-01-0004 and in its place adopts the City of Menlo Park commissions/committees policies and procedures, roles and responsibilities policy recommended by staff and presented to the City Council on the twenty-ninth day of January, 2019, incorporated herein as Exhibit A.

I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-ninth day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-ninth day of January, 2019.

Judi A. Herren, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 1/29/2019

Staff Report Number: 19-013-CC

Consent Calendar: **Adopt Resolution No. 6478 initiating the Menlo Park Landscape Assessment District proceedings for fiscal year 2019-20**

Recommendation

Staff recommends that the City Council initiate the Menlo Park Landscape Assessment District proceedings for fiscal year 2019-20 and adopt Resolution No. 6478 (Attachment A) describing the improvements and directing preparation of the engineer's report.

Policy Issues

The recommendation does not represent any change to existing City policy. Pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California and Proposition 218, the City Council conducted proceedings for the formation of the City of Menlo Park District. The Landscape Assessment District requires an annual review of the levied assessment.

Background

In 1982, the Menlo Park citizens approved Measure N, an advisory measure for the City forming an assessment Landscape Assessment District to care for the City's street tree infrastructure. The Menlo Park Landscape Assessment District was subsequently formed in 1983.

Before 1990, property owners were responsible for all sidewalk and parking strip repair damaged by City street trees. In some cases, the lump-sum cost of removing and replacing the damaged public infrastructure was a financial burden. Thus, in 1990, an additional assessment was established and combined with the Landscape Assessment District to fund the repair of sidewalks and parking strips damaged by City trees. Financing through an assessment, to be levied on an annual basis, was determined to be more cost-effective and less burdensome to property owners than a large lump-sum payment. Sidewalk and parking strip damage that is not caused by City street trees is the responsibility of property owners per Chapter 13.08 of the Municipal Code.

In FY 1998-99, the City reauthorized the Landscape Assessment District through a mailed ballot, as required by Proposition 218. Each year, the City goes through a process to approve the levying of annual Landscape Assessment District fees. The attached resolution is the first step in the process to establish assessments for the coming fiscal year.

Analysis

Landscape Assessment District scope of work

The scope of work for the Landscape Assessment District is not proposed to change from the fiscal year 2018-19 program and includes the following:

- Maintaining and servicing of City street trees, including the cost of repair, removal, or replacement of all or any part thereof
- Providing for the life, growth, health and beauty of City landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury
- Removing trimmings, rubbish, debris and other solid waste, and providing water for the irrigation thereof
- Installing or constructing, including the maintenance and servicing thereof, curbs, gutters, sidewalks, and parking strips damaged by City street trees

Assessment engineer

The first step in the annual Landscape Assessment District proceedings is the preparation of the engineer’s report. Staff has selected SCI Consulting Group to complete the engineering work for the fiscal year 2019-20 report. The firm has extensive background and knowledge of the City’s District, a successful track record with the City preparing the engineer’s report since 1998, and experience with Proposition 218 requirements. The scope of services includes identification and verification of parcels within the district, allocation of the estimated cost of improvements and expenses to said parcels, determination of assessment amounts, preparation of assessment rolls, developing the engineer’s report, facilitating assessment proceedings and general project administration.

Table 1: Schedule for assessment	
Date	Tasks
January 2019	City Council initiates the Landscape Assessment District proceedings and adopts a resolution describing the improvements and directing preparation of the engineer’s report.
May 2019	Completion and filing of the engineer’s report.
May 2019	City Council adopts 1) a resolution giving preliminary approval of the engineer’s report, and 2) a resolution of intention to order the levy and collection of the annual assessment and scheduling of the public hearing.
June 2019	City Council holds a public hearing to consider adoption of a resolution overruling protests, ordering improvements, confirming the assessment diagram, and ordering the levy and collection of assessments.
July 2019	Submittal of assessments to the San Mateo County Assessor’s Office.
October 2019	City review and confirmation of final levies to be collected by San Mateo County.
January 2020	Verification of assessment receipts, levies and delinquencies.

It is anticipated that the assessment may need to be increased by 5 percent or more to keep pace with rising costs of service agreements.

Impact on City Resources

The cost of the assessment engineering services and preparation of the engineer's report is \$9,950. There are sufficient funds in the Landscape Assessment District budget to fund this expense.

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 is a minor 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. Resolution No. 6478

Report prepared by:
Theresa Avedian, Senior Civil Engineer

Report reviewed by:
Justin Murphy, Public Works Director

RESOLUTION NO. 6478**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE
ENGINEER'S REPORT FOR THE CITY OF MENLO PARK LANDSCAPE
ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-20**

WHEREAS, in 1982, the Menlo Park citizens voted for Measure N, an advisory measure for the City to form an assessment district to care for the City's street tree infrastructure and the Menlo Park Landscape Assessment District was subsequently formed in 1983; and,

WHEREAS, prior to 1990, property owners were responsible for all sidewalk and parking strip repair damaged by City street trees; and,

WHEREAS, in fiscal year 1990, an additional assessment was established and combined with the Landscape Assessment District to fund the repair of sidewalks and parking strips damaged by City trees; and,

WHEREAS, in fiscal year 1998-99, City reauthorized the Landscape Assessment District through a mailed ballot, as required by Proposition 218.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Menlo Park

1. This City Council did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, conduct proceedings for the formation of the City of Menlo Park Landscaping District and for the levy and collection of assessments for fiscal year 1983-84, and did, on May 10, 1983, pursuant to proceedings duly had, adopt its Resolution No. 3417-F, A Resolution Overruling Protests and Ordering the Formation of an Assessment District and the Improvements and Confirming the Diagram and Assessment.
2. The public interest, convenience, and necessity require, and it is the intention of said City Council to undertake proceedings for, the levy and collection of assessments upon the several lots or parcels of land in said District for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the fiscal year 2019-20.
3. The improvements to be constructed or installed include the maintenance and servicing of street trees, the cost of repair, removal, or replacement of all or any part thereof, providing for the life, growth, health and beauty of public landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.
4. The costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map (Exhibit A) thereof on file in the office of the Engineering Division of the City of Menlo Park to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district.
5. The assessment engineer is hereby directed to prepare and file with said City Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the fiscal year to which the report applies, and, with respect to that year, presenting the following:

- a. Plans and specifications of the existing improvements and for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;
 - b. An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;
 - c. A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the San Mateo County Assessor's map for the fiscal year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and
 - d. A proposed continued assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.
6. The Office of the Public Works Director of said City is hereby, designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at City Hall, 701 Laurel St., Menlo Park, CA 94025, or by calling 650-330-6740

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council resolution was duly and regularly passed and adopted at a meeting of said City Council on the twenty-ninth day of January, 2019, by the following votes:

AYES:

NOES:

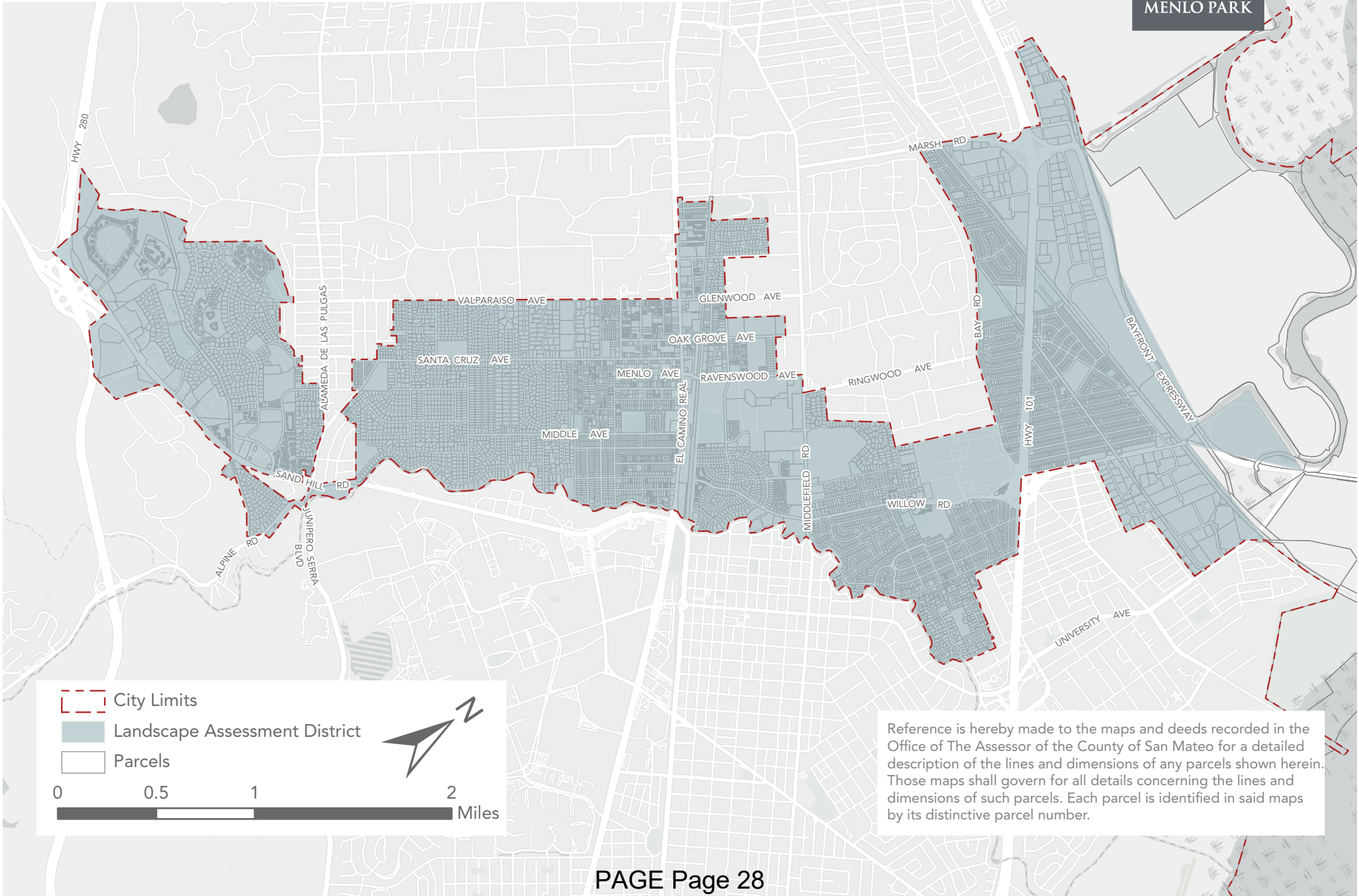
ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-ninth day of January, 2019.

Judi A. Herren, City Clerk

Landscape Assessment District



Legend:

- City Limits
- Landscape Assessment District
- Parcels

Scale: 0 0.5 1 2 Miles

Reference is hereby made to the maps and deeds recorded in the Office of The Assessor of the County of San Mateo for a detailed description of the lines and dimensions of any parcels shown herein. Those maps shall govern for all details concerning the lines and dimensions of such parcels. Each parcel is identified in said maps by its distinctive parcel number.



STAFF REPORT

City Council
Meeting Date: 1/29/2019
Staff Report Number: 19-015-CC

Consent Calendar: **Adopt Resolution No. 6480 proposing to abandon public right-of-way and public utility easements adjacent to 1345 Willow Road**

Recommendation

Staff recommends that the City Council adopt Resolution No. 6480 (Attachment A) to abandon the frontage road and public utility easements adjacent to 1345 Willow Road.

Policy Issues

The City is legally required to go through a multistep process in order to abandon the right-of-way and public utility easements (PUEs) as a means of creating 140 new affordable housing units.

Background

On July 18, 2017, the City Council voted to support a proposal by MidPen Housing for an affordable multifamily housing project at 1345 Willow Road. As part of this action, the City Council agreed to consider future appointments of below market rate housing impact fees, up to \$6.7 million, pending request by MidPen Housing. The proposed development would include a net increase of 58 affordable units at this location, resulting in a total of 140 units. This property is located on the west side of Willow Road, between Hamilton Avenue and Ivy Drive.

On December 14, 2018, MidPen Housing, property owners of 1345 Willow Road, applied for the abandonment and submitted a tentative parcel map. The tentative parcel map depicts the proposed parcel configuration before the Parcel Map, which is the official recorded document. The abandonment request includes partial vacation of the frontage road that runs along the Willow Road frontage of the property, a deed transfer of a portion of the frontage road perpendicular to Willow Road, and abandonment of multiple PUEs within their property (Attachment B).

MidPen Housing will be applying for Multifamily Housing Program (MHP) State funding in April 2019. As part of the application, approval of the frontage road abandonment and deed transfer is required to demonstrate that they have site control. The final recorded parcel map is not required for the application. To meet the application deadline in April, the approvals are needed in March. If MidPen Housing misses this round of applications, they would not be able to submit until 2020.

Analysis

MidPen Housing is requesting that the City abandon a portion of the frontage road on the 1300 block of Willow Road. The width of the vacation is proposed to be 34 feet, which would provide the project the necessary width to meet parking, emergency vehicle access and setback requirements. The City would

retain 25 feet of the frontage road, and the new right-of-way line would be consistent with the recently completed Sequoia Belle Haven project at 1221 Willow Road, and many of the other properties along Willow Road. Retaining 25 feet of right-of-way will allow the City flexibility for future improvements along Willow Road. Within the portion of the roadway to be vacated, a new 12 foot PUE is being proposed to allow the existing public utilities to remain in place.

The portion of frontage road that runs perpendicular to Willow Road between the properties at 1305 and 1345 Willow Road is also proposed to be abandoned. Should City Council approve the abandonment, it would be the intent of staff to negotiate the deed transfer of this strip of property to the adjacent owners of 1305 Willow Road (Soleska Market) and MidPen Housing. The purchase and sales agreements would require City Council approval, and would be brought forward at a future City Council meeting.

Abandonment procedure

The applicable abandonment procedure is a three step process that first requires that City Council adopt a Resolution of Intent to abandon public right-of-way and easements. The Resolution forwards the abandonment request to the Planning Commission for its consideration at its February 25, 2019 meeting, and sets the time and date for the City Council public hearing as March 12, 2019, at 7 p.m.. The Planning Commission would review the abandonment to determine if it is compatible with the City's general plan, and forward its recommendation to the City Council for approval of the abandonment at the public hearing. Staff would advertise notices of the public hearing in the newspaper and at the site in accordance with the requirements of the Streets and Highways Code. An affidavit of posting would then be filed with the City Clerk. Should the utility agencies, affected parties, Planning Commission, and City Council consider the abandonment favorably, a Resolution ordering the vacation and abandonment of the public right-of-way and PUEs adjacent to 1345 Willow Road would be recorded.

Impact on City Resources

There is no direct impact on City resources associated with the actions in this staff report. The fee for staff time to review and process the abandonment has been paid by the applicant. The City has yet to take action to appropriate any funds to the project and will be required to do so before the final abandonment action.

Environmental Review

The proposed street abandonment is Categorically Exempt under Class 5, minor alterations in land use, of the current State of California Environmental Quality Act (CEQA) Guidelines.

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. Resolution No. 6480
- B. Frontage road vacation exhibit

Staff Report #: 19-015-CC

Report prepared by:
Theresa Avedian, Senior Civil Engineer

Report reviewed by:
Justin Murphy, Public Works Director

RESOLUTION NO. 6480

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
DECLARING THE INTENTION OF SAID CITY TO ABANDON PUBLIC
RIGHT-OF-WAY AND PUBLIC ACCESS EASEMENTS ADJACENT TO THE
PROPERTY AT 1345 WILLOW ROAD**

WHEREAS, the City Council of the City of Menlo Park has considered the abandonment of public right-of-way and public utility easements adjacent to the property at 1345 Willow Road as shown in Exhibit A, which is attached and made apart thereto; and

WHEREAS, the Planning Commission is scheduled to review the proposed abandonment for consistency with the City's general plan at its meeting on February 25, 2019; and

WHEREAS, the City Council will hold a public hearing on March 12, 2019 at approximately 7 p.m. as required by law to determine whether said public right-of-way and public utility easements shall be abandoned.

NOW, THEREFORE, BE IT RESOLVED, that a Resolution of Intention of the City Council of the City of Menlo Park does hereby propose the abandonment of public right-of-way and public utility easements adjacent to the property at 1345 Willow Road.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-ninth day of January, 2019 by the following votes:

AYES:

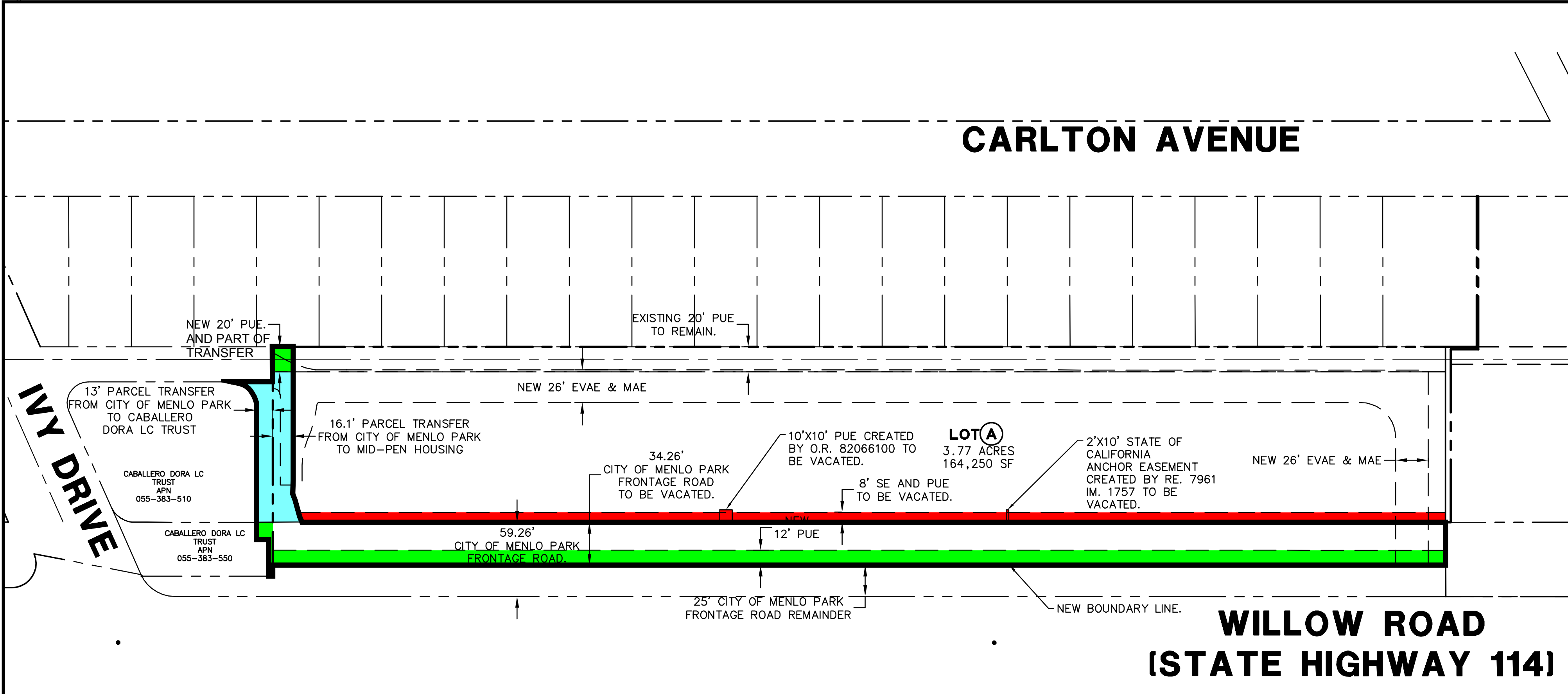
NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-ninth day of January, 2019.

Judi A. Herren, City Clerk



1730 N. FIRST ST.
SUITE 600
SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

BKF100+
YEARS
ENGINEERS · SURVEYORS · PLANNERS

FRONTAGE ROAD VACATION EXHIBIT
GATEWAY FAMILY HOUSING
1345 WILLOW ROAD
MENLO PARK SAN MATEO CALIFORNIA

Revisions	
No.	Description

Date: 12.18.18
Scale: 1" = 60'
Design: FCG
Drawn: FCG
Approved: JN
Job No: 20156154

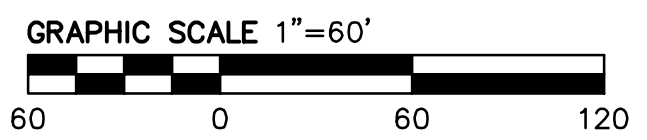
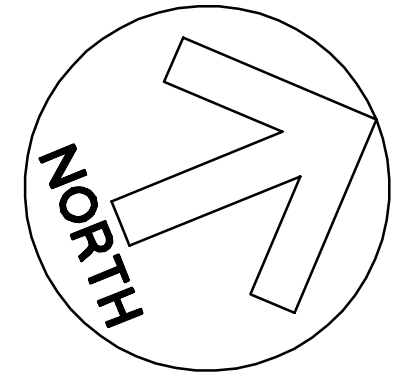
Drawing Number:
EX1
1 OF 1

ABBREVIATIONS

- D = DELTA ANGLE
- E = EAST
- EVAE = EMERGENCY VEHICLE ACCESS EASEMENT
- L = LENGTH
- MAE = MAINTENANCE ACCESS EASEMENT
- N = NORTH
- O.R. = OFFICIAL RECORD
- PAE = PUBLIC ACCESS EASEMENT
- PM = PARCEL MAP
- PUE = PUBLIC UTILITY EASEMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- ROS = RECORD OF SURVEY
- RTE = ROUTE
- S = SOUTH
- S.E. = SIDEWALK EASEMENT
- W = WEST

LEGEND

- PROJECT PROPERTY LINE
- ADJACENT PROPERTY LINES
- LOT LINES
- CALTRANS RIGHT OF WAY
- STREET CENTER LINE
- EASEMENT LINE
- NEW PUE TO COVER EXISTING MAINS
- EASEMENT TO BE ABANDONED
- FRONTAGE ROAD TO BE VACATED
- FRONTAGE ROAD TO BE TRANSFERRED



DRAWING NAME: 1345 WILLOW RD - GATEWAY FAMILY HOUSING - EXHIBIT B
PLOT TIME: 12/18/18
CUTS BY: [Signature]

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 1/29/2019
Staff Report Number: 19-016-CC

Regular Business: Receive and file the comprehensive annual financial report for the fiscal year ended June 30, 2018

Recommendation

Staff recommends that the City Council receive and file the comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2018.

Policy Issues

The City is required to issue independently audited financial statements on an annual basis. Management is responsible for preparing the annual financial statements which are subsequently audited by an independent external auditor which reports to the City Council. This package of reports fully transmits the documents required by California State law, granting agencies and generally accepted accounting principles. The City Council is asked to receive and file the CAFR once presented by City staff.

Background

Following the close of each fiscal year, the City's external auditors conduct an audit of the City's financial records and assist in the compilation of the CAFR. The paramount objective of general purpose external financial reporting is accountability. The goal of a financial statement audit is to provide users with reasonable assurance from an independent source that the information presented in the statements is reliable. The audit for the fiscal year ended June 30, 2018, was recently completed by Badawi and Associates (the Auditor), certified public accountants. Badawi was selected by the City Council as the City's independent auditor March 18, 2014, and this is their first optional additional year following an initial four year engagement.

Analysis

The City of Menlo Park is in excellent financial health with a total government-wide net position, as of June 30, 2018, of \$467.01 million, up 5.6 percent when compared to the prior year. Specific to the general fund, revenue and transfers-in exceeded expenditures and transfers-out by \$3.90 million. A detailed analysis of the City's financial position as of June 30, 2018, is included in the CAFR (Attachment A), specifically, the management discussion and analysis which begins on Page 5 of the document.

As a result of their annual independent audit of the City's financial records and statements, the Auditor has rendered an unmodified opinion, the optimal opinion issued by independent auditors, on the City's financial statements for the fiscal year ended June 30, 2018. In their opinion, "the financial statements... present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of

June 30, 2018, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.”

In accordance with Government Auditing Standards, the Auditor also identifies any deficiencies in internal control over financial reporting and provides recommendations to City management on correcting these deficiencies. The report on internal control is included in the independent auditor’s report (Attachment B). Also attached are the appropriations limit report (Attachment C) and the Measure A report (Attachment D).

In their report on internal controls beginning on Page 1 of the independent auditor’s report, the Auditor found that the City has one significant deficiency in internal controls that could have a material impact on the accuracy of the financial statements. Management has provided a response to the finding in the report and current staffing levels as authorized in the 2018-19 budget are sufficient to address the Auditor’s finding.

Impact on City Resources

There is no fiscal impact of this action.

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 is a minor 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. Hyperlink: City of Menlo Park, California CAFR for the fiscal year ended June 20, 2018
– menlopark.org/ArchiveCenter/ViewFile/Item/8885
- B. City of Menlo Park, independent auditor’s report for the year ended June 30, 2018
- C. City of Menlo Park, California report on agreed-upon procedures applied to appropriations limit schedule for the year ended June 30, 2018
- D. City of Menlo Park, California report on schedule of receipts and disbursements related to Measure A for the year ended June 30, 2018

Report prepared by:

Lenka Diaz, Administrative Services Director
Dan Jacobson, Finance & Budget Manager

City of Menlo Park

Menlo Park, California

*Independent Auditor's Report on Internal Control
over Financial Reporting and on Compliance and
Other Matters Based on an Audit of Financial
Statements Performed in Accordance with
Government Auditing Standards And
Schedule of Findings and Questioned costs*

For the year ended June 30, 2018



City of Menlo Park
For the year ended June 30, 2018
Table of Contents

	<u>Page</u>
Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	1
Schedule of Findings and Questioned Costs	3

Draft

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING
STANDARDS**

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, CA

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Menlo Park, California (City), as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise City's basic financial statements and have issued our report thereon dated December 21, 2018.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and questioned costs as 2018-001 that we consider to be a significant deficiency

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, CA

Page 2

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

City's Response to Findings

The City's response to the finding identified in our audit is described in the accompanying schedule of findings and questioned costs. City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Badawi and Associates
Certified Public Accountants
Oakland, California
December 21, 2018

City of Menlo Park
Schedule of Findings and Questioned Costs
For the year ended June 30, 2018

FINDINGS - FINANCIAL STATEMENTS AUDIT

2018-001 - Year-end closing procedures and financial reporting

Criteria:

The City is responsible for fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America. In addition, an effective internal control system over financial reporting provides reasonable assurance about the safeguarding of assets, the reliability of financial information, and compliance with laws and regulations.

Condition:

During the performance of our audit, we noted that the City recorded several adjusting entries after closing the books to either correct journal entries that were erroneous or to accrue additional amounts that were not captured as part of the closing process due to delay from the various departments in providing information to the Finance Department. We also noted that several of those entries did not have sufficient supporting documentation to substantiate the entry and that the Finance Department relied on an email or a brief memo from the operating department to substantiate the entry. This resulted in various account balances being misstated which required further correction and audit adjustments.

Cause:

The City's year-end closing process is not effective and as a result, certain accruals were not recorded properly and timely. In addition, the City's review process of the journal entries is not effective in detecting errors and did not require sufficient supporting documentation to be present in order for entries to be approved.

Context and Effect:

Account balances can be misstated or contain errors and those misstatements or errors may not be detected or if detected, may not be detected timely.

Recommendation:

We recommend that the City review and consider improving its procedures over the review of journal entries and year-end closing procedures to ensure that year-end account balances are fairly stated and errors, if any, are detected and corrected in a timely manner.

Management Response:

2018-001 – Year-end closing procedures and financial reporting

Management Response:

To improve timeliness in future year-end close procedures, the City will conduct training with its departments prior to the end of the fiscal year and provide Finance staff time to assist gathering supporting documentation and anticipated accruals. Additionally, the City has implemented a review process for journal entries to ensure accuracy throughout the year and prior to closing periods.

The City's accounting and finance system is partially decentralized, with backup documentation accessible and held by the originating departments for certain transactions. The Finance Division does not currently have the capacity to centralize all accounting and finance transactions, and benefits from decentralization by reduced personnel costs, minimizing duplicate records management, and mitigating vendor inaccuracies. The City will develop and implement a process to ensure that Finance staff periodically review backup documentation held in originating departments.

City of Menlo Park

Menlo Park, California

*Independent Accountant's Report on
Agreed-Upon Procedures Applied to
Appropriations Limit Schedule*

For the year ending June 30, 2019



**INDEPENDENT ACCOUNTANT'S REPORT ON LIMITED
PROCEDURES REVIEW OF APPROPRIATIONS LIMIT UNDER
ARTICLE XIII-B OF THE CALIFORNIA CONSTITUTION**

To the Honorable Mayor and City Council
of the City of Menlo Park
Menlo Park, California

We have performed the procedures enumerated below to the accompanying Appropriations Limit Schedule of the City of Menlo Park (City) for the fiscal year ending June 30, 2019. These procedures, which were agreed to by the City and the League of California Cities (as presented in the publication entitled *Agreed-upon Procedures Applied to the Appropriations Limitation Prescribed by Article XIII-B of the California Constitution*), were performed solely to assist you in meeting the requirements of Section 1.5 of Article XIII-B of the California Constitution. The City management is responsible for the Appropriations Limit Schedule. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

The procedures performed and our findings are described below:

1. We obtained the completed worksheets used by the City to calculate its appropriations limit for the fiscal year ending June 30, 2019, and determined that the limit and annual calculation factors were adopted by resolution of City Council. We also determined that the population and inflation options were selected by a recorded vote of City Council.

Finding: No exceptions were noted as a result of our procedures.

2. For the accompanying Appropriations Limit Schedule, we added the prior year's limit to the total adjustments, and agreed the resulting amount to the current year's limit.

Finding: No exceptions were noted as a result of our procedures.

3. We agreed the current year information presented in the accompanying Appropriations Limit Schedule to corresponding information in worksheets used by the City.

Finding: No exceptions were noted as a result of our procedures.

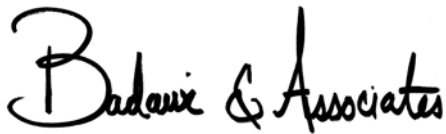
4. We agreed the prior year appropriations limit presented in the accompanying Appropriations Limit Schedule to the prior year appropriations limit adopted by the City Council during the prior year.

Finding: No exceptions were noted as a result of our procedures.

To the Honorable Mayor and Members of City Council
of the City of Menlo Park
Menlo Park, California

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the accompanying Appropriation Limit Schedule. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIII-B of the California Constitution.

This report is intended solely for the information and use of the City Council and management of the City and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in black ink that reads "Badawi & Associates". The signature is written in a cursive, flowing style.

Badawi and Associates
Certified Public Accountants
Oakland, California
December 21, 2018

City of Menlo Park
Appropriations Limit Schedule
For the year ending June 30, 2019

	<u>Amount</u>	<u>Source</u>
A. Appropriations limit for the year ended June 30, 2018	\$ 60,211,231	Prior year schedule
B. Calculation factors:		
1. Population increase ratio	1.0132	State Department of Finance
2. Inflation increase ratio	1.0367	State Department of Finance
3. Total adjustment factor ratio	<u>1.0504</u>	B1 * B2
C. Annual adjustment increase	3,033,709	[(B3-1)*A]
D. Other adjustments:		
Loss responsibility (-)	-	N/A
Transfers to private (-)	-	N/A
Transfers to fees (-)	-	N/A
Assumed responsibility (+)	-	N/A
E. Total adjustments	<u>3,033,709</u>	(C+D)
F. Appropriations limit for the year ending June 30, 2019	<u>\$ 63,244,940</u>	(A+E)

City of Menlo Park
Notes to Appropriations Limit Schedule
For the year ending June 30, 2019

1. PURPOSE OF LIMITED PROCEDURES REVIEW

Under Article XIII B of the California Constitution (the Gann Spending Limitation Initiative), California governmental agencies are restricted as to the amount of annual appropriations from proceeds of taxes. Effective for years beginning on or after July 1, 1990, under Section 1.5 of Article XIII B, the annual calculation of the appropriations limit is subject to this agreed upon procedures engagement.

2. METHOD OF CALCULATION

Under Section 10.5 of Article XIII B, for fiscal years beginning on or after July 1990, the appropriations limit is required to be calculated based on the limit for the fiscal year 1986-1987, adjusted for the inflation and population factors discussed in Notes 3 and 4 below.

3. INFLATION FACTORS

A California governmental agency may use as its inflation factor either the annual percentage change in the 4th quarter per capita personal income (which percentage is supplied by the State Department of Finance), or the percentage change in the local assessment roll from the preceding year due to the change of local nonresidential construction. The factor adopted by the City of Menlo Park for the fiscal year 2018-2019 represents the percentage growth in the State of California per capita personal income cost of living during the year 2017.

4. POPULATION FACTORS

A California governmental agency may use as its population factor either the annual percentage change of the jurisdiction's own population, or the annual percentage change in population in the County where the jurisdiction is located. The factor adopted by the City of Menlo Park for fiscal year 2018-2019 represents the population change for the City of Menlo Park during the year 2017.

5. OTHER ADJUSTMENTS

A California government agency may be required to adjust its appropriations limit when certain events occur, such as the transfer of responsibility for municipal services to, or from, another government agency or private entity. There were no adjustments made for the fiscal year ending June 30, 2019.

City of Menlo Park

Measure A Fund
Menlo Park, California

*Independent Accountant's Report on
Schedule of Receipts and Disbursements*

For the year ended June 30, 2018



City of Menlo Park
Measure A Transportation Fund
For the year ended June 30, 2018

Table of Contents

	<u>Page</u>
Independent Accountant’s Report.....	1
Schedule of Receipts and Disbursements.....	2
Management’s Report on Compliance with the <i>Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes</i>	3



INDEPENDENT ACCOUNTANT'S REPORT

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California

We have examined management's assertion, included in the accompanying Management's Report on Compliance with the *Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes* (Agreement) between the City of Menlo Park (City) and the San Mateo County Transportation Authority entered into on June 19, 1989, which was extended on January 20, 2009, that the City complied with the requirements of the Agreement during the year ended June 30, 2018. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on management's assertion on the City's compliance based upon our examination.

Our examination was made in accordance with attestation standards established by the American Institute of Certified Public Accountants and accordingly, included examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of the City's compliance with specified requirements.

In our opinion, management's assertion that the City complied with the aforementioned requirements for the fiscal year ended June 30, 2018, is in all material respects, fairly stated.

A handwritten signature in black ink that reads 'Badawi & Associates' in a cursive script.

Badawi and Associates
Certified Public Accountants
Oakland, California
December 21, 2018

City of Menlo Park Measure A Transportation Fund
Schedule of Receipts and Disbursements
For the year ended June 30, 2018

Receipts:	
Sales and Use Taxes	\$ 977,537
Interest Income	9,108
Total receipts	<u>986,645</u>
Disbursements:	
Multi-modal management	12
Streets	284,406
Transportation demand management program	<u>376,623</u>
Total disbursements	<u>661,041</u>
Receipts over disbursements	<u>\$ 325,604</u>



December 17, 2018

San Mateo County Transportation Authority
120 San Carlos Avenue
San Carlos, CA 94070

Management's Report on Compliance with the Agreement for Distribution of San Mateo County Measure

The City of Menlo Park (the "City") is responsible for complying with the Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes (the "Agreement") between the City and the San Mateo County Transportation Authority entered into on August 18, 1989, and amended on June 17, 2009. The Agreement states that in return for receiving an annual allocation of a specified portion of the retail transaction and use tax approved by Measure A – San Mateo County Expenditure Plan (the "Measure"), the City, in use of these funds, shall "refrain from substituting funds provided to it pursuant to this Agreement for property tax funds which are currently being used to fund existing local transportation programs and limit the use of said funds to the improvement of local transportation, including streets and road improvements."

With respect to compliance with the Agreement, management attests to the following for the year ended June 30, 2018:

- Management is responsible for establishing and maintaining effective internal controls with respect to compliance with the Agreement;
- Management is responsible for complying with the Agreement;
- Management has evaluated the City's compliance with requirements of the Agreement; and
- All transactions, as summarized in the attached Schedule of Receipts and Distributions for the fiscal year ended June 30, 2018, are in compliance with the Agreement.

Sincerely,

Lenka Diaz
Administrative Services Director



STAFF REPORT

City Council

Meeting Date: 1/29/2019

Staff Report Number: 19-012-CC

Regular Business: **Approve the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Officers' Association**

Recommendation

Staff recommends that the City Council approve the terms of a collective bargaining agreement between the City of Menlo Park and the Menlo Park Police Officers' Association (POA), and authorize the City Manager to execute a Memorandum of Understanding (MOU) with a term of January 30, 2019 through August 31, 2021.

Policy Issues

This recommendation aligns with the City's goals of balancing continued fiscal prudence in planning for potential impacts of employee retirement benefits, while also continuing to align the City as a competitive employer.

Background

On February 7, 2017, in accordance with City Council's public input and outreach regarding labor negotiations policy, a staff report was placed on the City Council agenda providing an opportunity for public comment before the commencement of labor negotiations with the Menlo Park POA for a successor MOU expiring June 30, 2017. The staff report provided background information related to labor negotiations, a summary of bargaining unit information, cost information for salaries and benefits, and key issues facing the City on labor relation matters such as employee pension cost increases and medical premiums. At that meeting, there was no public comment.

The POA represents 42 employees in the sworn classifications of police officer and police corporal, and the police academy participant position of police recruit. The City and POA negotiating teams commenced negotiations March 7, 2017, and reached a tentative agreement (TA) November 28, 2018. Negotiations with the other three bargaining units whose agreements also expired June 30, 2017, averaged five months. Approximately five months into negotiations between the City and the POA, the parties agreed to invite a mediator to assist with negotiations. Mediation appeared successful, and in August 2017, the City agreed to the terms of the mediation, which substantially reflected the TA recommended for approval January 29, 2019. However, new issues emerged, followed by a lengthy period of limited meetings. In April 2018, POA replaced its chief negotiator, resulting in re-engagement in negotiations in May 2018. Again, the parties came close to an agreement in August 2018. However, a lingering issue continued to delay ratification by the POA for three additional months.

Upon reaching agreement, POA notified the City that the TA was ratified by the membership November 29, 2018. The timing of the POA’s ratification of the TA prevented notice of the agreement for action by the City Council before the end of December. On December 11, 2018, three new City Councilmembers were sworn in and staff scheduled a special closed session December 18, 2018 to review the TA with the new City Council.

In compliance with the intent and spirit of the City Council’s public input and outreach regarding labor negotiations policy, the City’s practice is to refrain from posting tentative labor contracts during the winter holiday weeks. City Hall was also closed December 21, 2018 through January 1, 2019. Therefore, the City delayed release of this staff report until January 14, 2019, in compliance with the City Council’s public input and outreach regarding labor negotiations policy. Due to the two-month timeframe between the POA membership’s ratification and request for City Council approval, the City and the POA agreed on a modification to the TA December 19, 2018.

Analysis

Attachment A is a copy of the current MOU with changes reflecting the terms of the TA reached by the City and POA negotiating teams. The table on the following page provides a summary of the key provisions and/or changes.

Table 1: Key Provisions and/or changes		
Item	Description	Fully burdened cost/(savings)
Term MOU Article 22 Page 49	Approx. <u>2 years 7 months</u> beginning with City Council ratification and ending August 31, 2021. Given that negotiation of a successor agreement is not required for two fiscal years, the City is estimated to save approximately \$30,000 per year which reflects legal costs and internal staff time required to support negotiations.	(\$60,000)
Pay rates MOU Article 13.1 Page 33	Initial cost of living adjustment to base pay rates in this unit. The costs provided reflect the increased cost of salary and salary related benefits such as pension costs and incentive pays. <u>6.0%</u> effective the first full pay period following City Council ratification This increase reflects <u>3.0%</u> which would have been provided in fiscal year 2017-18 and another <u>3.0%</u> which would have been provided in fiscal year 2018-19 if the parties reached agreement earlier. There is no retroactivity of these adjustments and they are not compounded.	\$204,000

Item	Description	Fully burdened cost/(savings)
Pay rates MOU Article 13.1 Page 33	<p>Second cost of living adjustment to base pay rates in this unit. The costs provided reflects the increased cost of salary, including the initial cost of living adjustment above, and salary related benefits such as pension costs and incentive pays.</p> <p><u>3.0%</u> effective the pay period following July 1, 2019</p> <p>*This cost includes the initial cost of living adjustment above of \$204,000 and the first year cost of the second living adjustment of \$256,000.</p>	\$460,000*
Pay rates MOU Article 13.1 Page 33	<p>Final cost of living adjustment to base pay rates in this unit. The costs provided reflect the increased cost of salary, including the initial and second cost of living adjustments above, and salary related benefits such as pension costs and incentive pays.</p> <p><u>3.5%</u> effective the pay period following July 1, 2020</p> <p>*This cost includes the initial cost of living adjustment above of \$204,000, the first year cost of the second cost of living adjustment of \$256,000, and the first year cost of the final cost of living adjustment of \$307,000.</p>	\$767,000*
Benefit programs MOU Article 17 Page 43	Increases the City's contribution to the cafeteria plan by approximately <u>2%</u> in 2019 and approximately <u>3%</u> in 2020	\$75,600
One Time Pay MOU Article 13.1.4 Page 33	Provides 58 hours of leave which must be used by March 23, 2019, or cashed out	\$153,500
Holidays MOU Article 5 Page 4	Memorializes the current practice and provides examples of holiday pay applicability for clarification	-
Comp Time MOU Article 13.8.5 Page 36	Agrees to POA applying for an IRS constructive receipt ruling which may or may not result in changes to compensation time pay out and the vacation accrual cap	TBD
On-call Detective Pay MOU Article 13.9 Page 37	Changes the compensation from six hours per week to one hour per day for detectives on-call	\$3,700

The economic package outlined above is responsive to the City's bargaining principles, as outlined in the February 7, 2017 report to the City Council announcing the City's intent to negotiate a successor agreement with the POA. Specifically:

1. Principle #1 – service to the community. Service to the community requires a skilled workforce that is committed to providing the level of customer service and responsiveness expected by the City Council, residents, businesses, and other community sectors in Menlo Park. The POA is responsible for frontline public safety services, and specialty safety services such as traffic enforcement and criminal investigations. The TA provides about three years of stability for affected POA represented classifications in the area of compensation.
2. Principle #2 – fiscal sustainability. One measure of fiscal sustainability is the relationship between the TA's economic package and inflation as measured by the Consumers Price Index, All Urban Consumers (CPI-U), for the San Francisco – Oakland – San Jose region. For budgeting purposes, the City measures CPI-U based on the annual change measured in February of each year. From February 2016 to February 2017, the CPI-U recorded an increase of 3.4 percent, the most current information available when negotiations began in March 2017. From February 2017 to February 2018, the CPI-U was 3.6 percent. Given that the most recent measures of the year-over-year, change in CPI-U was for October, the CPI changed 4.4 percent from October 2017 to October 2018.

Another measure of fiscal sustainability is the cumulative fiscal impact of the TA and the relationship of that impact to the 2018-19 budget's 10-year forecast. As discussed in the budget document, the amount available for salary increases takes into consideration increasing costs for employee pension and inflationary assumptions for non-salary items. The TA contains three salary increases over three fiscal years. While this package may be viewed as a cumulative total of 12 percent over three years, such a summary does not consider the impact of late implementation. With a 6 percent increase taking effect the first full pay period following City Council ratification, February 3, 2019, the resulting increase impacts only five months of the current fiscal year (plus approximately five days with the one-time pay of 58 hours), and no impact in fiscal year 2017-18, for an effective salary and benefit expense increase of 2.5 percent in fiscal year 2018-19. In addition to falling substantially within the assumptions of the City's long-term fiscal forecast, the salary increases also cumulatively fall within assumptions made by CalPERS in its payroll growth assumptions that are used in actuarial analysis of pension liabilities.

3. Principle #3 – recruitment and retention. The terms of the successor agreement are an important component of recruiting and retaining quality employees. San Mateo County reported the lowest unemployment rate (2.0 percent) in the state of California in November 2018. Competition for top talent is significant. Providing a compensation package that maintains the City's market position supports attracting and keeping highly qualified candidates. Recruitments for lateral police officers has yielded only one qualified candidate during 2017 and 2018. The City has had to rely on recruiting inexperienced candidates, and sponsoring qualified candidates in a police academy. With this approach, the vacancy rate for police officers has been low, in comparison to the City's overall recent vacancy rates. However, recruitment is constant, as candidate pools have decreased significantly over the years, and more than half of candidates are unsuccessful - failing the testing, background, medical or training requirements.

Impact on City Resources

The TA results in a fiscal impact of approximately \$1.6 million through August 31, 2021, net of savings realized as a result of the multiyear agreement. The TA fiscal impact is within the City Council's 10-year fiscal forecast as adopted in the 2018-19 budget.

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 report 15 days prior to the City Council meeting of January 29, 2019.

Attachments

A. Track changes copy of Memorandum of Understanding between the City and Menlo Park POA expiring August 31, 2021

Report prepared by:

Lenka Diaz, Administrative Services Director

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
MENLO PARK POLICE OFFICERS' ASSOCIATION
AND
THE CITY OF MENLO PARK**



~~December 22, 2015~~ [DATE] through ~~June 30, 2017~~ August 31, 2021

TABLE OF CONTENTS	Page
PREAMBLE	1
ARTICLE 1: RECOGNITION.....	1
ARTICLE 2: P.O.A RIGHTS	1
ARTICLE 3: MANAGEMENT RIGHTS.....	2
ARTICLE 4: NON DISCRIMINATION.....	3
ARTICLE 5: HOLIDAYS	4
ARTICLE 6: LEAVE PROVISIONS	4
6.1 Sick Leave.....	4
6.2 Long Term Disability	6
6.3 Personal Business Leave.....	8
6.4 Leave Without Pay	8
6.5 Jury Duty and Subpoenas.....	9
6.6 Military Leave	9
6.7 Bereavement Leave.....	9
6.8 Miscellaneous Leave Provisions.....	9
6.9 Educational Leave/Tuition Reimbursement/Child Care/Recreation.....	11
6.10 Training Offset.....	11
ARTICLE 7: WORK SCHEDULE.....	13
ARTICLE 8: GRIEVANCE PROCEDURE	17
ARTICLE 9: OUTSIDE EMPLOYEMENT	23
ARTICLE 10: LAYOFFS, RESIGNATION, AND TRANSFER.....	23
ARTICLE 11: VACATIONS.....	26
ARTICLE 12: PERSONNEL ACTIONS.....	27
ARTICLE 13: PAY RATES AND PRACTICES.....	30
ARTICLE 14: RETIREMENT BENEFITS	35
ARTICLE 15: UNIFORM ALLOWANCE, SAFETY EQUIPMENT, & TRAINING.....	37
ARTICLE 16: DAMAGED PROPERTY OF PLICE OFFICERS.....	37
ARTICLE 17: BENEFITS PROGRAM.....	38
ARTICLE 18: FULL UNDERSTANDING MODIFICATION & WAIVER	41
ARTICLE 19: SEPARABILITY	42
ARTICLE 20: LABOR MANAGEMENT COMMITTEE.....	42
ARTICLE 21: TERM OF AGREEMENT	42
APPENDIX A: PAY RANGES	
APPENDIX B: DENTAL PLAN	

PREAMBLE

This Memorandum of Understanding is entered into pursuant to the provisions of Section 3500 et seq. of the Government Code of the State of California.

The parties have met and conferred in good faith regarding wages, hours and other terms and conditions of employment for the employees in said representation unit, and have freely exchanged information, opinions and proposals and have reached agreement on all matters relating to the employment conditions and employer-employee relations of such employees.

This Memorandum of Understanding shall be presented to the City Council of the City of Menlo Park as the joint recommendation of the undersigned parties for the period commencing December 17, 2014 and ending June 30, 2015.

ARTICLE 1: RECOGNITION

1.1 Union Recognition

The Menlo Park Police Officers' Association ("P.O.A.") is the exclusive recognized employee organization representing employees in the classification of Police Officer, [Police Corporal](#), and Police Recruit in their employer-employee relations with the City of Menlo Park, and the P.O.A. has been certified by the City of Menlo Park as the duly recognized employee organization for said employees.

1.2 City Recognition

The City Manager or designee shall be the representative of the City of Menlo Park ("City") in employer-employee relations.

ARTICLE 2: P.O.A. RIGHTS

2.1 Dues Deduction

The City shall deduct P.O.A. membership dues or insurance fees and any other mutually agreed upon payroll deduction from the biweekly pay of member officers. The dues deduction must be authorized in writing by the officer on an authorization card acceptable to the City and the P.O.A. The City shall remit the deducted dues and other fees to the P.O.A. as soon as possible after deduction.

The P.O.A. shall indemnify and hold harmless the City from any damage, liability, cost, or attorneys' fees in the event of any action in which the City is named as a party, which action involves the implementation or maintenance of dues deduction, the use of dues after deduction, negligence of the P.O.A. regarding said dues or any similar claim.

2.2 Use of City Facilities

According to the current practice, the P.O.A. may continue to the use of City facilities for meetings of police officers.

2.3 No Strike

During the term of this Memorandum, represented officers shall not engage in any concerted refusal to perform assigned services for the City. "Concerted refusal" as used herein refers to a strike, a sick out, a slow down, a speed up, the honoring of a picket line around City facilities and/or any action by bargaining unit employees that interferes with the full performance of City services by City employees. Nothing herein shall preclude represented officers from engaging in off-duty informational picketing that does not interfere with City operations. City agrees not to lock out represented officers during the term of this Memorandum.

ARTICLE 3: MANAGEMENT RIGHTS

3.1 The City hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the laws of the Constitution of the State of California, and of the United States, including but not limiting the generality of the foregoing, the right:

- 3.1.1 To set standards and levels of service;
- 3.1.2 To determine the procedures and standards of selection for employment;
- 3.1.3 To assign work to and direct its employees;
- 3.1.4 To determine the methods and means to relieve its employees from duty because of lack of funds or other lawful reasons;
- 3.1.5 To determine the methods, means and numbers and kinds of personnel by which City operations are to be conducted, including the right to contract or subcontract bargaining unit work provided that the City will meet and confer in advance on the impact of subcontracting on workload and safety and any other matter within the scope of representation;
- 3.1.6 To determine methods of financing;

- 3.1.7 To determine size and composition of the work force and allocate and assign work by which the City operations are to be conducted;
 - 3.1.8 To determine and change the number of locations, relocations and types of operations, processes and materials to be used in carrying out all City functions;
 - 3.1.9 To make all decisions relating to merit, necessity or organization of City service;
 - 3.1.10 To discharge, suspend, demote, reprimand, or otherwise discipline employees for just cause in accordance with applicable laws;
 - 3.1.11 To establish employees performance standards including, but not limited to, quality and standards, and to require compliance therewith;
 - 3.1.12 To take necessary actions to carry out its mission in emergencies; and
 - 3.1.13 To exercise complete control and discretion over its organization and the technology of performing its work.
- 3.2 The exercise of the foregoing powers, rights, authority, duties, and responsibilities by the City, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgment and discretion in connection therewith shall be limited only by the specific and express terms of this Memorandum and then only to the extent such specific and express terms hereof are in conformance with the Constitution and laws of the United States and the Constitution and laws of the State of California.
- 3.3 The exercise by the City through its Council and management representatives of its rights hereunder shall not in any way, directly or indirectly, be subject to any grievance procedure nor subject to meeting and conferring.
- 3.4 Nothing herein shall be deemed as a waiver by the Police Officer's Association or its Members of rights granted under Meyers-Milias-Brown Act (Government Code Sections 3500-3511, as amended) or the Police Officer's Bill of Rights.

ARTICLE 4: NON DISCRIMINATION

- 4.1 The City agrees that there shall be no discrimination against any officer in regard to any of the terms and conditions of employment on account of that officer's P.O.A. membership or non-membership or legitimate P.O.A. activities under this Agreement.

ARTICLE 5: HOLIDAYS

5.1 Except as otherwise provided, officers within the representation unit shall have the following ~~fixed~~ holidays with pay:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Admission Day	September 9
Veterans Day	November 11
Thanksgiving	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

One full day either December 24 or December 31

5.1.1 Designation of ~~which one full day on either~~ December 24 or December 31 as a holiday is taken off shall be made by the Chief of Police, considering the needs of the service and the officer's desires.

5.1.2 All bargaining unit members will recognize listed Holidays the day on which they fall, even if other City Departments recognize the holiday on a different day.

As used in this section, "Holiday Pay" is straight time pay. Holiday Pay on days when an employee works may be coded as "regular pay" for payroll purposes.

Pay for holidays may not be taken as compensatory time off.

~~In the event that any of the aforementioned days, except December 24 or 31, falls on a Sunday, the following Monday shall be considered a holiday. In the event that any of the aforementioned days fall on a Saturday, the preceding Friday shall be considered a holiday. In the event that December 24 and 31 fall on a Sunday, then the preceding Friday will be designated for purposes of the full day holiday.~~

5.1.3 Work on a ~~Fixed-Listed~~ Holiday.

a. Holidays on Employee's Regular Workday. Any employee ~~required-authorized~~ to work on a ~~fixed-listed~~ holiday ~~and in addition to regular hours (e.g., on his or her regular day off)~~ which falls on his or her regular

Formatted: List Number 3, Indent: Left: 0", First line: 0", Right: 0", Tab stops: Not at 0.5" + 1.1" + 1.5" + 2" + 3" + 3.7" + 5.5"

workday shall be paid time and one-half for such work in addition to his/her holiday pay equal to the number of hours the employee works, up to a maximum of the regular shift length for the overtime shift and a minimum of eight (8) holiday hours.

Work on a fixed-listed holiday beyond the number of hours in the regular shift being worked on the holiday shall be compensated at double time. [For example, an employee working overtime in a special assignment working on a holiday will be entitled to double time after ten (10) hours; an employee working overtime on patrol on a holiday will be entitled to double time after twelve (12) hours.]

Example 1: Employee P1 has a regular work schedule of Monday through Thursday (Patrol) and works a full Patrol shift (12 hours) on a holiday which falls on a Monday (his or her regular workday). Employee P1 would be paid a total of 30 hours (12 hours holiday pay plus 12 hours at time and one half.)

Example 2: Employee P2 has a regular work schedule of Monday through Thursday (Patrol) and works a full Non-Patrol shift (10 hours) on a holiday which falls on a Monday (his or her regular workday). Employee P2 would be paid a total of 25 hours (10 hours holiday pay plus 10 hours at time and one half.)

Example 3: Employee P3 has has a regular work schedule of Monday through Thursday (Patrol) and works 4 hours on a holiday which falls on a Monday (his or her regular workday). Employee P3 would be paid a total of 14 hours (8 hours holiday pay plus 4 hours at time and one half.)

Example 4: Employee NP1 has a regular work schedule of Monday through Thursday (Non-Patrol) and works a full Patrol shift (12 hours) on a holiday which falls on a Monday (his or her regular workday). Employee NP1 would be paid a total of 30 hours (12 hours holiday pay plus 12 hours at time and one half.)

Example 5: Employee NP2 has a regular work schedule of Monday through Thursday (Non-Patrol) and works a full Non-Patrol shift (10 hours) on a holiday which falls on a Monday (his or her regular workday). Employee NP2 would be paid a total of 25 hours (10 hours holiday pay plus 10 hours at time and one half.)

Example 6: Employee NP3 has a regular work schedule of Monday through Thursday (Non-Patrol) and works 4 hours on a holiday which falls on a Monday (his or her regular workday). Employee NP3 would be paid a total of 14 hours (8 hours holiday pay plus 4 hours at time and one

half.)

Formatted: Indent: Left: 1.5", First line: 0", Tab stops: Not at 0.5"

- b. Holidays on an Employee's Regular Day Off. Any employee authorized to work on a listed holiday on his or her regular day off shall be paid double time for such work in addition to eight (8) hours of holiday pay pursuant to Section 5.1.5.

Example 1. Employee P4 has a regular work schedule of Thursday through Sunday (Patrol) and works a full Patrol shift (12 hours) on a holiday which falls on a Monday (his or her regular day off). Employee P4 would be paid a total of 32 hours (8 hours holiday pay plus 12 hours at double time.)

Example 2. Employee P5 has a regular work schedule of Thursday through Sunday (Patrol) and works a full Non-Patrol shift (10 hours) on a holiday which falls on a Monday (his or her regular day off). Employee P5 would be paid a total of 28 hours (8 hours holiday pay plus 10 hours at double time.)

Example 3: Employee P6 has a regular work schedule of Thursday through Sunday (Patrol) and works four (4) hours on a holiday which falls on a Monday (his or her regular day off). Employee P6 would be paid a total of 16 hours (8 hours holiday pay plus 4 hours at double time.)

Example 4: Employee NP4 has a regular work schedule of Tuesday through Friday (Non-Patrol) and works a full Patrol shift (12 hours) on a holiday which falls on a Monday (his or her regular day off). Employee NP4 would be paid a total of 32 hours (8 hours holiday pay plus 12 hours at double time.)

Example 5: Employee NP5 has a regular work schedule of Tuesday through Friday (Non-Patrol) and works a full Non-Patrol shift (10 hours) on a holiday which falls on a Monday (his or her regular day off). Employee NP5 would be paid a total of 28 hours (8 hours holiday pay plus 10 hours at double time.)

Example 6: Employee NP6 has a regular work schedule of Tuesday through Friday (Non-Patrol) and works four (4) hours on a holiday which falls on a Monday (his or her regular day off). Employee NP6 would be paid a total of 16 hours (8 hours holiday pay plus 4 hours at double time.)

Formatted: List Number 3, Indent: Left: 1.5", First line: 0", Right: 0", Tab stops: Not at 0.5" + 1.1" + 1.5" + 2" + 3" + 3.7" + 5.5"

5.1.4 Holidays on an Employee's Scheduled Work Day. An employee who is scheduled to work on a listed holiday, and who does not work ~~due to illness or injury for which they would otherwise be eligible for sick leave, shall be entitled to~~ will be paid eight (8) hours of holiday pay and ~~shall~~ must use ~~general leave, or other~~ paid/unpaid leave to make up any difference between the holiday and ~~his or her regularly~~ the scheduled shift. An employee will not be paid for more ~~than his or her regular day's pay for any holiday when he or she~~ hours than scheduled when the employee does not work ~~due to illness or injury.~~

Example 1: Employee P7 does not work any portion of his or her regularly scheduled shift on a holiday. Employee P7 will be paid eight (8) hours holiday pay and use four (4) hours of appropriate leave.

Example 2: Employee P8 works two (2) hours of his or her regular shift on a holiday. Employee P8 will be paid two (2) hours at time and one half, eight (8) hours holiday pay, and use (2) hours of appropriate leave.

5.1.5 Holidays on an Employee's RDO

When a holiday falls on the regular day off, and the employee does not work that day, that employee shall receive eight (8) hours of holiday pay at his or her straight time hourly rate.

When a holiday falls on the regular day off for an employee who is filling a non-Patrol assignment, that employee will normally flex his or her regular day off to account for the holiday (i.e., will use the 8 hours of holiday time to take time off on another day during the same workweek). However, with the approval of their supervisor, and subject to the operational needs of the Department, employees on a non-Patrol assignment may work their full workweek and receive an additional 8 hours of pay for the holiday (i.e., 40 hours for time worked plus 8 hours for the holidays).

5.1.6 Holiday pay shall be reported in accordance with PERS requirements.

ARTICLE 6: LEAVE PROVISIONS

6.1 Sick Leave

6.1.1 Each employee shall accrue sick leave each month at a rate of eight (8) hours per month.

6.1.2 Sick leave shall cease to accrue when an employee's accrual reaches the limit of one thousand five hundred hours (1,500) hours.

- 6.1.3 Employees hired by the City prior to July 1, 2011 may, upon retirement from City employment convert up to one thousand two hundred (1,200) hours of his or her total sick leave accrual to Retirement Health Insurance Credits.
- 6.1.4 City shall have the right and obligation to monitor the operation of sick leave and take appropriate action to insure that benefits are paid only for actual illness and injury. However, an employee may utilize up to six months' accrual of sick leave per year to care for an immediate family member who is ill or injured.
- 6.1.5 As provided in the City's presently existing Personnel Rules, the City shall have the right to require medical proof of illness or injury and to take appropriate disciplinary action in those cases where abuse has occurred.

6.1.6 Compensation for Accumulated Sick Leave

6.1.6.1 Resignation

A resigning officer hired by the City prior to July 1, 2011, who has fifteen (15) or more years of continuous service shall receive compensation for up to fifteen percent (15%) of his/her accumulated sick leave balance, up to a maximum limit of one thousand two hundred (1,200) hours. Such compensation shall be based on the officer's rate of pay on his/her last day paid service to the City.

6.1.6.2 Retirement

An officer hired by the City prior to July 1, 2011, who retires under PERS may select one (1) of the following options as compensation for accumulated sick leave, up to a maximum limit of one thousand two hundred (1,200) hours:

- 6.1.6.2.1 Twenty percent (20%) of his/her accumulated sick leave balance, based on the officer's rate of pay on his/her last day of paid service to the City; or
- 6.1.6.2.2 One month of paid health insurance for each unit of retirement health credit. At the time of retirement, the accrued sick leave balance may be converted to retirement health credits at the rate of one (1) unit for every eight (8) hours of accumulated sick leave with any remainder being rounded to the next higher credit; or
- 6.1.6.2.3 Cash compensation for twenty percent (20%) of accumulated sick leave based on the officer's rate of pay on his/her last day of paid service to the City, with the balance of accumulated sick leave converted to retirement health credits at the rate of one (1) unit for every eight (8) hours of accumulated sick leave and any remainder being rounded to the next higher credit. A unit of retirement health credit is equal to one month of paid health insurance.

6.1.6.2.4 Sick Leave Credit. At retirement, any unused sick leave you have may be converted to additional retirement service credit. (The additional service will not change your age at retirement.) You will receive credit for all unused sick leave certified by the Personnel Officer. It takes 125 days or 1000 hours of sick leave to receive half (0.5) a year of service credit with PERS. If the credit is indicated and verified on your retirement application, it is added to the first retirement check. If not, an adjustment is calculated after your retirement date and paid retroactively to you by PERS. To receive sick leave credit, your retirement date must be within 120 days of the date of separation from employment.

Officers hired by the City on or after July 1, 2011 are only eligible to convert their sick leave balance to additional service credit at retirement in accordance with 6.1.6.2.4 above.

- 6.1.7 Any officer who qualifies for retirement health credit conversion and chooses the option of converting their accumulated sick leave balance to retirement health credits under 6.1.6.2.2 or 6.1.6.2.3 that has at least twenty (20) years of service with the City may elect to have their accrued sick leave balance converted to retirement health credits at the rate of one (1) unit for every six (6) hours of accumulated sick leave with any remainder being rounded to the next higher credit. The retirement health credit calculated pursuant to this Section 6.1.7 shall not exceed the highest HMO health plan premium as may be in effect at the time such credit is applied. The election pursuant to this Section 6.1.7 shall be made at the time of retirement.
- 6.1.8 Double Coverage. Workers who qualify for the retirement health credit conversion may elect double coverage at the rate of two (2) units for every month of paid health insurance.
- 6.1.9 Family Coverage. Workers who qualify for the retirement health credit conversion may elect family coverage at the rate of three (3) units for every month of paid health insurance.
- 6.1.10 Transfer of Sick Leave for Catastrophic Illness. Transfer of sick leave for catastrophic illness is designed to assist officers who have exhausted sick leave due to a catastrophic illness, injury or condition of the worker. This policy allows other workers to make voluntary grants of time to that worker so that he/she can remain in a paid status for a longer period of time, thus partially ameliorating the financial impact of the illness, injury or condition.

A catastrophic illness is defined as an illness which has been diagnosed by a competent physician, requiring an extended period of treatment or recuperation, and which has a significant risk to life or life expectancy. Confirmation of the condition and prognosis by a health care provider chosen by the City may be required.

The Personnel Division will discuss with the POA or their designated representative an appropriate method of soliciting contributions from coworkers. The contributions shall be submitted to the Personnel Division and Personnel will process the contribution list in the order established. Any officer shall be allowed to contribute a maximum of eighty (80) hours of sick leave from their accrued sick leave balance to another full-time or permanent part-time worker in the City who is suffering from a catastrophic illness and has exhausted his or her own sick leave, provided, however, they have maintained a positive sick leave balance of forty (40) hours or more following the donation. Once the contribution is made it cannot be rescinded.

Upon return to work, an officer may bank any remaining hours that have been contributed up to a maximum of forty (40) hours. If the contribution list has not been exhausted, the contributing workers will be notified that their contribution was not required and the balance restored.

6.2 Long Term Disability

- 6.2.1 Should any non-work related illness or injury extend beyond thirty (30) working days, the City will insure continued payment to the worker at 66.67 percent of salary, up to a maximum as provided in the long term disability policy. The amounts paid shall be less any payments received from either workers' compensation or retirement. During the first year of disability and so long as no retirement determination has been made by the City, the worker will be entitled to continued City paid health insurance, AD&D, dental and life insurance benefits. At the end of 365 calendar days from the date of illness or injury or unless previously retired, should the worker not be able to return to work, the worker will be permitted to continue to participate in City paid health insurance, AD&D, and dental and life insurance benefits. However, the employee will be required to pay 100% of any premium.

6.3 Leave Without Pay

- 6.3.1 Leaves of absence without pay may be granted in cases of personal emergency or when such absences would not be contrary to the best interest of the City.

6.3.2 Requests for leaves of absence without pay must be written and submitted to the Chief of Police and Human Resources. The ~~Chief of Police~~Human Resources Director may grant a permanent officer leave of absence without pay for a period not to exceed one (1) year, during which time no benefits and no seniority credit will accrue. Approval shall be in writing ~~and a copy filed with the Human Resources Department~~. Upon expiration of a regularly approved leave, or within five (5) working days after notice to return to duty, the officer shall be reinstated in the position held at the time the leave was granted. Failure on the part of an officer on leave to report promptly at its expiration, or within three (3) working days after notice to report to duty, may be cause for disciplinary action.

6.3.3 If an officer is on an extended leave without pay, the City agrees it will not condition the return on the passing of a polygraph examination and will limit any other examination for fitness to the last thirty (30) days of said leave.

6.4 Jury Duty and Subpoenas - Not Related to Official Duties

6.4.1 An officer required to report for jury duty or to answer a subpoena as a witness, provided the witness has no financial interest in the outcome of the case, shall be granted a leave of absence with pay from his/her assigned duties until released by the court, provided the officer remits to the City all fees received from such duties other than mileage or subsistence allowances within thirty (30) days from the termination of jury service.

6.4.2 When an officer returns to complete a regular shift following time served on jury duty or as a witness, such time falling within work shift shall be considered as time worked for purposes of shift completion and overtime computation. In determining whether or not an officer shall return to his/her regular shift following performance of the duties above, reasonable consideration shall be given to such factors as travel time and a period of rest.

6.5 Military Leave

Military leave of absence shall be granted and compensated in accordance with Military and Veterans Code Sections 389 and 395 et seq. Officers entitled to military leave shall give the appointing power an opportunity, within the limits of military regulations, to determine when such leave shall be taken.

6.6 Bereavement Leave

An officer shall be allowed regular pay for not more than three (3) working days when absent because a death has occurred in the immediate family. For purpose of bereavement leave, members of the immediate family shall be limited to mother, father, child, sibling, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandchild, grandmother, grandfather, spouse, domestic partner, or dependent of the officer. Officers may use personal leave for bereavement purposes for relations not included above provided such leave is approved in advance by the Chief of Police.

6.7 Miscellaneous Leave Provisions

- 6.7.1 Leaves of absence without pay which exceed four (4) weeks and are for leaves other than military, or job related disability shall not be included in determining seniority.
- 6.7.2 At the conclusion of a leave of absence an officer shall be returned to an equivalent position within his/her classification.
- 6.7.3 For any unpaid leave of absence the officer may elect to continue insurance coverage for up to the duration of his/her leave of absence at his/her own expense.
- 6.7.4 For any paid leave of absence, all benefits continue to accrue.
- 6.7.5 The City Manager or designee will designate the specific beginning and ending dates to meet the needs of the work and the City, which shall not exceed one unpaid year.
- 6.7.6 At the specified date for return to duty from unpaid leave, if the officer has been disabled, the officer's notice of intention to return to duty shall be accompanied by a physician's statement certifying that the officer is medically qualified to assume full duties and responsibilities. If an officer is not medically qualified to assume full duties, on the date specified in 6.11.5, he/she shall be granted a leave accumulated in accordance with section 6.1.1 and Labor Code Section 4850 but shall not be entitled to any other benefits.
- 6.7.7 At the conclusion of a leave of absence for any disability the officer may be required to submit a physician's statement certifying that he/she is medically qualified to resume work.
- 6.7.8 Leaves shall not be unreasonably denied.
- 6.7.9 All provisions of this Article shall be administered in conformance with the Family and Medical Leave Act and the California Family Rights Act.

~~6.8 — Educational Leave/Tuition Reimbursement/Child Care/Recreation~~

~~6.8.1 — Effective July 1, 2015, the City shall contribute Five Hundred Dollars (\$500.00) per authorized full time unit position to an educational leave/tuition reimbursement/child care/recreation fund for unit members. Effective July 1, 2016, the City shall contribute Two Hundred and Fifty Dollars (\$250) (half the annual allotment) per authorized full time unit position to the fund. Each officer shall be eligible to use up to Two Thousand Dollars (\$2,000) per year for items covered under this section while a balance remains in the fund. Any fund balance remaining at the end of the fiscal year shall be applied on a proportionate basis to claims in excess of the Two Thousand Dollars (\$2,000) per officer limit, up to a maximum of Five Thousand Dollars (\$5,000) per officer. Claims for funds in excess of the Two Thousand Dollar (\$2,000) limit shall be submitted no later than July 15 following the close of the fiscal year so that the proportionate amounts can be calculated and disbursed. All claims must be approved in advance by the Chief of Police, and must qualify under applicable IRS code sections.~~

~~— Effective December 31, 2016, this fund shall be discontinued. And Section 6.8 will be deleted from the MOU.~~

~~— [Note: this fund will be replaced by the increased cafeteria plan contribution effective January 1, 2017.]~~

~~6.8.2 — Officers may request an advance of funds subject to the approval of the Chief of Police, who will consult with the City Manager. Advances may be granted for tuition, books and other curriculum fees in exchange for a repayment agreement in the event advances are not supported or courses are not satisfactorily completed as indicated by a grade of “C” or better. The officer may not elect to take a “pass fail” grade if the letter system of grading is offered. In appropriate circumstances with advanced approval of the Chief of Police, an officer may elect to take a “pass fail” grade or obtain a Certification of Completion.~~

~~6.8.3 — All officers assigned by the City to attend meetings, workshops, or conventions shall have their dues and reasonable expenses paid by the City and shall be allowed to attend such workshops, meeting and conventions on paid City time. Such required educational functions shall be reimbursed from departmental training funds and shall not be counted against the officer’s allowance or taken from the annual tuition reimbursement/child care/recreation fund.~~

- ~~6.8.4 — Tuition Reimbursement: To qualify for educational reimbursement, the education must maintain or improve the employee’s skills in performing his or her job, or be necessary to meet the express requirements of the City or the requirements of applicable law. The education to which the reimbursement relates must not be part of a program qualifying employees for another trade or businesses; or be necessary to meet the minimum educational requirements for employment. Permissible educational expenses are refresher courses, courses dealing with current developments, academic or vocational courses as well as the travel expenses allocated with the courses.~~
- ~~6.8.5 — Course work intended to meet the entry level requirements for any positions in the City is not reimbursable. Graduate course work in the pursuit of related graduate professional programs and which enhance the skills of the employee are reimbursable to the extent allowed under Section 127 of the Internal Revenue Code.~~
- ~~6.8.6 — Recreation: Reimbursement for participation may be made if the reimbursements qualify as “no additional cost” services under section 132(b) of the Internal Revenue Code and that to qualify as “no additional cost” services the reimbursements must be only for classes in which the employees participate on a space available basis. Under section 132(f)(2) of the Code, spouses and dependent children may also participate in City sponsored recreation programs and activities on a space available basis.~~
- ~~6.8.7 — Child Care: The annual amount submitted for reimbursement cannot exceed the income of the lower paid spouse. The reimbursement request must be for employment related expenses for the care of one or more dependents who are under age 13 and entitled to a dependent deduction under Internal Revenue Code section 151(e) or a dependent who is physically or mentally incapable of caring for himself or herself.~~
- ~~6.8.8 — Payments must not have been made to a child under the age of 19 years or to a person claimed as a dependent. If the services are provided by a dependent care center, the center must comply with all state and local laws and must provide care for more than six individuals (other than a resident). Note: The use of the dependent care provision is guided by a written plan document required by the Internal Revenue Service.~~
- ~~6.8.9 — The maximum accrual in the fund shall not exceed two times the annual fund amount.~~
- ~~-~~

Formatted: Tab stops: 0.5", Left + Not at 1.5"

6.9 Training Offset

6.9.1 Officers who work a patrol shift as part of a 4/12 work schedule shall be provided with a bank of twenty-four (24) hours for training offset, credited ~~on the first pay period of each fiscal year~~ pay period one (1) of each payroll calendar year. The hours shall be used to fill in for the remainder of a shift where voluntary training was provided (e.g., if an employee attends an eight (8) hour day of training, he or she may use four (4) hours of training offset time to complete his or her twelve (12) hour shift. Eight (8) hours training plus four (4) hours training offset = twelve (12) hour shift).

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: Not at 1.5" + 2" + 3"

~~These hours may only be used in conjunction with supplementing time off for voluntary training. Employees may carry a maximum of forty eight (48) hours of training offset in their bank.~~

6.9.2 Training offset hours do not carry over to subsequent years. Training offset hours may not be cashed out, paid out on separation or used for any purpose other than stated above.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

ARTICLE 7: WORK SCHEDULE

The Chief of Police shall determine the appropriate regular or alternative work schedules for the Department and the various divisions, sections and details based upon feasibility or operational needs. The Chief of Police will meet and confer with P.O.A. prior to making any changes to existing work schedules.

7.1 4/10 Work Schedule

A 4/10 work schedule is defined as ten (10) hours per day worked, four (4) days per calendar week. If used during the term of this Memorandum of Understanding, it shall be subject to the following conditions:

- 7.1.1 The "4/10" schedule shall apply to police officers assigned to traffic, detectives, crime prevention or special assignments with the approval of the Chief of Police.
- 7.1.2 In the event the City elects to change the scheduling of days off or starting times for the shifts, the City shall provide at least thirty (30) days' advance written notice and an opportunity for the P.O.A. to meet and confer on such proposed change.
- 7.1.3 In the event that staffing level falls to a point where a "4/10" schedule is no longer feasible, or operational needs of the department are not consistent with the "4/10" schedule, the City agrees to consult with P.O.A. prior to changing to an alternative work schedule.

- 7.1.4 If the City determines significant adverse impact of the “4/10” schedule because of increased sick leave, or increased overtime, or insufficiency in staffing levels, the City reserves the right to change to an eight (8) hours per day schedule.
- 7.1.5 The parties agree that provisions in the Personnel Rules and other City rules and regulations may be modified, expressly or impliedly, as they apply to those represented employees working the “4/10” schedule.
- 7.1.6 The 4/10 schedule shall revert to a five day, eight hour shift for any training that requires attendance at class for a consecutive five day period.

7.2 4/12 Work Schedule

A 4/12 work schedule is defined as a series of twelve (12) hours per day worked in four consecutive days followed by four consecutive days off. The maximum assignment may total 168 hours in a twenty-eight (28) day cycle. If utilized, the schedule is subject to the following:

- 7.2.1 The 4/12 schedule shall apply to police officers assigned to general patrol and shall not apply to detectives, traffic, code enforcement or special assignments without the approval of the Chief of Police.
- 7.2.2 In the event the City elects to change the scheduling of days off or starting times for the shifts, the City shall provide at least thirty (30) days’ notice and an opportunity for the P.O.A. to meet and confer on such proposed changes.
- 7.2.3 The parties agree that provisions in the Personnel Rules and other City rules and regulations may be modified, expressly or implicitly, as they apply to those represented employees working the 4/12 schedule.
- 7.2.4 Nothing herein shall prevent the City from making temporary changes to address bona fide non-staffing emergencies that may arise during the term of this Agreement.

7.3 Job Sharing

The City shall consider requests for job sharing. Job sharing is defined as an arrangement between two full-time regular sworn officers who share the responsibilities of one position. Each employee agrees to relinquish his/her full-time status (40 hours a week) and work half-time (20 hours a week). The opportunity for a job sharing arrangement will depend on the operational and staffing needs of the department at the time of the request. Job sharing arrangements shall be developed in accord with the “Job Share Program Policy”.

7.4 Shift Change

The scheduled shift change dates shall take place on the first day of a twenty eight (28) day payroll cycle occurring closest to June 1, October 1 and February 1.

Further, the shift bid and vacation request process shall be as follows:

- 7.4.1 Shift bid will take place one month into the rotation. Two consecutive shift rotations will be bid at one time. Notice will be provided to the officers two weeks prior to the designated day when the shift bid will occur.
- 7.4.2 On the designated shift bid day, officers will be assigned a fifteen minute time slot, by seniority, in which to call or come in to make their bid. Two phone numbers will be provided in which to call in. If the time allotted expires, that officer will be moved to the next available time slot at the bottom of the seniority list. If an officer is going to be out of the area, and unable to call in during their allotted times, a "proxy" bid will be allowed. The scheduling supervisor must be notified in advance who will be responsible for calling in the "proxy" bid prior to the designated shift bid day.
- 7.4.3 Requests for guarantee vacation during the rotation periods will also be taken by seniority on the day of shift bid. No single vacation day request will be accepted during the following dates: May 5, July 4, and January 1. However, if these dates fall within an officer's approved week request, it shall be granted.
- 7.4.4 Each employee will have the ability to choose (1) less than one week vacation pick except those listed above, as long as it falls within their total fiscal year accrual of vacation. Employees signing up for less than one week vacation will prevent any other employee, on the same team, from having the ability to sign up for vacation during that same week due to our current time off policy, unless requested days do not conflict. The week for the purposes of this section will be Sunday through Saturday.
- 7.4.5 Prior to each shift bid process, special attention will be given to the department's specialty assignment list. If an officer is due to rotate out of their assignment during the rotation period for which the bid process is occurring, adherence to MPPD Policy 1029 – Rotational Assignments will be followed. The officer "will be extended to the next shift rotation date with approval of the Chief of Police".
- 7.4.6 The scheduling Sergeant will be present on the designated shift bid day to monitor all time slots, patrol shift slots and vacation requests.

7.4.7 This section shall not apply to probationary employees, permanent employees whose assignments do not require shift changes, ~~Acting Watch Commander, Field Training Officer and~~ Canine Officer, and employees in acting assignments.

7.4.8 Employees assigned to ~~Field Training Officer, Acting Watch Commander, and Canine~~ and other specified assignments will bid by seniority for those assignments in slots designated by the Department (e.g., a canine officer may bid only for canine slots). The Chief may reassign employees in these assignments based on operational need at any time.

7.4.9 Shift bid for Corporals will be seniority in slots designated by the Department.

~~7.4.9~~¹⁰ The Chief of Police reserves the right to implement an individual rotating schedule in lieu of a team schedule.

7.5 Schedule Changes for Individual Officers

The Department may change individual officer or Corporal schedules with five (5) calendar days' notice. Any officer or Corporal whose schedule is changed with less than five (5) calendar days' notice will be paid overtime for the first four (4) hours of the new schedule. This section shall not apply to (a) emergency situations; (b) probationary employees; (c) voluntary schedule changes; (d) schedule changes for training; or (e) schedule changes for employees in ~~Field Training Officer, Canine~~ or out of class, and Acting Watch Commander assignments.

7.6 Nothing herein shall prevent the City from making temporary schedule changes to address bona fide emergencies that may arise during the term of this Agreement. An "emergency" is an unanticipated or unforeseen event or occurrence beyond the control of the City or the Police Department which requires prompt and immediate law enforcement response to prevent injury or damage to life, person, or property.

ARTICLE 8: GRIEVANCE PROCEDURE

8.1 Definitions

8.1.1 A "grievance" is an alleged violation, misinterpretation or misapplication of the provisions of this Memorandum of Understanding, , policy and/or procedure manuals affecting the working conditions of the officers covered by this Agreement; or

8.1.2 A "Disciplinary appeal" is an appeal from a disciplinary action of a Letter of Reprimand of higher against an officer covered by this Memorandum of Understanding.

8.1.3 A “grievant” is any officer adversely affected by an alleged violation of the specific provision of this Memorandum, or the Union.

8.1.4 A “day” is any day in which the administrative offices of the City of Menlo Park are open for regularly scheduled business.

8.2 General Provisions

8.2.1 Until final disposition of a grievance, the grievant shall comply with the directions of the grievant’s immediate supervisor.

8.2.2 All documents dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.

8.2.3 Time limits for appeal provided at any level of this procedure shall begin the first day following receipt of the written decision by the grievant and/or the P.O.A.

Failure of the grievant to adhere to the time deadlines shall mean that the grievant is satisfied with the previous decision and waives the right to further appeal. The grievant and the City may extend any time deadline by mutual agreement.

8.2.4 Every effort will be made to schedule meetings for the processing of grievances at time which will not interfere with the regular work schedule of the participants. If any grievance meeting or hearing must be scheduled during duty hours, any employee required by either party to participate as a witness or grievant in such meeting or hearing shall be released from regular duties without loss of pay for a reasonable amount of time.

8.2.5 Any officer may at any time present grievances to the City and have such grievances adjusted without the intervention of the P.O.A., as long as the adjustment is reached prior to arbitration and the adjustment is not inconsistent with the terms of the Memorandum: provided that the City shall not agree to resolution of the grievance until the Association has received a copy of the grievance and the proposed resolution and has been given the opportunity to file a response. Upon request of the grievant, the grievant may be represented at any stage of the grievance procedure by a representative of the P.O.A.

8.3 Grievance Procedure (for grievances as defined in 8.1.1)

8.3.1 Level I - Immediate Supervisor

8.3.1.1 Any officer who believes he/she has a grievance which is an alleged violation of the specific provisions of this Memorandum of Understanding shall present the grievance orally to the immediate supervisor within ten (10) days after the grievant knew, or reasonable should have known, of the circumstances which form the basis for the grievance. Failure to do so will render the grievance null and void. The immediate supervisor shall hold discussions and attempt to resolve the matter within ten (10) days after the presentation of the grievance. It is the intent of this informal meeting that at least one personal conference be held between the aggrieved employee and the immediate supervisor.

8.3.2 Level II - Chief of Police

8.3.2.1 If the grievance is not resolved at Level I and the grievant wishes to press the matter, the grievant shall present the grievance in writing on the appropriate form to the Chief of Police within ten (10) days after the oral decision of the immediate supervisor. The written information shall include: (a) A description of the specific grounds of the grievance, including names, dates, and places necessary for a complete understanding of the grievance; (b) A listing of the provisions of this agreement which are alleged to have been violated; (c) A listing of the reasons why the immediate supervisor's proposed resolution of the problem is unacceptable; and (d) A listing of specific actions requested of the City which will remedy the grievance.

8.3.2.2 The Chief of Police shall communicate the decision to the grievant in writing within ten (10) days after receiving the grievance. If the Chief of Police does not respond within the time limits, the grievant may appeal to the next level.

8.3.2.3 Within the above time limits either party may request a personal conference.

8.3.3 Level III - Appeal to the City Manager

8.3.3.1 If the grievant is not satisfied with the decision at Level II, the grievant may within ten (10) days of the receipt of the decision at Level II appeal the decision on the appropriate form to the

City Manager. This statement shall include a clear, concise statement of the reasons for the appeal.

8.3.3.2 The City Manager or designee shall communicate the decision to the grievant within ten (10) days. If the City Manager or designee does not respond within the time limits provided, the grievant may appeal to the next level.

8.3.4 Level IV - Binding Arbitration

8.3.4.1 If the grievant is not satisfied with the decision at Level III, the grievant may within ten (10) days of the receipt of the decision submit a request in writing to the P.O.A. for arbitration of the dispute. Within twenty (20) days of the grievant's receipt of the decision at Level III, the P.O.A. shall inform the City of its intent as to whether or not the grievance will be arbitrated. The POA and the City shall attempt to reach a mutual agreement on an arbitrator. If no agreement can be reached, the parties shall jointly submit to the California State Mediation and Conciliation Service a request for the submission to representatives of the parties of a list containing the names of seven (7) Arbitrators who confirm their availability to hold and complete the arbitration hearing within sixty (60) days and who are members of the National Academy of Arbitrators (NAA). Upon receipt of the lists, the parties shall alternately strike names from the list, and the name which remains shall be the designated Arbitrator.

8.3.4.2 The arbitrator shall conduct and complete the hearing on the grievance, within sixty (60) days of the date of the P.O.A.'s request for arbitration. The parties may mutually agree to extend that timeline. The parties shall file their post-hearing briefs within thirty (30) days of the close of the hearing and the arbitrator shall render a decision on the issue or issues submitted within thirty (30) days of the submission of the briefs. If the parties cannot agree upon a submission agreement, the arbitrator shall determine the issues by referring to the written grievance and the answers thereto at each step.

8.3.4.3 The City and P.O.A. agree that the jurisdiction and authority of the arbitrator so selected and the opinions the arbitrator expresses will be confined exclusively to the interpretation of the express provision or provisions of this Agreement at issue between the parties. The arbitrator shall have no authority to add to, subtract from, alter, amend, or modify any provisions of this Agreement or the written ordinances, resolutions, rules,

regulations and procedures of the City, nor shall he/she impose any limitations or obligations not specifically provided for under the terms of this Agreement. The Arbitrator shall be without power of authority to make any decision that requires the City or management to do an act prohibited by law.

- 8.3.4.5 The award of the arbitrator shall be final and binding.
- 8.3.4.6 The fees and expenses of the arbitrator (including the cost of any list of arbitrators pursuant to Section 8.3.4.1) shall be shared equally by the City and P.O.A.

All other expenses shall be borne by the party incurring them, and neither party shall be responsible for the expense of witnesses called by the other. Either party may request a certified court reporter to record the entire arbitration hearing. The cost of the services of such court reporter shall be shared equally by the parties.

- 8.3.4.7 By filing a grievance and processing it beyond Level III, the grievant expressly waives any right to statutory remedies or to the exercise of any legal process other than as provided by this grievance/arbitration procedure. The processing of a grievance beyond Level III shall constitute an express election on the part of the grievant that the grievance/arbitration procedure is the chosen forum for resolving the issues contained in the grievance, and that the grievant will not resort to any other forum or procedure for resolution or review of the issues. The parties do not intend by the provisions of this paragraph to preclude the enforcement of any arbitration award in any court of competent jurisdiction.

8.4 Disciplinary Appeals

- 8.4.1 This procedure shall be the sole and exclusive procedure for processing appeals to disciplinary actions and shall satisfy all administrative appeal rights afforded by the Public Safety Officers Procedural Bill of Rights Act, Government Code Sections 3300, et seq.
- 8.4.2 A “disciplinary appeal” is a formal written appeal to any punitive disciplinary action including dismissal, demotion, suspension, reduction in salary, letters of reprimand, or transfer for purposes of punishment. However, letters of reprimand are not subject to the arbitration provisions of this procedure. This procedure also shall not apply to the rejection or termination of at will employees, including those in probationary status. Any reduction in pay for change in assignment which occurs in the course of regular rotation and is not

punitive shall not be subject to this procedure.

- 8.4.3 Nothing herein constitutes a waiver of rights of employees otherwise granted by law.
- 8.4.3 Persons on probationary status (entry-level or promotional) may not appeal under this agreement rejection on probation.
- 8.4.4 Letters of Reprimand may be appealed under this section only to Level III-City Manager level.
- 8.4.5 An employee challenging a suspension, demotion or dismissal shall begin at Level III for this process.
- 8.4.6 Any officer who believes he/she has an appeal to any punitive disciplinary action (as defined in Section 8.1.2) shall present the appeal in writing to the City Manager within ten (10) days after receipt of the Notice of Discipline. Failure to do so will be deemed a waiver of any appeal. The City Manager or designee shall hold a meeting to hear the appeal within ten (10) days after the presentation of the appeal and shall issue a decision on the appeal within ten (10) days after the presentation of the appeal. For Letters of reprimand, the City Manager's decision shall be final. However the employee may write a response to the Letter of Reprimand and have that response included in his or her personnel file.
- 8.4.7 For appeals from dismissal, demotion, suspension, reduction in salary, or transfers for purposes of punishment, if the employee is not satisfied with the decision of the City Manager, the employee may, within ten (10) days of the receipt of the decision, submit a request in writing to the P.O.A. for arbitration of the dispute. Within twenty (20) days of the City Manager's decision, the P.O.A. shall inform the City of its intent as to whether or not the discipline will be arbitrated. The POA must be the party taking the matter to arbitration.
- 8.4.8 The parties shall attempt to agree to the selection of an arbitrator. However, in the event that the City and the POA cannot agree upon the selection of an arbitrator within twenty one (21) calendar days from the date that the POA has notified the City of its intent to proceed to Arbitration, the following procedure shall be followed:
 - 8.4.8.1 The following list of five (5) arbitrators shall be used for determining the arbitrator. The parties shall alternately strike names from the list, and the name that remains shall be the designated arbitrator. In the event the selected arbitrator is unable to schedule the arbitration hearing within ninety (90) calendar days, the parties shall use the arbitrator whose name was most previously struck from the list and

will continue up the list in the inverse order of striking (i.e., last struck first) until reaching the name of an arbitrator able to schedule the arbitration hearing within ninety (90) calendar days:

1. Alexander Cohn
2. Joseph Grodin
3. Carol Ann Vandrillo
4. John Wormuth
5. John LaRocco

8.4.9 The City and P.O.A. agree that the arbitrator shall prepare a written decision containing findings of fact, determinations, of issues and a disposition either affirming, modifying or overruling the disciplinary action being appealed. The parties expressly agree that the arbitrator may only order as remedies those personnel actions which the City may lawfully impose.

8.4.10 An arbitration award under this section shall be subject to a petition to confirm, correct, or vacate pursuant to Code of Civil Procedure 1285 seq. In addition to the grounds set forth in 1286.2(a), a petition to vacate may be premised on errors of law extrinsic to the terms of the agreement.

8.4.11 The fees and expenses of the arbitrator (including the cost of any list of arbitrators) shall be shared equally by the City and P.O.A. All other expenses shall be borne by the party incurring them, and neither party shall be responsible for the expense of witnesses called by the other. Either party may request a certified court reporter to record the entire arbitration hearing. The cost of the services of such court reporter shall be shared equally by the parties.

8.4.12 The award of the arbitrator shall be final and binding.

ARTICLE 9: OUTSIDE EMPLOYMENT

A unit member shall not engage in any employment, activity or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his/her duties as an employee of the City, or with the duties, functions, or responsibilities of the City. All outside employment activity shall be governed by Section 1040 of the Police Department Manual.

ARTICLE 10: LAYOFFS, RESIGNATION, AND TRANSFER

10.1 Layoffs

- 10.1.1 The City Council retains authority to abolish positions, organize and reorganize City departments and determine organizational needs. In the event that the City eliminates a particular position or reduces the number of positions within a City department in a particular classification and the layoff of any employee in the department shall result therefrom, layoffs in the department shall be made in accordance with this Article.
- 10.1.2 All probationary employees in a particular classification shall be laid off before any regular employee in the classification.
- 10.1.3 Except as otherwise provided, layoffs shall be made in reverse order of seniority. The employees with the least time served in a classification shall be laid off first, with ensuing layoffs occurring in reverse order of length of service in the classification. If two employees have served the same time in the classification, then, as between those two employees, the layoff shall be based on total time of service with the City including any contiguous service as a contract employee. If total time of service with the City is the same, then, as between those two employees, the layoff shall be based on performance ratings, and the need of the department, as determined by the department head.
- 10.1.4 Length of service shall be determined by computing total continuous service starting from the first day of service as a probationary employee in a classification, or, if necessary, the first day of service as a probationary employee with the city. Up to three months a year spent on active military leave and job related education leave shall be included. For employees working less than full time, hours shall be converted into eight hour days for purpose of determining the length of service. Length of service in a classification shall include length of service in higher classification.
- 10.1.5 Regular employees subject to layoff, including regular employees on probation following reclassification, reinstatement, transfer, promotion, or demotion, shall be entitled to displace a less senior employee from a position in a lower classification in the same department so long as the employees were at one time members of the bargaining unit whose members were displaced. Any employee displaced under this subsection is an employee subject to layoff and is entitled to all the rights provided by the Rule, including the right to displace another employee. For any employee retreating within the department, seniority shall be computed as length of service in the classification to which the employee is retreating, plus any time served in any previously held higher classification in the department.

- 10.1.6 The names of all laid off employees shall be placed on a re-employment list for a period of three years following layoff for the position from which the former employee was laid off. Former employees on such list shall have employment preference over persons on eligibility lists. The former employee with the most seniority on this list shall be entitled to preference over other former employees on the list, provided that the position is filled within three years of the former employee's layoff and the former employee accepts the position, and reports to the City Manager within ten calendar days after notice is mailed to the former employee's last known address.
- 10.1.7 Former employees appointed from a re-employment eligibility list shall be restored to all rights accrued at the time of layoff, including rate of vacation accrual and seniority, unless compensation therefor has been received prior to re-employment. Severance pay, if any, shall not be repaid.
- 10.1.8 Regular employees who are laid off, including regular employees on probation following reclassification, reinstatement, transfer, promotion, or demotion, shall be entitled to two weeks' severance pay. Employees designated for layoff shall be given at least fifteen calendar days written notice.
- 10.1.9 No employee shall have greater or lesser seniority or other rights under this Article by virtue of representation by a particular union or lack of representation by any union.

10.2 Resignation

An employee wishing to resign in good standing from the competitive service shall file with the Chief of Police at least two weeks before leaving the service, a written resignation stating the effective date and reasons for leaving. The resignation shall be forwarded to the City Manager with a statement by the Chief of Police as to the resigned employee's service performance and other pertinent information concerning the cause for resignation. Failure to give proper notice of resignation shall be entered on the service record of the employee and may be cause for denying future employment by the city. Officers who have resigned will be allowed to rescind the resignation within seventy-two (72) hours of the original submittal by delivering written notice of rescission to the City Manager or to the watch commander if City hall is closed.

10.3 Reinstatement After Resignation

With the approval of the City Manager, an employee who has resigned with a good record may be reinstated within two years to his former position, if vacant, or to a vacant position in the same classification. Reinstatement is discretionary with the City Manager and not a matter of right. The re-employment eligibility list for laid off

employees shall have preference over reinstatement under this Article. An employee reinstated under this Article shall be a probationary employee.

10.4 Transfer

In the discretion of the City Manager an employee may be transferred from one position to another position in the same classification. In the discretion of the City Manager, an employee who is being laid off may be transferred to a vacant position in the same or lower classification, in order to provide for employment upon layoff. No employee shall be transferred to a position for which the employee does not possess the minimum qualifications.

ARTICLE 11: VACATIONS

11.1 Vacations

Each officer shall be entitled to an annual paid vacation, accrued as follows:

Less than three (3) years of service - ninety-six (96) hours per year

Three (3) years of service through five (5) years of service - one hundred twelve (112) hours per year

Six (6) years of service through ten (10) years of service - one hundred thirty-six (136) hours per year

Eleven (11) years of service through fifteen (15) years of service - one hundred fifty-two (152) hours per year

Over fifteen (15) years of service - one hundred seventy-six (176) hours per year

11.2 Effect of Probationary Period

The probationary period counts for purposes of vacation accrual.

11.3 Maximum Accrual

Vacation may be accrued up a maximum of four hundred forty (440) hours. After reaching said maximum, the officer must take time off or accrual will be frozen.

11.4 Scheduling

The Police Chief shall determine the vacation schedule considering the needs of the service and the officer's desires.

11.5 Payment on Separation or Leave

Accrued vacation time up to the maximums described in Section 11.3 above shall be paid to an officer permanently separated from City service.

11.6 Cashout of Vacation Accrual

Officers may cash out accrued Vacation in accordance with the Vacation Cashout Policy.

ARTICLE 12: PERSONNEL ACTIONS

12.1 Probation

(a) Lateral appointments to a Police Officer position in this bargaining unit, who come from another police agency and who have obtained a POST basic certificate, and Academy Graduates who have obtained a POST basic certificate shall be subject to a probationary period of twelve (12) months.

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75", Tab stops: 1", Left + Not at 0.5"

Appointments to the Police Recruit classification are temporary appointments and time spent as a Police Recruit will not count towards the probationary period for Police Officer.

Formatted: Indent: Left: 1", Tab stops: 0.63", Left + Not at 0.5"

(b) Appointments to a Police Corporal position in this bargaining unit shall be subject to a probationary period of twelve (12) months.

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: 0.63", Left + Not at 0.5"

12.2 Unsatisfactory Probation of Promoted Employee

A regular employee who is rejected for a position to which the employee has been promoted shall be placed as a regular employee in the highest position meeting the following requirements:

- (a) the employee formerly held such position as a regular employee;
- (b) the employee was not discharged or demoted from such position;
- (c) the employee did not resign from such position, or if so, was reinstated to it;
- (d) the position is in existence at the time of termination of the probationary period;

(e) the employee has greater seniority than the employee holding such position.

Any employee displaced under this Article is an employee subject to layoff and is entitled to all rights provided by Article 9.1, including the right to displace another employee.

12.3 Discharge, Demotion, Suspension, and Reprimand

12.3.1 Grounds

12.3.1.1 Employees may be discharged, demoted, suspended, or reprimanded for just cause, including but not limited to:

- 12.3.1.1.1 Employee's failure or inability to perform duties required by management for the particular position or to conform to required policies of the City.
- 12.3.1.1.2 Employee's breach of discipline, violation of legal obligations to the Employer, or dishonesty.
- 12.3.1.1.3 Misrepresentation to the Employer, including any false statement or non-disclosure of a material fact, or any actual or attempted deception.
- 12.3.1.1.4 Conviction of a felony that is job related.
- 12.3.1.1.5 Failure to report to work for a period of three consecutive working days and to communicate satisfactory reasons for not reporting to work.

12.3.2 Discharge and Demotion

12.3.2.1 The Chief of Police may recommend an employee be discharged or demoted for any of the reasons specified in Article 12.3.1 of this Rule. The employee shall be given a written statement of the reasons for the proposed demotion or discharge unless the employee files a written waiver thereof. No discharge or demotion shall become effective until:

(a) the employee fails to pursue appeal proceedings as hereafter provided, or

(b) the City Manager or designee has approved the discharge or demotion following a meeting with the employee as hereafter provided.

12.3.3 Suspension

- 12.3.3.1 The Chief of Police may suspend an employee without pay for disciplinary reasons for a period not exceeding three (3) days of actual time.

12.3.4 Formal Reprimand

- 12.3.4.1 A Formal Reprimand is a written notification to an employee of misconduct and/or sub-performance. Reprimands shall not be subject to the arbitration provisions of Article 8, Disciplinary Appeals.

- 12.3.4.2 An employee who has received a formal reprimand and has completed twenty-four (24) months of work without further disciplinary action may request said formal reprimand be removed from the employee's personnel file. The City shall remove the reprimand based on a qualifying request. Formal reprimands ~~removed from an employee's personnel file~~ eligible for removal shall not be relied upon for any future disciplinary action, unless the pending disciplinary action is for similar misconduct and/or sub-performance.

12.4 Personnel Files

Except as provided elsewhere in this article, in any-imposing disciplinary action the City may not rely upon any previous formal disciplinary action, or written evaluation not contained in ~~said the employee's personnel~~ file. The City may rely on verbal or written warnings not made a part of the file issued within the preceding twelve (12) months. In cases where an officer is suspended or demoted and such discipline is sustained, a record of such action shall be kept in the personnel file and any such documentation supporting such action shall be kept in a separate file in the Human Resources Department.

12.5 Internal Affairs Investigations

Except when internal affairs investigations are assigned to a person(s) from an outside agency, all investigations shall be conducted by sworn officers of the Menlo Park Police Department, who shall be superior in rank to the officer(s) interviewed (except for alleged violations of the City's Anti-Harassment/Non-Discrimination policy investigations which may be conducted by Human Resources staff).

12.6 Citizen-Complaint Investigations

In conducting Internal Affairs Investigations, the City shall comply with Penal Code Section 832.5 and Menlo Park Police Department Policy 1020 – Personnel Complaint

Procedure. When conducting such investigations, the City agrees to provide sworn employees with the rights accorded them in Government Code Sections 3300, et seq.

12.7 Contract and Temporary Officers

- 12.7.1 The use of contract officers shall be eliminated.
- 12.7.2 Use of temporary officers shall not be used to circumvent the eligibility lists for appointment.
- 12.7.3 All budgeted positions shall be filled from the eligibility list.
- 12.7.4 Any contract officer who has not completed the service required for P.O.S.T. certification at the time this Agreement is executed shall be permitted to complete such service. At that time, the officer's contract shall end.

ARTICLE 13: PAY RATES AND PRACTICES

13.1 Salary Schedule

~~The salary schedule for officers in the representation unit shall be as set forth in Appendix "A" to this Agreement.~~

~~Effective the beginning of the first full pay period following July 1, 2016, the pay rates for officers in this representation unit shall be increased in an amount equal to the increase in CPI-U for the San Francisco-Oakland-San Jose MSA, measured for the period from February 2015 to February 2016. The increase shall be capped at 3%.~~

13.1.1 Effective the first full pay period following City Council adoption of this agreement and in recognition of the fact that bargaining unit members have not received a COLA since July 1, 2016, the pay rates for employees in this representation unit shall be increased by six percent (6%) [3% for FY 2017-18 and 3% for FY 2018-19].

13.1.2 Effective the beginning of the first full pay period following July 1, 2019, the pay rates for employees in this representation unit shall be increased by three percent (3%).

13.1.3 Effective the beginning of the first full pay period following July 1, 2020, the pay rates for employees in this representation unit shall be increased by three and one-half percent (3.5%).

13.1.4 Bargaining Unit members who are City employees during the first full pay period following City Council adoption of the resolution authorizing the amendments to the MOU, will receive a one-time contribution of 58 hours of

Formatted: Indent: Hanging: 0.44"

Formatted: Indent: Left: 0.5", Hanging: 0.6", Tab stops: 1.1", Left

leave time. This leave must be used by March 23, 2019. Any balance will be paid out with the paycheck for the following pay period.

13.2 Step Increases

Merit advances from the first salary step to the second salary step shall be granted at six (6) months intervals and between second and subsequent steps at one (1) year intervals if the affected officer has demonstrated continued competent service. Officers who are hired in at Steps B, C or D, or are promoted and placed at Steps B, C or D will be eligible for their next step increase in six (6) months. For the purpose of determining step time requirements, time will commence on the first day of the month coinciding with or following entrance onto a salary step. Step increases shall be effective on the first day of the payroll period in which the time requirements have been met.

13.3 Bilingual Differential

13.3.1 Officers who are assigned to job duties requiring bilingual skills are eligible to receive Seventy-Five (\$75.00) each pay period for the use of bilingual skills in job duties arising during the normal course of work.

13.3.2 Eligibility for the bilingual pay differential shall be determined by the Human Resources Department on the basis of a proficiency test developed and administered by the City. Any officer who does not pass such a proficiency test shall be allowed to take the CHP conversational test, and if the officer passes the CHP test, the officer shall thereafter receive the bilingual differential. Notwithstanding the above, any officer called upon by the Chief, or the Chief's designee, frequently over a period of at least several months, to use a language other than Spanish shall be eligible for the bilingual differential upon passing a proficiency test for such language administered by the Human Resources Department, as above.

13.3.3 Bilingual skills shall not be a condition of employment except for officers who are hired specifically with that requirement. If an officer is hired under this provision, that requirement shall be included in the initial appointment letter.

13.3.4 No employee shall be required to use bilingual skills who is not compensated under this section.

13.4 Call Back Pay

Officers who are called back after leaving work at the end of either a normal shift or hold over period shall be entitled to a minimum of four (4) hours of pay at the rate of time and one-half (1-1/2).

13.5 Off-Duty Training

The City will make every reasonable effort to schedule training on-duty. If training is required for an employee who is off-duty, the City agrees to provide a minimum of two (2) hours at time and one-half (1-1/2).

13.6 Off-Duty Court Appearances

Any represented employee required to appear in Court during off-duty hours, shall receive a minimum of three (3) hours pay at time and one-half (1-1/2). Any represented employee required to appear on a day they are not scheduled to work or after working a graveyard shift that ends in the morning of the day of the court appearance shall receive a minimum of four (4) hours pay at time and one-half (1-1/2).

13.7 Working Out of Classification

Any officer who with supervisory approval works in Sergeant classification shall be paid for working out of classification at the rate of the lowest step within the range of the higher classification, or at five percent (5%) above the current rate of pay, whichever is higher. Such pay rate shall be paid for the hours duties are actually assigned and performed in the higher classification. The parties understand that Corporals performing duties as Watch Commanders are not working out of classification until they have been assigned to be Acting Watch Commander for more than ninety (90) consecutive calendar days. Corporals assigned to be Acting Watch Commander will receive out of classification pay beginning the 91st consecutive day of the assignment. Officers who are working as Acting Watch Commanders will be eligible for out of classification pay pursuant to Section 13.7.

Formatted: Superscript

13.8 Overtime and Compensatory Time

13.8.1 Officers on a forty (40) hour assignment shall be paid overtime at the rate of time and one-half (1-1/2) their regular rate of pay for all hours worked in excess of forty (40) hours in a single workweek. Officers who work a patrol schedule under a 7(k) work period as allowed under the Fair Labor Standards Act shall receive overtime for all hours worked in excess of one hundred sixty-eight (168) hours in a 28 day work period. Hours worked shall include all hours for which the officer is in a paid status including paid leave time.

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: 1", Left + Not at 1.1"

13.8.2 Overtime may be assigned on a required basis or requested by an officer and approved by the Police Department. At the option of the officer, overtime shall be paid or accumulated and taken as compensatory time.

13.8.3 Compensatory Time. An officer may accumulate a maximum of two hundred (200) hours of compensatory time. Compensatory time may be used when the services of an officer are not needed for the efficient functioning of the department, and must be approved in advance by the Police Chief or designee.

Once an officer has reached the limits of compensatory time in this section he/she shall receive cash at the overtime rate for all overtime worked.

13.8.4 Upon termination, all unused compensatory time shall be paid off at the final rate of pay received by the officer, ~~or the average regular rate received during the last three (3) years of the officer's employment, whichever is higher~~ consistent with the FLSA.

13.8.5 The City has identified a potential issue involving constructive receipt based on employees' choice to elect either compensatory time off or pay for overtime work. The POA believes this issue is best resolved through a request for a Private Letter Ruling (PLR) from the Internal Revenue Service. Therefore, the POA agrees to take all actions to formally request a PLR on this issue (including payment of required fees) no later than March 15, 2019.

The following is the statement of the issue and question to be requested in the PLR:

- Sections 13.8.1, 13.8.2, 13.8.3, and 13.8.4 of the collective bargaining agreement between the City of Menlo Park and the Menlo Park POA, address the manner in which overtime and compensatory time are earned, accrued, used, and paid. An employee may roll over their compensatory time bank from year to year up to the two hundred (200) hour limit, but may only use the banked hours for paid time off and cannot receive cash for the banked hours.
- Employees who work an overtime assignment have the option to receive pay or accumulate compensatory time off for the time worked. Employees make the election of whether to accrue compensatory time off or receive pay prior to when they turn in their timecard for the pay period in which it is worked (this can occur either before or after the time is worked).
- Does the above contract language regarding the manner in which overtime and compensatory time is credited and used constitute constructive receipt or is it compliant with IRS regulations as written?
- If the language does constitute constructive receipt which term or terms cause constructive receipt?

If the POA fails to take all actions to formally request a PLR by the deadline or the IRS determines that the current language in the MOU regarding an employee's election to receive pay or accrue compensatory time off for overtime worked triggers constructive receipt, the parties agree to immediate implementation of the following changes:

Formatted: Indent: Left: 1"

Formatted: Indent: Left: 1", Bulleted + Level: 1 + Aligned at: 1.25" + Indent at: 1.5", Tab stops: 1", Left + 1.25", Left + Not at 1.1" + 1.5" + 2"

Formatted: Indent: Left: 1", Tab stops: 1", Left + Not at 1.1"

Formatted: Indent: Left: 1", Bulleted + Level: 1 + Aligned at: 1.25" + Indent at: 1.5", Tab stops: 1", Left + 1.25", Left + Not at 1.1" + 1.5"

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Indent: Left: 1"

- (a) The option to choose overtime pay in cash or compensatory time shall be eliminated.
- (b) The Vacation Accrual cap will be increased from 440 hours to 550 hours; and
- (c) With the last full pay period each December, all unused compensatory time shall be cashed out at the employee's rate of pay.

Formatted: Indent: Left: 1", Hanging: 0.25"

If the IRS determines that constructive receipt does not occur in the identified circumstance, the vacation and compensatory time off accrual caps will remain status quo.

Formatted: Indent: Left: 1", No bullets or numbering

13.9 On-Call Status for Detectives

13.9.1 Detectives assigned to an on-call status shall be compensated ~~six-on (1)~~ hours of pay at the member's regular rate of pay for each ~~week-day~~ he or she is assigned to on call duty.

Formatted: Indent: Left: 1", Bulleted + Level: 1 + Aligned at: 1.25" + Indent at: 1.5", Tab stops: 1", Left + 1.25", Left + Not at 1.1" + 1.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: 1", Left + Not at 0.5"

13.9.2 On-call status shall be assigned by the Division Commander or designee and will normally be rotated among the detectives. On call assignments will normally be for a one-week period, running from Tuesday at 0800 hours to the next Tuesday at 0759 hours. The Division Commander or their designee may allow for substitution or a change to the on-call scheduling as the need arises.

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: 1", Left + Not at 0.5"

13.9.3 When a Detective is assigned to work as the Detective Supervisor, he or she will be compensated for on call duties pursuant to the MOU between the City and the Police Sergeants Association. The Detective Supervisor will not be the only on call detective.

Formatted: Indent: Left: 0.5", Hanging: 0.5", Tab stops: Not at 0.5"

13.9.4 Detectives who are on-call and fail to respond when called may be subject to disciplinary action.

13.10 Daylight Savings Time

For any shift that works during the night that clocks are moved forward one hour or back one hour in connection with Daylight Savings Time, officers will coordinate with their supervisors reporting an hour earlier or an hour later than their regular shift starting time so that hours worked shall be those of a regular shift.

13.11 On-Call Status for Court or District Attorney Directed Standby

Any represented employee required to be available by phone as directed by the Court or a representative of the District Attorney's Office shall be entitled to receive pay at straight time for all time required to remain on-call, provided, however, that the employee has received permission in advance from the Chief of Police, Police Commander or Watch Commander to be on said standby. This section shall not apply if the employee is eligible for pay under Section 13.6. Initial approval shall be for a maximum of four hours. If additional time is required by the District Attorney's Office, the officer shall call in to the Chief of Police, Police Commander or Watch Commander to receive permission to remain on on-call status for the additional time.

13.12 POST Incentive

Police officers who have received their POST Intermediate certificate shall receive a five percent (5.00%) POST incentive premium calculated upon their base pay, in accordance with the current practice.

Police officers who have received their POST Advanced certificate shall receive a ten percent (10.00%) POST incentive premium calculated upon their base pay, in accordance with the current practice.

While the City may assist the officer in determining POST certificate eligibility, the officer shall be responsible for submitting the proper paperwork in a timely fashion. POST incentive pay shall be effective on the first pay period in which the submittal by the employee has been accepted by the City. There shall be no retroactivity because the employee failed to file for either the intermediate or advanced certificate.

13.13 Canine Pay

13.13.1 Each Canine Handler assigned to the duty of caring for, feeding and supervising police dogs, shall receive seven (7) hours of overtime each biweekly pay period at time and one-half of the employees pay rate. Such additional compensation shall not be paid for any two (2) consecutive biweekly periods during which such additional duty is not performed by the employee, whether for the reason that the dog assigned to such employee is boarded at the kennel at City expense or otherwise.

13.13.2 The additional compensation provided for in Section 13.13.1 is calculated to equal one-half (1/2) hour per day care of the police dog and granted in recognition of the personal investment, duties and responsibilities of the K-9 assignment including the time spent by the unit employee while off duty in the care and maintenance of the assigned canine. The additional compensation is based on the expected additional work required for the care of the dog, given the work historically required for such care. This extra compensation is not to be considered premium pay. Any additional time beyond the biweekly limit of seven (7) hours stated above shall require

approval in advance by the Chief of Police or designee. The City shall pay costs associated with the "Initial Basic Training of Handler and K-9" when an officer is assigned for canine duty. The City agrees to meet and confer with the POA over any modifications to this provision made necessary by changes in FLSA requirements prior to implementation.

13.14 Employee Vehicle Use Agreement

Officers assigned to detectives, who are assigned to use their personally owned vehicles for City use, shall receive a monthly automobile allowance of five hundred dollars (\$500.00). The automobile allowance shall cover all costs of operating the vehicle for City use, including but not limited to, maintenance, insurance and fuel.

13.15 Night Shift Differential

For officers assigned to patrol, the City shall pay a shift differential of two percent (2.00%) for regular assignment to night shift, calculated upon their base pay. The shift differential shall not be paid on any regularly assigned schedule worked which includes day or swing shift.

Shift differential shall only be paid to officers assigned to a night shift, and shall not apply to officers filling open shifts or otherwise assigned to nights on a temporary basis.

13.16 Longevity Pay

Effective July 4, 2010, employees who have achieved levels of continuous service time as a full time sworn police officer with the City of Menlo Park, and who have received annual performance reviews with overall ratings of "meets standards" or above shall be eligible to receive the following:

13.17.1 The first pay period after completing seven (7) years of service: two percent (2.00%) calculated upon base pay.

13.17.2 The first pay period after completing eleven (11) years of service: four percent (4.00%) calculated upon base pay.

13.17.3 The first pay period after completing fifteen (15) years of service: six percent (6.00%) calculated upon base pay.

13.17.4 The first pay period after completing twenty (20) years of service: eight percent (8.00%) calculated upon base pay.

The maximum longevity pay that may be received by an officer is eight percent (8.00%).

13.17 Specialty Assignment Pay

Specialized assignments of Police Officers shall be governed by the Menlo Park Police Department Policy Manual Section 1029. Officers regularly occupying a special assignment, as approved by the Chief of Police, shall receive five percent (5%) Specialty Pay, calculated upon base pay, for each biweekly period of said assignment.

13.18 Temporary FTO

Based on the needs of the Department, the Police Chief may designate one or more temporary field training officer (FTO) slots. Temporary FTO will be compensated as a special assignment under Section 13.17 during each pay periods during which a trainee is assigned to the temporary FTO. When needed, the Police Chief shall request interested officers to submit a memorandum of interest.

Formatted: Indent: Left: 0.5"

ARTICLE 14: RETIREMENT BENEFITS

14.1 Retirement Plan

Retirement benefits for employees hired prior to July 1, 2011 shall be those established by the Public Employees' Retirement System (PERS) for Local Safety Members 3% at age 50 Formula, highest single year.

Employees hired on or after November 20, 2011, who are not new members as defined by PERS, retirement benefits shall be those established by the Public Employees' Retirement System (PERS) for Local Safety Members 3% at age 55 Formula, highest three years.

New employees, as defined by the Public Employees Retirement System (PERS) hired on or after January 1, 2013, retirement benefits shall be those established by PERS for Local Safety Members 2.7% at age 57 formula, highest three years.

14.2 Optional Provisions

14.2.1 1959 Survivor Allowance as set forth in Article 6 of Chapter 9 of the Public Employees' Retirement Law (commencing with Section 21380 of the Government Code) shall be provided. Section 21573 (Third Level of 1959 Survivor Benefits) shall be included.

14.3 City's Contribution to Retirement

14.3.1 The City shall pay the rate prescribed by the Public Employees' Retirement System for employer contributions to the Public Employees' Retirement System in accordance with the rules and regulations governing such employer contributions.

14.3.2 Each classic employee shall contribute three percent (3.00%) toward the employer's contribution to the Public Employees' Retirement System. The amount shall be taken as a pre-tax deduction from the employees' paycheck each payroll period. The City and POA agree, that the three percent (3%) will continue past the expiration of the MOU. If for any reason the City is precluded from making the three percent (3%) deduction or the deduction cannot be made on a pre-tax basis the parties agree to meet and confer regarding ways to cure the defect.

14.3.2.1 As soon as practicable, the City will modify its contract with CalPERS to provide for a 3.0% additional Member Contribution over and above Normal Contribution for classic members. This means that classic members will make an additional 3.0% contribution into their member account and will cease making the contribution in 14.3.2. The total member contribution for classic employees will be 12%.

14.3.2.2 Upon completion of the contract amendment process in 14.3.2.1, the additional payment in 14.3.2 shall cease.

14.3.3 Each employee designated by CalPERS as a "new member" (PEPRA member) in accordance with applicable laws shall contribute the greater of half of the normal cost or twelve percent (12%).

14.3.3.1 In the event that half of the normal cost is less than twelve percent (12%), PEPRA members will contribute an amount equal to the difference between half of the normal cost and twelve percent (12%) toward employer's contribution to the Public Employees' Retirement System. For example, if half of the normal cost is 11.5%, PEPRA members will contribute an additional 0.5% for a total of 12%.

14.3.3.2 Any additional employer contribution paid by PEPRA member shall be taken as a pre-tax deduction from the employees' paycheck each payroll period.

14.4 Officer's Contribution to Retirement System

The full employee contribution shall be deducted from the employee's pay by the City and forwarded to the Public Employees' Retirement System in accordance with the rules and regulations governing such contributions.

New employees, as defined by the Public Employees' Retirement System (PERS), hired on or after January 1, 2013, shall make a member contribution of 50% of the Normal Cost of the benefit.

14.5 Retiree Return to Work

A retiree may return to work upon the mutual agreement of the City and the retiree. The City agrees not to condition such retiree on passing a polygraph examination.

14.6 Honorary Retirement

Upon separation, an employee who leaves the service of the Menlo Park Police Department shall be considered retired provided the unit member has fifteen (15) years of service with the department and is in good standing at the time of departure.

A unit member shall be given a retirement badge and identification card.

A concealed weapons permit shall be granted pursuant to Penal Code Sections 12027 and 12027.1.

Retirement under this section shall be honorary and shall not involve any payment or benefit to the unit member or liability on the part of the City.

ARTICLE 15: UNIFORM ALLOWANCE, SAFETY EQUIPMENT, AND TRAINING

15.1 Uniform Allowance

Officers shall be paid an annual uniform allowance of One Thousand Forty Dollars (\$1,040.00) annually on the twenty-fifth pay period of the year to be used for the purchase and maintenance of uniforms. [The uniform allowance will be accrued and reported to CalPERS pro-rata on a bi-weekly basis.](#)

The City shall pay the cost of providing one class A uniform for all officers during the officer's employment with the City.

Normal attire for patrol officers shall be a distinctive police uniform. Officers shall have the option of wearing either boots or shoes as part of the normal duty uniform. Motorcycle officers shall have the option of wearing a leather jacket.

15.2 Donning and Doffing of Uniforms

It is acknowledged and understood by the City and the POA that the donning and doffing of uniforms and related safety equipment may be performed at home or other location outside of the Police Department.

ARTICLE 16: DAMAGED PROPERTY OF POLICE OFFICERS

- 16.1 In accordance with Police Department policy 5.5.7 “Use of Authorized Personal Equipment”, any officer may be reimbursed for the costs of replacing or repairing property, such as eyeglasses, dentures, watches, or articles of clothing necessarily worn or carried when such items are damaged in the line of duty, without fault of the officer.
- 16.2 Luxury items such as jewelry, watches over fifty dollars (\$50.00) in value, and other non-required items will not be covered by this section.
- 16.3 Before the allowance or payment is made, the officer shall file a claim with the department. There shall be attached to said claim all receipts showing the monies expended by the claimant for the repair or replacement of said property.
- 16.4 The department shall reserve the right to refer any claim, which is excessive or does not meet the previously stated criteria, to the normal City claim procedure.

ARTICLE 17: BENEFIT PROGRAMS

17.1 Cafeteria Plans

- 17.1.1 The City shall make a direct contribution equal to the minimum employer contribution for agencies participating in the Public Employees Medical and Hospital Care Act (PEMHCA) on behalf of each active employee and qualified retiree.
- 17.1.2 In addition, the City shall continue to make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in an amount which, together with the minimum PEMHCA contribution in 17.1.1 equals the following:

~~\$1,681-502,128~~ per month ~~family coverage~~ Employee plus 2/more dependents
~~\$1,296-551,647~~ per month ~~two person coverage~~ Employee plus 1 dependent
~~\$648-26845~~ per month ~~single person coverage~~ Employee only
~~\$154.68 per month~~ ~~no coverage~~

Cash-in-Lieu of Medical Coverage: Employees who waive coverage will be entitled to \$391 per month. Effective the first of the month following City Council approval of this MOU, this amount will no longer be contributed through the flexible benefits plan.

- 17.1.3 Effective the first of the month following City Council approval of this agreement, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in an amount which together with the minimum PEMHCA contribution in 17.1.1 equals the following:

~~\$2,086-154~~ per month Employee plus 2/more dependents
~~\$1,605-700~~ per month Employee plus 1 dependent
~~\$803-875~~ per month Employee only

[EXAMPLE: If the PEMHCA minimum contribution is \$122, then the City shall make a flexible benefits plan contribution of ~~\$1,9642,032~~ per month for family coverage.]

Cash-in-Lieu of Medical Coverage: Employees who waive coverage will be entitled to ~~\$349-391~~ per month.

- 17.1.4 Effective January 1, ~~2017~~2020, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in an amount which, together with the minimum PEMHCA contribution in 17.1.1 equals the following:

~~\$2,128-200~~ per month Employee plus 2/more dependents
~~\$1,647-750~~ per month Employee plus 1 dependent
~~\$845-905~~ per month Employee only

[EXAMPLE: If the PEMHCA minimum contribution is \$122, then the City shall make a flexible benefits plan contribution of ~~\$2,006-078~~ per month for family coverage.]

Cash-in-Lieu of Medical Coverage: Employees who waive coverage will be entitled to \$391 per month.

- 17.1.5 Each officer may use his/her allocated amount for any benefits permitted by law and provided for in the FSA plan document. [The plan document will be amended to eliminate cash distributions.](#)
- 17.1.6 Each employee must enroll in an available PEMHCA health insurance plan or demonstrate that he or she has health insurance coverage equivalent to the PEMHCA plan in order to ~~receive cash back~~[waive coverage under Section 17.1.4.](#)
- 17.1.7 Officers who wish to have domestic partners covered under the cafeteria plan may do so after filing the “Declaration of Domestic Partnership” form with the California Secretary of State and complying with any other requirements necessary to qualify for domestic partner health benefits under the CalPERS health program. It is understood that the premiums and benefits provided as a result of covering domestic partners may be taxable, and that the City will administer the program in accordance with State and Federal Tax regulations.
- 17.1.8 The parties share an interest in addressing the increase in the cost of PEMHCA benefits. To that end, the parties agree that the City may contract with different health benefit providers, consortia, or groups to provide health coverage that is equivalent to that provided under PEMHCA.

If either the benefits provided or the rate structure in place between active and retired employees is not equivalent to that provided under PEMHCA, then the City shall meet and confer with the Union prior to contracting with the alternative provider, consortia or group.

[17.1.9 Effective July 1, 2017, Cash-in-Lieu of Medical Coverage amounts will be included in the calculation of regular rate for overtime purposes. In the event that a court issues a final decision holding that Cash-in-Lieu of Medical Coverage payments do not need to be included in the regular rate, the City will cease including Cash-in-Lieu in the regular rate.](#)

17.2 Dental Insurance

- 17.2.1 The City shall pay the full cost for Dental Insurance administered by Delta Dental or an equivalent third party administrator up to the annual maximums described in the summary plan description.
- 17.2.2 Dental Benefits will be provided as described in the summary plan description.
- 17.2.3 The parties understand that all City employees must agree to participate in the plan administered by Delta Dental coverage and that, in the event Delta Dental will not provide coverage to the City (for example, if another

bargaining unit fails to agree), the City will reinstate the reimbursement plan described in the 2014-15 MOU and that those benefits may be taxable.

17.3 Vision Plan

Effective January 1, 2017, the City shall pay the full cost for fully insured Vision Insurance provided by VSP, or an equivalent insurance provider, providing vision benefits as described in the summary plan descriptions.

ARTICLE 18: FULL UNDERSTANDING MODIFICATION AND WAIVER

18.1 Police Recruit

The parties agree to the inclusion of the Police Recruit classification in the bargaining unit represented by the P.O.A. The Police Recruit is a temporary non-sworn classification whose sole duty is to participate in a P.O.S.T. (Commission on Peace Officer Standards and Training) -prescribed Police Academy training program sponsored by the City.

18.2 Appointment Type

All appointments to the Police Recruit classification will be temporary appointments, meaning that the appointment is for a definite term with a fixed expiration. Police Recruit appointments will be for the term of the Academy for which they are hired and will terminate no later than the graduation date of that Academy. Police Recruits who graduate from the Academy may be appointed to the Police Office classification immediately upon graduation.

As temporary appointments, Police Recruits have no due process or Civil Service rights and are not subject to the disciplinary procedures of this agreement (i.e., they can be terminated for failure to complete the Academy or for any other lawful reason, and their appointment will terminate automatically at the end of the Academy).

Police Recruit is a non-sworn classification and Police Recruits are not entitled to benefits available only to sworn members, including but not limited to the Public Safety Officers Bill of Rights (PSOBR), or Workers Compensation Benefits under Labor Code Section 4850.

The salary for Police Recruit shall be set at 19% below the bottom step of the Police Officer classification (e.g., if bottom step Police Officer is \$43.1144 per hour, then Police Recruit will be \$34.9227 per hour).

18.3 Benefits

Employees in the Police Recruit classification are limited to the following benefits:

1. City-sponsored medical benefits pursuant to Section 17.1;
2. Sick Leave pursuant to Section 6.1

Except as provided by law, Police Recruits are not eligible for any benefits not specifically referenced in this section, including but not limited to: the PSOBR, Workers Compensation Benefits under Labor Code Section 4850, vacation, or holidays.

Employees in the Police Recruit classification will be required to participate in the City's miscellaneous plan (subject to the additional employee contributions in Section 14.3).

18.4 Overtime

Police Recruits are entitled to overtime as required by law.

18.5 Appointment to Police Officer Classification

Police Recruits who graduate from the Academy and are appointed to the classification of Police Officer will be entitled to all benefits of a Police Officer under this Agreement.

Time spent as a Police Recruit will not count towards seniority or benefits accruals as a Police Officer and the appointment date will be the date they were appointed to the Police Officer classification (not including any time spent as a recruit). For example, seniority under Section 10.1 will be calculated from the date of appointment to the Police Officer classification. Similarly, Step Increases pursuant to Section 13.2 will be based on appointment to the Police Officer classification and no credit will be given for time spent as a Recruit.

ARTICLE 19: FULL UNDERSTANDING MODIFICATION AND WAIVER

- 19.1 This Memorandum of Understanding sets forth a full and entire understanding of the parties regarding the matters set forth herein, and any and all prior or existing Memoranda of Understanding, understandings and agreements regarding the matters set forth herein, whether formal or informal, are hereby superseded and terminated in their entirety.
- 19.2 No practice or benefit provided by this Memorandum of Understanding shall be modified without the mutual agreement of the City and P.O.A.
- 19.3 If the City proposes to change any matter within the scope of representation which is not covered by this Memorandum of Understanding, the City shall provide the POA with notice and an opportunity to meet and confer over said change consistent with state law.

ARTICLE 20: SEPARABILTY

If a court of competent jurisdiction finally determines that any provision of this Memorandum is invalid and unenforceable, such provision shall be separable, and the remaining provisions of the Memorandum shall remain in full force and effect.

ARTICLE 21: LABOR MANAGEMENT COMMITTEE

Effective for the term of this agreement, the City and POA agree to the establishment of a Labor Management Committee (LMC) to serve as an advisory committee and to facilitate employee education and involvement in issues regarding CalPERS retirement benefits, including but not limited to, potential future costs increases and the impacts of said cost increases to the financial stability of the City.

The City and the POA shall each select their own representatives and in equal number, with no more than three (3) on each side. Each side is encouraged to propose issues for discussion, and the committee will jointly set priorities. Decision making within this forum will be by consensus. The LMC will set up regular meetings to occur not less than once per quarter and a means for calling additional meetings to handle issues on an ad hoc basis.

The LMC is not authorized to meet and confer or create contractual obligations nor are they to change the MOU to authorize any practice in conflict with existing contracts or rules.

ARTICLE 22: TERM OF AGREEMENT

22.1 This Agreement shall remain in full force and effect up to and including ~~June 30, 2017~~ August 31, 2021.

The terms of this Agreement shall be effective upon the adoption of this Agreement by the City Council except as otherwise provided by specific articles of this Agreement.

Dated _____

City of Menlo Park

Menlo Park Police Officers' Association

Appendix B

Salary Schedule Effective July 7, 2019					
Classification Title	Step	Annual	Monthly	Bi-Weekly	Hourly
Police Officer	A	\$ 100,848	\$ 8,404	\$ 3,879	\$ 48.4848
	B	\$ 105,890	\$ 8,824	\$ 4,073	\$ 50.9088
	C	\$ 111,185	\$ 9,265	\$ 4,276	\$ 53.4541
	D	\$ 116,744	\$ 9,729	\$ 4,490	\$ 56.1269
	E	\$ 122,582	\$ 10,215	\$ 4,715	\$ 58.9336
Police Corporal	A	\$ 108,538	\$ 9,045	\$ 4,175	\$ 52.1817
	B	\$ 113,965	\$ 9,497	\$ 4,383	\$ 54.7910
	C	\$ 119,663	\$ 9,972	\$ 4,602	\$ 57.5305
	D	\$ 125,647	\$ 10,471	\$ 4,833	\$ 60.4070
	E	\$ 131,929	\$ 10,994	\$ 5,074	\$ 63.4273
Police Recruit	-	-	-	-	\$ 39.2727

Formatted Table

Appendix C

<u>Effective July 5, 2020</u>					
<u>Classification Title</u>	<u>Step</u>	<u>Annual</u>	<u>Monthly</u>	<u>Bi-Weekly</u>	<u>Hourly</u>
Police Officer	<u>A</u>	\$ 104,378	\$ 8,698	\$ 4,015	\$ 50.1818
	<u>B</u>	\$ 109,597	\$ 9,133	\$ 4,215	\$ 52.6907
	<u>C</u>	\$ 115,076	\$ 9,590	\$ 4,426	\$ 55.3250
	<u>D</u>	\$ 120,830	\$ 10,069	\$ 4,647	\$ 58.0914
	<u>E</u>	\$ 126,872	\$ 10,573	\$ 4,880	\$ 60.9963
Police Corporal	<u>A</u>	\$ 112,337	\$ 9,361	\$ 4,321	\$ 54.0081
	<u>B</u>	\$ 117,954	\$ 9,830	\$ 4,537	\$ 56.7087
	<u>C</u>	\$ 123,852	\$ 10,321	\$ 4,764	\$ 59.5441
	<u>D</u>	\$ 130,044	\$ 10,837	\$ 5,002	\$ 62.5212
	<u>E</u>	\$ 136,546	\$ 11,379	\$ 5,252	\$ 65.6472
Police Recruit					\$ 40.6473

Formatted Table

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 1/29/2019
Staff Report Number: 19-017-CC

Regular Business: Adopt Resolution Nos. 6481 and 6482 to amend the City salary schedule

Recommendation

Staff recommends that the City Council adopt Resolution Nos. 6481 and 6482 to amend the City's salary schedule effective January 6, 2019 and February 3, 2019.

Policy Issues

The recommendation does not represent any change to existing City policy. In accordance with the City personnel rules and regulations, the City Council is required to adopt changes to the City's salary schedule.

Background

Salary schedule effective January 6, 2019

On September 26, 2017, City Council approved the terms of two successor agreements, (1) between the City of Menlo Park and the Service Employees International Union Local 521 (SEIU) expiring June 30, 2020, and (2) between the City of Menlo Park and the American Federation of State, County and Municipal Employees, Local 829 (AFSCME) expiring June 30, 2010. Both agreements included the establishment of a Labor Management Committee to explore the possibility of enhancing disability insurance benefits.

The Labor Management Committee, consisting of City, SEIU and AFSCME representatives, met and reached agreement in August 2018 to implement the California State Disability Insurance Program as soon as possible in 2019. This program requires that every employee of each bargaining unit participate, and contribute up to 1 percent of salary to cover the program costs. This supplemental agreement included a 1 percent general salary increase for all classifications represented by SEIU and AFSCME to be provided at the same time the disability insurance program was implemented. The agreement also included other terms, such as a one year extension of the current agreement terms to June 30, 2021, and adjustments to the 2021 medical premium and long term disability plan. All terms of the supplemental agreement were approved by City Council October 9, 2018 and were implemented with the January 25, 2019 paycheck.

Salary schedule effective February 3, 2019

Should City Council favor the prior action on tonight's City Council agenda approving the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Officers' Association (POA), this salary schedule includes the first general salary increase for all classifications represented by the POA. This schedule also includes the changes listed above that were effective January 6, 2019.

Analysis

This action includes salary changes already approved by City Council October 9, 2018 for SEIU and AFSCME, and salary changes presented to City Council for approval in a prior action on tonight's City Council agenda. Salary changes must be recorded, published and approved by City Council resolution in order to be recognized by the California Public Employees' Retirement System.

Impact on City Resources

This recommendation does not impact the number of City Council authorized full time equivalent personnel. Fiscal year 2018-19 and future fiscal year impacts were evaluated and reported at the time of approval of the supplemental and tentative agreements.

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 is a minor 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. Current City Council approved salary schedule with proposed changes effective January 6, 2019
- B. Salary schedule with proposed changes effective February 3, 2019
- C. Proposed Resolution Nos. 6481 and 6482 to amend City salary schedule

Report prepared by:

Lenka Diaz, Administrative Services Director

Sandra Pimentel, Management Analyst II

City of Menlo Park
PROPOSED Salary Schedule - Effective 1/6/2019

ATTACHMENT A

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 80,759	\$ 84,798	\$ 89,038	\$ 93,490	\$ 98,165
Accountant I	\$ 79,960	\$ 83,959	\$ 88,157	\$ 92,565	\$ 97,193
Accountant II	\$ 88,455	\$ 92,637	\$ 97,006	\$ 101,672	\$ 106,517
Accountant II	\$ 87,579	\$ 91,719	\$ 96,046	\$ 100,665	\$ 105,463
Accounting Assistant I	\$ 57,270	\$ 59,984	\$ 62,754	\$ 65,686	\$ 68,725
Accounting Assistant I	\$ 56,703	\$ 59,391	\$ 62,133	\$ 65,036	\$ 68,045
Accounting Assistant II	\$ 62,754	\$ 65,686	\$ 68,725	\$ 71,937	\$ 75,313
Accounting Assistant II	\$ 62,133	\$ 65,036	\$ 68,045	\$ 71,225	\$ 74,567
Administrative Assistant	\$ 62,942	\$ 65,883	\$ 68,932	\$ 72,154	\$ 75,539
Administrative Assistant	\$ 62,319	\$ 65,231	\$ 68,249	\$ 71,439	\$ 74,791
Administrative Services Director	\$ 156,616		Open Range		\$ 221,889
Assistant Administrative Services Director	\$ 123,491		Open Range		\$ 177,511
Assistant City Manager	\$ 165,395		Open Range		\$ 244,078
Assistant Community Development Director	\$ 123,491		Open Range		\$ 177,511
Assistant Community Services Director	\$ 126,336		Open Range		\$ 177,511
Assistant Engineer	\$ 97,405	\$ 102,046	\$ 106,925	\$ 112,030	\$ 117,367
Assistant Engineer	\$ 96,440	\$ 101,036	\$ 105,867	\$ 110,921	\$ 116,205
Assistant Library Services Director	\$ 126,336		Open Range		\$ 177,511
Assistant Planner	\$ 88,253	\$ 92,403	\$ 96,832	\$ 101,447	\$ 106,292
Assistant Planner	\$ 87,379	\$ 91,488	\$ 95,873	\$ 100,442	\$ 105,240
Assistant Public Works Director	\$ 137,220		Open Range		\$ 177,511
Assistant to the City Manager	\$ 118,864		Open Range		\$ 155,322
Associate Civil Engineer	\$ 109,296	\$ 114,528	\$ 119,987	\$ 125,784	\$ 131,877
Associate Civil Engineer	\$ 108,214	\$ 113,394	\$ 118,799	\$ 124,539	\$ 130,572
Associate Engineer	\$ 103,285	\$ 108,229	\$ 113,389	\$ 118,866	\$ 124,624
Associate Engineer	\$ 102,262	\$ 107,157	\$ 112,266	\$ 117,690	\$ 123,390
Associate Planner	\$ 96,832	\$ 101,447	\$ 106,292	\$ 111,379	\$ 116,709
Associate Planner	\$ 95,873	\$ 100,442	\$ 105,240	\$ 110,276	\$ 115,554
Associate Transportation Engineer	\$ 114,528	\$ 119,987	\$ 125,784	\$ 131,877	\$ 138,267
Associate Transportation Engineer	\$ 113,394	\$ 118,799	\$ 124,539	\$ 130,572	\$ 136,898
Asst. Public Works Director - Engineering	\$ 137,220		Open Range		\$ 177,511
Asst. Public Works Director - Maintenance	\$ 137,220		Open Range		\$ 177,511
Asst. Public Works Director - Transportation	\$ 137,220		Open Range		\$ 177,511
Building Custodian	\$ 57,213	\$ 59,925	\$ 62,691	\$ 65,620	\$ 68,657
Building Custodian	\$ 56,646	\$ 59,332	\$ 62,071	\$ 64,970	\$ 67,977
Building Inspector	\$ 93,820	\$ 98,332	\$ 103,019	\$ 107,943	\$ 113,098
Building Inspector	\$ 92,891	\$ 97,358	\$ 101,999	\$ 106,875	\$ 111,978
Business Manager	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Business Manager	\$ 95,870	\$ 100,481	\$ 105,270	\$ 110,304	\$ 115,570
Child Care Teacher I	\$ 51,193	\$ 53,515	\$ 55,938	\$ 58,487	\$ 61,254
Child Care Teacher I	\$ 50,686	\$ 52,985	\$ 55,384	\$ 57,908	\$ 60,647
Child Care Teacher II	\$ 57,213	\$ 59,925	\$ 62,691	\$ 65,620	\$ 68,657
Child Care Teacher II	\$ 56,646	\$ 59,332	\$ 62,071	\$ 64,970	\$ 67,977
Child Care Teacher's Aide	\$ 38,409	\$ 40,147	\$ 41,963	\$ 43,842	\$ 45,778
Child Care Teacher's Aide	\$ 38,029	\$ 39,749	\$ 41,548	\$ 43,408	\$ 45,325
City Attorney	n/a		Set by contract		\$ 120,000
City Clerk	\$ 118,864		Open Range		\$ 155,322
City Manager	\$ 192,785		Open Range		\$ 266,267
Code Enforcement Officer	\$ 80,707	\$ 84,522	\$ 88,509	\$ 92,766	\$ 97,187
Code Enforcement Officer	\$ 79,908	\$ 83,685	\$ 87,633	\$ 91,848	\$ 96,225
Communications and Records Manager	\$ 112,138	\$ 117,580	\$ 123,228	\$ 129,169	\$ 135,382
Communications and Records Manager	\$ 111,028	\$ 116,416	\$ 122,008	\$ 127,891	\$ 134,041
Communications Dispatcher	\$ 81,837	\$ 85,706	\$ 89,749	\$ 94,065	\$ 98,548
Communications Dispatcher	\$ 81,027	\$ 84,857	\$ 88,860	\$ 93,133	\$ 97,572
Communications Training Dispatcher	\$ 85,706	\$ 89,749	\$ 94,065	\$ 98,548	\$ 103,260
Communications Training Dispatcher	\$ 84,857	\$ 88,860	\$ 93,133	\$ 97,572	\$ 102,237
Community Development Director	\$ 156,406		Open Range		\$ 221,889
Community Development Technician	\$ 68,639	\$ 71,816	\$ 75,172	\$ 78,699	\$ 82,397
Community Development Technician	\$ 67,959	\$ 71,105	\$ 74,428	\$ 77,920	\$ 81,582
Community Service Officer	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Community Service Officer	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248	\$ 79,908
Community Services Director	\$ 158,545		Open Range		\$ 221,889
Construction Inspector	\$ 88,509	\$ 92,766	\$ 97,187	\$ 101,834	\$ 106,696
Construction Inspector	\$ 87,633	\$ 91,848	\$ 96,225	\$ 100,826	\$ 105,640
Contracts Specialist	\$ 70,870	\$ 74,202	\$ 77,638	\$ 81,323	\$ 85,227
Contracts Specialist	\$ 70,168	\$ 73,467	\$ 76,869	\$ 80,518	\$ 84,383

City of Menlo Park
PROPOSED Salary Schedule - Effective 1/6/2019

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Custodial Services Supervisor	\$ 65,832	\$ 68,879	\$ 72,098	\$ 75,481	\$ 79,027
Custodial Services Supervisor	\$ 65,180	\$ 68,197	\$ 71,384	\$ 74,733	\$ 78,245
Deputy City Clerk	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Deputy City Clerk	\$ 72,785	\$ 76,248	\$ 79,908	\$ 83,685	\$ 87,633
Deputy City Manager	\$ 160,654		Open Range		\$ 221,889
Deputy Comm. Dev. Director - Housing	\$ 123,467		Open Range		\$ 166,417
Economic Development Manager	\$ 118,864		Open Range		\$ 155,322
Engineering Services Manager/City Engineer	\$ 137,220		Open Range		\$ 177,511
Engineering Technician I	\$ 73,780	\$ 77,197	\$ 80,861	\$ 84,742	\$ 88,748
Engineering Technician I	\$ 73,049	\$ 76,432	\$ 80,060	\$ 83,903	\$ 87,869
Engineering Technician II	\$ 82,711	\$ 86,603	\$ 90,675	\$ 95,022	\$ 99,550
Engineering Technician II	\$ 81,892	\$ 85,745	\$ 89,777	\$ 94,081	\$ 98,564
Enterprise Applications Support Specialist I	\$ 87,300	\$ 91,665	\$ 96,248	\$ 101,061	\$ 106,114
Enterprise Applications Support Specialist I	\$ 86,436	\$ 90,758	\$ 95,296	\$ 100,060	\$ 105,063
Enterprise Applications Support Specialist II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Enterprise Applications Support Specialist II	\$ 95,870	\$ 100,481	\$ 105,270	\$ 110,304	\$ 115,570
Equipment Mechanic	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Equipment Mechanic	\$ 72,785	\$ 76,248	\$ 79,908	\$ 83,685	\$ 87,633
Executive Assistant	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478	\$ 86,357
Executive Assistant	\$ 71,154	\$ 74,493	\$ 77,993	\$ 81,662	\$ 85,502
Executive Assistant to the City Mgr	\$ 76,560	\$ 80,388	\$ 84,408	\$ 88,628	\$ 93,058
Executive Assistant to the City Mgr	\$ 75,802	\$ 79,593	\$ 83,572	\$ 87,751	\$ 92,137
Facilities Maintenance Technician I	\$ 61,254	\$ 64,074	\$ 67,111	\$ 70,267	\$ 73,521
Facilities Maintenance Technician I	\$ 60,647	\$ 63,440	\$ 66,447	\$ 69,571	\$ 72,793
Facilities Maintenance Technician II	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Facilities Maintenance Technician II	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248	\$ 79,908
Finance and Budget Manager	\$ 123,467		Open Range		\$ 166,417
GIS Coordinator I	\$ 84,726	\$ 88,962	\$ 93,411	\$ 98,082	\$ 102,986
GIS Coordinator I	\$ 83,887	\$ 88,082	\$ 92,486	\$ 97,111	\$ 101,966
GIS Coordinator II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
GIS Coordinator II	\$ 95,870	\$ 100,481	\$ 105,270	\$ 110,304	\$ 115,570
Gymnastics Instructor	\$ 40,985	\$ 42,839	\$ 44,774	\$ 46,772	\$ 48,923
Gymnastics Instructor	\$ 40,579	\$ 42,415	\$ 44,331	\$ 46,309	\$ 48,439
Housing & Economic Development Manager	\$ 118,864		Open Range		\$ 155,322
Housing Manager	\$ 118,864		Open Range		\$ 155,322
Human Resources Director	\$ 156,616		Open Range		\$ 221,889
Human Resources Manager	\$ 123,467		Open Range		\$ 166,417
Human Resources Technician	\$ 66,500	\$ 69,646	\$ 72,755	\$ 76,305	\$ 79,894
Human Resources Technician	\$ 65,841	\$ 68,956	\$ 72,035	\$ 75,550	\$ 79,103
Information Technology Manager	\$ 123,467		Open Range		\$ 166,417
Information Technology Specialist I	\$ 71,629	\$ 75,211	\$ 78,972	\$ 82,921	\$ 87,068
Information Technology Specialist I	\$ 70,920	\$ 74,466	\$ 78,190	\$ 82,100	\$ 86,206
Information Technology Specialist II	\$ 79,587	\$ 83,326	\$ 87,246	\$ 91,349	\$ 95,729
Information Technology Specialist II	\$ 78,799	\$ 82,501	\$ 86,382	\$ 90,444	\$ 94,781
Information Technology Supervisor	\$ 98,130	\$ 103,037	\$ 108,460	\$ 114,169	\$ 120,177
Information Technology Supervisor	\$ 97,159	\$ 102,017	\$ 107,386	\$ 113,038	\$ 118,987
Internal Services Manager	\$ 123,467		Open Range		\$ 166,417
Junior Engineer	\$ 78,576	\$ 82,504	\$ 86,630	\$ 90,962	\$ 95,510
Junior Engineer	\$ 77,798	\$ 81,688	\$ 85,772	\$ 90,061	\$ 94,564
Librarian I	\$ 68,657	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478
Librarian I	\$ 67,977	\$ 71,154	\$ 74,493	\$ 77,993	\$ 81,662
Librarian II	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509	\$ 92,766
Librarian II	\$ 76,248	\$ 79,908	\$ 83,685	\$ 87,633	\$ 91,848
Library Assistant I	\$ 53,515	\$ 55,938	\$ 58,487	\$ 61,254	\$ 64,074
Library Assistant I	\$ 52,985	\$ 55,384	\$ 57,908	\$ 60,647	\$ 63,440
Library Assistant II	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Library Assistant II	\$ 57,908	\$ 60,647	\$ 63,355	\$ 66,447	\$ 69,571
Library Assistant III	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 76,933
Library Assistant III	\$ 63,355	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,171
Library Services Director	\$ 152,535		Open Range		\$ 221,889
Library Services Manager	\$ 123,467		Open Range		\$ 166,417
Literacy Program Manager	\$ 79,027	\$ 82,745	\$ 86,635	\$ 90,789	\$ 95,115
Literacy Program Manager	\$ 78,245	\$ 81,925	\$ 85,777	\$ 89,890	\$ 94,173
Maintenance Worker I	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Maintenance Worker I	\$ 57,908	\$ 60,647	\$ 63,355	\$ 66,447	\$ 69,571

Annual Salaries based on 2080 hours per year except where set by contract or note.

City of Menlo Park
PROPOSED Salary Schedule - Effective 1/6/2019

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Maintenance Worker II	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010
Maintenance Worker II	\$ 63,355	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248
Management Analyst I	\$ 84,726	\$ 88,962	\$ 93,411	\$ 98,082	\$ 102,986
Management Analyst I	\$ 83,887	\$ 88,082	\$ 92,486	\$ 97,111	\$ 101,966
Management Analyst II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Management Analyst II	\$ 95,870	\$ 100,481	\$ 105,270	\$ 110,304	\$ 115,570
Office Assistant	\$ 52,558	\$ 54,955	\$ 57,442	\$ 60,164	\$ 62,942
Office Assistant	\$ 52,038	\$ 54,411	\$ 56,873	\$ 59,568	\$ 62,319
Parking Enforcement Officer	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Parking Enforcement Officer	\$ 57,908	\$ 60,647	\$ 63,355	\$ 66,447	\$ 69,571
Permit Manager	\$ 110,143	\$ 115,413	\$ 120,937	\$ 126,702	\$ 132,823
Permit Manager	\$ 109,052	\$ 114,270	\$ 119,740	\$ 125,447	\$ 131,508
Permit Technician	\$ 68,639	\$ 71,815	\$ 75,172	\$ 78,699	\$ 82,396
Permit Technician	\$ 67,959	\$ 71,104	\$ 74,428	\$ 77,920	\$ 81,580
Plan Check Engineer	\$ 110,337	\$ 115,619	\$ 121,130	\$ 126,982	\$ 133,133
Plan Check Engineer	\$ 109,244	\$ 114,474	\$ 119,930	\$ 125,725	\$ 131,814
Planning Technician	\$ 78,699	\$ 82,396	\$ 86,273	\$ 90,330	\$ 94,661
Planning Technician	\$ 77,920	\$ 81,580	\$ 85,419	\$ 89,436	\$ 93,724
Police Chief	\$ 168,993		Open Range		\$ 244,078
Police Commander	\$ 152,093		Open Range		\$ 221,889
Police Corporal (2080 hours)	\$ 99,412	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836
Police Corporal (2184 hours)	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836	\$ 126,878
Police Officer (2080 hours)	\$ 92,369	\$ 96,987	\$ 101,836	\$ 106,928	\$ 112,275
Police Officer (2184 hours)	\$ 96,988	\$ 101,836	\$ 106,928	\$ 112,274	\$ 117,889
Police Records Specialist	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010
Police Records Specialist	\$ 63,355	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248
Police Recruit	n/a		Hourly Rate		\$ 74,819
Police Sergeant (2080 hours)	\$ 118,175	\$ 124,083	\$ 130,287	\$ 136,802	\$ 143,642
Police Sergeant (2184 hours)	\$ 124,083	\$ 130,287	\$ 136,802	\$ 143,642	\$ 150,824
Principal Planner	\$ 116,922	\$ 124,242	\$ 130,189	\$ 136,394	\$ 140,997
Principal Planner	\$ 115,765	\$ 123,012	\$ 128,900	\$ 135,044	\$ 139,601
Program Aide/Driver	\$ 36,746	\$ 38,409	\$ 40,147	\$ 41,963	\$ 43,842
Program Aide/Driver	\$ 36,382	\$ 38,029	\$ 39,749	\$ 41,548	\$ 43,408
Program Assistant	\$ 52,349	\$ 54,736	\$ 57,213	\$ 59,925	\$ 62,691
Program Assistant	\$ 51,831	\$ 54,194	\$ 56,646	\$ 59,332	\$ 62,071
Project Manager	\$ 103,285	\$ 108,229	\$ 113,389	\$ 118,866	\$ 124,624
Project Manager	\$ 102,262	\$ 107,157	\$ 112,266	\$ 117,690	\$ 123,390
Property and Court Specialist	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Property and Court Specialist	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248	\$ 79,908
Public Works Director	\$ 160,654		Open Range		\$ 221,889
Public Works Superintendent	\$ 121,318		Open Range		\$ 166,417
Public Works Supervisor - City Arborist	\$ 97,379	\$ 102,047	\$ 106,909	\$ 112,017	\$ 117,377
Public Works Supervisor - City Arborist	\$ 96,414	\$ 101,037	\$ 105,851	\$ 110,908	\$ 116,214
Public Works Supervisor - Facilities	\$ 98,071	\$ 102,773	\$ 107,670	\$ 112,814	\$ 118,212
Public Works Supervisor - Facilities	\$ 97,100	\$ 101,755	\$ 106,604	\$ 111,697	\$ 117,041
Public Works Supervisor - Fleet	\$ 99,631	\$ 104,408	\$ 109,382	\$ 114,608	\$ 120,091
Public Works Supervisor - Fleet	\$ 98,645	\$ 103,374	\$ 108,299	\$ 113,473	\$ 118,902
Public Works Supervisor - Park	\$ 92,700	\$ 97,144	\$ 101,773	\$ 106,635	\$ 111,738
Public Works Supervisor - Park	\$ 91,783	\$ 96,182	\$ 100,766	\$ 105,580	\$ 110,631
Public Works Supervisor - Streets	\$ 92,700	\$ 97,144	\$ 101,773	\$ 106,635	\$ 111,738
Public Works Supervisor - Streets	\$ 91,783	\$ 96,182	\$ 100,766	\$ 105,580	\$ 110,631
Recreation Coordinator	\$ 68,879	\$ 72,098	\$ 75,481	\$ 79,027	\$ 82,745
Recreation Coordinator	\$ 68,197	\$ 71,384	\$ 74,733	\$ 78,245	\$ 81,925
Recreation Supervisor	\$ 84,795	\$ 88,795	\$ 93,065	\$ 97,500	\$ 102,162
Recreation Supervisor	\$ 83,955	\$ 87,916	\$ 92,144	\$ 96,534	\$ 101,150
Red Light Photo Enforcement Specialist	\$ 75,238	\$ 78,773	\$ 82,478	\$ 86,357	\$ 90,498
Red Light Photo Enforcement Specialist	\$ 74,493	\$ 77,993	\$ 81,662	\$ 85,502	\$ 89,602
Revenue and Claims Manager	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Revenue and Claims Manager	\$ 95,870	\$ 100,481	\$ 105,270	\$ 110,304	\$ 115,570
Senior Accountant	\$ 101,724	\$ 106,533	\$ 111,558	\$ 116,923	\$ 122,495
Senior Accountant	\$ 100,716	\$ 105,478	\$ 110,454	\$ 115,766	\$ 121,282
Senior Accounting Assistant	\$ 69,030	\$ 72,255	\$ 75,598	\$ 79,131	\$ 82,844
Senior Accounting Assistant	\$ 68,346	\$ 71,539	\$ 74,849	\$ 78,348	\$ 82,024
Senior Building Inspector	\$ 105,299	\$ 110,337	\$ 115,619	\$ 121,130	\$ 126,982
Senior Building Inspector	\$ 104,257	\$ 109,244	\$ 114,474	\$ 119,930	\$ 125,725

City of Menlo Park
PROPOSED Salary Schedule - Effective 1/6/2019

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Senior Civil Engineer	\$ 120,374	\$ 126,189	\$ 132,303	\$ 138,713	\$ 145,472
Senior Civil Engineer	\$ 119,182	\$ 124,939	\$ 130,993	\$ 137,340	\$ 144,031
Senior Communications Dispatcher	\$ 89,749	\$ 94,065	\$ 98,548	\$ 103,260	\$ 108,189
Senior Communications Dispatcher	\$ 88,860	\$ 93,133	\$ 97,572	\$ 102,237	\$ 107,118
Senior Engineering Technician	\$ 88,748	\$ 92,935	\$ 97,405	\$ 102,046	\$ 106,925
Senior Engineering Technician	\$ 87,869	\$ 92,015	\$ 96,440	\$ 101,036	\$ 105,867
Senior Equipment Mechanic	\$ 80,883	\$ 84,828	\$ 88,818	\$ 92,932	\$ 97,342
Senior Equipment Mechanic	\$ 80,082	\$ 83,989	\$ 87,939	\$ 92,012	\$ 96,378
Senior Facilities Maintenance Technician	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Senior Facilities Maintenance Technician	\$ 72,785	\$ 76,248	\$ 79,908	\$ 83,685	\$ 87,633
Senior Information Technology Specialist	\$ 86,632	\$ 90,964	\$ 95,512	\$ 100,287	\$ 105,302
Senior Information Technology Specialist	\$ 85,774	\$ 90,063	\$ 94,566	\$ 99,294	\$ 104,259
Senior Librarian	\$ 88,795	\$ 93,065	\$ 97,500	\$ 102,162	\$ 107,040
Senior Librarian	\$ 87,916	\$ 92,144	\$ 96,534	\$ 101,150	\$ 105,980
Senior Library Assistant	\$ 70,387	\$ 73,822	\$ 77,294	\$ 80,873	\$ 84,626
Senior Library Assistant	\$ 69,691	\$ 73,091	\$ 76,528	\$ 80,073	\$ 83,788
Senior Maintenance Worker	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Senior Maintenance Worker	\$ 72,785	\$ 76,248	\$ 79,908	\$ 83,685	\$ 87,633
Senior Management Analyst	\$ 108,932	\$ 114,107	\$ 119,527	\$ 125,264	\$ 131,316
Senior Management Analyst	\$ 107,854	\$ 112,977	\$ 118,343	\$ 124,024	\$ 130,016
Senior Office Assistant	\$ 57,442	\$ 60,164	\$ 62,942	\$ 65,883	\$ 68,932
Senior Office Assistant	\$ 56,873	\$ 59,568	\$ 62,319	\$ 65,231	\$ 68,249
Senior Planner	\$ 106,292	\$ 111,379	\$ 116,709	\$ 122,272	\$ 128,180
Senior Planner	\$ 105,240	\$ 110,276	\$ 115,554	\$ 121,062	\$ 126,910
Senior Police Records Specialist	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Senior Police Records Specialist	\$ 66,447	\$ 69,571	\$ 72,793	\$ 76,248	\$ 79,908
Senior Program Assistant	\$ 63,575	\$ 66,546	\$ 69,670	\$ 72,943	\$ 76,374
Senior Program Assistant	\$ 62,946	\$ 65,887	\$ 68,980	\$ 72,220	\$ 75,618
Senior Project Manager	\$ 113,613	\$ 119,052	\$ 124,728	\$ 130,753	\$ 137,087
Senior Project Manager	\$ 112,488	\$ 117,873	\$ 123,493	\$ 129,458	\$ 135,730
Senior Sustainability Specialist	\$ 79,728	\$ 83,542	\$ 87,541	\$ 91,714	\$ 96,144
Senior Sustainability Specialist	\$ 78,939	\$ 82,715	\$ 86,674	\$ 90,806	\$ 95,192
Senior Transportation Engineer	\$ 120,374	\$ 126,189	\$ 132,303	\$ 138,713	\$ 145,472
Senior Transportation Engineer	\$ 119,182	\$ 124,939	\$ 130,993	\$ 137,340	\$ 144,031
Senior Water System Operator	\$ 75,430	\$ 78,922	\$ 82,610	\$ 86,486	\$ 90,549
Senior Water System Operator	\$ 74,683	\$ 78,140	\$ 81,792	\$ 85,630	\$ 89,652
Sustainability Manager	\$ 118,864		Open Range		\$ 155,322
Sustainability Specialist	\$ 68,657	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478
Sustainability Specialist	\$ 67,977	\$ 71,154	\$ 74,493	\$ 77,993	\$ 81,662
Transportation Demand Management Coord.	\$ 90,498	\$ 94,809	\$ 99,339	\$ 104,092	\$ 109,074
Transportation Demand Management Coord.	\$ 89,602	\$ 93,870	\$ 98,355	\$ 103,061	\$ 107,994
Transportation Director	\$ 160,654		Open Range		\$ 221,889
Transportation Manager	\$ 123,467		Open Range		\$ 166,417
Water Quality Specialist	\$ 78,773	\$ 82,478	\$ 86,357	\$ 90,498	\$ 94,809
Water Quality Specialist	\$ 77,993	\$ 81,662	\$ 85,502	\$ 89,602	\$ 93,870
Water System Operator I	\$ 62,677	\$ 65,485	\$ 68,390	\$ 71,768	\$ 75,109
Water System Operator I	\$ 62,056	\$ 64,837	\$ 67,713	\$ 71,058	\$ 74,365
Water System Operator II	\$ 68,573	\$ 71,747	\$ 75,100	\$ 78,624	\$ 82,317
Water System Operator II	\$ 67,894	\$ 71,037	\$ 74,356	\$ 77,845	\$ 81,502
Water System Supervisor	\$ 93,875	\$ 98,349	\$ 103,048	\$ 107,978	\$ 113,146
Water System Supervisor	\$ 92,946	\$ 97,375	\$ 102,028	\$ 106,909	\$ 112,026

City of Menlo Park
PROPOSED Salary Schedule - Effective 2/3/2019

ATTACHMENT B

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 80,759	\$ 84,798	\$ 89,038	\$ 93,490	\$ 98,165
Accountant II	\$ 88,455	\$ 92,637	\$ 97,006	\$ 101,672	\$ 106,517
Accounting Assistant I	\$ 57,270	\$ 59,984	\$ 62,754	\$ 65,686	\$ 68,725
Accounting Assistant II	\$ 62,754	\$ 65,686	\$ 68,725	\$ 71,937	\$ 75,313
Administrative Assistant	\$ 62,942	\$ 65,883	\$ 68,932	\$ 72,154	\$ 75,539
Administrative Services Director	\$ 156,616		Open Range		\$ 221,889
Assistant Administrative Services Director	\$ 123,491		Open Range		\$ 177,511
Assistant City Manager	\$ 165,395		Open Range		\$ 244,078
Assistant Community Development Director	\$ 123,491		Open Range		\$ 177,511
Assistant Community Services Director	\$ 126,336		Open Range		\$ 177,511
Assistant Engineer	\$ 97,405	\$ 102,046	\$ 106,925	\$ 112,030	\$ 117,367
Assistant Library Services Director	\$ 126,336		Open Range		\$ 177,511
Assistant Planner	\$ 88,253	\$ 92,403	\$ 96,832	\$ 101,447	\$ 106,292
Assistant Public Works Director	\$ 137,220		Open Range		\$ 177,511
Assistant to the City Manager	\$ 118,864		Open Range		\$ 155,322
Associate Civil Engineer	\$ 109,296	\$ 114,528	\$ 119,987	\$ 125,784	\$ 131,877
Associate Engineer	\$ 103,285	\$ 108,229	\$ 113,389	\$ 118,866	\$ 124,624
Associate Planner	\$ 96,832	\$ 101,447	\$ 106,292	\$ 111,379	\$ 116,709
Associate Transportation Engineer	\$ 114,528	\$ 119,987	\$ 125,784	\$ 131,877	\$ 138,267
Asst. Public Works Director - Engineering	\$ 137,220		Open Range		\$ 177,511
Asst. Public Works Director - Maintenance	\$ 137,220		Open Range		\$ 177,511
Asst. Public Works Director - Transportation	\$ 137,220		Open Range		\$ 177,511
Building Custodian	\$ 57,213	\$ 59,925	\$ 62,691	\$ 65,620	\$ 68,657
Building Inspector	\$ 93,820	\$ 98,332	\$ 103,019	\$ 107,943	\$ 113,098
Business Manager	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Child Care Teacher I	\$ 51,193	\$ 53,515	\$ 55,938	\$ 58,487	\$ 61,254
Child Care Teacher II	\$ 57,213	\$ 59,925	\$ 62,691	\$ 65,620	\$ 68,657
Child Care Teacher's Aide	\$ 38,409	\$ 40,147	\$ 41,963	\$ 43,842	\$ 45,778
City Attorney	n/a		Set by contract		\$ 120,000
City Clerk	\$ 118,864		Open Range		\$ 155,322
City Manager	\$ 192,785		Open Range		\$ 266,267
Code Enforcement Officer	\$ 80,707	\$ 84,522	\$ 88,509	\$ 92,766	\$ 97,187
Communications and Records Manager	\$ 112,138	\$ 117,580	\$ 123,228	\$ 129,169	\$ 135,382
Communications Dispatcher	\$ 81,837	\$ 85,706	\$ 89,749	\$ 94,065	\$ 98,548
Communications Training Dispatcher	\$ 85,706	\$ 89,749	\$ 94,065	\$ 98,548	\$ 103,260
Community Development Director	\$ 156,406		Open Range		\$ 221,889
Community Development Technician	\$ 68,639	\$ 71,816	\$ 75,172	\$ 78,699	\$ 82,397
Community Service Officer	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Community Services Director	\$ 158,545		Open Range		\$ 221,889
Construction Inspector	\$ 88,509	\$ 92,766	\$ 97,187	\$ 101,834	\$ 106,696
Contracts Specialist	\$ 70,870	\$ 74,202	\$ 77,638	\$ 81,323	\$ 85,227
Custodial Services Supervisor	\$ 65,832	\$ 68,879	\$ 72,098	\$ 75,481	\$ 79,027
Deputy City Clerk	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Deputy City Manager	\$ 160,654		Open Range		\$ 221,889
Deputy Comm. Dev. Director - Housing	\$ 123,467		Open Range		\$ 166,417
Economic Development Manager	\$ 118,864		Open Range		\$ 155,322
Engineering Services Manager/City Engineer	\$ 137,220		Open Range		\$ 177,511
Engineering Technician I	\$ 73,780	\$ 77,197	\$ 80,861	\$ 84,742	\$ 88,748
Engineering Technician II	\$ 82,711	\$ 86,603	\$ 90,675	\$ 95,022	\$ 99,550
Enterprise Applications Support Specialist I	\$ 87,300	\$ 91,665	\$ 96,248	\$ 101,061	\$ 106,114
Enterprise Applications Support Specialist II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Equipment Mechanic	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Executive Assistant	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478	\$ 86,357
Executive Assistant to the City Mgr	\$ 76,560	\$ 80,388	\$ 84,408	\$ 88,628	\$ 93,058
Facilities Maintenance Technician I	\$ 61,254	\$ 64,074	\$ 67,111	\$ 70,267	\$ 73,521
Facilities Maintenance Technician II	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Finance and Budget Manager	\$ 123,467		Open Range		\$ 166,417
GIS Coordinator I	\$ 84,726	\$ 88,962	\$ 93,411	\$ 98,082	\$ 102,986
GIS Coordinator II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Gymnastics Instructor	\$ 40,985	\$ 42,839	\$ 44,774	\$ 46,772	\$ 48,923
Housing & Economic Development Manager	\$ 118,864		Open Range		\$ 155,322
Housing Manager	\$ 118,864		Open Range		\$ 155,322
Human Resources Director	\$ 156,616		Open Range		\$ 221,889
Human Resources Manager	\$ 123,467		Open Range		\$ 166,417
Human Resources Technician	\$ 66,500	\$ 69,646	\$ 72,755	\$ 76,305	\$ 79,894
Information Technology Manager	\$ 123,467		Open Range		\$ 166,417
Information Technology Specialist I	\$ 71,629	\$ 75,211	\$ 78,972	\$ 82,921	\$ 87,068

City of Menlo Park
PROPOSED Salary Schedule - Effective 2/3/2019

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Information Technology Specialist II	\$ 79,587	\$ 83,326	\$ 87,246	\$ 91,349	\$ 95,729
Information Technology Supervisor	\$ 98,130	\$ 103,037	\$ 108,460	\$ 114,169	\$ 120,177
Internal Services Manager	\$ 123,467	Open Range			\$ 166,417
Junior Engineer	\$ 78,576	\$ 82,504	\$ 86,630	\$ 90,962	\$ 95,510
Librarian I	\$ 68,657	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478
Librarian II	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509	\$ 92,766
Library Assistant I	\$ 53,515	\$ 55,938	\$ 58,487	\$ 61,254	\$ 64,074
Library Assistant II	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Library Assistant III	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 76,933
Library Services Director	\$ 152,535	Open Range			\$ 221,889
Library Services Manager	\$ 123,467	Open Range			\$ 166,417
Literacy Program Manager	\$ 79,027	\$ 82,745	\$ 86,635	\$ 90,789	\$ 95,115
Maintenance Worker I	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Maintenance Worker II	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010
Management Analyst I	\$ 84,726	\$ 88,962	\$ 93,411	\$ 98,082	\$ 102,986
Management Analyst II	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Office Assistant	\$ 52,558	\$ 54,955	\$ 57,442	\$ 60,164	\$ 62,942
Parking Enforcement Officer	\$ 58,487	\$ 61,254	\$ 63,989	\$ 67,111	\$ 70,267
Permit Manager	\$ 110,143	\$ 115,413	\$ 120,937	\$ 126,702	\$ 132,823
Permit Technician	\$ 68,639	\$ 71,815	\$ 75,172	\$ 78,699	\$ 82,396
Plan Check Engineer	\$ 110,337	\$ 115,619	\$ 121,130	\$ 126,982	\$ 133,133
Planning Technician	\$ 78,699	\$ 82,396	\$ 86,273	\$ 90,330	\$ 94,661
Police Chief	\$ 168,993	Open Range			\$ 244,078
Police Commander	\$ 152,093	Open Range			\$ 221,889
Police Corporal (2080 hours)	\$ 105,377	\$ 110,646	\$ 116,178	\$ 121,987	\$ 128,086
Police Corporal (2080 hours)	\$ 99,412	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836
Police Corporal (2184 hours)	\$ 110,645	\$ 116,178	\$ 121,987	\$ 128,086	\$ 134,490
Police Corporal (2184 hours)	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836	\$ 126,878
Police Officer (2080 hours)	\$ 97,911	\$ 102,806	\$ 107,946	\$ 113,344	\$ 119,012
Police Officer (2080 hours)	\$ 92,369	\$ 96,987	\$ 101,836	\$ 106,928	\$ 112,275
Police Officer (2184 hours)	\$ 102,807	\$ 107,947	\$ 113,343	\$ 119,011	\$ 124,962
Police Officer (2184 hours)	\$ 96,988	\$ 101,836	\$ 106,928	\$ 112,274	\$ 117,889
Police Records Specialist	\$ 63,989	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010
Police Recruit	n/a	Hourly Rate			\$ 79,308
Police Recruit	n/a	-	Hourly Rate-	-	\$ 74,819
Police Sergeant (2080 hours)	\$ 118,175	\$ 124,083	\$ 130,287	\$ 136,802	\$ 143,642
Police Sergeant (2184 hours)	\$ 124,083	\$ 130,287	\$ 136,802	\$ 143,642	\$ 150,824
Principal Planner	\$ 116,922	\$ 124,242	\$ 130,189	\$ 136,394	\$ 140,997
Program Aide/Driver	\$ 36,746	\$ 38,409	\$ 40,147	\$ 41,963	\$ 43,842
Program Assistant	\$ 52,349	\$ 54,736	\$ 57,213	\$ 59,925	\$ 62,691
Project Manager	\$ 103,285	\$ 108,229	\$ 113,389	\$ 118,866	\$ 124,624
Property and Court Specialist	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Public Works Director	\$ 160,654	Open Range			\$ 221,889
Public Works Superintendent	\$ 121,318	Open Range			\$ 166,417
Public Works Supervisor - City Arborist	\$ 97,379	\$ 102,047	\$ 106,909	\$ 112,017	\$ 117,377
Public Works Supervisor - Facilities	\$ 98,071	\$ 102,773	\$ 107,670	\$ 112,814	\$ 118,212
Public Works Supervisor - Fleet	\$ 99,631	\$ 104,408	\$ 109,382	\$ 114,608	\$ 120,091
Public Works Supervisor - Park	\$ 92,700	\$ 97,144	\$ 101,773	\$ 106,635	\$ 111,738
Public Works Supervisor - Streets	\$ 92,700	\$ 97,144	\$ 101,773	\$ 106,635	\$ 111,738
Recreation Coordinator	\$ 68,879	\$ 72,098	\$ 75,481	\$ 79,027	\$ 82,745
Recreation Supervisor	\$ 84,795	\$ 88,795	\$ 93,065	\$ 97,500	\$ 102,162
Red Light Photo Enforcement Specialist	\$ 75,238	\$ 78,773	\$ 82,478	\$ 86,357	\$ 90,498
Revenue and Claims Manager	\$ 96,829	\$ 101,486	\$ 106,323	\$ 111,407	\$ 116,725
Senior Accountant	\$ 101,724	\$ 106,533	\$ 111,558	\$ 116,923	\$ 122,495
Senior Accounting Assistant	\$ 69,030	\$ 72,255	\$ 75,598	\$ 79,131	\$ 82,844
Senior Building Inspector	\$ 105,299	\$ 110,337	\$ 115,619	\$ 121,130	\$ 126,982
Senior Civil Engineer	\$ 120,374	\$ 126,189	\$ 132,303	\$ 138,713	\$ 145,472
Senior Communications Dispatcher	\$ 89,749	\$ 94,065	\$ 98,548	\$ 103,260	\$ 108,189
Senior Engineering Technician	\$ 88,748	\$ 92,935	\$ 97,405	\$ 102,046	\$ 106,925
Senior Equipment Mechanic	\$ 80,883	\$ 84,828	\$ 88,818	\$ 92,932	\$ 97,342
Senior Facilities Maintenance Technician	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Senior Information Technology Specialist	\$ 86,632	\$ 90,964	\$ 95,512	\$ 100,287	\$ 105,302
Senior Librarian	\$ 88,795	\$ 93,065	\$ 97,500	\$ 102,162	\$ 107,040
Senior Library Assistant	\$ 70,387	\$ 73,822	\$ 77,294	\$ 80,873	\$ 84,626
Senior Maintenance Worker	\$ 73,513	\$ 77,010	\$ 80,707	\$ 84,522	\$ 88,509
Senior Management Analyst	\$ 108,932	\$ 114,107	\$ 119,527	\$ 125,264	\$ 131,316

City of Menlo Park
PROPOSED Salary Schedule - Effective 2/3/2019

Classification Title	Annual Salaries based on 2080 hours per year				
	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Senior Office Assistant	\$ 57,442	\$ 60,164	\$ 62,942	\$ 65,883	\$ 68,932
Senior Planner	\$ 106,292	\$ 111,379	\$ 116,709	\$ 122,272	\$ 128,180
Senior Police Records Specialist	\$ 67,111	\$ 70,267	\$ 73,521	\$ 77,010	\$ 80,707
Senior Program Assistant	\$ 63,575	\$ 66,546	\$ 69,670	\$ 72,943	\$ 76,374
Senior Project Manager	\$ 113,613	\$ 119,052	\$ 124,728	\$ 130,753	\$ 137,087
Senior Sustainability Specialist	\$ 79,728	\$ 83,542	\$ 87,541	\$ 91,714	\$ 96,144
Senior Transportation Engineer	\$ 120,374	\$ 126,189	\$ 132,303	\$ 138,713	\$ 145,472
Senior Water System Operator	\$ 75,430	\$ 78,922	\$ 82,610	\$ 86,486	\$ 90,549
Sustainability Manager	\$ 118,864	Open Range			\$ 155,322
Sustainability Specialist	\$ 68,657	\$ 71,866	\$ 75,238	\$ 78,773	\$ 82,478
Transportation Demand Management Coord.	\$ 90,498	\$ 94,809	\$ 99,339	\$ 104,092	\$ 109,074
Transportation Director	\$ 160,654	Open Range			\$ 221,889
Transportation Manager	\$ 123,467	Open Range			\$ 166,417
Water Quality Specialist	\$ 78,773	\$ 82,478	\$ 86,357	\$ 90,498	\$ 94,809
Water System Operator I	\$ 62,677	\$ 65,485	\$ 68,390	\$ 71,768	\$ 75,109
Water System Operator II	\$ 68,573	\$ 71,747	\$ 75,100	\$ 78,624	\$ 82,317
Water System Supervisor	\$ 93,875	\$ 98,349	\$ 103,048	\$ 107,978	\$ 113,146

RESOLUTION NO. 6481

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE SALARY SCHEDULE EFFECTIVE JANUARY 6, 2019**

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a Compensation Plan; and

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby establish the following compensation provisions in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolutions No. 6459 and subsequent amendments, shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective as noted on each amended salary schedule.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-ninth day of January, 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-ninth day of January, 2019.

Judi A. Herren, City Clerk

RESOLUTION NO. 6482

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE SALARY SCHEDULE EFFECTIVE FEBRUARY 3, 2019**

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a Compensation Plan; and

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby establish the following compensation provisions in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolutions No. 6459 and subsequent amendments, shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective as noted on each amended salary schedule.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-ninth day of January, 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-ninth day of January, 2019.

Judi A. Herren, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

City Council

Meeting Date: 1/29/2019

Staff Report Number: 19-018-CC

Informational Item: 2019 City Council policy priorities and work plan

Recommendation

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

Policy Issues

It has been the City Council's practice to conduct an annual goal setting session to balance workload demand with available resources. The outcome of the annual goal setting session is that the City Council adopts a work plan which provides direction to staff for a period of approximately 18 months. The City Council may amend the work plan at any time.

Background

Annually, the City Council adopts a comprehensive budget to provide for regular ongoing operations, investment in the City's capital assets and infrastructure, and funding for new projects or services prioritized by the City Council. The fiscal year 2018-19 budget, across all operating and capital improvement funds, totals \$147.29 million inclusive of 287.25 authorized full-time equivalent personnel, expansive use of contractors and temporary employees, and almost 80 capital improvement plan (CIP) projects. The outcomes of the annual goal setting process set the pace and expectations for the organization for approximately 18 months.

This report is an informational item intended to provide background on the key discussion points for the 2019 goal setting process. As discussed in the report, staff anticipates providing supplemental information February 1, 2019 to further aid in the City Council's consideration of priorities for 2019.

Analysis

The February 2, 2019, goal setting session is for the City Council to determine priorities for 2019, provide direction on the fiscal year 2019-20 budget principles, and discuss potential amendments to the City Council Procedures Manual.

To assist with the prioritization of 2019 projects, staff has assembled several attachments for City Council's review prior to February 2, 2019. Each attachment reflects the best information available to staff including direction provided by the City Council over the course of 2018. The attachments do not reflect any assumptions regarding the City Council's priorities for 2019 and the attachments do not include any new priorities in 2019. The following outlines a number of attachments which are presented to assist in the City Council's evaluation of the 2018 work plan:

2018 work plan completed as of June 30, 2019

- Attachment A outlines the 2018 work plan projects that are either complete or anticipated to be substantially completed by June 30, 2019.
 - City Council direction requested February 2, 2019: Staff is seeking City Council confirmation that any project yet to be completed but appearing on Attachment A continues to be a City Council priority.

2018 work plan continuing into 2019-20

- Attachment B outlines all 2018 work plan projects expected to continue into 2019 and possibly into the first half of 2020. For each of the projects listed in Attachment B, staff has prepared a “project-on-a-page” (PoP) narrative to explain the current scope and key milestones of the subject project.
 - City Council direction requested February 2, 2019: Staff is seeking City Council confirmation that the projects listed in Attachment B should be included in the 2019 work plan, either as outlined on the PoP or as amended by the current City Council. Additionally, staff is seeking City Council approval of the proposed modified work plan project title.

2018 work plan transferred to CIP

- Attachment C outlines all 2018 work plan projects that were incorporated in the City Council’s adopted five year CIP which was part of the fiscal year 2018-19 budget. On this attachment, no action is requested by the City Council. As a supplement to this report February 1, 2019, staff will issue a comprehensive priority list of all active CIP projects, inclusive of Attachment C.
 - City Council direction requested February 2, 2019: No City Council direction is required on Attachment C. Staff will seek City Council confirmation of the current priorities for each major CIP area, as transmitted in a supplement to this report.
- 2018 work plan requiring City Council direction or prioritization
- Attachment D outlines a number of projects that have been placed on hold due to limited staff capacity.
 - City Council direction requested February 2, 2019: Staff is seeking City Council direction prioritization of the projects listed on Attachment D.

In an effort to provide greater public access to the goal setting process, staff has developed a City Council goal setting “landing page” on the City’s website (Attachment E.) The “landing page” is a publicly accessible webpage containing links to work plans for 2016, 2017, and 2018 as well as links to any staff report that either amended or provided an update on the work plan.

In addition to providing access to work plan documents, the landing page has a link to a web-based form for members of the public to either provide general comments on goal setting or complete a simple web-based form to recommend projects for 2019. City staff will compile all submittals received as of 9 a.m. February 1, 2019 and post the compilation to the landing page as a single document. This will provide an opportunity to allow members of the public and City Councilmembers to review public input on goal setting in advance of the February 2, 2019, meeting.

The goal setting landing page is an added opportunity for members of the public to provide comments with convenience without the need to search for source documents relevant to the goal setting process. City Council direction requested: Staff is requesting that the City Council help to publicize this additional functionality for the 2019 goal getting process. Staff also encourages members of the City Council to transmit their project ideas to staff through the tool by 9 a.m. February 1.

As part of the annual goal setting session, the City Council provides staff with direction on the budget principles used to develop the upcoming fiscal year budget. Attachment F outlines recommended budget

principles for 2019-20.

- City Council direction requested: Staff requires City Council direction on the proposed budget principles as presented in Attachment F.

Finally, as part of the annual goal setting session, the City Council takes the opportunity to review its procedures manual, Attachment G. The City Council procedures manual was last approved February 6, 2018. The manual is reviewed annually and documents the City Council accepted practices. Through agreement of the City Council to be bound by these practices, the effective administration of City Council affairs is greatly enhanced.

- City Council direction requested February 2, 2019: Staff requires City Council direction on any changes desired to the City Council Procedures Manual as presented in Attachment G.

As an informational item there is no action requested of the City Council January 29, 2019. Hence, City Council may ask questions of staff regarding any of the attachments. Staff will seek City Council direction at two public meetings to establish the City Council's 2019 policy priorities and work plan as follows:

- February 2, 2019 – As a special meeting of the City Council, the objective of this meeting is to update the City Council on the 2018 work plan, solicit work plan ideas from the City Council, staff, and members of the public for 2019, and identify policy priorities for 2019.
- February 26, 2019 – As a regular City Council meeting, a draft of the City Council's 2019 policy priorities and work plan will be scheduled for consideration as a regular agenda item. At that time, City Council will also receive fiscal year 2019-20 budget principles and the 2019 City Council procedures manual for adoption.

Staff looks forward to the February 2, 2019 work session and hopes that the addition of the landing page (Attachment E) provides greater access to information necessary for goal setting and streamlines the process to submit recommendations for the 2019 work plan.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 24 hours prior to the meeting.

Attachments

- A. 2018 work plan completed as of June 30, 2019
- B. 2018 work plan continuing into 2019-20
- C. 2018 work plan transferred to the capital improvement plan (CIP) budget
- D. 2018 work plan requiring City Council direction or prioritization
- E. Hyperlink: Goal Setting Landing Page – menlopark.org/goalsetting
- F. Proposed 2019-20 budget principles
- G. Hyperlink: Procedures Manual - Menlo Park City Council – <https://www.menlopark.org/DocumentCenter/View/18608/20180206-City-Council-Procedures-Manual>

Report prepared by:
Nick Pegueros, Assistant City Manager

2018 Work Plan Completed as of June 30, 2019			
Ref #	2018 Work Plan Item	Lead Department	Actual/Estimated Completion date
1	Top 2018 Priority: Citywide Safe Routes to School Program (Non-infrastructure)	Public Works	Jun-19
2	Top 2018 Priority: District Elections	City Manager's Office	Aug-18
3	Top 2018 Priority: The Guild Theatre - Land Use Entitlement Approval	Community Development	Jun-18
4	Development a Citywide Communications Program	City Manager's Office	Jun-19
5	Cost allocation plan and user fee study	Administrative Services	Jul-18
6	Employee Engagement/Organizational Development	Administrative Services	Jul-18
7	Green Infrastructure Plan	Public Works	Jun-19
8	Jack Lyle Park Restroom	Public Works	Mar-19
9	Library Landscaping	Public Works	Jun-19
10	Organizational Study of the Public Works and Community Development Departments	City Manager's Office	Jun-19
11	Parks and Recreation Facilities Master Plan Update	Community Services	Jun-19
12	Ravenswood Avenue/Caltrain Grade Separation Study	Public Works	Mar-19
13	Revisions to the 2016 California Green Building Standards Code for Electric Vehicle Chargers	Community Development	Oct-18
14	Stanford University 2018 General Use Permit Review	City Manager's Office, Community Development, Public Works	Jun-19
15	Water System Master Plan	Public Works	Jul-18
16	Willow Road/U.S. 101 Interchange	Public Works	May-19

2018 Work Plan Continuing into 2019-20		
Ref #	2018 Work Plan Item	Lead Department
17	Top 2018 Priority: Adopt Transportation Master Plan	Public Works
18	Top 2018 Priority: Plan a Downtown Parking Structure	Community Development
19	Top 2018 Priority: Implement Adopt El Camino Real/ Downtown Specific Plan Update Biennial Review	Community Development
20	Install Chilco Streetscape and Sidewalk Installation	Public Works
21	Conduct Middle Avenue Caltrain Crossing Study	Public Works
22	Create Transportation Management Association	Public Works
23	Plan a New Belle Haven Branch Library Improvements-	Library
24	Implement Information Technology Master Plan Implementation-	Administrative Services
25	Adopt Community Zero Waste Plan Implementation Ordinances and Policies	City Manager's Office
26	Update the Adopt Heritage Tree Ordinance Update	City Manager's Office

TRANSPORTATION MASTER PLAN

Public Works Department
701 Laurel St., Menlo Park, CA 94025
Kristiann Choy, Senior Transportation Engineer
kmchoy@menlopark.org
tel 650-330-6770



Project Summary

The Transportation Master Plan (TMP) and Transportation Impact Fee (TIF) Program is the highest priority program following the adoption of the ConnectMenlo General Plan Land Use and Circulation Elements in November 2016. The Circulation Element has seven goals and 86 policies and programs that establish the framework for the City's priorities related to multi-modal transportation. The Transportation Master Plan will build from the policy context of the Circulation Element to identify infrastructure projects and strategic programs, then prioritize them for implementation. The Transportation Impact Fee Program will assess the responsibility of new development to help fund the infrastructure projects identified in the Transportation Master Plan, and allow the City to update the Fee Program, which was last updated in 2009.

Key Project Activities and Timeline

1. Project Initiation (January to August 2017):

- Select consultant team and award contract
- Appoint 11-member Transportation Master Plan Oversight and Outreach Committee
- Initiate project

2. Develop Plan Goals (August 2017 to February 2018):

- Conduct community engagement reaching 1000 participants to provide input on goals and priorities
- Develop performance measures and prioritization criteria
- Review existing traffic data and collision history
- Identify four key focus corridors: Bayfront Expressway, Willow Road, El Camino Real, Sand Hill Road

3. Develop Recommendations and TMP (February 2018 to ongoing)

- Develop list and maps of projects
- Solicit feedback from TMP Oversight and Outreach Committee and Complete Streets Commission
- Prioritize identified projects
- Prepare and adopt TMP

4. Update Transportation Impact Fee Program (February 2019 to late 2019)

- Identify cost of planned future transportation improvements using project list developed for TMP
- Allocate responsibility of future transportation improvements to existing and new developments
- Establish updated fees for new development projects
- City Council approval of updated fee schedule and ordinance language

This list of activities and timeline provides general next steps anticipated for the TMP and TIF Update. Staff is currently developing an update to the City Council expected in February 2019 to present a refined scope, schedule and budget to complete this project.

Related Existing Policies, Programs, Future Projects

Safe Routes to School, Transportation Demand Management, Transportation Management Association, General Plan Two-Year Review and Update, El Camino Real/Downtown Specific Plan Review and Update, Climate Action Plan, Development Agreements, Managers Mobility Partnership, Parks & Recreation Master Plan, Green Infrastructure Plan

Project Summary

Interdepartmental and community engagement throughout this process is vital to the development of a transportation master plan.

Project Team	Internal Stakeholders	Community Engagement
Kristiann Choy, Transportation Division, Project Lead Kevin Chen, Transportation Division Nikki Nagaya, Assistant Public Works Director W-Trans, Consultant	Sustainability Division, City Manager's Office Housing and Economic Development Division, Community Development Planning Division, Community Development Engineering Division, Public Works Maintenance Division, Public Works Police Department	Transportation Master Plan Oversight and Outreach Committee Complete Streets Commission Community (residents and businesses) Chamber of Commerce Transit Partners – SamTrans, Caltrain Caltrans

DOWNTOWN PARKING STRUCTURE

Community Development – Housing and Economic Development
 701 Laurel St., Menlo Park, CA 94025
 Mark Muenzer, Community Development Director
 Deputy Community Development Director (TBD)
 tel 650-330-6709 | email memuenzer@menlopark.org



Project Summary

The City Council identified a downtown parking structure as one of its top six priorities for 2018. The parking structure is intended to resolve the issue of both location and accessibility of parking in downtown, which hinders the City’s ability to respond to demand for additional residential, entertainment, and retail development. The desired outcome is to enhance the experience of patrons of downtown Menlo Park and support the success of existing and future merchants. The development of the parking plazas into a mixed-use (ex: housing and/or retail/entertainment) structure would require an amendment to the Downtown Specific Plan.

Staff presented public survey results, example mixed-use Bay Area parking structure projects, and potential project costs at an April 24, 2018, City Council study session. 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 a Council subcommittee (Mueller and Carlton) would provide additional assistance to staff as future parking structures are researched.

The subcommittee held a meeting in July 2018 and reviewed potential parking plazas that could accommodate a parking structure, current Specific Plan/zoning requirements, proposed land uses other than parking that could be included, potential financing mechanisms and staffing resources for the project. Next steps could include analyzing construction on two parking plazas (1 & 3) with different land uses and parking on each plaza. The subcommittee discussed Plaza 1 potentially for an entertainment use/parking use and Plaza 3 potentially for market rate/affordable housing and parking. Staffing vacancies in Housing & Economic Development and the City Manager’s Office have resulted in additional work not being completed on the project. The City Council did not appoint new subcommittee members at their December 2018 reorganization meeting pending the result of goal setting.

Key Project Activities and Timeline

Phase I - Project Review (1st Quarter 2019)

- No work is planned pending the Specific Plan Update and recruitment of the vacant Deputy Community Development Director – Housing position.

Phase II - (3rd Quarter 2019)

- Staff would return during this timeframe to discuss a project scope and potential Specific Plan amendments and additional required CEQA review

Phase III - (4th Quarter 2019)

- Contingent on Phase II direction and next steps

Related Existing Policies, Programs, Future Projects

El Camino Real/Downtown Specific Plan, General Plan, Climate Action Plan

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project Team	Internal Stakeholders	Community Engagement
Deputy Community Development Director (TBD) John Passmann, Management Analyst II Mike Noce, Management Analyst II	Mark Muenzer, Community Development Director Deanna Chow, Asst. Community Development Director Nikki Nagaya, Asst. Public Works Director Corinna Sandmeier, Senior Planner	City Council Subcommittee

EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN UPDATE

Community Development – Planning
 701 Laurel St., Menlo Park, CA 94025
 Corinna Sandmeier, Senior Planner
 Deanna Chow, Assistant Community Development Director/Planning
 tel 650-330-6726 | email cdsandmeier@menlopark.org



Project Summary

In 2012 the City Council unanimously approved the El Camino Real/Downtown Specific Plan. The initial implementation of the Ongoing Review requirement occurred in 2013 and the Planning Commission and City Council directed staff to prepare formal amendments on several topics, which were adopted in 2014. In 2015, staff presented the second biennial review and received direction from the Council on further changes to the Specific Plan. Although work has begun on drafting those revisions, the work has been delayed due to staffing resources and other project priorities. In late 2017 and into early 2018, the City Council asked staff to bring any potential plan amendments to the Planning Commission, Environmental Quality Commission, Complete Streets Commission and Housing Commission for their review prior to returning to the City Council for a discussion on larger policy issues such as increasing the commercial and residential development caps (the commercial/non-residential cap has almost exceeded its limit). City Council also directed staff to receive feedback from the local school districts and the Menlo Park Fire Protection District regarding the potential amendments to the Plan and have since received their input. Future topics for consideration include potential entertainment uses, mixed-use parking structures (addressed in a separate document), increased building heights, density and floor area ratios, enhanced sustainability standards, and fostering additional retail development.

The desired project outcome is to ensure that the Specific Plan continues to reflect the core principles of the plan and values of the community, and guides attractive, vibrant and appropriate development along the El Camino Real Corridor and in Downtown. Depending on the desired changes to the Plan, significant staff resources as well as consultant services (e.g. design, environmental, and legal as the City Attorney has a conflict of interest) will be required.

Key Project Activities and Timeline

Phase I - Project Planning (March 2019)

- Conduct City Council review and receive direction on proposed amendments
- Tentatively scheduled for the March 12, 2019 City Council meeting

Phase II - (2nd Quarter 2019)

- Assuming City Council direction to update/revise plan, staff would return during this timeframe to discuss a project scope, budget, timeline and additional resource allocation (Consultants/Possible RFP)

Phase III – (3rd-4th Quarter 2019)

- Initiate community outreach and commence likely environmental review

Related Existing Policies, Programs, Future Projects

General Plan, Zoning Ordinance, Green Building Ordinance, Climate Action Plan

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key individuals:

Project Team	Internal Stakeholders	Community Engagement
Corinna Sandmeier, Senior Planner Deanna Chow, Asst. Community Development Director Deputy Community Development Director (TBD) Consultant Team Goldfarb & Lipman, Consulting City Attorney	Mark Muenzer, Community Development Director Nikki Nagaya, Asst. Public Works Director Thomas Rogers, Principal Planner Rebecca Lucky, Sustainability Manager	City Council Subcommittee Advisory Committee - TBD

CHILCO STREET IMPROVEMENT PROJECT

Public Works Division
 701 Laurel St., Menlo Park, CA 94025
 Michael Fu, Associate Civil Engineer
 mgfu@menlopark.org
 tel 650-330-6706



Project Summary

Public Works is coordinating multimodal transportation and utility improvements along Chilco Street pursuant to the conditions of Facebook’s Campus Expansion development. The project will span from Bayfront Expressway to Hamilton Avenue (just south of the rail crossing) and includes critical enhancements for public safety by implementing new infrastructure in the City right of way.

Specifically, the project provides measures to significantly improve pedestrian / bicycle connectivity, traffic calming, stormwater treatment, and streetscape. A detailed description of these key features is listed below:

Key Features:

- Separated sidewalk and bicycle paths to promote connectivity with the Belle Haven neighborhood
- New turn lanes and traffic signals / crosswalks to reduce vehicular congestion and promote safe access to Belle Haven and new development areas
- Landscape features to beautify the unimproved dirt area adjacent to the railroad
- Storm water treatment basins to promote clean runoff and alleviate historic flooding issues
- Street light fixtures to improve nighttime visibility

The project is tentatively scheduled for completion by third quarter of 2019 as summarized in the subsequent section.

Key Project Activities and Timeline

Prior Phases (2016 to late 2018):

- Constructed separated bicycle/pedestrian pathways along north side of Chilco Street between railroad and Constitution Drive.
- Completed utility upgrades.

Activity No. 1: Permit Review (In progress)

- Review and finalize design plans
- City Council approval of designs

Activity No. 2: Permit issuance (tentative April 2019)

Activity No. 3: Construct Bayfront to Constitution intersection (tentative June 2019)

- Phase 1 of the project spans between Bayfront Expressway and Constitution Drive and includes adding new turn lanes, sidewalk installation, and signaling the intersection of Chilco Street and Constitution Drive.

Activity No. 4: Construct remaining improvements (tentative Q3 2019)

- Phase 2 of the project will entail construction of new turn lanes, sidewalk installation, bicycle facility enhancements on the south side of Chilco Street between Constitution Drive and Hamilton Avenue.

Related Existing Policies, Programs, Future Projects

Connect Menlo General Plan, Street Tree Plan, Transportation Master Plan, Green Infrastructure Plan, Current and Future Stormdrain Plan, Safe Routes to School Program, Belle Haven School Improvements along Chilco Street

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project team	Internal Stakeholders	Community Engagement
Theresa Avedian, Senior Civil Engineer Kristiann Choy, Senior Civil Engineer Michael Fu, Associate Civil Engineer Kevin Chen, Associate Civil Engineer Facebook, Consultants and Contractors	Justin Murphy, PW Director Chris Lamm, Assistant PW Director Nicole Nagaya, Assistant PW Director Kyle Perata, Acting Principal Planner	Community (residents, with emphasis on Belle Haven residents) Complete Streets Commission Belle Haven Neighborhood Association

Middle Avenue Pedestrian and Bicycle Rail Crossing

Public Works Department
 701 Laurel St., Menlo Park, CA 94025
 Angela Obeso, Senior Transportation Engineer
 tel 650-330-6739 | aobeso@menlopark.org



Project Summary

The Middle Avenue Pedestrian and Bicycle Crossing Project will provide a grade separated crossing through the Caltrain Railway, from El Camino Real to Alma Street at Middle Avenue to create a pedestrian and bicycle connection between east and west Menlo Park. The Project is critical to provide greater east-west connectivity, as El Camino Real, in addition to the Caltrain railroad tracks, are both a real and perceived barrier. Long crossing distances make traversing the street on foot inconvenient and this undercrossing would improve connectivity for neighborhoods on both sides of the Caltrain tracks with City amenities, and access to public transit and Downtown Menlo Park.

The current scope of work will result in the completion of the Preliminary Engineering (30% Plans, Specifications, and Estimate package) and Environmental Clearance phases of the project. Final PS&E and construction are not currently included in the scope of work or budget. The preliminary engineering phase will include community outreach that will determine the design of the crossing.

This project must coordinate with the City's Ravenswood Avenue Railroad Crossing study in determining if the rail tracks remain at their current elevation or raises to a higher profile. In order to achieve more efficient constructability, the project's schedule must align with Stanford's 500 El Camino Real development project, Middle Plaza. Therefore, a timely decision on type of Ravenswood Avenue Railroad crossing is critical in maintaining the below timeline.

Key Project Activities and Timeline

Phase I- Project Planning (April 2017 to May 2017)

- Data Collection and Existing Conditions Report
- Begin Community Engagement

Phase II- Conceptual Designs (May 2017 to June 2019*)

- Develop conceptual designs to present to community and stakeholders
- Evaluation of conceptual designs
- Continue Community Engagement
- Selection of preferred alternative

Phase III- Environmental Clearance and Documentation (June 2019 to December 2019)

- Complete environmental analyses
- Draft and Final IS/MND

Phase IV- 30% Construction Documents (September 2019 to March 2020)

- Prepare 30% Plans, Specifications and Estimates (PS&E)

*Schedule shown incorporates an approximate 12 month delay based on additional workload and staff vacancies occurring in late 2017 and 2018.

Related Existing Policies, Programs, Future Projects

El Camino Real/Downtown Specific Plan, General Plan, Transportation Master Plan, Safe Routes to School

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project Team	Internal Stakeholders	Community Engagement
Morad Fakhrai, Senior Project Manager, Angela Obeso, Senior Transp. Engineer, Rich Angulo, Assistant Engineer Peter DeStefano, AECOM, Project Manager	Justin Murphy, Public Works Director Mark Muenzer, Community Development Director Derek Schweigart, Community Services Director Nikki Nagaya, Assistant Public Works Director	Community Meetings Complete Streets Commission Planning Commission Parks & Recreation Commission City Council Stanford's 500 El Camino Real project team Ravenswood Avenue Railroad Crossing project team

FORMATION OF A TRANSPORTATION MANAGEMENT ASSOCIATION

Public Works Department
 701 Laurel St., Menlo Park, CA 94025
 Nicholas Yee, Transportation Demand Management Coordinator
 ngyee@menlopark.org
 tel 650-330-6754



Project Summary		
<p>The City of Menlo Park is exploring the feasibility of forming a Transportation Management Association (TMA). The primary goal of a TMA is to collaborate and pool resources together between businesses and organizations to reduce the impacts of commuter congestion and greenhouse gases for a more livable and sustainable community. A TMA can provide bulk transit passes at a lower cost, shuttle services to multiple employers, and biking/walking incentives. The first step in forming a TMA involves undertaking an options analysis to determine which type of TMA will fit the needs and aspirations of the community. Establishing a TMA will provide cost effective, convenient, and greater opportunities for all Menlo Park commuters to access alternatives to driving alone.</p>		
Key Project Activities and Timeline		
<p><u>Activity No. 1 (February 2018 to Spring 2019):</u></p> <ul style="list-style-type: none"> Initial feedback from City Council and target stakeholders (Bohannon, Facebook, Tarlton) Gather feedback, gauge community interest, and hire consultant to conduct TMA options analysis Reach out to regional cities to begin talks of partnerships and alliances <p><u>Activity No. 2 (Spring 2019 to Summer 2020):</u></p> <ul style="list-style-type: none"> Citywide survey of commuter habits by Consultant Focus groups with large, small businesses, other stakeholders to chart milestones and updates Options analysis completed by Consultant and presented to City Council at a study session City Council selects option to pursue <p><u>Activity No. 3 (2020)</u></p> <ul style="list-style-type: none"> Wider community engagement on preferred City Council option Refine option based on communitywide feedback and further needed analysis City Council action to initiate establishment of a TMA Develop implementation and monitoring plan <p><u>Activity No. 4 (2021-2022)</u></p> <ul style="list-style-type: none"> Establish TMA, then begin transitioning TMA into an independent entity, with minimal advisement from the City Monitor and report progress to City Council and make changes when applicable 		
Related Existing Policies, Programs, Future Projects		
<p>City of Menlo Park Bike Share, Development Agreements, Managers Mobility Partnership, Parks & Rec Master Plan, Safe Routes to School, Transportation Demand Management, Transportation Master Plan</p>		
Project Summary		
<p>Interdepartmental and community engagement throughout this process is vital to the establishment and the successful implementation of a transportation management association.</p>		
Project Team	School and District Partners	Community Stakeholders and Partner Agencies
<p>Nicholas Yee, Transportation Division, Project Lead Rebecca Lucky, Sustainability Division, Sustainability Manager Kyle Perata, Planning Division, Senior Planner Tom Smith, Planning Division, Associate Planner Michael Noce, Housing and Economic Development Division, Management Analyst Consultant, TBD</p>	<p>Bohannon Companies Downtown businesses Facebook, Inc. Greenheart Land Company Small businesses SRI International Stanford University Sobrato Organization Tarlton Properties, Inc. VA Palo Alto Health Care System</p>	<p>Chamber of Commerce Complete Streets Commission Commute.org Environmental Quality Commission Home/property owners Managers Mobility Partnership Mountain View, Palo Alto TMAs Real Estate Developers Redwood City TMA (Future) Regional Cities School Districts (Four in Menlo Park)</p>

LIBRARY SYSTEM IMPROVEMENTS 2019

Library Department - Administration
800 Alma St., Menlo Park, CA 94025
Sean S. Reinhart, Interim Director of Library Services
tel 650-330-2510 | email ssreinhart@menlopark.org



Project Summary

Description. The Library System Improvements Project contains three major components:

Priority 1: New Belle Haven Branch Library. Develop and implement a comprehensive plan to design, finance, construct and operate a new public library facility to replace the Belle Haven Branch Library currently located on the Belle Haven School campus.

Priority 2: New Main Library. Develop and implement a comprehensive plan to design, finance, construct and operate a new public library facility to replace the old Main Library on the Burgess civic center campus.

Priority 3: Short-term system improvements. Identify and implement needed short-term improvements to current library systems, facilities, services and operations to ensure the continuous provision of high-quality, modern and safe library facilities for Menlo Park residents pending the development of new facilities.

Process. The Library System Improvements Project is being implemented at City Council's direction with advice and recommendations from the Library Commission, and incorporates broad-based community input, current and relevant data, expert consultation, financing options and mechanisms including potential public-private partnerships, best practices and future trends in municipal library services, and Menlo Park community needs in all aspects of the project.

Purpose and Goals. Multiple studies conducted by the City in 2015¹, 2017² and 2018³ concluded that the current Belle Haven and Main Library facilities are outdated and insufficient to meet community needs now and into the future, and should be replaced with new facilities. Project goals:

1. **Long-term goal.** Develop and construct new 21st Century library facilities that will: Reduce the City's maintenance and energy costs and shrink the City's carbon footprint; eliminate the design deficiencies and limitations that hinder services and increase operational costs in the old library facilities; improve operational efficiency and increase availability of self-service and automation technologies; and create flexible, technology-infused community spaces and learning environments to serve Menlo Park children and families for the next 75+ years.
2. **Short-term/ ongoing goal.** Address and resolve current deficiencies and improve services within the existing old library facilities where feasible and to the greatest extent possible within the limitations of currently available resources and facilities.

Key Project Activities and Timeline **** All dates are tentative/ proposed and are subject to change ****

Phase I – Initial Study, Assessment, and Community Input (January 2017 to April 2019)

- *Main Library Space Needs Study: March 2017 - completed*
- *Belle Haven Neighborhood Library Needs Assessment: June 2018 – completed*
- *Belle Haven Library Space Needs Study: March 2019 – in progress*
- *Menlo Park Library Strategic Plan 2019-2020 Update: March 2019 – in progress*

Phase II – Preliminary Design (June 2019 to June 2020)

- *Issue RFP/ RFQs and award contracts for architectural design services – Belle Haven Branch Library, possibly Main Library: June 2019*
- *Initiate preliminary design process for Council review including site options and preliminary cost estimates: September 2019*

¹ Operational and Administrative Review of the Library Department, 2015. URL: <https://www.menlopark.org/DocumentCenter/View/15271/Attachment-D---Recommendations-from-the-Operationaland-Administrative-Review-of-the-Library-Departme?bidId=>

² Menlo Park Main Library Space Needs Study, 2017. URL: <https://www.menlopark.org/DocumentCenter/View/13235/G1---Library-Space-Needs-Study>

³ Belle Haven Neighborhood Library Needs Assessment, 2018. URL: <https://www.menlopark.org/DocumentCenter/View/18671/Final-Belle-Haven-Library-Needs-Assessment>

- *Develop potential financing options and mechanisms for Council review, including potential public/private partnerships: December 2019*

Phase III – Design Development and Financing (January 2020 to December 2021)

- *City Council evaluate and identify construction financing options: January 2020*
- *Undertake and complete schematic and final design work: April 2020 to February 2022*

Phase IV – Construction (April 2022 – August 2025)

- *Advertise for bids and award contracts for facility construction: April 2022*
- *Undertake and complete construction work: August 2022 to August 2025*

Phase V – Operations and Certifications (August 2025 and forward)

- *Initiate operations in new facility/ facilities: August 2025*
- *Secure and maintain appropriate and desired building certifications and/or awards, i.e. LEED, Net Zero Energy, architectural awards, etc.*

Related Existing Policies, Programs, Future Projects

Menlo Park Library Strategic Plan 2019-2020 Update; Library Commission Two-Year Work Plan 2019-2020; Operational and Administrative Review of the Library Department, 2015; Menlo Park Main Library Space Needs Study, 2017; Belle Haven Neighborhood Library Needs Assessment, 2018.

Project Summary

Project Team	Internal Stakeholders	Community Stakeholders / Partners
Sean Reinhart, Interim Library Services Director Nick Szegda, Assistant Library Director Morad Fakhrai, Senior Project Manager (PW) Noll & Tam Architects	Justin Murphy, Public Works Director Derek Schweigart, Community Services Director Lenka Diaz, Administrative Services Director Library Department staff team Library volunteer corps	Library patrons and community members Library Commission Menlo Park Library Foundation Current/ former BHNLAC members Private sector partners

INFORMATION TECHNOLOGY MASTER PLAN

Administrative Services – Information Technology
 701 Laurel St., Menlo Park, CA 94025
 Gene Garces, Information Technology Manager
 ggarces@menlopark.org
 tel 650-330-6675



Project Summary

The City Council's 2015 and 2016 Work Plan identified a significant need to develop a comprehensive Information Technology Master Plan (ITMP) to serve as a multi-year road map for the development, implementation and utilization of technology in a coordinated effort organization-wide. Working with consultants, the ITMP identified dozens of key technology initiatives and an approximation of their capital and additional staffing resource costs. These initiatives range from improvements in the areas of network and systems infrastructure to critical business systems applications.

The desired outcome with the implementation of the ITMP is to improve the City's overall technology posture thereby allowing staff to deliver modern and more efficient public services to the community. Not only will city staff benefit from efficiencies created with upgraded technology systems, but public services are enhanced by offering more self-service, transparent, online access to various city services and information. As technology continually evolves, the ITMP will adapt not only to technology changes, but to city business and community needs as well.

Key Project Activities and Timeline

Activity No. 1: Network and System Infrastructure Enhancements (Winter 2017 to Winter 2020)

- Upgrade internal and external networking components and services
- Introduce systems and network operations and monitoring platforms
- Upgrade applications, database and security management platforms

Activity No. 2: Land Management System Replacement (Fall 2018 to Fall 2019)

- Work with vendor and consultants on business analysis and needs assessment
- Initiate application configuration, testing and systems integration
- Application training for staff and system launch

Activity No. 3: GIS Enterprise Upgrade (Winter 2018 to Fall 2019)

- Redesign existing ESRI GIS systems environment
- Configure new enterprise application features and functionality
- Create and rollout enhance GIS-related services to staff and the community

Activity No. 4: Operations and Asset Management System Implementation (February 2019 to July 2019)

- Work with vendor on business analysis and needs assessment
- Initiate application configuration, testing and systems integration
- Application training for staff and system launch

Activity No. 5: Electronic Document Management System Software Selection (Fall 2019 to Spring 2020)

- Work with department staff on needs assessment and application requirements
- Reach out to other cities or agencies for best-in-class product recommendations
- Work with product and service vendors on preliminary product evaluation
- Present to Council findings and staff recommendations

Related Existing Policies, Programs, Future Projects

Online permitting; operations and asset management; Water and Storm Water Master Plans; data transparency initiative; records retention policy; and technology-related policies

Key people

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project team	Internal stakeholders	Community Engagement
Lead and supervisory Information Technology Division staff will coordinate work with project-relevant department staff, and bring consultants and vendors in as needed	City Department Directors City Manager City Attorney	City Information Technology staff will assist as needed with communication to the community on changes that affect their use of City services.

Zero Waste Implementation

City Manager's Office– Sustainability
 701 Laurel St., Menlo Park, CA 94025
 Rebecca Lucky, Sustainability Manager
 tel 650-330-6768 | email [rlucky@menlopark.org]



Project Summary

The City Council adopted a Zero Waste Plan in 2017, which includes an ambitious goal to achieve zero waste by 2035. Implementation involves addressing two areas of waste management: (1) reducing waste that is generated in the community and (2) reducing waste that is sent to the landfill through increased recycling and composting. Waste is already a complex and challenging issue to manage from the generation to final disposal. It involves infrastructure, contracts and multiple stakeholders to process/dispose, community values, and behavioral compliance. While it is one of the most difficult environmental areas to regulate, it is one area where local government has the most leverage for improving environmental sustainability. *The desired outcome of this project is to deliver various programs and policies that will achieve the zero waste goal set by City Council by 2035.*

It will take 16 years and likely much longer for the City to achieve this goal with current staff capacity. There is no dedicated staff position for zero waste. Only one to two projects or programs can realistically be evaluated per year, and those projects take an additional one to two years to implement, delaying working on new zero waste initiatives.

Key Project Activities and Timeline

Given that this is a project over a 16 years, requiring capacity to not only develop policy but to administer policy and programs afterwards, the following benchmarks need to be achieved:

- 70% diversion from landfill AND 5.0 pounds of waste generated per person/employee per day (PPD) by 2023.
- 75% diversion AND 4.0 PPD by 2026.
- 80% diversion AND 3.5 PPD by 2029.
- 85% diversion AND 2.0 PPD by 2032.
- 90% diversion AND 0.5 PPD by 2035.

2019-2021 Plan Activities

- Establishing zero waste rules and enforcement for new development in the Bayfront Neighborhood
- Installation and conversion of drinking fountains to hydration stations throughout the city to reduce single use beverage containers by promoting reusable bottles.
- City Environmental Purchasing Policy
- Achieving Zero Waste at City Hall

2021-2023 Planned Activities

- Achieving zero waste at all city facilities through (Environmental Purchasing Policy, providing infrastructure, changing building occupant, users, and janitorial behavioural practices)
- Extending the zero waste rules and compliance in the Bayfront Neighborhood to existing and new development citywide through updates to the Solid Waste Ordinance and Construction and Demolition Ordinance

2023-2025 Planned Activities

- Requiring all events in the city to be Zero Waste
- New policy and program for take-out food ware to reduce or increase preferable recycling

Related Existing Policies, Programs, Future Projects

Climate Action Plan, Zero Waste Plan, Solid Waste Ordinance, Construction and Demolition Ordinance, California Building Codes, Franchise Agreement with Recology

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project Team	Internal Stakeholders	Community Engagement
Led by the Sustainability Office, but implemented by multiple departments and divisions	Community Development Department Community Services Department Public Works Department Police Department Human Resourced Department	Community (businesses and residents) South Bayside Waste Management Authority (SBWMA/Rethink Waste) Recology Chamber of Commerce

HERITAGE TREE ORDINANCE UPDATE

City Manager's Office – Sustainability
 701 Laurel St., Menlo Park, CA 94025
 Rebecca Lucky, Sustainability Manager
 rlucky@menlopark.org
 tel 650-330-6765



Project summary

The City of Menlo Park is in the process of updating the Heritage Tree Ordinance. The ordinance regulates removal of trees on private and public property. Over the past several years, concerns arose 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.

Key project activities and timeline

Activity No. 1: Project Planning and Data Evaluation (Spring 2018 to Fall 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 (Fall 2018 to Summer 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 Adoption (Summer 2019 to Winter 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, Street Tree Master Plan

Key people

Interdepartmental and community engagement throughout this process is vital to the meaningful update and the successful implementation of this ordinance.

Project team	Internal stakeholders	Community Task Force
Rebecca Lucky, Sustainability Manager, Candise Almendral, Project Contractor Gordon Mann, CalTLC Project Contractor Christian Bonner, City Arborist Deanne Ecklund, Contract Arborist Thomas Rogers, Principal Planner Ivan Toews, Engineering Technician I AddieRose Mayer, PCRC, Project Contract Facilitator	Bill McClure, City Attorney Ron LaFrance, Assistant Community Development Director Brian Henry, Public Works Superintendent	Catherine M. Carlton, City Council Sally Cole, Resident, experience with appeals Drew Combs, Planning Commission Jen Judas, Resident Kimberly LeMieux, Developer Tom LeMieux, Developer/Real Estate Scott Marshall, Environmental Quality Commission Catherine Martineau, Environmental Non-profit Carolyn Ordonez, Landscape Architect Horace Nash, Resident, experience with appeals Sally Sammut Johnson, Resident, experience with permit and appeals

MARKET AFFORDABLE HOUSING PRESERVATION

Community Development – Housing and Economic Development

701 Laurel St., Menlo Park, CA 94025

Mark Muenzer, Community Development Director

Deputy Community Development Director (TBD)

tel 650-330-6709 | email memuenzer@menlopark.org



Project Summary

On January 10, 2017, the City Council held a study session and considered 15 enhanced housing policies to address the local housing crisis. Staff presented potential policies that have been commonly used or considered in other cities and at that time, the City Council referred these to the Housing Commission. One of the proposals included updates to the BMR Guidelines and BMR agreements to encourage or provide for partnerships between the City and nonprofit housing developers to leverage BMR funding for the purchase, deed restriction and preservation of market affordable housing units. This would ensure that tenancy is restricted to occupants who qualify for affordable housing.

The Housing Commission also recommended looking at the possibility of a provision for “tenants first right of refusal” and including these types of projects in future Notice of Funding Availability (NOFA) publications, similar to what is done in Oakland and San Francisco.

Key Project Activities and Timeline

Phase I – Project scoping and data collection (1st-2nd Quarter 2019)

- Determine the scope of the project and contact community stakeholders
- Evaluate current housing stock to gauge potential financial feasibility
- Hold community meetings

Phase II - (2nd - 3rd Quarter 2019)

- Gather data on existing units and the potential nonprofit housing partners

Phase III - (4th Quarter 2019)

- Proposed draft ordinance for City Council consideration

Related Existing Policies, Programs, Future Projects

BMR Guidelines, Nexus Fee Study

Project Summary

Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:

Project Team	Internal Stakeholders	Community Engagement
Deputy Community Development Director (TBD) Mike Noce, Management Analyst II City Attorney's Office	Mark Muenzer, Community Development Director Lenka Diaz, Administrative Services Director Dan Jacobson, Finance and Budget Manager	Landlords Tenants Nonprofit housing developers Real estate brokers and agents Housing organizations and social service organizations

SHORT-TERM RENTAL ORDINANCE

Community Development – Housing and Economic Development
 701 Laurel St., Menlo Park, CA 94025
 Mark Muenzer, Community Development Director
 Deputy Community Development Director (TBD)
 tel 650-330-6709 | email memuenzer@menlopark.org



Project Summary
<p>On January 10, 2017, the City Council held a study session and considered 15 enhanced housing policies to address the local housing crisis. Staff presented potential policies that have been commonly used or considered in other cities and at that time, the City Council referred these to the Housing Commission. One of the proposals included adoption of an ordinance to regulate short-term lodging/vacation rentals. A short term residential rental typically refers to:</p> <ul style="list-style-type: none"> • a furnished dwelling unit or a furnished bedroom in a dwelling unit • rented for a short duration such as one night or one week • almost always for 30 days or less. <p>In some cases, operators could be renting out a couch or air mattress, while in other cases they may be renting out multiple rooms within a dwelling to different people. Common names used for these rentals include vacation home rental, short-term vacation rental, short-term rental (STR), executive suites and apartment hotel. They are often advertised online or through apps such as AirBnB or VRBO. Short-term rentals generally accommodate visitors or temporary residents as opposed to permanent residents. They are different from hotels in that they usually occur in buildings designed and approved for residential purposes.</p> <p>In Menlo Park, current estimates put the number of short-term rentals at between 250-500 units. The policy decisions have both housing and revenue implications and the issue needs to be reviewed comprehensively with extensive public outreach and input from community stakeholders.</p>

Key Project Activities and Timeline
<p><u>Phase I – Project scoping and data collection (1st-2nd Quarter 2019)</u></p> <ul style="list-style-type: none"> • Determine the scope of the project and contact community stakeholders • Agree on a shared definition of what is a short-term rental and what potential impacts to consider in any regulation • Hold community meetings <p><u>Phase II - (2nd - 3rd Quarter 2019)</u></p> <ul style="list-style-type: none"> • Gather data on existing units (residence and building type, operator presence, length of each stay, number of total stays, transient occupancy tax and business license requirements, zoning considerations, etc.) <p><u>Phase III - (4th Quarter 2019)</u></p> <ul style="list-style-type: none"> • Proposed draft ordinance for City Council consideration

Related Existing Policies, Programs, Future Projects
Business license, transient occupancy tax collection

Project Summary		
<p>Interdepartmental and community engagement throughout this process is vital to the meaningful and successful execution of this project. An initial assessment of the project has identified the following key people:</p>		
Project Team	Internal Stakeholders	Community Engagement
Deputy Community Development Director (TBD) Mike Noce, Management Analyst II Dan Jacobson, Finance and Budget Manager Kristen Middleton, Management Analyst II City Attorney's Office	Nick Pegueros, Assistant City Manager Lenka Diaz, Administrative Services Director Mark Muenzer, Community Development Director Dave Bertini, Police Chief	Landlords Hotel operators Chamber of Commerce Multifamily housing operators (Anton Menlo, Elan Menlo, etc.) Housing organizations and home-sharing providers Short-term lodging companies (Airbnb, VRBO, HomeAway, etc.) Consumer protection agency/organizations

2018 Work Plan Transferred to Capital Improvement Plan (CIP) Budget				
Ref #	2018 Work Plan Item	Lead Department	Budget page #	Description
29	Aquatics Capital Improvements	Public Works	128	This ongoing project consists of the implementation of minor improvements under \$100,000 intended to extend the useful life of systems, infrastructure and equipment at the Burgess and Belle Haven pools. This program does not provide for the replacement or significant renovation of the City's pools. Lead: Public Works; Supported by: Community Services
30	Bayfront Canal and Atherton Channel Flood Protection	Public Works	136	The project involves the design of an underground structure to route stormflows from the Bayfront Canal and Atherton Channel to the Ravenswood Complex Ponds S5 & R5, which are part of the South Bay Salt Pond Restoration Project. The ponds would be used for Stormwater detention and would mitigate flooding in the cities of Menlo Park and Redwood City and San Mateo County. The project is being developed through a collaborative effort between the City, Redwood City, San Mateo County and the Town of Atherton. Lead: Public Works
31	Bayfront Expressway, Willow Road and Marsh Road Adaptive Signal Timing	Public Works	150	An adaptive signal timing dynamically adjusts signal timing at traffic signals in real-time to accommodate changing traffic conditions such as what these corridors are currently experiencing. This system will improve travel time reliability, ease traffic congestion, and reduce fuel consumption. This project will install an adaptive traffic signal system on the Bayfront Expressway, Willow Road and Marsh Road corridors. Lead: Public Works
32	Chrysler Pump Station Improvements	Public Works	136	This project involves the design and construction of a new Chrysler Stormwater Pump Station. The existing facility was originally built in 1958 has reached the end of its useful life. The improved facility will provide flood protection to sections of the Bayfront area, which include the Menlo Gateway buildings and a part of the Facebook West Campus site. Lead: Public Works
33	City Buildings HVAC Modifications	Public Works	115	This project modifies the heating, ventilation and air conditioning (HVAC) systems in the Arrillaga Family Recreation Center and the Police Department to address system deficiencies. At the Recreation Center, the project will evaluate and implement options for addressing temperature fluctuations and equipment failure. At the Police Department, the project focuses on improving the design of the HVAC system that serves the dispatch area. Lead: Public Works; Supported by: Community Services
34	Downtown Streetscape Improvement Project (Specific Plan)	Public Works	143	This project plans and implements improvements in the downtown area per the Specific Plan. For fiscal year 2018–19, the project will focus on the additional street cafes. Lead: Public Works; Supported by: Community Development

2018 Work Plan Transferred to Capital Improvement Plan (CIP) Budget

Ref #	2018 Work Plan Item	Lead Department	Budget page #	Description
35	Emergency Water Supply	Public Works	160	This project involves the development of up to three emergency standby wells to provide a secondary water supply in Menlo Park Municipal Water's lower zone service area. An emergency water supply would be needed in the event of an outage of the Hetch Hetchy system. Lead: Public Works
36	Facilities Maintenance Master Plan	Public Works	117	This project will survey City owned facilities, assess their maintenance needs and develop a program focused on the implementation of proactive and preventive maintenance practices intended to preserve and retain the value of the facilities. The project will ensure that buildings are properly maintained to avoid premature failures that are not cost effective in the long-term. Lead: Public Works; Supported by: Community Services
37	Gatehouse Fence Replacement	Public Works	118	The project consists of the replacement of portions of the existing Gatehouse fence along Ravenswood Avenue that have deteriorated or been damaged. The replacement fencing will be designed to match the intricate details of the existing unit. Lead: Public Works
38	Haven Avenue Streetscape Improvement	Public Works	152	This project provides new bicycle and pedestrian facilities to Haven Avenue, connecting Menlo Park, San Mateo County and Redwood City residents and employees. It provides a direct connection to the San Francisco Bay Trail, functioning as an interim gap closure of the Bay Trail between Bedwell Bayfront Park and Seaport Boulevard, better serving commute and recreational needs. Lead: Public Works
39	Main Library Improvements	Library/Public Works	120	As Priority 2 of the overarching Library Systems Improvement Project, develop and implement a comprehensive plan to design, finance, construct and operate a new public library facility to replace the current Main Library on the Burgess civic center campus. The project will be developed at City Council's direction with advice and recommendations from the Library Commission, and will incorporate broad-based community input, current and relevant community data, expert consultation, financing options and mechanisms including potential public-private partnerships, best practices and future trends in municipal library services, and Menlo Park community needs in all aspects of the project. Lead: Library; Supported by: Public Works

2018 Work Plan Transferred to Capital Improvement Plan (CIP) Budget

Ref #	2018 Work Plan Item	Lead Department	Budget page #	Description
40	Oak Grove Safe Routes to School and Green Infrastructure	Public Works	144	This project would complete gaps in the pedestrian network along both sides of Oak Grove Avenue resulting in improved safety, accessibility, and connectivity to and from Nativity Catholic School and Menlo Atherton High School. In addition, the project incorporates green infrastructure that will catch and treat Stormwater runoff, improving water quality. Lead: Public Works
41	Oak Grove, University, Crane Bicycle Improvement Project	Public Works	153	This project included an evaluation of the one-year pilot installation of bicycle facilities on Oak Grove Avenue, University Drive and Crane Street to determine whether the project should be made permanent, modified, or removed. The Council decided to make the installation permanent and potentially expand the facilities by removing on-street parking on one side of the street on Oak Grove Avenue between Crane Street and University Drive and on University Drive between Oak Grove Avenue and Santa Cruz Avenue. Lead: Public Works
42	Park Playground Equipment	Public Works	132	This project addresses playground improvements prioritized in a 2015 comprehensive Playground Safety Inspection Report, beginning with Nealon Park, Burgess Park and Willow Oaks Park. In addition to meeting updated California Safety Standards, the new playgrounds may incorporate theme-based educational and interactive components. Lead: Public Works; Supported by: Community Services
43	Reservoir Reroof and Mixers	Public Works	161-2	The project involves the replacement of the roof on Reservoir 2, which is deteriorating and at the end of its life expectancy. The replacement would ensure continued public health protection and system reliability. The project would also fund the purchase and installation of Solar powered mixers for reservoir 1 and 2. Lead: Public Works
44	San Francisquito Creek Upstream of 101 Flood Protection Project	Public Works	138	The second of two projects, the effort being led by the San Francisquito Creek Joint Powers Authority focuses on improvements to creek sections located upstream of U.S. Highway 101 to protect communities in the City and the cities of Palo Alto and East Palo Alto from an event similar to the flood of 1998. The project proposes to widen the creek in a number of sections and the replacement of the Pope Chaucer Bridge. Lead: Public Works; Supported by: City Manager's Office

2018 Work Plan Transferred to Capital Improvement Plan (CIP) Budget

Ref #	2018 Work Plan Item	Lead Department	Budget page #	Description
45	Santa Cruz and Middle Avenues Resurfacing	Public Works	145	The project involves the design and construction of street resurfacing work on Santa Cruz Avenue from Orange Avenue to Olive Street and of Middle Avenue from Olive Street to San Mateo Drive. The project also includes the construction of handicap ramps and selective sidewalk additions. Once completed, the project will result in significant improvements to the roadway infrastructure and pedestrian safety. Lead: Public Work
46	Traffic Signals Modification	Public Works	155	This annual project provides funds to upgrade City traffic signals. Funds would be used to replace equipment nearing the end of its useful life, enhance signal phasing and timing, and upgrade existing signals to current standards. The funds provided will generally allow a complete upgrade of a single intersection or upgrades to components of approximately three signals per year. Projects will be prioritized for implementation through the Transportation Master Plan. Lead: Public Works
47	Willow Oaks Park Improvements	Public Works	134	This project involves the design and construction of a restroom facility at Willow Oaks Park and improvements to the Dog Park to address community needs associated with park users. Lead: Public Works; Supported by: Community Services

2018 Work Plan Requiring City Council Direction or Prioritization			
Ref #	2018 Work Plan Item	Lead Department	Project Description
48	Burgess Park Snack Shack	Community Services	This project has been on hold in 2018 due to a number of staff vacancies in the Engineering Division of Public Works. The project is currently under review as part of the Parks and Recreation Facilities Master Plan which is expected to be completed in March 2019. Contingent upon filling vacancies in Engineering, staff will reengage by June 2019 to review and finalize project scope to determine the necessary utility requirements, planning review process, and next steps. Also, a project applicant must be identified for the necessary architectural and community review process. Lead: Community Services; Supported by: Community Development, Public Works
49	Charter City Initiative	City Council	As a general law city, Menlo Park's municipal affairs are governed by the general laws of the State of California. The voters of Menlo Park have the option to exercise their authority to establish home rule through the adoption of a charter to self-govern those issues permitted under the California Constitution. Included in the self-governance issue is the ability to govern certain aspects of municipal elections. The City Council initially voted to put the matter before the voters in November 2018 but then reconsidered and abandoned their decision. The question that would have been asked of voters: Shall the charter be adopted making the City of Menlo Park a charter city so that the laws of the City of Menlo Park shall prevail over state law only with respect to two municipal affairs: elections and term limits? Lead: City Attorney's Office; Supported by: City Manager's Office
50	El Camino Real Corridor Study	Public Works	This project designs improvements for east-west connections as identified in the El Camino Real Corridor Study. Lead: Public Works
51	Equity in Education Joint Powers Authority	City Manager's Office	California law provides local public agencies a tool for addressing regional policy objectives, including educational equity, through the creation and administration of joint powers authorities. The County, Menlo Park, Palo Alto, East Palo Alto and the District can utilize a joint powers authority to collaboratively and creatively respond to the growing regional economic disparities that negatively impact educational opportunities within the District. Lead: City Manager's Office

2018 Work Plan Requiring City Council Direction or Prioritization

Ref #	2018 Work Plan Item	Lead Department	Project Description
52	Downtown Utility Undergrounding District	Public Works	This project would initiate an utility undergrounding district in the downtown area. An undergrounding district would provide framework to place overhead electrical and communication lines underground, which is consistent with the policy direction provided in the El Camino Real/Downtown Specific Plan and would be necessary for a potential future parking structure downtown. Lead: Public Works; Supported by: City Manager's Office
53	High Speed Rail coordination and environmental review	Public Works	The California High Speed Rail Bay Area to Central Valley route is being planned along the existing Caltrain tracks through the City of Menlo Park. This project involves City staff coordination with the Peninsula Cities Coalition, neighboring jurisdictions, the High Speed Rail Authority and elected officials to protect the City's interests during the planning and implementation stages of the California High Speed Rail project. Funding will be used for technical expertise and consulting support. Lead: Public Works; Supported by: City Manager's Office, Outside legal counsel
54	Minimum Wage Ordinance	City Manager's Office	Explore the adoption of a minimum wage ordinance for Menlo Park employers. Several cities on the peninsula have or plan to adopt minimum wage ordinances that required most businesses pay a wage higher than the minimum required by the State of California. As of January 1, 2019, the minimum wage for employers with 26 employees or more is \$12.00/hour. This amount increases to \$15.00/hour on January 1, 2022. Lead: City Manager's Office; Supported by: Community Development
55	Sea Level Rise Resiliency Plan	Public Works	The Sea Level Rise Resiliency Plan develops the framework to help prepare the community for potential adverse impacts related to rising seas associated with climate change. The Plan will use the findings from San Mateo County's Sea Level Rise Vulnerability Assessment and assess existing hazards and future risks to develop a vulnerability assessment of the City's existing infrastructure. Adaptation strategies will be developed and will incorporate regional efforts, such as the SAFER Bay project. The findings will be integrated with the City's Local Hazard Mitigation Plan, capital improvement projects and other documents. Lead: Public Works; Supported by: City Manager's Office

2018 Work Plan Requiring City Council Direction or Prioritization

Ref #	2018 Work Plan Item	Lead Department	Project Description
56	Single Family Residential Requirements and Guidelines	Community Development	This project would update the Zoning Ordinance requirements for single-family residential developments as well as develop new design guidelines to create a more predictable and expeditious process while providing a method for encouraging high-quality design in new and expanded residences. Other project priorities and staffing resources have delayed the commencement of this work plan item. Lead: Community Development
57	Welcome to Menlo Park Monument Signs	Public Works	The project involves the design of "Welcome to Menlo Park" signs at approximately five key locations entering Menlo Park to further the City's brand as a desirable place to live, work and play. The proposed locations would include Sand Hill Road, Marsh Road, Willow Road, and both north and south ends of El Camino Real. The monument signs will meet the City's branding standards and comply with applicable Caltrans permitting requirements. Lead: Public Works; Supported by: City Manager's Office
58	West Menlo Triangle Annexation (Subcommittee information gathering)	City Manager's Office	A group of San Mateo County residents has approached the City with their desire to have their neighborhood annexed into the City of Menlo Park. The request for annexation began in early 2015 when the City was approached by several local county residents who had concerns about a proposed subdivision on Crocus Court in the unincorporated University Heights area of West Menlo Park. Members of the Community Development and Public Works Departments worked with local residents and met with representatives of the County in 2015 and 2016. The project has been delayed while discussions continued between the City and the County, and work on other City priorities. Additionally, the City Council formed an ad hoc subcommittee to collect information from residents to assist in the annexation process. Lead: City Manager's Office; Supported by Community Development, Public Works
59	Willows Neighborhood Complete Streets	Public Works	This project expands the previously identified Laurel Upper School Safe Routes to School Plan to address cut-through traffic concerns in the Willows neighborhood. The scope of the project is anticipated to include Safe Routes to Schools improvements to the Laurel Upper School enrollment area (extending across Willow Road) to facilitate travel by students to the school site, as well as cut-through traffic analysis in the Willows neighborhood (generally bounded by Woodland Avenue, Willow Road, U.S. Highway 101 and University Avenue). The improvements will also benefit students traveling to other nearby schools. Lead: Public Works; Supported by: Police



MEMORANDUM

Date: 1/3/2019
To: Lenka Diaz, Administrative Services Director
From: Dan Jacobson, Finance and Budget Manager
Re: Proposed FY 2019-20 budget principle revisions

In preparation for the City's budget, staff seeks City Council affirmation of budget principles to guide the process of developing the proposed budget. Budget principles were first introduced and approved by the City Council in the fiscal year 2013-14 budget and have seen incremental adjustments each subsequent fiscal year as a means to reflect new City Council priorities, improve clarity, and systematize budget refinements.

For the fiscal year 2019-20 budget, staff recommends three changes: actively pursuing pension cost savings when conditions are favorable; expanding the scope of communication with the public; and highlighting the commitment to proper internal controls. Respectively, these changes explicitly recognize the City Council's reserve policy on pension funding, signal dedication to expanding access to City financial information, and increase the prominence of the City's devotion to proper use and control over its resources. Staff recommends incorporating the aforementioned changes to the previously adopted budget principles in the following manner:

Proposed City of Menlo Park Fiscal Year 2019-20 Budget Principles

- **Promote the City's long-term fiscal sustainability**
 - Monitor and report on changes in CalPERS liabilities and include those changes in the City's 10-year financial forecast; **actively pursue strategies to reduce pension costs as opportunities arise**
 - Incorporate a budgetary assumption for salary savings resulting from employee vacancies in the current year budget and the 10-year financial forecast
 - Actively pursue revenue enhancements and strive to achieve full cost recovery for all fee-based services, except where the City Council sees a clear public interest in providing a subsidy
 - Find areas, which may include shared services, to provide more efficient use of funds
- **Enhance and maintain core City services and infrastructure**
 - Prioritize City Council adopted initiatives and strategies that contribute to the quality of life in Menlo Park
 - Evaluate one-time revenues for highest and best investment
 - Recognize the benefit of leveraging near term investments for long-term gains in financial sustainability and/or quality of life
- **Manage staff capacity to efficiently deliver services to the community**
 - Invest in new technologies that drive efficiency and productivity
 - Incorporate programs and initiatives that strengthen Menlo Park's standing as an employer of choice to retain and attract highly qualified personnel
 - Proactively manage the loss of institutional knowledge through succession planning efforts including the ability to provide for overlap in critical positions at the discretion of the City Manager
- **Communicate the City's financial position**
 - Continue to refine the budget document **and provide additional finance-related communication** to enhance the public's access to the City's financial information
 - **while also providing for Document, review, and maintain** proper internal controls over the City's resources **with transparency**

THIS PAGE INTENTIONALLY LEFT BLANK