



REGULAR MEETING AGENDA

Date: 4/26/2022
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. Presentations and Proclamations

D1. Proclamation: Earth Day

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. Advisory Body Vacancies and Appointments

F1. Consider applicants and make appointments to fill vacancies on the various City advisory bodies ([Staff Report #22-075-CC](#))

G. Study Session

G1. Provide direction on pedestrian and bicycle pilot improvements to be included in the Ravenswood Avenue resurfacing project ([Staff Report #22-076-CC](#)) ([Presentation](#))

H. Consent Calendar

H1. Accept the City Council meeting minutes for April 6, 2022 ([Attachment](#))

H2. Adopt a resolution to continue conducting the City’s Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings ([Staff Report #22-077-CC](#))

H3. Adopt a resolution approving the 2021 amended water supply agreement with the City and County of San Francisco; and adopt a resolution approving a minimum purchase transfer from the City of Mountain View to the City of East Palo Alto ([Staff Report #22-078-CC](#))

H4. Adopt fiscal year 2022-23 budget principles and confirm direction on potential service level enhancements and the capital improvement program ([Staff Report #22-079-CC](#))

I. Regular Business

I1. Assembly Bill 481 Compliance – police department acquisition and use – military equipment ordinance introduction and Use Policy ([Staff Report #22-074-CC](#))

- I2. Adopt a resolution affirming the Independent Redistricting Commission's Redistricting Plan and the new City Council district boundaries set forth in Map 131.1 as adopted by the Independent Redistricting Commission ([Staff Report #22-080-CC](#))

J. Informational Items

- J1. City Council agenda topics: May 2022 ([Staff Report #22-081-CC](#))
- J2. Short term rental compliance update ([Staff Report #22-082-CC](#))

K. City Manager's Report

L. City Councilmember Reports

- L1. Direction on drafting a policy to sunset unused capacity from tax measures ([Staff Report #22-083-CC](#))

M. Closed Session

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: (two potential cases)

N. 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: 4/21/2022)



STAFF REPORT

City Council

Meeting Date: 4/26/2022

Staff Report Number: 22-074-CC

Advisory Body Vacancies Consider applicants and make appointments to fill vacancies on various advisory bodies

Recommendation

Staff recommends the City Council consider applicants for appointment to vacant or expired term seats on the following advisory bodies:

- Complete Streets Commission (CSC)
- Environmental Quality Commission (EQC)
- Finance and Audit Committee (FAC)
- Housing Commission (HC)
- Library Commission (LC)
- Parks and Recreation Commission (PRC)
- Planning Commission (PC)

Policy Issues

City Council Policy CC-22-004 (Attachment A) establishes the policies, procedures, roles and responsibilities for the City's appointed advisory bodies, including the manner in which members are selected.

Background

Annually, staff conducts a recruitment to fill advisory body vacancies that exist due to expiring terms, members terming out or unexpected vacancies (e.g., resignations.) The recruitment period typically involves a 1-2 month period of advertisements and announcements. Incumbent members who were not terming out were informed of their ability to apply for reappointment. Incumbent members who were terming out were informed of their ability to apply for a different advisory body.

Following City Council's appointment, the city clerk's office provides onboarding and orientation for the new members. This includes the oath of office, commissioner handbook, introduction of advisory body liaison staff, Form 700 Statement of Economic Interests filing (if applicable) and Brown Act training. For appointments made annually in April, the city clerk's office coordinates with the city attorney's office to provide this training jointly in May of each year. Training includes ethics, Brown Act and Public Record Act Request.

The city clerk's office regularly reviews all agendas and minutes, tracks attendance (Attachment B) and serves as the principal staff contact for all advisory body members. The City has designated staff to act as a subject matter expert and serves as a liaison between the advisory body and the City Council

Analysis

Pursuant to City Council Policy CC-22-0004, members must be residents of the City of Menlo Park and serve for designated terms of four years, or through the completion of an unexpired term or as otherwise designated. Residency for all applicants has been verified by the city clerk's office. In addition, the City Council's policy states the selection/appointment process by the City Council shall be conducted open to the public. Nominations will be made and a vote will be called for each nomination in the order received. Applicants receiving the highest number of affirmative votes from a majority of the City Council present shall be appointed. The number of votes for each City Councilmember is limited to the number of vacancies.

Appointments will be for 4-year terms expiring April 30, 2026, except for:

- Two FAC appointment (designed to be 2-year terms) expiring April 30, 2024.
- Two EQC appoints to fill unexpired term ending April 30, 2023 and April 30, 2024.
- One HC appointment to fill unexpired terms ending April 30, 2025.

Note, all applications will be provided to the City Council under separate cover and are also available for public viewing at the city clerk's office during regular business hours or by request (Attachment C.) The City Council also has the opportunity to ask applicants if they would consider appointments to an alternate commission. Attachment D lists all applicants including their residency District and Attachment E lists currently seated members and their residency District. These appointments can be made by the City Council at this meeting.

The City received the following applicants, presented by advisory body and listed in alphabetical order by last name.

Complete Streets Commission – four vacancies:

- Sally Cole
- Michael DeMoss (also applied for EQC, FAC, HC, LC, PRC and PC)
- Christopher Kollmann (also applied for EQC)

Environmental Quality Commission – four vacancies:

- Michael DeMoss (also applied for CSC, FAC, HC, LC, PRC and PC)
- John Emery
- Tom Kabat
- Christopher Kollmann (also applied for CSC)
- Nancy Larocca Hedley
- Jeffrey Lin (also applied for PRC)
- John McKenna
- Michael Meyer (also applied for PC)
- Nabil Saad
- Jeff Schmidt

Finance and Audit Committee – two vacancies:

- Michael DeMoss (also applied for CSC, EQC, HC, LC, PRC and PC)

Housing Commission – two vacancies:

- Michal Bortnik
- Jackelyn Campos
- Michael DeMoss (also applied for CSC, EQC, FAC, LC, PRC and PC)
- Karen Grove
- Brian Kissel (also applied for PRC)
- Adriana Walker

Library Commission – two vacancies:

- Alan Cohen
- Michael DeMoss (also applied for CSC, EQC, FAC, HC, PRC and PC)
- Sarah Zasslow (also applied for PRC)

Parks and Recreation Commission – one vacancy:

- Michael DeMoss (also applied for CSC, EQC, FAC, HC, LC and PC)
- Brian Kissel (also applied for HC)
- Jeffrey Lin (also applied for EQC)
- Roger Royse
- Kelsey Theriault
- Sarah Zasslow (also applied for LC)

Planning Commission – two vacancies:

- Dan Do Linh
- Michael DeMoss (also applied for CSC, EQC, FAC, HC, LC and PRC)
- Camille Kennedy
- Michael Meyer (also applied for EQC)
- David Thomas

Impact on City Resources

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

Public Notice

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

Attachments

- A. City Council Policy CC-22-004
- B. Hyperlink – March 22 City Council attendance Staff Report #22-054-CC (page 436):
beta.menlopark.org/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/agendas/20220322-city-council-agenda-packet.pdf
- C. Applications
- D. Applications by District
- E. Current advisory body members by District

Staff Report #: 22-075-CC

Report prepared by:
Judi A. Herren, City Clerk

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-22-004
 Adopted March 8, 2022
 Resolution No. 6718



Purpose
To define policies and procedures and roles and responsibilities for Menlo Park appointed commissions and committees.
Authority
Upon its original adoption, this policy replaced the document known as “Organization of Advisory Commissions of the City of Menlo Park.”
Background
<p>The City of Menlo Park currently has eight active Commissions and Committees. The active advisory bodies are: Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, and Planning Commission. Those not specified in the City Code are established by City Council ordinance or resolution. Most of these advisory bodies are established in accordance with Resolution 2801 and its amendments. Within specific areas of responsibility, each advisory body has a primary role of advising the City Council on policy matters or reviewing specific issues and carrying out assignments as directed by the City Council or prescribed by law.</p> <p>Seven of the eight commissions and committees listed above are advisory in nature. The Planning Commission is both advisory and regulatory and organized according to the City Code (Ch. 2.12) and State statute (Government Code 65100 et seq., 65300-65401).</p> <p>The City has an adopted Anti-Harassment and Non-Discrimination Policy (CC-95-001), and a Travel and Expense Policy (CC-91-002), which are also applicable to all advisory bodies.</p>
Policies and Procedures
<p><u>Relationship to City Council, staff and media</u></p> <ul style="list-style-type: none"> • Upon referral by the City Council, the commission/committee shall study referred matters and return their recommendations and advise to the City Council. With each such referral, the City Council may authorize the City staff to provide certain designated services to aid in the study. • Upon its own initiative, the commission/committee shall identify and raise issues to the City Council’s attention and from time to time explore pertinent matters and make recommendations to the City Council. • At a request of a member of the public, the commission/committee may consider appeals from City actions or inactions in pertinent areas and, if deemed appropriate, report and make recommendations to the City Council. • Each commission/committee is required to develop an annual work plan which will be the foundation for the work performed by the advisory body in support of City Council annual work plan. The plan, once finalized by a majority of the commission/committee, will be formally presented to the City Council for direction and approval no later than September 30 of each year and then reported out on by a representative of the advisory body at a regularly scheduled City Council meeting at least annually, but recommended twice a year. The proposed work plan must align with the City Council’s adopted work plan. When modified, the work plan must be taken to the City Council for approval. The Planning Commission is exempt from this requirement as its functions are governed by the Menlo Park municipal code (Chapter 2.12) and State law (Government Code 65100 et seq, 65300-65401). • Commissions and committees shall not become involved in the administrative or operational matters of City departments. Members may not direct staff to initiate major programs, conduct large studies or establish department policy. City staff assigned to furnish staff services shall be available to provide general staff assistance, such as preparation of agenda/notice materials and minutes, general review of department programs and activities, and to perform limited studies, program reviews, and other services of a general staff nature. Commissions/Committees may not establish department work programs or determine department program priorities. The responsibility for setting policy and allocating scarce City resources rests with the City’s duly elected representatives, the City Council. • Additional or other staff support may be provided upon a formal request to the City Council. • The staff liaison shall act as the commission/committee’s lead representative to the media concerning matters before the commission/committee. Commission/Committee members should refer all media inquiries to their respective liaisons for response. Personal opinions and comments may be expressed so long as the commission/committee member clarifies that his or her statements do not represent the position of the City Council. • Commission/Committee members will have mandatory training every two years regarding the Brown Act and

parliamentary procedures, anti-harassment training, ethics training, and other training required by the City Council or State Law. The commission/committee members may have the opportunity for additional training, such as training for chair and vice chair. Failure to comply with the mandatory training will be reported to the City Council and may result in replacement of the member by the City Council.

- Requests from commission/committee member(s) determined by the staff liaison to take one hour or more of staff time to complete, must be directed by the City Council.

Role of City Council commission/committee liaison

City Councilmembers are assigned to serve in a liaison capacity with one or more city commission/committee. The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the City Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, City Councilmembers may elect to attend commission/committee meetings periodically to observe the activities of the advisory body or simply maintain communication with the commission/committee chair on a regular basis.

City Councilmembers should be sensitive to the fact that they are not participating members of the commission/committee, but are there rather to create a linkage between the City Council and commission/committee. In interacting with commissions/committee, City Councilmembers are to reflect the views of the City Council as a body. Being a commission/committee liaison bestows no special right with respect to commission/committee business.

Typically, assignments to commission/committee liaison positions are made at the beginning of a City Council term in December. The Mayor will ask City Councilmembers which liaison assignments they desire and will submit recommendations to the full City Council regarding the various committees, boards, and commissions which City Councilmembers will represent as a liaison. In the rare instance where more than one City Councilmember wishes to be the appointed liaison to a particular commission, a vote of the City Council will be taken to confirm appointments.

City Staff Liaison

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

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

Recommendations, requests and reports

As needed, near the beginning of City Council meetings, there will be an item called "Commission/Committee Reports." At this time, commissions/committees may present recommendations or status reports and may request direction and support from the City Council. Such requests shall be communicated to the staff liaison in advance, including any written materials, so that they may be listed on the agenda and distributed with the agenda packet. The materials being

provided to the City Council must be approved by a majority of the commission/committee at a commission/committee meeting before submittal to the City Council. The City Council will receive such reports and recommendations and, after suitable study and discussion, respond or give direction.

City Council referrals

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

Public appearance of commission/committee members

When a commission/committee member appears in a non-official, non-representative capacity before the public, for example, at a City Council meeting, the member shall indicate that he or she is speaking only as an individual. This also applies when interacting with the media and on social media. If the commission/committee member appears as the representative of an applicant or a member of the public, the Political Reform Act may govern this appearance. In addition, in certain circumstances, due process considerations might apply to make a commission/committee member's appearance inappropriate. Conversely, when a member who is present at a City Council meeting is asked to address the City Council on a matter, the member should represent the viewpoint of the particular commission/committee as a whole (not a personal opinion).

Disbanding of advisory body

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

Meetings and officers

1. *Agendas/notices/minutes*

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

2. *Conduct and parliamentary procedures*

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

3. *Lack of a quorum*

- When a lack of a quorum exists at the start time of a meeting, those present will wait 15 minutes for additional members to arrive. If after 15 minutes a quorum is still not present, the meeting will be adjourned by the staff liaison due to lack of a quorum. Once the meeting is adjourned it cannot be reconvened.
- The public is not allowed to address those commissioners present during the 15 minutes the commission/committee is waiting for additional members to arrive.
- Staff can make announcements to the members during this time but must follow up with an email to all members of the body conveying the same information.
- All other items shall not be discussed with the members present as it is best to make the report when there is a quorum present.

4. *Meeting locations and dates*

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

The schedule of Commission/Committee meetings is as follows:

- Complete Streets Commission – Every second Wednesday at 7 p.m.
- Environmental Quality Commission – Every third Wednesday at 6:00 p.m.
- Finance and Audit Committee – Third Wednesday of every quarter at 5:30 p.m.,
- Housing Commission – Every first Wednesday at 6:30 p.m.
- Library Commission – Every third Monday at 6:30 p.m.
- Parks and Recreation Commission – Every fourth Wednesday at 6:30 p.m.
- Planning Commission – Twice a month at 7 p.m.

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

5. *Off-premises meeting participation*

While technology allows commission/committee members to participate in meetings from a location other than the meeting location (referred to as “off-premises”), off-premises participation is discouraged given the logistics required to ensure compliance with the Brown Act and experience with technological failures disrupting the meeting. In the event that a commission/committee member believes that his or her participation is essential to a meeting, the following shall apply:

- Any commission/committee member intending to participate from an off-premise location shall inform the staff liaison at least two weeks in advance of the meeting.
- The off-premise location must be identified in the notice and agenda of the meeting.
- Agendas must be posted at the off-premise location.
- The off-premise location must be accessible to the public and be ADA compliant.
- The commission/committee member participating at a duly noticed off-premises location does not count toward the quorum necessary to convene a meeting of the commission/committee.
- For any one meeting, no more than one commission/committee member may participate from an off-premise location.
- All votes must be by roll call.

6. *Selection of chair and vice chair*

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

G. Memberships

Appointments/Oaths

- The City Council is the appointing body for all commissions/committees. All members serve at the pleasure of the City Council for designated terms.
- All appointments and reappointments shall be made at a regularly scheduled City Council meeting, and require an affirmative vote of not less than a majority of the City Council present.
- Before taking office, all members must complete an Oath of Allegiance required by Article XX, §3, of the Constitution of the State of California. All oaths are administered by the city clerk or his/her designee.
- Appointments made during the middle of the term are for the unexpired portion of that term.

Application and selection process

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

Attendance

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

Compensation

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

Conflict of interest and disclosure requirements

- A Conflict of Interest Code has been updated and adopted by the City Council and the Community Development Agency pursuant to Government Code §87300 et seq. Copies of this Code are filed with the city clerk. Pursuant to the adopted Conflict of Interest Code, members serving on the Planning Commission are required to file a Statement of Economic Interest with the city clerk to disclose personal interest in investments, real property and income. This is done within 30 days of appointment and annually thereafter. A statement is also required within 30 days after leaving office.
- If a public official has a conflict of interest, the Political Reform Act may require the official to disqualify himself or herself from making or participating in a governmental decision, or using his or her official position to influence a governmental decision. Questions in this regard may be directed to the city attorney.
- In accordance with Resolution No. 6622, current and future members of the Complete Streets Commission and Housing Commission, are required to report any and all real property in Menlo Park for impacting land use, real property, and the housing element.

Qualifications, compositions, number

- In most cases, members shall be residents of the City of Menlo Park and at least 18 years of age.
- Current members of any other City commission/committee are disqualified for membership, unless the regulations for that advisory body permit concurrent membership. Commission/Committee members are strongly advised to serve out the entirety of the term of their current appointment before seeking appointment on another commission/committee.
- Commission/Committee members shall be permitted to retain membership while seeking any elective office. However, members shall not use the meetings, functions or activities of such bodies for purposes of campaigning for elective office.
- There shall be seven (7) members on each commission/committee with the exception of:
 - Complete Streets Commission – nine (9) members
 - Finance and Audit Committee – seven (7) members

Reappointments, resignations, removals

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

Term of office

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

Vacancies

- Vacancies are created due to term expirations, resignations, removals or death.
- Vacancies are listed on the City Council agenda and posted by the city clerk in the City Council Chambers bulletin board and on the city website.
- Whenever an unscheduled vacancy occurs in any commission/committee, a special vacancy notice shall be

posted within 20 days after the vacancy occurs. Appointment shall not be made for at least 10 working days after posting of the notice (Government Code 54974).

- On or before December 31 of each year, an appointment list of all regular advisory commissions/committees of the City Council shall be prepared by the city clerk and posted in the City Council Chambers bulletin board and on the City's website. This list is also available to the public. (Government Code 54972, Maddy Act).

Roles and Responsibilities

Complete Streets Commission

The Complete Streets Commission is charged primarily with advising the City Council on multi-modal transportation issues according to the goals and policies of the City's general plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City. The Complete Streets Commission's responsibilities would include:

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

Environmental Quality Commission

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

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

Finance and Audit Committee

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

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

Housing Commission

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

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

- The five most senior members of the Housing Commission also serve as the members of the Relocation Appeals Board (City Resolution 4290, adopted June 25, 1991).

Library Commission

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

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

Parks and Recreation Commission

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

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

Planning Commission

The Planning Commission is organized according to State Statute.

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

Special Advisory Bodies

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

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

Procedure history

Action	Date	Notes
Procedure adoption	1991	Resolution No. 3261
Procedure adoption	2001	
Procedure adoption	2011	
Procedure adoption	2013	Resolution No. 6169
Procedure adoption	2017	Resolution No. 6377

Procedure adoption	6/8/2021	Resolution No. 6631
Procedure adoption	3/1/2022	Resolution No. 6706
Procedure adoption	3/8/2022	Resolution No. 6718

Advisory body application



Submitted on date: 22 February 2022, 10:32PM

Receipt number: 3

Related form versions: 4

Applicant's full name (first and last) Sally Cole

Desired advisory body (check all that apply) Complete Streets Commission

Applicant interest, experience and qualifications

Education BA, Yale University
JD/MBA, Stanford University

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I served on the Menlo Park Heritage Tree Task Force, and for the past year I have been the Vice Chair of the Complete Streets Commission. Previously in my career, I served in city, state and federal government, including working for the CFO of the NY State Metropolitan Transportation Authority.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities To provide expertise and recommendations to the City Council on transportation matters, policy and strategy including traffic, safety, parking and planning.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member I think the Commission is doing an outstanding job working with Staff to support the City Council's priorities and encourage a holistic approach to transportation policy and planning that will benefit the city for years to come.

Contact and residency information

Email [REDACTED]

Cell phone [REDACTED]

Home phone [REDACTED]

Business phone [REDACTED]

Address 1 [REDACTED]

Address 2

City Menlo Park

State CA

Zip code 94025

Business address [REDACTED]

Number of years as a Menlo Park resident 10

Current City Council district

District 4

How did you hear about this opportunity (check all that apply)

Email

Local newspaper

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: No

Business phone: No

Home phone: No

Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge.

I agree

Signature



[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form version: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submission date: 23 March 2022, 2:14PM
Receipt number: 9
Related form version: 4

Applicant's full name (first and last) Christopher T Kollmann
Desired advisory body (check all that apply) Complete Streets Commission
Environmental Quality Commission

Applicant interest, experience and qualifications

Education Facility management AAS De Anza College
Environmental & sustainable controls and building AAS De Anza College

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees Menlo Park fire department READY ARC instructor

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal, community or professional experience relate to these responsibilities. It is clear that we need someone to be of service to the body in ways of organizing programs around bike safety, general road safety & overall climate change diversion plans within Menlo Park's vehicle road use. These responsibilities may include being an advocate to plans and work with teams to organize and communicate the needs of these plans appropriately. This may also require working within the org chart ensuring my responsibility's include gathering information and or creating statistics.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member. I am a go go go personality. I fill my free time with things that matter to me. Progressing climate change changes within the city of Menlo Park is a priority for me. Safety and accomadating safe travel areas for bikes, pedestrians and cars is an area I brainstorm all the time. I can see myself bringing new innovating ideas to the table along with structured communication between the different teams that handles projects within Menlo Park. I am eager to work within city governments to learn and gain knowledge about how we manage our city streets and the overall health and well-being of our communities

Contact and residency information

Email [REDACTED]

Cell phone [REDACTED]

Home phone [REDACTED]

Business phone [REDACTED]

Address 1 [REDACTED]

Address 2 [REDACTED]

City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	1
Current City Council District	District 3
How did you hear about this opportunity (check all that apply)	Nextdoor
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: Yes Business phone: Yes Home phone: Yes Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature



[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form version: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submission date: 3 March 2022, 11:19AM
Receipt number: 6
Related form version: 4

Applicant's full name (first and last) John S. Emery
Desired advisory body (check all that apply) Environmental Quality Commission

Applicant interest, experience and qualifications

Education BA from the University of Washington, Seattle, Associate in Risk Management Certification

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

My wife and I moved to Menlo Park to be close to our daughter and her family. I intend to become involved in issues of sustainability and children. We previously lived in Spokane and Seattle WA and Madison, WI. In those communities I have served on City Council Mayoral Sustainability Commissions, participated in and provided direction in community leadership programs, belonged to local Rotary Clubs, served on Boards of Directors for local and regional Boys & Girls Clubs and served on the community equality commission. I am a member of Sierra Club, 350 Silicon Valley and intend to be active with Menlo Spark and Climate Reality.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

"The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement and sustainability." A working committee to aid the City Council in protecting and improving our local environment for the benefit of our residents. My professional background is as an Enterprise Risk Manager consulting with large complex commercial and public enterprises. This is an activity charged with protecting the assets and reputation of my clients who included a wide variety of enterprises including cities, school districts, energy companies, marine, manufacturing and transportation companies locally, nationally and globally. Risk consulting includes first and foremost getting to know the enterprise on a granular level to include activities, finances, strengths, weakness, opportunities and threats and then designing mitigations and funding alternatives conforming to that client. Risk often includes opportunity and as such I have had the opportunity to turn threats into opportunities for economic development. The commissions responsibility requires the same type of knowledge and action focused specifically on our local environment. A communities environment includes built assets, transportation, waste, water, economic opportunity and protection as defined and directed by the community's elected leaders. I think I can be helpful in that pursuit.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I wish to serve my community - give back. One of the most pressing challenges in today's world is the environment now and in the future. I hope to serve the city leaders and my neighbors by providing focused input as to our current status, bringing options for consideration to protect what we have and moving in a direction that improves the quality of our environment in an efficient manner preferred by the majority of our residents. I have the time and experience and in addition to serving my neighbors, my grandchildren's future is at stake.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	n/a
Address 1	[REDACTED]
Address 2	
City	Menlo Park, CA
State	CA
Zip code	94025
Business address	retired
Number of years as a Menlo Park resident	One
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	City website Other: I have been encouraged to apply by members of the community focused on the environment.

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: Yes
Business phone: No
Home phone: No
Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. I agree

Signature



[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 2/22/2018

Commission or committee of interest: Environmental Quality Commission

Name: Tom Kabat

Education: B. S. Environmental Engineering, Cal Poly, SLO

Civic affiliations and community activities, including service on other commissions or committees:
 Member: Menlo Spark
 Board member: SunWork.org
 Board member: Carbon Free Silicon Valley

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 A 30 year career as a utility resource planner helping guide Palo Alto to a number of environmental milestones including achieving a 100% carbon neutral electric portfolio gave me opportunities to develop reports, address advisory commissions and council on numerous resource efficiency and environmentally sensitive projects. I can help the commission give quality actionable advice to council and provide practical feedback to staff.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
 We are at a crossroads in the efforts to address climate change and many cities will look to communities like Menlo Park to see the type of leadership we can provide. I want to apply my extensive energy, environmental, utility, municipal and joint powers agency experience to help Menlo Park develop and meet meaningful goals, demonstrate leadership and share the stepping stones for other communities to follow.

Tom Kabat
Do not submit for Tom Kabat
 2017-01-10T10:11:24-0800
 Date: 2018-02-22 10:11:24 -0800

 Signature

2/22/2018

 Date

OFFICE USE ONLY:
 Application received: 3/10/2022
 Considered by City Council: _____
 Considered by City Council: _____
 Considered by City Council: _____
 If appointed, term ends: 4/30/2023, 4/30/2024, or 4/30/2026
 Address verified in City Limits (if necessary): By: JAH
 Appointed: Yes No (Initials)
 Appointed: Yes No
 Appointed: Yes No

Personal information:			
Name: Tom Kabat		Number of years as a Menlo Park resident: 30 years	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone: [REDACTED]			
Registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>EQC meeting</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Business phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Advisory body application



Submission date: 23 March 2022, 2:14PM
Receipt number: 9
Related form version: 4

Applicant's full name (first and last) Christopher T Kollmann
Desired advisory body (check all that apply) Complete Streets Commission
Environmental Quality Commission

Applicant interest, experience and qualifications

Education Facility management AAS De Anza College
Environmental & sustainable controls and building AAS De Anza College

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees Menlo Park fire department READY ARC instructor

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal, community or professional experience relate to these responsibilities. It is clear that we need someone to be of service to the body in ways of organizing programs around bike safety, general road safety & overall climate change diversion plans within Menlo Park's vehicle road use. These responsibilities may include being an advocate to plans and work with teams to organize and communicate the needs of these plans appropriately. This may also require working within the org chart ensuring my responsibility's include gathering information and or creating statistics.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member. I am a go go go personality. I fill my free time with things that matter to me. Progressing climate change changes within the city of Menlo Park is a priority for me. Safety and accomadating safe travel areas for bikes, pedestrians and cars is an area I brainstorm all the time. I can see myself bringing new innovating ideas to the table along with structured communication between the different teams that handles projects within Menlo Park. I am eager to work within city governments to learn and gain knowledge about how we manage our city streets and the overall health and well-being of our communities

Contact and residency information

Email [REDACTED]

Cell phone [REDACTED]

Home phone [REDACTED]

Business phone [REDACTED]

Address 1 [REDACTED]

Address 2 [REDACTED]

City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	1
Current City Council District	District 3
How did you hear about this opportunity (check all that apply)	Nextdoor
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: Yes Business phone: Yes Home phone: Yes Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature



[Link to signature](#)

Advisory body application



Submission date: 7 April 2022, 4:27AM
Receipt number: 15
Related form versions: 4

Applicant's full name (first and last) Nancy Larocca Hedley
Desired advisory body (check all that apply) Environmental Quality Commission

Applicant interest, experience and qualifications

Education B.S. CSU, Chico - Cum Laude, 1994 - Major: Business Administration with an emphasis in Finance and a minor in Management.

My ongoing professional development has been focused on helping leaders, teams, and individuals bring their visions into form by successfully navigating relationships with themselves and others. This includes study in organization systems; diversity, equity, and inclusion; systems for navigating diverse work styles; psychological safety; navigating difficult conversations, and wisdom traditions for self-management including mindfulness, yoga, and meditation.

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

For four years I was actively involved in the local chapter of Solidarity Sundays, MidPenSolSun. This chapter was started in the wake of the 2016 presidential election and was active through Biden's inauguration. Over time I stepped into a co-lead role with the founder, Erin Cooke, and took on the work of communicating with our members, establishing areas of focus for our monthly meetings, researching actions that would have greatest impact, and creating structure to encourage others to step into leadership roles. Through the work with MidPenSolSun I learned about Menlo Park's leadership in its Climate Action Plan and its Reach Codes that have been an inspiration to other cities.

Prior to this, I was actively involved in my daughter's education, serving as a room parent at Oak Knoll and Menlo-Atherton Cooperative Nursery School where I organized volunteers to ensure that teachers and parents were well supported. She is a sophomore at M-A today.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

I want to express my gratitude to the City Council Members and Commissioners who took time to meet with me over the past few weeks so that I could understand their perspectives on this role.

At the top level, I understand the role of the EQC is to advise City Council on matters related to environmental protection, improvement, and sustainability, and that there are monthly EQC meetings to attend.

More specifically, Commissioners seem to be tasked with developing recommendations with other Commissioners and City Staff for City Council so that Menlo Park can achieve the goals outlined in the CAP. The emphasis today seems to be on easing the transition to clean energy for existing homes and businesses and creating equitable conditions so that more Menlo Park residents can easily move to EVs. It seems important to do this in a way that reduces barriers for all and provides financial support for residents who require it.

Beyond that, there seem to be opportunities to weigh in on potential City policies from an EQC perspective, and to consider other perspectives when making EQC recommendations (i.e., Complete Streets, Housing, Planning, Equity). It seems like some Commissioners are actively involved in nurturing public/private partnerships which could hasten our collective shift to a more sustainable future.

Professionally, I am an executive coach and team development consultant. I support leaders and teams to bring their visions into form, learning from and overcoming the inner and outer obstacles that arise on the journey. I have a collaborative, inclusive, and pragmatic approach to moving toward goals, and encourage the same with the people I work with. It seems that these qualities could be useful to have in an EQC member given the challenges of climate change and the need to attend to diverse perspectives in charting a path forward.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I'm now at a place in my life where I have a bit more available energy and I've been keeping my eyes open for how I might contribute to the greater good in a more direct way. Finding ways to enjoy and protect our beautiful planet has been a passion of mine for decades, and the science is clear that we need to make changes to how we live and work so that we can ensure a beautiful and livable planet now and for generations to come. I'd like to be a part of this movement by serving on Menlo Park's EQC, finding creative ways to help our city do its part to create a sustainable future for all.

Contact and residency information

Email

[REDACTED]

Cell phone

[REDACTED]

Home phone

[REDACTED]

Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	18
Current City Council district	District 4
How did you hear about this opportunity (check all that apply)	City website Email

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: No
 Business phone: No
 Home phone: No
 Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature



[Link to signature](#)

Advisory body application



Submission date: 12 April 2022, 2:30PM
Receipt number: 20
Related form versions: 4

Applicant's full name (first and last) Jeffrey Lin
Desired advisory body (check all that apply) Environmental Quality Commission
Parks and Recreation Commission

Applicant interest, experience and qualifications

Education B.S. University of California, Berkeley

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

Berkeley Sustainability Committee Member - 2 years - committee to increase awareness and influence initiatives for environmental sustainability of UC Berkeley.
Techonits Senior Technology Help President - 4 years - volunteer organization founded to provide technologic literacy to senior citizens of the local community
YMCA Camp Campbell Volunteer - 1 year - volunteer to chaperone elementary aged children to expand interest in science and nature
Berkeley Wrestling Club Treasurer -2 years - resurrect & establish Berkeley wrestling club, organize practice & event venue, coordinate with university for budgeting of events and organize meets in coordination with multiple other organizations
Various corporate organizations and activities - 5 years - have been organizer of various corporate clubs/interest groups with relevant experience planning & marketing events and coordinating with relevant stakeholders.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

Environmental Quality Commission -

Organizing annual Arbor Day Event: plenty of event planning and outreach experience as a member of Berkeley Sustainability Committee - planning multiple events per year for outreach purposes, publicizing through social media (have professional experience marketing at Facebook), coordinating with relevant suppliers/event venues.

Advising on programs and policies related to protection of natural areas, recycling and waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation: Make recommendations to UC Berkeley administration as member of sustainability committee, push for compostable utensils at all university dining options at the time. Have done research around clean silicon production for use in producing solar panels.

Parks and Recreation Commission -

Those programs and facilities established primarily for the participation of and/or use by residents of the City, including adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities and equipment: At Berkeley Wrestling Club, had to maintain mats and coordinate with facilities to organize storage and maintenance year over year.

Adequacy, operation and staffing of recreation programs: Help organize corporate dragon boat team at Uber & Facebook, coach intramural basketball teams at Berkeley, provide feedback to intramural program at UC Berkeley rec center. Organize corporate and team events for recreation and offsites.

Modification of existing programs and facilities to meet developing community needs & Long range planning and regional coordination concerning park and recreational facilities - as organizer at facebook dragon boat club, have to coordinate for changing funding concerns and long term planning to maintain practice and race facilities

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

Environmental Quality Commission - I am passionate about maintaining environmental quality, I hope to learn more about ongoing initiatives within the city and help shape future environmental quality best practices.

Parks and Recreation Commission - I am a big fan of community parks and recreation programs and would love to give back and help contribute to the continued excellence of these programs. I am an avid participant in all things recreation, play many sports and activities and want to help share this joy with the rest of the community.

Contact and residency information

Email

[REDACTED]

Cell phone

[REDACTED]

Home phone

[REDACTED]

Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	2
Current City Council district	District 1
How did you hear about this opportunity (check all that apply)	<input checked="" type="checkbox"/> City website <input checked="" type="checkbox"/> Nextdoor
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	<input checked="" type="checkbox"/> Cellphone: No <input checked="" type="checkbox"/> Business phone: No <input checked="" type="checkbox"/> Home phone: No <input checked="" type="checkbox"/> Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submission date: 13 April 2022, 1:11PM
Receipt number: 21
Related form version: 4

Applicant's full name (first and last) **John McKenna**
Desired advisory body (check all that apply) **Environmental Quality Commission**

Applicant interest, experience and qualifications

Education **B.A. UCLA Economics/Business**

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I have volunteered with Rebuilding Together (home improvement projects in Menlo Park, East Palo Alto, Redwood City, etc.) and was a co-lead one year. Also, I have participated in community clean-up events (picking-up roadside trash, etc.) and have coached some youth baseball in the past. My goal, going forward, is to get more involved and to serve the community as best I can – thus my interest and strong desire in serving on the Environmental Quality Commission.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

The main responsibility of the EQC is to advise City Council on matters involving environmental protection, improvement, and sustainability. This involves working with city staff to research and provide recommendations to City Council on all environmental matters which City Council requests guidance. Such environmental matters primarily consist of issues related to trees, the urban canopy, protection of natural areas, recycling and waste reduction, air and water pollution, water and energy conservation, and, climate change (both mitigation and adaptation). As it relates to climate change, the EQC plays an important and key role in helping City Council adopt policies and programs that insure that the goals of the city's 2030 Climate Action Plan (as amended April 20, 2021) are met in a manner that is both 1) expeditious and 2) socially and economically equitable. As a resident of Menlo Park for the past 15 years and a local commercial real estate agent for the past 22 years, I would offer the EQC and City Council the following qualities:

- Appreciation for our community and its diverse residents
- Established relationships with local commercial building owners and businesses
- A desire to listen and learn from others in the process of making well-considered decisions
- A focus on solving problems and implementing solutions
- Empathy and an ability to appreciate varying perspectives
- A results-oriented philosophy
- A personal responsibility to follow-through on commitments
- A willingness to make personal sacrifices for the common good
- An aspiration to dedicate a significant portion of my time to public service
- Integrity and honesty

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I would like to serve on the EQC because I have a desire to learn, educate, and contribute. I have a deep appreciation for the natural and living world. I know how integral a healthy planet is to our existence to nourish us both physically, and emotionally. I want to do what I can to ensure that both our community and our planet thrive so that future generations can enjoy the environment in a sustainable way. With that in mind, one of my primary objectives is to engage with City Council, city staff, and the community to help City Council adopt policies and programs that will ensure the city meets the goals of the 2030 Climate Action Plan in a socially equitable manner. Of the utmost importance is that all community members throughout Menlo Park benefit from both the mitigation and the adaption measures enacted in pursuit of the CAP goals. Moreover, I hope to provide the City Council with well-researched advice on any environmental matter on which the City Council requests direction. It would be an honor to serve on this advisory board and I sincerely appreciate your consideration.

Contact and residency information

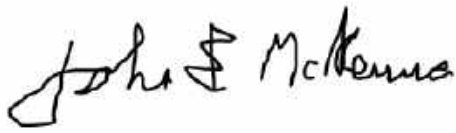
Email [REDACTED]

Cell phone	██████████
Home phone	██████████
Business phone	██████████
Address 1	██████████████████
Address 2	
City	MENLO PARK
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	
Current City Council district	District 4
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature



[Link to signature](#)



COMMISSION/COMMITTEE APPLICATION

OFFICE USE ONLY
RECEIVED

Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3/26/2014

Commission/Committee of Interest: Planning Commission and Environmental Quality Commission

Name: Michael Meyer

Education: Several years of college/ no degree

Civic affiliations and community activities, including service on other commissions or committees:

Coached Little League and AYSO. I served 4 years on the Transportation Commission several years ago. I recently served on the Bicycle Commission and am currently a Transportation Commissioner.

Describe your understanding of the responsibilities of the commission/committee that you are applying for and how your personal, community or professional experience relate to these responsibilities:

My understanding of the Commission responsibilities is to review use permits and variances as well as help maintain the ever evolving relationship between the General Plan and the cities needs. I believe that my unique view on multi-modal transportation as well as 15 years of residency as a renter and homeowner will bring a balanced and needed point of view to the Commission.

Describe why you want to serve on this commission/committee and what you hope to accomplish as a member:

I would like to bring a little more transportation related point of view to the commission and hope to bring a fair and balanced voice to the commission.

Terms

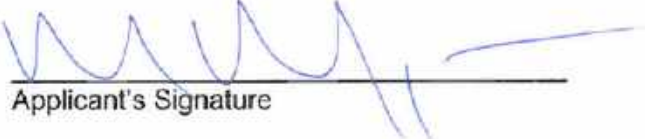
Terms for most commissions/committees are for a period of four years. Members are limited to two consecutive full terms. If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term.

Specific Information

Serving on a commission or committee may require one or two night meetings per month, with each meeting averaging three to four hours. You may also be asked to serve on additional subcommittees. Members are expected to attend all meetings. Attendance at less than two-thirds of scheduled meetings may result in removal by the Council. Commissioners are not paid for their volunteer service. General information related to the charge of the commissions and committees and their schedules are shown on the attachment. More specific information may be obtained by viewing the City's website at http://www.menlopark.org/city_commissions.html and by contacting the staff liaison.

Information about the Appointment Process

The application process may take from six weeks to two months. Vacancies are advertised for approximately 30 days with a specific filing deadline. Deadlines may be extended. Please return your application, along with any attachments, to the City Clerk, at the address listed below. Applications are kept on file for one year. The City Council will review all applications, may contact you individually or may decide to hold interviews. All appointments will be made by nomination and vote of the City Council at a Council meeting. Questions about the application process should be directed to Pamela Aguilar, Acting City Clerk, at (650) 330-6620 or by e-mail at PIAguilar@menlopark.org.



Applicant's Signature

Return to the City Clerk, City of Menlo Park,
701 Laurel Street, Menlo Park, CA 94025
(Phone: (650) 330-6620 or e-mail at PIAguilar@menlopark.org)

OFFICE USE ONLY

Application Received: <u>2/17/2022</u>	Address Verified in City Limits: <input checked="" type="checkbox"/> By: <u>JAH</u> Initials
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>

If Appointed Term ends: 4/30/2026, 4/30/2027, or 4/30/2028

PERSONAL INFORMATION

Name: Michael Meyer

Residence Address: [REDACTED]

(Note: Residency within the City limits is required)

Telephone No: [REDACTED] Number of years as a Menlo Park resident: 15

Occupation: IT Infrastructure

Email address: [REDACTED]

Business Address/Telephone No: [REDACTED]
[REDACTED]

Are you a registered voter?

Yes No

How did you hear about this opportunity?

Newspaper Email City's Website Nextdoor.com
 Patch.com Other _____

Internet Posting

If I am appointed, the City is authorized to post the following information on the City's website:

	YES	NO
Home Address:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Home Phone:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mailing Address (if not home address):	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Business Address:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Business Phone:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E-mail:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Advisory body application



Submission date: 23 February 2022, 4:15PM

Receipt number: 4

Related form version: 4

Applicant's full name (first and last)

Nabil Saad

Desired advisory body (check all that apply)

Environmental Quality Commission

Applicant interest, experience and qualifications

Education

B.Sc. in Chemistry.

Ph.D. in Environmental Toxicology.

professional expertise in GHG and VOCs monitoring technologies at industrial sites and at their neighboring disadvantaged (Env. Justice) communities.

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees.

I am currently serving as a commissioner on the Menlo Park Independent Redistricting Commission. The mandate of the commission will expire in April 2022.

I am also involved in environmental stewardship advocacy and green economy advancement within several professional organizations (Air & Waste Management Association, AGU, 4C conference, etc.) .

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

My understanding of the EQC responsibilities is:

- 1- To provide scientific-based and data-based advice and recommendations to the City Council pertaining to the environmental stewardship & protection, GHG reduction efforts, green economy initiatives. These topics became front and center with the COP26 agreement to reduce CH4 by 30% by 2030. Menlo Park is poised to be a model city in spearheading those efforts.
- 2- Preserving and expanding Urban Canopy (from a landscaping perspective as well as an GHG mitigation measure).
- 3- Heritage trees preservation and best practices for city trees removal.
- 4- Water pollution prevention and water and energy conservation.
- 5- Recycling and waste reduction.
- 6- Support and perform other commission priorities listed on the EQC website.

My academic & professional backgrounds and my hands-on technical expertise, as described in the education section above, immaculately lend themselves to furthering most of the EQC responsibilities that I have identified above.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

In addition to my academic & professional backgrounds, my personal penchant for community involvement and public service is a major drive for me to serve and contribute productively to the EQC goals. My social advocacy for ESG and environmental justice is an additional reason for me to serve on the EQC in order to position Menlo Park as one of the leading cities nationwide in environmental protection.

Contact and residency information

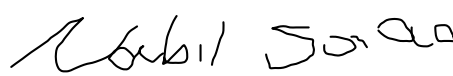
Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	N/A
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	N/A

Number of years as a Menlo Park resident	18yrs
Current City Council district	District 4
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature



[Link to signature](#)

Advisory body application



Submission date: 6 April 2022, 6:54AM
Receipt number: 13
Related form version: 4

Applicant's full name (first and last) **Jeff Schmidt**
Desired advisory body (check all that apply) **Environmental Quality Commission**

Applicant interest, experience and qualifications

Education **San Jose State University, Bachelor's Degree**

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees **Menlo Park Climate Team / 350 Silicon Valley - Electric Vehicle Transition Lead. Menlo Park Earth Festival Planning Committee. Board of Advisors - Krause Center of Innovation, Foothill College. Tech Museum of Innovation - Co-chair STEM Pathways. Silicon Valley Leadership Group - Housing Committee. Silicon Valley Leadership Group - Education Committee**

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities **The EQC advises City Council on key decisions contained in Menlo Park's Climate Action Plan as well as emerging environmental improvement and sustainability opportunities for the community. As an advisory body, the EQC relies on an awareness of what's happening in all parts of the community, a feeling for public sentiment and prioritization, understanding the interconnectedness of issues and decisions (e.g. housing and climate), and awareness of similar topics being discussed in surrounding communities that are working to solve the same types of challenges. So, three key responsibilities of members are to listen regularly to a wide variety of stakeholders, analyze and consolidate the best advice and ideas, and share those effectively with council and staff.**

My personal community and professional experiences require the same skills. In addition to listening and partnering with a wide variety of stakeholders to get programs and projects accomplished, I'm often tasked with consolidating that complex and unstructured information into my organization's three-year strategy or into the shorter-term priorities for the climate groups where I volunteer. That process includes sharing everything with my Board of Directors, staff, funders, partners, volunteers, and others to ensuring their ongoing understanding, support, and action.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I'd like to serve on the EQC to create new listening opportunities with community members in Menlo Park and surrounding communities to hear their ideas and solutions for practical climate actions. As part of the EQC, I'd regularly bring those insights back to city council to better inform and support Menlo Park decision making. My hope in serving on the EQC will be to mobilize and educate more citizens in support of key elements of the Climate Action Plan - including building electrification, transition to electric vehicles, support for key transportation and housing infrastructure changes needed, and the move away from fossil fuels.

The goal is to create more awareness and understanding of local climate change work and CAP implementation through 1) education sessions in schools with teachers and students, 2) supporting community volunteerism activities, and 3) forming strategic partnerships between the national nonprofit I lead, Ignited, and climate teams at Acterra, the Beyond Gas Initiative, Menlo Spark, and 350 Silicon Valley to pool resources and increase local support for initiatives.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	2.5
Current City Council district	District 3
How did you hear about this opportunity (check all that apply)	City website
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. I agree

Signature

A handwritten signature in black ink, appearing to be 'J. Smith', written over a horizontal line.

[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form versions: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: January 17, 2022

Commission or committee of interest: Housing Commission

Name: Michal Bortnik

Education: Computer Science at Harvard College, Business Administration at Stanford GSB

Civic affiliations and community activities, including service on other commissions or committees:

Appointed member of the Menlo Park Community Engagement and Outreach Committee (CEOC)
Appointed member of the Menlo Park City School District Housing Advisory Committee

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

As I understand, the Housing Commission advises on, supports and helps implement City's housing objectives, plans and programs. I have little direct experience in this area, but I'm getting educated through my involvement in the various Housing Element outreach and planning activities. I also have extensive business experience as a company founder, which could be useful in helping housing developers navigate their business challenges in our city.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I'm motivated to serve on the Housing Commission to accomplish three things:

- to help our city fulfill its legal obligations around housing, including affirmatively furthering fair housing
- to help make housing realistic for everyone who lives and works in our city
- to help make our city an even more desirable place to live for people from all backgrounds

michal bortnik

Digitally signed by michal bortnik
Date: 2022.01.17 14:05:02 -0800

Signature

January 17, 2022

Date

OFFICE USE ONLY:

Application received: 1/17/2022

Considered by City Council: _____

Considered by City Council: _____

Considered by City Council: _____

If appointed, term ends: 4/30/2025 or 4/30/2026

Address verified in City Limits (if necessary): By: JAH

Appointed: Yes No

(Initials)

Appointed: Yes No

Appointed: Yes No

Personal information:			
Name: Michal Bortnik		Number of years as a Menlo Park resident: 1	
Resident address: [REDACTED]		City: Menlo Park	State: CA Zip: 94025
Mailing address (if different):		City:	State: Zip:
Phone: [REDACTED]		Email: [REDACTED]	
Business address:		City:	State: Zip:
Business phone:			
<p>How did you hear about this opportunity:</p> <input type="checkbox"/> Local newspaper <input checked="" type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
<p>If I am appointed, the City is authorized to post the following information on the city website (please select at least one):</p>		Cellphone: Business phone: Home phone: Email:	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No

Advisory body application



Submission date: 13 April 2022, 9:44PM
Receipt number: 14
Related form versions: 4

Applicant's full name (first and last) Jackelyn Campos
Desired advisory body (check all that apply) Housing Commission

Applicant interest, experience and qualifications

Education Bachelor's Degree, June 2021, California Polytechnic State University San Luis Obispo
Major: Sociology (Concentration: Criminal Justice)
Minor: Law & Society and Ethnic Studies

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees International Sociology Honor Society (AKD)

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal, community or professional experience relate to these responsibilities. I believe the housing commission is responsible for evaluating the community's needs and relaying that information to city council through recommendations. The role of housing committee member is critical because housing, specifically habitable housing, is something that should be prioritized for the entire community. My educational background in Sociology has equipped me for this role because it has given me a sociological lens to examine issues on both a micro- and macro- level. Additionally, I have an extensive background in research (policies, effects, theories, etc.) and data collection (surveying, canvassing, ethnography). For the past seven months, I have worked at the Fair Oaks Community Center as an Outreach Specialist, focusing on the CA COVID-19 Rent Relief Program. In this role, I have witnessed first hand the devastating economic impact from COVID-19 on many households throughout San Mateo County. This role has heightened my interest in affordable and sustainable housing projects in Menlo Park and through San Mateo County. As a resident of Belle Haven, I have a vision for improving community safety and overall living conditions in order to ensure all community member's needs are met. I believe my educational and professional background, along with my diverse perspective, would be a great asset to the Menlo Park Housing Committee.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I want to serve on the housing committee because I would like for the needs and concerns of District 1 to be heard and addressed when making recommendations to city council. As a resident of Menlo Park/Belle Haven for the past 20+ years, I have seen the way our community has changed and I would like to be part of the planning and decision-making for those changes. As a member of the Housing Committee, I hope to be a voice for District 1 and make all community members feel heard and empowered. I am an advocate for investing in communities to create safe and sustainable living opportunities for all, regardless of educational background, income level, or ethnicity. I would like to be a part of the planning for the Housing Element Update, which will determine our housing development goals for the next 8 years. As a member of the Housing Committee, I will be a resource for all community members and I will collaborate efficiently with all members to make Menlo Park a great community for all.

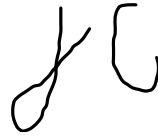
Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	23
Current City Council district	District 1
How did you hear about this opportunity (check all that apply)	Nextdoor
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature

A handwritten signature in black ink, consisting of a stylized 'J' followed by a 'C'.

[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form versions: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submission date: 6 April 2022, 4:31PM
Receipt number: 11
Related form version: 4

Applicant's full name (first and last) Karen Grove
Desired advisory body (check all that apply) Housing Commission

Applicant interest, experience and qualifications

Education Bachelors and Masters in Mechanical Engineering; four years experience in local housing and tenants rights policy through my service on the Menlo Park Housing Commission, attendance at conferences and workshops, such as: GARE (Government Alliance on Race and Equity) conference; Housing Leadership Day; Home for All convenings; Turner Center webinars; Grounded Solutions workshop on Community Land Trusts.

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees I co-founded the local group, Menlo Together, to bring the voices of local advocates for climate action, complete streets, racial equity, and affordable housing together to inform local policies and programs through collaboration and shared learning, education and outreach, and community organizing. I meet with decision makers to share deeper understanding and context around complex housing decisions.

I engage with Housing Leadership Council, YIMBY, Tech Equity, Seamless Bay Area, SMC Home for All, and others, with a goal towards equitable and inclusive, affordable housing that centers those most impacted, and meets the needs of all.

Through Menlo Together, I participated in creating and hosting a workshop called "The Color of Law: Menlo Park Edition" which reached over 500 people from Menlo Park and the region in the year spanning 2019 and 2020

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities. Attend meetings, be prepared to contribute to discussion and decision-making through active listening, asking relevant questions, and sharing my perspective. Between meetings, do research and public outreach to inform decisions.

Commissioners contribute to priority setting and creating a work plan to propose to city council, and once approved, we work towards accomplishing those goals.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I'd like to see our new Housing Element through to completion and acceptance and to support its implementation.

In addition, I'd like to continue improving our BMR Program, to better meet the needs of extremely low and very low income households in Menlo Park. When I first joined the commission, I joined the BMR ad-hoc committee. We've made significant progress on improving our BMR Guidelines and administrative procedures, but we still have a lot of work to do. In particular, our BMR inclusionary program does not produce sufficient ELI housing to meet the need in our city. This is an area of work I'd like to continue to focus on. In addition, the impact fee update underway when I joined the commission stalled and has not been completed, and I'd like to see that through.

I also would like to support future NOFA processes especially as they will pertain to achieving our cycle 6 Housing Element goals.

Finally, I want to continue to reach out to stake holders - especially those historically marginalized by existing systems - to inform our discussions and decisions.

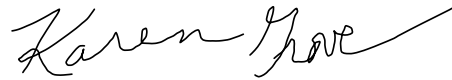
Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	same
Business phone	same
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	n/a
Number of years as a Menlo Park resident	24
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Other: I'm currently on the commission
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: Yes Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature

A handwritten signature in black ink that reads "Karen Grove". The signature is written in a cursive style with a long, sweeping underline.

[Link to signature](#)

Advisory body application



Submission date: 13 April 2022, 9:21PM
Receipt number: 22
Related form version: 4

Applicant's full name (first and last) Brian K Kissel
Desired advisory body (check all that apply) Housing Commission
Parks and Recreation Commission

Applicant interest, experience and qualifications

Education BS Mechanical Engineering, US Naval Academy
MBA, Stanford Graduate School of Business
Licensed Professional Mechanical Engineer, State of California (expired)
Work history via my LinkedIn profile:
<https://www.linkedin.com/in/briankkissel/>

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

- 2022 Menlo Park Independent Redistricting Committee (alternate)
- Habitat for Humanity of Greater San Francisco home building and rehabilitation projects
- Board member, ClimateDonor.org (501c3 nonprofit crowd funding for environmental sustainability projects)
- Strategy Consultant, Stanford Alumni Consulting Team (<https://www.gsb.stanford.edu/organizations/leverage-gsb/act-nonprofits>)

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

Housing Commission:
<https://beta.menlopark.org/Government/Commissions-and-committees/Housing-Commission>. I have worked with fellow residents to understand the housing needs and goals of the city, especially in view of the current housing element planning sessions; statewide housing bills SB8, SB9, and SB10; and the 9 guiding principles of the City Master Plan Update of Oct 15, 2019.

Parks & Recreation Commission:
<https://beta.menlopark.org/Government/Commissions-and-committees/Parks-and-Recreation-Commission>. I believe our parks are a distinguishing attribute and critical resource for the residents of Menlo Park and a treasure to be protected and enhanced per the City Master Plan. I have been an advocate of protecting our parks in the context of the current housing element planning process. Additionally I have been an advocate and supporter of additional pickleball court capacity for this growing social, community-building sport.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

Housing Commission: I hope to work with other commission members, fellow residents, businesses, and developers to ensure safe, affordable, equitable housing that retains the charter and character of our city, while addressing the critical housing shortage we're experiencing as a city and state-wide.

Parks & Recreation Commission: I believe that our parks are a treasure and critical resource for the city and our residents. I hope to work with other members of the commission, fellow residents, contractors, and service providers to ensure we maintain and enhance our parks and recreational resources for the physical, mental, and emotional health of our community as well to create greater connections and sense of community among our residents.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	10 years
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	City website Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature

Breem Kessel

[Link to signature](#)

Advisory body application



Submission date: 30 March 2022, 3:57PM
Receipt number: 10
Related form versions: 4

Applicant's full name (first and last) Adriana Walker
Desired advisory body (check all that apply) Housing Commission

Applicant interest, experience and qualifications

Education I graduated high school in Fresno, Ca and attended vocational school in San Jose, ca where I studied Dental Assisting. I have continued in that profession as I am now a Financial Coordinator.

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees I sit on the Parent Advisory Board at Beechwood, where I hold the secretary position.
I advocate for my community in my current complex for BMR tenants rights and have orchestrated meetings between the tenants and the city of Menlo Park's BMR Mike Noche.
I am also a volunteer coach for my son's basketball i9 sports team.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities Yes, I help advise and serve alongside counterparts concerning issues pertaining to the City's housing agenda. I am fully committed to the responsibilities.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member My simple answer is that as a member of the community, I want to be able to learn how to better advocate and educate my community on what our rights are, what resources are available to us and to be a bridge between the community and our local leaders.

Contact and residency information

Email [REDACTED]

Cell phone [REDACTED]

Home phone [REDACTED]

Business phone n/a

Address 1 [REDACTED]

Address 2 [REDACTED]

City Menlo Park

State CA

Zip code 94025

Business address

Number of years as a Menlo Park resident	8
Current City Council district	District 1
How did you hear about this opportunity (check all that apply)	Other: Charlotte Bramlett
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: Yes Business phone: Yes Home phone: Yes Email: Yes

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature



[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 4-2-2018

Commission or committee of interest: Library Commission

Name: Alan H Cohen, MD

Education: BA - History, BS - Microbiology (Univ of Rochester); MD - New York Medical College; Pediatric Pulmonologist - University of Colorado Health Science Center & National Jewish Medical Center, Denver, CO

Civic affiliations and community activities, including service on other commissions or committees:

Volunteer Clinical and Teaching Faculty Appointment - Stanford University School of Medicine
Volunteer at various Homeless Shelter/Food banks in Palo alto, Menlo Park and SF.
Volunteer medical reviewer - for a variety of medical Society Journals
Volunteer - American Thoracic Society - drug discovery and drug development committee

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

My understanding is that the library commission helps to promote the use and access of our community libraries to the public it serves. It functions as an interface between the library itself and the Menlo Park public. It encourages the use and support of all that a library can and should offer, including use of all library resources and special events offered to the community membership. I have been a life-long learner, which is critical for doctors and other healthcare professionals, as well as people in all walks of life. A vibrant, accessible and modern library is critical for the well-being of a community, just as schools and places of higher learning. Although access to "information" is often as easy as doing a search on a cellphone or laptop, at home or school, libraries and their staff offer even greater and more thorough access to a wider range of resources, which is not something I believe is as well understood as it could be. Libraries are as important today as they have ever been, especially now - where access to "information" is seemingly quite easy, but how to best discern the source of that information, and its accuracy and validity is critical to understand and value. I would welcome the opportunity to help serve our community as a member of the Library Commission, with my unique perspective as a parent who has raised two sons in our local public schools, as an educator, regular library user and supporter. Helping to advance literacy, job training, school and community outreach is critically important to society and the need for free and accessible libraries has never been more important than it is today. I liked to help.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I have been a regular library constituent since my family and I moved to Menlo Park almost 15 years ago. As a physician, scientist, researcher and avid reader (and music lover), I have made the Menlo Park libraries a weekly place to visit and enjoy. Having benefited from the wide range of resources and holdings available to myself and my family over the years, I'd like to "give back" and offer myself as a member of the Library Commission. I believe that I might be able to offer a unique perspective on what a vibrant library can and should offer to the community, and how to make it even more welcoming and visible to a larger segment of the people of Menlo Park. Irrespective of age, ethnicity, place of origin, or socioeconomic status - libraries, much like our public schools need to be aware of the communities we serve and the various needs and wants of that membership. We can't be a "one size fits all" offering, unless we truly understand what the public we serve wants and needs - and one critical way to stay abreast of those needs is to actively seek input and feedback. I would welcome the opportunity to help carry on the excellent work that has been done by earlier and ongoing members, and help to bring the Menlo Park libraries further into the accessible reach of even more constituents in the months and years ahead. I'd like to help explore what additional programs, guest speakers, community outreach and partnering efforts with our schools and many businesses can be realized - so that our libraries continue to be widely available to all, with even greater impact on the well being of our patrons.

Alan H Cohen, MD

Digitally signed by Alan H Cohen, MD
Date: 2018.04.02 11:07:06 -07'00'

4-2-2018

Signature

Date

OFFICE USE ONLY:

Application received: 3/30/2022

Considered by City Council: _____

Considered by City Council: _____

Considered by City Council: _____

If appointed, term ends: 4/30/2026

Address verified in City Limits (if necessary): By: JAH
(Initials)

Appointed: Yes No

Appointed: Yes No

Appointed: Yes No

Personal information:			
Name: Alan H Cohen, MD		Number of years as a Menlo Park resident: 15	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address: same	City:	State:	Zip:
Business phone:			
Registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input checked="" type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Business phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home phone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form versions: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.


Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 12/18/2021

Commission or committee of interest: Parks and Recreation Commission

Name: Sarah Zasslow

Education: BFA from SFAI and MA from National University

Civic affiliations and community activities, including service on other commissions or committees:

My mother, Noria Zasslow, used to be a part of this commission. Everything I know she has taught me. I am well known in my neighborhood for walking with my disabled little sister. I am teaching her to overcome her fear of petting dogs by using ABA. I am qualified to apply ABA because I have a MA in Behavioral Sciences. I believe I have a unique input that can improve our community meaningfully by organizing activities that are autistic friendly.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I understand it will be my duty to make sure that there are engaging events organized. I am also proficient in Word Excel and I have experience managing social media with high follower counts and engaged with high level social media personalities. I also provide a wealth of education and insight on how we can better engage with the public and foster meaningful relationships with our community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I hope that I can connect with my community by creating a safe space which children and people with special needs can thrive. I think the Parks and Recreation is a great resource for our most vulnerable members of society.

Signature

12/18/2021

Date

OFFICE USE ONLY:

Application received: 12/20/2021
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: 4/30/2026

Address verified in City Limits (if necessary): By: JAH
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name: Sarah Zasslow		Number of years as a Menlo Park resident: 29 years	
Resident address [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
<p>How did you hear about this opportunity:</p> <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>google</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

Advisory body application



Submission date: 10 April 2022, 6:50PM
Receipt number: 18
Related form version: 4

Applicant's full name (first and last) Linh Dan Do
Desired advisory body (check all that apply) Planning Commission

Applicant interest, experience and qualifications

Education Bachelor of Architecture, Rice University

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I am a mother of 2 young children, one attends Encinal Elementary School and one attends the Menlo Children's Center. I am a relatively new resident of Menlo Park, our family having moved here in 2018 for my husband's interest in the innovative job opportunities in Silicon Valley. As I took my kids to parks and storytime at the library, I met many other parents much like us - parents with young children or those who had recently moved here for job opportunities. A common conversation topic was the prevalent sense of feeling transitory due to the prohibitively high cost of purchasing a home. Like us, many families were renting but considering moving away from the area - to the East Bay or Sacramento - to purchase a home. When the pandemic hit, many of our friends did end up moving away - but even further, back home to the midwest and southwest - where family was and housing prices are more affordable. Yet, even those of us who can afford the rent here are exceedingly fortunate. Many of us choose to continue renting here because of the walkability, good schools and community amenities, and pleasant feeling of community. However, I understand that the Planning Commissions purview encompasses more than housing. More recently, to prepare for this application, I watched the Color of Law Menlo Park edition and am reading Richard Rothstein's Color of Law. I have also been watching the recent Planning Commission meetings. Between my personal experience and additional research, I am slowly piecing together my understanding of the capacity of government and community engagement to create the livability and diversity of our communities.

I have recently become involved in the community. After the wildfires of 2020, I became aware of Menlo Park's Climate Action Plan and bold goal to become carbon neutral by 2030, and I joined the Menlo Park Climate Team, a project of 350 Silicon Valley, last summer. Since then, I have taken on the role of sharing events that are educational and relevant to families with the school community. I am also currently part of the Steering Committee that is planning and organizing the We Love Earth festival for Menlo Park and nearby communities this month.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

The Planning Commission's responsibility to review development proposals for compliance with the General Plan and Zoning Ordinance comprises both decision-making roles, in situations involving architectural control, use permit, or variance for example, as well as an advisory role, in its capacity to make recommendations to the City Council for projects involving major subdivisions, rezoning, conditional development permits, Zoning Ordinance amendments, General Plan amendments, and environmental reviews and Below Market Rate Housing Agreements. The Commission receives and synthesizes complex information, weighs it against the principles and requirements laid out in the General Plan and Zoning Ordinance, and comes to a decision or recommendation, depending on what the project involves. It seems like a challenging, and invaluable, task to balance the complex intricacies of each situation with principles to create what we collectively envision for our community.

As an architect, I worked as part of various design teams to create design concepts for buildings. We integrated sustainable principles into the design concept from the beginning - examples include reusing old buildings instead of building new, orienting new buildings to optimize energy efficiency, planning interior spaces for maximum flexibility and longevity, and integrating the building exterior into the surrounding urban fabric. As designers, we advocated for the principles that would drive the design concept and saw them through the design development of the building.

Outside of the office, I organized two community initiatives. At the heart of both projects were community outreach. For the 2014 Minnesota State Fair, I worked with a small team to create an exhibit that highlighted the Twin Cities local food system. We connected members of the local food system with emerging graphic designers to create boards that told the story of those small farms, restaurants, and co-op groceries who comprise the local food system. We raised funds and acquired materials donations, and we built the physical structure that displayed the story boards. During the two week run of the Fair, the story boards served as conversation catalyst between fairgoers, exhibit volunteers, and members of the local food community.

In the fall of 2016, I organized a one week design session for the students at the East Bay Innovation Academy in Oakland. The design session was one of several options students could choose for their Intersession, a week-long break from the normal school schedule to engage in a special project. The week started with a design "charrette," a brainstorming of design concepts, which was followed by selecting a design concept to develop. In the middle of the week, I invited two peers in the architecture industry to provide feedback on the students' designs, and the week ended with a visit to a local architecture office.

As mentioned previously, I am currently part of the Steering Committee that is planning and organizing the upcoming We Love Earth festival.

At the heart of all my experience, professional or volunteer, is advocacy

- advocating for design and environmental concepts as an architect, and through my volunteer work - advocating for local food system heroes, advocating for students in an underserved neighborhood to take an active and creative role in architecture and design, advocating for the planet and environmental awareness in the community.

In a way, at the heart of the Planning Commission's regulatory and advisory roles, is advocacy - making sure that development projects contribute to a civically engaging, socially robust, and environmentally responsible community in Menlo Park. At the same time, I understand that in addition to high level principals, there are very specific terms as laid out in the General Plan and zoning ordinances, and to that end, I have been familiarizing myself with those documents, current projects, and recent Planning Commission discussions.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

It is possible to have made this statement at any point in time, but this is a critical time in Menlo Park's development. With the 3000 housing units planned for the next housing cycle, and all the changes in the community that such an increase could potentially have, along with Menlo Park's goals of social equity and carbon neutrality, the Planning Commission plays a critical role in achieving these development, social, and environmental goals, while staying true to the sense of community that is integral to Menlo Park. It is in this critically important time that I would like to offer my voice and service. As a member, I hope to first listen and learn from the other Commissioners and from what has already been achieved, as I know that the homework I have done barely scratches the surface of all there is to understand. I hope to be an active and empathic participant as Menlo Park evolves into a community that stays true to it what makes it appealing - walkable and welcoming, a community where one looks forward to a stroll to the park, library, or cafe and know that you will run into a neighbor or two - while also being a community that is diverse, flexible, resilient, and able to proactively adapt to change.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	N/A
Business phone	N/A
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	4

How did you hear about this opportunity (check all that apply)

Email

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: **No**

Business phone: **No**

Home phone: **No**

Email: **Yes**

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge.

I agree

Signature

[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form versions: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 
[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3/20/2018

Commission or committee of interest: Planning Commission

Name: Camille Gonzalez Camille

Education: MPA Baruch College, Master of Urban Planning, Harvard University Graduate School of Design

Civic affiliations and community activities, including service on other commissions or committees:

- Menlo Park Planning Commissioner
- Menlo Park Housing Commissioner
- Rotary-Palo Alto University Rotary Club
- Board of Directors Wender Weis Foundation For Children
- Advisory Board, Fund Her

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:
 It is my continued understanding and experience that the Planning Commission facilitates the decisions around land use and special projects, and comments on Environmental impact documents of proposed development in the City of Menlo Park. As a former professional Urban Planner, and a current member of the Menlo Park Planning Commission, I understand the wide variety and complexity of issues and impacts of new development in established communities as well as the need for stakeholder and community understanding to help usher in change and support the development of a robust and vibrant community. I also understand the role of the Planning Commission is to assist City Council in making difficult decisions for both our present day community as well as the future members of this community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:
 As an 11-year resident of Menlo Park and a current member of the Menlo Park Planning Commission, I continue to believe that it is important to be involved in the civic decision making process. Even more so than during my first term application, I believe that it is important to use my skillsets to help bring additional dialogue and perspective to the table. As a single parent of three young children and renter in Menlo Park I feel my participation on the Planning Commission has helped me bring an additional-- not often heard-- voice to the dias.
 As we begin to make generational decisions in this City with regard to land use and affordable housing, some of the larger hurdles our City I believe this experience coupled with my training as an Urban Planner makes me well-suited to continue to participate effectively on this commission.


 Signature

4/11/2022
 Date

OFFICE USE ONLY:

Application received: <u>4/14/2022</u>	Address verified in City Limits (if necessary): <input checked="" type="checkbox"/> By: <u>JAH</u>
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If appointed, term ends: <u>4/30/2026</u>	

Personal Information:			
Name: camille gonzalez kennedy		Number of years as a Menlo Park resident: 11	
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
Registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>already serving</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Business phone:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Home phone:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Email:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Camille Gonzalez Kennedy

C: [REDACTED] | E: [REDACTED] | L: [REDACTED]

Entrepreneurial senior leader, strategist, and relationship-builder with experience designing, scaling, and executing comprehensive fundraising initiatives for the social impact sector, including cultivating and closing 7-figure gifts. Proven track record leading complex strategic and programmatic initiatives that leverage organizational growth opportunities to launch comprehensive donor relations and fundraising programs. Big-picture and collaborative thought leader with experience advising senior leaders on the intersection of marketing, branding, and philanthropy.

EXPERIENCE

LifeMoves

Vice President of Philanthropy

January 2022- Present

As a member of the Senior Leadership Team works within a strategic, laser-focused environment to shaping strategies that advance capital and operating campaigns and develop synergies between LifeMoves strategy and the interests of donors, partners, and public stakeholders.

- Identify and cultivate new relationships with high-net-worth individuals, corporations, and private foundations, as well as steward current principal/capital donors and partners.
- Work most closely with the CEO, Chief Development Officer, Vice President Strategic Initiatives, additional VP Philanthropy, and with campaign chairs and board members.
- Formulates strategies to promote effective donor and prospect engagement.
- Develops productive, transparent, and collaborative relationships with colleagues, volunteers, board members, and other stakeholders
- Creates pipelines of new funding opportunities.
- Facilitates discussions with LifeMoves leadership to match donor interests; leverage program expertise for donor cultivation;
- Energizes internal and external networks to ensure LifeMoves is in front of decision makers.
- Develops cultivation, stewardship, and solicitation strategies for current LifeMoves funders with potential capacity for supporting increased on-going operating expenses and new capital initiatives.
- Evaluates gift opportunities and philanthropic vehicles and recommend customized giving options for donors.
- Provides support to Board members, CEO, Principal Gifts Task Force, and other gift officers to ensure they have the tools, support, messaging, and confidence to interact with potential donors.
- Ensures timely and appropriate written communications and donor recognition.
- Coordinates and communicates with other departments for events, public relations opportunities, etc.
- Advocates for additional resources required to meet funding goals.

MS. Foundation for Women, Brooklyn, New York
Senior Director Advancement Strategy

May 2020 - Present

Identifies emergent opportunities to position and build the influence of the Ms. Foundation and provides management and supervisory leadership to ensure strategic alignment of departmental and organizational planning. Represents the foundation to diverse stakeholder audiences, building critical relationship networks, while ensuring internal alignment across departmental and organization-wide work plans. Monitors key trends in the philanthropic, political, and cultural landscape and prepares the Advancement team to be proactive in response to these trends. Leads national and regional campaigns to provide diverse funder audiences with opportunities to make gifts of transformational financial support to the Ms. Foundation for Women.

- Launched the Foundation's first comprehensive campaign (\$30 Million) focused on transformational gifts to increase individual and foundation giving in service of new strategic initiatives, leading to transformational gifts from Mackenzie Scott (\$10M) and Jack Dorsey (\$3M).
- Led a comprehensive audit of the foundation's existing fundraising strategies and donor growth process. This resulted in a complete rebuild of the annual fund, planned giving and major gifts programs.
- Strengthened development operations with a focus on fundraising and stewardship policies and communications. This included a comprehensive review of existing policies and the implementation of new donor giving tiers and policies to grow annual and principal giving.
- Co-led the strategic rebuild of the communications and fundraising teams including supervising external consultant teams.
- Built cross-functional teams across advancement, programs, grantmaking and capacity building and finance and operations to increase efficiency and efficacy as well as developed protocols to measure the foundation's impact. This resulted in the creation of key impacts and storytelling tools for staff, investors and donors.
- Spearheaded the foundation's re-branding campaign focused on expanding and diversifying its national reach in the service of expanding the donor pipeline through brand awareness

Avenidas, Palo Alto, California

Vice President, Strategic Partnerships and Growth

September 2018- May 2020

Serve as advisor and thought partner to the CEO, focused on designing new programs and funding strategies. Developed growth strategies that transformed and expanded Avenidas' social impact, bringing Avenidas services to communities of greatest need adjacent to Palo Alto. Leveraged Avenidas' community reputation to reinvigorate and redesign philanthropic messaging, resulting in increased individual and foundation giving in service of new strategic initiatives.

- Spearheaded strategic plan and re-branding focused on expanding and diversifying services and programs parallel with \$22M building campaign. In collaboration with CEO and Capital Campaign Committee secured \$5.25M in funding to closeout 4-year campaign.
- Designed and executed new programmatic strategic initiatives. Identified and secured

privately sourced public funding, in the form of public benefits dollars, to expand programs to reach low income and LGBTQ seniors in southern San Mateo County and northern Santa Clara County. Leveraged new funding streams for expanded mission-driven programs to create new philanthropic opportunities, enabling new partnerships with donors and corporations.

- Steward portfolio of major donors. Developed and oversaw fundraising strategies to engage individual donors giving over \$10,000+. Managed special portfolio of major donors (\$25,000++). Collaborated with front-line development team to hone donor management process, expand donor pipeline, and upgrade mid-level donors, resulting in \$1M in new funding for strategic initiatives.

Major Gifts Officer

September 2017 – September 2018

- Raised \$750K+ in year 3 of 4-year, \$22M building campaign.
- Initiated and executed the organization's first comprehensive fundraising strategy for major donors and institutional funding sources, including setting new major gifts goals; cultivated and managed portfolio of major gift prospects (\$10K ++).
- Coordinated Legacy Society, Avenidas' planned giving program.
- Expanded donor pipeline by initiating and implementing systematic donor management system.

Random Acts of Flowers, Menlo Park, California

Executive Director

May 2015 – September 2017

Leadership executive for local branch of a national non-profit, responsible for all on-site business management and overseeing a staff of 3 and a volunteer base of 300. Recruited vice chair of the Board to design fundraising strategy for Silicon Valley, professionalize staff, and design and execute a strategic plan.

- Designed and executed comprehensive fundraising strategy including annual fund, major gifts, grants, and corporate partnerships
- Led major gifts campaign; built donor base from 50 to 1,000 donors, tripling revenue in 16 months.
- Conceptualized and produced all corporate fundraising events for the organization including RAF GROW event (annual major fundraising luncheon for 350 people) and "Cocktails in the Garden" (focused major- donor cocktail party for 125).
- Managed and maintained media relationships including all social media platforms.

MHA|RMT, San Mateo, California

Senior Environmental Planner

September 2007 – March 2009

- Led community outreach and public relations efforts for large-scale infrastructure projects in California and Nevada.
- Managed Environmental Impact Statements; lead a team of 15 subject-matter experts to create a comprehensive federal document.

URS Corporation New York, NY

Assistant Program & Project Manager

August 2003 – December 2006

- Lead Planner for assembling environmental impact statements following SEQ, CEQR and ULURP guidelines.

- Led team of 6 subject-matter experts and Port Authority of New York and New Jersey (PANYNJ) staff to create comprehensive plan for redeveloping bridge systems in the PANYNJ

The Cornell Club, New York, NY

Director of Health and Fitness

January 1997 – July 2001

- Managed operation of 300-member private fitness center including the supervision of a staff of 13
- Prepared budgets; forecasted revenue and profits; developed marketing strategies
- Designed floor plan and supervised complete renovation and construction of 1,000 square-foot fitness center

The Boston Living Center Boston, MA

Director of Congregate Meals Program

January 1993- April 1996

- Designed and supervised construction of a 2000-square-foot, ADA-compliant kitchen and dining facility.
- Developed and grew a meals program serving 150 people with HIV/AIDS daily, including preparing budget and implementing data collection protocol to comply with government requirements.
- Expanded program from dependence on local donations to annual budget of \$750,000.

SELECTED COMMUNITY SERVICE

City of Menlo Park, Planning Commissioner

April 2018-present

Fund Her, Advisory Board Member

2017-present

Wender Weis Foundation for Children, Board Member

2012-present

EDUCATION

Harvard University, Graduate School of Design, Master in Urban Planning, 2003

Baruch College, BS with honors in Public Affairs, 2001

Oberlin College and Conservatory of Music, History and Trombone Performance, 1988



COMMISSION/COMMITTEE APPLICATION

OFFICE USE ONLY
RECEIVED

Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 3/26/2014

Commission/Committee of Interest: Planning Commission and Environmental Quality Commission

Name: Michael Meyer

Education: Several years of college/ no degree

Civic affiliations and community activities, including service on other commissions or committees:

Coached Little League and AYSO. I served 4 years on the Transportation Commission several years ago. I recently served on the Bicycle Commission and am currently a Transportation Commissioner.

Describe your understanding of the responsibilities of the commission/committee that you are applying for and how your personal, community or professional experience relate to these responsibilities:

My understanding of the Commission responsibilities is to review use permits and variances as well as help maintain the ever evolving relationship between the General Plan and the cities needs. I believe that my unique view on multi-modal transportation as well as 15 years of residency as a renter and homeowner will bring a balanced and needed point of view to the Commission.

Describe why you want to serve on this commission/committee and what you hope to accomplish as a member:

I would like to bring a little more transportation related point of view to the commission and hope to bring a fair and balanced voice to the commission.

Terms

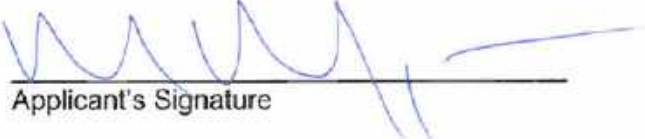
Terms for most commissions/committees are for a period of four years. Members are limited to two consecutive full terms. If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term.

Specific Information

Serving on a commission or committee may require one or two night meetings per month, with each meeting averaging three to four hours. You may also be asked to serve on additional subcommittees. Members are expected to attend all meetings. Attendance at less than two-thirds of scheduled meetings may result in removal by the Council. Commissioners are not paid for their volunteer service. General information related to the charge of the commissions and committees and their schedules are shown on the attachment. More specific information may be obtained by viewing the City's website at http://www.menlopark.org/city_commissions.html and by contacting the staff liaison.

Information about the Appointment Process

The application process may take from six weeks to two months. Vacancies are advertised for approximately 30 days with a specific filing deadline. Deadlines may be extended. Please return your application, along with any attachments, to the City Clerk, at the address listed below. Applications are kept on file for one year. The City Council will review all applications, may contact you individually or may decide to hold interviews. All appointments will be made by nomination and vote of the City Council at a Council meeting. Questions about the application process should be directed to Pamela Aguilar, Acting City Clerk, at (650) 330-6620 or by e-mail at PIAguilar@menlopark.org.



Applicant's Signature

Return to the City Clerk, City of Menlo Park,
701 Laurel Street, Menlo Park, CA 94025
(Phone: (650) 330-6620 or e-mail at PIAguilar@menlopark.org)

OFFICE USE ONLY

Application Received: <u>2/17/2022</u>	Address Verified in City Limits: <input checked="" type="checkbox"/> By: <u>JAH</u> Initials
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>
Considered by City Council: _____	Appointed: Yes <input type="checkbox"/> No <input type="checkbox"/>

If Appointed Term ends: 4/30/2026, 4/30/2027, or 4/30/2028

PERSONAL INFORMATION

Name: Michael Meyer

Residence Address: [REDACTED]

(Note: Residency within the City limits is required)

Telephone No: [REDACTED] Number of years as a Menlo Park resident: 15

Occupation: IT Infrastructure

Email address: [REDACTED]

Business Address/Telephone No: [REDACTED]
[REDACTED]

Are you a registered voter?

Yes No

How did you hear about this opportunity?

Newspaper Email City's Website Nextdoor.com
 Patch.com Other _____

Internet Posting

If I am appointed, the City is authorized to post the following information on the City's website:

	YES	NO
Home Address:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Home Phone:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mailing Address (if not home address):	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Business Address:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Business Phone:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E-mail:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Advisory body application



Submission date: 9 April 2022, 9:59AM
Receipt number: 16
Related form versions: 4

Applicant's full name (first and last) David Thomas
Desired advisory body (check all that apply) Planning Commission

Applicant interest, experience and qualifications

Education Computational and Mathematical Engineering Ph.D., Stanford University
Mathematics and Computer Science B.S., MIT

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees Chair of Parks and Recreation Commission of Menlo Park

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal, community or professional experience relate to these responsibilities. The role of the Planning Commission is to review development proposals and help carry out the vision of the City Council. I believe the two most important criteria to be a successful planning commissioner are engagement and representation.

For the past year I have served on the Parks and Recreation Commission. I have attended every single meeting, and am a staple at parks-related city events. After being elected chair of this commission, I proposed and completed a series of park tours for pairs of commissioners to increase awareness and engagement. I look forward to continue being an example of commissioner preparation, engagement, and accountability.

The other pillar is representation. This means representing the myriad points of view in Menlo Park. While 42% of Menlo Park residents are renters, very few have served on the Planning Commission. As a renter myself, I see how this can lead to different perspectives on important issues. I would like to ensure these interests are represented on the commission.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member. The Planning Commission is facing many challenges. The significant jump in the housing required by the Regional Housing Needs Allocation has created tensions; El Camino is being transformed and the US Geological Survey campus is on the verge of being transformed; and an increasing number of homes throughout the city are being remodeled. I would like to serve on the Planning Commission to help navigate these issues. As I have done with the Parks and Recreation Commission, I will proactively engage with the city staff and local community to deliver results that Menlo Park residents and the City Council will be proud of.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	[REDACTED]
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	2
Current City Council district	District 4
How did you hear about this opportunity (check all that apply)	City website
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature



[Link to signature](#)

Advisory body application



Submission date: 10 April 2022, 2:44PM
Receipt number: 17
Related form versions: 4

Applicant's full name (first and last) Michael DeMoss

Desired advisory body (check all that apply)

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission
- Housing Element Community Engagement and Outreach Committee
- Library Commission
- Parks and Recreation Commission
- Planning Commission

Applicant interest, experience and qualifications

Education University of Minnesota, B.A. Mathematics
Mitchell Hamline Law School, Juris Doctor
Attorney, County Trial Judge, Law School Dean and Professor
Extensive Court Trial and Commercial Real Estate experience

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

I currently serve as a Menlo Park Community Emergency Response Team member (CERT) and I am Ham Radio licensed.
Minnesota Service, prior to moving to Menlo Park:
Founder of the Regina Neighborhood and Business group
Volunteer Attorney for the County Juvenile Delinquent Diversion Program
Founder of two Law Schools
Founder and owner of Community Bank Plymouth

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

As a former Actuary (professional mathematician), former Combat Crew Commander (Captain, Top Secret Crypto, USAF, SAC) and Trial Attorney, County Court Judge and Law School Dean (supervised 22 attorneys and staff) and Law Professor; I have been responsible for numerous financial and personal matters.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

I have a great desire to make, and keep, Menlo Park as a first class city for my children and grandchildren. Due to my extensive experience, I have the ability to see, and solve, problems before they become emergencies.

Contact and residency information

Email [REDACTED]

Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	[REDACTED]
Number of years as a Menlo Park resident	7
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submission date: 13 April 2022, 9:21PM
Receipt number: 22
Related form version: 4

Applicant's full name (first and last) Brian K Kissel
Desired advisory body (check all that apply) Housing Commission
Parks and Recreation Commission

Applicant interest, experience and qualifications

Education BS Mechanical Engineering, US Naval Academy
MBA, Stanford Graduate School of Business
Licensed Professional Mechanical Engineer, State of California (expired)
Work history via my LinkedIn profile:
<https://www.linkedin.com/in/briankkissel/>

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

- 2022 Menlo Park Independent Redistricting Committee (alternate)
- Habitat for Humanity of Greater San Francisco home building and rehabilitation projects
- Board member, ClimateDonor.org (501c3 nonprofit crowd funding for environmental sustainability projects)
- Strategy Consultant, Stanford Alumni Consulting Team (<https://www.gsb.stanford.edu/organizations/leverage-gsb/act-nonprofits>)

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

Housing Commission:
<https://beta.menlopark.org/Government/Commissions-and-committees/Housing-Commission>. I have worked with fellow residents to understand the housing needs and goals of the city, especially in view of the current housing element planning sessions; statewide housing bills SB8, SB9, and SB10; and the 9 guiding principles of the City Master Plan Update of Oct 15, 2019.

Parks & Recreation Commission:
<https://beta.menlopark.org/Government/Commissions-and-committees/Parks-and-Recreation-Commission>. I believe our parks are a distinguishing attribute and critical resource for the residents of Menlo Park and a treasure to be protected and enhanced per the City Master Plan. I have been an advocate of protecting our parks in the context of the current housing element planning process. Additionally I have been an advocate and supporter of additional pickleball court capacity for this growing social, community-building sport.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

Housing Commission: I hope to work with other commission members, fellow residents, businesses, and developers to ensure safe, affordable, equitable housing that retains the charter and character of our city, while addressing the critical housing shortage we're experiencing as a city and state-wide.

Parks & Recreation Commission: I believe that our parks are a treasure and critical resource for the city and our residents. I hope to work with other members of the commission, fellow residents, contractors, and service providers to ensure we maintain and enhance our parks and recreational resources for the physical, mental, and emotional health of our community as well to create greater connections and sense of community among our residents.

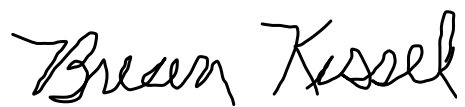
Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	10 years
Current City Council district	District 5
How did you hear about this opportunity (check all that apply)	City website Email
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: No Business phone: No Home phone: No Email: Yes

Application acknowledgement and submittal

I certify that the answers given here in are true and complete to the best of my knowledge. I agree

Signature

A handwritten signature in black ink that reads "Breem Kessel". The script is cursive and fluid, with the first name "Breem" and last name "Kessel" clearly distinguishable.

[Link to signature](#)

Advisory body application



Submission date: 12 April 2022, 2:30PM
Receipt number: 20
Related form versions: 4

Applicant's full name (first and last) Jeffrey Lin
Desired advisory body (check all that apply) Environmental Quality Commission
Parks and Recreation Commission

Applicant interest, experience and qualifications

Education B.S. University of California, Berkeley

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

Berkeley Sustainability Committee Member - 2 years - committee to increase awareness and influence initiatives for environmental sustainability of UC Berkeley.
Techonits Senior Technology Help President - 4 years - volunteer organization founded to provide technologic literacy to senior citizens of the local community
YMCA Camp Campbell Volunteer - 1 year - volunteer to chaperone elementary aged children to expand interest in science and nature
Berkeley Wrestling Club Treasurer -2 years - resurrect & establish Berkeley wrestling club, organize practice & event venue, coordinate with university for budgeting of events and organize meets in coordination with multiple other organizations
Various corporate organizations and activities - 5 years - have been organizer of various corporate clubs/interest groups with relevant experience planning & marketing events and coordinating with relevant stakeholders.

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

Environmental Quality Commission -

Organizing annual Arbor Day Event: plenty of event planning and outreach experience as a member of Berkeley Sustainability Committee - planning multiple events per year for outreach purposes, publicizing through social media (have professional experience marketing at Facebook), coordinating with relevant suppliers/event venues.

Advising on programs and policies related to protection of natural areas, recycling and waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation: Make recommendations to UC Berkeley administration as member of sustainability committee, push for compostable utensils at all university dining options at the time. Have done research around clean silicon production for use in producing solar panels.

Parks and Recreation Commission -

Those programs and facilities established primarily for the participation of and/or use by residents of the City, including adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities and equipment: At Berkeley Wrestling Club, had to maintain mats and coordinate with facilities to organize storage and maintenance year over year.

Adequacy, operation and staffing of recreation programs: Help organize corporate dragon boat team at Uber & Facebook, coach intramural basketball teams at Berkeley, provide feedback to intramural program at UC Berkeley rec center. Organize corporate and team events for recreation and offsites.

Modification of existing programs and facilities to meet developing community needs & Long range planning and regional coordination concerning park and recreational facilities - as organizer at facebook dragon boat club, have to coordinate for changing funding concerns and long term planning to maintain practice and race facilities

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

Environmental Quality Commission - I am passionate about maintaining environmental quality, I hope to learn more about ongoing initiatives within the city and help shape future environmental quality best practices.

Parks and Recreation Commission - I am a big fan of community parks and recreation programs and would love to give back and help contribute to the continued excellence of these programs. I am an avid participant in all things recreation, play many sports and activities and want to help share this joy with the rest of the community.

Contact and residency information

Email

[REDACTED]

Cell phone

[REDACTED]

Home phone

[REDACTED]

Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	2
Current City Council district	District 1
How did you hear about this opportunity (check all that apply)	<input checked="" type="checkbox"/> City website <input checked="" type="checkbox"/> Nextdoor
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone: <input type="checkbox"/> No Business phone: <input type="checkbox"/> No Home phone: <input type="checkbox"/> No Email: <input checked="" type="checkbox"/> Yes

Application acknowledgement and submittal

I certify that the answers given herein are true and complete to the best of my knowledge. I agree

Signature 

[Link to signature](#)

Advisory body application



Submitted on date: **11 April 2022, 9:20AM**
Receipt number: **19**
Related form versions: **4**

Applicant's full name (first and last) **Roger Royle**
Desired advisory body (check all that apply) **Parks and Recreation Commission**

Applicant interest, experience and qualifications

Education

- LL.M., New York University School of Law
- University of North Dakota
- B.S., Accounting, University of North Dakota

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees

- former Chair City of Menlo Park Finance and Audit Committee and former member of Menlo Park General Plan Advisory Committee (GPAC)
- Fellow of the American College of Tax Counsel • California Co-Chair of the Fellows of the American Bar Foundation • American Bar Association ("ABA") Business Law Section Liaison to the Section of Taxation • Member, Executive Committee, California Lawyers Association, Taxation Section

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities

- I understand that the commission advises the council on matters relating to recreation and facilities. Having been on Finance and Audit for 6 years and GPAC before that, I have a good sense of Menlo Park's governance and how commissions interact with council.

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

- I hope to help advise on what Menlo Park residents would like to see in terms of park and community programs.

Contact and residency information

Email [REDACTED]

Cell phone [REDACTED]

Home phone [REDACTED]

Business phone [REDACTED]

Address 1 [REDACTED]

Address 2

City **Menlo Park**

State **CA**

Zip code **94025**

Business address



Number of years as a Menlo Park resident

23

Current City Council district

District 4

How did you hear about this opportunity (check all that apply)

Email

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: **No**

Business phone: **Yes**

Home phone: **No**

Email: **Yes**

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge.

I agree

Signature

[Link to signature](#)

Advisory body application



Submission date: 5 April 2022, 1:33PM
Receipt number: 12
Related form version: 4

Applicant's full name (first and last) **Kelsey Theriault**
Desired advisory body (check all that apply) **Parks and Recreation Commission**

Applicant interest, experience and qualifications

Education **BA History - Lafayette College
MA Education - Stanford University**

Civic affiliations and community activities, including service on other advisory bodies, commissions or committees **Social Studies Teacher - Mountain View HS (2018-Present); Woodside HS (2014-2018); Sequoia HS (2013-2014)
Swim Coach - Alto Swim Club/Palo Alto Stanford Aquatics (2013-2020); Greenfields Swim Club (2009-2013)
Cross Country Coach - Woodside HS (2016-2018)
Board Member - Golden Gate Running Club (2016-17)
Board Member, Curriculum Liaison - Integrative Medicine Initiative for Teens (2017-2018)**

Describe your understanding of the responsibilities of the advisory body that you are applying for and how your personal community or professional experience relate to these responsibilities **My understanding is that the responsibilities of the parks and recreation advisory board is to ensure that the parks and rec programming and facilities in Menlo Park meet the diverse needs of the city residents. As an educator and coach in the broader community, I have extensive experience meeting the needs of diverse interests, including specifically in recreation programming.**

Describe why you want to serve on this advisory body and what you hope to accomplish as a member

Personally, I have benefited from access to recreation activities. As a young child, I took swim lessons at the local pool which turned into a 15 year competitive swimming career. I benefited from the friendships and mentoring of my teammates and coaches, and from the lessons learned through swimming. As a resident of Menlo Park, and specifically the Belle Haven neighborhood, I hope to continue the work of the parks and rec commission to ensure that all residents, including those in Belle Haven who have historically had less access to these programs, can participate and benefit from parks and rec programs.

The new community center in Belle Haven needs to have programming that specifically meets the needs of this community. For example, how will the pool fees be structured to ensure that Belle Haven residents have access to the aquatics facilities? Currently, access to Burgess Pool is \$10 for non-residents and \$9 for residents. Even at \$9 per session, this cost is out of reach for many residents in Belle Haven. Additionally, how will aquatics programming at the Belle Haven pool address the needs of the Belle Haven community? Historically, swimming has not been accessible to many Black and Latinx communities (which make up a higher proportion of Belle Haven's neighborhood than any other neighborhood in Menlo Park), thus resulting in higher rates of drowning and fewer opportunities to be involved in aquatic sports. Access to swim lessons, pools, and other programming is crucial for the Belle Haven neighborhood. Hopes of addressing these issues is the primary reason why I would like to be on the advisory commission. I understand that this advisory body addresses more than aquatics. Aquatics is my area of expertise and it is through this lens that I would look at all parks and rec facilities and programming.

Contact and residency information

Email	[REDACTED]
Cell phone	[REDACTED]
Home phone	[REDACTED]
Business phone	[REDACTED]
Address 1	[REDACTED]
Address 2	
City	Menlo Park
State	CA
Zip code	94025
Business address	
Number of years as a Menlo Park resident	2
Current City Council district	District 1

How did you hear about this opportunity (check all that apply)

Local newspaper

If I am appointed, the City is authorized to post the following information on the city website (please select at least one):

Cellphone: **No**

Business phone: **No**

Home phone: **No**

Email: **Yes**

Application acknowledgement and submittal

I certify that the answers given here are true and complete to the best of my knowledge. **I agree**

Signature

A handwritten signature in black ink, appearing to read "KEITH" followed by a stylized flourish.

[Link to signature](#)

COMMISSION AND COMMITTEE APPLICATION

City Manager's Office - City Clerk
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Please type or print clearly. You may attach additional pages, if necessary. This is a public document.

Date: 12/18/2021

Commission or committee of interest: Parks and Recreation Commission

Name: Sarah Zasslow

Education: BFA from SFAI and MA from National University

Civic affiliations and community activities, including service on other commissions or committees:

My mother, Noria Zasslow, used to be a part of this commission. Everything I know she has taught me. I am well known in my neighborhood for walking with my disabled little sister. I am teaching her to overcome her fear of petting dogs by using ABA. I am qualified to apply ABA because I have a MA in Behavioral Sciences. I believe I have a unique input that can improve our community meaningfully by organizing activities that are autistic friendly.

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:

I understand it will be my duty to make sure that there are engaging events organized. I am also proficient in Word Excel and I have experience managing social media with high follower counts and engaged with high level social media personalities. I also provide a wealth of education and insight on how we can better engage with the public and foster meaningful relationships with our community.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:

I hope that I can connect with my community by creating a safe space which children and people with special needs can thrive. I think the Parks and Recreation is a great resource for our most vulnerable members of society.

Signature

12/18/2021

Date

OFFICE USE ONLY:

Application received: 12/20/2021
Considered by City Council: _____
Considered by City Council: _____
Considered by City Council: _____
If appointed, term ends: 4/30/2026

Address verified in City Limits (if necessary): By: JAH
Appointed: Yes No (Initials)
Appointed: Yes No
Appointed: Yes No

Personal information:			
Name:	Number of years as a Menlo Park resident: 29 years		
Resident address: [REDACTED]	City: Menlo Park	State: CA	Zip: 94025
Mailing address (if different):	City:	State:	Zip:
Phone: [REDACTED]	Email: [REDACTED]		
Business address:	City:	State:	Zip:
Business phone:			
<p>How did you hear about this opportunity:</p> <input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other <u>google</u>			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):	Cellphone:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Business phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Home phone:	<input type="radio"/> Yes	<input type="radio"/> No
	Email:	<input type="radio"/> Yes	<input type="radio"/> No

Table 1: Complete Streets Commission by District

Advisory body	Applicant	District
Complete Streets Commission	Sally Cole	4
Complete Streets Commission	Michael DeMoss	5
Complete Streets Commission	Christopher Kollmann	3

Table 2: Environmental Quality Commission by District

Advisory body	Applicant	District
Environmental Quality Commission	Michael DeMoss	5
Environmental Quality Commission	John Emery	5
Environmental Quality Commission	Tom Kabat	2
Environmental Quality Commission	Christopher Kollmann	3
Environmental Quality Commission	Nancy Larocca Hedley	4
Environmental Quality Commission	Jeffrey Lin	1
Environmental Quality Commission	John McKenna	4
Environmental Quality Commission	Michael Meyer	2
Environmental Quality Commission	Nabil Saad	4
Environmental Quality Commission	Jeff Schmidt	3

Table 3: Finance and Audit Committee by District

Advisory body	Applicant	District
Finance and Audit Committee	Michael DeMoss	5

Table 4: Housing Commission by District

Advisory body	Applicant	District
Housing Commission	Michal Bortnik	4
Housing Commission	Jackelyn Campos	1
Housing Commission	Michael DeMoss	5
Housing Commission	Karen Grove	5
Housing Commission	Brian Kissel	5
Housing Commission	Adriana Walker	1

Table 5: Library Commission by District

Advisory body	Applicant	District
Library Commission	Alan Cohen	5
Library Commission	Michael DeMoss	5
Library Commission	Sarah Zasslow	5

Table 6: Parks and Recreation Commission by District

Advisory body	Applicant	District
Parks and Recreation Commission	Michael DeMoss	5
Parks and Recreation Commission	Brian Kissel	5
Parks and Recreation Commission	Jeffrey Lin	1
Parks and Recreation Commission	Roger Royse	4
Parks and Recreation Commission	Kelsey Theriault	1
Parks and Recreation Commission	Sarah Zasslow	5

Table 7: Planning Commission by District

Advisory body	Applicant	District
Planning Commission	Dan Do Linh	3
Planning Commission	Michael DeMoss	5
Planning Commission	Camille Kennedy	4
Planning Commission	Michael Meyer	2
Planning Commission	David Thomas	4

Table 1: Complete Streets Commission by District

Applicant	Last appointment date	District
Altman, Brian	5/25/2021	4
Behroozi, Katie	6/9/2020	2
Cebrian, Jacqueline	4/16/2019	1
Cole, Sally	5/25/2021	4
Cromie, John	4/16/2019	2
Jensen, Jk	5/25/2021	3
King, Lizbeth	5/25/2021	5
Lee, Lydia	4/24/2018	3
Levin, Adina	4/24/2018	4

Table 2: Environmental Quality Commission by District

Applicant	Last appointment date	District
Elkins, Leah	10/13/2020	2
Evans, Angela	5/25/2021	5
Kabat, Tom	4/24/2018	2
London, Janelle	6/9/2020	5
Price, Ryann	4/24/2018	2

Table 3: Finance and Audit Committee by District

Applicant	Last appointment date	District
Taylor, Cecilia-City Council	12/14/2022	2
Wolosin, Jen-City Council	12/14/2022	5
Norrington, Matt	5/25/2021	3
Royse, Roger	4/24/2018	4
Soffer, Stuart	9/21/2021	3
Westcott, Brian	6/4/2019	5
Wong, Carol	5/25/2021	4

Table 4: Housing Commission by District

Applicant	Last appointment date	District
Bigelow, Lauren	4/16/2019	5
Grove, Karen	7/18/2017	5
Leitch, Heather	5/25/2021	2
Merriman, Nevada	5/25/2021	2
Nguyen, Chelsea	5/25/2021	3
Pimentel, John	6/9/2020	3

Table 5: Library Commission by District

Applicant	Last appointment date	District
Cohen, Alan	4/24/2018	5
Erhart, David	4/16/2019	1
Hadrovic, Katie	6/9/2020	2
Lee, Aldora	5/25/2021	4
Leep, Kristen	4/16/2019	4
Singh, Pavneet	9/21/2021	4
Velagapudi, Vamsi	5/25/2021	4

Table 6: Parks and Recreation Commission by district

Applicant	Last appointment date	District
Baskin, Jennifer	6/9/2020	4
Brosnan, Aurora	6/8/2021	4
Bryman, Marc	4/16/2019	3
Diepenbrock, Peter	10/15/2019	4
Joshua, Peter	5/25/2021	2
Thomas, David	6/8/2021	4

Table 7: Planning Commission by District

Applicant	Last appointment date	District
Barnes, Andrew	6/9/2020	2
DeCardy, Chris	4/16/2019	2
Doran, Michael	1/29/2019	4
Harris, Cynthia	5/25/2021	3
Kennedy, Camille	4/24/2018	4
Riggs, Henry	6/9/2020	2
Tate, Michele	4/16/2019	1



STAFF REPORT

City Council

Meeting Date:

4/26/2022

Staff Report Number:

22-076-CC

Study Session:

Provide direction on pedestrian and bicycle pilot improvements to be included in the Ravenswood Avenue resurfacing project

Recommendation

Staff recommends the City Council provide direction on implementing a pilot of select pedestrian and bicycle improvements (Attachment A) as part of the upcoming Ravenswood Avenue resurfacing project, including:

- Widening the pedestrian refuge at the existing uncontrolled crossing at Alma Street
- Adding Class II bike lane on westbound Ravenswood Avenue
- Shifting the point at which westbound Ravenswood Avenue widens to two lanes by approximately 300 feet

Policy Issues

This project is consistent with policies stated in the 2016 General Plan Circulation Element (e.g., CIRC-1.2, CIRC-1.7, CIRC-2.7, etc.) 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. It is also consistent with the City Transportation Master Plan.

Background

Ravenswood Avenue, from El Camino Real to Middlefield Road, is one of the main east-west routes in the City, providing access to key destinations including the Menlo Park Caltrain Station, downtown Menlo Park, Burgess Park, Civic Center and Menlo-Atherton High School. It is a primary emergency response route that is signed for 25 miles per hour between El Camino Real and Laurel Street. This route also serves local businesses and many residential units.

Ravenswood Avenue, between Alma Street and Middlefield Road, was identified in the City's five-year Capital Improvement Program (CIP) for resurfacing. As a result, staff also evaluated potential multi-modal improvements for the corridor.

On May 12, 2021, the Complete Streets Commission voted (with one dissenting vote) to support the following improvements on Ravenswood Avenue, between Alma Street to Noel Drive:

- Eastbound: install a Class II bike lane by shifting the existing vehicular merge point
- Westbound: retain existing Class III bike route and two vehicular travel lanes

These improvements would have closed the bike lane gap on eastbound Ravenswood Avenue between El Camino Real and Middlefield Road, while leaving the existing vehicle lanes unchanged. Attachment B includes the Commission staff report [hyperlink](#).

Analysis

Subsequent to the 2021 review by the Complete Streets Commission (CSC), several changes led to a revisiting of this project:

- A development application was received for the Parkline project at the SRI site at 333 Ravenswood Avenue
- Staff continued to receive feedback from residents about the safety of people crossing Ravenswood Avenue at Alma Street
- The ongoing COVID-19 pandemic saw continued reduction of vehicle volumes and increased uncertainty about the return of pre-pandemic travel patterns

These changes led to a shift in the resurfacing project extents and created the opportunity to explore additional pedestrian and bicycle improvements in the corridor. These improvements could make the area more walking and biking friendly, reducing vehicle miles of traffic (VMT) and congestion as projects like Springline (1300 El Camino Real) and Middle Plaza (500 El Camino Real) come online.

Resurfacing project extents

The resurfacing project extents were shifted to be between El Camino Real and Laurel Street, instead of the Caltrain railroad tracks to Middlefield Road. The proposed Parkline project would involve substantial utility work and frontage improvements on Ravenswood Avenue between Laurel Street and Middlefield Road that would require additional resurfacing, if approved. Staff evaluated the condition of Ravenswood Avenue and determined that it could be maintained in acceptable condition while a decision is made about the proposed Parkline project. The shift of extents also creates an opportunity to explore closure of the westbound bike lane gap between the railroad tracks and El Camino Real.

Pedestrian and Bicycle Improvement Feasibility

Staff evaluated the feasibility of pedestrian and bicycle improvements on the corridor, considering feedback from community members, the Complete Streets Commission, traffic and safety data, and observations. Pedestrian improvements include (see Attachment A):

- Installing bulb outs and a median on the north side of Alma Street near the Caltrain station. These improvements will help reduce the crossing distance and separation for pedestrians traveling along Ravenswood Avenue. This is feasible with no impact on travel along Alma Street.
- Reducing the curb radii on the south side of Alma Street near the Library. These improvements will help reduce the speeds of vehicles accessing Alma Street from eastbound Ravenswood Avenue.
- Piloting a wider pedestrian refuge across Ravenswood Avenue at Alma Street. This improvement would use temporary materials like paint and flexible posts to provide greater protection for people crossing Ravenswood Avenue by foot or bicycle. It would require shifting the point at which westbound Ravenswood Avenue widens to two lanes by approximately 300 feet (from Noel Drive to Alma Street.)
- Evaluating potential lighting improvements. Staff have heard concerns from the community about the lighting of the crosswalks across Ravenswood Avenue and Alma Street. Staff are conducting an analysis of existing lighting to determine if improvements are needed.

Staff also evaluated the individual segments on Ravenswood Avenue between El Camino Real and Laurel Street, to determine the feasibility of implementing bicycle improvements (see Attachment A for a visual representation):

Table 1: Ravenswood Avenue bike lane feasibility		
Segment	Eastbound (towards Laurel Street)	Westbound (towards El Camino)
El Camino Real to Merrill Street	Existing	Feasible by narrowing existing lanes
Merrill Street to Alma Street	Existing	Feasible by narrowing existing lanes
Alma Street to Noel Drive	Feasible within existing right of way, consistent with CSC recommendation from 2021	Requires shifting the point where westbound Ravenswood becomes two lanes by about 300 feet
Noel Drive to Laurel Street	Existing	Existing

Traffic analysis and trends

The May 12, 2021, Complete Streets Commission meeting included an analysis of existing and future congestion and queuing using 2019 vehicle counts and estimated 2040 volumes. Daily traffic counts collected in spring and fall 2021 show that vehicle volumes on Ravenswood Avenue are about 20 to 35 percent lower than peak volumes than those collected in 2019. Recognizing that many Bay Area public agencies and private businesses have adopted temporary or permanent hybrid work schedules (i.e., a combination of on-site and remote work days), it is conceivable that it will take some time before reaching future traffic volume projections. This provides an opportunity to consider a pilot of these improvements, while the city pursues other long-term projects like grade separation of the Caltrain corridor.

Pilot evaluation

Considering the feasibility of potential improvements, staff identified the following approach to assess the potential impacts of these improvements:

1. Install one travel lane and one bike lane using temporary materials (striping and flexible posts) that can be easily removed if necessary
2. Assess the pilot program using a set of metrics after six months or at least one full school semester and again after one year
3. Provide a recommendation to either make the pilot improvements permanent (using permanent materials) or to remove

Staff has also identified a set of metrics to evaluate the pilot project:

Table 2: Ravenswood Avenue pilot metrics		
Metric	Source	Variables
Morning / evening peak hour vehicular queues	Observations ¹	• Queue distance relative to Laurel Street
Pre- and post- pilot vehicular volumes (on Ravenswood Avenue and Oak Grove Avenue)	Observations ¹	• Change in vehicular volumes
Pre- and post- pilot bicycle volumes	Observations ¹	• Change in bicycle volumes • Pedestrian crossing volumes at Alma Street
Community feedback survey	Online survey ³	• Percent support • Perceived safety/comfort
Bicycle and pedestrian collisions	Police Department	• Number of collisions

Note:

1. Data to be collected over two mid-week days (i.e., Tuesday / Wednesday / Thursday.)
2. Survey will stay open during the pilot plus at least three additional weeks.

Staff will review the results with the Commission and then City Council approximately one year after pilot initiation. Staff will also seek authorization to terminate the pilot immediately if significant safety or congestion challenges are detected.

Complete Streets Commission recommendations

On March 9, the Complete Streets Commission (CSC) received an update on the Ravenswood Avenue resurfacing project, including the adjusted project extents and pedestrian and bicycle enhancements. The Commission unanimously voted to support the implementation of pedestrian and bicycle enhancements that could be implemented by reducing lane widths and piloting improvements that require shifting the point at which westbound Ravenswood widens to two lanes by approximately 300 feet.

Attachment C includes the Commission staff report hyperlink. CSC members provided feedback on the project approach, design elements, public outreach and the proposed metrics, all of which are reflected in this staff report. Public comments were also received in support of the proposed improvements.

Next steps

Staff requests that the City Council provide direction to staff on pursuing a pilot as part of the Ravenswood Avenue resurfacing project that includes widening the pedestrian refuge across Ravenswood Avenue at Alma Street and installing a westbound bicycle between Noel Drive and Alma Street by shifting the point at which westbound Ravenswood Avenue widens to two lanes by approximately 300 feet.

If staff are directed not to pursue the pilot, the resurfacing project would continue with the above noted pedestrian and bicycle enhancements, except those that were identified as part of the pilot. Paving is anticipated to occur in late summer 2022.

Impact on City Resources

City resources required to complete this evaluation and design is included in the City's five year CIP. Resources for data collection will be drawn from City's existing on-call traffic data collection services.

Environmental Review

Direction on the pilot program is not subject to the California Environmental Quality Act because the Council is not taking any final, discretionary action regarding the pilot program. The pilot program will be implemented as a part of the Ravenswood Avenue resurfacing project and CEQA review will be undertaken as a part of that project. The Ravenswood Avenue resurfacing project is categorically exempt under the 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 before the meeting. Staff also posted the meeting information on the City's social media platforms and conducted individual outreach to immediately impacted stakeholders such as businesses on the 1000 block of Alma Street, SRI, and several schools serving Menlo Park students.

Attachments

A. Ravenswood Avenue Pedestrian and bicycle improvement pilot project

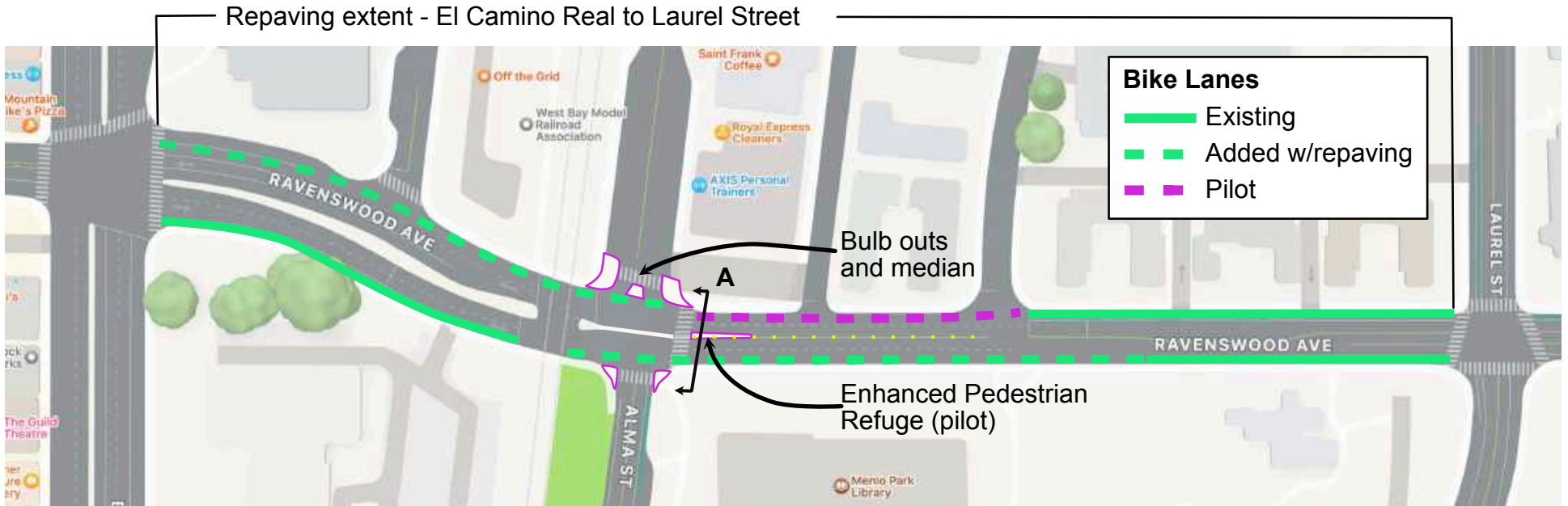
Staff Report #: 22-076-CC

- B. Hyperlink – May 12, 2021, Complete Streets Commission staff report:
menlopark.org/DocumentCenter/View/28053/SR---Ravenswood-Bike-Lane
- C. Hyperlink – March 9, 2022, Complete Streets Commission staff report:
menlopark.org/files/sharedassets/public/agendas-and-minutes/complete-streets-commission/2022-meetings/agendas/20220309-complete-streets-commission-agenda-packet.pdf

Report prepared by:
Kevin Chen, Senior Transportation Engineer

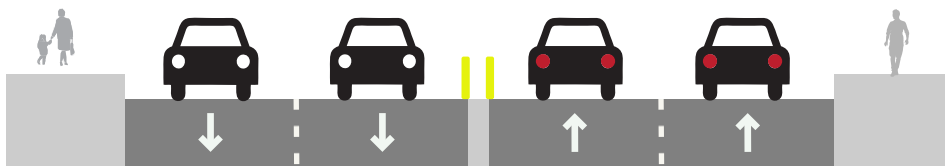
Report reviewed by:
Hugh Louch, Assistant Public Works Director – Transportation

Attachment A – Ravenswood Repaving Project: Pedestrian Refuge and Bike Lane Pilot

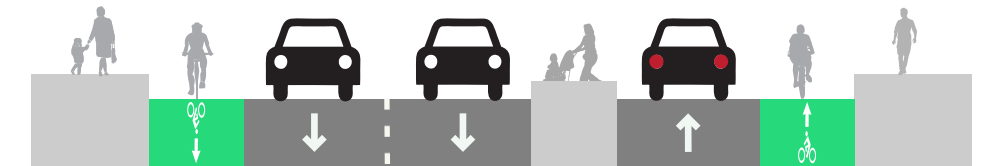


A - Cross Section At Pedestrian Crossing of Ravenswood

Existing



Enhanced Pedestrian Refuge



Pilot Elements



PROVIDE DIRECTION ON RAVENSWOOD AVENUE PEDESTRIAN AND BICYCLE PILOT

April 26, 2022

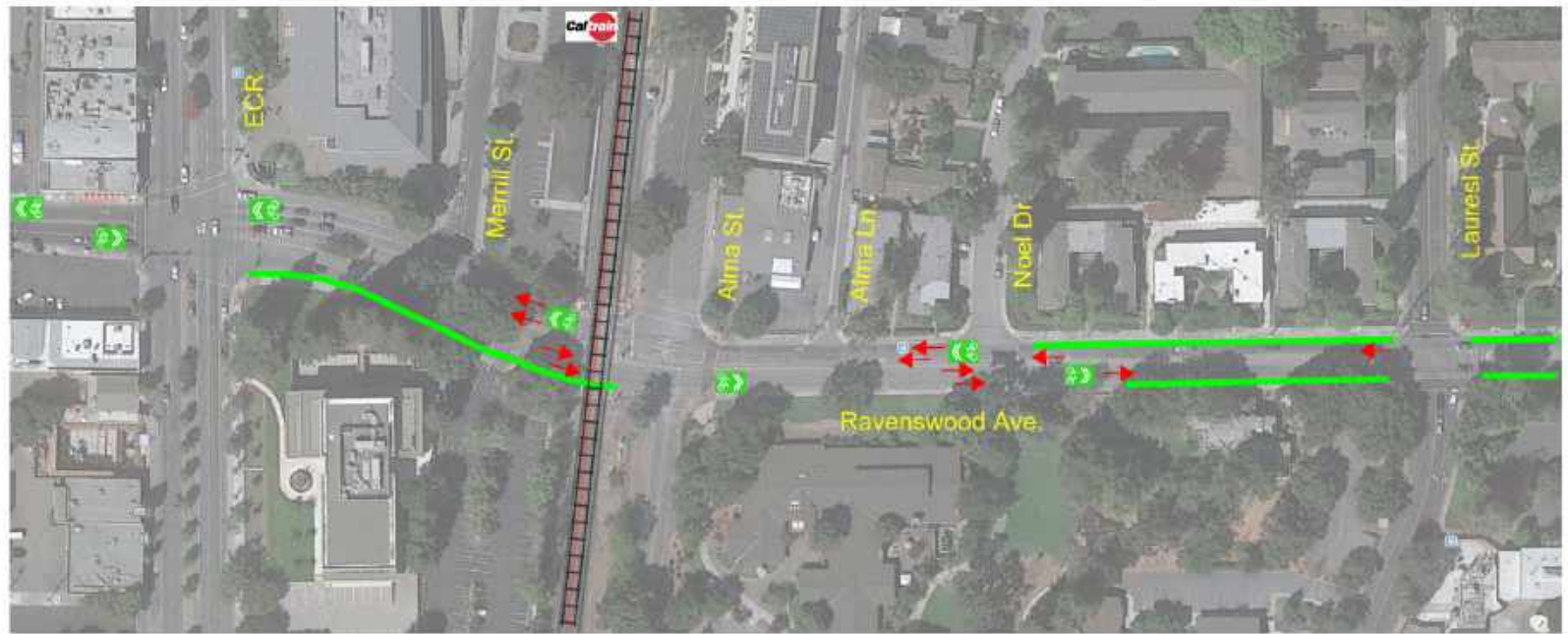
AGENDA

- Background
- Project re-evaluation
- Recommendations
- Next steps





BACKGROUND



Legends:

Bike lane	Bike routes	Railroad tracks	Caltrain station	Travel lanes
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EXISTING CONDITIONS
RAVENSWOOD AVENUE

BACKGROUND

- Capital Improvement Program – street resurfacing
 - Ravenswood Ave. between Alma St. and Middlefield Rd.
- May 12, 2021, Complete Streets Commission meeting (Ravenswood Ave. between Alma St. and Noel Dr.)
 - Eastbound: one permanent bike lane and two vehicular travel lanes
 - Westbound: bike route and two vehicular travel lanes





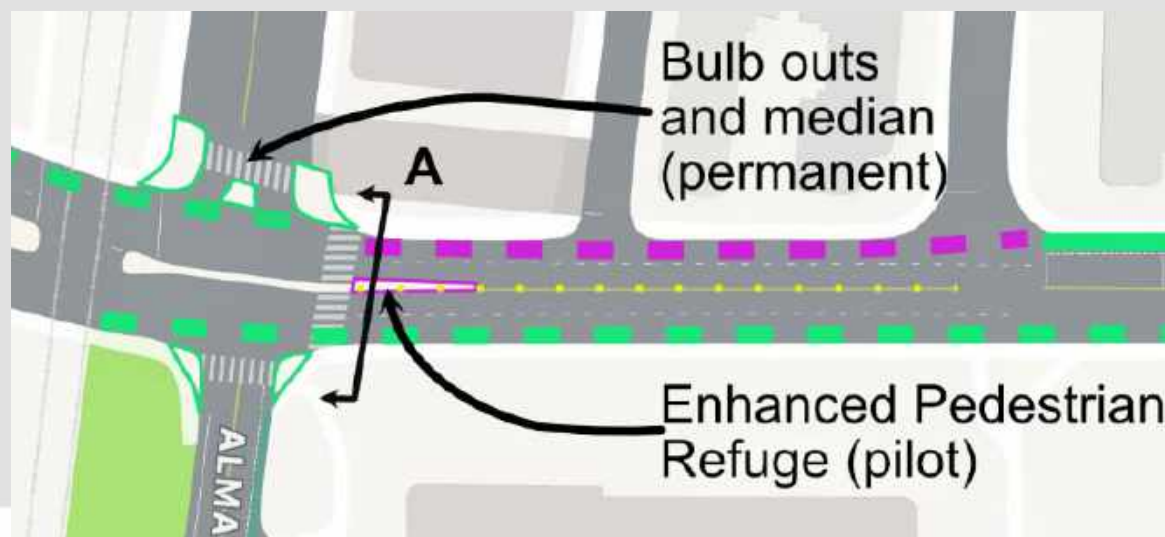
PROJECT RE-EVALUATION

- Factors/influences
 - Parkline project at SRI (333 Ravenswood Ave)
 - Pedestrian safety at Alma St crossing
 - Uncertainty about travel patterns (daily volumes: spring/fall 2021 \approx 80% of 2019)
- Street resurfacing scope revision
 - Remove Laurel St to Middlefield Rd
 - Add El Camino Real to Alma St
- Pedestrian and bicycle improvements feasibility



POTENTIAL PEDESTRIAN IMPROVEMENTS (RAVENSWOOD AVENUE/ALMA STREET)

- North side: median and bulb outs (permanent)
- South side: curb radii (permanent)
- Lighting improvements (under review)
- Alma St. crossing: pedestrian refuge widening (pilot)





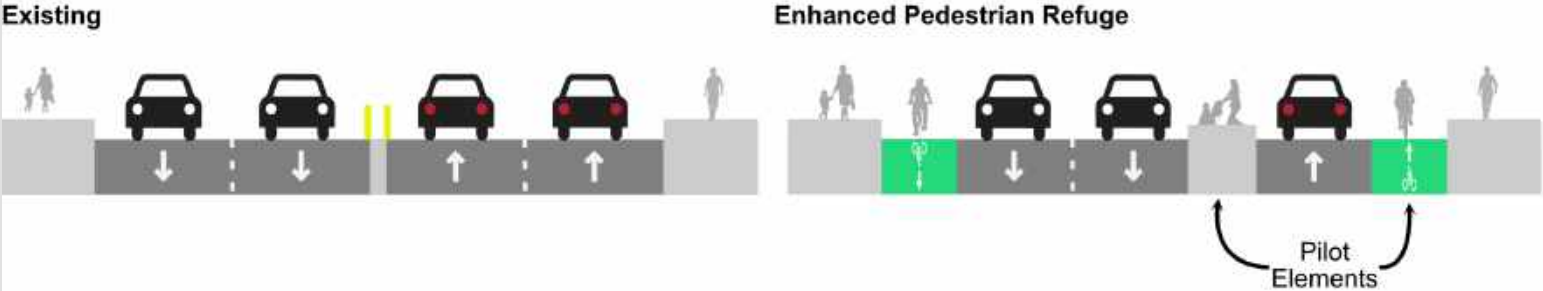
BICYCLE LANE FEASIBILITY

Segment	Eastbound	Westbound
El Camino Real to Merrill St	Existing	Feasible within existing right of way
Merrill St to Alma St.	Existing	Feasible within existing right of way
Alma St to Noel Dr	Feasible within existing right of way, consistent with CSC direction from 2021	Pilot requires shifting the westbound automobile travel lane by 300 feet
Noel Dr to Laurel St	Existing	Existing

POTENTIAL IMPROVEMENTS



A - Cross Section At Pedestrian Crossing of Ravenswood



REQUESTED DIRECTION – PILOT

- Pedestrian and bicycle improvements (shift travel lane expansion point by 300')
 - Widen pedestrian refuge across Alma St. crosswalk
 - Install westbound bike lane between Noel Dr. and Alma St





REQUESTED DIRECTION – PILOT EVALUATION METRICS

Metric	Source	Variables
Morning / evening peak hour vehicular queues	Observations	Queue distance relative to Laurel Street
Pre- and post- pilot vehicular volumes (on Ravenswood Ave and Oak Grove Ave)	Observations	Change in vehicular volumes
Pre- and post- pilot bicycle volumes	Observations	Change in bicycle volumes Pedestrian crossings at Alma St
Community feedback survey	Online survey	Percent support Perceived safety/comfort
Bicycle and pedestrian collisions	Police Department	Number of collisions

- Return after pilot with recommendation on making permanent



FEEDBACK

- March 9, Complete Streets Commission
 - Pilot recommendations
 - Public engagement/survey
- Community member





NEXT STEPS

- Provide direction on pilot (shift lane expansion point by 300')
 - Widen pedestrian refuge across Alma St. crosswalk
 - Install westbound bike lane between Noel Dr. and Alma St
 - Use temporary materials: striping and flexible posts
- Authorize staff to terminate pilot if significant safety or congestion challenges are detected
- Schedule for resurfacing project
 - Complete design – May 2022
 - Project bidding and award – June 2022
 - Complete Construction – Late summer/Fall 2022



THANK YOU



SPECIAL MEETING MINUTES – DRAFT

Date: 4/6/2022
Time: 5:00 p.m.
Location: Zoom

Closed Session

A. Call To Order

Mayor Nash called the meeting to order at 5:00 p.m.

B. Roll Call

Present: Combs, Mueller, Nash, Taylor, Wolosin
Absent: None
Staff: City Clerk Judi A. Herren

C. Closed Session

C1. Closed Session Pursuant to Government Code section 54956.9(e)(1): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One potential case with claims not yet known to the Plaintiff

No reportable actions.

D. Adjournment

Mayor Nash adjourned the meeting at 6:01 p.m.

Judi A. Herren, City Clerk





STAFF REPORT

City Council

Meeting Date:

4/26/2022

Staff Report Number:

22-077-CC

Consent Calendar:

Adopt a resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings.

Policy Issues

Assembly Bill 361 (AB 361) was signed into law September 16, 2021 allowing cities to continue holding virtual meetings during any emergency proclaimed by the governor. AB 361 sunsets January 1, 2024. The City Council would need to declare every 30 days that the City's legislative bodies must continue to meet remotely in order to ensure the health and safety of the public.

Background

The California Legislature approved AB 361, which was signed by the governor September 16, 2021 for signature. The bill allows local legislative bodies to continue to meet remotely through January 1, 2024. A local agency will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency
- State or local health officials have imposed or recommended measures to promote social distancing
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees

The City meets the requirements to continue holding meetings remotely in order to ensure the health and safety of the public:

- The City is still under a local state of emergency
- County Health orders recommends that all individuals in public spaces maintain social distancing and wear masks

Analysis

The City is still under a local state of emergency and the emergency findings required under AB 361 are still in effect. It is recommended that the use of facial coverings be exercised when not speaking inside the City Council Chambers. The resolution authorizes the use of hybrid meetings, whereby City Councilmembers and staff may choose to attend either remotely or in person.

Although the City has returned to in-person meetings, due to the prevalence of BA.2 strain of the SARS-CoV-2 virus and the BA.2 overtaking other variants in San Mateo County, the City Council finds that reducing the number of persons present in City Council chambers is necessary to reduce imminent health risks associated with large groups and/or members of varying households gathering indoors.

Impact on City Resources

There is no impact on City resources.

Environmental Review

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

Public Notice

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

Attachments

A. Resolution

Report prepared by:
Judi A. Herren, City Clerk

RESOLUTION NO. XXXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54952(b) AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS

WHEREAS, the City Council is committed to ensuring public access to observe and participate in local government meetings; and

WHEREAS, all meetings of the City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

WHEREAS, the AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting solely in person would present imminent risks to the health or safety of attendees, and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID 19) and that State of Emergency is still in effect in the State of California; and

WHEREAS, on March 11, 2020 the City Council proclaimed the existence of a local state of emergency within the City, pursuant to Section 8625 of the California Emergency Services Act in response to the COVID-19 pandemic; and

WHEREAS, COVID-19 continues to threaten the health and lives of City residents; and

WHEREAS, the SARS-CoV-2 Delta and Omicron Variants are highly transmissible in indoor settings; and

WHEREAS, the BA.2 strain of the SARS-CoV-2 virus is overtaking other variants in San Mateo County; and

WHEREAS, San Mateo County, the State of California and the Country in general, are expecting a surge in infection rates due to the BA.2 strain. According to data from the County's Health Administrator and County website, the County is averaging approximately seven new cases per 100,000 of COVID-19 per day; and

WHEREAS, although the City has returned to in-person meetings, due to the prevalence of BA.2 strain of the SARS-CoV-2 virus and the BA.2 overtaking other variants in San Mateo County, the City Council finds that reducing the number of persons present in City Council chambers is necessary to reduce imminent health risks associated with large groups and/or members of varying households gathering indoors; and

WHEREAS, the State of California and the City of Menlo Park continue to follow safety

measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (DPH), and/or County of San Mateo, as applicable, including facial coverings when required; and based upon that guidance, in-person attendance indoors at public meetings continues to present a health risk for certain segments of the population, necessitating the need to reduce the number of in-person meeting attendees; and

WHEREAS, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as “Legislative Bodies”), finds that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to allow Legislative Bodies to continue to use teleconferencing to hold open and public meetings if the Legislative Bodies comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby:

1. Find that current conditions authorize teleconference public meetings of Legislative Bodies. Based on the California Governor’s continued declaration of a State of Emergency and current conditions, the City Council finds that meeting in person, without the option for certain populations and persons to participate remotely, would present imminent risks to the health or safety of attendees. The City Council does therefore find that Legislative Bodies and members of Legislative Bodies of the City may elect to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.
2. Authorize Legislative Bodies to conduct teleconference meetings. The Legislative Bodies are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.
3. Authorize Legislative Bodies to conduct hybrid meetings. The Legislative Bodies are hereby further authorized to conduct meetings in a “hybrid” format, where both members of the Body may elect to be present in person, utilizing appropriate distancing and masking practices, or participate by teleconferencing technology. Such meetings of the Legislative Bodies that occur using teleconferencing technology will provide an opportunity for any and all members of the public who wish to address Legislative Bodies and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing

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I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth day of April, 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 April, 2022.

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date:

4/26/2022

Staff Report Number:

22-078-CC

Consent Calendar:

Adopt a resolution approving the 2021 amended water supply agreement with the City and County of San Francisco; and adopt a resolution approving a minimum purchase transfer from the City of Mountain View to the City of East Palo Alto

Recommendation

Staff recommends the City Council:

1. Adopt a resolution (Attachment A) approving the "2021 Amended and Restated Water Supply Agreement Between the City and County of San Francisco Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County", which will allow Wholesale Customers with Individual Supply Guarantees to permanently transfer a portion of their Minimum Purchase Quantity through an expedited procedure, known as the Minimum Purchase Amendment, and authorize the city manager to execute such agreement when final execution copies are prepared and distributed by the Bay Area Water Supply and Conservation Agency (BAWSCA.)
2. Adopt a resolution (Attachment B) approving a Minimum Purchase Transfer from the City of Mountain View to the City of East Palo Alto.

Policy Issues

In 1952, the City of Menlo Park (City) formed Menlo Park Municipal Water (MPMW) as a self-supporting City enterprise. MPMW is responsible for the purchase and sale of water, and for controlling the construction, operation and maintenance of the water system (Municipal Code Section 2.48.010.) Since its creation, MPMW has purchased water from the San Francisco Public Utilities Commission (SFPUC) to serve properties in its service area. MPMW is a member of the Bay Area Water Supply and Conservation Agency (BAWSCA), a special district that represents the interest of 26 cities, water districts, and private utilities that are long term purchasers of wholesale water from SFPUC.

The requirements of MPMW's purchases are outlined in the 2018 Amended and Restated Water Supply Agreement (WSA) with the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County. The WSA builds upon the 1984 "Settlement Agreement and Master Water Sales Contract between the City and County of San Francisco and Certain Suburban Purchasers in San Mateo County, Santa Clara County and Alameda County." The WSA expires in 2034.

Background

Section 3.07 of the WSA provides that four Wholesale Customers (Alameda County Water District and the Cities of Milpitas, Mountain View, and Sunnyvale, collectively, the "Minimum Purchase Customers") may purchase water from sources other than SFPUC, but they are each obligated to purchase a specific minimum annual quantity of water from SFPUC, referred to as a "Minimum Purchase Quantity." If a

Minimum Purchase Customer does not meet its Minimum Purchase Quantity in a particular fiscal year, it must pay SFPUC the difference between its metered water purchases during the fiscal year and its Minimum Purchase Quantity. The WSA does not currently allow a Minimum Purchase Customer to transfer a portion of its Minimum Purchase Quantity and the associated financial obligation to another Wholesale Customer.

In September 2017, BAWSCA and the Water Management Representatives (WMRs) of BAWSCA member agencies began reviewing the issue of Minimum Purchase Quantities, as described in Section 3.07.C of the WSA, and discussing the creation of a process to transfer Minimum Purchase Quantities. Throughout 2017 and 2018, the WMRs held multiple meetings where the agencies and the four Wholesale Customers with a Minimum Purchase Quantity shared their interests and concerns regarding changes to the Minimum Purchase Quantity requirements. One concern was allowing transfers of Minimum Purchase Quantities.

On February 12, 2019, this City Council, by Resolution No. 6484, approved the 2018 Amended and Restated WSA. At this time, the Wholesale Customers expressed a collective interest in working together to develop a process for an expedited and permanent transfer of Minimum Purchase Quantities.

Under Article 3 of the Amended and Restated WSA, SFPUC agreed to deliver up to 184 million gallons per day (MGD) of water to the Wholesale Customers; this is their "Supply Assurance". Following this, the Wholesale Customers allocated shares of the Supply Assurance among themselves, referred to as Individual Supply Guarantee. Section 3.04 of the WSA enables Wholesale Customer with an Individual Supply Guarantee to transfer a portion of its Individual Supply Guarantee to one or more other Wholesale Customers, subject to several conditions. As a Wholesale Customer, MPMW has an Individual Supply Guarantee of 4.456 MGD. In 2021, MPMW's water demand was 2.565 MGD, or 57 percent of its Individual Supply Guarantee.

WSA minimum purchase amendment

In 2019, the Wholesale Customers directed BAWSCA to draft a proposed amendment to the WSA to provide a procedure for expedited and permanent transfers of Minimum Purchase Quantities. This procedure would also safeguard the financial and water supply interests of Wholesale Customers not participating in such transfers.

Minimum purchase transfer from the City of Mountain View to the City of East Palo Alto

In 2017, the City of Mountain View and the City of East Palo Alto were interested in transferring 1.0 MGD of Mountain View's Minimum Purchase Quantity to East Palo Alto. Mountain View does not use all of its Individual Supply Guarantee, and East Palo Alto required additional supply. At that time, however, there was no procedure in the WSA to allow such a transfer. As a result, they elected to execute a water rights transfer agreement. East Palo agreed to pay Mountain View \$5 million for the permanent transfer of all rights, title, and interest of 1.0 MGD of water.

Analysis

WSA minimum purchase amendment

The proposed resolution to adopt the Minimum Purchase Amendment, which revises Sections 2.03, 3.04, and 3.07 of the WSA (Attachment C), will allow Wholesale Customers with Individual Supply Guarantees to permanently transfer a portion of their Minimum Purchase Quantity through an expedited procedure. The proposed amendment offers the following benefits:

1. Procedural safeguards built into the process by which a Wholesale Customer transfers a portion of its Minimum Purchase Quantity and Individual Supply Guarantee ensure that such transfers will not result in new or different risks to the water supply and financial interests of Wholesale Customers not

- participating in a transfer.
2. A Minimum Purchase Customer may transfer a portion of its Minimum Purchase Quantity within its respective Individual Supply Guarantee to reduce its financial obligation to pay for imputed sales for Minimum Purchase water that it did not use.
 3. Intra-system water transfers are one potential solution to long term water reliability needs among the Wholesale Customers. This expedited, permanent transfer procedure will allow intra-system water transfers of Minimum Purchase Quantity to occur without a contract amendment approved by the Wholesale Customers, thus removing administrative obstacles to such transfers.
 4. Expedited permanent intra-system transfers of portions of Minimum Purchase Quantity and Individual Supply Guarantee will facilitate the development of new water supplies by the SFPUC that are necessary to support the Cities of San Jose and Santa Clara becoming permanent Wholesale Customers.
 5. The Wholesale Customers may increase the 6 MGD cap on the total aggregate amount of Minimum Purchase Quantity that may be transferred by all of the Minimum Purchase Customers over the course of one or multiple transfers if demand for Minimum Purchase Quantity transfers exceeds 6 MGD in the future.

The City and County of San Francisco, acting by and through the SFPUC, approved the Minimum Purchase Amendment, also known as the 2021 Amended and Restated Water Supply Agreement (Attachment D), as negotiated by BAWSCA, on January 26, 2021. This is now pending approval by the Wholesale Customers. BAWSCA has requested that each member agency's governing board approve this amendment no later than May 2022. The amendment requires a super-majority approval of BAWSCA member agencies: two-thirds by weight in SFPUC purchases and two-thirds by the number of BAWSCA members.

Attachment E provides a two-page summary of the WSA Minimum Purchase Amendment.

Minimum purchase transfer from the City of Mountain View to the City of East Palo Alto

Because the 2017 Mountain View/East Palo Alto Individual Supply Guarantee transfer predates the Minimum Purchase Amendment, the Mountain View/East Palo Alto Minimum Purchase Transfer must be accomplished separately from the adoption of the Minimum Purchase Amendment.

The proposed resolution would provide advance approval for a conversion of the 2017 Mountain View/East Palo Alto transfer and it will not adversely affect Menlo Park or other non-participating BAWSCA member agencies. The conversion would accept the 2017 Mountain View/East Palo Alto transfer, plus transfer up to 1.0 MGD of Mountain View's Minimum Purchase Quantity to East Palo Alto, in 0.25 MGD increments, if certain terms and conditions are satisfied. The Mountain View and East Palo Alto City Councils have already approved them, subject to all of the following:

1. Their City Councils' approval of an agreement for each incremental transfer
2. Approval of the Wholesale Customers and San Francisco
3. Mountain View and East Palo Alto authorize and execute a negotiated agreement

BAWSCA has requested that each member agency's governing board approve this amendment no later than May 2022. The transfer requires a super-majority approval of BAWSCA member agencies: two-thirds by weight in SFPUC purchases and two-thirds by the number of BAWSCA members.

Impact on City Resources

Approval of the 2021 Amended and Restated Water Supply Agreement and the Minimum Purchase Transfer from the City of Mountain View to the City of East Palo Alto has no direct impact on City resources. Costs related to water supply are part of the revenue requirement for the water enterprise fund and are

generally recovered from retail water rates set by the City Council. There will be no impact to the general fund.

Environmental Review

The proposed amendment is not a “project” for the purposes of CEQA as it involves an administrative activity that does not result in a direct change to the environment (see 14 CCR Section 15378(b)(5)), and would not result in a direct or reasonably foreseeable indirect physical change in the environment (see 14 CCR Section 15060(c)(2).)

In the even the proposed amendment is considered a “project,” it would be subject to the categorical exemption for operation, repair, and maintenance of existing facilities (see 14 CCR Section 15301) and the proposed amendment does not implicate substantial changes that involve a new significant environmental effect (see 14 CCR Section 15162(a).)

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 approving the water supply agreement minimum purchase amendment
- B. Resolution approving a minimum purchase transfer from the City of Mountain View to the City of East Palo Alto
- C. Redline showing changes to Sections 3.04, 3.07, and 2.03 of the Amended and Restated Water Supply Agreement
- D. Proposed 2021 amended and restated water supply agreement with attachments – menlopark.org/proposedwatersupplyagreement
- E. Summary of the proposed WSA minimum purchase amendment

Report prepared by:
Pam Lowe, Senior Civil Engineer

Report reviewed by:
Tanisha Werner, Assistant Public Works Director – Engineering

RESOLUTION NO. XXXX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING AN AMENDMENT TO THE AMENDED AND RESTATED WATER
SUPPLY AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN
FRANCISCO AND WHOLESALE CUSTOMERS IN ALAMEDA COUNTY, SAN
MATEO COUNTY, AND SANTA CLARA COUNTY**

WHEREAS, water supply agencies in Alameda, San Mateo, and Santa Clara Counties have purchased water from the City and County of San Francisco (San Francisco) for many years; and

WHEREAS, the San Francisco Public Utilities Commission (SFPUC or Commission) operates the Regional Water System, which delivers water to communities in Alameda, San Mateo, and Santa Clara Counties, as well as to customers within San Francisco (collectively, “the Parties”); and

WHEREAS, the Parties entered into the “Settlement Agreement and Master Water Sales Contract between the City and County of San Francisco and Certain Suburban Purchasers in San Mateo County, Santa Clara County and Alameda County” in 1984 (1984 Settlement Agreement and Master Water Sales Contract); and

WHEREAS, in April 2003, water supply agencies in Alameda, San Mateo and Santa Clara Counties (collectively referred to as the “Wholesale Customers” or “BAWSCA member agencies”) established the Bay Area Water Supply and Conservation Agency (BAWSCA), as authorized by Water Code Section 81300 *et seq.*; and

WHEREAS, upon expiration of the 1984 Settlement Agreement and Master Water Sales Contract, the Parties entered into the “Water Supply Agreement between San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County” (Water Supply Agreement or WSA) on July 1, 2009, authorized by SFPUC Resolution No. 09-0069, dated April 28, 2009; and

WHEREAS, in 2017, the Wholesale Customers directed BAWSCA to act as its authorized representative in discussions and negotiations with San Francisco to amend the Water Supply Agreement to address a number of substantive issues and these negotiations resulted in the Parties’ adoption of the Amended and Restated Water Supply Agreement (Amended and Restated Water Supply Agreement) in 2018, authorized by SFPUC Resolution No. 18-0212, dated December 11, 2018; and

WHEREAS, on February 12, 2019, this City Council, by Resolution No. 6484, approved the Amended and Restated Water Supply Agreement; and

WHEREAS, under Article 3 of the Amended and Restated Water Supply Agreement, the SFPUC agrees to deliver water to the Wholesale Customers up to the amount of 184 million gallons per day (MGD), referred to as the “Supply Assurance,” and the Wholesale Customers have allocated shares of the Supply Assurance among themselves, referred to as Individual Supply Guarantees (“ISG”); and

WHEREAS, Section 3.04 of the Amended and Restated Water Supply Agreement enables a Wholesale Customer that has an ISG to transfer a portion of its ISG to one or more other Wholesale Customers, subject to several conditions; and

WHEREAS, under Section 3.07 of the Amended and Restated Water Supply Agreement, four Wholesale Customers (Alameda County Water District and the Cities of Milpitas, Mountain View, and Sunnyvale, collectively, the “Minimum Purchase Customers”) may purchase water from sources other than the SFPUC, but they are each obligated to purchase a specific minimum annual quantity of water from the SFPUC, referred to as a “Minimum Purchase requirement”; and

WHEREAS, if a Minimum Purchase Customer does not meet its Minimum Purchase requirement in a particular fiscal year, it must pay the SFPUC for the difference between its metered water purchases during the fiscal year and its minimum annual purchase quantity set forth in Attachment E of the Amended and Restated Water Supply Agreement; and

WHEREAS, the Amended and Restated Water Supply Agreement does not currently allow a Minimum Purchase Customer to transfer a portion of its Minimum Purchase requirement and the associated financial obligation to another Wholesale Customer; and

WHEREAS, in September 2017, BAWSCA and the Water Management Representatives (WMRs) of the BAWSCA member agencies began reviewing the issue of Minimum Purchase Quantities, as described in Section 3.07.C of the Water Supply Agreement, and discussing the creation of a process to transfer Minimum Purchase Quantities; and

WHEREAS, throughout 2017 and 2018, the WMRs held multiple meetings during which the agencies currently subject to Minimum Purchase Quantity requirements and the other Wholesale Customers shared their interests and concerns regarding changes to the Minimum Purchase Quantity requirements and allowing transfers of Minimum Purchase Quantities; and

WHEREAS, at the time the Amended and Restated Water Supply Agreement was approved, the Parties expressed a collective interest in working together to develop a process for the expedited and permanent transfer of Minimum Purchase Quantities; and

WHEREAS, in 2019, the Wholesale Customers directed BAWSCA to draft a proposed amendment to the Amended and Restated Water Supply Agreement to provide a procedure for expedited and permanent transfers of Minimum Purchase Quantities that safeguards the financial and water supply interests of Wholesale Customers not participating in such transfers; and

WHEREAS, the Parties recognize that, both before and after the most recent statewide drought, after meeting drought-related conservation mandates, several BAWSCA member agencies were unable to meet their respective Minimum Purchase requirements described in Article 3.07 of the Amended and Restated Water Supply Agreement, which requires payment for water up to the required Minimum Purchase level even if such water is not delivered and used; and

WHEREAS, several of the Wholesale Customers with Minimum Purchase requirements might be interested in transferring a portion of their Minimum Purchase Quantity within their respective ISGs to reduce the financial obligation to pay for imputed sales for Minimum Purchase water that is not used; and

WHEREAS, with its Alternative Water Supply Program, the SFPUC is in the early stages of planning for fourteen projects to support the Wholesale and Retail Customers' ability to respond to climate change and address future water supply challenges and vulnerabilities, such as regulatory changes, earthquakes, disasters, emergencies, and increases in population and employment; and

WHEREAS, the City of San Jose (San Jose) and the City of Santa Clara (Santa Clara) are temporary, interruptible Wholesale Customers of the SFPUC Regional Water System and both cities wish to become permanent Wholesale Customers; and

WHEREAS, pursuant to Section 4.06 of the Amended and Restated Water Supply Agreement, by December 31, 2028, San Francisco must complete any necessary California Environmental Quality Act (CEQA) review and must decide whether or not to make San Jose and Santa Clara permanent Wholesale Customers of the Regional Water System with a combined Individual Supply Guarantee (ISG) of 9 million gallons per day (MGD) allocated equally between the two cities, as well as how much water in excess of 9 MGD it will supply to San Jose and Santa Clara; and

WHEREAS, Section 4.06 of the Amended and Restated Water Supply Agreement provides: "San Francisco will make San Jose and Santa Clara permanent customers only if, and to the extent that, San Francisco determines that Regional Water System long term water supplies are available;" and

WHEREAS, according to SFPUC's December 2021 Alternative Water Supply Planning Quarterly Update (Quarterly Update), "[f]or San Jose and Santa Clara to become permanent customers of the SFPUC, an additional 9 MGD of new, year-round supplies would be needed to meet historic demand levels and up to 15.5 MGD would be needed to meet planned demand through 2045;" and

WHEREAS, according to its December Quarterly Update, SFPUC is planning with the "intention to be able to make San Jose and Santa Clara permanent customers," but is prioritizing instream flow obligations to meet existing permanent customer demands, including drought supplies; and

WHEREAS, SFPUC has budgeted \$298.3 million over the next ten years to fund water supply projects; and

WHEREAS, SFPUC, San Jose, Santa Clara, and BAWSCA are actively working together to consider water supply projects that may offer potential sources of supply to support San Jose and Santa Clara as permanent Wholesale Customers; and

WHEREAS, BAWSCA and SFPUC have identified intra-system water transfers as one potential solution to long term water reliability needs among the Wholesale Customers; and

WHEREAS, a Minimum Purchase Customer might be more inclined to transfer a portion of its ISG to another Wholesale Customer under Section 3.04 of the Amended and Restated Water Supply Agreement if it was able to include a simultaneous transfer of a portion of its Minimum Purchase requirement and the associated financial obligation; and

WHEREAS, allowing simplified permanent intra-system transfers of portions of Minimum Purchase Quantity and ISG will facilitate the development of new water supplies by SFPUC that are necessary to support San Jose and Santa Clara as permanent Wholesale Customers; and

WHEREAS, the Parties have developed a process to allow for the transfer of a Wholesale Customer's Minimum Purchase Quantity in conjunction with an ISG transfer pursuant to Section 3.04, which ensures that such transfers will not result in new or different risks to the water supply and financial interests of Wholesale Customers not participating in a transfer; and

WHEREAS, the Parties agree that the total aggregate amount of Minimum Purchase Quantity that may be transferred by all of the Wholesale Customers subject to Minimum Purchase requirements as first specified in Attachment E of the Amended and Restated Water Supply Agreement, over the course of one or multiple transfers, is limited to 6 MGD; and

WHEREAS, if demand for Minimum Purchase Quantity transfers exceeds 6 MGD in the future, the Parties agree to consider further amending Section 3.04 of the Amended and Restated Water Supply Agreement to increase the total aggregate cap on the amount of Minimum Purchase Quantity that may be transferred; and

WHEREAS, a proposed transfer that does not meet the requirements of Section 3.04 of the Amended and Restated Water Supply Agreement, as amended by this Resolution, may be presented as an amendment to the Amended and Restated Water Supply Agreement pursuant to Section 2.03 of the Amended and Restated Water Supply Agreement; and

WHEREAS, the Parties agree to consider a proposal by the City of Mountain View (Mountain View) and the City of East Palo Alto (East Palo Alto) to amend the Amended and Restated Water Supply Agreement to allow for the conversion of Mountain View's 2017 sale of 1.0 MGD of ISG to East Palo Alto into a transfer of 1.0 MGD of Mountain View's ISG that includes Minimum Purchase Quantity to East Palo Alto, over a period of time, and in a manner that protects the other Wholesale Customers' financial and water supply interests; and

WHEREAS, if such a conversion is approved by the Parties, the 1.0 MGD of Mountain View's Minimum Purchase Quantity would be counted towards the total aggregate 6 MGD cap on Minimum Purchase Quantity transfers; and

WHEREAS, the Parties now desire to adopt an amendment to the Amended and Restated Water Supply Agreement to permit Wholesale Customers with an ISG to transfer, or accept a transfer, of both a portion of a Wholesale Customer's ISG and its Minimum Purchase Quantity; and

WHEREAS, an updated Amended and Restated Water Supply Agreement, reflecting this amendment, in the form negotiated by BAWSCA (2021 Amended and Restated Water Supply Agreement), was presented to and approved by SFPUC on January 26, 2021 pursuant to SFPUC Resolution No. 21-0009; and

WHEREAS, the amendment considered now is not a "project" for the purposes of CEQA as it involves an administrative activity that does not result in a direct change to the environment (see 14 CCR Section 15378(b)(5)), and would not result in a direct or reasonably foreseeable indirect physical change in the environment (see 14 CCR Section 15060(c)(2)); and

WHEREAS, in the event the amendment is considered a "project," it would be subject to the categorical exemption for operation, repair, and maintenance of existing facilities (see 14 CCR Section 15301) and the amendment does not implicate substantial changes that involve a new significant environmental effect (see 14 CCR Section 15162(a)).

NOW, THEREFORE, BE IT RESOLVED that the City of Menlo Park, acting by and through its City Council, finds as follows:

- 1) The City Council approves the modifications included in the attached "2021 Amended and Restated Water Supply Agreement Between the City and County of San Francisco Wholesale

Customers in Alameda County, San Mateo County, and Santa Clara County" dated January 2021 (2021 Amended and Restated Water Supply Agreement).

- 2) The City Manager is authorized and directed to sign the 2021 Amended and Restated Water Supply Agreement, in the form previously approved by the San Francisco Public Utilities Commission and attached hereto.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth day of April, 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 April, 2022.

Judi A. Herren, City Clerk

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING A MINIMUM PURCHASE TRANSFER FROM THE CITY OF
MOUNTAIN VIEW TO THE CITY OF EAST PALO ALTO**

WHEREAS, the City and County of San Francisco ("San Francisco") Public Utilities Commission ("SFPUC" or "Commission") operates the Regional Water System, which delivers water to water supply agencies in Alameda, San Mateo, and Santa Clara Counties (collectively, "the Parties"); and

WHEREAS, in April 2003, water supply agencies in Alameda, San Mateo and Santa Clara Counties (collectively, the "Wholesale Customers") established the Bay Area Water Supply and Conservation Agency ("BAWSCA"), as authorized by Water Code Section 81300 *et seq.*; and

WHEREAS, in November of 2018, San Francisco and the Wholesale Customers (the "Parties") entered into the Amended and Restated Water Supply Agreement ("WSA"); and

WHEREAS, the Parties have identified intra-system water transfers as one potential solution to long-term water reliability needs among the Wholesale Customers; and

WHEREAS, in 2017, the City of Mountain View ("Mountain View") and the City of East Palo Alto ("East Palo Alto") were interested in transferring 1.0 million gallons per day ("MGD") of Mountain View's Minimum Annual Purchase Quantity ("Minimum Purchase") to East Palo Alto, however, at the time, there was no procedure in the WSA to effectuate such a transfer without amending the WSA; and

WHEREAS, in 2017, Mountain View and East Palo Alto executed a water rights transfer agreement in which East Palo Alto agreed to pay Mountain View \$5 Million for the permanent transfer of all rights, title, interest to 1.0 MGD of Mountain View's Individual Supply Guarantee (ISG) to East Palo Alto; and

WHEREAS, in August 2018, BAWSCA and San Francisco provided the Wholesale Customers a revised Attachment C to the Water Supply Agreement reflecting the updated ISG amounts for Mountain View and East Palo Alto, as a result of the 1.0 MGD transfer of ISG from Mountain View to East Palo Alto; and

WHEREAS, Mountain View continues to be subject to a Minimum Purchase of 8.93 MGD and the financial obligation of paying for imputed sales for the portion of Minimum Purchase that it does not use; and

WHEREAS, in 2020, Mountain View and East Palo Alto began discussing a possible future transfer of a portion of Mountain View's Minimum Purchase to East Palo Alto; and

WHEREAS, on January 26, 2021, the SFPUC adopted the 2021 Amended and Restated Water Supply Agreement ("2021 WSA"), which includes a new procedure by which Wholesale Customers with ISGs may participate in permanent expedited transfers of a portion of Minimum Purchase and ISG, without creating new or different risks to the water supply and financial interests of Wholesale Customers not participating in such transfers; and

WHEREAS, the 2021 WSA has been or will be presented to the governing body of each Wholesale Customer, and if approved, will permit Wholesale Customers with an ISG to transfer and accept a portion of another Wholesale Customer's Minimum Purchase, if certain requirements are satisfied; and

WHEREAS, on April 20, 2021, East Palo Alto approved the conversion of the 1.0 MGD of Mountain View's ISG sold to East Palo Alto in 2017 into a transfer of up to 1.0 MGD of Mountain View's Minimum Purchase to East Palo Alto, in increments of 0.25 MGD or other amount, subject to the City Council's approval of an agreement for each incremental transfer and the approval of the Wholesale Customers and San Francisco; and

WHEREAS, on June 8, 2021, Mountain View approved the conversion of the 1.0 MGD of Mountain View's ISG sold to East Palo Alto in 2017 into a transfer of up to 1.0 MGD of Mountain View's Minimum Purchase to East Palo Alto, in increments of 0.25 MGD, subject to the City Council's approval of an agreement for each incremental transfer and the approval of the Wholesale Customers and San Francisco; and

WHEREAS, East Palo Alto and Mountain View are authorized and prepared to execute a negotiated agreement memorializing the terms and conditions of a 0.25 MGD transfer of Mountain View's Minimum Purchase to East Palo Alto; and

WHEREAS, as noted below, one of the conditions of the negotiated agreement between Mountain View and East Palo Alto is that, in exchange for the 0.25 MGD of Minimum Purchase transfer, Mountain View will provide East Palo Alto with an immediate Right-of-First Refusal for drought water transfers at the same volume as the Minimum Purchase transfer, pursuant to Appendix H of the 2021 WSA; and

WHEREAS, in conjunction with consideration of the 2021 WSA, East Palo Alto and Mountain View propose the Wholesale Customers and San Francisco approve, in advance, the terms and conditions for converting up to 1.0 MGD of Mountain View's ISG purchased by East Palo Alto in 2017 into a transfer of 1.0 MGD of Mountain View's Minimum Purchase to East Palo Alto, in 0.25 MGD increments, if Mountain View and East Palo Alto mutually agree to such incremental transfers in the future and provided the conditions outlined below are met; and

WHEREAS, if up to 1.0 MGD of Mountain View's ISG purchased by East Palo Alto in 2017 is converted into a transfer of up to 1.0 MGD of Mountain View's Minimum Purchase to East Palo Alto, up to 1.0 MGD of Minimum Purchase, in 0.25 MGD increments, will be counted towards the total Minimum Purchase that may be transferred pursuant to Section 3.04.C.1 of the 2021 WSA; and

WHEREAS, this parallel action continues to require the calculation of a Temporary Modified Minimum Annual Purchase Quantity, set out in Attachment E-1 in the 2021 WSA; however, the transferor, Mountain View, is responsible for the imputed sales associated with transfers to East Palo Alto up to 1.0 MGD, until the terms and conditions outlined below are satisfied; and

WHEREAS, in accordance with the water transfer provisions of the 2021 WSA, Mountain View and East Palo Alto will coordinate with San Francisco and BAWSCA to document Temporary Modified Minimum Annual Purchase Quantities to be included on Attachment E-1, transferred Minimum Annual Purchase Quantities to be included on Attachment E, when timely, and amendments to each cities' Individual Water Sales Contract with San Francisco.

NOW, THEREFORE, BE IT RESOLVED that the City of Menlo Park, acting by and through its City Council, finds as follows:

- 1) The City Council approves, in advance, the conversion of up to 1.0 MGD of Mountain View's ISG, sold to East Palo Alto in 2017 into a transfer of 1.0 MGD of Mountain View's ISG plus up to 1.0 MGD of Mountain View's Minimum Purchase to East Palo Alto, in 0.25 MGD increments, if all of the following terms and conditions are satisfied:
 - a) Mountain View will transfer up to 1.0 MGD of its Minimum Purchase to East Palo Alto, in increments of 0.25 MGD, subject to the Mountain View City Council's and the East Palo Alto City Council's approval of an agreement for each incremental transfer.
 - b) For each incremental transfer, a Temporary Modified Minimum Annual Purchase Quantity will be calculated for East Palo Alto that is equal to the City's five-year average water use from the SFPUC for the most recent non-drought years prior to the 2017 ISG purchase, plus the incremental transfer amount(s).
 - c) For each incremental transfer, Mountain View will maintain, and be responsible for paying any imputed sales for, its Minimum Purchase requirement in effect at that time, as set forth in Attachment E of the WSA, including up to 1.0 MGD ISG transfer to East Palo Alto, until East Palo Alto's water use meets the Temporary Modified Minimum Annual Purchase Quantity for three consecutive years.
 - d) East Palo Alto will not be required to pay imputed sales associated with the Temporary Modified Minimum Annual Purchase Quantity for any incremental transfer of the 1.0 MGD of Mountain View's Minimum Purchase requirement.
 - e) For each incremental transfer, once East Palo Alto has met the Temporary Modified Minimum Annual Purchase Quantity for three consecutive years, the incremental portion of Mountain View's Minimum Purchase transferred to East Palo Alto will become East Palo Alto's Minimum Purchase, and Mountain View's Minimum Purchase will be reduced by an equivalent amount. East Palo Alto's new Minimum Purchase will be included in Attachment E and both cities' Individual Water Sales Contracts will be updated to reflect this transfer.
 - f) With exception of the incremental transfers that are the subject of this resolution and the agreement between East Palo Alto and Mountain View described herein, any additional transfers of Minimum Purchase, either from another Wholesale Customer or from Mountain View in excess of the 1.0 MGD, are subject to Section 3.04 of the 2021 WSA.

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I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth day of April, 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 April, 2022.

Judi A. Herren, City Clerk

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03****3.04 Permanent Transfers of Individual Supply Guarantees and Minimum Annual Purchase Quantities**

A. A Wholesale Customer that has an Individual Supply Guarantee may transfer a portion of it to one or more other Wholesale Customers, as provided in this section.

B. Transfers of a portion of an Individual Supply Guarantee must be permanent, as opposed to temporary or time-limited. Notwithstanding the previous sentence, a portion of an Individual Supply Guarantee that has been transferred under this section may be included in another transfer under this section at a later date. The minimum quantity that may be transferred is 1/10th of a MGD.

C. Transfers of a portion of a Minimum Annual Purchase Quantity may be included in transfers of a portion of an Individual Supply Guarantee and are subject to the same requirements for Individual Supply Guarantee transfers in this section as well as the following conditions:

1. Transferor of Minimum Annual Purchase Quantity. A Wholesale Customer subject to the minimum annual purchase requirements of Section 3.07.C may transfer both a portion of its Individual Supply Guarantee and a portion of its Minimum Annual Purchase Quantity to one or more Wholesale Customers that have an Individual Supply Guarantee. The process by which such a transfer may be proposed and approved is set forth in subparts D and E of this section. A Wholesale Customer that had a Minimum Annual Purchase Quantity at the start of the Term of this Agreement may not cumulatively transfer, over the course of one or multiple transfers, more than half (50%) of its Minimum Annual Purchase Quantity as first specified in Attachment E at the start of the Term of this Agreement. Wholesale Customers that had a Minimum Annual Purchase Quantity at the start of the Term of this Agreement may not cumulatively transfer, over the course of one or multiple transfers, more than 6 MGD of the total aggregate Minimum Annual Purchase Quantity specified in Attachment E at the start of the Term of this Agreement. A Wholesale Customer that received a Minimum Annual Purchase Quantity through a transfer under this section may cumulatively transfer, over the course of one or multiple transfers, a portion of or all of the Minimum Annual Purchase Quantity it received pursuant to this section. The effect of such a transfer will be a reduction in the transferor's Individual Supply Guarantee, specified in Attachment C, and a reduction in the transferor's

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03**

Minimum Annual Purchase Quantity, specified in Attachment E. The SFPUC and BAWSCA will update Attachments C and E to reflect such changes, pursuant to Section 3.04.F. The reduction in the transferor's permanent Minimum Annual Purchase Quantity shall become effective in the same fiscal year in which the transfer becomes effective.

2. Transferee of Minimum Annual Purchase Quantity. A Wholesale Customer that has an Individual Supply Guarantee may be the recipient, or transferee, of both a portion of Individual Supply Guarantee and a portion of Minimum Annual Purchase Quantity from another Wholesale Customer that has an Individual Supply Guarantee, whether or not the transferee is already subject to the minimum annual purchase requirements of Section 3.07.C. When such a transfer is approved and effective, the transferee will initially have a revised Individual Supply Guarantee and a Temporary Modified Minimum Annual Purchase Quantity, which will be reflected on Attachments C and E-1, respectively, pursuant to Section 3.04.F. A Temporary Modified Minimum Annual Purchase Quantity will become effective in the same fiscal year in which the transfer becomes effective. The transferee's Temporary Modified Minimum Annual Purchase Quantity will ultimately be replaced by a permanent Minimum Annual Purchase Quantity, as described in this sub-section, which will be reflected on Attachment E pursuant to Section 3.04.F.

3. Calculation of Temporary Modified Minimum Annual Purchase Quantity. The Temporary Modified Minimum Annual Purchase Quantity that a transferee receives from a transfer under this sub-section is the sum of (1) the average annual (fiscal year) quantity of water purchased by the transferee from the SFPUC (plus Imputed Sales, if applicable) in the most recent five previous non-drought fiscal years, plus (2) the relevant reduction in the transferor's Minimum Annual Purchase Quantity. For this calculation, the five previous non-drought fiscal years need not be consecutive. Notwithstanding the preceding sentences in this paragraph, if a transferee has an existing Temporary Modified Minimum Annual Purchase Quantity at the time of a new transfer under this sub-section, the transferee's new Temporary Modified Minimum Annual Purchase Quantity under the new transfer will be the sum of (1) the transferee's existing Temporary Modified Minimum Annual Purchase Quantity, plus (2) the relevant reduction in the transferor's Minimum Annual Purchase Quantity. Attachment E-2 contains sample calculations of the Temporary Modified Minimum Annual Purchase Quantity for transferees who are subject to, or not yet subject to, the minimum annual purchase requirements of Section 3.07.C.

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03**

4. Duration and Expiration of Temporary Modified Minimum Annual Purchase Quantity.

a. Once a transfer under this sub-section is approved and effective, the transferee is required to purchase from the SFPUC its Temporary Modified Minimum Annual Purchase Quantity until the quantity of water delivered annually to the transferee by the SFPUC meets or exceeds the Temporary Modified Minimum Annual Purchase Quantity for three consecutive fiscal years. It may take many years for the quantity of water delivered to meet or exceed this amount. The transferee's Temporary Modified Minimum Annual Purchase Quantity is subject to waiver by the SFPUC as described in Section 3.07.C. However, even in the event of such a waiver, a fiscal year in which the transferee still purchases from the SFPUC an amount of water that meets or exceeds its Temporary Modified Minimum Annual Purchase Quantity will count as a fiscal year in which the transferee has met or exceeded its Temporary Modified Minimum Annual Purchase Quantity for the purposes of this paragraph.

b. Once the quantity of water delivered to the transferee by the SFPUC reaches the milestone described in the preceding paragraph, the transferee will no longer be subject to the Temporary Modified Minimum Annual Purchase Quantity. Instead, the transferee will have a new permanent Minimum Annual Purchase Quantity, which will equal the sum of (1) its previous Minimum Annual Purchase Quantity, if applicable, plus (2) the relevant reduction in the transferor's Minimum Annual Purchase Quantity. The transferee's new permanent Minimum Annual Purchase Quantity will be reflected on Attachment E, and its expired Temporary Modified Minimum Annual Purchase Quantity will be removed from Attachment E-1, pursuant to Section 3.04.F. Any other Temporary Modified Minimum Annual Purchase Quantities of the transferee will remain in effect on Attachment E-1.

D. Transfers of portions of Individual Supply Guarantees, including transfers of portions of Minimum Annual Purchase Quantities, are subject to approval by the SFPUC.

SFPUC review is limited to determining (1) whether a proposed transfer complies with the Act, and (2) whether the affected facilities in the Regional Water System have sufficient capacity to accommodate delivery of the increased amount of water to the proposed transferee.

E. The participants in a proposed transfer shall provide written notice to the SFPUC and BAWSCA specifying (1) the amount of the Individual Supply Guarantee proposed to be transferred, (2) the proposed effective date of the transfer, which shall not be less than 60 days

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TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03**

after the notice is submitted to the SFPUC, and (3) the Individual Supply Guarantees of both participants resulting from the transfer. [If a proposed transfer includes the transfer of a portion of Minimum Annual Purchase Quantity, then the participants will provide additional written notice specifying \(4\) the amount of the Minimum Annual Purchase Quantity proposed to be transferred, \(5\) transferee's Temporary Modified Minimum Annual Purchase Quantity and permanent Minimum Annual Purchase Quantity under the transfer, and \(6\) the transferor's new Minimum Annual Purchase Quantity under the transfer.](#) The SFPUC may require that the participants in any proposed transfer provide additional information reasonably necessary to evaluate the operational impacts of the ~~transfer.~~proposed transfer and any additional information that will assist the SFPUC in its review of the proposed transfer. The SFPUC will not unreasonably withhold or delay its approval of a proposed transfer; if the SFPUC does not act on the written notice provided by the participants within 60 days, the transfer will be deemed to have been approved. An approved transfer becomes effective on the proposed effective date set forth in the written notice of the proposed transfer provided to the SFPUC and BAWSCA.

F. Within 30 days after the transfer has become effective, both the transferor and the transferee will provide written notice to the SFPUC and BAWSCA. By September 30 of each year during the Term, the SFPUC and BAWSCA will prepare an updated Attachment C, and updated Attachments E and E-1 where applicable, to reflect the effects of transfers occurring during the immediately preceding fiscal year. By September 30 of each year during the Term, the Individual Water Sales Contracts between San Francisco and any Wholesale Customers who are participants in a transfer under this Section will be amended with the written concurrence of San Francisco and those Wholesale Customers to reflect the effects of transfers occurring during the immediately preceding fiscal year, as necessary.

G. Amounts transferred will remain subject to pro rata reduction under the circumstances described in Section 3.02.C and according to the formula set forth in Attachment D.

H. A proposed transfer that does not satisfy the requirements of this section may be presented as an amendment to this Agreement pursuant to Section 2.03.

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03**

3.07 Restrictions on Purchases of Water from Others; Minimum Annual Purchases

A. Each Wholesale Customer (except for Alameda County Water District and the cities of Milpitas, Mountain View and Sunnyvale) agrees that it will not contract for, purchase or receive, with or without compensation, directly or indirectly, from any person, corporation, governmental agency or other entity, any water for delivery or use within its service area without the prior written consent of San Francisco.

B. The prohibition in subsection A does not apply to:

1. recycled water;
2. water necessary on an emergency and temporary basis, provided that the Wholesale Customer promptly gives San Francisco notice of the nature of the emergency, the amount of water that has been or is to be purchased, and the expected duration of the emergency; or
3. water in excess of a Wholesale Customer's Individual Supply Guarantee.

C. Alameda County Water District and the cities of Milpitas, Mountain View and Sunnyvale may purchase water from sources other than San Francisco, provided that San Francisco shall require that each purchase a minimum annual quantity of water from San Francisco. ~~These minimum quantities~~ Minimum Annual Purchase Quantities are set out in Attachment E and shall also be included in the Individual Water Sales Contracts between San Francisco and each of these four Wholesale Customers. ~~The minimum purchase requirement in these Individual Water Sales Contracts~~ Pursuant to Section 3.04, certain Wholesale Customers may also be required to purchase Temporary Modified Minimum Annual Purchase Quantities, set out in Attachment E-1, from San Francisco. Attachment E will be updated pursuant to Section 3.04 to reflect any reduction in existing Minimum Annual Purchase Quantities and any addition of new Minimum Annual Purchase Quantities when Temporary Modified Minimum Annual Purchase Quantities expire and are removed from Attachment E-1; Individual Water Sales Contracts between San Francisco and any Wholesale Customers who are participants in a transfer under Section 3.04 will similarly be amended, as necessary. After the end of each fiscal year, the SFPUC will send a written notice to each Wholesale Customer that is subject to the minimum annual purchase requirements of this section with a copy to BAWSCA. The notice will include: (1) the quantity of water delivered to the Wholesale Customer during the previous fiscal year; (2) whether or not the Wholesale Customer met its minimum annual purchase

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
TO MINIMUM PURCHASE AMENDMENT: SECTIONS 3.04, 3.07, AND 2.03**

requirement under this section; (3) any Imputed Sales charged to the Wholesale Customer; and (4) the status of any Temporary Modified Minimum Annual Purchase Quantity of the Wholesale Customer, if applicable. The minimum annual purchase requirements set out in Attachments E and E-1 will be waived during a Drought or other period of water shortage if the water San Francisco makes available to these Wholesale Customers is less than its ~~minimum purchase quantity~~-Minimum Annual Purchase Quantity, and may be waived during a state of emergency declared by the Governor of California that impacts water supply use or deliveries from the Regional Water System.

**REDLINE COMPARING 2018 AMENDED AND RESTATED WATER SUPPLY AGREEMENT
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2.03 Amendments

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C. Amendments to Attachments. The following attachments may be amended with the written concurrence of San Francisco and BAWSCA on behalf of the Wholesale Customers:

<u>Attachment</u>	<u>Name</u>
<u>C</u>	<u>Individual Supply Guarantees (amendments reflecting section 3.04 transfers only)</u>
<u>E</u>	<u>Minimum Annual Purchase Quantities (amendments reflecting section 3.04 transfers only)</u>
<u>E-1</u>	<u>Temporary Modified Minimum Annual Purchase Quantities</u>
G	Water Quality Notification and Communications Plan (2019 Update of 2017 Plan, Rev. 6)
J	Water Use Measurement and Tabulation
L-1	Identification of WSIP Projects as Regional/Retail
N-1	Balancing Account/Rate Setting Calculation Table
N-2	Wholesale Revenue Requirement Schedules
N-3	Schedule of Projected Water Sales, Wholesale Revenue Requirement and Wholesale Rates
P	Management Representation Letter
R	Classification of Existing System Assets (Subject to Section 5.11)

Amendments to these attachments shall be approved on behalf of San Francisco by the Commission and on behalf of BAWSCA by its Board of Directors, unless the Commission by resolution delegates such authority to the General Manager of the SFPUC or the Board of Directors by resolution delegates such authority to the General Manager/CEO of BAWSCA.



PROPOSED CONTRACT AMENDMENT Regarding the Minimum Annual Purchase Quantity

DECEMBER 2021

KEY AMENDMENT BENEFITS

- ✓ Provides an Expedited Process for Certain Types of Transfers
- ✓ Removes a Barrier to Maximizing Local Supplies
- ✓ Allows for Increased Purchases of RWS Supplies Resulting in a Reduced Unit Cost of Water to All Wholesale Customers
- ✓ Overcomes a Hurdle for Greater Use of Existing RWS Supply
- ✓ Protects the Financial and Water Supply Interests of All Wholesale Customers

MINIMUM ANNUAL PURCHASE QUANTITY (MGD):

ACWD	7.648
Milpitas	5.341
Mountain View	8.930
<u>Sunnyvale</u>	<u>8.930</u>
Total:	30.849

What Contract is Being Amended and Who Are the Parties?

The 2018 Amended and Restated Water Supply Agreement between the City and County of San Francisco and the Wholesale Customers in Alameda, San Mateo, and Santa Clara Counties (WSA).

What Does the WSA Govern? The WSA governs the supply of 184 million gallons of water per day (MGD), on an annual average basis, from the San Francisco Regional Water System (RWS) to the Wholesale Customers. The WSA also establishes rules and requirements for water purchases and transfers between the Wholesale Customers.

Why is This Amendment Proposed? In 2019, the Wholesale Customers directed BAWSCA to draft a proposed WSA amendment to provide a procedure for expedited and permanent transfers of Minimum Annual Purchase Quantity (Minimum Purchase) requirements, while safeguarding the financial and water supply interests of Wholesale Customers not participating in such transfers.

What is a Minimum Purchase Requirement? When the WSA was developed, four agencies with access to sources of supply not available to either San Francisco or the other Wholesale Customers at the time were required to purchase a “minimum annual quantity of water” from the RWS. Those four multi-source agencies are Alameda County Water District (ACWD), Milpitas, Mountain View, and Sunnyvale (Minimum Purchase Agencies).

These four Minimum Purchase Agencies are subject to a “take or pay” Minimum Purchase requirement, which guarantees an ongoing financial stake in the RWS and ensures financial stability for all Wholesale Customers as well as San Francisco retail customers that rely on the RWS. The total Minimum Purchase requirement is 30.849 MGD. Any change to the Minimum Purchase requirement necessitates an amendment to the WSA.

Why Amend the Minimum Purchase Requirement? The Wholesale Customers desire to remove obstacles to water transfers between individual member agencies. One such obstacle is the Minimum Purchase requirements. Establishing a means by which a Minimum Purchase requirement could be linked to a proposed water transfer would effectively remove that obstacle.

What Does the Proposed Minimum Purchase Amendment Do? The proposed amendment provides a contractual vehicle for Wholesale Customers with an Individual Supply Guarantee (ISG) to participate in a paired, expedited, and permanent transfer of a portion of ISG and Minimum Purchase.

Is There a Limit to the Quantity of Minimum Purchase That Can Be Transferred? Only 6 MGD of the total Minimum Purchase requirement may be transferred pursuant to this “pre-approved” pathway.

Additionally, Minimum Purchase Agencies may transfer no more than 50% of their total Minimum Purchase requirement. A future WSA amendment may increase these caps if demand for additional transfers exceeds these limits.

What Are the Benefits of the Minimum Purchase Amendment? The proposed amendment offers several benefits and solutions for the Wholesale Customers:

- ✓ Removes an existing barrier for a Minimum Purchase Agency to reduce the financial liability associated with the cost of imputed sales for Minimum Purchase water that is not use.
- ✓ Overcomes a hurdle for greater use of current RWS supply by enabling additional transfers between eligible Wholesale Customers.
- ✓ Increased purchases from the RWS result in reduced unit costs for all Wholesale Customers.
- ✓ Water transfers between Wholesale Customers offer potential water supply to meet needs for new developments within the BAWSCA service area.
- ✓ As indicated by the San Francisco Public Utilities Commission (SFPUC), maximizing the use of existing supplies through transfers facilitates the development of new supplies necessary to support San Jose and Santa Clara as permanent customers.

Will the Proposed Amendment Result in New or Increased Risks to the Wholesale Customers?

No. The proposed amendment protects the financial and water supply interests of Wholesale Customers not participating in transfers.

- ✓ The total Minimum Purchase remains the same regardless of transfers.
- ✓ Transferees must pay imputed sales for any transferred Minimum Purchase that is unused once the transfer becomes effective.
- ✓ Transferees must prove long-term demand for the transferred Minimum Purchase, beyond their average use over the five years prior to the transfer, for a period of three consecutive years before taking on a permanent Minimum Purchase requirement.
- ✓ Absent unchecked unlawful conduct, there is no new or different water supply reliability risk to non-participating agencies given (1) existing water use and (2) legal and contractual obligations.
- ✓ Absent unchecked unlawful conduct, there is no new or different financial risk as a result of this proposed amendment in the event of significant economic downturn based on (1) available transfer market and water use patterns and (2) current risks based on existing contract provisions that will remain unchanged by the proposed amendment.

What Are the Risks of Not Approving the Minimum Purchase Amendment? Neglecting to adopt the proposed amendment may hinder SFPUC's ability to implement new water supply projects necessary to (1) support San Jose and Santa Clara as permanent customers and (2) offset Bay Delta Plan/Tuolumne River Voluntary Agreement implementation. The development of new water supplies will be subject to CEQA. Showing that existing water available in the RWS is underutilized could hinder environmental approvals.

Without this proposed amendment, any transfer of a portion of Minimum Purchase among Wholesale Customers would require a new amendment to the WSA adopted by each Wholesale Customer's governing body in a separate action. This significant barrier to implementing transfers may prevent Minimum Purchase Agencies from pursuing these more challenging water transfers, reduce opportunities to provide cost-effective water supplies to new developments within the service area, and discourage maximum use of local supplies and conservation.



STAFF REPORT

City Council

Meeting Date:

4/26/2022

Staff Report Number:

22-079-CC

Consent Calendar:

Adopt fiscal year 2022-23 budget principles and confirm direction on potential service level enhancements and the capital improvement program

Recommendation

Staff recommends that the City Council adopt updated budget principles for fiscal year (FY) 2022-23 and confirm direction on potential service level enhancements and the capital improvement program provided at the April 19, 2022, City Council meeting.

Policy Issues

Menlo Park Municipal Code Section 2.08.080 (8) provides that the city manager must “prepare and submit to the City Council the annual budget.” To ensure that the city manager’s proposed budget is built on foundational principles set by the City Council, the City Council approves budget principles before adoption of its fiscal budget.

Background

Typically, the City Council conducts a goal-setting process at the beginning of the calendar year to help set the stage for the budget development. Given the transition of the city manager and the number of vacancies in the organization, no goal-setting session occurred this year. City Council reviewed the budget principles and General Fund’s FY 2021-22 forecast at its April 19, 2022, meeting and requested staff bring this item back.

Analysis

Proposed budget principles

The proposed budget principles for fiscal year 2022-23 budget would be as follows:

1. Promote the City’s long-term fiscal sustainability
 - a) Implement the annual payment necessary in the budget to achieve amortization of the CalPERS Net Pension Liability in accordance with the actuarial 15-year amortization schedule. This is consistent with City Council’s before adopted principle to plan for an accelerated reduction of the UAL.
 - b) Invest in technologies that minimize low value-add processes, increase transparency in communications and most efficiently utilize our talented staff
 - c) Strive to achieve City Council cost recovery goals for all fee-based services
 - d) Continue to evaluate the most cost-effective method to provide services at a specified level that provides the City with flexibility in all economic conditions, including the use of contracted services,

- shared services, and regular and limited-term employees
 - e) Proactively manage the loss of institutional knowledge by documenting procedures, practices and processes and succession planning efforts including the ability to provide for overlap in critical positions at the discretion of the city manager
 - f) Incorporate programs and initiatives that strengthen Menlo Park's standing as an employer of choice to retain highly qualified personnel
2. Provide city services and infrastructure that contribute to quality of life in Menlo Park of current residents and future generations
- a) Implement ordinances and City Council adopted initiatives and strategies to make Menlo Park a vibrant, healthy and sustainable community both now and for years to come
 - b) Proactively maintain and improve existing infrastructure to minimize maintenance costs
 - c) Invest in projects and infrastructure that reduce the greenhouse gas emissions and support the City's safety and accessibility goals (Vision Zero and Complete Streets)
 - d) Make investments in disaster preparedness and climate adaptation that will reduce future financial burdens
 - e) Approach resource allocation throughout the City in a balanced and equitable manner, while striving to address past inequities, the impacts and benefits of development in different areas, and the unique needs and opportunities in different districts
 - f) Evaluate one-time revenues for highest and best investment recognizing the benefit of leveraging near term investments for long-term gains in financial sustainability, quality of life for current and future residents and/or to stave off the future impacts of climate change
 - g) Commit to continuous improvement in the communication of City financial information through a variety of media acknowledging that the City's professional staff and consultants are obligated to conform to accounting and reporting standards in order to provide balanced financial information that informs policymakers
3. Revenue sources and grant accounting (new principles)
- a) State the funds surplus/(deficit) balance to show annual results and use of fund balance
 - b) Identify revenue sources for the initial year of all capital projects
 - c) Document and enter "Due-to" amounts in the General Fund 100 for all expenses awaiting grant fund reimbursement by increasing the assigned reserve balance
 - d) Ensure a fund's fiscal year-end balance estimate is positive

Preliminary service level enhancement requests

Attachment A provides a brief summary of the preliminary service level enhancements which staff presented to the City Council at the April 19, 2022, meeting. The current list contains those enhancements City Council was willing to include in the upcoming FY 2022-23 budget for consideration. As previously mentioned, there would be initial start-up charges for additional equipment to deliver this increase in services if the City Council were to authorize these enhancements as part of the budget process. In addition, staff provides a historical count of authorized positions over several years.

Attachment B provides additional information about gymnastics program enrollment and community survey efforts, in response to a City Councilmember request for information subsequent to the April 19 meeting.

Capital improvement program direction

As summarized in the April 19 staff report and presentation, next year, staff anticipates 11 projects for which

new funding is requested in addition to the 11 annual programmatic projects to be proposed in the fiscal year 2022-23 budget. These projects would require more funding needs than the City has funds available for these projects. Staff is continuing to develop a funding strategy to be proposed as part of the fiscal year 2022-23 five-year capital improvement program, which will be presented as part of the draft 2022-23 budget. Before release of the draft 2022-23 budget, staff will also transmit a summary of the status of each of the current ongoing projects to the City Council.

Of these 11 anticipated projects, five are current projects requiring additional funds as projects proceed to new phases or to account for cost escalation due to inflation or changes in scope of work. City Council provided general direction to continue these projects:

- Chrysler pump station replacement (\$2.5 million)
- San Francisquito Creek Upstream project (\$1-3 million)
- Automated water meter reading infrastructure project (\$1.54 million)
- Streetlight conversion (\$0.08 million)
- Haven Avenue Streetscape project (\$0.40 million)

In addition, staff is also continuing to advance the Willow Oaks Park improvement and Burgess Park playground conceptual designs. As noted during the April 19 meeting, conceptual designs are tentatively scheduled to be considered by the City Council for approval May 10. Following that meeting and direction from the City Council, additional funds may also be needed for these projects. Staff anticipates recommending a portion of the Measure T general obligation bond proceeds to be used to complete these projects, consistent with City Council direction from August 17, 2021 and April 12, 2022. The remainder of Measure T proceeds would be programmed in a project titled, Parks and Recreation Master Plan implementation, until such time as the City Council directs their use on other projects.

Six new projects were identified April 19, which have either advanced from a planned future year or are new in response to new regulations, grant funding opportunities or needs identified this year. Staff has incorporated City Council direction into the list below, updating project names, bifurcating the turf replacement project by location, and clarifying scope elements as noted below.

- Burgess pool lobby renovation (\$0.1 million) – advanced from prior planned year. Project to add accessible doors and renovate lobby.
- Willow Road pedestrian and bicycle improvements (\$0.4 million) – new. Advanced planning and design early from prior planned year to capitalize on a potential grant opportunity between Bayfront Expressway and US 101.
- Kelly Park turf replacement (\$1.8 million) – new. Timing required to coincide with MPCC completion in spring 2023.
- Hillview School turf replacement (\$0.05 million new; \$0.90 million carryover funds) – Existing joint use agreement with Menlo Park City School District describes maintenance responsibilities to be shared between the City and District. Timing of work expected summer of 2022 or 2023.
- Local road safety plan (\$0.20 million) – new. Requirement to compete for some regional and state grant funds.
- Shuttle program evaluation (\$0.18 million) – new. Awarded a grant for this study.
- Storm system funding study (\$0.10 million) – new. Stormwater program is not cost recovery and fund balance is declining. New regulations anticipated to be adopted in 2022 will further exacerbate annual fund depletion.
- Police radio and communication equipment upgrades (\$1.0 million) – new. Police radios carried by individual officers and installed in police vehicles that have been in service for over 20 years. Repair and

replacement of the current model is extremely challenging. The most prudent remedy is to prepare for movement to the digital band and accommodate interagency communication needs with digital-enabled radios. Upgrading to digital-enabled radios require upgrades to the dispatch infrastructure. Staff will also be exploring grant opportunities to potentially mitigate the expense.

** Movement to digital radio capability is distinct and separate from encryption of radios. The encryption question will be handled separately with all due transparency and public accountability.*

Impact on City Resources

Preparation of the fiscal year 2022-23 annual budget is part of the City's baseline services.

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. Service level enhancement estimates
- B. Gymnastics program information

Report prepared by:

Marvin Davis, Interim Finance Director

Nikki Nagaya, Public Works Director

Preliminary service level enhancement requests					
	Department	Service level description	FTE estimate	Labor estimate	City Council Direction on April 19, 2022
1	Public Works	Drought coordination and support. Request to add one full time Sustainability Specialist position to support increased drought coordination. Position would be funded by enterprise revenue funds (water operations fund).	1	\$132,893	Consensus to include as service level enhancement
2	Public Works	SAFER Bay staffing support. Request to add a provisional full-time Associate Engineer position to coordinate work on SAFER Bay, sea level rise adaptation plan implementation. Position would be funded by general capital funds partially reimbursed through anticipated FEMA Building Resilient Communities and Infrastructure grant.	1	\$197,726	Consensus to include as service level enhancement
3	Police	Emergency Preparedness Coordinator. Request to establish a dedicated and expert resource that is steadfastly committed to the City's interests and capable of connecting and coordinating with all available partner resources. Although the position would reside within the police department, the focus would be on the entire organization. Position equivalent to Management Analyst I or Project Manager.	1	\$165,505	Consensus to include as service level enhancement
4	Police	Community Service Officers. Request to restore two and add one (total 3.0) full-time Community Service Officers (CSOs) - two assigned to Patrol Division, and one added to the Training and Public Relations Unit.	3	\$475,136	Consensus to include as service level enhancement
5	Police	Traffic Unit and Staffing Support. Request to restore three full time sworn officer positions to support increased need for traffic support, management, and the return of workforce commuters and special events. The movement of three officer positions to Traffic from our current reduced staffing has made the permanent assignment of a dedicated traffic team unsustainable at current levels.	3	\$622,257	Consensus to include as service level enhancement
6	Police	Parking Enforcement. Potential request to restore parking enforcement capacity. Staff is evaluating options including city personnel and/or contract services. Additional details will be presented to City Council during the upcoming budget deliberations.	0	\$207,425	Pursue scalable contract service
7	Library and Community Services	Gymnastics. Request to add 5.75 FTE (2 Program assistants, 2.75 Instructors, 1 Recreation Coordinator) to reactivate the gymnastics program, consistent with staffing levels for the gymnastics program prior to the pandemic. Personnel costs would be partially offset by program revenues.	5.75	\$694,540	Consensus to include as service level enhancement and provide additional information through budget process as to when the service could be reactivated

8	Community Development	Housing support. Request to add 1.0 FTE equivalent to a Management Analyst I/II to support the current and increased demand for administration and implementation of the City's below market rate (BMR) program and other housing programs.	1	\$185,194	Consensus to include as service level enhancement
9	City Manager's Office	Deputy City Clerk. Position would restore the needed backup for the City Clerk, assist with City Council related duties (e.g., agendas, resolutions, ordinances, minutes, etc.), and assist with Information Technology Master Plan items related to agenda, legislative and multimedia management.	1	\$153,438	Consensus to include as service level enhancement
10	City Manager's Office	Graphic Designer. Would work with all departments to design and produce a variety of print and digital materials, both routine and complex; including publications, notices, social media and digital graphics for web and video.	1	\$153,438	Majority support to continue consideration as a service level enhancement, but provide greater explanation of the need/benefits of the position
11	City Manager's Office	Management Analyst I/II. To support climate adaption and resiliency projects and plans (e.g. local hazard mitigation plan, safety, environmental justice elements) to increase resiliency to negative impacts of climate change. The position would assist in coordinating across all departments, informing the organization and the community on climate adaptation, and providing ongoing long range planning and strategy support.	1	\$185,194	Majority support to continue consideration as a service level enhancement, but provide greater explanation of the need/benefits of the position
Total			18.75	\$3,172,746	
General Fund impact			18.75	\$3,039,853	

Budget year	Full-time equivalents (FTEs)
FY2018-19	287.25
FY2019-20	286.75
FY2020-21	242.75
FY2021-22	271.75



MEMORANDUM

Date: 4/26/2022
To: City Council
From: Library and Community Services Director
Re: Gymnastics program information request

Subsequent to the April 19, 2022 meeting, a City Council member requested the following information about the City's gymnastics program:

1. Based on the gymnastics program pre-Covid, how many families, children, and/or persons utilized this service? Can you bifurcate residents versus non-residents?
2. Did the city charge services differently (at a different rate)?
3. Has the Library and Community Services department done any surveying recently to find out what Menlo Park residents want?

The requested information is provided here for City Council's reference:

1. Charts showing the gymnastics program's enrollment by season in years 2017-2020 are attached to the end of this memorandum.
2. Non-resident fees are higher than resident fees. Gymnastics fees for non-residents are 125% of resident fees. Gymnastics program fees are listed in the City Council-approved Master Fee Schedule.¹
3. Staff is planning a community-wide survey about the aquatics program later this spring, per City Council's February 8 direction to staff ², and as noted in the Menlo Park Community Campus (MPCC) operation plan milestones received by City Council April 12 ³. Staff recommends working with the MPCC Subcommittee to evaluate the possibility of leveraging the planned community-wide aquatics survey to also assess community needs and interests in other recreation program areas.

Attachment: Gymnastics program enrollment by season

¹ City of Menlo Park Master Fee Schedule. Hyperlink:
https://beta.menlopark.org/files/sharedassets/public/administrative-services/documents/finance/2019-approved-master-fee-schedule-print-version_201907011210162490.pdf

² City Council Regular Meeting Minutes, February 8, 2022. Hyperlink:
<https://beta.menlopark.org/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/minutes/20220208-city-council-minutes.pdf>

³ City Council Regular Meeting Agenda, April 12, 2022. Hyperlink:
<https://beta.menlopark.org/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/agendas/20220412-city-council-amended-agenda-packet.pdf>

GYMNASTICS ENROLLMENT
2017-2020

Winter 2017		
	Total enrolled	Percentage
Resident	797	57%
Non Resident	483	35%
Unincorp	112	8%
Total	1392	100%

Spring 2017		
	Total enrolled	Percentage
Resident	1022	58%
Non Resident	598	34%
Unincorp	146	8%
Total	1766	100%

Summer 2017		
	Total enrolled	Percentage
Resident	600	59%
Non Resident	333	33%
Unincorp	81	8%
Total	1014	100%

Fall 2017		
	Total enrolled	Percentage
Resident	952	60%
Non Resident	510	32%
Unincorp	133	8%
Total	1595	100%

Winter 2018		
	Total enrolled	Percentage
Resident	977	60%
Non Resident	495	30%
Unincorp	154	9%
Total	1626	100%

Spring 2018		
	Total enrolled	Percentage
Resident	895	59%
Non Resident	490	32%
Unincorp	137	9%
Total	1522	100%

Summer 2018		
	Total enrolled	Percentage
Resident	436	54%
Non Resident	310	38%
Unincorp	65	8%
Total	811	100%

Fall 2018		Percentage
	Total enrolled	Column1
Resident	751	57%
Non Resident	454	34%
Unincorp	114	9%
Total	1319	100%

Winter 2019		
	Total enrolled	Percentage
Resident	866	59%
Non Resident	478	32%
Unincorp	127	9%
Total	1471	100%

Spring 2019		
	Total enrolled	Percentage
Resident	803	57%
Non Resident	465	33%
Unincorp	131	9%
Total	1399	100%

Summer 2019		
	Total enrolled	Percentage
Resident	429	53%
Non Resident	306	38%
Unincorp	78	10%
Total	813	100%

Fall 2019		
	Total enrolled	Percentage
Resident	730	58%
Non Resident	421	34%
Unincorp	105	8%
Total	1256	100%

Winter 2020		
	Total enrolled	Percentage
Resident	780	57%
Non Resident	471	35%
Unincorp	111	8%
Total	1362	100%



STAFF REPORT

City Council

Meeting Date:

4/26/2022

Staff Report Number:

22-074-CC

Regular Business:

Assembly Bill 481 Compliance – police department acquisition and use – military equipment ordinance introduction and Use Policy

Recommendation

Waive first reading and introduce an ordinance regarding police department acquisition and use of military equipment (Attachment A); approve Military Equipment Use Policy (Attachment B.)

Policy Issues

California Assembly Bill 481 (AB 481) was signed into law September 30, 2021. This law requires that law enforcement agencies like Menlo Park Police Department obtain the approval of City Council, through the adoption of a Military Equipment Use Policy, by ordinance at a regular meeting held pursuant to specified open meeting laws, before taking certain actions relating to the funding, acquisition or use of military equipment, as defined. By law this action must be commenced by applicable agencies no later than May 1, 2022.

Background

On September 30, 2021, California AB 481 was signed into law. Subsequently, California Government Code Sections 7070, 7071, and 7072 were adopted to codify the requirements set forth in AB 481. The text of AB 481 and the above-mentioned California Government Codes are attached to this Staff Report for reference (Attachment C.)

AB 481 requires a law enforcement agency to obtain the approval of its governing body, through the adoption of a Military Equipment Use Policy, by ordinance at a regular meeting held pursuant to specified open meeting laws, before taking certain actions relating to the funding, acquisition or use of military equipment, as defined. The bill allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. AB 481 requires the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type of military equipment or amend the military equipment use policy if it determines, based on an Annual Military Equipment Report prepared by the law enforcement agency that the military equipment does not comply with the above-described standards for approval. A draft ordinance is attached as Attachment A.

California Government Code Section 7070 provides a list of types of equipment that are to be considered “Military Equipment” for purposes of compliance with AB 481 and the Government Code. It is important to note that the Menlo Park Police Department does not possess any tactical equipment that it has obtained from the military, nor does it possess any equipment that was designed uniquely for military use. However, Menlo Park Police Department, like many police agencies nationwide, does possess some types of equipment that are listed in Section 7070. Additionally, the Menlo Park Police Department participates in a

regional Special Weapons and Tactics (SWAT) team, which possesses and utilizes additional types of equipment that qualify as “Military Equipment” according to the Government Code.

It is also important to note that while the equipment listed in Attachments D and E meets the definitions of “Military Equipment” in alignment with this law, this equipment remains the same equipment that has been available to handle high-risk situations that occasionally arise in this jurisdiction up to this point in time, as part of the regular public safety business of this agency. Further, every law enforcement jurisdiction in the state of California is bringing similar lists before their local governing bodies to comply with this new law. There is nothing unique in Menlo Park Police Department’s compliance effort that is significantly different from any of our partnering police agencies statewide.

In order to comply with AB 481 and the California Government Code, staff is recommending that the City Council review and introduce a new ordinance, to be included as Chapter 2.70 of the Municipal Code, Military Equipment Use Ordinance. A summary of the sections of the proposed ordinance is provided below. Staff also recommends that the City Council approve by motion the attached Military Equipment Use Policy after determining that it is in compliance with state law and the attached ordinance.

Analysis

Discussion of proposed Military Equipment Use Policy

California Government Code Section 7070(d) defines a Military Equipment Use Policy as:

“Military equipment use policy’ means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

1. A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
2. The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.
3. The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the commission on peace officer standards and training that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
6. The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

California Government Code Section 7071(b) requires that the police department post to its website the Military Equipment Use Policy that it plans to propose to the City Council at least 30 days before any public hearing concerning the policy. The police department complied with this requirement by posting the policy

being proposed tonight (included as Attachment B), to its public website March 25, 2022.

California Government Code Section 7071(d) stipulates that the City Council shall only approve the Military Equipment Use Policy if it determines all of the following:

1. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights and civil liberties.
3. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
4. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

California Government Code Section 7070(e) establishes that the police department is responsible for delivering to the City Council an Annual Military Equipment Report, which the City Council can utilize to confirm compliance with the Military Equipment Use Policy and the accompanying Military Equipment Use Ordinance (Chapter 2.70.050.)

The Menlo Park Police Department has not obtained any equipment from military surplus programs, known as 1033 Programs, it does not possess any tactical equipment that it has obtained from the military, and it does not possess any equipment that was designed for military use.

That said, California Government Code Section 7070 provides a list of 16 types of equipment that are to be considered "Military Equipment" for the purpose of compliance with AB 481 and the associated California Government Codes, and the police department does possess and use some of these listed types of equipment. Of the sixteen (16) types of equipment specified, the police department possesses only two (2) types – four (4) items total. The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 and the items possessed by the Menlo Park Police Department is included as Attachment D.

- Equipment types that the police department possesses are noted in **bold type**.
- Equipment listed by legislation but not in possession of this department has been ~~stricken through~~.

In addition to equipment possessed solely by Menlo Park Police Department, the department participates in a regional SWAT team in collaboration with the police departments of Redwood City and Atherton. The regional SWAT Team jointly possesses and utilizes additional types of equipment that qualify as "Military Equipment" according to California Government Code Section 7070. While the equipment possessed by SWAT is not purchased, owned, or maintained by the Menlo Park Police Department, it could be used in the City of Menlo Park if SWAT is deployed. Therefore, in a manner consistent with other municipalities in San Mateo County, the Menlo Park Police Department for the sake of transparency is disclosing in the Menlo Park Police Department Military Use Policy the equipment available to our regional SWAT team in the extraordinarily rare instance of a SWAT operation in this city. It is important to note that SWAT is generally only deployed in extreme circumstances such as active shooter incidents, hostage situations and the execution of high-risk search and arrest warrants. While the equipment SWAT possesses is rarely deployed, it could prove essential to emergency operations when needed.

Of the sixteen (16) types of equipment specified, the SWAT Team possesses only eight (8) types. The list of the sixteen (16) types of Military Equipment per California Government Code Section

7070 and the items possessed by our regional SWAT Team with Redwood City and Atherton is included as Attachment E.

- Equipment types that the SWAT Team possesses are noted in **bold type**.
- Equipment listed by legislation but not in possession of SWAT has been ~~stricken through~~.

While nearly all possible rare circumstances requiring an elevated tactical response might be handled using the equipment listed in Attachments D and E detailing the department and SWAT Team's equipment, we must acknowledge that an extraordinary and exigent circumstance could unpredictably arise that might require additional equipment not listed. Should this department encounter a circumstance that requires the exigent acquisition, borrowing, and/or use of equipment not listed, this department will:

1. Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged under local, state or federal law.
2. If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
3. Include the Military Equipment in the police department's next annual Military Equipment Report.

The Military Equipment Use Policy being proposed by Staff includes detailed information for each type of Military Equipment listed, as required by California Government Code Section 7070. This information includes the equipment's capabilities, its purpose/authorized uses, the legal/procedural rules governing its use, and the training required of staff before its use.

Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment in this policy by any of the following means:

1. Via email to: policechief@menlopark.org
2. Via phone call to: 650-330-6300
3. Via mail sent to: Menlo Park Police Department
Attn: Military Equipment Use Coordinator
701 Laurel Street
Menlo Park, CA 94025

Staff has drafted the attached Military Equipment Use Policy, as required by law, for City Council to consider adopting by motion (Attachment B.)

Impact on City Resources

There is no impact on City resources.

Environmental Review

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

Public Notice

California Government Code Section 7071(b) requires that the police department post to its website the

Military Equipment Use Policy that it plans to propose to the City Council at least 30 days before any public hearing concerning the policy. The police department posted the policy being proposed tonight (included as Attachment B), to its public website March 25, 2022.

Attachments

- A. Proposed ordinance
- B. Menlo Park Police Department Lexipol Policy 708 – Military Equipment Use
- C. Text of AB 481
- D. Menlo Park Police Department equipment list
- E. Regional SWAT equipment list

Report prepared by:
Dave Norris, Police Chief

ORDINANCE NO. XXXX**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK,
ADDING CHAPTER 2.70 TO THE MENLO PARK MUNICIPAL CODE,
APPROVING A MILITARY EQUIPMENT USE POLICY FOR POLICE SERVICES**

WHEREAS, effective January 1, 2022, Assembly Bill 481 (AB 481) (Government Code sections 7071 *et. seq.*) sets forth a process by which law enforcement agencies are to obtain approval from their governing bodies of a military equipment use policy through the adoption of an ordinance; and

WHEREAS, pursuant to Government Code Section 7071(a)(1), such an ordinance must be timely adopted before a law enforcement agency may acquire or use new or existing military equipment and engage in other specified activities; and

WHEREAS, the Menlo Park Police Department currently has military equipment (as that term is defined in Government Code section 7070(c)) in its inventory; and

WHEREAS, the Menlo Park Police Department works closely with other local, county, state and federal law enforcement agencies within San Diego County on police related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, providing mutual aid and responding to emergencies; and

WHEREAS, in exigent circumstances, there is sometimes the need to deploy military equipment from or lend military equipment to outside entities to promote the safety and security of community members; and

WHEREAS, the continued collaboration with other law enforcement agencies in the deployment or other use of military equipment within the City is necessary to safeguard the public's welfare, safety, civil rights and civil liberties and there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and

WHEREAS, Menlo Park Police Policy 708 sets forth a military equipment use policy that is consistent with the Police Department's current practices, has been posted on the Department's website for at least thirty (30) days, complies with all the requirements of AB 481, will ensure ongoing regulation and compliance with the law going forward and will provide a means of community engagement and transparency regarding use of military equipment by the Department; and

WHEREAS, public notice has been provided in accordance with applicable law; and

WHEREAS, the City Council desires to approve a military use policy in compliance with AB 481.

NOW, THEREFORE, the City Council of the City of Menlo Park, California, DOES HEREBY ORDAIN as follows:

Section 1. All of the statements and facts set forth above in the recitals are true and correct and incorporated herein by this reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in this ordinance.

Section 2. The City Council finds that this ordinance and Menlo Park Police Policy 708 are exempt from the provisions of the California Environmental Quality Act (“CEQA”) because they will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a “project,” as defined in Section 15378 of the CEQA Guidelines.

Section 3. The Menlo Park Municipal Code is hereby amended to add Chapter 2.06 to read as follows: See Exhibit A attached hereto.

Section 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 5. Effective Date. This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Menlo Park shall cause this ordinance to be published pursuant to the provisions of Government Code Section 36933.

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INTRODUCED on the twenty-sixth day of April, 2022.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Betsy Nash, Mayor

ATTEST:

Judi A. Herren, City Clerk

Exhibits:

A. Chapter 2.70

Chapter 2.70

“MILITARY EQUIPMENT” USE ORDINANCE

Sections:

2.70.010 Name of Ordinance

2.70.020 Definitions

2.70.030 Military Equipment Use Policy Requirement

2.70.040 Use In Exigent Circumstances

2.70.050 Reports on the Use of Military Equipment

2.70.060 Severability

2.70.010 Name of Ordinance

- A. This Ordinance shall be known as the Military Equipment Use Ordinance.

2.70.020 Definitions

- A. “Military Equipment” includes all of the following (Per CA Gov. Code §7070):
1. Unmanned, remotely piloted, powered aerial or ground vehicles.
 2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
 3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
 4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
 5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
 6. Weaponized aircraft, vessels, or vehicles of any kind.
 7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
 8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
 9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
 11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
 12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
 13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
 14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
 15. Any other equipment as determined by a governing body or a state agency to require additional oversight.
 16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.
- B. "City" means any department, agency, bureau, and/or subordinate division of the City of Menlo Park.
- C. "Police Department" means any division, section, bureau, employee, volunteer and/or contractor of the Menlo Park Police Department.
- D. "City Council" means the governing body that is the Menlo Park City Council.
- E. "Military Equipment Use Policy" means a publicly released, written document that includes, at a minimum, all of the following:
1. A description of each type of Military Equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the Military Equipment.
 2. The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of Military Equipment.
 3. The fiscal impact of each type of Military Equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
 4. The legal and procedural rules that govern each authorized use.
 5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of Military Equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the Military Equipment use policy.
 6. The mechanisms to ensure compliance with the Military Equipment use policy, including which independent persons or entities have oversight authority, and, if

applicable, what legally enforceable sanctions are put in place for violations of the policy.

7. For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.
- F. "Exigent Circumstances" means a law enforcement agency's good faith belief that an emergency involving the danger of, or imminent threat of death or serious physical injury to any person is occurring, has occurred, or is about to occur.
- G. "State agency" means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.
- H. "Type" means each item that shares the same manufacturer model number.

2.70.030 Military Equipment Use Policy Requirement

- A. The Menlo Park Police Department shall obtain approval of the City Council, by a resolution adopting a Military Equipment Use Policy (MEUP) at a regular meeting of the City Council held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) prior to engaging in any of the following:
1. Requesting Military Equipment made available pursuant to Section 2576a of Title 10 of the United States Code.
 2. Seeking funds for Military Equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
 3. Acquiring Military Equipment either permanently or temporarily, including by borrowing or leasing.
 4. Collaborating with another law enforcement agency in the deployment or other use of Military Equipment within the territorial jurisdiction of the City of Menlo Park.
 5. Using any new or existing Military Equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.
 6. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, Military Equipment.
 7. Acquiring Military Equipment through any means not provided by this section.
- B. No later than May 1, 2022, if seeking to continue the use of any Military Equipment that was acquired prior to January 1, 2022, the Menlo Park Police Department shall commence a City Council approval process in accordance with this section. If the City

Council does not approve the continuing use of Military Equipment, including by adoption pursuant to a Military Equipment Use Policy submitted pursuant to this code, within 180 days of submission of the proposed Military Equipment Use Policy to City Council, the Menlo Park Police Department shall cease its use of the Military Equipment until it receives the approval of City Council in accordance with this code.

- C. In seeking the approval of City Council, the Menlo Park Police Department shall submit a proposed Military Equipment Use Policy to the City Council and make those documents available on the Police Department's internet website at least 30 days prior to any public hearing concerning the Military Equipment at issue.
- D. The City Council shall only approve a Military Equipment Use Policy pursuant to this chapter if it determines all of the following:
 - 1. The Military Equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 - 2. The proposed Military Equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
 - 3. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
 - 4. Prior Military Equipment use complied with the Military Equipment Use Policy that was in effect at the time, or if prior uses did not comply with the accompanying Military Equipment Use Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.
- E. In order to facilitate public participation, any proposed or final Military Equipment Use Policy shall be made publicly available on the internet website of the Police Department for as long as the Military Equipment is available for use.
- F. The City Council shall review this ordinance at least annually and vote on whether to renew it at a regular meeting held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

2.70.040 Use in Exigent Circumstances

- A. Notwithstanding the provisions of this Chapter, the Police Department may acquire, borrow and/or use Military Equipment in Exigent Circumstances without following the requirements of this code.
- B. If the Police Department acquires, borrows, and/or uses Military Equipment in Exigent Circumstances, in accordance with this section, it must take all of the following actions:

1. Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged under local, state or federal law.
2. If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
3. Include the Military Equipment in the Police Department's next annual Military Equipment Report.

2.70.050 Reports on the Use of Military Equipment.

- A. The Police Department shall submit to City Council an annual Military Equipment Report for each type of Military Equipment approved by the City Council within one year of approval, and annually thereafter for as long as the Military Equipment is available for use.
- B. The Police Department shall also make each annual Military Equipment Report required by this section publicly available on its internet website for as long as the Military Equipment is available for use.
- C. The annual Military Equipment Report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of Military Equipment:
 1. A summary of how the Military Equipment was used and the purpose of its use.
 2. A summary of any complaints or concerns received concerning the Military Equipment.
 3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.
 4. The total annual cost for each type of Military Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Military Equipment in the calendar year following submission of the annual Military Equipment Report.
 5. The quantity possessed for each type of Military Equipment.
 6. If the law enforcement agency intends to acquire additional Military Equipment in the next year, the quantity sought for each type of Military Equipment.
- D. Within 30 days of submitting and publicly releasing an annual Military Equipment Report pursuant to this section, the Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual Military Equipment report and the law enforcement agency's funding, acquisition, or use of Military Equipment.

- E. The City Council shall determine, based on the annual Military Equipment Report submitted pursuant to this section, whether each type of Military Equipment identified in that report has complied with the standards for approval set forth in this code and the Military Equipment Use Policy. If the City Council determines that a type of Military Equipment identified in that annual Military Equipment Report has not complied with the standards for approval, the City Council shall either disapprove a renewal of the authorization for that type of Military Equipment or require modifications to the Military Equipment Use Policy in a manner that will resolve the lack of compliance.

2.70.060 Severability

- A. If any section, subsection, sentence, clause, phrase, or word of this Chapter, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Chapter.
- B. The City Council hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or application thereof would be subsequently declared invalid or unconstitutional.

Military Equipment

708.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

The Menlo Park Police Department ("MPPD") does not possess any tactical equipment that it has obtained from the military, nor does it possess any equipment that was designed for military use. MPPD also does not possess any equipment through military surplus programs such as the 1033 Program. Notwithstanding the foregoing, California Government Code § 7071(b) requires that law enforcement agencies submit a proposed Military Equipment Use Policy to their governing board for approval.

California Government Code § 7070 provides a list of equipment types that are considered to be "military equipment" for purposes of this policy requirement, and this Military Equipment Use Policy includes information for any such equipment types that are possessed by the MPPD, or reasonably likely to be deployed in Menlo Park by other law enforcement partners.

708.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

"Department" means the City of Menlo Park Police Department.

"Governing body" means the elected or appointed body that oversees the Department.

"Military equipment" includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.

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- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

708.2 POLICY

It is the policy of the Menlo Park Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

708.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Menlo Park Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

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708.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

- Attachment 1: qualifying equipment that is owned and/or utilized by the Menlo Park Police Department. See attachment: [ATTACHMENT 1 - MPPD Military Equipment Use Policy - Equipment of MPPD.pdf](#)
- Attachment 2: qualifying equipment that is not owned or regularly utilized by the MPPD, but which is known to be owned and/or utilized by law enforcement agencies which the MPPD collaborates and/ or participates for law enforcement purposes. See attachment: [ATTACHMENT 2 - MPPD Military Equipment Use Policy - Applicable to Regional SWAT.pdf](#)

708.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

708.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

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708.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

708.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Attachments

ATTACHMENT 1 - MPPD Military Equipment Use Policy - Equipment of MPPD.pdf

ATTACHMENT 1
MENLO PARK MILITARY EQUIPMENT USE POLICY
EQUIPMENT OF MENLO PARK PD APPLICABLE TO GOV CODE 7070*

The Menlo Park Police Department has not obtained any equipment from military surplus programs, known as 1033 Programs, it does not possess any tactical equipment that it has obtained from the military, and it does not possess any equipment that was designed for military use.

That said, California Government Code Section 7070 provides a list of sixteen (16) types of equipment that are to be considered "Military Equipment" for the purpose of compliance with AB 481 and the associated California Government Codes, and the Police Department does possess and use some of these listed types of equipment. Of the sixteen (16) types of equipment specified, the Police Department possesses only two (2) types – four (4) items total. The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 and the items possessed by the Menlo Park Police Department is included as follows:

- Equipment types that the Police Department possesses are noted in **bold type**.
 - Equipment listed by legislation but not in possession of this department has been stricken through.
- ~~1. Unmanned, remotely piloted, powered aerial or ground vehicles.~~
 - ~~2. Mine resistant ambush protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.~~
 - ~~3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one half ton trucks, five ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.~~
 - ~~4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.~~
 - ~~5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.~~
 - ~~6. Weaponized aircraft, vessels, or vehicles of any kind.~~
 - ~~7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.~~
 - ~~8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.~~
 - ~~9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.~~
 - ~~10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.~~

- a) * While the following equipment is exempt from this reporting process per California Government Code Section 7070(c)(10), we have included it in the interests of transparency. Every Menlo Park Patrol Officer is issued .223 caliber, Colt AR-15/ M4 Carbine rifles. The Patrol Rifles have been standard deployed equipment for our Patrol Personnel since about 2005. They may be deployed in special circumstances, such as when the subject is known to possess or is suspected of possessing a deadly weapon or firearm; the subject is beyond the effective range of issued handguns; the subject is known to wear, or is suspected of wearing, body armor; the subject is barricaded, and perimeter officers are at moderate to long distances from the target; the subject is barricaded behind cover that issued handgun ammunition may not effectively penetrate; a field supervisor or watch commander orders the rifle to be deployed; any other situation in which, based on his/her experience and training, the officer deems the deployment of the Patrol Rifle as necessary. Additionally, the Menlo Park Police Department possesses three .308 caliber semi Semi-Automatic rifles. These rifles are in the inventory for use by our SWAT snipers. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

~~11. Any firearm or firearm accessory that is designed to launch explosive projectiles.~~

12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

- a) **The Police Department possesses two (2) pepper ball launchers. The pepper ball launchers are intended for use as a less lethal use of force option. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

~~13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).~~

14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

- a) **The Police Department possesses two (2) 40mm less lethal projectile launchers. The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less lethal use of force option. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

~~15. Any other equipment as determined by a governing body or a state agency to require additional oversight.~~

16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

ATTACHMENT 2 - MPPD Military Equipment Use Policy - Applicable to Regional SWAT.pdf

ATTACHMENT 2
MENLO PARK MILITARY EQUIPMENT USE POLICY
EQUIPMENT OF REGIONAL SWAT APPLICABLE TO GOV CODE 7070

In addition to Department-specific operations, the Menlo Park Police Department participates in a regional Special Weapons and Tactics (SWAT) team, which possesses and utilizes additional types of equipment that qualify as "Military Equipment" according to California Government Code Section 7070. While the equipment possessed by SWAT is not purchased, owned, or maintained by the Police Department, it could be used in the City of Menlo Park if SWAT is deployed, and is therefore included in the proposed Military Equipment Use Policy. It is important to note that SWAT is generally only deployed in extreme circumstances such as active shooter incidents, hostage situations, and the execution of high-risk search and arrest warrants. The equipment SWAT possesses is rarely deployed but could prove essential to emergency operations when needed.

The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 is included below.

- Equipment types that the SWAT Team possesses are noted in **bold type**.
 - Equipment listed by legislation but not in possession of SWAT has been stricken through.
1. **Unmanned, remotely piloted, powered aerial or ground vehicles.**
 - a) **The SWAT Team has access to four (4) Robotex Avatar ground robots. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - ~~2. Mine resistant ambush protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.~~
 - ~~3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.~~
 - ~~4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.~~
 5. **Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.**
 - a) **The SWAT Team has access to two (2) command and control vehicles. One is a 2015 Chevy Tahoe and the other is a 2002 Workhorse P42 (Mattman custom built SWAT vehicle). This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - ~~6. Weaponized aircraft, vessels, or vehicles of any kind.~~
 7. **Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to one (1) Remington 870 12 gauge breaching shotgun. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 8. **Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to one (1) Barrett .50 caliber rifle, model 82A1M. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

9. **Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to fifty-two (52) rounds of .50 caliber ammunition. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
10. **Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.**
 - a) **The SWAT Team has access to twelve (12) Colt M4 fully automatic rifles, thirty-one (31) Heckler & Koch MP5 submachine guns, four (4) Ingram M10 .45 caliber machine guns, one (1) Century Arms Zastava AK47 rifle, one (1) Swiss Arms Model SIG SG550 rifle, and one (1) Thompson submachine gun. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
- ~~11. Any firearm or firearm accessory that is designed to launch explosive projectiles.~~
12. **"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.**
 - a) **The SWAT Team has access to sixty-one (61) Defense Technology Flashbangs. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - b) **The SWAT Team has access to the following chemical agents. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

<u>Item</u>	<u>Quantity</u>	<u>Expiration</u>
Riot Control CS Grenade	10	2026
Triple Chaser CS Grenade	5	2026
Spede Heat CS Grenade	4	2026
Tri Chamber CS Flameless Grenade	10	2026
40mm Skat Shell CS	10	2026
40mm Muzzle Blast	10	2026
40mm Ferret CS Liquid	10	2026
40mm Ferret CS powder	10	2026

- ~~13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).~~
14. **The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.**
 - a) **The SWAT team has access to thirty-eight (38) Defense Technology 40mm launchers and two (2) Defense Technology 37mm launchers. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
- ~~15. Any other equipment as determined by a governing body or a state agency to require additional oversight.~~
16. **Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.**

Assembly Bill No. 481

CHAPTER 406

An act to add Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, relating to military equipment.

[Approved by Governor September 30, 2021. Filed with
Secretary of State September 30, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 481, Chiu. Law enforcement and state agencies: military equipment: funding, acquisition, and use.

Existing law designates the Department of General Services as the agency for the State of California responsible for distribution of federal surplus personal property, excepting food commodities, and requires the department to, among other things, do all things necessary to the execution of its powers and duties as the state agency for the distribution of federal personal surplus property, excepting food commodities, in accordance with specified federal law. Existing law, the Federal Surplus Property Acquisition Law of 1945, authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, or delivery of purchases before payment, or which prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require a law enforcement agency, defined to include specified entities, to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also require similar approval for the continued use of military equipment acquired prior to January 1, 2022. The bill would allow the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The bill would require the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment report prepared by the law enforcement agency, as provided, that the military equipment does not comply with the above-described standards for approval. The bill would specify these provisions do not preclude a county or local municipality from implementing

additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

This bill would also require a state agency, as defined, to create a military equipment use policy before engaging in certain activities, publish the policy on the agency's internet website, and provide a copy of the policy to the Governor or the Governor's designee, as specified. The bill would also require a state agency that seeks to continue use of military equipment acquired prior to January 1, 2022, to create a military equipment use policy.

This bill would also include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

By adding to the duties of local officials with respect to the funding, acquisition, and use of military equipment, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The acquisition of military equipment and its deployment in our communities adversely impacts the public's safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incurment of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.

(b) The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment.

(c) Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

(d) Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public’s welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

(e) The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

SEC. 2. Chapter 12.8 (commencing with Section 7070) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 12.8. FUNDING, ACQUISITION, AND USE OF MILITARY EQUIPMENT

7070. For purposes of this chapter, the following definitions shall apply:

(a) “Governing body” means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff’s department or a district attorney’s office, “governing body” means the board of supervisors of the county.

(b) “Law enforcement agency” means any of the following:

(1) A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.

(2) A sheriff’s department.

(3) A district attorney’s office.

(4) A county probation department.

(c) “Military equipment” means the following:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

(4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

(6) Weaponized aircraft, vessels, or vehicles of any kind.

(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters,

or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

(8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

(9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

(11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

(16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) “Military equipment use policy” means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.

(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.

(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.

(4) The legal and procedural rules that govern each authorized use.

(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.

(6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight

authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.

(7) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

(e) “State agency” means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(f) “Type” means each item that shares the same manufacturer model number.

7071. (a) (1) A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

(A) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(B) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(C) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(D) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(E) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(F) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.

(G) Acquiring military equipment through any means not provided by this paragraph.

(2) No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. If the governing body does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted pursuant to subdivision (b), within 180 days of submission of the proposed military equipment use policy to the governing body, the law enforcement agency shall cease its use of

the military equipment until it receives the approval of the governing body in accordance with this section.

(b) In seeking the approval of the governing body pursuant to subdivision (a), a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

(c) The governing body shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(d) (1) The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

(A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

(C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(2) In order to facilitate public participation, any proposed or final military equipment use policy shall be made publicly available on the internet website of the relevant law enforcement agency for as long as the military equipment is available for use.

(e) (1) The governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(2) The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d). If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in subdivision (d), the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications

to the military equipment use policy in a manner that will resolve the lack of compliance.

(f) Notwithstanding subdivisions (a) to (e), inclusive, if a city contracts with another entity for law enforcement services, the city shall have the authority to adopt a military equipment use policy based on local community needs.

7072. (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(1) A summary of how the military equipment was used and the purpose of its use.

(2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

7073. (a) A state agency shall create a military equipment use policy prior to engaging in any of the following:

(1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(2) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(4) Collaborating with a law enforcement agency or another state agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, or to apply to receive, acquire, use, or collaborate in the use of, military equipment.

(7) Acquiring military equipment through any means not provided by this subdivision.

(b) No later than May 1, 2022, a state agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall create a military equipment use policy.

(c) A state agency that is required to create a military equipment use policy pursuant to this section shall do both of the following within 180 days of completing the policy:

(1) Publish the military equipment use policy on the agency's internet website.

(2) Provide a copy of the military equipment use policy to the Governor or the Governor's designee.

7074. The Legislature finds and declares that ensuring adequate oversight of the acquisition and use of military equipment is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities and shall supersede any inconsistent provisions in the charter of any city, county, or city and county.

7075. Nothing in this chapter shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which adds Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

Requiring local agencies to hold public meetings prior to the acquisition of military equipment further exposes that activity to public scrutiny and enhances public access to information concerning the conduct of the people's business.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would

result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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**ATTACHMENT 1
MENLO PARK MILITARY EQUIPMENT USE POLICY
EQUIPMENT OF MENLO PARK PD APPLICABLE TO GOV CODE 7070***

The Menlo Park Police Department has not obtained any equipment from military surplus programs, known as 1033 Programs, it does not possess any tactical equipment that it has obtained from the military, and it does not possess any equipment that was designed for military use.

That said, California Government Code Section 7070 provides a list of sixteen (16) types of equipment that are to be considered "Military Equipment" for the purpose of compliance with AB 481 and the associated California Government Codes, and the Police Department does possess and use some of these listed types of equipment. Of the sixteen (16) types of equipment specified, the Police Department possesses only two (2) types – four (4) items total. The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 and the items possessed by the Menlo Park Police Department is included as follows:

- Equipment types that the Police Department possesses are noted in **bold type**.
 - Equipment listed by legislation but not in possession of this department has been stricken through.
- ~~1. Unmanned, remotely piloted, powered aerial or ground vehicles.~~
 - ~~2. Mine resistant ambush protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.~~
 - ~~3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one half ton trucks, five ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.~~
 - ~~4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.~~
 - ~~5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.~~
 - ~~6. Weaponized aircraft, vessels, or vehicles of any kind.~~
 - ~~7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.~~
 - ~~8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.~~
 - ~~9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.~~
 - ~~10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.~~

- a) * While the following equipment is exempt from this reporting process per California Government Code Section 7070(c)(10), we have included it in the interests of transparency. Every Menlo Park Patrol Officer is issued .223 caliber, Colt AR-15/ M4 Carbine rifles. The Patrol Rifles have been standard deployed equipment for our Patrol Personnel since about 2005. They may be deployed in special circumstances, such as when the subject is known to possess or is suspected of possessing a deadly weapon or firearm; the subject is beyond the effective range of issued handguns; the subject is known to wear, or is suspected of wearing, body armor; the subject is barricaded, and perimeter officers are at moderate to long distances from the target; the subject is barricaded behind cover that issued handgun ammunition may not effectively penetrate; a field supervisor or watch commander orders the rifle to be deployed; any other situation in which, based on his/her experience and training, the officer deems the deployment of the Patrol Rifle as necessary. Additionally, the Menlo Park Police Department possesses three .308 caliber semi Semi-Automatic rifles. These rifles are in the inventory for use by our SWAT snipers. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

~~11. Any firearm or firearm accessory that is designed to launch explosive projectiles.~~

12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

- a) **The Police Department possesses two (2) pepper ball launchers. The pepper ball launchers are intended for use as a less lethal use of force option. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

~~13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).~~

14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

- a) **The Police Department possesses two (2) 40mm less lethal projectile launchers. The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less lethal use of force option. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

~~15. Any other equipment as determined by a governing body or a state agency to require additional oversight.~~

16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

**ATTACHMENT 2
MENLO PARK MILITARY EQUIPMENT USE POLICY
EQUIPMENT OF REGIONAL SWAT APPLICABLE TO GOV CODE 7070**

In addition to Department-specific operations, the Menlo Park Police Department participates in a regional Special Weapons and Tactics (SWAT) team, which possesses and utilizes additional types of equipment that qualify as "Military Equipment" according to California Government Code Section 7070. While the equipment possessed by SWAT is not purchased, owned, or maintained by the Police Department, it could be used in the City of Menlo Park if SWAT is deployed, and is therefore included in the proposed Military Equipment Use Policy. It is important to note that SWAT is generally only deployed in extreme circumstances such as active shooter incidents, hostage situations, and the execution of high-risk search and arrest warrants. The equipment SWAT possesses is rarely deployed but could prove essential to emergency operations when needed.

The list of the sixteen (16) types of Military Equipment per California Government Code Section 7070 is included below.

- Equipment types that the SWAT Team possesses are noted in **bold type**.
 - Equipment listed by legislation but not in possession of SWAT has been stricken through.
1. **Unmanned, remotely piloted, powered aerial or ground vehicles.**
 - a) **The SWAT Team has access to four (4) Robotex Avatar ground robots. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - ~~2. Mine resistant ambush protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.~~
 - ~~3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.~~
 - ~~4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.~~
 5. **Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.**
 - a) **The SWAT Team has access to two (2) command and control vehicles. One is a 2015 Chevy Tahoe and the other is a 2002 Workhorse P42 (Mattman custom built SWAT vehicle). This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - ~~6. Weaponized aircraft, vessels, or vehicles of any kind.~~
 7. **Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to one (1) Remington 870 12 gauge breaching shotgun. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 8. **Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to one (1) Barrett .50 caliber rifle, model 82A1M. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

9. **Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.**
 - a) **The SWAT Team has access to fifty-two (52) rounds of .50 caliber ammunition. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
10. **Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.**
 - a) **The SWAT Team has access to twelve (12) Colt M4 fully automatic rifles, thirty-one (31) Heckler & Koch MP5 submachine guns, four (4) Ingram M10 .45 caliber machine guns, one (1) Century Arms Zastava AK47 rifle, one (1) Swiss Arms Model SIG SG550 rifle, and one (1) Thompson submachine gun. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
- ~~11. Any firearm or firearm accessory that is designed to launch explosive projectiles.~~
12. **"Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.**
 - a) **The SWAT Team has access to sixty-one (61) Defense Technology Flashbangs. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
 - b) **The SWAT Team has access to the following chemical agents. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**

<u>Item</u>	<u>Quantity</u>	<u>Expiration</u>
Riot Control CS Grenade	10	2026
Triple Chaser CS Grenade	5	2026
Spede Heat CS Grenade	4	2026
Tri Chamber CS Flameless Grenade	10	2026
40mm Skat Shell CS	10	2026
40mm Muzzle Blast	10	2026
40mm Ferret CS Liquid	10	2026
40mm Ferret CS powder	10	2026

- ~~13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).~~
14. **The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.**
 - a) **The SWAT team has access to thirty-eight (38) Defense Technology 40mm launchers and two (2) Defense Technology 37mm launchers. This equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.**
- ~~15. Any other equipment as determined by a governing body or a state agency to require additional oversight.~~
16. **Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.**

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

Meeting Date: 4/26/2022
Staff Report Number: 22-080-CC

Regular Business: **Adopt a resolution affirming the Independent Redistricting Commission's Redistricting Plan and the new City Council district boundaries set forth in Map 131.1 as adopted by the Independent Redistricting Commission**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) affirming the Independent Redistricting Commission's (IRC) Redistricting Plan and the new City Council district boundaries set forth in Map 131.1 as adopted by the IRC (Attachment B.)

Policy Issues

Ordinance No. 1081 (Attachment C) reflects the changes made to the City's Municipal Code in light of the City's adoption of Resolution No. 6659 (Attachment D), establishing an IRC, to redraw district boundary lines, as authorized by state and federal law.

Background

Until 2017, Menlo Park's five City Councilmembers were elected at large. In 2017, the City transitioned from at large to by district elections. In 2018, elections in Districts 1, 2 and 4 took place. In November 2020, elections in Districts 3 and 5 took place, completing the full transition to district-based elections.

California Elections Code section 21600 *et seq.*, requires, among other things that following each decennial federal census, and using that census as a basis, the City Council must adopt boundaries for the City Council Districts so that the City Council districts are substantially equal in population as required by the United States Constitution. This process is often referred to as "redistricting."

Since the City Council's transition to district elections, the State has enacted additional laws governing the redistricting process, including the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act ("Fair Maps Act"), which creates standardized redistricting criteria aimed to keep communities together and to prohibit partisan gerrymandering. It also contains expanded community outreach and public hearing requirements and timelines, which more closely track the State redistricting schedule.

On August 31, 2021, the City Council adopted Resolution No. 6659, establishing a seven-member IRC, to redraw district boundary lines, as authorized by California Elections Code section 23000 *et seq.*

On December 14, 2021, the City Council adopted Ordinance No. 1081 to amend Menlo Park Municipal Code section 2.04.210 to provide that the IRC shall adopt the district boundary lines by Resolution.

In accordance with Resolution No. 6659, the first three members of IRC were selected at random November 4, 2021 and those three members conducted interviews of the remaining IRC applicants from November 9 – 12, 2021. On November 18, 2021 the remaining vacancies on the IRC were filled by the initial three-member consensus. The first meeting of the IRC was held December 9, 2021.

Analysis

In accordance with California Elections Code Section 21607.1, the IRC, assisted by GEOinovo, a consultant who specializes in redistricting, and City staff, held seven public hearings and two workshops to gather input from the public on potential new district boundaries.

The IRC reviewed a total of 24 draft maps. Those draft maps all met the following federal requirements:

1. Population equality across districts.
2. Race cannot be the predominant factor or criteria when drawing districts.
3. Compliance with the federal Voting Rights Act of 1965, which, among other things, prohibits districts that dilute minority voting rights, and encourages a majority-minority district, if the minority group is sufficiently large, and such a district can be drawn without race being the predominant factor.

Additionally, the draft maps all satisfied the Fair Maps Act requirements in the following prioritized order:

- District boundaries must be geographically contiguous;
- District boundaries must minimize the division of neighborhoods and communities of interest;
- District boundaries must be easily identifiable and understandable by residents;
- District boundaries must be geographically compact; and
- Maps must not favor or discriminate against a political party.

The IRC has met or exceeded the requirements for outreach as prescribed in City Council Resolution No. 6659 and in the Fair Maps Act. The IRC has held a total of seven public hearings, two were held before any review of submitted draft maps. On December 11 and 18, 2021, the IRC held public in-person workshops at the Belle Haven Library and City Council Chambers; both accessible to persons with disabilities. Staff have implemented several public engagement efforts throughout the redistricting process and provided monthly updates to the Commission. Redistricting information has been provided to residents, community groups and local media, in both digital and hard copy, with all hard copy material printed in both English and Spanish. This includes but is not limited to: social media, web digest articles, updates to the redistricting webpage, flyers and map worksheets at City facilities, map workstations at both City libraries, and web and print ads in local news publications. All IRC meetings have included Spanish interpretation and a majority has been recorded in both English and Spanish. Agendas, draft maps, draft minutes, meeting recordings, and all other similar materials have been posted for public review in a timely manner and in compliance with any legal requirements regarding when they must be made available to the public. Public comments were accepted live at all IRC meetings and via email. A calendar of all IRC meetings and workshops was available on the City redistricting website.

At the March 31, 2022, meeting, the IRC reviewed several remaining maps and directed revisions to Map

131 to create Maps 131.1 and 131.2. At the April 7, 2022, meeting, the IRC considered the final draft maps: 115, 115.1, 120.2, 131, 131.1, and 131.2 and discussed the preliminary redistricting plan and draft map along with a written statement of findings and reasons for proposed adoption. The final selected map, Map 131.1 and preliminary redistricting plan were published on the City website pursuant to Elections Code section 21608(d)(1) and Resolution No. 6659 section 13(f), for a seven-day period before adoption of the map.

On April 14, 2022, the IRC adopted new City Council District boundaries as set forth in Map 131.1 and a final Redistricting Plan. As evidenced by the Redistricting Plan, Map 131.1 is population balanced across all districts with a total population deviation of 8.08 percent based on the 2020 federal census data. Map 131.1 complies with both the federal Voting Rights Act of 1965 and Fair Maps Act requirements. The Resolution adopted by the IRC establishes the City Council district boundaries for the City Council general municipal election November 7, 2022 and for every general municipal election thereafter, until the next decennial census. The sequencing of the elections is identified in Menlo Park Municipal Code 2.04.230, with Districts 1, 2 and 4 electing members of the City Council in 2018 and every four years thereafter and Districts 3 and 5 electing members of the City Council in 2020 and every four years thereafter.

The City Council's affirmation of Map 131.1 would be a formality as the City Council does not have the ability to make any changes to Map 131.1 or the Redistricting Plan pursuant to Menlo Park Municipal Code section

2.04.210, Resolution 6659 and Elections Code section 23003(l.) The changes to the district boundaries by adoption of Map 131.1 will not affect the terms of incumbent City Councilmembers. California Government Code Section 21626 specifies that the term of office of any City Councilmember who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the City Councilmember was elected.

Impact on City Resources

There is no impact on City resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it 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. Resolution No. 0002-IRC

Staff Report #: 22-080-CC

C. Ordinance No. 1081

D. Resolution No. 6659

Report prepared by:

Judi A. Herren, City Clerk

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AFFIRMING THE INDEPENDENT REDISTRICTING COMMISSION'S
REDISTRICTING PLAN AND NEW CITY COUNCIL DISTRICT BOUNDARIES
SET FORTH IN MAP 131.1 AS ADOPTED BY THE INDEPENDENT
REDISTRICTING COMMISSION**

WHEREAS, following each federal decennial census, a city with district-based elections must redraw the district boundaries so they have substantially equal populations, comply with the federal and state constitutions, and comply with federal and state law, including the federal Voting Rights Act of 1965 and the state FAIR MAPS Act; and

WHEREAS, on August 31 2021, the City of Menlo Park City Council adopted Resolution No. 6659, establishing a seven-member Independent Redistricting Commission to adopt the new City Council District bound; and

WHEREAS, the Independent Redistricting Commission of the City of Menlo Park, California was selected on November 18, 2021; and

WHEREAS, on December 14, 2021, the City Council adopted Ordinance No. 1081 to amend Menlo Park Municipal Code section 2.04.210 to provide that the IRC shall adopt the district boundary lines by Resolution; and

WHEREAS, in accordance with California Elections Code Section 21607.1, the Independent Redistricting Commission held seven public hearings to gather input regarding the composition of the City Council districts; and

WHEREAS, at its final public hearing on April 14, 2022, the Independent Redistricting Commission adopted a resolution adopting a Redistricting Plan and the new City Council District boundaries as set forth in Map 131.1 (Exhibit A); and

WHEREAS, the IRC has met or exceeded the requirements for outreach as prescribed in City Council Resolution No. 6659 and in the Fair Maps Act; and

WHEREAS, the City Council does not have the ability to make any changes to Map 131.1 or the Redistricting Plan pursuant to Menlo Park Municipal Code section 2.04.210, Resolution 6659 and Elections Code section 23003(l); and

WHEREAS, the sequencing of the elections is identified in Menlo Park Municipal Code 2.04.230, with Districts 1, 2 and 4 electing members of the City Council in 2018 and every four years thereafter and Districts 3 and 5 electing members of the City Council in 2020 and every four years thereafter; and

WHEREAS, California Government Code Section 21626 specifies that the term of office of any City Councilmember who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the City Councilmember was elected.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby:

1. Adopt the foregoing recitals as true and correct.
2. Affirm the Independent Redistricting Commission's Redistricting Plan and the new City Council district boundaries set forth in Map 131.1 attached hereto as Exhibit A.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth day of April, 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 April, 2022.

Judi A. Herren, City Clerk

Exhibits

A. City Council District map

RESOLUTION NO. 0002-IRC

**RESOLUTION OF THE CITY OF MENLO PARK INDEPENDENT
REDISTRICTING COMMISSION ADOPTING CITY COUNCIL DISTRICT
BOUNDARIES**

WHEREAS, on October 7, 2017, with the adoption of Ordinance No. 1044, the City Council of the City of Menlo Park established by district elections for City Councilmembers and sequencing of elections; and

WHEREAS, Ordinance No. 1044 established five districts from which the City Councilmembers would be elected with City Council District Nos. 1, 2, and 4 beginning at the general municipal election in November 2018, and every four (4) years thereafter, and City Council District Nos. 3 and 5 beginning at the general municipal election in November 2020, and every four (4) years thereafter; and

WHEREAS, California Elections Code section 21600 *et seq.*, requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, must adopt boundaries for any or all of the city council districts of the city so that the city council districts shall be substantially equal in population as required by the United States Constitution (“redistricting”); and

WHEREAS, California Elections Code section 23000 *et seq.*, governs the formation of local independent redistricting commissions; and

WHEREAS, California Elections Code section 23001 provides that a local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body’s district boundaries or to recommend to the legislative body changes to those district boundaries; and

WHEREAS, on December 14, 2021 the City Council of the City of Menlo Park adopted Ordinance No. 1081, amending Menlo Park Municipal Code Chapter 2.04 to allow adoption of new district boundaries via resolution of the Independent Redistricting Commission after completion of the redistricting process; and

WHEREAS, on August 31, 2022, the City Council of the City of Menlo Park adopted Resolution No. 6659 creating an Independent Redistricting Commission; and

WHEREAS, Resolution No. 6659 section 13(f) requires that the Independent Redistricting Commission adopt a final map and a final redistricting plan, including the final map and a written statement of findings and reasons for adoption, which shall include the criteria employed in the process and a full analysis and explanation of the decisions made by the Independent Redistricting Commission; and

WHEREAS, pursuant to Elections Code section 21607.1(a)(1) and (2), seven (7) public hearings were conducted on the following dates: January 27, 2022, February 10, 2022, March 10, 2022, March 24, 2022, March 31, 2022, April 7, 2022, and April 14, 2022, two (2) of which were held before the draft maps or maps of the proposed City Council boundaries were drawn and five (5) of which were held after the draft maps or maps of the proposed City Council boundaries were drawn; and

WHEREAS, in compliance with Elections Code section 21607.1 (b), (c) and (d), two public workshops were held on a Saturday and five of the public hearings began after 6:00 p.m. on weekdays, and all were accessible to persons with disabilities; and

WHEREAS, in compliance with Elections Code section 21608(a), steps were taken to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. These steps include, but are not limited to the following:

- Dedicated webpage for the redistricting process, including mapping tools and redistricting survey: beta.menlopark.org/Government/Commissions-and-committees/Independent-Redistricting-Commission
 - 662 unique page views
- Almanac web banner advertisement from January 2, 2022 through April 2, 2022
- Redistricting flyers posted at open City facilities
- Redistricting map worksheets placed at Arrillaga Family Gymnasium, Arrillaga Family Recreation Center, Belle Haven Branch Library, City Hall, Menlo Park Library, and Policy Department
- Weekly digest updates via email to approximately 1500 subscribers
- Social Media content beginning January 1, 2022
 - 27 posts
 - 45 post clicks
 - 9,663 post impressions/views
- Community Workshops
 - December 11, 2021 at the Belle Haven Branch Library; and
 - December 18, 2021 at City Council Chambers
 - Seven participants
- Public Submissions
 - IRC reviewed 24 draft maps; and

WHEREAS, in addition to the public engagement process described above, the City also noticed each public hearing in the City's Adjudicated Newspaper, The San Francisco Examiner. The City has also posted notice on the City's website, bilingual available, and at City; and

WHEREAS, pursuant to Elections Code section 21608(c), the City established a redistricting website which provided a schedule with the date, time, and location for any public hearing relating to redistricting on the internet at least five days before the hearing and also provided access to redistricting data and software for the purposes of drawing draft maps; and

WHEREAS, on April 7, 2022, pursuant to Elections Code section 21608(d)(1) and Resolution No. 6659 section 13(f), the final draft map was selected along with a written statement of findings and reasons for proposed adoption of Map 131.1 and included the criteria employed in the process and a full analysis and explanation of the section of Map 131.1 by the Independent Redistricting Commission; and

WHEREAS, the City Clerk published the preliminary redistricting plan and final draft map in accordance with Elections Code section 21608(d) on April 7, 2022; and

WHEREAS, on April 14, 2022, the Independent Redistricting Commission heard comments from the public on the preliminary redistricting plan and final draft map.

NOW THEREFORE, THE INDEPENDENT REDISTRICTING COMMISSION OF THE CITY OF MENLO PARK DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Independent Redistricting Commission hereby finds that the foregoing recitals are a true and accurate and are incorporated herein by reference.

Section 2. California Environmental Quality Act (CEQA) Determination. This action is exempt from environmental review as the adoption of City Council district boundaries does not qualify as a “project” pursuant to Public Resource Code section 21065 and CEQA Guidelines Sections 15320, 15378 and 15061(b)(3), since it can be seen with certainty that there is no possibility that adoption of the City Council district boundaries would cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Section 3. Adoption of City Council District Boundaries and Final Redistricting Plan. Pursuant to City of Menlo Park Municipal Code Section 2.04.210 and in compliance with California Elections Code 21601(a), the City of Menlo Park Independent Redistricting Commission hereby adopts the boundary lines set forth in Map 131.1 for the City Council general municipal election on November 7, 2022, and every city council election thereafter, as depicted in Attachment A, attached hereto and hereinafter incorporated by reference. The Independent Redistricting Commission also adopts its Final Redistricting Plan, attached hereto and hereinafter incorporated by reference as Attachment B and makes the findings, analysis and explanation of decisions relating to the adoption of Map 131.1 set forth therein.

Section 4. Census Blocks and Tracts. The listing of the census blocks and tracts in each City Council district shall be based on the boundaries in Map 131.1 (as depicted in Attachment A), attached hereto as Attachment C and hereinafter incorporated by reference.

Section 5. Authorization for Technical Adjustments. The City’s demographer, GEOinovo, is hereby authorized to make non-substantive technical adjustments to Map 131.1 to finalize Map 131.1 and as necessary to prepare a GIS shapefile which identifies the City Council district boundaries consistent with Map 131.1 as well as the census blocks and tracts in Attachment B attached hereto. The final Map 131.1, the census blocks and tracts and the GIS shapefile shall be in a form approved by the City Clerk and City Attorney.

Section 6. Direction to File Map 131.1. The City Clerk is authorized and directed to file this resolution, Map 131.1, the census blocks and tracts, the GIS shapefile, and any other documents necessary to effectuate the adoption of Map 131.1 with the San Mateo County Assessor-County Clerk-Recorder-Elections Office (“County”). In the case of any parcels that are split across City Council district boundaries, the County shall apply a uniform methodology to adjust the boundary line to a border of the parcel without materially affecting the population within each affected district.

Section 7. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Resolution shall nonetheless remain in full force and effect. The City Council hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Resolution, irrespective of the fact that any one or

more sections, subsections, sentences, clauses, phrases, or portions of this Resolution be declared invalid or unenforceable.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Independent Redistricting Commission Resolution was duly and regularly passed and adopted at a meeting by said Independent Redistricting Commission on the fourteenth day of April, 2022, by the following votes:

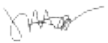
AYES: Arellano, Gilmer, Bahles, Erhart, Hill, Saad, Wolter

NOES: None

ABSENT: None

ABSTAIN: None

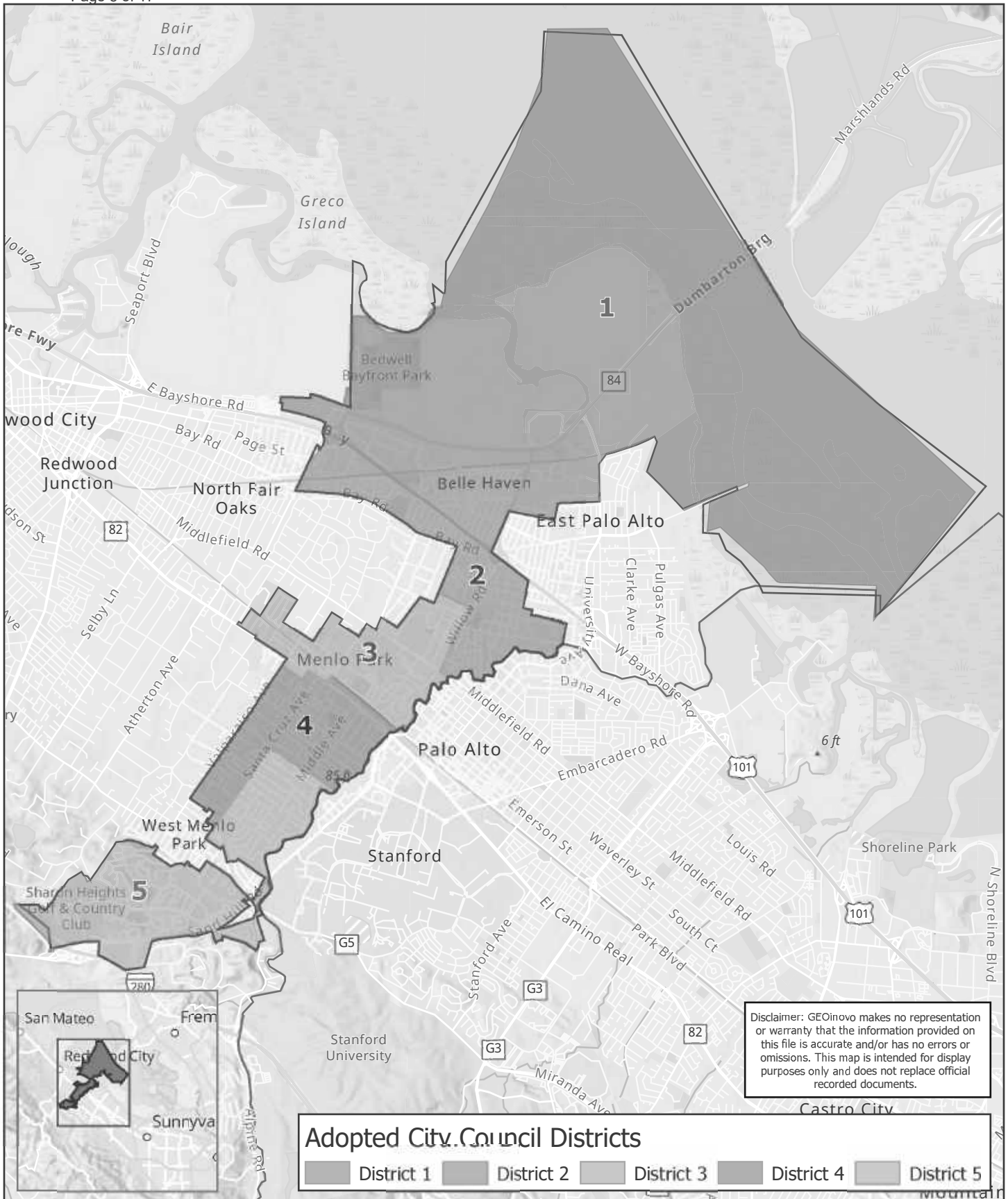
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this nineteenth day of April, 2022.

DocuSigned by:

39280A20D0BE491

Judi A. Herren, City Clerk

Exhibits

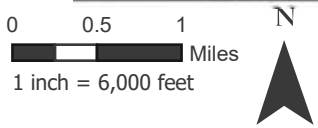
- A. Map 131.1
- B. Final redistricting plan
- C. Map 131.1 – census blocks and tracts



Disclaimer: GEOinovo makes no representation or warranty that the information provided on this file is accurate and/or has no errors or omissions. This map is intended for display purposes only and does not replace official recorded documents.

Adopted City Council Districts

District 1	District 2	District 3	District 4	District 5



Menlo Park City Council Districts

Adopted Council Districts: 2022 Redistricting

Created By: GEOinovo Solutions Inc
4/7/2022
Data Sources: City of Menlo Park
US Census Bureau
Esri Living Atlas

GEOinovo
Regional Solutions

City of Menlo Park Demographic Data by District: Pub 131.1 ID 121034

Population

District Number (Pub 131.1)	Total Pop	Latino %	White %	Black %	Native American %	Native American %	Asian %	Hawaiian/Pac Islander %	Hawaiian/Pac Islander %	Other %	Two or More Races %
Total	33,830	6,008	18,583	1,159	185	185	6,814	390	390	453	238
District 1	6,478	3,621	832	745	21	21	911	223	223	49	76
District 2	6,558	739	4,054	150	61	61	1,347	70	70	112	25
District 3	6,850	820	4,067	108	36	36	1,598	64	64	113	44
District 4	6,919	453	4,740	95	32	32	1,423	19	19	113	44
District 5	7,025	375	4,890	61	35	35	1,535	14	14	66	49

Population Variance

City of Menlo Park	District 1	District 2	District 3	District 4	District 5	Ideal/Balance	Variance from Ideal
Pub 131.1	6,478	6,558	6,850	6,919	7,025	6,766	8.08%

Citizen Voting Age Population (CVAP)

District Number (Pub 131.1)	Total Pop	Latino %	White %	Black %	Asian %	Other %
Total	21,440	2,418	14,229	1,274	3,348	171
District 1	3,237	1,308	517	816	484	112
District 2	4,879	293	3,308	289	978	11
District 3	3,959	351	2,746	131	731	0
District 4	4,228	168	3,620	8	416	16
District 5	5,137	298	4,038	30	739	32



I. Findings

A. Total Population deviation: **8.08%**

B. Population variance:

City of Menlo Park	District 1	District 2	District 3	District 4	District 5	Ideal/Balance	Variance from Ideal
Pub 131.1	6,478	6,558	6,850	6,919	7,025	6,766	8.08%

C. Total population by race/ethnicity per district:

District Number	Total Pop	Latino	Latino %	White	White %	Black	Black %	Native American	Native American %	Asian	Asian %	Hawaiian/Pac Islander	Hawaiian/Pac Islander %	Other	Other %	Two or More Races	Two or More Races %
Total	33,830	6,008	17.8%	18,583	54.9%	1,159	3.4%	185	0.5%	6,814	20.1%	390	1.2%	453	1.3%	238	0.7%
District 1	6,478	3,621	55.9%	832	12.8%	745	11.5%	21	0.3%	911	14.1%	223	3.4%	49	0.8%	76	1.2%
District 2	6,558	739	11.3%	4,054	61.8%	150	2.3%	61	0.9%	1,347	20.5%	70	1.1%	112	1.7%	25	0.4%
District 3	6,850	820	12.0%	4,067	59.4%	108	1.6%	36	0.5%	1,598	23.3%	64	0.9%	113	1.6%	44	0.6%
District 4	6,919	453	6.5%	4,740	68.5%	95	1.4%	32	0.5%	1,423	20.6%	19	0.3%	113	1.6%	44	0.6%
District 5	7,025	375	5.3%	4,890	69.6%	61	0.9%	35	0.5%	1,535	21.9%	14	0.2%	66	0.9%	49	0.7%

D. Citizens of voting age (CVAP) by race/ethnicity per district:

District Number (Pub 131.1)	Total Pop	Latino	Latino %	White	White %	Black	Black %	Asian	Asian %	Other	Other %
Total	21,440	2,418	11.3%	14,229	66.4%	1,274	5.9%	3,348	15.6%	171	0.8%
District 1	3,237	1,308	40.4%	517	16.0%	816	25.2%	484	15.0%	112	3.5%
District 2	4,879	293	6.0%	3,308	67.8%	289	5.9%	978	20.0%	11	0.2%
District 3	3,959	351	8.9%	2,746	69.4%	131	3.3%	731	18.5%	0	0.0%
District 4	4,228	168	4.0%	3,620	85.6%	8	0.2%	416	9.8%	16	0.4%
District 5	5,137	298	5.8%	4,038	78.6%	30	0.6%	739	14.4%	32	0.6%

E. Contiguity Criterion (i.e. are the Districts contiguous?): **Yes.**

F. Preservation of Geographic Integrity Criteria (i.e. minimize division of communities of interest, etc.): **Yes.**

G. Compactness: **The IRC finds that the City Council Districts created by this Map # 131.1 are compact.**

II. Criteria Employed in the Decision Process

- Consistent with the United States Constitution, the IRC sought to adopt new district boundaries that are substantially equal in population, determined by the total population of the 2020 census. Incarcerated persons were counted among the City’s population where their last known residence was within the City’s boundaries.
- The IRC also considered the following criteria in the order prescribed by the California Fair Maps Act (Elections Code section 21601).
 - The IRC chose a map with geographically contiguous City Council districts. This Map # 131.1 does not contain any areas that meet only at points of adjoining corners, and no bodies of water separate otherwise contiguous district lines.
 - The IRC was aware of and sensitive to maintaining geographic integrity of local communities of interest, focusing largely on ensuring identifiable neighborhoods were not split into many separate districts. In considering communities of interest to maintain, the IRC did not consider relationships with political parties, incumbents, or political candidates.
 - The following communities of interest are maintained within a single district under Map # 131.1
 - Allied Arts/Stanford Park

- Belle Haven
- Central Menlo
- Felton Gables
- Linfield Oaks
- Park Forest/Spruce/San Antonia
- Sharon Heights
- South of Seminary Oaks
- Suburban Park Lorelei Manor Flood Triangle
- The Willows
- The following communities of interest are separated by this Map # 131.1
 - Downtown: The split in this neighborhood under this Map # 131.1 closely follows current districts while making minor adjustments for population balance
 - West Menlo: Map # 131.1 splits this neighborhood because the Sharon Heights Community does not have sufficient population to create a single district in the southwest end of the City, to maintain geographic contiguity for District 4 and 5, and to ensure proper population balance.
- The IRC also endeavored to avoid splitting areas encompassing multi-family housing developments, opting where possible to keep such developments in the same district.
- This Map # 131.1 represents easily identifiable and understandable City Council District boundaries, because to the extent possible, this Map follows major roads and thoroughfares in the City. The Map also keeps neighborhoods together which facilitates easily identifiable district lines.
- This Map # 131.1 also represents geographical compactness to the extent such compactness was possible and did not conflict with the preceding interests.
 - A single definitive measure of compactness does not exist. In practice, compactness tends to be assessed by a visual test – a district in which people generally live near each other is usually more compact than one in which they do not. In California, districts are compact when they do not bypass a nearby population for people farther away. Thus, based on the IRC Commissioners' knowledge of the neighborhoods in the City, the IRC believes that the new Districts envisioned by this Map # 131.1 are sufficiently compact.
- The IRC ensured that the City Council District boundaries were not chosen for the purpose of favoring or discriminating against any political party or incumbent.
- Due to the demographic make up of the City at the 2020 Census, it was not possible to create a majority protected-class district pursuant to Section 2, Federal Voting Rights Acts.

GEOID20	CNTYNAME	PLACENAME	District Number
60816126003018	San Mateo County	Menlo Park city	4
60816125003011	San Mateo County	Menlo Park city	3
60816127001002	San Mateo County	Menlo Park city	4
60816117002009	San Mateo County	Menlo Park city	1
60816125001012	San Mateo County	Menlo Park city	3
60816128001006	San Mateo County	Menlo Park city	5
60816125001014	San Mateo County	Menlo Park city	3
60816117002019	San Mateo County	Menlo Park city	1
60816117002005	San Mateo County	Menlo Park city	1
60816125002004	San Mateo County	Menlo Park city	3
60816117001000	San Mateo County	Menlo Park city	1
60816117004033	San Mateo County	Menlo Park city	1
60816116001016	San Mateo County	Menlo Park city	2
60816139003010	San Mateo County	Menlo Park city	2
60816139005011	San Mateo County	Menlo Park city	3
60816128001014	San Mateo County	Menlo Park city	5
60816130001016	San Mateo County	Menlo Park city	5
60816116002007	San Mateo County	Menlo Park city	2
60816128002019	San Mateo County	Menlo Park city	5
60816125001001	San Mateo County	Menlo Park city	3
60816117001004	San Mateo County	Menlo Park city	1
60816117004034	San Mateo County	Menlo Park city	1
60816128001008	San Mateo County	Menlo Park city	5
60816129004003	San Mateo County	Menlo Park city	5
60816117003004	San Mateo County	Menlo Park city	1
60816139005003	San Mateo County	Menlo Park city	3
60816117004032	San Mateo County	Menlo Park city	1
60816126001009	San Mateo County	Menlo Park city	4
60816139001005	San Mateo County	Menlo Park city	2
60816116002002	San Mateo County	Menlo Park city	2
60816125001015	San Mateo County	Menlo Park city	3
60816126001013	San Mateo County	Menlo Park city	4
60816117003002	San Mateo County	Menlo Park city	1
60816117004026	San Mateo County	Menlo Park city	1
60816125002003	San Mateo County	Menlo Park city	3
60816130001006	San Mateo County	Menlo Park city	5
60816126002007	San Mateo County	Menlo Park city	4
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60816130002012	San Mateo County	Menlo Park city	5
60816117004024	San Mateo County	Menlo Park city	1
60816117004018	San Mateo County	Menlo Park city	1
60816117004027	San Mateo County	Menlo Park city	1
60816126003001	San Mateo County	Menlo Park city	4
60816125002007	San Mateo County	Menlo Park city	3
60816128002010	San Mateo County	Menlo Park city	5

60816139002012	San Mateo County	Menlo Park city	2
60816126002010	San Mateo County	Menlo Park city	4
60816117002011	San Mateo County	Menlo Park city	1
60816125003009	San Mateo County	Menlo Park city	3
60816117002003	San Mateo County	Menlo Park city	1
60816126003002	San Mateo County	Menlo Park city	4
60816127002003	San Mateo County	Menlo Park city	4
60816126002000	San Mateo County	Menlo Park city	4
60816125003008	San Mateo County	Menlo Park city	3
60816125003001	San Mateo County	Menlo Park city	3
60816139002005	San Mateo County	Menlo Park city	2
60816129004004	San Mateo County	Menlo Park city	5
60816125001007	San Mateo County	Menlo Park city	3
60816128002017	San Mateo County	Menlo Park city	5
60816117003001	San Mateo County	Menlo Park city	1
60816128002001	San Mateo County	Menlo Park city	4
60816127001003	San Mateo County	Menlo Park city	4
60816127001009	San Mateo County	Menlo Park city	4
60816126002009	San Mateo County	Menlo Park city	4
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60816125003017	San Mateo County	Menlo Park city	3
60816117002021	San Mateo County	Menlo Park city	1
60816117002026	San Mateo County	Menlo Park city	1
60816129003008	San Mateo County	Menlo Park city	5
60816130001015	San Mateo County	Menlo Park city	5
60816121011005	San Mateo County	Menlo Park city	2
60816116001014	San Mateo County	Menlo Park city	2
60816125001011	San Mateo County	Menlo Park city	3
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60816117002008	San Mateo County	Menlo Park city	1
60816117001015	San Mateo County	Menlo Park city	1
60816126001014	San Mateo County	Menlo Park city	4

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60816139001011	San Mateo County	Menlo Park city	2
60816128001012	San Mateo County	Menlo Park city	5
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60816116001009	San Mateo County	Menlo Park city	2
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60816127002010	San Mateo County	Menlo Park city	5

ORDINANCE NO. 1081**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
REPEALING AND REPLACING SECTIONS 2.04.200, “ADVISORY BOARDS
AND COMMISSIONS”, 2.04.210, “DISTRICT-BASED ELECTORAL SYSTEM”
AND 2.04.220 “ESTABLISHMENT OF CITY COUNCIL ELECTORAL
DISTRICTS” OF CHAPTER 2.04 WITHIN TITLE 2 OF THE MENLO PARK
MUNICIPAL CODE**

WHEREAS, on October 4, 2017, with the adoption of Ordinance No. 1044, the City Council established five electoral districts for the election of City Councilmembers; and

WHEREAS, Ordinance No. 1044 established five districts from which City Councilmembers would be elected with City Council District Nos. 1, 2 and 4 beginning at the general municipal election in November 2018, and every four (4) years thereafter, and City Council District Nos. 3 and 5 beginning at the general municipal election in November 2020, and every four (4) years thereafter; and

WHEREAS, California Elections Code section 21600 *et seq.*, requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, adopt boundaries for any or all of the city council districts of the city so that the city council districts shall be substantially equal in population as required by the United States Constitution (“redistricting”); and

WHEREAS, California Elections Code section 23000 *et seq.*, governs the formation of local independent redistricting commissions; and

WHEREAS, California Elections Code section 23001 provides that a local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body’s district boundaries or to recommend to the legislative body changes to those district boundaries; and

WHEREAS, on August 31, 2021, the City Council adopted Resolution No. 6659 establishing a seven (7) member Independent Redistricting Commission, to redraw district boundary lines, as authorized by state and federal law; and

WHEREAS, the City’s Municipal Code must be updated to reflect the duties and responsibilities of the newly created Independent Redistricting Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MENLO PARK:

SECTION 1. Findings.

The above recitals are hereby declared to be true and correct findings of the City Council of the City of Menlo Park.

SECTION 2. Section 2.04.200, "Advisory boards and commissions" is hereby repealed in its entirety and replaced to read as follows:

The City Council shall by resolution establish the policy of the city relating to advisory boards and commissions. Such resolution shall establish the charge to the particular advisory body and its specific responsibilities, and shall provide for any other regulations deemed necessary or advisable with reference thereto.

Notwithstanding the provisions of this Chapter, the Independent Redistricting Commission is not an advisory committee, and possesses final decision-making authority with regard to the establishment of the city council electoral districts, pursuant to section 2.04.210 and section 2.04.220.

SECTION 3. Section 2.04.210, "District-based electoral system" is hereby repealed in its entirety and replaced to read as follows:

Pursuant to California Government Code Sections 34886 and 34871(c), city councilmembers shall be elected on a district-based electoral system from five (5) single-member city council districts. For purposes of this chapter, the term "district-based electoral system" shall mean the election of city councilmembers by the voters of the district alone. The city's district-based electoral system shall be conducted in accordance with California Government Code Section 34871, subdivision (a).

For the city council election on November 7, 2022 and every city council election thereafter, the district map shall be established by resolution of the Independent Redistricting Commission.

SECTION 4. Section 2.04.220, "Establishment of city council electoral districts" is hereby repealed in its entirety and replaced to read as follows:

(a) Pursuant to Section 2.04.210, city council shall be elected on a district-based electoral system, from five (5) city council districts.

(b) For city council elections conducted prior to November 7, 2022, the districts shall be as follows:

(1) City Council District 1 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(2) City Council District 2 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(3) City Council District 3 shall comprise all that portion of the city reflected on Exhibit A attached to the ordinance codified in this chapter.

(4) City Council District 4 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(5) City Council District 5 shall comprise all that portion of the city reflected in Exhibit A attached to the ordinance codified in this chapter.

(b) For the city council elections conducted on November 7, 2022 and every city council election conducted thereafter, city council members shall be elected in the electoral districts established by resolution of the Independent Redistricting Committee.

SECTION 5. Severability.

If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by a final judgment of any court or competent jurisdiction, such invalidity shall not affect other provisions or clauses or application, and to this end, the provisions and clauses of this ordinance are declared to be severable.

SECTION 6. California Environmental Quality Act.

The City Council finds that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the City Council finds there is no possibility that the implementation of this Article may have significant effects on the environment.

SECTION 7. Publication; Effective Date.

This Ordinance shall be published once, in full or in summary form, after its final passage, in a newspaper of general circulation, published, and circulated in the City of Menlo Park, and shall be in full force and effect thirty (30) days after its final passage. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those City Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of Menlo Park, County of San Mateo, State of California.

INTRODUCED on the seventh day of December, 2021.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the fourteenth day of December, 2021 by the following vote:


AYES: Combs, Mueller, Nash, Taylor, Wolosin

NOES: None

ABSENT: None


ABSTAIN: None

APPROVED:



Drew Combs, Mayor

ATTEST:



Judi A. Herren, City Clerk

Menlo Park Districting Project Approved Five-District Map

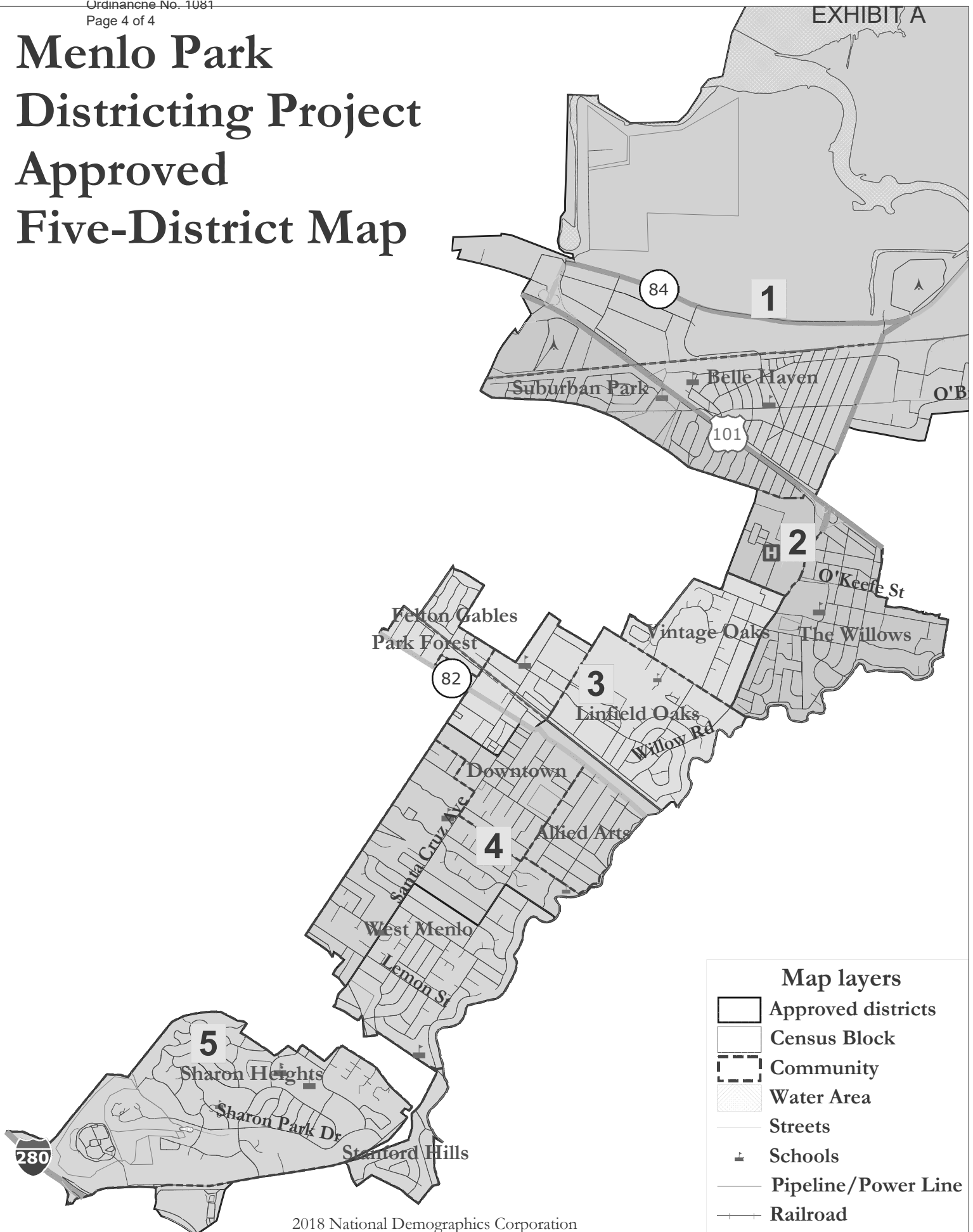


EXHIBIT A

1

2

3

4

5

- Map layers**
- Approved districts
 - Census Block
 - Community
 - Water Area
 - Streets
 - Schools
 - Pipeline/Power Line
 - Railroad
 - River

RESOLUTION NO. 6659**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
CREATING AN INDEPENDENT REDISTRICTING COMMISSION**

WHEREAS, the United States Constitution, as interpreted by the courts, prohibits violations of equal protection, including intentional dilution or abridgement of the right to vote of protected classes, and racial gerrymandering; and

WHEREAS, on October 4, 2017, with the adoption of Ordinance No. 1044, the City Council established five electoral districts for the election of City Councilmembers; and

WHEREAS, Ordinance No. 1044 established five districts from which City Councilmembers would be elected with City Council District Nos. 1, 2 and 4 beginning at the general municipal election in November 2018, and every four (4) years thereafter, and City Council District Nos. 3 and 5 beginning at the general municipal election in November 2020, and every four (4) years thereafter; and

WHEREAS, California Elections Code section 21600 et seq., requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, adopt boundaries for any or all of the city council districts of the city so that the city council districts shall be substantially equal in population as required by the United States Constitution (“redistricting”); and

WHEREAS, California Elections Code section 23000 et seq., governs the formation of local independent redistricting commissions; and

WHEREAS, California Elections Code section 23001 provides that a local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body’s district boundaries or to recommend to the legislative body changes to those district boundaries; and

WHEREAS, establishing a redistricting process that is open and transparent and allows public comment on the drawing of City Council district boundaries, ensures that the district boundaries are drawn in accordance with state and federal law, and ensures that the redistricting process is conducted with integrity, fairness, and without personal or political considerations, the City Council hereby desires to establish an Independent Redistricting Commission; and

WHEREAS, the City Council has determined that it is in the City of Menlo Park’s interest to establish and appoint a seven (7) member Independent Redistricting Commission, to redraw district boundary lines, as authorized by state and federal law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Menlo Park hereby resolves as follows:

1. For the purposes of this Resolution, the following words and phrases shall have the meanings respectively ascribed to them below:
 - a. "Commission" means the City of Menlo Park Independent Redistricting Commission.
 - b. "Consultant" means a person, whether or not compensated, retained to advise the Commission or a Commissioner regarding any aspect of the redistricting process. Consultant excludes outside legal counsel.
 - c. "Family member" means a spouse, parent, sibling, child, or in-law.
 - d. "Federal decennial census" means the national decennial census taken under the direction of the United States Congress at the beginning of each decade.
2. That the Menlo Park Independent Redistricting Commission ("Commission") is hereby established. The exclusive authority to redraw City Council district boundaries shall be vested in the Commission, until such time as the City Council rescinds this Resolution. Accordingly, the City Council shall have no role in developing a redistricting report or map.
3. The Commission shall:
 - a. Be independent of City Council control;
 - b. Conduct an open and transparent redistricting process, enabling full public consideration of and comment on the drawing of City Council district boundaries;
 - c. Comply with the provisions of state and federal law; and
 - d. Conduct itself with integrity and fairness.
4. Duties. The Commission shall, following each decennial federal census, adopt a final map establishing City Council district boundaries and a final report explaining its decision in accordance with this Resolution, within the redistricting deadlines as established by state law. These district boundaries shall be used for the establishment of City Council electoral districts as set forth in Menlo Park Municipal Code section 2.04.210 and 2.04.220.
5. The Commission may adopt for itself rules of procedure that do not conflict with state or federal law or this Resolution.
6. Composition. The Commission shall be comprised of seven (7) commissioners ("Commissioners") and two (2) alternate commissioners ("Alternates"). Alternates may fully participate in Commission deliberations but may not vote and may not be counted toward the establishment of a quorum. Alternates are subject to the same qualifications, restrictions, and standards of conduct as all other Commissioners. At its first meeting, the Commission shall select one (1) Commissioner to serve as Chair and one (1) Commissioner to serve as Vice Chair. The Commission may designate other officers from its membership and may establish subcommittees and ad hoc committees. Subcommittees and ad hoc committees shall report on their actions at the next meeting of the Commission.

7. Qualifications and restrictions.

- a. Qualifications. Applicants shall comply with the eligibility requirements in California Elections Code Sections 23001 and 23002(b), (c) and (d) and shall meet all of the following minimum qualifications at the time an application is filed:
 - i. Be at least eighteen (18) years of age on the date of application; and
 - ii. Be a resident of the City for at least three (3) years immediately preceding the date of application.
- b. A person shall not be appointed to serve on the Commission if any of the following applies:
 - i. If the person or any family member of the person has been elected or appointed to, or been a candidate for, City Council in the eight (8) years preceding the person's application.
 - ii. If the person or the person's family member has done any of the following in the four (4) years preceding the person's application:
 1. Served as an officer of, employee of, or paid political consultant to, a campaign committee or a candidate for City Council.
 2. Served as a staff member or a political consultant to, or who has contracted with, a currently serving City Councilmember or San Mateo County supervisor.
 3. Contributed five hundred dollars (\$500) or more in a year to any seated City Councilmember or current candidate for City Council.
 - iii. If the person or the person's family member served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee in the eight (8) years preceding the person's application.
 - iv. If the person currently serves as a staff member or a political consultant to an elected official holding a partisan office.
 - v. If the person is a paid employee of the City or a current City Councilmember.
 - vi. If the person is a paid employee of any redistricting contractor or consultant.
 - vii. Any other restrictions identified in Elections Code section 23003 applicable to Independent Redistricting Commissions, as may be amended from time to time.
- c. All applicants shall attest to compliance with all of the criteria in subsections 7(a) and (b).
- d. In addition to an application, all applicants shall file a Statement of Economic Interests (Form 700) with the City Clerk.
- e. If an applicant to the Commission currently serves on another City of Menlo Park board or commission, he or she may serve on the Commission if selected, as long as he or she agrees not to serve on another board or commission during his or her term of office on the Commission. Once sworn into office on the Commission, the Commissioner shall be deemed to have forfeited their previous board or commission position.
- f. Commissioners shall serve without compensation.

8. Selection.

- a. The City Clerk shall in each year ending in the number zero initiate and widely publicize an application process, open to all City residents who meet the requirements listed in section 7 above in a manner that promotes a qualified Commissioner applicant pool that is large and reflective of the diversity of the City.

- b. Commissioners shall be selected through an open application process.
- c. The City Clerk shall initiate and widely publicize the Commission application process. To promote a large and diverse applicant pool, the City Clerk shall seek assistance from a broad range of community-based organizations to encourage qualified persons to apply. The application period shall be open for at least one month and shall specify a closing date for submission of all applications.
- d. The City Clerk shall review each submitted application for completeness. If the City Clerk deems an application to be incomplete, the City Clerk shall notify the applicant of such and provide the applicant an opportunity to complete the application. The submittal deadline shall not be extended to allow correction of incomplete applications.
- e. Upon close of the application submittal period, the City Clerk shall review all applications and remove incomplete or untimely applications and remove individuals who do not meet the qualification criteria listed in Sections 7(a) and (b) from among the Commission applicants.
- f. The City Clerk shall attempt to obtain at least twelve (12) qualified applicants during the one-month application submittal period. If the City Clerk receives less than twelve (12) applications upon the close of the application submittal period, the City Clerk may extend the application deadline for a period of two weeks and continue to seek assistance from a broad range of community-based organizations to encourage qualified persons to apply. If at the end of the two week extended application period the City Clerk has at least nine (9) qualified applications the City Clerk may close the application period. If the City Clerk does not have at least nine (9) qualified applications at the end of the two week extended application period, the City Clerk may continue to extend the application period until such time as the minimum of nine (9) applications are received.
- g. The City Clerk shall, at a public meeting, randomly select three (3) names from the pool of qualified applicants. Those three (3) shall serve as Commissioners and shall, by majority vote at a separate noticed public hearing, select the final four (4) Commissioners and two (2) Alternates from the remaining pool of qualified applicants.
- h. The initial three (3) Commissioners should select applicants that are best qualified to carry out the Commission's duties under this Section and that, as a group, reasonably reflect the diversity of the City, provided that no quotas, formulas, or ratios may be applied for this purpose. The initial three (3) Commissioners shall select the additional four (4) Commissioners such that the Commission shall not be comprised entirely of Commissioners who are registered to vote with the same political party preference.
- i. In evaluating applications, the initial three (3) Commissioners shall consider each applicant's:
 - i. Competency to carry out the responsibilities of the Commission;
 - ii. Ability to serve with impartiality in a nonpartisan role;
 - iii. Familiarity with the City's neighborhoods and communities;
 - iv. Appreciation for the diverse demographics and geography of the City.
 - v. Apparent ability to work cooperatively with other Commissioners;
 - vi. Relevant civic and/or volunteer activities.
- j. The Commission shall be fully established no later than December 1, 2021, and thereafter no later than December 1 in each year ending in the number zero, unless otherwise prescribed by the City Council.
- k. If a Commissioner resigns or is removed from the Commission, the next Alternate in line shall fill the vacancy as a voting Commissioner.

- I. For purposes of this subsection, “diverse” means diversity of ability, geography, race and ethnicity, gender, and age.
9. Appeal. There is no right of appeal to a determination by the Clerk or a Commissioner regarding the appointment process or appointment of a Commissioner.
 10. Restrictions after appointment. If appointed to the Commission, A Commissioner or Alternate shall not do any of the following:
 - a. While serving on the Commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for City Council.
 - b. Be a candidate for City Council if less than five (5) years has elapsed since the date of the member's appointment to the Commission.
 - c. For four (4) years commencing with the date of his or her appointment to the Commission:
 - i. Accept employment as a staff member of, or political consultant to, a City Councilmember or candidate for City Council.
 - ii. Receive a noncompetitively bid contract with the City.
 - iii. For two (2) years commencing with the date of his or her appointment to the Commission, accept an appointment to the City Council.
 11. Removal. The Commission by a 2/3 vote may remove a Commissioner or Alternate for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner or Alternate with written notice and an opportunity for response at a public Commission meeting.
 12. Redistricting criteria.
 - a. The Commission shall do the following:
 - i. Following each decennial federal census, and using that census as a basis, shall, by resolution, adopt boundaries for any or all of the City Council districts of the City so that the City Council districts shall be substantially equal in population as required by the United States Constitution.
 1. Population equality shall be based on the total population of residents of the City as determined by that census.
 2. Notwithstanding paragraph (1), an incarcerated person as that term is used in Section 21003, shall not be counted as part of a city’s population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the City, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.
 - b. The City Council district boundaries must comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).
 - c. The Commission shall adopt district boundaries using the following criteria as set forth in the following order of priority in accordance with California Elections Code section 21601:
 - i. To the extent practicable, City Council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that

are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

- ii. To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.
 - iii. City Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, City Council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City.
 - iv. To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, City Council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
- d. The Commission shall not adopt City Council district boundaries for the purpose of favoring or discriminating against a political party.

13. Adoption of redistricting report and map.

- a. The Commission shall conduct at least two (2) public hearings prior to the drawing of any draft map or maps of the proposed City Council boundaries.
- b. The Commission shall conduct at least three (3) public hearings after drawing of any draft map or maps of the proposed City Council boundaries.
- c. At least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.
- d. Public hearing buildings shall be accessible to persons with disabilities.
- e. The Commission shall, at a minimum, take the applicable steps identified in Elections Code section 21608 to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process.
- f. Prior to adoption of a final map, the Commission shall file a preliminary redistricting plan and draft map with the City Clerk, along with a written statement of findings and reasons for proposed adoption, which shall include the criteria employed in the process and a full analysis and explanation of decisions made by the Commission. The City Clerk shall publish the preliminary redistricting plan and draft map in accordance with Elections Code section 21608(d). After having heard comments from the public on the preliminary redistricting plan and draft map, the Commission shall adopt a final redistricting report and final map. A Commission-adopted final redistricting report and final map has the force and effect of law and shall be effective after it is filed with the City Clerk and shall remain effective until the adoption of new district boundaries following the next federal decennial census. The City Council may not revise the district boundaries adopted by the Commission.
- g. The final redistricting report and final map shall be subject to referendum in the same manner as ordinances.

14. Administration.

- a. The City Council shall appropriate sufficient funds to support the work of the Commission, including funds necessary to recruit Commissioners and Alternates, meet the operational needs of the Commission, conduct any community outreach to solicit broad public participation in the redistricting process, pay for City staff time associated with supporting the work of the Commission, hire any necessary consultants, and obtain any necessary redistricting tools or resources.
- b. The City Manager, City Clerk, and City Attorney shall assign sufficient staff to support the Commission. The City Clerk or the City Clerk's designee shall serve as secretary to the Commission. The City Attorney or the City Attorney's designee shall serve as legal counsel to the Commission.
- c. Subject to funds appropriated to the Commission, the Commission may retain consultants following the City's standard procurement processes and the City Council shall approve any applicable consultant agreements. The Commission shall retain the sole authority for determining the selection criteria for consultants, except however, the Commission shall utilize the consultant, GEOinovo Solutions, Inc., retained by the City prior to the adoption of this resolution for demographic analysis and census mapping services for the City Council 2020 census redistricting process.
- d. The Commission is subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), and the Political Reform Act (Chapter 7 (commencing with Section 87100) of Title 9).

15. Dissolution.

- a. The Commission shall cease operations and dissolve on the ninety-first day following approval of a final redistricting report and final map, unless a referendum against the final redistricting report and final map has qualified or a lawsuit has been filed to enjoin or invalidate the final redistricting report and final map, in which case the Commission shall continue operations until a final redistricting report and final map is implemented by the City. Notwithstanding the foregoing, if a lawsuit to enjoin or invalidate a final redistricting report and final map is filed later than the ninety-first day following approval of a final redistricting report and final map, the Commission shall automatically revive and continue operations during the pendency of such lawsuit and until a final redistricting report and final map is implemented by the City.

BE IT FURTHER RESOLVED, if any term, provision, or portion of this Resolution is held by a court to be invalid, void or unenforceable, the remaining provisions of this Resolution shall continue in full force and effect unless amended or modified or repealed by the City.

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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 thirty-first day of August, 2021, by the following votes:

AYES: Nash, Wolosin, Taylor

NOES: Mueller, Combs

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this thirty-first day of August, 2021.

DocuSigned by:



Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date: 4/26/2022

Staff Report Number: 22-081-CC

Informational Item: City Council agenda topics: May 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 May 24, 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: May 2022

Report prepared by:
Judi A. Herren, City Clerk

Tentative City Council Agenda

#	Title	Department	Item type	City Council action
1	Adopt Community Amenity Implementing Regulations and Updated Amenities List	CMO	Regular	Adopt resolution
2	Adopt Resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public	CMO, CAO	Consent	Adopt resolution
3	Agreement for stormwater business inspections	PW	Consent	Approve
4	Approve concept design for Willow Oaks and Burgess Park improvements	PW	Regular	Approve
6	Approve funding for 335 Pierce Rd (predevelopment CLT, loan authorization docs)	CDD	Regular	Approve
7	Approve the final map and accept the dedication of easements for Menlo Uptown	PW	Consent	Adopt resolution
8	Automated water meter reading project agreement	PW	Consent	Approve
9	Bayfront Circulation Update	PW	Study Session	Direction to staff
10	Community access to Belle Haven School field	LCS	Informational	Receive and file
11	Community gatherings and observances timeline and update	LCS	Informational	No action
12	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
13	Master Fee Schedule	ASD	Public Hearing	Approve
14	MPCC operational plan milestones	LCS	Study Session	Direction to staff
15	Parkline Study Session	CDD	Study Session	No action
16	Recognizing May 2022 as Bike Month	PW	Proclamation	No action
17	Review of Draft Housing Element	CDD	Regular	Direction to staff
18	Second read and adopt ordinance in compliance with AB 481	PD	Consent	Adopt ordinance
19	Sharon Rd sidewalks bid award	PW	Consent	Approve
20	Special events ordinance-first read	CMO	Regular	Decide
21	Special events ordinance-second read/adopt	CMO	Consent	Adopt ordinance
22	Stage 2 drought declaration	PW	Regular	Adopt resolution
23	Study Session Reach Codes 2.0	CMO	Study Session	Direction to staff
24	Willow Village Community Amenities Review	CDD	Study Session	Direction to staff



STAFF REPORT

City Council

Meeting Date: 4/26/2022

Staff Report Number: 22-082-CC

Informational Item: Short term rental compliance update

Recommendation

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

Policy Issues

Transient occupancy tax administration is required in order to assure compliance with Menlo Park Municipal Code Section 3.16 transient occupancy tax (TOT.) Policy decisions related to short-term rental (STR) regulation have both housing and revenue implications.

Background

On January 10, 2017, the City Council held a study session and considered enhanced housing policies to address the local housing crisis. Staff presented potential policies that have been commonly used or considered in other cities at that time. The City Council identified a STR ordinance as a project of importance in their 2019 work plan, and the Housing Commission initiated work on this item in June 2019.

On January 28, 2020, housing staff provided an informational report to the City Council summarizing the Housing Commission STR regulation community outreach process and community input. The common theme in almost every discussion or conversation held during the outreach on SRT regulation was that there was no desire for additional regulation that would place any controls or limits on SRT's. Based on the public comments and stakeholder input provided, two primary areas of concern were identified: rental housing availability for residents and collection of TOT.

On July 28, 2020, the City Council approved the appropriation of \$35,000 from the general fund unassigned fund for fiscal year 2020-21 for a STR compliance contract to activate enforcement of municipal code for TOT collection for STR's beginning in January 2021. Over the next several months' staff from Housing and Finance divisions reviewed proposals and interviewed providers of STR detection, monitoring, compliance and administration services. However, though the interview process staff determined that to assure compliance of not only the STR's but also traditional lodging providers (hotels and motels) an experienced "full" service provider of TOT administration was required.

On May 11, 2021, the City Council authorized the city manager to execute a three-year agreement with HdL Companies to provide TOT/STR administration and audit services beginning July 1, 2021.

In the summer of 2021 HdL initiated a detailed analysis of STR listings on a variety of online published methods, including AirBnB, VRBO, Home Away, etc. This process resulted in the creation of a full inventory

of SRT's within Menlo Park city limits of Menlo Park. The information gathered included the full name of the owner and the physical address of the unit. Each STR is tracked and updated nightly with valuable data that can include items such as number of nights rented, average occupancy rates, room rates, as well as trend and usage reporting.

Following identification, HdL conducted a targeted education and compliance campaign designed to the inform STR hosts of their obligations to file and remit the tax. Each lodging provider was provided a full overview of the requirements and how to best comply both in the present and the future. During the registration process, HdL offers a variety of support options to the host including online filing, file-by-phone, email and registration via standard mail. HdL tax specialists are available throughout the process to provide support to the STR community and assist in the registration process.

Once registered, the account is moved into a standard administration process. HdL manages the filing of tax returns on either a quarterly or monthly basis. This includes mailing of tax returns, processing of payments, customer support, delinquency follow up, and management of the online portal for registration, filing, payments and other support related needs.

Analysis

From September 2021 to March 2022 HdL identified 226 properties in Menlo Park offering SRT lodgings.

- The first analysis completed in September 2021 revealed 136 properties with online STR selections.
- The second completed in December 2021 revealed 47 properties.
- The third completed in March 2022 revealed 43 properties.

The outreach and compliance campaigns conducted by HdL have had the following results for the 226 properties in total:

- Sixty-seven (67) properties have registered and are in compliance
- Eighty-four (84) properties have closed their listings and no longer offer STR lodging
- Seventy-five (75) properties have not responded and are in noncompliant status. This number includes the 43 located in the March 2022 analysis

As of April 17, 2022, of the 67 properties registered, 26 had confirmed stays and have remitted tax, interest and penalties totaling \$30,798. Contract fees paid to HdL are \$10,779.

Impact on City Resources

Program results for fiscal year 2021-22 are \$20,019 increase in General Fund revenue.

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

None.

Report prepared by:
John McGirr, Retired Annuitant – Finance and Budget Manager



STAFF REPORT

City Council

Meeting Date: 4/26/2022

Staff Report Number: 22-083-CC

City Councilmember Report: Direction on drafting a policy to sunset unused capacity from tax measures

Recommendation

Provide direction to the city attorney and staff on drafting a policy to sunset unused capacity from tax measures.

Policy Issues

The preparation of a policy is at the discretion of City Council.

Background

On April 18, 2022, City Councilmember Mueller sent an email to the Mayor via the City Council email log to request an addition to the City Council agenda for consideration of adopting a policy, wherein the City Council would sunset unused taxing capacity from tax measures more than 10-years old. (Attachment A)

Analysis

Pursuant to City Council Procedure #CC-20-013 (Attachment B), the City Council may discuss the item and ask staff questions regarding preliminary scope, analysis and resource requirements. After discussion, with a motion and second, the City Council may take one of the following actions:

- Direct the city manager to prioritize staff resources to prepare a formal staff report for further City Council consideration and/or action, or
- Direct the item to an advisory body for preparation of a formal staff report with no additional staff support required, or
- Direct the city manager to prepare a formal staff report for further City Council consideration as resources are available, or
- Defer action to the City Council's annual goal setting process.

Impact on City Resources

If City Council directs preparation of a policy, it will require time from the city attorney's office and staff.

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. Email from City Councilmember Mueller
- B. City Council Procedure #CC-20-013

Report prepared by:
Justin Murphy, Interim City Manager

From: [Mueller, Ray](#)
To: [_CCIN](#)
Subject: Policy to Sunset Unused Capacity from Tax Measures
Date: Monday, April 18, 2022 4:56:06 PM

Dear Mayor Nash,

I am writing to request an addition to the City Council agenda, for consideration of adopting a policy, wherein the City Council would sunset unused taxing capacity from tax measures more than ten years old. For example, if a measure were passed this year assessing a utility or parcel tax, up to a maximum of a specific percentage, and after its passage the Council chose to only implement half the percentage, after ten years if the remaining percentage were not implemented, it would be sunset and the Council would relinquish the ability to raise taxes further thereafter. This request is based on the logic that 1) property values and cost of living inflation continue to exceed wage growth in the Bay Area dramatically, thus the circumstance of the voter changes materially after ten years, and 2) to put in place a check on tax raises being levied on residents from measure capacity that has accumulated without implementation over decades without a further vote of the public.

Thank you for your consideration of this agenda request.

With kind regards,

Ray

(please excuse odd punctuation. my laptop does not always work well with the City's email system.)

City Councilmember Requests

City Council Procedure #CC-20-013

Adopted August 25, 2020



Purpose

The purpose of this procedure is to provide transparency into requests by individual City Councilmembers that result in the use of staff time. The policy applies to all City Councilmembers equally and allows the full City Council to determine how to use limited city resources.

For this procedure, a “City Councilmember request” is defined as a request to use city resources in a manner that exceeds the City Council approved budget, priorities, or work plan. This includes requests directed to the city manager, city attorney, and all city staff members. This procedure also applies to City Council appointed commissions and committees.

Requests to add items to a future agenda

To make a request

To request consideration of an item at future City Council meetings, City Councilmembers may send the request via email to the city manager, with a copy to the Mayor and Vice Mayor, or via email to city.council@menlopark.org. The request must be received no later than two (2) business days prior to publication of the meeting agenda. The request will automatically appear under “City Council initiated items” at the end of the City Council’s regular agenda.

Initial City Council consideration of request

As an agenda item under “City Council initiated items” the City Council may discuss the item and ask staff questions regarding preliminary scope, analysis, and resource requirements. After discussion, with a motion and second, the City Council may take one of the following actions:

- Direct the city manager to prioritize staff resources to prepare a formal staff report for further City Council consideration and/or action, or
- Direct the item to an advisory body for preparation of a formal staff report with no additional staff support required, or
- Direct the city manager to prepare a formal staff report for further City Council consideration as resources are available, or
- Defer action to the City Council’s annual goal setting process.

If the request does not receive sufficient City Council support, the item is not considered further.

City Council action

When the staff report is available, the report will be placed under “City Council initiated items” for City Council discussion and action at the next City Council meeting, regardless of agenda load management exercised by the Mayor, Vice Mayor, and city manager.

Request to modify operations or for special projects

To make a request

To request consideration of a change in operations or for a special project, a City Councilmember may send the request via email to the city manager, with a copy to the Mayor and Vice Mayor, or via email to city.council@menlopark.org. The request must be received no later than two (2) business days prior to publication of the meeting agenda. The request will automatically appear under “City Council initiated items” at the end of the City Council’s regular agenda.

Initial City Council consideration of request

As an agenda item under “City Council initiated items” the City Council may discuss the item and ask the city manager the preliminary assessment of the scope, analysis, and resource requirements of the request. After discussion, with a motion and second, the City Council may take one of the following actions:

- Direct the city manager to prioritize staff resources to prepare a formal staff report for further City Council consideration and/or action, or
- Direct the city manager to prepare a formal staff report for further City Council consideration as resources are available, or
- Defer action to the City Council’s annual budget process.

If the request does not receive sufficient City Council support, the item is not considered further.

City Council action

When the staff report is available, the report will be placed under “City Council initiated items” for City Council discussion and action at the next City Council meeting, regardless of agenda load management exercised by the Mayor, Vice Mayor, and city manager.

Emergency and non-agendized items

Emergency and non-agendized items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare. An item that the City Council would like to act on after agenda posting is considered a non-agendized item.

Non-agendized items may be added to the agenda only if the City Council makes findings that (1) the need to consider the item arose after the posting of the agenda, and; (2) there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a four-fifths vote; if less than five members of the City Council are present, the findings require a unanimous vote of those present.

Emergency and non-agendized items are not be used to bypass the City Councilmember request process above.

Procedure history

Action	Date	Notes
Draft procedure presented	July 18, 2020	City Council continued item to August 25, 2020
Procedure adoption	August 25, 2020	Draft procedure amended at City Council direction. Staff edit to clarify definition of a “non-agendized item”