

May 12, 2025

RECEIVED

VIA HAND-DELIVERY

Ms. Judi Herren
Menlo Park City Clerk
701 Laurel St.
Menlo Park, CA 94025

MAY 15 2025

jm
City of Menlo Park
City Clerk's Office

RE: "The Downtown Parking Plazas Ordinance" Initiative

Dear Ms. Herren:

Enclosed please find a Notice of Intent to Circulate Petition and text for a proposed initiative called "The Downtown Parking Plazas Ordinance." We request that you immediately forward a copy of the initiative to the City Attorney for preparation of a Title and Summary.

Enclosed also please find a copy of the proponents' signed statements required by California Elections Code section 9608, and the required \$200 filing fee.

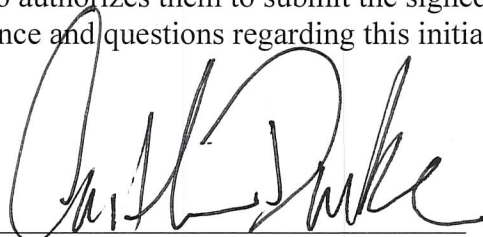
Thank you for your assistance in this matter. As soon as the Title and Summary are prepared, please e-mail a copy to our legal counsel Jim Sutton (jsutton@rutan.com; 415/732-7700) and Erik Leggio (eleggio@rutan.com; 714/641-3426).

This letter authorizes you and other City officials to correspond with Mr. Sutton and Mr. Leggio for all matters related to the initiative, and also authorizes them to submit the signed petitions to your office. Please direct all correspondence and questions regarding this initiative to Mr. Sutton and Mr. Leggio.

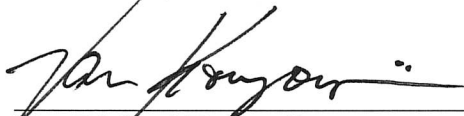
Sincerely,



Alexander John Beltramo
1241 Mills St.
Menlo Park, CA 94025



Caitlin Ann Darke
1165 San Mateo Dr.
Menlo Park, CA 94025



Van Richard Kouzoujian
1058 Fremont St.
Menlo Park, CA 94025

cc: James R. Sutton, Esq.
Erik Leggio, Esq.
Attachments

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appears hereon of their intention to circulate the petition within the City of Menlo Park for the purpose of adding Title 17 to the Menlo Park Municipal Code to adopt "The Downtown Parking Plazas Ordinance" to require voter approval for any changes to the Downtown Parking Plazas which impact the availability, access or convenience of public parking for Downtown customers, workers and visitors.

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

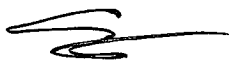
Downtown Menlo Park is more than just a business district—it's where our community comes together. Families run errands, friends meet for coffee, and local businesses form the backbone of daily life. All of this depends on easy, reliable access—including parking.

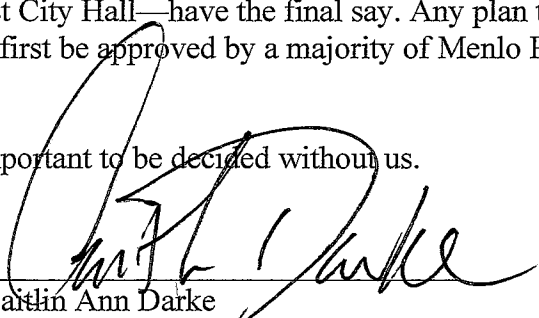
But City officials have been pushing plans to replace our public parking lots with high-rise housing. These decisions were made with little input from residents and no vote of the people. If these plans move forward, the Downtown we know will be changed forever—more traffic, fewer small businesses, and less access for everyone who depends on it.

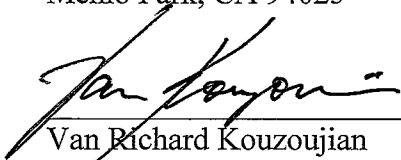
These parking lots aren't surplus land—they're essential public infrastructure. They were created for the community, and once they're gone, they're gone for good.

This initiative ensures that the people—not just City Hall—have the final say. Any plan to sell, lease, or repurpose these public lots must first be approved by a majority of Menlo Park voters.

The future of Downtown Menlo Park is too important to be decided without us.



Alexander John Beltramo
1241 Mills St.
Menlo Park, CA 94025

Caitlin Ann Darke
1165 San Mateo Dr.
Menlo Park, CA 94025

Van Richard Kouzoujian
1058 Fremont St.
Menlo Park, CA 94025

Proponent's Signed Statement Pursuant to Elections Code Section 9608

Pursuant to California Elections Code section 9608, I, as a proponent, hereby submit this signed statement with regard to "The Downtown Parking Plazas Ordinance" initiative as follows:

I, Carlinn Darke, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Carlinn Darke
Carlinn Ann Darke
1165 San Mateo Dr.
Menlo Park, CA 94025

5/14/25
Date

Proponent's Signed Statement Pursuant to Elections Code Section 9608

Pursuant to California Elections Code section 9608, I, as a proponent, hereby submit this signed statement with regard to "The Downtown Parking Plazas Ordinance" initiative as follows:

I, Alexander Beltramo, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



Alexander John Beltramo
1241 Mills St.
Menlo Park, CA 94025

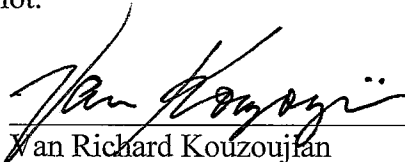
5/14/25

Date

Proponent's Signed Statement Pursuant to Elections Code Section 9608

Pursuant to California Elections Code section 9608, I, as a proponent, hereby submit this signed statement with regard to "The Downtown Parking Plazas Ordinance" initiative as follows:

I, VAN KOUZOUJIAN, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



Van Richard Kouzoujian

1058 Fremont St.
Menlo Park, CA 94025

5/14/25
Date

Downtown Parking Plazas Ordinance

The people of the City of Menlo Park do ordain as follows:

SECTION 1. Title.

This Ordinance may be cited as the “Downtown Parking Plazas Ordinance.”

SECTION 2. Downtown Menlo Park Parking Plazas Ordinance.

The City of Menlo Park Municipal Code is hereby amended by adding new Title 17, called “Downtown Parking Plazas,” consisting of Chapter 17.01.

Title 17. Downtown Parking Plazas

Chapter 17.01. Downtown Parking Plazas

17.01.010 Findings and Purpose.

The people of the City of Menlo Park find and declare that:

1. Downtown Menlo Park is a cherished part of the City which serves as a thriving business and shopping district, as well as a vibrant community hub relied on by residents and visitors.
2. To remain accessible and successful, the City’s Downtown area must be easily navigated by car with sufficient parking to accommodate all visitors and workers. Without convenient parking, the Downtown area will suffer -- hurting businesses, discouraging visitors and undermining community welfare.
3. The eight publicly owned Downtown parking plazas (“Parking Plazas”) provide the critical infrastructure needed to support that access.
4. The Parking Plazas are located within the El Camino Real/Downtown Specific Plan (“Downtown Specific Plan”). As stated in the Municipal Code, the purpose of the Downtown Specific Plan is to preserve and enhance community life, character and vitality through public space improvements that improve connectivity.
5. The Parking Plazas were acquired, developed and maintained through funding from Downtown property owners and the general public for the specific and sole purpose of providing adequate parking to serve the needs of the Downtown community. Protecting the original public purpose for these Parking Plazas is crucial for Downtown success.

6. Any decision to alter the original use of the Parking Plazas must be made carefully and with full community engagement. The stakes are too high to entrust the future of these public assets to anyone but the people themselves.
7. At the same time, the City should have the flexibility to maintain and improve lighting, landscaping and other features of the Parking Plazas and to use them for farmers markets and other short-term community events. Improvements which expand parking availability and convenience should be encouraged.
8. City officials should analyze and pursue options for meeting the City's needs which do not impact the use of the Parking Plazas for parking and vehicular access.
9. Any decision to sell, lease, declare surplus or re-purpose the Parking Plazas for any use other than for parking and vehicular access must first be approved by a majority vote of the people of Menlo Park.
10. Voters should have a say over actions which the City takes with respect to the Parking Plazas after the City becomes aware of the initiative even if taken before this initiative appears on the ballot.

17.01.020 Definitions.

"City" means the City of Menlo Park, California, or the area within the territorial limits of the City of Menlo Park, California, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional provision or any law; additionally, City shall collectively refer to the Mayor, City Council (as defined in Section 1.04.010), all City departments, and all City employees.

"Downtown" shall refer in general terms to the area generally bound by El Camino Real, Oak Grove Avenue, Menlo Avenue and University Drive, as also referred in the Downtown Specific Plan as the Downtown Core within Figure B1 and in Figure C5 Downtown.

"Parking Plazas" shall refer to the following parking lots located in the Downtown area which are owned by the City:

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 1	071-102-400	Lot between El Camino and Chestnut on west side of Santa Cruz
Plaza 2	071-094-180	Lot off Oak Grove

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 3	071-092-290	Lot between University and Crane on west side of Santa Cruz
Plaza 4	071-273-160	Lot next to Draeger's
Plaza 5	071-281-160	Lot between Evelyn and Crane
Plaza 6	071-283-140, 071-283-050	Lot next to Wells Fargo, between Crane and Chestnut
Plaza 7	071-284-100, 071-284-080	Lot next to Trader Joe's, between Chestnut and Curtis
Plaza 8	071-285-160	Lot between Curtis and Doyle

17.01.030 Preservation of Parking Plazas.

Notwithstanding any other provision in the City's Municipal Code, General Plan, Downtown Specific Plan, or other City statutes, the City may not take any of the following actions with respect to a Parking Plaza unless and until the action is approved by a majority vote of the City's voters:

1. Sell, trade, lease, donate, dispose or otherwise convey any of the Parking Plazas, or any portion thereof, for any reason which would affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Designate any of the Parking Plazas as "surplus land" or "exempt surplus land" under the California Surplus Land Act (Government Code sections 54220 et seq.), or otherwise designate the parking plazas in a way which could affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Modify, alter or construct any capital project or other physical alteration on any of the Parking Plazas which permanently diminishes the availability, access or convenience of public parking for Downtown customers, workers and visitors.
4. Change the use of a Parking Plaza in any way which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.

17.01.040 Exceptions.

Notwithstanding section 17.01.030, the City may take the following actions with respect to the Parking Plazas without a vote of the People:

1. Maintenance, repairs or renovations to the Parking Plazas, even if these activities temporarily affect parking availability, access or convenience, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Capital improvements for the Parking Plazas, even if these activities temporarily affect parking access or availability, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Community activities, such as the farmers' market or similar events, which use the Parking Plazas on a short-term (no more than three (3) consecutive days) and temporary basis.

17.01.050 Reenactment Required for City Actions Prior to Effective Date.

1. If the City takes any action listed in section 17.01.030 on or after May 15, 2025, but prior to the effective date of this Chapter, which was not adopted in compliance with the requirements of this Chapter, that action shall be deemed null, void and of no further force or effect unless and until the action is reenacted in compliance with the requirements of this Chapter.
2. Any action listed in section 17.01.030 taken by the City on or after May 15, 2025, shall be subject to the requirements of this Chapter.

17.01.060 Required Election.

1. If the City wishes to take any action listed in section 17.01.030, the City Council must place such action on the next regularly-scheduled election ballot following the final City approval of the action.
2. The Council shall not place such action on the ballot unless and until the City has taken all steps necessary under the law to approve the action.
3. Such action shall not become effective unless and until it is first approved by the City pursuant to all legal requirements and thereafter approved by the voters pursuant to this Chapter.
4. Placing an action listed in section 17.01.030 on the ballot shall not affect other legal requirements for such action, including environmental review under the California Environmental Quality Act.

5. All materials which the City prepares for distribution to voters in connection with the election referenced herein, including the voter information pamphlet, shall describe with particularity the proposed action, the impact of the proposed action on the Parking Plazas, the change, if any, in the number or location of parking spaces, and the cost to the City.

17.01.070 Citizen Initiative.

An action listed in section 17.01.030 may be placed on the ballot via citizens initiative and will take effect based on approval by a majority of the City's voters.

SECTION 3. Earliest Possible Election.

The people of Menlo Park hereby expressly request that this measure be submitted to the voters of Menlo Park at the earliest time allowable by law.

SECTION 4. Effective Date.

This Ordinance shall become effective upon its approval by a simple majority of electors voting on the Ordinance, but shall become operative as of May 15, 2025.

SECTION 5. Conflicting Measures.

A. Any other measure concerning or affecting the availability, access or convenience of public parking for Downtown customers, workers and visitors which appears on the same ballot shall be deemed to conflict with this Ordinance.

B. In the event that this Ordinance and one or more conflicting measures appear on the same ballot, the provisions of the measure which receives the greater number of affirmative votes shall prevail in their entirety, and the other measure or measures shall be null and void.

C. If this Ordinance is approved by the voters but superseded by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this Ordinance shall be self-executing and given full force and effect.

SECTION 6. Severability.

Should any provision of this measure, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, voidable, or invalid, that determination shall have no effect on any other provision, or the application of this measure to any other person or circumstance and, to that end, the provisions hereof are severable. By approving this measure, the voters express their intent that each section and subsection would have been adopted irrespective of whether any one or more sections or subsections are found to be invalid or unconstitutional, and that each section and subsection is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable or

otherwise void, voidable or invalid, that the least amount of language be severed from the ordinance.

SECTION 7. Amendments.

No provision of this Ordinance shall be amended or repealed except by a vote of the people of Menlo Park.

SECTION 8. Liberal Construction.

This Ordinance shall be liberally construed to effectuate its purposes.

SECTION 9. Municipal Affairs.

The people of the City of Menlo Park hereby declare that preserving the availability, access and convenience of public parking for Downtown customers, workers and visitors by requiring voter approval of any change in use to the Parking Plazas constitutes a municipal affair.

The people of the City of Menlo Park declare their intent that this citizen initiative be enacted, and voter approval be required for changes to the Parking Plazas, if this Ordinance is approved by a simple majority of voters.

SECTION 10. Legal Defense.

The people of the City of Menlo Park desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the City. The people, by approving this Ordinance, hereby declare that the proponents of this Ordinance have a direct and personal stake in defending this Ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event the City fails to defend this Ordinance, or the City fails to appeal an adverse judgment against the constitutionality, statutory permissibility, or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the people through this Ordinance to act as agents of the people. The City shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the City to perform the defense itself.