



REGULAR MEETING AGENDA

Date: 3/8/2022
Time: 6:00 p.m.
Location: [Zoom.us/join](https://zoom.us/join) – ID# 831 3316 9409

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:
city.council@menlopark.org *
Please include the agenda item number you are commenting on.
- Access the meeting real-time online at:
[Zoom.us/join](https://zoom.us/join) – Meeting ID 831 3316 9409
- Access the meeting real-time via telephone at:
(669) 900-6833
Meeting ID 831 3316 9409
Press *9 to raise hand to speak

*Written public comments are accepted up to 1-hour before the meeting start time.

- Watch meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:
Channel 26

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

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

According to City Council policy, all 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.

Regular Session ([Zoom.us/join](https://zoom.us/join) – ID# 831 3316 9409)

A. Call To Order

B. Roll Call

C. Agenda Review

D. Report from Closed Session

E. Public Comment

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

F. Presentations and Proclamations

F1. Introduction: Menlo Park Fire Protection District Chief Mark Lorenzen

F2. Presentation: Downtown market study ([Attachment](#))

G. Consent Calendar

G1. Adopt a resolution authorizing the city manager to execute a software service agreement with PerfectMind for a parks and recreation registration management platform per the recommendations in the City Council approved Information Technology Master Plan ([Staff Report #22-045-CC](#))

G2. Adopt a resolution initiating the Menlo Park landscape assessment district proceedings for fiscal year 2022-23 ([Staff Report #22-046-CC](#))

G3. Waive second reading and adopt an ordinance amending Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for qualifying projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district ([Staff Report #22-047-CC](#))

H. Regular Business

H1. Adopt a resolution to install no parking restrictions on a portion of El Camino Real and timed parking restrictions on a portion of College Avenue ([Staff Report #22-048-CC](#)) ([Presentation](#))

I. Informational Items

I1. City Council agenda topics: March 22 – April 12, 2022 ([Staff Report #22-041-CC](#))

J. City Manager's Report

K. City Councilmember Reports

L. Closed Session

- L1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: (one potential case)

- L2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Paragraph (1) of subdivision (d) of Section 54956.9
Name of case: City of Menlo Park vs. Pacific Gas and Electric Co., et al. (San Mateo County Superior Court No. 21-CIV-06284)

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 Council 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. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

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

Any writing that is distributed to a majority of the 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 by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in 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: 3/3/2022)

Menlo Park Downtown Market Study

Development Driven by Data

January 2022

HdL  **ECON**Solutions



Trade Area Overview

Retail Market for Downtown Menlo Park

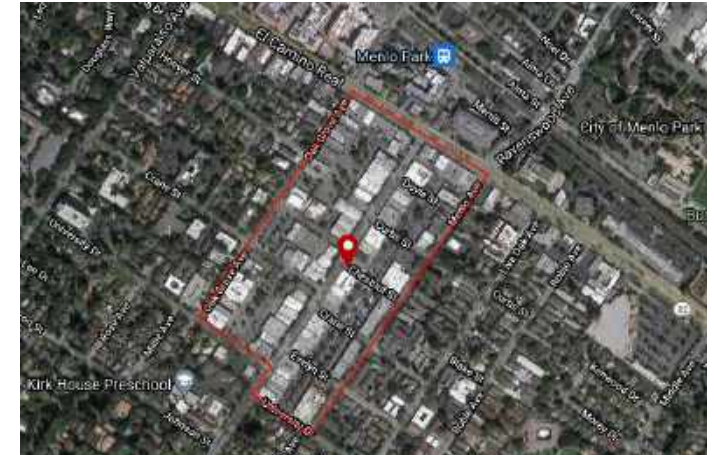
- Menlo Park residential population = 35,131
 - Daytime population = 42,000
- Residential population within 20-minute drive time = 255,000
 - Daytime population = 370,000
- 13,297 households with 2.64 people per housing unit
- Residents are 84% White Collar and 16% Blue Collar
- 54.8% have a college degree
- Average household income is \$248,661 (San Mateo County Average = \$165,184)
- Median household income is \$160,784 (San Mateo County Median = \$122,641)
- Menlo Park is ethnically diverse with 56.6% White, 20.1% Hispanic, 9.3% Asian, 5.1% Black, 2.3% Pacific Islander and 6.6% Other



Downtown Menlo Park

Benefits and Opportunities

- 200 unique and upscale shops, galleries, markets, retailers, financial institutions, personal services, and dining choices
- Mixed-use and new residential developments in and near downtown projected to produce new consumer opportunities
- Renovation of Guild Theatre to host more events
- Caltrain station, Stanford University and several corporate campuses within close proximity
- Temporary outdoor seating and community space
- Weekly Farmers Market, Spring and Fall Art Stroll, and Summer Block Party & Fest





Competing Downtowns

Redwood City

- Caltrain station easily accessible to downtown
- **Mixed use, residential units, and evening activity in DT**
- Saturday Farmers Market
- **15-18 hour downtown, with restaurants open past 10pm**
- Downtown Events, such as outdoor concert and movie series, music in the park, Chalk Full of Fun event, & more

Mountain View

- **Mixed use, walkable center**
- Caltrain station easily accessible to downtown
- Castro Street closed through January 2023 with outdoor dining and public seating available
- **15-18 hour downtown environment**
- Downtown events, such as Thursday evening Farmers Market, Taste of Mountain View, outdoor concert and movie series, & more

Palo Alto

- **Healthy mix of retail, dining, and entertainment**
- Caltrain station easily accessible to downtown
- **Prominent nightlife with 18-hour environment**
- Saturday Farmers Market
- Ample public parking, including large parking plazas

Los Altos

- **Mixed use, including over 150 shops within 6-block triangle of unique cafes and boutiques**
- Lush green-scape lining streets creating small town atmosphere
- **Events held on 1st Fridays (of each month) with live music 6-8pm**
- Free public parking on streets and in parking plazas

What makes a successful downtown?



- Walkability & easily accessible connections
- Mixed-use including residential units, retail, entertainment & dining
- 15-18 hour Downtown environment (activity throughout the day and into the evening)
- Placemaking, offer gathering places and interesting spaces
- Establishing branding and adding gateway features and wayfinding signage
- Hosting frequent community and special events
- A rising population, and diversity in people and business offerings
- Uniform and evening store/restaurant hours
- Strong economic opportunities and critical mass of successful businesses
- Parking availability



Examples of Activities and Events

- Concert series or music events
- Food events (Ex. multiple and ongoing “Taste of Menlo Park” events)
- Summer movie series
- Brew or wine festival
- Educational series (children, adult, and family friendly)
- Classic car events
- Arts festivals



Consumer Demand and Market Supply

City of Menlo Park By Establishment	Consumer Demand	Market Supply	Opportunity Gap/Surplus (%)	Opportunity Gap/Surplus (\$)
Bar/Drinking Places (Alcoholic Beverages)*	\$3,992,302	\$0	-100%	-\$3,992,302
Clothing Stores	\$31,614,752	\$15,207,187	-40%	-16,407,565
Building Materials/Supplies Dealers	\$38,845,055	\$23,468,632	-40%	-\$15,376,423
Other General Merchandise Stores	\$77,438,638	\$53,694,707	-31%	-\$23,743,931
Full-Service Restaurants	\$54,519,861	\$45,436,160	-17%	-\$9,083,701
Casual/Limited-Service Restaurants	\$55,454,147	\$48,630,582	-12%	-\$6,823,565

The opportunity gap/surplus (%) represents the amount of demand under or over supply; therefore, a larger negative percentage represents a larger gap within that retail segment.

* This use requires a Conditional Use Permit (CUP)



Sales & Use Tax

Trends and Per Capita Comparison

- 222 active businesses in Downtown Menlo Park generating sales tax
- Annual sales tax revenue increased 16% from 2014 to 2019
- COVID-19 Pandemic lead to a -24% sales tax revenue decrease from 2019 to 2020
- Menlo Park sales dollars per capita (SDPC) were on average \$13,551.81
- The highest sales tax performers in Downtown Menlo Park make up 88.3% of the total sales tax revenue generated in FY20/21, including:
 1. General Consumer Goods (\$269,873)
 2. Restaurants & Hotels (\$235,641)
 3. Food & Drugs (\$213,108)



Top 20 Sales Tax Producers

Downtown Menlo Park

[List is in alphabetical order, not in ranking.]

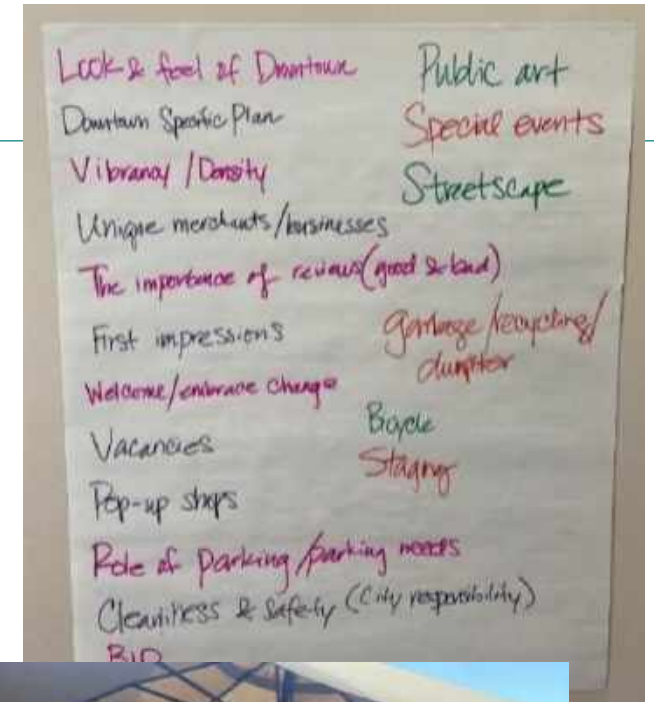
- Ace Hardware
- Amici's Pizzeria
- Angela
- Bow Wow Meow
- Bistro Vida
- Cheeky Monkey Toys
- Chef Kwan's
- Derby Interiors Design
- Draeger's Market
- Fleet Feet Sports
- Gray's Paint
- LB Steak / Camper
- Left Bank
- Mattress Firm
- Mike's Camera
- Refuge
- Ristorante Carpaccio
- Stacks
- Trader Joe's
- Walgreens



Focus Groups Summary Report

Summary of input from Downtown business owners/operators, stakeholders & Menlo Park Chamber of Commerce Board of Directors:

- Improve aesthetics of Downtown to create a modern and branded look and feel
- Increase support for local business operations – shop local
- Encourage expansion of mixed use
- Improve parking accessibility and availability
- Revisit Specific Plan, or create new Downtown Development Plan and solicit suggestions and ideas from stakeholders
- Public engagement through special events, public art, live music, etc



Next Steps and Recommendations

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Placemaking & Enhancing a Sense of Place

Near-Term (within 6 months)	Key Partners	Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
Consider continuing and expanding the Santa Cruz Street Café parklet program with modifications to establish consistent design standards to include beautification of street barricades.	Chamber of Commerce Downtown Business Alliance Downtown property owners	Light	Quarter 1, 2022	Investments in local businesses to meet improved parklet program standards
Short-Term (within a year)	Key Partners	Effort	Short Term Launch Dates	Suggested Short Term Success Metrics
Explore ways to work with property owners, commercial brokers, and the Menlo Park Chamber of Commerce to use vacant spaces with interim uses such as ‘pop up businesses’ (examples are Los Altos, Danville, and Santa Cruz) or for a business incubator program, as well as requiring property owners to install a temporary store front look for vacant building spaces.	Chamber of Commerce Downtown Business Alliance Downtown property owners Menlo Park Public Art Allied Arts Guild	Moderate	Begin meeting with property owners and commercial brokers Quarter 2, 2022	Percent of vacant spaces with temporary store front installation Total vacancy rate



Placemaking & Enhancing a Sense of Place

Mid-Term (within 1 to 2 years)	Key Partners	Level of Effort
Create more appealing signage for Downtown including banners, wayfinding signs, as well as designing/installing an entryway arch at the intersection of El Camino Real and Santa Cruz Avenue.	City	Moderate
Consider developing design guidelines for Downtown Menlo Park to enhance and provide a more consistent look to the streetscape appearance with architectural aspects, design elements, public hardscape and landscape features.	City	Moderate
Enhance hardscape improvements including sidewalks, parking plaza, and pedestrian walkways between the streetscape and parking plazas.	City	High
Longer-Term (2 to 3 years)	Key Partners	Level of Effort
Consider closing two blocks of Santa Cruz Avenue to create a pedestrian mall environment and make the Downtown more walkable and expanding outdoor dining opportunities for restaurants in this area.	City; Chamber; Downtown Business Alliance	Moderate



Creating More Activity in Downtown Area & Producing More Consumer Demand

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Establish a shop local marketing campaign	Chamber; Downtown Business Alliance; Downtown property owners; San Mateo County	Light	Quarter 1, 2022	Dollars spent in locally owned businesses Retail sales per capita Percent of businesses participating in marketing campaign
Create more special events for Downtown Menlo Park including farmer's markets, street fairs, music nights, summer concerts, food events, art festivals & more.	Chamber; Downtown Business Alliance; Menlo Park Farmers Market; Arts Guild; Pacific Fine Arts Festivals; partner with local hotels to promote events	Light	Quarter 2, 2022	Number of events created Tourism revenue on event date(s) Retail sales on event date(s)



Creating More Activity in Downtown Area & Producing More Consumer Demand

Short-Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Work more closely with real estate brokers and property owners to improve tenant mix in the Downtown, including holding regular broker events.	Chamber; Downtown property owners; local and regional real estate brokers	Moderate	Quarter 2, 2022	-Occupancy rate by type of tenancy -Number of annual broker events -New business started
Drive more families to Downtown Menlo Park through tenant mix and the special events being held in the Downtown area.	Chamber; Downtown Alliance; Springline management; Local hotels	Moderate	Quarter 3, 2022	-Number % of family friendly events -Number of businesses catering to families
Work with the Guild Theatre to attract quality events to generate business for the theatre and produce more consumer demand in downtown Menlo Park.	Guild Theatre; Chamber	Light	Quarter 1, 2022	-Number of events held at Guild Theatre -Percent tickets sold for Guild Theatre events -Retail sales on event days / weekends
Work with the Chamber of Commerce and Downtown Business Alliance in undertaking a brand development process	Chamber; Downtown Business Alliance	Light	Quarter 1, 2022	-Number % of businesses participating in brand promotion
Work with the Chamber of Commerce to continue and expand restaurant possibilities	Chamber	Moderate	Quarter 2, 2022	-Percent of restaurants in Downtown Menlo Park offering expanded services, measured by type of service -Percent of restaurants in Downtown Menlo Park offering outdoor dining -Investments in outdoor dining improvements



Creating More Activity in Downtown Area & Producing More Consumer Demand

Mid-Term (within 1 to 2 years)	Key Partners	Level of Effort
Pursue more entertainment uses for Downtown to build upon the coming opening of the Guild Theatre.	City; Chamber; Downtown Business Alliance; Guild Theatre	Moderate
Pursue more of a 15-to-18-hour environment for Downtown Menlo Park, including expanding the use mix and adding more mixed-use development in the Downtown including more residential development.	City; Chamber; Downtown Business Alliance; property owners; developers	Moderate
Work with the Chamber of Commerce to promote Downtown Menlo Park as a preferred location for Design/Home Furnishings/Furniture uses.	City; Chamber	Light



Infrastructure Improvements

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Develop a plan to install more bicycle racks, trash/recycling containers/public restrooms in the Downtown area and to evaluate the need for additional handicap or senior parking accommodations	City	Light	Quarter 3, 2022	Annual dollars invested in public infrastructure
Short-Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Develop a schedule to improve public hardscape improvements including streets, sidewalks, parking plazas & light enhancements (for safety, aesthetics, etc.)	City	Light	Quarter 2, 2022	Percent of planned investment in Downtown infrastructure relative to all capital investments



Infrastructure Improvements

Mid-Term (1 to 2 years)	Key Partners	Level of Effort
Create a master wayfinding signage program for Downtown Menlo Park.	City; Chamber; Downtown Business Alliance	Moderate
Longer-Term (2 to 3 years)	Key Partners	Level of Effort
Study developing parking structures on city-owned/operated parking plazas in combination with mixed-use projects of affordable housing and retail at street level.	City	High



City Planning & Economic Development

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Work with the Chamber of Commerce and Downtown Business Alliance to undertake a Survey of Downtown Businesses and Residents to better understand their ideas to improve the Downtown.	City; Chamber; Downtown Business Alliance; Downtown Residents	Light	Quarter 2, 2022	Percent of survey participants (residents, businesses, and property owners considered separately)
Short -Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Partner with the Chamber of Commerce to adopt a formal business ombudsman or concierge program to improve communication between the City and Downtown businesses.	City; Chamber;	Light	Quarter 2, 2022	The addition or selection of an ombudsperson Number of small businesses assisted as a percent of total businesses
City to look at ways to enhance the planning and entitlement process and improve ease and efficiency.	City	Moderate	Quarter 3, 2022	Time it takes for the City to review applications



City Planning & Economic Development

Mid-Term (1 to 2 years)	Key Partners	Level of Effort
Pursue a comprehensive review and update the nearly 10-year-old El Camino & Downtown Specific Plan.	City	High



Transforming Next Steps into Action Items

Action Item Summary...

Action Item 1.

Expand the Santa Cruz Street Café parklet program, adding consistent design standards to include beautification of street barricades and the extension of the existing Santa Cruz Avenue closure

Action Item 2.

Establish a shop local marketing campaign for Downtown Menlo Park.



Transforming Next Steps into Action Items

Action Item 1.

Expand the Santa Cruz Street Café parklet program, adding consistent design standards to include beautification of street barricades and the extension of the Santa Cruz Avenue Closure.

- Parklets are an economical solution for businesses to continue to operating under public health restrictions and to take advantage of Menlo Park's weather
- Consistent design guidelines and the beautification of street barricades will help create a more cohesive look and sense of place in the downtown
- Closure of Santa Cruz Avenue provides pedestrian access to the streets as walkways, encourages social distancing, and enhances business opportunities to safely serve patrons
- **Launch Date:** Quarter 1, 2022
- **Success Metric:** Investments in local businesses to meet improved parklet program standards





Transforming Next Steps into Action Items

Action Item 2.

Establish a shop local marketing campaign for Downtown Menlo Park.

- Shop local campaigns educate consumers on economic and social advantages that local businesses bring to a community
- Effective campaigns result in healthier businesses, job creation and enhanced retail opportunities
- Collaboration with partners can help tell a real and relatable story to educate consumers about shopping local in Menlo Park
- **Launch Date:** Quarter 1, 2022
- **Success Metrics:**
 - Dollars spent in locally owned businesses
 - Retail sales per capita
 - Percent of businesses participating in the shop local marketing campaign



Any questions?

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STAFF REPORT

City Council Meeting Date: 3/8/2022
Staff Report Number: 22-045-CC

Consent Calendar: **Adopt a resolution authorizing the city manager to execute a software service agreement with PerfectMind for a parks and recreation registration management platform per the recommendations in the City Council approved Information Technology Master Plan**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) authorizing the city manager to execute a five-year software service agreement (Attachment B) with PerfectMind for a parks and recreation registration management platform per the recommendations in the Information Technology Master Plan.

Policy Issues

City Council provides policy direction to the city manager regarding service provision to the community; provides authorization to the city manager to execute professional services agreements with service providers; and sets prioritization for the use of City resources to serve the community.

Background

The City Council approved Information Technology Master Plan (Attachment C) recommends “replacement of current Parks and Recreation software in order to gain more efficiencies and obtain more functionality” and rates the City’s current activities and registration management software platform as “not optimal.”

Analysis

A registration management software platform is an essential tool for members of the public to find and register for recreation classes; schedule and/or reserve City facilities like picnic areas, tennis courts, athletic fields and meeting rooms; submit rental applications and upload documentation; pay fees and manage account profiles, and more. The platform also is a critically important efficiency and productivity tool for staff to support a wide array of essential back-end processes like payment processing, program data tracking and analysis, facility management, user account maintenance, and integration with other city systems.

Staff recognizes that not all residents are comfortable or familiar with online self-service registration systems, and for this reason will continue to provide live telephone and in-person registration support, paper-based documents and information, and training and technical support to residents as needed to ensure that all community members have equitable access to the city programs and resources in the platform.

The PerfectMind platform will provide significant improvements to the user experience compared to the

current system. It features an intuitive, easy-to-use, mobile-friendly interface and seamless integration with the new city website, the ability for users to easily update and link family member profiles, convenient scheduling and registration tools for users including advanced support for child care enrollment, facility reservations, confirmations and notifications by email or text.

PerfectMind also will facilitate significant efficiency and functionality improvements on the staff side compared to the current system, including robust facility, field and class reservation management; a dedicated child care enrollment module; sports league management tools; point of sale functionality for drop in classes and gym hours; a flexible and powerful back-end for reporting and data analysis, detailed account management; and seamless integration with the City's existing financial and IT systems.

Other Bay Area municipalities that use the PerfectMind platform include Oakland, Walnut Creek, Sausalito, Santa Rosa, Saratoga and Los Gatos.

Review process

The process for identifying the new platform proceeded as follows:

- City Council approved the ITMP recommending a new platform;
- Library and Community Services (LCS) established a project implementation team (PIT) comprised of staff from LCS, Information Technology (IT) and the City Manager's Office (CMO);
- Other municipal jurisdictions provided recently completed analyses and evaluations of the platforms they are using;
- Six vendors in the registration management software space responded to a request for quotes and made summary presentations to a multidisciplinary team from recreation, child care, library, IT and finance;
- Four potential vendors were moved forward to a second round of more detailed demonstrations;
- PerfectMind was identified as the preferred software service provider on the strength of its platform's overall user-friendliness, flexibility, functionality, technical support, customer satisfaction reviews and references, and predictable flat-fee pricing model.

Impact on City Resources

The parks and recreation registration management platform replacement project is included in the fiscal year 2021-22 Capital Improvement Program (CIP) as project, "Information Technology Master Plan and Implementation," and there is sufficient funding for implementation and first year of platform operations. If authorized by City Council, the total fiscal year 2021-22 cost to the City to implement PerfectMind would be \$91,359, which includes a one-time implementation fee of \$50,000 for data migration and system implementation, plus \$41,539 for the first year of platform operations. The annual cost for years two through five of the agreement range from \$51,303 to \$62,000 per year as outlined in Attachment B and would be incorporated into the Library and Community Services departmental operating budget, subject to approval by City Council during the annual budget adoption process. The total cost of the entire agreement overall five years combined would be \$318,268.

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 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
- B. Agreement
- C. Hyperlink – Information Technology Master Plan: menlopark.org/DocumentCenter/View/12842/F1---IT-Master-Plan

Report prepared by:
Nick Szegda, Assistant Library Services Director

Report reviewed by:
Sean Reinhart, Library and Community Services Director

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE-YEAR SOFTWARE
SERVICE AGREEMENT WITH PERFECTMIND FOR A PARKS AND
RECREATION REGISTRATION MANAGEMENT PLATFORM IN A TOTAL
AMOUNT NOT TO EXCEED \$318,268**

WHEREAS, the City Council approved the Information Technology Master Plan in 2017, which recommended “replacement of current parks and recreation software in order to gain more efficiencies and obtain more functionality”; and

WHEREAS, the parks and recreation registration management platform replacement project is included in the fiscal year 2021-22 capital improvement program as project, “information technology master plan and implementation”; and

WHEREAS, a parks and recreation registration management software platform is an essential tool for members of the public to engage with city services and programs, and for staff to deliver services to the community efficiently and productively; and

WHEREAS, PerfectMind has been selected for its platform’s overall user-friendliness, flexibility, functionality, technical support, customer satisfaction reviews and references, and predictable flat-fee pricing model;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Menlo Park authorizes the city manager to execute a five-year software service agreement with PerfectMind for installation, operation and maintenance of a parks and recreation registration management platform in a total amount not to exceed \$318,268.

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 eighth day of March, 2022, 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 ___ day of March, 2022.

Judi A. Herren, City Clerk

PROFESSIONAL SERVICES AGREEMENT

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



Agreement #:
AGREEMENT FOR SERVICES BETWEEN THE CITY OF MENLO PARK AND PERFECTMIND INC.
THIS AGREEMENT made and entered into at Menlo Park, California, this _____, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY," and PERFECTMIND INC., hereinafter referred to as "FIRST PARTY."
<p>WITNESSETH:</p> <p>WHEREAS, CITY desires to retain FIRST PARTY to provide certain professional services for CITY in connection with that certain project called: Recreation management solution</p> <p>WHEREAS, FIRST PARTY is licensed to perform said services and desires to and does hereby undertake to perform said services.</p> <p>NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, PROMISES AND CONDITIONS of each of the parties hereto, it is hereby agreed as follows:</p>
1. SCOPE OF WORK
In consideration of the payment by CITY to FIRST PARTY, as hereinafter provided, FIRST PARTY agrees to perform all the services as set forth in Exhibit "A," Scope of Services.
2. SCHEDULE FOR WORK
<p>FIRST PARTY's proposed schedule for the various services required pursuant to this agreement will be as set forth in Exhibit "A," Scope of Services. CITY will be kept informed as to the progress of work by written reports, to be submitted monthly or as otherwise required in Exhibit "A." Neither party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents or other events beyond the control of the other, or the other's employees and agents.</p> <p>FIRST PARTY shall commence work immediately upon receipt of a "Notice to Proceed" from CITY. The "Notice to Proceed" date shall be considered the "effective date" of the agreement, as used herein, except as otherwise specifically defined. FIRST PARTY shall complete all the work and deliver to CITY all project related files, records, and materials within one month after completion of all of FIRST PARTY's activities required under this agreement.</p>
3. PROSECUTION OF WORK
FIRST PARTY will employ a sufficient staff to prosecute the work diligently and continuously and will complete the work in accordance with the schedule of work approved by the CITY. (See Exhibit "A," Scope of Services).

4. COMPENSATION AND PAYMENT

- A. CITY shall pay FIRST PARTY an all-inclusive fee that shall not exceed \$318,269.80 as described in Exhibit "A," Scope of Services. All payments shall be inclusive of all indirect and direct charges to the Project incurred by FIRST PARTY. The CITY reserves the right to withhold payment if the City determines that the quantity or quality of the work performed is unacceptable.
- B. FIRST PARTY's fee for the services as set forth herein shall be considered as full compensation for all indirect and direct personnel, materials, supplies and equipment, and services incurred by FIRST PARTY and used in carrying out or completing the work.
- C. Payments shall be monthly for the invoice amount or such other amount as approved by CITY. As each payment is due, the FIRST PARTY shall submit a statement describing the services performed to CITY. This statement shall include, at a minimum, the project title, agreement number, the title(s) of personnel performing work, hours spent, payment rate, and a listing of all reimbursable costs. CITY shall have the discretion to approve the invoice and the work completed statement. Payment shall be for the invoice amount or such other amount as approved by CITY.
- D. Payments are due upon receipt of written invoices. CITY shall have the right to receive, upon request, documentation substantiating charges billed to CITY. CITY shall have the right to perform an audit of the FIRST PARTY's relevant records pertaining to the charges.

5. EQUAL EMPLOYMENT OPPORTUNITY

- A. FIRST PARTY, with regard to the work performed by it under this agreement shall not discriminate on the grounds of race, religion, color, national origin, sex, handicap, marital status or age in the retention of sub-consultants, including procurement of materials and leases of equipment.
- B. FIRST PARTY shall take affirmative action to insure that employees and applicants for employment are treated without regard to their race, color, religion, sex, national origin, marital status or handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training including apprenticeship.
- C. FIRST PARTY shall post in prominent places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
- D. FIRST PARTY shall state that all qualified applications will receive consideration for employment without regard to race, color, religion, sex, national origin, marital status or handicap.
- E. FIRST PARTY shall comply with Title VI of the Civil Rights Act of 1964 and shall provide such reports as may be required to carry out the intent of this section.
- F. FIRST PARTY shall incorporate the foregoing requirements of this section in FIRST PARTY's agreement with all sub-consultants.

6. ASSIGNMENT OF AGREEMENT AND TRANSFER OF INTEREST

- A. FIRST PARTY shall not assign this agreement, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of the CITY thereto, provided, however, that claims for money due or to become due to the FIRST PARTY from the CITY under this agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of an intended assignment or transfer shall be furnished promptly to the CITY.
- B. In the event there is a change of more than 30 percent of the stock ownership or ownership in FIRST PARTY from the date of this agreement is executed, then CITY shall be notified before the date of said change of stock ownership or interest and CITY shall have the right, in event of such change in stock ownership or interest, to terminate this agreement upon notice to FIRST PARTY. In the event CITY is not notified of any such change in stock ownership or interest, then upon knowledge of same, it shall be deemed that CITY has terminated this agreement.

7. INDEPENDENT WORK CONTROL

It is expressly agreed that in the performance of the service necessary for compliance with this agreement, FIRST PARTY shall be and is an independent contractor and is not an agent or employee of CITY. FIRST PARTY has and shall retain the right to exercise full control and supervision of the services and full control over the employment, direction, compensation and discharge of all persons assisting FIRST PARTY in the performance of FIRST PARTY's services hereunder. FIRST PARTY shall be solely responsible for its own acts and those of its subordinates and employees.

8. CONSULTANT QUALIFICATIONS

It is expressly understood that FIRST PARTY is licensed and skilled in the professional calling necessary to perform the work agreed to be done by it under this agreement and CITY relies upon the skill of FIRST PARTY to do and perform said work in a skillful manner usual to the profession. The acceptance of FIRST PARTY's work by CITY does not operate as a release of FIRST PARTY from said understanding.

9. NOTICES

All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid or by overnight courier service. Notices required to be given to CITY shall be addressed as follows:

Sean Reinhart
 Library and Community Services
 City of Menlo Park
 701 Laurel St.
 Menlo Park, CA 94025
 650-330-2510
 ssreinhart@menlopark.org

Notices required to be given to FIRST PARTY shall be addressed as follows:

Ann Reno, Vice President of Sales
 PerfectMind Inc.
 4333 Still Creek Dr
 2nd Floor,
 Burnaby, BC
 Canada, V5C 6S6
 1-877-737-8030
 ann.reno@perfectmind.com

Provided that any party may change such address by notice, in writing, to the other party and thereafter notices shall be addressed and transmitted to the new address.

10. HOLD HARMLESS

The FIRST PARTY shall defend, indemnify and hold harmless the CITY, its subsidiary agencies, their officers, agents, employees and servants from all claims, suits or actions that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the FIRST PARTY brought for, or on account of, injuries to or death of any person or damage to property resulting from the performance of any work required by this agreement by FIRST PARTY, its officers, agents, employees and servants. Nothing herein shall be construed to require the FIRST PARTY to defend, indemnify or hold harmless the CITY, its subsidiary agencies, their officers, agents, employees and servants against any responsibility to liability in contravention of Section 2782.8 of the California Civil Code.

11. INSURANCE

- A. FIRST PARTY shall not commence work under this agreement until all insurance required under this Section has been obtained and such insurance has been approved by the City, with certificates of insurance evidencing the required coverage.
- B. There shall be a contractual liability endorsement extending the FIRST PARTY's coverage to include the contractual liability assumed by the FIRST PARTY pursuant to this agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the CITY, at the address shown in Section 9, of any pending cancellation of the policy. FIRST PARTY shall notify CITY of any pending change to the policy. All certificates shall be filed with the City.
1. Workers' compensation and employer's liability insurance:
The FIRST PARTY shall have in effect during the entire life of this agreement workers' compensation and Employer's Liability Insurance providing full statutory coverage. In signing this agreement, the FIRST PARTY makes the following certification, required by Section 18161 of the California Labor Code: "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Code, and I will comply with such provisions before commencing the performance of the work of this agreement" (not required if the FIRST PARTY is a Sole Proprietor).
 2. Liability insurance:
The FIRST PARTY shall take out and maintain during the life of this agreement such Bodily Injury Liability and Property Damage Liability Insurance (Commercial General Liability Insurance) on an occurrence basis as shall protect it while performing work covered by this agreement from any and all claims for damages for bodily injury, including accidental death, as well as claims for property damage which may arise from the FIRST PARTY's operations under this agreement, whether such operations be by FIRST PARTY or by any sub-consultant or by anyone directly or indirectly employed by either of them. The amounts of such insurance shall be not less than one million dollars (\$1,000,000) per occurrence and one million dollars (\$1,000,000) in aggregate, or one million dollars (\$1,000,000) combined single limit bodily injury and property damage for each occurrence. FIRST PARTY shall provide the CITY with acceptable evidence of coverage, including a copy of all declarations of coverage exclusions. FIRST PARTY shall maintain Automobile Liability Insurance pursuant to this agreement in an amount of not less than one million dollars (\$1,000,000) for each accident combined single limit or not less than one million dollars (\$1,000,000) for any one (1) person, and one million dollars (\$1,000,000) for any one (1) accident, and Three Hundred Thousand Dollars, (\$300,000) property damage.
 3. Professional liability insurance:
FIRST PARTY shall maintain a policy of professional liability insurance, protecting it against claims arising out of the negligent acts, errors, or omissions of FIRST PARTY pursuant to this agreement, in the amount of not less than one million dollars (\$1,000,000) per claim and in the aggregate. Said professional liability insurance is to be kept in force for not less than one (1) year after completion of services described herein.
- C. CITY and its subsidiary agencies, and their officers, agents, employees and servants shall be named as additional insured on any such policies of Commercial General Liability and Automobile Liability Insurance, (but not for the Professional Liability and workers' compensation), which shall also contain a provision that the insurance afforded thereby to the CITY, its subsidiary agencies, and their officers, agents, employees, and servants shall be primary insurance to the full limits of liability of the policy, and that if the CITY, its subsidiary agencies and their officers and employees have other insurance against a loss covered by a policy, such other insurance shall be excess insurance only.
- D. In the event of the breach of any provision of this Section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, CITY, at its option, may, notwithstanding any other provision of this agreement to the contrary, immediately declare a material breach of this agreement and suspend all further work pursuant to this agreement.
- E. Before the execution of this agreement, any deductibles or self-insured retentions must be declared to and approved by CITY.

12. PAYMENT OF PERMITS/LICENSES

Contractor shall obtain any license, permit, or approval if necessary from any agency whatsoever for the work/services to be performed, at his/her own expense, before commencement of said work/services or forfeit any right to compensation under this agreement.

13. RESPONSIBILITY AND LIABILITY FOR SUB-CONSULTANTS AND/OR SUBCONTRACTORS

Approval of or by CITY shall not constitute nor be deemed a release of responsibility and liability of FIRST PARTY or its sub-consultants and/or subcontractors for the accuracy and competency of the designs, working drawings, specifications or other documents and work, nor shall its approval be deemed to be an assumption of such responsibility by CITY for any defect in the designs, working drawings, specifications or other documents prepared by FIRST PARTY or its sub-consultants and/or subcontractors.

14. OWNERSHIP OF WORK PRODUCT

Work products of FIRST PARTY for this project, which are delivered under this agreement or which are developed, produced and paid for under this agreement, shall become the property of CITY. The reuse of FIRST PARTY's work products by City for purposes other than intended by this agreement shall be at no risk to FIRST PARTY.

15. REPRESENTATION OF WORK

Any and all representations of FIRST PARTY, in connection with the work performed or the information supplied, shall not apply to any other project or site, except the project described in Exhibit "A" or as otherwise specified in Exhibit "A."

16. TERMINATION OF AGREEMENT

- A. CITY may give thirty (30) days written notice to FIRST PARTY, terminating this agreement in whole or in part at any time, either for CITY's convenience or because of the failure of FIRST PARTY to fulfill its contractual obligations or because of FIRST PARTY's change of its assigned personnel on the project without prior CITY approval. Upon receipt of such notice, FIRST PARTY shall:
1. Immediately discontinue all services affected (unless the notice directs otherwise); and
 2. Deliver to the CITY all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as may have been accumulated or produced by FIRST PARTY in performing work under this agreement, whether completed or in process.
- B. If termination is for the convenience of CITY, an equitable adjustment in the contract price shall be made, but no amount shall be allowed for anticipated profit on unperformed services.
- C. If the termination is due to the failure of FIRST PARTY to fulfill its agreement, CITY may take over the work and prosecute the same to completion by agreement or otherwise. In such case, FIRST PARTY shall be liable to CITY for any reasonable additional cost occasioned to the CITY thereby.
- D. If, after notice of termination for failure to fulfill agreement obligations, it is determined that FIRST PARTY had not so failed, the termination shall be deemed to have been effected for the convenience of the CITY. In such event, adjustment in the contract price shall be made as provided in Paragraph B of this Section.
- E. The rights and remedies of the CITY provided in this Section are in addition to any other rights and remedies provided by law or under this agreement.
- F. Subject to the foregoing provisions, the CITY shall pay FIRST PARTY for services performed and expenses incurred through the termination date.

17. INSPECTION OF WORK

It is FIRST PARTY's obligation to make the work product available for CITY's inspections and periodic reviews upon request by CITY.

18. COMPLIANCE WITH LAWS

It shall be the responsibility of FIRST PARTY to comply with all State and Federal Laws applicable to the work and services provided pursuant to this agreement, including but not limited to compliance with prevailing wage laws, if applicable.

19. BREACH OF AGREEMENT

- A. This agreement is governed by applicable federal and state statutes and regulations. Any material deviation by FIRST PARTY for any reason from the requirements thereof, or from any other provision of this agreement, shall constitute a breach of this agreement and may be cause for termination at the election of the CITY.
- B. The CITY reserves the right to waive any and all breaches of this agreement, and any such waiver shall not be deemed a waiver of any previous or subsequent breaches. In the event the CITY chooses to waive a particular breach of this agreement, it may condition same on payment by FIRST PARTY of actual damages occasioned by such breach of agreement.

20. SEVERABILITY

The provisions of this agreement are severable. If any portion of this agreement is held invalid by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect unless amended or modified by the mutual consent of the parties.

21. CAPTIONS

The captions of this agreement are for convenience and reference only and shall not define, explain, modify, limit, exemplify, or aid in the interpretation, construction, or meaning of any provisions of this agreement.

22. LITIGATION OR ARBITRATION

In the event that suit or arbitration is brought to enforce the terms of this agreement, the prevailing party shall be entitled to litigation costs and reasonable attorneys' fees. The Dispute Resolution provisions are set forth on Exhibit "B," 'Dispute Resolution' attached hereto and by this reference incorporated herein.

23. RETENTION OF RECORDS

Contractor shall maintain all required records for three years after the City makes final payment and all other pending matters are closed, and shall be subject to the examination and /or audit of the City, a federal agency, and the state of California.

24. TERM OF AGREEMENT

This agreement shall remain in effect for the period of February 15, 2022 through February 15, 2027 unless extended, amended, or terminated in writing by CITY.

25. ENTIRE AGREEMENT

This document constitutes the sole agreement of the parties hereto relating to said project and states the rights, duties, and obligations of each party as of the document's date. Any prior agreement, promises, negotiations, or representations between parties not expressly stated in this document are not binding. All modifications, amendments, or waivers of the terms of this agreement must be in writing and signed by the appropriate representatives of the parties to this agreement.

26. STATEMENT OF ECONOMIC INTEREST

Consultants, as defined by Section 18701 of the Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations, are required to file a Statement of Economic Interests with 30 days of approval of a contract services agreement with the City of its subdivisions, on an annual basis thereafter during the term of the contract, and within 30 days of completion of the contract.

Based upon review of the Consultant's Scope of Work and determination by the City Manager, it is determined that Consultant IS NOT required to file a Statement of Economic Interest. A statement of Economic Interest shall be filed with the City Clerk's office no later than 30 days after the execution of the agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

FOR FIRST PARTY:

Signature

Date

Printed name

Title

Tax ID#

APPROVED AS TO FORM:

Nira F. Doherty, City Attorney

Date

FOR CITY OF MENLO PARK:

Justin Murphy, Interim City Manager

Date

ATTEST:

Judi A. Herren, City Clerk

Date

EXHIBIT "A" – SCOPE OF SERVICES**A1. SCOPE OF WORK**

FIRST PARTY agrees to provide consultant services for CITY's Library and Community Services department. In the event of any discrepancy between any of the terms of the FIRST PARTY's proposal and those of this agreement, the version most favorable to the CITY shall prevail. FIRST PARTY shall provide the following services:

Provide general consultant services for projects as determined by the CITY. The detailed scope of work for each task the CITY assigns the consultant shall be referred to as Exhibit A -1, which will become part of this agreement. A notice to proceed will be issued separately for each separate scope of work agreed to between the CITY and FIRST PARTY.

FIRST PARTY agrees to perform these services as directed by the CITY in accordance with the standards of its profession and CITY's satisfaction.

A2. COMPENSATION

CITY hereby agrees to pay FIRST PARTY at the rates to be negotiated between FIRST PARTY and CITY as detailed in Exhibit A-1. The actual charges shall be based upon (a) FIRST PARTY's standard hourly rate for various classifications of personnel; (b) all fees, salaries and expenses to be paid to engineers, consultants, independent contractors, or agents employed by FIRST PARTY; and shall (c) include reimbursement for mileage, courier and plan reproduction. The total fee for each separate Scope of Work agreed to between the CITY and FIRST PARTY shall not exceed the amount shown in Exhibit A-1.

FIRST PARTY shall be paid within thirty (30) days after approval of billing for work completed and approved by the CITY. Invoices shall be submitted containing all information contained in Section A5 below. In no event shall FIRST PARTY be entitled to compensation for extra work unless an approved change order, or other written authorization describing the extra work and payment terms, has been executed by CITY before the commencement of the work.

A3. SCHEDULE OF WORK

FIRST PARTY'S proposed schedule for the various services required will be set forth in Exhibit A-1.

A4. CHANGES IN WORK -- EXTRA WORK

In addition to services described in Section A1, the parties may from time to time agree in writing that FIRST PARTY, for additional compensation, shall perform additional services including but not limited to:

- Change in the services because of changes in scope of the work.
- Additional tasks not specified herein as required by the CITY.

The CITY and FIRST PARTY shall agree in writing to any changes in compensation and/or changes in FIRST PARTY's services before the commencement of any work. If FIRST PARTY deems work he/she has been directed to perform is beyond the scope of this agreement and constitutes extra work, FIRST PARTY shall immediately inform the CITY in writing of the fact. The CITY shall make a determination as to whether such work is in fact beyond the scope of this agreement and constitutes extra work. In the event that the CITY determines that such work does constitute extra work, it shall provide compensation to the FIRST PARTY in accordance with an agreed cost that is fair and equitable. This cost will be mutually agreed upon by the CITY and FIRST PARTY. A supplemental agreement providing for such compensation for extra work shall be negotiated between the CITY and the FIRST PARTY. Such supplemental agreement shall be executed by the FIRST PARTY and may be approved by the City Manager upon recommendation of the Assistant Director of Library Services.

A5.BILLINGS

FIRST PARTY's bills shall include the following information: A brief description of services performed, project title and the agreement number; the date the services were performed; the number of hours spent and by whom; the current contract amount; the current invoice amount; Except as specifically authorized by CITY, FIRST PARTY shall not bill CITY for duplicate services performed by more than one person. In no event shall FIRST PARTY submit any billing for an amount in excess of the maximum amount of compensation provided in Section A2.

The expenses of any office, including furniture and equipment rental, supplies, salaries of employees, telephone calls, postage, advertising, and all other expenses incurred by FIRST PARTY in the performances of this agreement shall be incurred at the FIRST PARTY's discretion. Such expenses shall be FIRST PARTY's sole financial responsibility.

EXHIBIT "B" - DISPUTE RESOLUTION

- B1.0** All claims, disputes and other matters in question between the FIRST PARTY and CITY arising out of, or relating to, the contract documents or the breach thereof, shall be resolved as follows:
- B2.0 Mediation**
- B2.1** The parties shall attempt in good faith first to mediate such dispute and use their best efforts to reach agreement on the matters in dispute. After a written demand for non-binding mediation, which shall specify in detail the facts of the dispute, and within ten (10) days from the date of delivery of the demand, the matter shall be submitted to a mutually agreeable mediator. The Mediator shall hear the matter and provide an informal opinion and advice, none of which shall be binding upon the parties, but is expected by the parties to help resolve the dispute. Said informal opinion and advice shall be submitted to the parties within twenty (20) days following written demand for mediation. The Mediator's fee shall be shared equally by the parties. If the dispute has not been resolved, the matter shall be submitted to arbitration in accordance with Paragraph B3.1.
- B3.0 Arbitration**
- B3.1** Any dispute between the parties that is to be resolved by arbitration as provided in Paragraph B2.1 shall be settled and decided by arbitration conducted by the American Arbitration Association in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, as then in effect, except as provided below. Any such arbitration shall be held before three arbitrators who shall be selected by mutual agreement of the parties; if agreement is not reached on the selection of the arbitrators within fifteen (15) days, then such arbitrator(s) shall be appointed by the presiding Judge of the court of jurisdiction of the agreement.
- B3.2** The provisions of the Construction Industry Arbitration Rules of the American Arbitration Association shall apply and govern such arbitration, subject, however to the following:
- B3.3** Any demand for arbitration shall be writing and must be made within a reasonable time after the claim, dispute or other matter in question as arisen. In no event shall the demand for arbitration be made after the date that institution of legal or equitable proceedings based on such claim, dispute or other matter would be barred by the applicable statute of limitations.
- B3.4** The arbitrator or arbitrators appointed must be former or retired judges, or attorneys at law with last ten (10) years' experience in construction litigation.
- B3.5** All proceedings involving the parties shall be reported by a certified shorthand court reporter, and written transcripts of the proceedings shall be prepared and made available to the parties.
- B3.6** The arbitrator or arbitrators must be made within and provide to the parties factual findings and the reasons on which the decisions of the arbitrator or arbitrators is based.
- B3.7** Final decision by the arbitrator or arbitrators must be made within ninety (90) days from the date of the arbitration proceedings are initiated.
- B3.8** The prevailing party shall be awarded reasonable attorneys' fees, expert and non-expert witness costs and expenses, and other costs and expenses incurred in connection with the arbitration, unless the arbitrator or arbitrators for good cause determine otherwise.
- B3.9** Costs and fees of the arbitrator or arbitrators shall be borne by the non-prevailing party, unless the arbitrator or arbitrators for good cause determine otherwise.
- B3.10** The award or decision of the arbitrator or arbitrators, which may include equitable relief, shall be final, and judgment may be entered on it in accordance with applicable law in any court having jurisdiction over the matter.

1 Pricing Proposal

All pricing for Professional and Implementation Services is an estimate based on PerfectMind's best understanding of your business and on what work is required to ensure a successful project.

Item	Cost
Annual Subscription Fee <ul style="list-style-type: none"> ▪ Account Management ▪ Membership Management ▪ Activity Registration ▪ Custom Booking and Child Care ▪ Facility Reservation ▪ Point of Sale ▪ Finance and Accounting ▪ Reporting Engine ▪ 24/7/365 Support ▪ Software Updates and Maintenance 	\$41,359.20
One-time Implementation Fee <ul style="list-style-type: none"> ▪ Discovery and Business Process Review ▪ Project Management ▪ Configuration ▪ Training ▪ Testing and QA ▪ Go-live ▪ Post Go-live Support 	\$50,000.00
<i>Partial Data Migration (Optional)</i>	\$5,000.00
<i>Custom GL Export Configuration (Optional)</i>	\$3,000.00
Total Year 1 Cost	\$91,359.20
Total Year 2 Cost	\$51,303.80
Total Year 3 Cost	\$51,606.80
Total Year 4 Cost	\$62,000.00
Total Year 5 Cost	\$62,000.00

On-site Services Pricing

By default, PerfectMind's implementation project is completed remotely. If City of Menlo Park desires staff to be on-site, the travel cost for on-site services is provided in the following table.

On-site Professional Services Pricing	
Cost of Travel (includes accommodation, transportation, food, and insurance)	\$550/day + Flight Cost

Professional Services Pricing

PerfectMind's implementation is completed as a fixed-cost project. If any additional hours are required to complete items outlined in the scope of work identified during the Discovery phase of implementation, PerfectMind does not charge additional fees for those extra hours to complete the project. However, if additional features are requested or if the project scope changes from the initial Discovery phase, PerfectMind's hourly rates for professional services will apply.

Role	Hourly Rate
Professional Services	\$150
Project Management	\$150
Programmer/Analyst	\$250
Technical Support Analyst	\$150
Training (Post Go-Live)	\$150



STAFF REPORT

City Council
Meeting Date: 3/8/2022
Staff Report Number: 22-046-CC

Consent Calendar: **Adopt a resolution initiating the Menlo Park landscape assessment district proceedings for fiscal year 2022-23**

Recommendation

Staff recommends that the City Council initiate the Menlo Park landscape assessment district proceedings for fiscal year 2022-23 and adopt a resolution (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 landscape assessment 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 to form an 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 fiscal year 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 2022-2023 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 2022-23 report. The firm has extensive background and knowledge of the City’s landscape assessment 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
March 8	City Council initiates the landscape assessment district proceedings and adopts a resolution describing the improvements and directing preparation of the engineer’s report
May 2022	Completion and filing of the engineer’s report
May 2022	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 2022	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 2022	Submittal of assessments to the County Assessor’s Office
October 2022	City review and confirmation of final levies to be collected by the County
January 2023	Verification of assessment receipts, levies and delinquencies

The City maintains a map of sidewalk repair locations and information about how to report a section in need of repair at the link in Attachment B.

Impact on City Resources

The cost of the assessment engineering services and preparation of the engineer's report is \$12,015. 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 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
- B. Hyperlink – sidewalk repair program website: menlopark.org/sidewalks

Report prepared by:
Nikki Nagaya, Public Works Director

RESOLUTION NO. XXXX**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 2022-23**

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 the City 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 2022-23.
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 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 by calling 650-330-6740.

Special COVID-19 State of Emergency Exception: In lieu of an original signature, a written protest may be submitted using a digital signature and emailed to the Public Works Director nhnagaya@menlopark.org. Any protests submitted under this exception must still meet the requirements set forth except an original signature may be substituted with a digital signature. This Special COVID-19 State of Emergency Exemption expires fifteen days after the Governor lifts the COVID-19-related state of emergency.

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 eighth day of March, 2022, by the following votes:

AYES:

NOES:

ABSENT:

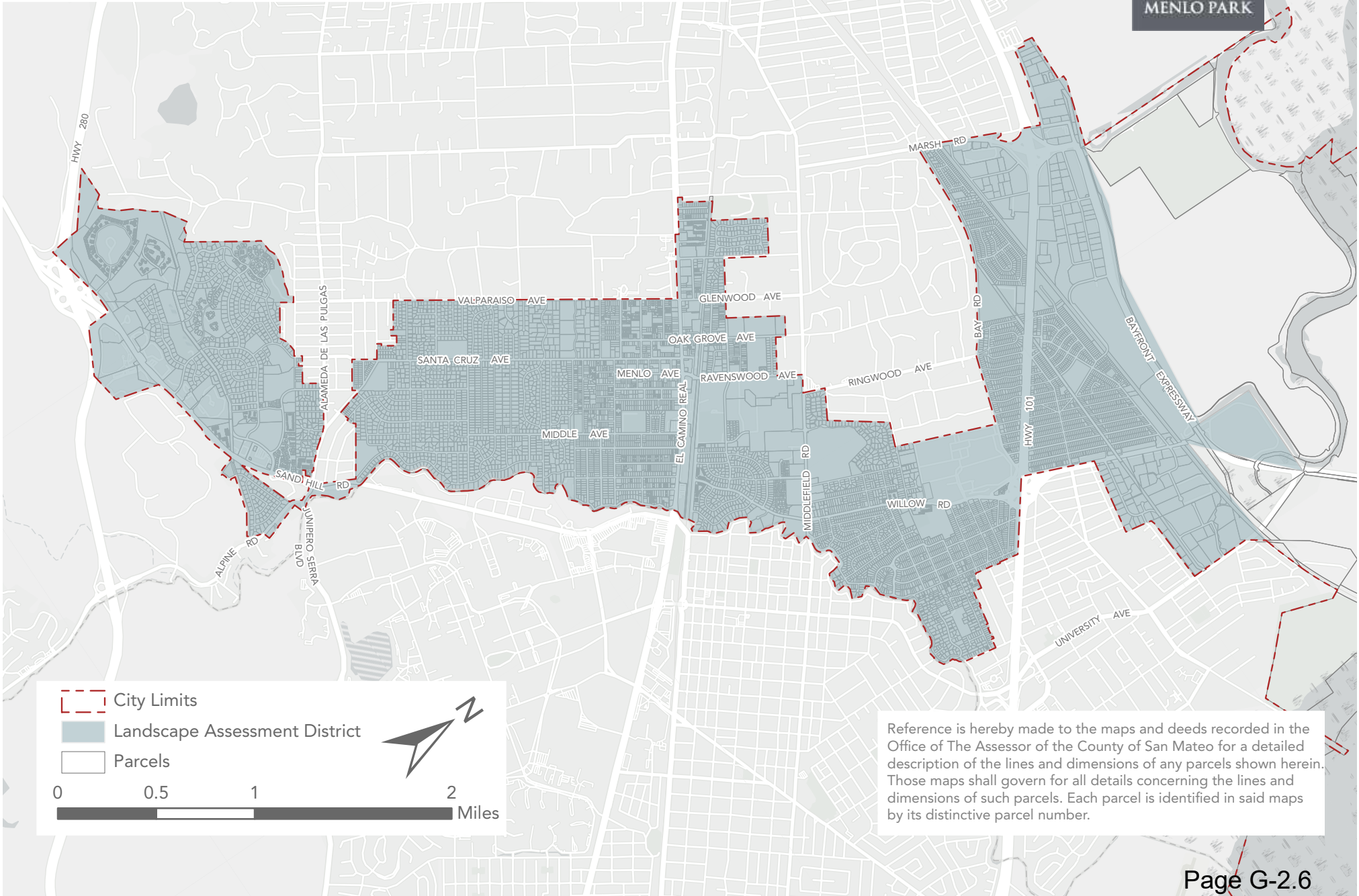
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ___ of March, 2022.

Judi A. Herren, City Clerk



Landscape Assessment District



City Limits

Landscape Assessment District

Parcels

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:

3/8/2022

Staff Report Number:

22-047-CC

Consent Calendar:

Waive second reading and adopt an ordinance amending Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for qualifying projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district

Recommendation

Staff recommends that the City Council waive a second reading and adopt an ordinance amending Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for qualifying projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district, included as Attachment A.

Policy Issues

The proposed project requires the City Council to consider whether to approve the proposed zoning ordinance text amendment. The City Council will need to consider the potential amendment to the sign ordinance and whether the changes would be consistent with the City's general plan and specific plan, and whether the required findings can be made for the proposed zoning ordinance text amendment.

Background

In June 2021, the applicant for 1300 El Camino Real (formerly known as "Station 1300" and currently called "Springline") initiated a sign ordinance amendment to address signage needs not only for their project, but potentially other projects within the specific plan area. In consultation with staff, Springline proposed a zoning ordinance text amendment to increase the permitted signage for larger projects, which would apply to the entire El Camino Real/Downtown specific plan ("specific plan") area, encompassing El Camino Real, the Caltrain station area and downtown Menlo Park.

On January 10, 2022, the Planning Commission reviewed the proposal and recommended (4-1, with two Commissioners absent) that the City Council approve the proposed text amendment, with some revisions. The applicant submitted a revised proposal, summarized in this report, based on the Planning Commission's recommendation.

At its meeting February 8, 2022, the City Council considered the Planning Commission's recommendation to the City Council to approve the proposed text amendment and voted affirmatively to introduce the ordinance to amend the sign provisions in the zoning ordinance.

Analysis

Project description

The City's current sign ordinance generally establishes the regulations for the size, type and location of signage on a building and property. The total area of signage currently allowed in commercial land use zoning districts is determined by a formula based on street frontage, where the maximum allowed display area for any primary frontage, regardless of the number of uses or tenants housed on a single lot, is 100 square feet. Secondary frontages are allowed up to 50 square feet of signage. The proposed text amendment is designed to accomplish the following for parcels within the ECR/D-SP zoning district:

- Maintain the current formula for calculating the maximum sign area based on the length of a project's frontage;
- Eliminate the 100 square foot "cap" on the total sign area for the primary frontage, as well as the 50 square foot "cap" on total signage per secondary frontage, subject to Planning Commission approval of a master sign program, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage;
- Establish a formula for calculating the maximum sign area for secondary frontages, or primary frontages not along El Camino Real, based on 50 percent of the (increased) maximum allowable signage area on the El Camino Real frontage;
- Limit the area of any individual sign to a maximum of 50 square feet;
- Exempt signage identifying the name of the project, as well as safety and directional signage, from the overall allowable display area provided that the signage is approved pursuant to a master sign program; and
- For buildings with a mixture of office and other commercial uses, limit the total display area of signs at the building top parapet level on any frontage to one-half a square foot of signage area for each linear foot of frontage.

Springline signage

Under the current regulations, the entire Springline project, with three street frontages, would only be allowed 200 square feet of signage, which would be disproportionately small relative to its street frontages and buildings, and could negatively affect the vibrancy of the commercial components of the project. However, if the proposed zoning ordinance text amendment is approved, Springline would be allowed approximately 540 square feet of signage along El Camino Real, approximately 165 square feet along Oak Grove Avenue and approximately 402 square feet along Garwood Way for a total of 1,107 square feet.

Consistency with the general plan and specific plan

General Plan Policy LU-4.D states the Municipal Code requirements and design guidelines for on-site signage should be updated while providing for a method to encourage high-quality design in advertising for Menlo Park businesses. The proposed text amendment supports this policy by allowing large parcels within the specific plan area the ability to request additional signage area they need to attract tenants, while requiring review by the Planning Commission of a master sign program to ensure high quality design.

The specific plan includes a guiding principle to "generate vibrancy" within the specific plan, with a mix of retail, residential and office uses. Larger, mixed-use developments will help create vibrancy, but they require additional sign area in order to attract commercial tenants and for those tenants to be successful. Neighboring jurisdictions allow greater signage area for similar mixed-use projects and the proposed text amendment would allow commercial tenants the ability to successful compete.

Conclusion

The proposed text amendment would be consistent with general plan and specific plan policies by allowing additional, high-quality design signage for larger parcels within the specific plan subject to review by the Planning Commission. The additional signage area would allow these larger parcels to attract commercial tenants and generate vibrancy. If the City Council adopts the ordinance, the ordinance would become effective after 30 days.

Impact on City Resources

The project sponsor is required to pay planning, building and public works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The proposed zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

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. Ordinance approving a zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) and Exhibit A: Zoning ordinance text amendment

Report prepared by:
Corinna Sandmeier, Acting Principal Planner

Report reviewed by:
Deanna Chow, Assistant Community Development Director

ORDINANCE NO. XXXX

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING A ZONING ORDINANCE TEXT AMENDMENT TO MODIFY
MUNICIPAL CODE CHAPTER 16.92 (SIGNS-OUTDOOR ADVERTISING) TO
ALLOW INCREASED SIGNAGE FOR CERTAIN LARGE PROJECTS WITHIN
THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING
DISTRICT**

WHEREAS, the City of Menlo Park (“City”) received an application requesting a Zoning Ordinance text amendment from Cyrus Sanandaji, Presidio Bay Ventures (“Applicant”), on behalf of the property owner Real Social Good Investments, LLC (“Owner”) of a project located at 1300 El Camino Real (APN 061-430-490), for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district; and

WHEREAS, the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district encompasses El Camino Real, the Caltrain station area and downtown Menlo Park, and supports a variety of uses, including, retail, personal services, restaurants, business and professional offices, residential uses, public and semi-public uses, and transit uses; and

WHEREAS, the Zoning Ordinance currently allows a maximum of 100 square feet of signage for a parcel’s primary frontage and 50 square feet of signage for a parcel’s secondary frontage, regardless of the length of the frontages or the total size of the parcel; and

WHEREAS, the Zoning Ordinance currently allows the approved Springline project at 1300 El Camino Real, a mixed-use development consisting of non-medical office, residential, and community-serving uses on an approximately 6.4-acre site, with a total of approximately 224,000 square feet of non-residential uses and 183 dwelling units, signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Avenue for a total of 200 square feet; and

WHEREAS, the Zoning Ordinance currently allows the approved Middle Plaza at 500 El Camino Real project, a mixed-use development consisting of office, retail, and residential uses on an approximately 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of non-medical office, and 215 residential units, only 100 square feet of total signage as El Camino Real is its only street frontage; and

WHEREAS, given the length of the frontages of the Springline, Middle Plaza and similar projects, the permitted square footages for all signs visible from the right-of-way would be disproportionately small relative to the size of the buildings and would negatively affect the vibrancy of the office and non-office commercial, including community-serving retail and restaurant, components of these projects; and

WHEREAS, the City’s General Plan Policy LU-4.D, states the Municipal Code requirements and design guidelines for off-site and on-site signage should be updated while providing for a method to encourage high-quality design in advertising for Menlo Park businesses; and

WHEREAS, other nearby jurisdictions, including the Cities of Palo Alto and Redwood City, allow far more signage along El Camino Real and their downtown areas for parcels with over 80 feet

of linear frontage, providing a disadvantage for businesses located on such large parcels within the City of Menlo Park; and

WHEREAS, the proposed Zoning Ordinance text amendment would

- maintain the current formula for calculating the maximum sign area based on the length of a project's frontage and allow increased signage by eliminating the 100-square foot "cap" on the total sign area for the primary frontage (along El Camino Real), as well as the 50 square foot "cap" on total signage per secondary frontage, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage;
- limit the area of any individual sign to a maximum of 50 square feet;
- exempt signage identifying the name of the project, as well as safety and directional signage, from the overall allowable display area provided that the signage is approved pursuant to a Master Sign Program;
- limit signage at the building top parapet level to one-half a square foot of signage for each linear foot of frontage, for buildings with a mixture of office and other commercial uses; and
- require Planning Commission approval of a Master Sign Program for any project utilizing these proposed provisions of the Zoning Ordinance; and

WHEREAS, the City, as lead agency, pursuant to the California Environmental Quality Act and the CEQA Guidelines ("CEQA") finds that the proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code since any projects that would utilize the additional signage permitted would undergo their own environmental review pursuant to CEQA; and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on January 10, 2022, the Planning Commission considered the proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) as more fully described herein and below, and in making its recommendations to the City Council, recommended the City Council find the proposed text amendment exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend that the City Council of the City of Menlo Park make findings that the proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is in compliance with all applicable State regulations and the City General Plan, and adopt an ordinance approving a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising); and

WHEREAS, following the public hearing, the Planning Commission adopted Planning Commission Resolution No. 2022-01 to recommend that the City Council adopt an ordinance approving the proposed Zoning Ordinance text amendments, with revisions as incorporated into the text, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the City Council has considered the Zoning Ordinance text amendment and the City Council determines that the proposed text amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

The City Council of the City of Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS

The City Council of the City of Menlo Park hereby finds and declares:

- A. The Zoning Ordinance Text Amendment is in the public interest and will advance the health, safety, and general welfare of the City of Menlo Park and that the Zoning Ordinance Text Amendment is consistent with the Menlo Park General Plan and the El Camino Real/Downtown Specific Plan.
- B. The Zoning Ordinance Text Amendment is in the public interest and will further the public health, safety, comfort, and general welfare because it would allow sufficient signage proportional to the frontage of large parcels within the Specific Plan, allowing vibrancy of commercial uses.
- C. The Zoning Ordinance Text Amendment will not adversely affect the improvements in the neighborhood or the general welfare of the city because projects utilizing the new signage regulations would be subject to Planning Commission review of a Master Sign Program.
- D. On February 8, 2022 the City Council held a public hearing and separately reviewed and considered all pertinent information, documents, exhibits, and all other evidence in the public record on the request including the Planning Commission's recommendation. The City Council, having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, finds that the Zoning Ordinance Text Amendment is appropriate and adopts a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising).

SECTION 2: RECITALS

That the Recitals herein are true and correct and incorporated and adopted as findings of the City Council as are fully set forth in this Ordinance.

SECTION 3. ZONING ORDINANCE TEXT AMENDMENT

That the Zoning Ordinance Text Amendment in compliance with all applicable City General Plan goals, policies and programs and therefore the City Council hereby approves the Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) as provided in Exhibit A to this ordinance, attached hereto and incorporated herein by this reference.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council makes the following findings, based on its independent judgment after considering the Specific Plan EIR, the Infill EIR, and the Addendum, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

SECTION 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions, shall continue in full force and effect unless amended or modified by the City.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

SECTION 7. PUBLICATION

The City Clerk is hereby ordered and directed to certify the passage of this Ordinance by the City Council of the City of Menlo Park, California and cause the same to be published in accordance with State law.

INTRODUCED on the eighth day of February, 2022.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the eighth day of March, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Betsy Nash, Mayor

ATTEST:

Judi A. Herren, City Clerk

Exhibits

A. Zoning Ordinance Text Amendment

1. **Section 1** Section 16.92.110(2) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

Section 16.92.110(2): Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet.

Notwithstanding the above, the one hundred square foot maximum shall not apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas:

(A) For non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure No. 1 ($30' + ((\text{Frontage Length} - 10') \times (8/7))$) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply:

(1) Any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)); and

(2) For buildings with a mixture of office and other commercial uses, the total display area of signs at the building top parapet level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage. For purposes of this section, "parapet" shall mean a low wall along the edge of a roof extending above the level of such roof.

2. **Section 2.** Section 16.92.110(3) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

Section 16.92.110(3): In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No. 1 for such secondary frontage, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of $(0.5 \times (30' + ((\text{non-ECR Frontage} - 10') \times 8/7)))$ without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts

other than the ECR-D-SP zoning district. The additional limitations on signage at the building top parapet level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

3. **Section 3** Sections 16.92.110(9), 16.92.110(10) and 16.92.110(11) are hereby added to the Menlo Park Municipal Code to read as follows:

Section 16.92.110(9): Within the ECR/D-SP zoning district, any project shall be entitled to install signage identifying the name of the project. The display area of such project identification signage shall not count against the overall allowable display area which display area is calculated pursuant to sections 16.92.110(2) and 16.92.110(3), provided that the project identification signage is approved pursuant to a Master Sign Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11). For purposes of this section “project” shall mean a development, including a building, or group of buildings, and associated open areas, designed and managed under common ownership and/or control, but shall not mean tenants of the development and/or building.

Section 16.92.110(10): Within the ECR/D-SP zoning district, safety and directional signage shall be exempt from the limits on signage display area, which display area is calculated pursuant to sections 16.92.110(2) and (3), provided that the safety and directional signage is approved pursuant to a Master Signage Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11). For purposes of this section, “safety and directional signage” shall mean signage providing information on directions, ingress and egress, parking access and location, accessibility, and other similar identifying information.

Section 16.92.110(11): Within the ECR/D-SP zoning district, any signage permitted pursuant to sections 16.92.110(9) and/or 16.92.110(10) and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program by the Planning Commission shall be subject to the following provisions:

(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City’s applicable Design Guidelines for Signs.

(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning

Commission. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City's Design Guidelines for Signs. The Planning Commission will also have the authority to grant exceptions from the City's Design Guidelines for Signs so long as such changes will be compatible and harmonious with the overall project. With respect to project identification signage authorized under section 16.92.110(9), such signage shall be approved if the design of such signage is compatible with the project's overall architecture and is appropriate in terms of its size and location within the project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.



STAFF REPORT

City Council

Meeting Date:

3/8/2022

Staff Report Number:

22-048-CC

Regular Business:

Adopt a resolution to install no parking restrictions on a portion of El Camino Real and timed parking restrictions on a portion of College Avenue

Recommendation

Staff recommends that the City Council consider the following potential actions outlined in the draft Resolution (Attachment A):

1. Install no parking zone on the east side of El Camino Real from the southerly driveway of 700 El Camino Real to the Menlo Park/Palo Alto city limit.
2. Install no parking zone on the west side of El Camino Real from Middle Avenue to College Avenue.
3. Implement one-hour time limit parking between 9 a.m. and 6 p.m. Monday to Friday except Holidays on the south side of College Avenue from El Camino Real to approximately 160 feet westerly.
4. Update existing one-hour time limit parking on the north side of College Avenue from the end of the existing no parking zone to approximately 50 feet westerly to between 9 a.m. and 6 p.m. Monday to Friday except Holidays.

If one or more of these actions is not pursued, they would be removed from the resolution and exhibit. Staff recommends the City Council provide direction on a preferred median treatment of the options described in the Analysis section below.

Policy Issues

This project is consistent with policies stated in the 2016 general plan circulation element. These policies seek to maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe and active community and quality of life throughout Menlo Park.

Menlo Park Municipal Code Section 11.24 authorizes the City Council to permit or restrict parking and limits the Complete Streets Commission's authority to permit or restrict parking to three total spaces per location in the El Camino Real and Downtown Specific Plan area.

Background

On March 1, 2022, the City Council considered potential parking removal on a portion of El Camino Real and instituting time limited parking restrictions on a portion of College Avenue. The staff report is included as Attachment B. In summary, this item is coming before the City Council as the modifications are required as a condition of approval to provide signalized access at Middle Avenue to the Middle Plaza at 500 El Camino Real development project currently under construction. Stanford is reconstructing the median on both sides of El Camino Real, building new curb ramps, and replacing the curb and gutter on the frontage of the development.

In the course of the March 1 meeting, City Councilmembers raised a number of questions and suggested

potential alternatives for staff to consider. Staff has reviewed these questions and alternatives, and has identified feasible short-term options for the City Council to consider, described in the Analysis section below.

Analysis

The proposed parking restrictions on the west side of El Camino Real between Middle Avenue and College Avenue would allow for the installation of a 2-foot median between the northbound and southbound lanes. The current configuration at this location is a 6-inch striped centerline with flexible posts installed approximately every 10 feet. This 320-foot stretch of El Camino Real in Menlo Park is the only segment without a raised median. The median was proposed because the Middle Plaza development is conditioned to add a crosswalk across the south side of El Camino Real, to reduce conflicts between northbound and southbound vehicles, and to reduce maintenance associated with replacing the posts that are currently installed.

During the discussion March 1, 2022, City Council members raised several alternatives to consider including:

- Shifting the median to the east to retain the parking on the west side of El Camino Real
- Installing a wider median to provide a refuge for pedestrians
- Exploring alternative future bikeway designs that would provide separation for bicyclists

To address these potential options, staff considered the following constraints:

- Limited street width. The El Camino Real/Middle Avenue intersection is one of the most constrained segments of El Camino Real in Menlo Park with six vehicular through lanes, turn lanes and parking on one side. Any changes to this intersection will necessarily require trade-offs between uses.
- Utilities. A large drinking water pipeline that supplies water to a significant portion of Menlo Park and Palo Alto runs close to the curb line at a relatively shallow depth, making it difficult to install standard drainage infrastructure in this area. The San Francisco Public Utilities Commission, which owns and manages the pipeline, requires a 20-foot clearance for their pipeline and would not allow any street trees that are removed to be replaced in this area. One of the areas of Middle Plaza's frontage will have trees in planter boxes as a result. There are also other utilities within the right of way that need to be considered along with any changes to the street.
- Existing City policy. The Middle Plaza development plans were approved consistent with existing City policies and plans, including the El Camino Real and Downtown Specific Plan. The Specific Plan requires a 15-foot wide sidewalk along El Camino Real including a 5-foot wide furnishing and landscape zone and 10-foot wide clear pedestrian pathway. Street improvements that require reconsideration of these policies cannot be addressed at this time given the existing approvals of the Middle Plaza development.
- Caltrans right of way and easements. Caltrans right of way for El Camino Real ends just beyond the existing street trees. Stanford has granted an approximate 10-11-foot-wide public access easement to allow for pedestrian access. The City would need to request a change to this easement to convert the use to a bikeway, which would be at Stanford's discretion; staff would need to explore this change further with Stanford before staff could provide an assessment of feasibility.

Table 1 summarizes potential alternatives and lists the potential trade-offs, which are illustrated in Attachment C. All of these options assume removal of parking on the east side of El Camino Real along the Middle Plaza project frontage and the Stanford Park Hotel.

Table 1: Summary of alternatives and trade-offs			
Alternative	Parking removal on West side?	Constraints and opportunities	Short-term feasibility
1. Existing striped median and flexible posts	No	• No additional separation from opposing traffic	Yes
2. Proposed 2- foot wide median as presented March 1, 2022	Yes	• Retains opportunity for street level bike lanes	Yes
3. 2-foot wide median shifted west toward Middle Plaza	No	• Northbound bike lane precluded within existing curb to curb width • Requires new plan review by Caltrans, cannot be completed as part Middle Plaza development	No
4. Widen median (4 to 5 feet)	Likely	• Northbound bike lane precluded within existing curb to curb width • Requires new plan review by Caltrans, cannot be completed as part Middle Plaza development	No
5. Separated northbound bikeway in existing easement ¹	Likely	• SFPUC required clearance eliminates City's ability to replace trees in this area (approximately 10 trees planted as part of Trees for Menlo) • Requires modification to the El Camino Real and Downtown Specific Plan sidewalk width requirements • Requires modification to the access easement that Stanford has granted for the sidewalk, not guaranteed • Other large utilities may need to be moved	No

1. Because staff does not have an active project to design a separated bikeway, this is a preliminary list of constraints and future design efforts may find other issues that are not listed.

As summarized in Table 1, staff has identified three possible options that are feasible at the current time:

- Option 1: Install a 2-foot median as proposed March 1, requiring removal of parking on the west side of El Camino Real between Middle Avenue and College Avenue and instituting time limited parking on the south side of the first block of College Avenue.
- Option 2a: Retain the existing striped median with flexible posts, allowing parking on the west side to remain for now. This option would not provide additional separation between the opposing traffic or provide any refuge for pedestrians.
- Option 2b: Retain existing conditions, but coordinate with Caltrans to explore options to make improvements. These improvements may include a slight increase in the width of the current striping (to approximately 12”), adding a curb or small island near the intersection (see Attachment D for an example), or spacing the flexible posts more closely together to provide a visual vertical barrier. These improvements would need to be installed by the City if Caltrans approval cannot be secured before commencing work.

Some of the proposed concepts in Table 1 could only be addressed through future projects, including building a wider median with a pedestrian refuge and/or developing a separated bikeway. While the City’s El Camino Real Corridor Study in 2015 identified buffered bike lanes as the preferred option, studies and plans developed since then have identified a separated bike lane as the preferred option, including the Caltrans District 4 Bike Plan and the Peninsula Bikeway Feasibility Study. Designing a separated bikeway along El

Camino Real would need to account for numerous constraints and is expected to require trade-offs between vehicle capacity, parking, bicycle lanes, and pedestrian facilities and community engagement. These questions and trade-offs will require a substantial and thorough evaluation if and when the City Council directs staff to pursue future planning and design of a bikeway along El Camino Real.

Impact on City Resources

The parking restriction (i.e., no parking signs and/or red curb painting) on the west side of El Camino Real between Middle Avenue and College Avenue would be installed by Stanford University at its expense. The no parking restriction on the east side of El Camino Real between the southerly driveway of 700 El Camino Real and the Menlo Park/Palo Alto city limit and the timed parking restriction on College Avenue would be installed by the City using funds from the annual signage and striping program. The potential changes identified in Option 2b would likely need to be installed by the City if Caltrans approval cannot be secured before commencing work. Funding for new City led work would likely require an additional appropriation at a future City Council meeting.

Environmental Review

The proposed installation of the parking restrictions on El Camino Real and timed-parking restrictions on College Avenue is categorically exempt under California Environmental Quality Act Article 19, § 15301 Existing Facilities - Class 1. Class 1 allows for minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Interested parties and businesses on both sides of El Camino Real were contacted to inform them of the meeting.

Attachments

- A. Resolution
- B. Staff Report #22-039-CC from March 1, 2022
- C. Illustration of City Council-requested alternatives
- D. Potential alternate median treatment

Report prepared by:
Kristiann Choy, Senior Transportation Engineer

Report reviewed by:
Hugh Louch, Assistant Public Works Director - Transportation

RESOLUTION NO. XXXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE INSTALLATION OF NO PARKING ZONES ON A PORTION OF EL CAMINO REAL AND TIME LIMITED PARKING ON A PORTION OF COLLEGE AVENUE

WHEREAS, on September 26, 2017, the City Council approved a development agreement with Stanford University for the Middle Plaza at 500 El Camino Real development; and,

WHEREAS, the conditions of approval for the Middle Plaza at 500 El Camino Real include modifying the El Camino Real and Middle Avenue intersection to add a crosswalk on the south leg; and,

WHEREAS, Stanford University has developed a design for the El Camino Real and Middle Avenue intersection that includes a new crosswalk on the south leg and the addition of a two-foot raised median to improve pedestrian safety and accessibility; and,

WHEREAS, the 2016 El Camino Real Corridor study identified enhanced pedestrian safety and crossings and bicycle lanes on El Camino Real as a preferred study alternative; and,

WHEREAS, the Transportation Master Plan identified buffered bicycle lanes on El Camino Real through the city as a Tier 1 project; and,

WHEREAS, the width of El Camino Real does not provide adequate space for the existing travel lanes, new median and parking; and,

WHEREAS, an alternative short term parking location for the businesses on the west side of El Camino Real was identified on College Avenue; and,

WHEREAS, California Vehicle Code Sections 22506 and 22507 and Menlo Park Municipal Code Section 11.24 authorizes the City Council to establish by resolution restrictions on parking on local streets and state highways in Menlo Park as necessary; and,

WHEREAS, 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.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Menlo Park does hereby authorize the following as illustrated, attached hereto and incorporated herein by this reference as Exhibit A:

1. Install no parking zone on the east side of El Camino Real from the southerly driveway of 700 El Camino Real and Menlo Park/Palo Alto city limit.
2. Install no parking zone on the west side of El Camino Real from Middle Avenue to College Avenue.
3. Implement one-hour time limit parking between 9 AM and 6 PM Monday to Friday except Holidays on the south side of College Avenue from El Camino Real to approximately 160 feet westerly.
4. Update existing one-hour time limit parking on the north side of College Avenue from the end of the existing no parking zone to approximately 50 feet westerly to between 9 AM and 6 PM Monday to Friday except Holidays.

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 eighth day of March, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

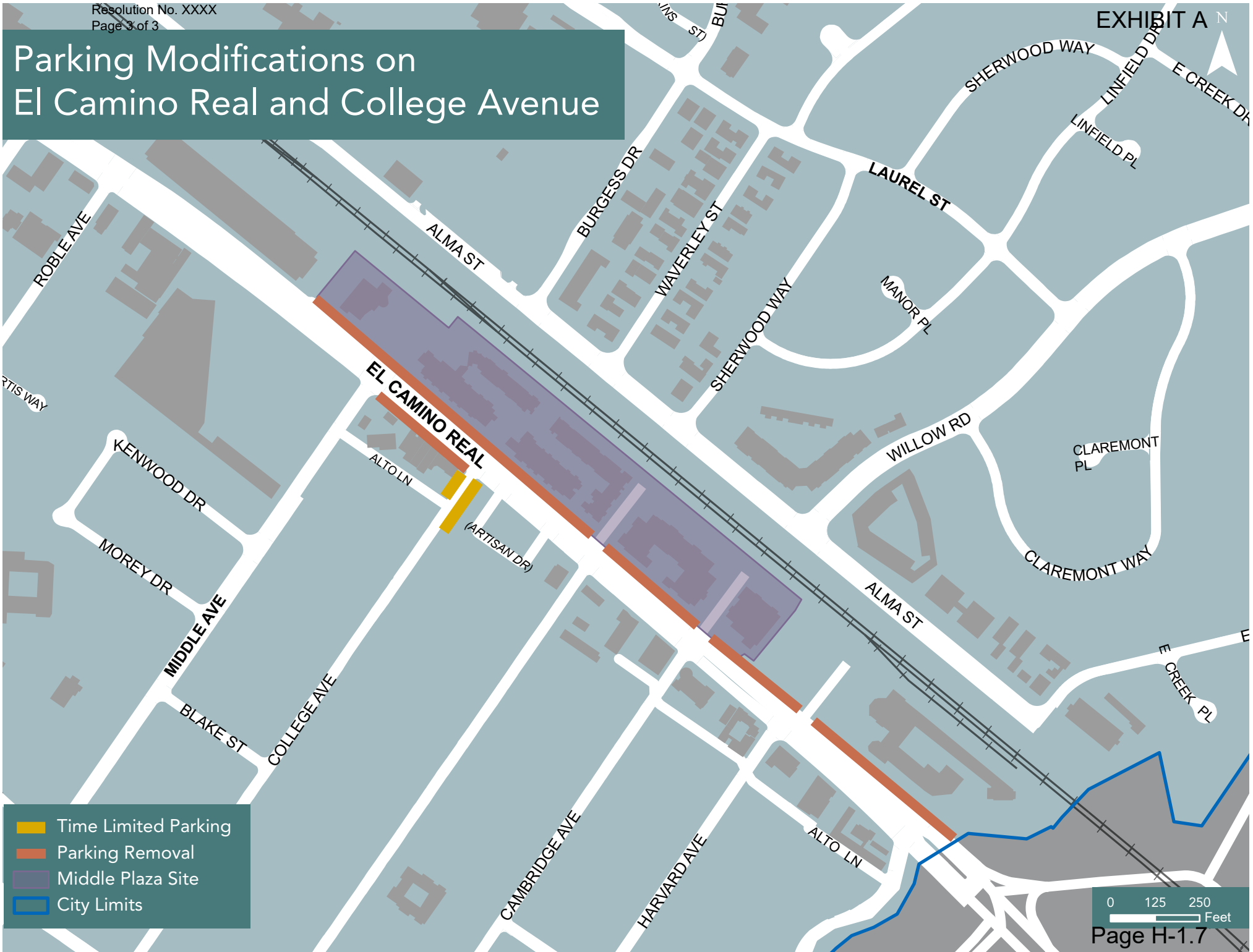
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ___ day of March, 2022





Judi A. Herren, City Clerk

Exhibits

- A. Parking modifications on El Camino Real and College Avenue

Parking Modifications on El Camino Real and College Avenue



-  Time Limited Parking
-  Parking Removal
-  Middle Plaza Site
-  City Limits

0 125 250
Feet



STAFF REPORT

City Council Meeting Date: 3/1/2022
Staff Report Number: 22-039-CC

Regular Business: **Adopt a resolution to install no parking restrictions on a portion of El Camino Real and timed parking restrictions on a portion of College Avenue**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to (1) install no parking restrictions on the west side of El Camino Real from Middle Avenue to College Avenue and on the east side of El Camino Real from the southerly driveway of 700 El Camino Real to the Menlo Park/Palo Alto city limit and (2) to implement one-hour time limited parking on College Avenue from El Camino Real to approximately 160 feet westerly.

Policy Issues

This project is consistent with policies stated in the 2016 general plan circulation element. These policies seek to maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe and active community and quality of life throughout Menlo Park.

Menlo Park Municipal Code Section 11.24 authorizes the City Council to permit or restrict parking and limits the Complete Streets Commission’s authority to permit or restrict parking to three total spaces per location in the El Camino Real and Downtown Specific Plan area.

Background

Middle Plaza at 500 El Camino Real project

Stanford University is redeveloping an 8.4-acre site, addressed 200 through 500 El Camino Real, with approximately 10,286 square feet of retail/restaurant uses, 142,840 square feet of nonmedical office, and 215 residential units.

The City Council approved this project in September and October 2017, and it adheres to the El Camino Real/Downtown Specific Plan’s (Specific Plan) “base” level standards. This project is currently under construction and is anticipated to be completed this year.

El Camino Real existing conditions and future plans

El Camino Real is State Route 82 and a major transportation corridor in the region, carrying approximately 30,000 to 45,000 daily vehicles, buses, and serving local business and school traffic. It is a historic asset for the region, but also a barrier to east-west travel in Menlo Park. In 2015, the City undertook the El Camino Real Corridor Study to develop consensus around a conceptual design for El Camino Real. Through the community engagement process, the highest priorities for desired improvements heard from the community included:

- Enhancing pedestrian safety and crossings
- Adding bicycle lanes to El Camino Real
- Providing more bicycle parking closer to downtown
- Improving landscaping along El Camino Real
- Timing traffic signals to favor continuous north-south flow on El Camino Real

On May 3, 2016, the City Council voted to accept the El Camino Real Corridor Study, identifying buffered bicycle lanes as the preferred alternative with additional study of potential solutions for the northbound traffic bottleneck at Ravenswood Avenue; to advance east-west connectivity improvements as recommended by staff into design and environmental clearance phase in advance of any further work on future north-south El Camino Real bicycle facilities; and, to reallocate the construction funds for the additional northbound through-lane at Ravenswood Avenue to the balance of the Transportation Impact Fee fund to be used for future projects identified by the City Council.

Subsequent to the Corridor Study, the City Council adopted a citywide Transportation Master Plan (TMP) November 17, 2020 (Attachment B.) This plan included buffered bike lanes on El Camino Real within the city limits as project 84 and part of projects 85-92 and 95. The TMP prioritized these projects as Tier 1 higher priority projects.

Menlo Park has also been a participant in the Peninsula Bikeway Study, a joint effort of the cities of Mountain View, Palo Alto, Menlo Park and Redwood City, as well as Stanford University and Joint Venture Silicon Valley. The final report for this study, released in August 2021, identified El Camino Real as the preferred alternative for a low stress, separated bikeway.

Analysis

No parking restriction on west side of El Camino Real between Middle Avenue and College Avenue

As part of the off-site improvements for the Middle Plaza at 500 El Camino Real project, Stanford University is modifying the intersection of Middle Avenue and El Camino Real to improve access to the project site. As part of this improvement, a new crosswalk is proposed for the south leg of the intersection, so that a pedestrian may cross each of the four legs of this intersection. In addition, a two-foot raised concrete median island would be installed on El Camino Real between Middle Avenue and College Avenue, consistent with other intersections of El Camino Real. This median island would replace the existing striped median island with flexible vertical posts as shown on Attachment C. The raised median island would provide better separation between the two directions of travel as well as provide a small refuge for pedestrians. In addition, the raised median would improve aesthetics and eliminate the need to replace the flexible posts after they have been damaged by vehicles. Per Attachment D, in order to install the two-foot raised concrete median island, on-street parking needs to be removed between Middle Avenue and College Avenue. The total length of on-street parking to be removed is approximately 200 feet or eight parking spaces, potentially impacting up to eight businesses.

No parking restriction on east side of El Camino Real between southerly driveway of 700 El Camino Real and Menlo Park/Palo Alto city limit

Staff is recommending the removal of on-street parking between the southerly driveway of 700 El Camino Real and the Menlo Park/Palo Alto city limit for the future implementation of a buffered bike lane on El Camino Real as identified in TMP project 84. This restriction is being proposed for implementation before occupancy of 500 El Camino Real, to limit any confusion or uncertainty about the future plans for El Camino Real, but after construction is substantially complete to limit parking by construction workers in nearby residential areas.

Between the southerly driveway of 700 El Camino Real and Middle Avenue, there are approximately eight parking spaces. Between Middle Avenue and Cambridge Avenue, there is currently about 500 feet of no parking area and approximately 25 parking spaces. Between Cambridge Avenue and the Menlo Park/Palo Alto city limit, there is about 150 feet of no parking area and approximately 34 parking spaces. Because the Middle Plaza at 500 El Camino Real project will provide on-site parking (underground parking structures and surface parking areas) for its residents, office workers and retail customers, removing these parking spaces would not impact Middle Plaza’s parking needs. The Stanford Park Hotel provides surface parking areas for its workers and hotel patrons and, consequently, removing the parking spaces between Cambridge Avenue and the Menlo Park/Palo Alto city limit would not impact the Hotel’s parking needs.

Complete Streets Commission feedback

Staff presented the proposed parking removal for El Camino Real to the Complete Streets Commission at their January 2022 meeting. At the meeting, several public speakers from Stanford Park Hotel spoke about the concerns of the parking removal in front of the hotel because buses with guests use that area to load and unload due to difficulty in maneuvering in their parking lot. Hotel staff indicated that buses also occasionally park overnight on El Camino Real.

One speaker raised concerns about the lack of permit parking enforcement in the Allied Arts neighborhood, noting that removal of parking would exacerbate the conditions.

The Commission discussed concerns about how the parking removal on the west side of El Camino would impact the small businesses located between Middle Avenue and College Avenue. After discussing the current parking usage and potential parking options for customers for the small businesses, the Commission voted to approve the parking removal (7-0-0-2, with Commissioners Cole and King absent) and directed staff to explore shared parking opportunities such as the Safeway parking lot, consider parking wayfinding signs, timed parking limits on College Avenue and observe the existing parking conditions for El Camino Real near the small businesses.

Following the Complete Streets Commission, staff looked into the parking options for the west side of El Camino Real. Because shared parking opportunities at existing lots would require a longer timeframe to implement and are dependent on the consent of other parties, staff focused on on-street parking options. There are currently four businesses/properties on the affected block that rely primarily on street parking for their customers (a hair salon, a bicycle store, a dessert store and a home technology store.) The other businesses (a gas station, shipping store, a dessert shop and a martial art school) have dedicated parking on-site. Table 1 summarizes the parking availability in the area.

Table 1: Available parking supply		
Location	Type	Number of spaces
El Camino Real	One hour parking	8
North side of College Avenue ¹	One hour parking	1 to 2
South side of College Avenue ²	Unrestricted	6 to 7

1. Parking west of the first block (Alto Lane) is restricted by residential permit
 2. Parking west of approximately 160 feet from El Camino Real is restricted by residential permit

In January 2022, staff conducted parking observations on two different days in the morning and afternoon in this area and observed that the parking on El Camino Real was not heavily utilized. It is expected that parking demand is likely lower due to the ongoing COVID-19 pandemic. Staff also reviewed the Google

Street View history of the parking occupancy on El Camino Real. There were 19 instances of the parking recorded between March 2009 and October 2021, although the day of week and time of day are not documented. The highest parking occupancy was seven spaces in October 2016 with most observations ranging from three to five vehicles. Staff observations for the unrestricted parking on College Avenue in January 2022 found that there were four to five vehicles parked and that they were mostly the same vehicles in the morning and afternoon indicating that vehicles were parked there for multiple hours. This on-street parking is adjacent to a townhouse development that has individual garages for each unit. Staff recommends signing all parking on both sides of the first block of College Avenue as one-hour parking between 9 a.m. and 6 p.m. Monday through Friday except holidays (consistent with other time limited parking in the city) to encourage parking turnover and provide parking availability for customers of the local businesses to use during the day.

Subsequent to the Complete Street Commission meeting, staff received correspondence from two property owners and one of the tenants located on El Camino Real between Middle Avenue and College Avenue concerned about the removal of parking in front of their properties and the effects it would have on their business and future tenants. Staff met with business owners and shared the proposal to convert on-street parking available on College Avenue to one-hour parking to match the existing time limits on El Camino Real and to encourage parking turnover. Staff acknowledges that the proposed parking on College Avenue is not as convenient, but does provide an alternative parking that is less than a block away.

The Middle Plaza development also has a planned 26-foot wide connection at the rear of their site with the Stanford Park Hotel (Attachment E.) Staff believes that this new connection would provide the capability for buses to circulate within the hotel parking lot and exit their site without needing to load and unload on El Camino Real. Staff has been in contact with the Stanford Park Hotel and the Middle Plaza representatives to address this issue.

Impact on City Resources

The parking restriction (i.e., no parking signs and/or red curb painting) on the west side of El Camino Real between Middle Avenue and College Avenue would be installed by Stanford University at its expense. The no parking restriction on the east side of El Camino Real between the southerly driveway of 700 El Camino Real and the Menlo Park/Palo Alto city limit and the timed parking restriction on College Avenue would be installed by the City. Funding for this work would be implemented through the annual signage and striping program.

Environmental Review

The proposed installation of the parking restrictions on El Camino Real and timed-parking restrictions on College Avenue is categorically exempt under California Environmental Quality Act Article 19, § 15301 Existing Facilities - Class 1. Class 1 allows for minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Postcards were also mailed to property owners and businesses located within of 500-foot radius of the project location. In addition, posters with the meeting information were placed on A-frames along the west side of El Camino Real between Middle Avenue and College Avenue and on College Avenue.

Attachments

- A. Resolution
- B. Hyperlink – City of Menlo Park Transportation Master Plan:
beta.menlopark.org/Government/Departments/Public-Works/Transportation-Division/Transportation-plans/Transportation-Master-Plan
- C. Existing striped median island with flexible vertical posts on El Camino Real
- D. Excerpt from off-site pavement delineation and sign plan – 500 El Camino Real Project
- E. Excerpt from on-site signage and striping plan – 500 El Camino Real Project

Report prepared by:

Kristiann Choy, Senior Transportation Engineer

Report reviewed by:

Hugh Louch, Assistant Public Works Director - Transportation

RESOLUTION NO. XXXX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE INSTALLATION OF NO PARKING ZONES ON A
PORTION OF EL CAMINO REAL AND TIME LIMITED PARKING ON A
PORTION OF COLLEGE AVENUE**

WHEREAS, on September 26, 2017, the City Council approved a development agreement with Stanford University for the Middle Plaza at 500 El Camino Real development; and,

WHEREAS, the conditions of approval for the Middle Plaza at 500 El Camino Real include modifying the El Camino Real and Middle Avenue intersection to add a crosswalk on the south leg; and,

WHEREAS, Stanford University has developed a design for the El Camino Real and Middle Avenue intersection that includes a new crosswalk on the south leg and the addition of a two-foot raised median to improve pedestrian safety and accessibility; and,

WHEREAS, the 2016 El Camino Real Corridor study identified enhanced pedestrian safety and crossings and bicycle lanes on El Camino Real as a preferred study alternative; and,

WHEREAS, the Transportation Master Plan identified buffered bicycle lanes on El Camino Real through the city as a Tier 1 project; and,

WHEREAS, the width of El Camino Real does not provide adequate space for the existing travel lanes, new median and parking; and,

WHEREAS, an alternative short term parking location for the businesses on the west side of El Camino Real was identified on College Avenue; and,

WHEREAS, California Vehicle Code Sections 22506 and 22507 and Menlo Park Municipal Code Section 11.24 authorizes the City Council to establish by resolution restrictions on parking on local streets and state highways in Menlo Park as necessary; and,

WHEREAS, 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.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Menlo Park does hereby authorize the following as illustrated, attached hereto and incorporated herein by this reference as Exhibit A:

1. No parking zone on the east side of El Camino Real from the southerly driveway of 700 El Camino Real and Menlo Park/Palo Alto city limit.
2. No parking zone on the west side from Middle Avenue to College Avenue.
3. One-hour time limit parking between 9 AM and 6 PM Monday to Friday except Holidays on the south side of College Avenue from El Camino Real to approximately 160 feet westerly.
4. Update existing one-hour time limit parking on the north side of College Avenue to between 9 AM and 6 PM Monday to Friday except Holidays from the end of the existing no parking area to approximately 50 feet westerly.

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 first day of March, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

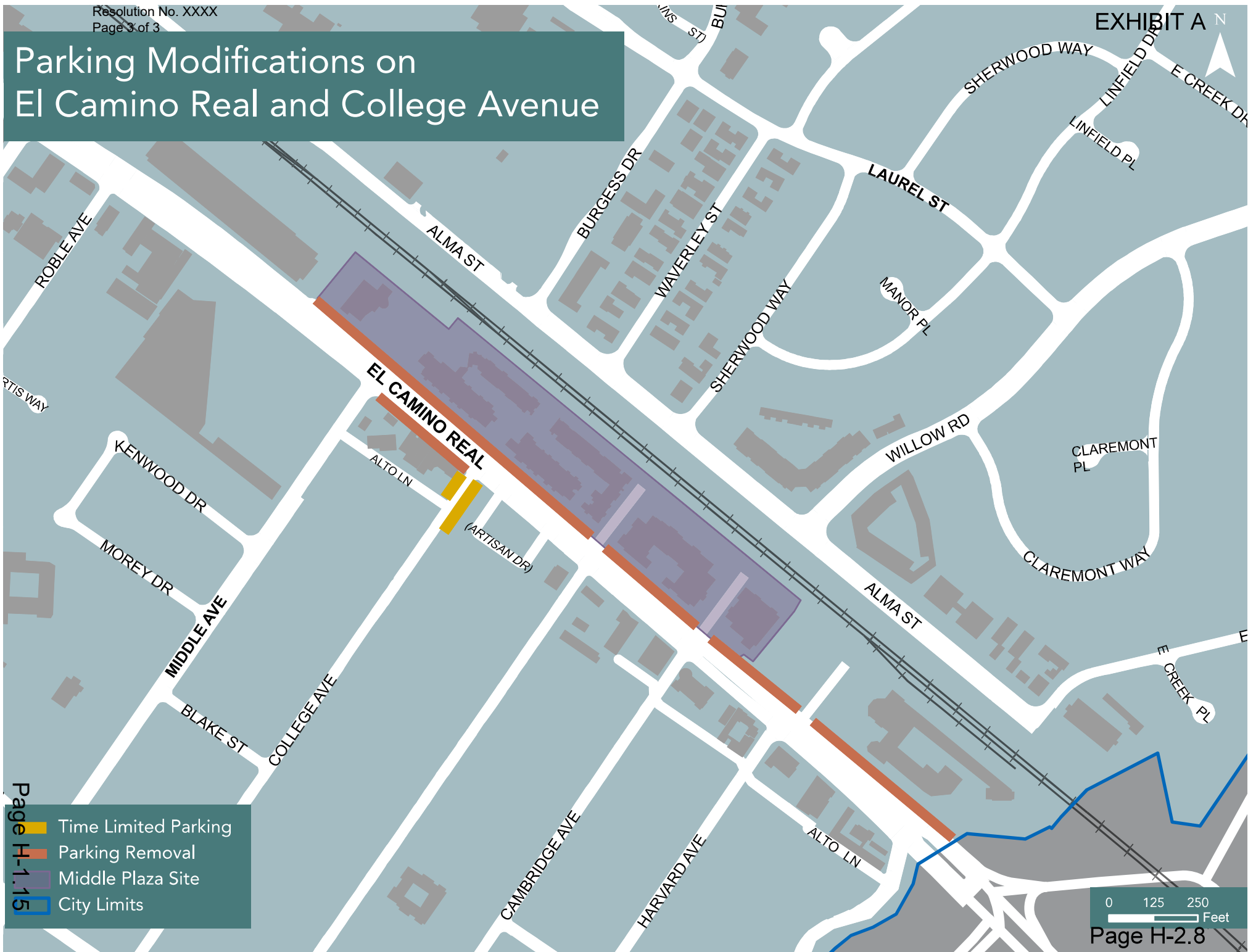
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ___ day of March, 2022

Judi A. Herren, City Clerk

Exhibits

A. Parking modifications on El Camino Real and College Avenue

Parking Modifications on El Camino Real and College Avenue



- Time Limited Parking
- Parking Removal
- Middle Plaza Site
- City Limits

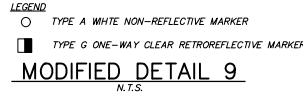
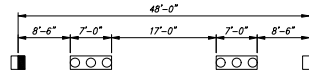


EXISTING STRIPED MEDIAN ISLAND WITH FLEXIBLE VERTICAL POSTS

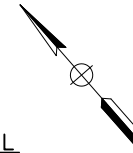
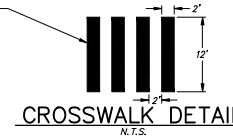
NOTE:
FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

GENERAL NOTES

1. CONTRACTOR SHALL REMOVE ALL STRIPING/MARKINGS THAT CONFLICT WITH THE PROPOSED STRIPING/MARKINGS IN THESE PLANS.
2. STRIPING, SIGNS, AND METHODS AND MATERIALS SHALL ADHERE TO SECTION 2,3 AND 9 OF THE 2014 CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (CAMUTCD).
3. STRIPING SHALL BE THERMOPLASTIC.



CONTINENTAL CROSSWALK PER CALTRANS STANDARD PLAN A24F.

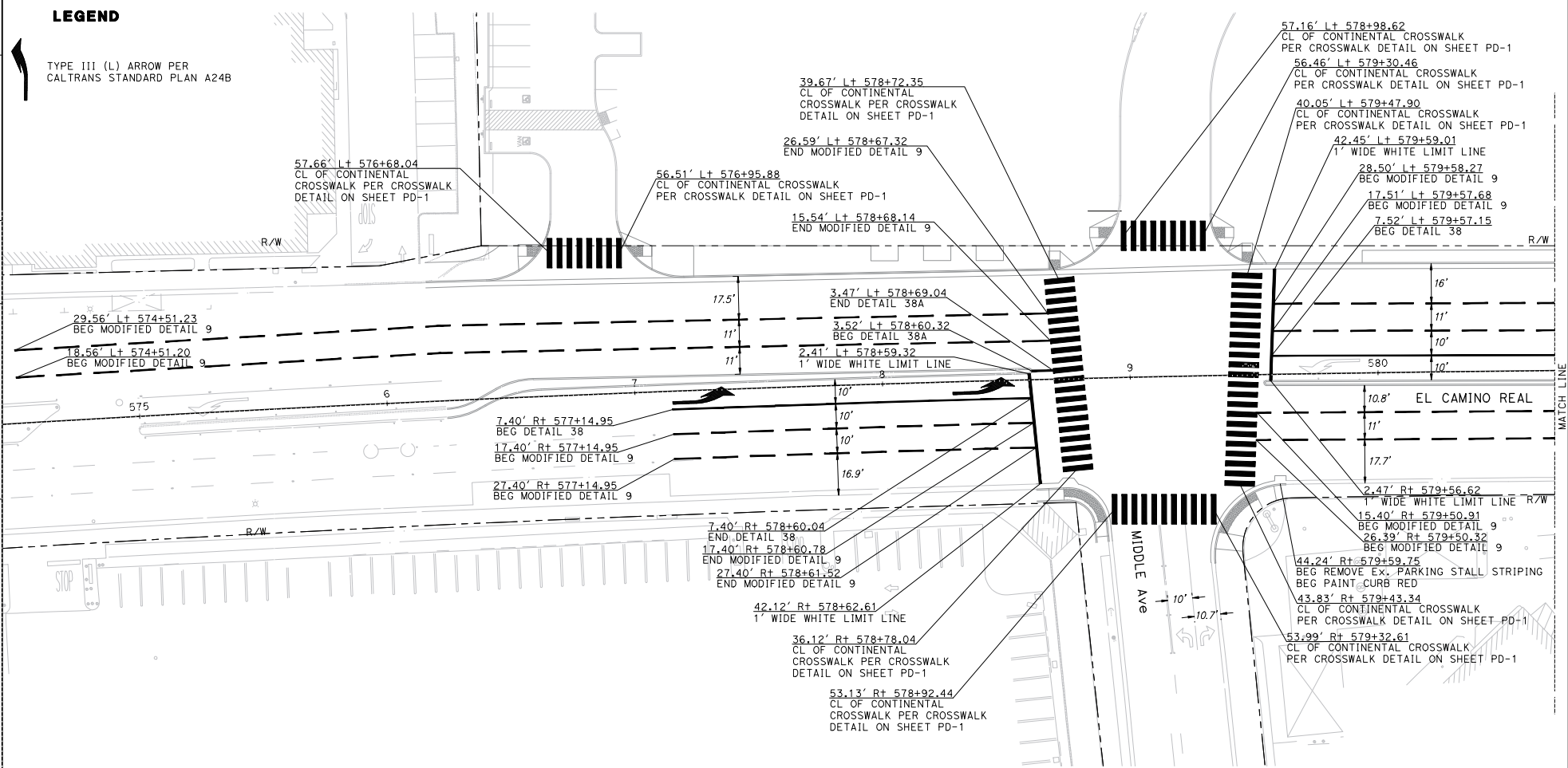


DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	SM	82	0	43	81

04-29-19
REGISTERED CIVIL ENGINEER DATE CHAD J. BROWNING
PLANS APPROVAL DATE No. 68315
Encl. 09-30-19
CIVIL
STATE OF CALIFORNIA

SANDIS CIVIL ENGINEERING & ARCHITECTURE
10000 Santa Ana Blvd, Suite 200, Santa Ana, CA 92705
Tel: 714.261.1111 Fax: 714.261.1112

REVISIONS: 7/2010
DESIGNED BY: JACOB EDWARDS
CHECKED BY: RONALD SANZO
SUPERVISOR: [Blank]
DEPARTMENT OF TRANSPORTATION
CALIFORNIA
CALTRANS



PAVEMENT DELINEATION AND SIGN PLAN
SCALE: 1"=20'
PD-1

LAST REVISION DATE PLOTTED => 26-Apr-2019 10-19-18 TIME PLOTTED => 14:55

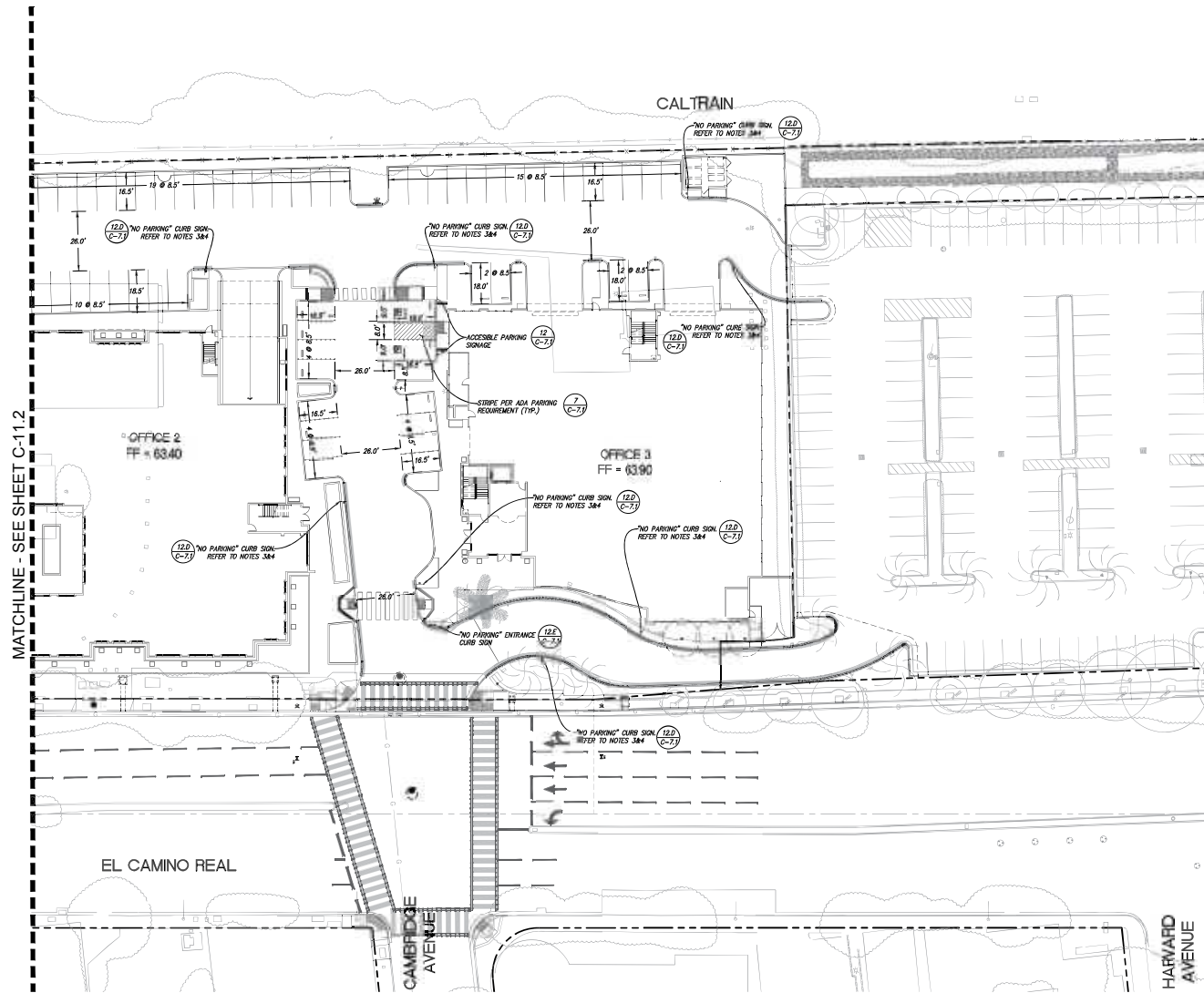


LEGEND

RED PAINTED CURB MARKED
FIRE LANE - NO PARKING REFER TO NOTE 2

NOTE

1. ALL SIGNAGE AND RED CURB PAINTING PERTAINING TO RESTRICTED PARKING ON FIRE LANES SHALL COMPLY WITH THE GUIDELINES INDICATED IN THE MFD FIRE DEPARTMENT ACCESS INFORMATION PACKET.
2. ALL CURBS AND ADJOINING FIRE LANES OR POSTED AREAS MUST BE PAINTED RED AND LABELED IN WHITE WITH THE WORDS "FIRE LANE - NO PARKING", WHICH ARE CLEARLY VISIBLE FROM A VEHICLE.
3. PRIVATE RESIDENTIAL: SIGNS MARKING FIRE LANES ARE TO BE SPACED SO THEY CAN EASILY BE READ FROM ONE SIGN TO ANOTHER, BUT IN NO CASE SHALL THE SIGNS BE MORE THAN 100 FEET APART.
4. PRIVATE COMMERCIAL: SIGNS ARE REQUIRED WITHIN THREE (3) FEET OF EACH END OF CURBED AREA AND SPACED A MAXIMUM OF FIFTY (50) FEET APART INDICATED. IN ADDITION, ONE (1) SIGN IS REQUIRED FOR EACH SIGN ADJACENT TO A FIRE LANE OR ACCESS ROAD IF THE ROAD WIDTH IS LESS THAN 26 FEET.
5. SIGNS ARE TO FACE ON-COMING VEHICULAR TRAFFIC.
6. ALL CURBS AND SIGNS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.
7. ALL CURBS LOCATED WITHIN THE COMPLEX THAT HAS NOT BEEN ASSIGNED AS ONSITE PARKING SHALL BE DESIGNATED AS "NO PARKING FIRE LANE". ALL LANES TO COMPLY WITH MFD STANDARDS FOR "SIGNAGE AND MARKING OF FIRE LANE".
8. ALL SIGNS MUST CONFORM TO MENDO PARK FIRE PROTECTION DISTRICT GUIDELINES.



MATCHLINE - SEE SHEET C-11.2

Page H-1-19

STRIPING AND SIGNAGE PLAN

MIDDLE PLAZA AT 500 EL CAMINO REAL

ONSITE PLANS

MENLO PARK

CALIFORNIA

SHEET
C-11.3



CIVIL ENGINEER
SEbastien
PLANNERS

DATE: 04-29-2019
SCALE: 1"=20'
DRAWN BY: DS
CHECKED BY: DS
DATE: APRIL 29, 2019

NO. 08215
DATE: 04/29/19

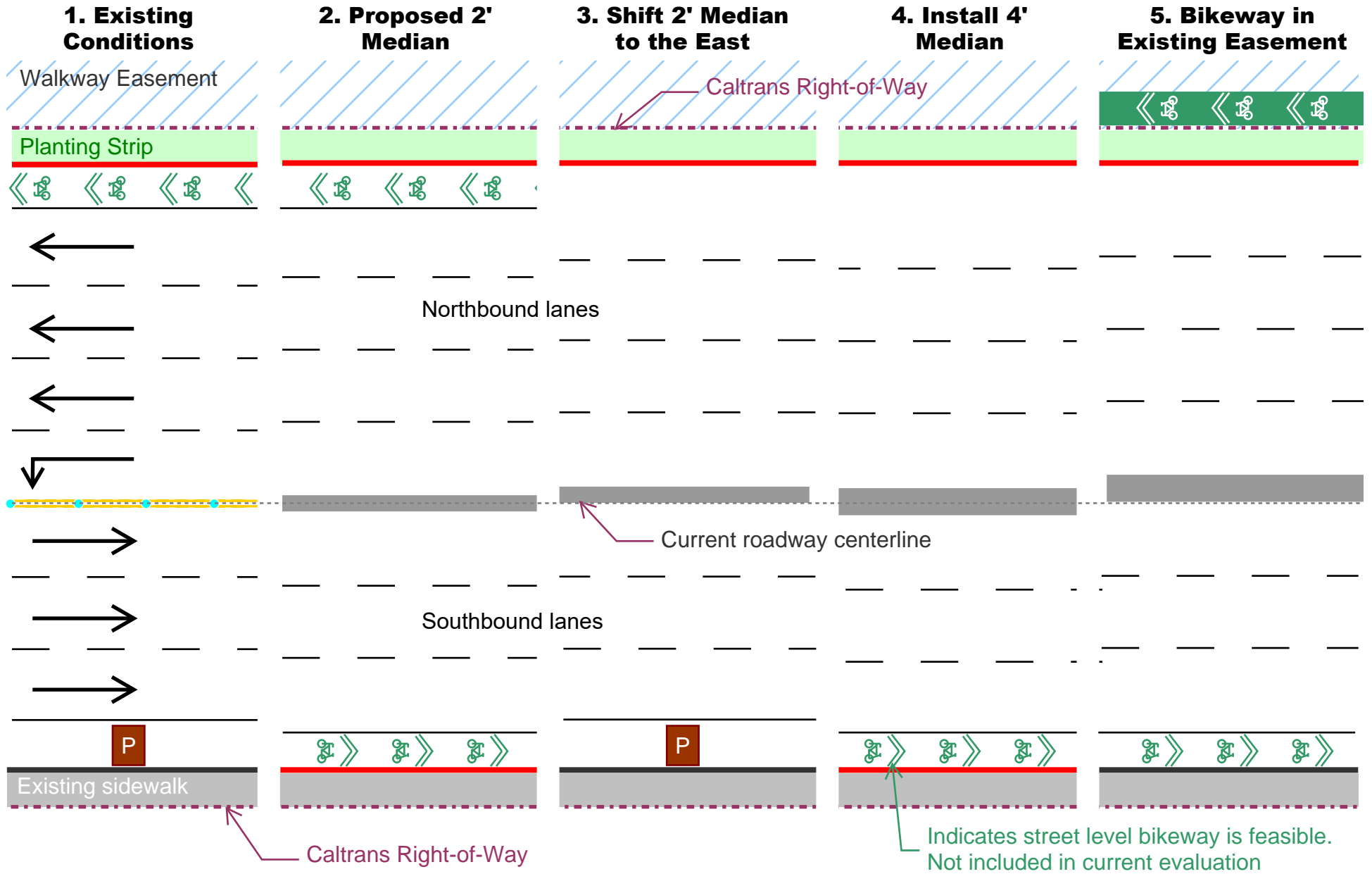
No.	REVISION/ISSUE	DATE	BY
1	SITE IMPROVEMENT RESUBMITTAL	10/01/18	SP
2	ASIS RESUBMITTAL	11/05/18	DS
3	SITE IMPROVEMENT RESUBMITTAL	02/15/19	SP
4	SITE IMPROVEMENT RESUBMITTAL	04/16/19	EE
5	SITE IMPROVEMENT RESUBMITTAL	04/29/19	DS

212167

CHAD J. BROWN
P.E. NO. 68315, EXPIRES 6-30-19

212167

MIDDLE PLAZA



Note: illustration only, dimensions vary along the block from Middle Avenue to College Avenue

Potential Alternate Median Treatment (Glenwood Avenue at Caltrain Tracks)



Small median island only at the intersection

More closely spaced and raised posts

Striping narrows further from intersection



PARKING RESTRICTIONS ON A PORTION OF EL CAMINO REAL AND COLLEGE AVENUE

City Council Meeting: March 8, 2022

ANNE HOGAN FAMILY
CLASSICAL



AGENDA

- Background
- City Council questions
- Options for City Council action





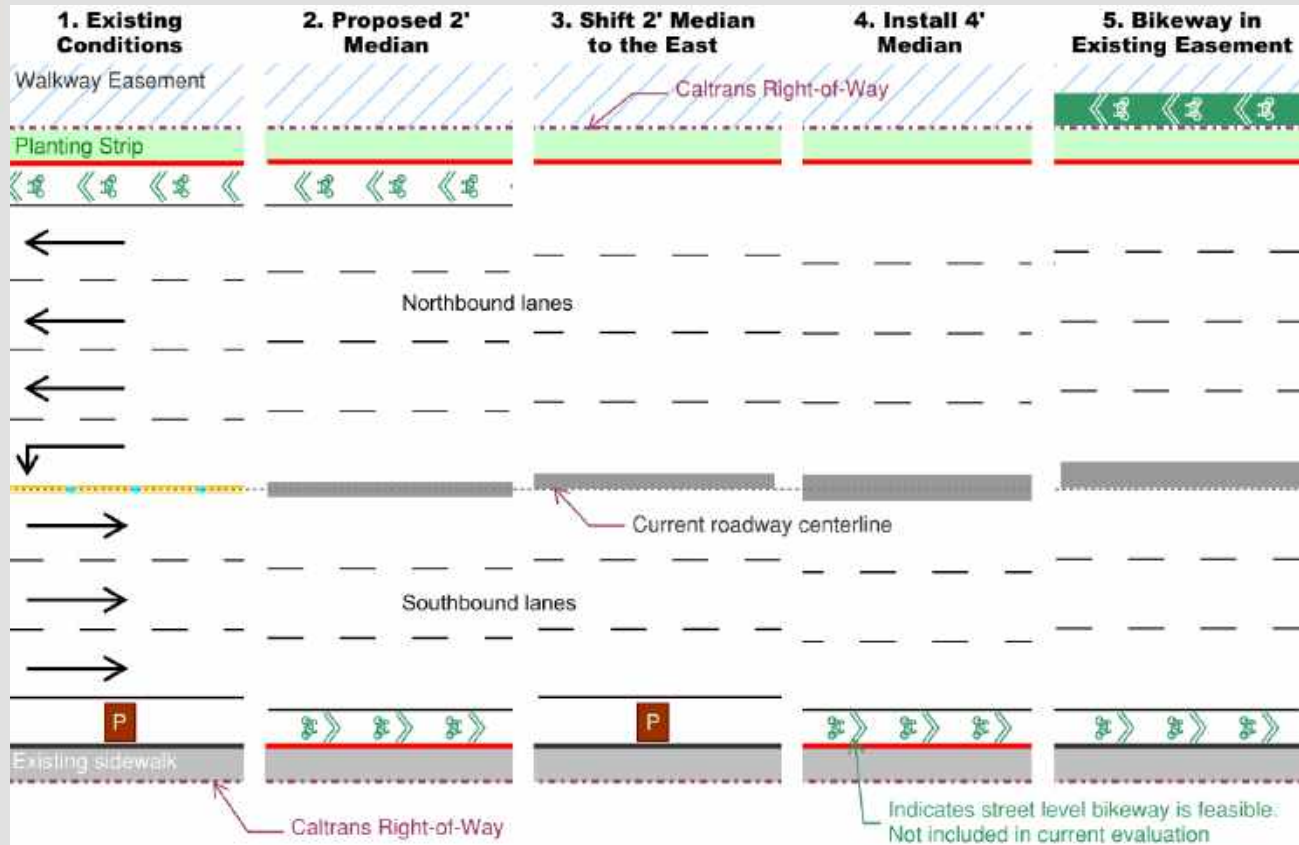
BACKGROUND

- Middle Plaza development includes several street improvements as a condition of approval
 - New turn lane to access Middle Plaza
 - Signal upgrades
 - New crosswalk on south side of intersection
 - New 10-foot sidewalk on an easement from Stanford
- Middle Avenue is the only El Camino intersection without a median today
- Construction at the El Camino Real/Middle Avenue intersection is imminent



QUESTIONS FROM MARCH 1 MEETING

- Can the median be shifted east towards Middle Plaza?
- Can the sidewalk in front of Middle Plaza development be redesigned to provide a separated bikeway at sidewalk level?
- Is a wider median possible?



Note: illustration only, dimensions vary along the block from Middle Avenue to College Avenue





Feasible Short Term

Needs Long Term Planning



Caltrans Right-of-Way

Indicates street level bikeway is feasible. Not included in current evaluation

Note: illustration only. dimensions vary along the block from Middle Avenue to College Avenue.





FEASIBLE SHORT TERM MEDIAN OPTIONS

- Option 1 – Install 2-foot median, remove parking now
- Option 2a – Retain existing striping/post median, retain parking
- Option 2b – Option 2 + explore median enhancements
- All options assume parking removal on the east side of El Camino Real





COUNCIL ACTION(S)

Potential Action	Rationale
Remove parking on east side of El Camino Real in front of Middle Plaza and Stanford Park Hotel (67 spaces)	Remove parking before occupancy of Middle Plaza
Remove parking on west side of El Camino Real between Middle & College Avenues	Install 2-foot wide median in short term
Convert parking on first block of College Avenue to 1-hour parking	Provide customer parking for local businesses



THANK YOU



STAFF REPORT

City Council

Meeting Date:

3/8/2022

Staff Report Number:

22-041-CC

Informational Item:

City Council agenda topics: March 22 – April 12, 2022

Recommendation

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

Policy Issues

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

Analysis

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through April 12, 2022. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

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. City Council agenda topics: March 22 – April 12, 2022

Report prepared by:

Judi A. Herren, City Clerk

Tentative City Council Agenda

#	Title	Department	Item type	City Council action
1	FY 2022-23 Budget Principles, Revenue & Expense Assumptions	ASD	Regular	Approve
2	Housing Element budget amendment and ARPA	ASD	Regular	Approve
3	Master Fee Schedule update effective July 1, 2022	ASD	Public Hearing	Adopt resolution
4	Approve funding for 335 Pierce Rd	CDD	Regular	Approve
5	Authorize the city manager to enter into a contract prepare an environmental impact report for 1005 O'Brien/1320 Willow	CDD	Consent	Contract award or amend
6	Authorize the City Manager to execute a scope and fee amendment to an agreement with the M-Group for the Housing Element Update	CDD	Consent	Approve
7	Clarification on zoning changes from City Council	CDD	Regular	Direction to staff
8	Consider and adopt a resolution approving the Water Supply Assessment for the 164 Jefferson Dr. project	CDD	Regular	Adopt resolution
9	Housing Element Annual Progress Report (APR)	CDD	Consent	Approve
10	Willow Village Community Amenities Review	CDD	Study Session	Direction to staff
11	CAP Progress Report and Next Steps	CMO	Regular	Direction to staff
12	BlocPower Partnership	CMO	Study Session	Direction to staff
13	Adopt a resolution (1) amending City Council Policy CC-22-004 Commissions/Committees Policies and Procedures, Roles and Responsibilities to update the Complete Streets Commission members and (2) update the application and selection process	CMO	Consent	Approve
14	Adopt a resolution authorizing the annual destruction of obsolete records	CMO	Consent	Adopt resolution
15	Adopt Community Amenity Implementing Regulations and Updated Amenities List	CMO	Regular	Adopt resolution
16	Adopt Resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public	CMO	Consent	Adopt resolution
17	on Climate Action Plan Science Based Targets	CMO	Consent	Adopt resolution
18	Consider matching Peninsula Clean Energy's electric vehicle charging incentive for existing multi-unit properties in Menlo Park to support Climate Action Plan strategy goal no. 3 – increase access to electric vehicle charging	CMO	Regular	Approve
19	April as National Poetry Month	CMO	Proclamation	No action
20	Receive and file City Council and advisory body annual attendance report for March 2021 – February 2022	CMO	Informational	Receive and file
21	Reach Codes 2.0	CMO	Study Session	Direction to staff
22	Authorize CM to amend Belle Haven School joint-use agreement - community access to school field	LCS	Consent	Contract award or amend
23	Receive and file the Parks and Recreation Commission's work plan	LCS	Consent	Receive and file
24	Introduce ordinance in compliance with AB 481	PD	Regular	Decide
25	Approve concept design for Willow Oaks and Burgess Park improvements	PW	Regular	Approve
26	Automated water meter reading project agreement	PW	Regular	Approve
27	Waive the second reading and adopt an ordinance to update water conservation requirements	PW	Consent	Adopt ordinance