



REGULAR MEETING AGENDA

Date: 7/12/2022
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
- 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. 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.

E. Study Session

- E1. Provide direction on landscaping at the Willow Road and U.S. 101 interchange ([Staff Report #22-130-CC](#)) ([Presentation](#))

F. Consent Calendar

- F1. 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 #22-131-CC](#))
- F2. Approve scope of work for the Caltrain quiet zone implementation plan ([Staff Report #22-132-CC](#))
- F3. Receive and file 2021 priorities, work plan quarterly report as of June 30, 2022 and advisory body work plan update ([Staff Report #22-137-CC](#))
- F4. Receive and file the investment portfolio as of March 31, 2022 ([Staff Report #22-138-CC](#))

G. Regular Business

- G1. Appointment of Justin Murphy as city manager and approval of compensation for city manager services ([Staff Report #22-135-CC](#))
- G2. Waive the first reading and introduce an ordinance amending Title 8, Peace, Safety and Morals, of the Municipal Code to create a comprehensive permitting system for public assemblies, events, and use of City parks and facilities ([Staff Report #22-136-CC](#)) ([Presentation](#))

H. Informational Items

- H1. City Council agenda topics: July 26 – August 9, 2022 ([Staff Report #22-133-CC](#))
- H2. Personnel activity report as of June 30, 2022 ([Staff Report #22-134-CC](#))

I. City Manager's Report

J. City Councilmember Reports

K. 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: 07/07/2022)



STAFF REPORT

City Council

Meeting Date:

7/12/2022

Staff Report Number:

22-130-CC

Study Session:

Provide direction on landscaping at the Willow Road and U.S. 101 interchange

Recommendation

Staff recommends the City Council provide direction on advancing an updated conceptual landscape design for the Willow Road and U.S. 101 Interchange.

Policy Issues

The Willow Road and U.S. 101 Interchange project (Project) was included in the fiscal year 2012-13 Capital Improvement Plan and the 2019 City Council work plan. While not a City project, this Caltrans project has significant impacts on Menlo Park. The interchange project completed construction in 2019, except for the landscape phase, which had to wait for the completion of the San Mateo U.S. 101 Express Lane project.

Background

In 2019, Caltrans completed modification of the interchange at Willow Road and U.S. 101 from its former “full cloverleaf” style to a “partial cloverleaf” style similar to the Marsh Road and U.S. 101 interchange. This eliminated the short merge weaves both on Willow Road and the freeway. The project replaced the existing interchange with a new, wider bridge; adding sidewalks, striped bicycle lanes and separated bicycle lanes on both sides of Willow Road; and added two signalized intersections. Caltrans began construction in May 2017 and completed in June 2019.

As is typical for a Caltrans construction process, the interchange construction included only the infrastructure portion of the project. This is typically a more cost effective approach, since designing the landscaping is specialized work and requires the infrastructure (such as irrigation lines, electrical connections, etc.) to be in place. Therefore, the landscaping design and landscaping construction phases are being performed as a separate follow-up project. The landscaping phase was also required to be scheduled after the completion of the San Mateo U.S. 01 Express Lanes project, which recently began operation.

Analysis

The City has been leading the landscaping phase of the Project, including public outreach. City staff has been working with Callander Associates, a landscape architectural consultant firm that has experience with City of Menlo Park and Caltrans standards and processes, to prepare conceptual plans for community and City Council feedback. The area of work at the interchange is shown in Attachment A.

When the construction of the interchange project began in 2017, City staff received extensive feedback from the community regarding landscaping preferences. As the landscape project began, City staff has utilized

the feedback to help form these draft conceptual plans.

The landscape design process began with an identification of opportunities and constraints at the interchange (Attachment B) and development of concepts. The concepts included one Caltrans standard design (considered the base case) and two enhanced options, with planning-level cost estimates to understand the additional costs required to provide an enhanced design.

On September 26, 2019, City staff and the consultant team presented conceptual plans to the community at an informational meeting to receive feedback, including Caltrans standard plans and two enhanced concepts, one with a forest theme (Option A) and one with a lower height shrub theme (Option B.) Both of the enhanced concepts would have required substantial additional funding for installation and would have required the Cities of Menlo Park and East Palo Alto to be responsible for operations and maintenance. In general, the community supported the forest-inspired concept with a specific request to maximize the number of trees in the landscape, even if it meant using smaller-sized trees initially. Redwood trees were strongly preferred.

On December 11, 2019, these options were presented to the Environmental Quality Commission (EQC), who identified the enhanced concept with a forest-theme (Option A) as the preferred concept. At the meeting, one community member representing Canopy spoke in opposition to planting redwood trees as replacements for the project, and supported designing groves of trees instead of rows, using larger tree plantings (Attachment C provides a hyperlink to the meeting minutes.) Redwood trees require high water use and need specific climate conditions to be successful. The EQC voted unanimously (with one Commissioner absent) to recommend Option A, and in addition plant appropriate trees and vegetation that is low maintenance, can adapt to climate change, use groves not rows of trees, feature native large oaks appropriate for Menlo Park's microclimate, plant larger trees to maximum extent possible, and seek out public/private partnerships to upsize trees if needed. The enhanced landscape plan had a total cost of \$5.6 million.

In August 2020, staff submitted an Urban Greening Grant for this preferred concept (Option A.) The grant request was for approximately \$4 million with the balance of approximately \$1.6 million coming from existing funding from the San Mateo County Transportation Authority (SMCTA) as part of the interchange replacement project. In January 2021, staff were notified that the grant application was unsuccessful. Staff met with the members of the Willow Road and U.S. 101 Interchange City Council Subcommittee (City Councilmembers Combs and Taylor) to review next steps. At the time, members of the subcommittee supported pursuit of a Caltrans standard landscaping plan, which could be accomplished within the existing budget remaining, as the preferred option to ensure landscaping was installed at the area would not experience further delays while seeking funding. Staff is not currently aware of any grant funding sources for which the City would be competitive that could be used to enhance the landscaping at the interchange.

In late 2021, staff directed Callander Associates to develop a Caltrans standard landscaping plan, with a request to plant more trees instead of shrubs to the extent possible, consistent with prior preferences from the public and the EQC for a forest-theme (Option A.) The overall planting level has been scaled back from the enhanced plans to fit within the existing budget available. The proposed tree species include atlas cedar, deodar cedar and norfolk pine in lieu of redwoods, along with coast live oak (Attachment D.) These species are anticipated to use less water and be more resilient to climate change and growing conditions at the interchange. EQC commissioners supported using these species. Attachment E provides a tree densification exhibit that shows how a Caltrans standard landscape plan can be updated to accommodate additional trees. A visual simulation of the landscaping plan is shown in Attachment F.

In recent months, staff have received several requests about the status of the landscaping and for additional opportunities for public comment. These comments have been consistent with prior community requests to plant more and larger trees. There have also been requests to ensure that landscaping is provided at several locations that are within the City owned right-of-way or on City-owned property, including the following:

- Replacing the tree that was removed at Van Buren Road and Bay Road during construction of the interchange. The City is planning to replace this tree by the end of the year through our existing landscape maintenance efforts separate from the interchange landscaping.
- Providing a landscaped buffer near the townhomes along Bay Road likely comprised of climbing vines or similar treatment given the space available for planting. The cost for this item is anticipated to be \$205,000.
- Providing landscaping along Willow Road (frontage road connecting to Pierce Road), most of which is outside of Caltrans right-of-way. This area is within the City of East Palo Alto but on land owned by the City of Menlo Park. This area was used by Caltrans for staging during construction and the existing budget could likely include standard landscaping. Restoration of the site would cost approximately \$70,000. The enhanced concept had included a mini park in this area, with a cost estimate of \$830,000. This element could be phased over time if City Council chooses to allocate funding to this park.

If City Council directs staff to proceed with the Caltrans standard landscaping plan presented in Attachment E, staff anticipates the following schedule:

Table 1: Schedule		
Phase	Approximate timeline	Anticipated milestone completed
Prepare detailed design	10-12 months	Spring/Summer 2023
Award contract and construction	12 months	Spring/Summer 2024

City Council could direct staff to continue to seek funding for the community-preferred enhanced concept and delay the preparation of the detailed design. That would likely add several years to the schedule with no guarantee that staff would be able secure additional funding.

Impact on City Resources

The cost of the items identified above includes the following:

Table 2: Cost items	
Item	Cost
Caltrans ROW landscaping	\$1,915,000
Bay Road screening*	\$205,000
Willow Road Trees and Pocket Park*	\$70,000 – \$830,000
Total	\$2,190,000 – \$2,950,000

Note: All items include contingency and design costs.

* In City right-of-way or on City-owned property

If the City pursues a standard Caltrans landscaping plan as presented in Attachment E, the cost of developing construction documents and installation will be drawn from existing SMCTA funding for the Willow Road and U.S. 101 Interchange project. These funds are eligible to be used on all aspects of the project noted above. There is \$1.6 million remaining from the SMCTA funding for this project to install landscaping. Cost estimates will be refined as part of the development of construction documents. Improvements could potentially be phased to account for current funding, or additional funding could be allocated by the City of Menlo Park, City of East Palo Alto, or Caltrans to support the full landscape installation.

For a standard landscaping plan, Caltrans would be responsible for the ongoing operations and maintenance of the landscaping within the Caltrans right-of-way. For the landscaping area that is within the City of Menlo Park right-of-way or on City of Menlo Park-owned property, long-term maintenance will be the responsibility of the City of Menlo Park. If a pocket park is developed along Willow Road, staff anticipates approximately \$10,000 to \$20,000 in annual maintenance funding, depending on the extent of the park.

Environmental Review

Environmental clearance for the Willow Road U.S. and 101 Interchange project was obtained by Caltrans November 25, 2013. Landscaping was a part of the overall project and a required mitigation for environmental clearance.

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. Proposed landscape project limits
- B. Opportunities and constraints
- C. Hyperlink – EQC meeting minutes from December 11, 2019:
menlopark.org/AgendaCenter/ViewFile/Minutes/_12112019-3371
- D. Redwood tree alternatives
- E. Caltrans standard concept with tree densification
- F. Visual simulation of Caltrans standard plan

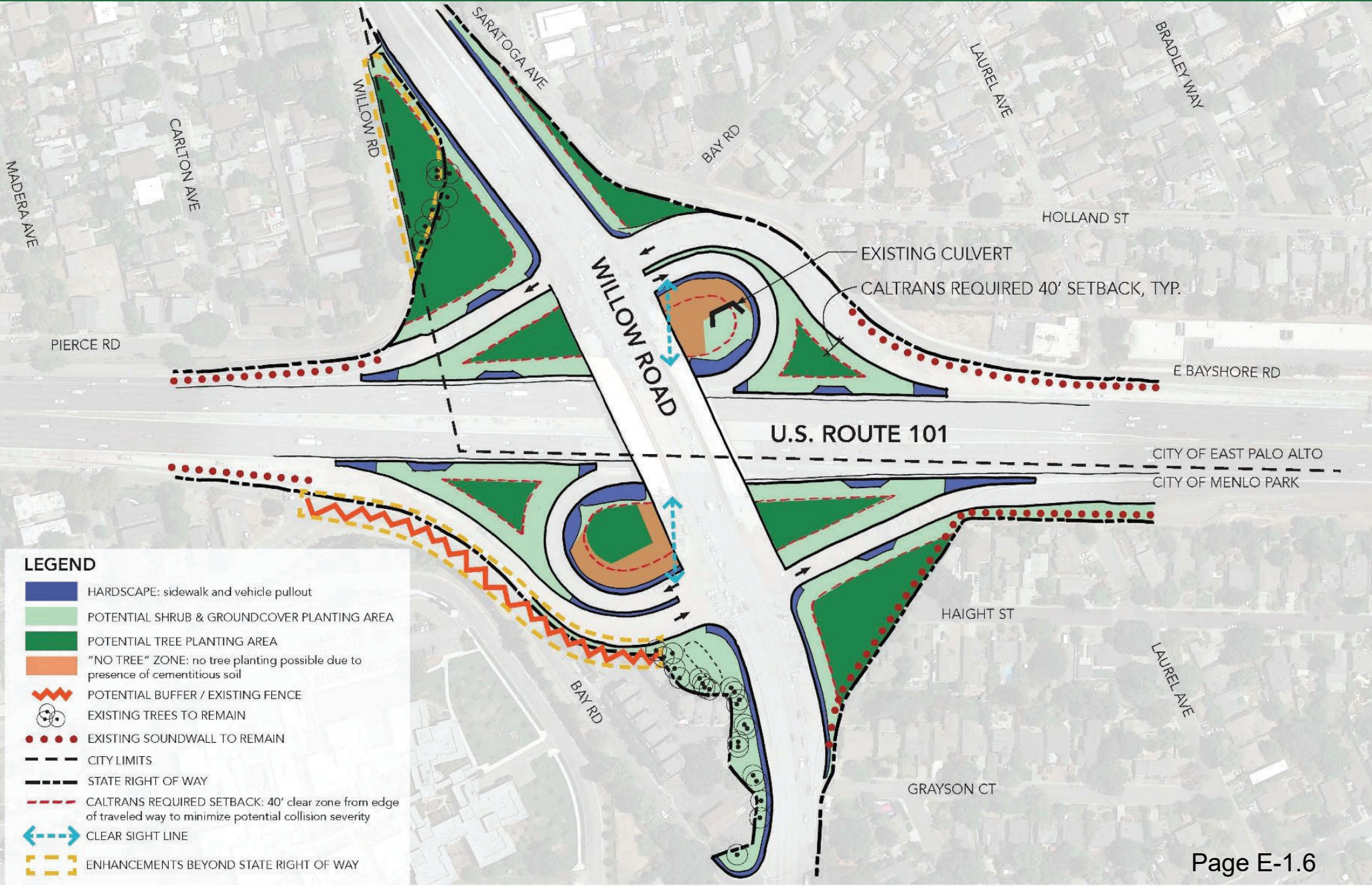
Report prepared by:
Hugh Louch, Assistant Public Works Director

Report reviewed by:
Nicole Nagaya, Public Works Director

Project Limits



Opportunities and Constraints



LEGEND

- HARDSCAPE: sidewalk and vehicle pullout
- POTENTIAL SHRUB & GROUNDCOVER PLANTING AREA
- POTENTIAL TREE PLANTING AREA
- "NO TREE" ZONE: no tree planting possible due to presence of cementitious soil
- POTENTIAL BUFFER / EXISTING FENCE
- EXISTING TREES TO REMAIN
- EXISTING SOUNDWALL TO REMAIN
- CITY LIMITS
- STATE RIGHT OF WAY
- CALTRANS REQUIRED SETBACK: 40' clear zone from edge of traveled way to minimize potential collision severity
- CLEAR SIGHT LINE
- ENHANCEMENTS BEYOND STATE RIGHT OF WAY

Redwood Tree Alternatives

- Redwoods
 - Evergreen
 - Need very specific climate
 - High water use
- Cedars
 - Evergreen
 - Features similar to redwoods
 - Fragrant wood
 - Bluish-green berries
 - Less particular about growing environment
 - Lower water use



Atlas Cedar



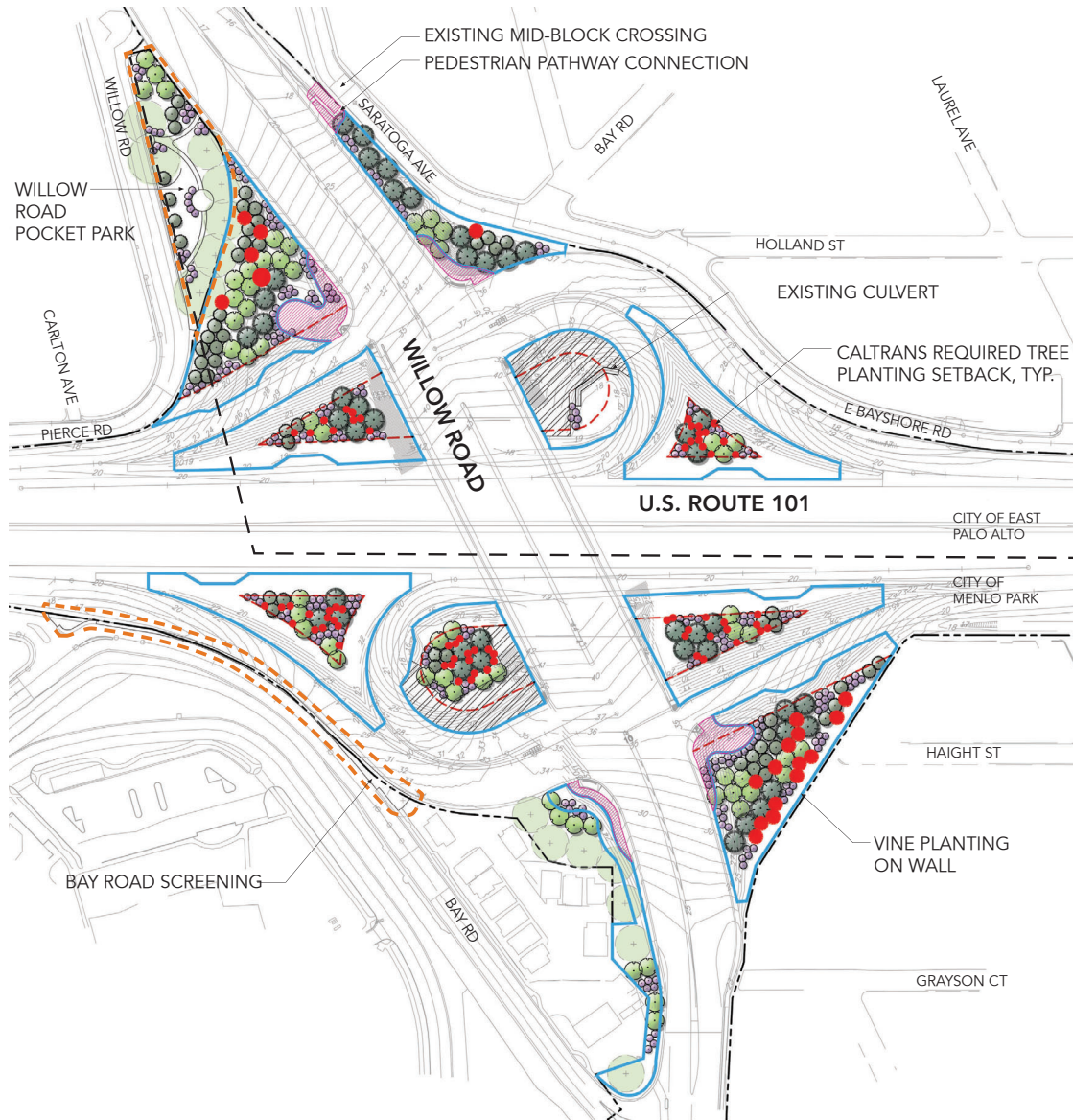
Coast Live Oak






Deodar Cedar



Norfolk Island Pine

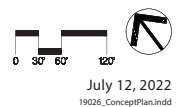


- LEGEND**
-  EXISTING TREES TO REMAIN
 -  CITY LIMITS
 -  STATE RIGHT OF WAY
 -  CALTRANS REQUIRED TREE PLANTING SETBACK, TYP.
 -  ENHANCEMENTS BEYOND STATE RIGHT OF WAY
 -  "NO TREE" ZONE
 -  ADDITIONAL TREE
 -  IRRIGATED LANDSCAPE
 -  NON-IRRIGATED HYDROSEED

Note: Tree spacing shown on the plan is diagrammatic. Design refinements will need to be made in a future phase to ensure adequate spacing for each species.

Tree Densification Exhibit

Willow Road / Highway 101 Interchange Landscaping
Menlo Park, CA





Willow Road Approaching Highway 101 South On-Ramp, Caltrans Standard Landscaping

The simulated views depicted are illustrative only, to assist the public in visualizing potential Caltrans standard landscaping. Renderings are approximate, may not be accurately depicted, and are subject to change.



WILLOW-U.S. 101 LANDSCAPING





REQUEST FOR CITY COUNCIL

- Provide direction on the next steps for the landscaping phase of the Willow Road/U.S. 101 interchange project

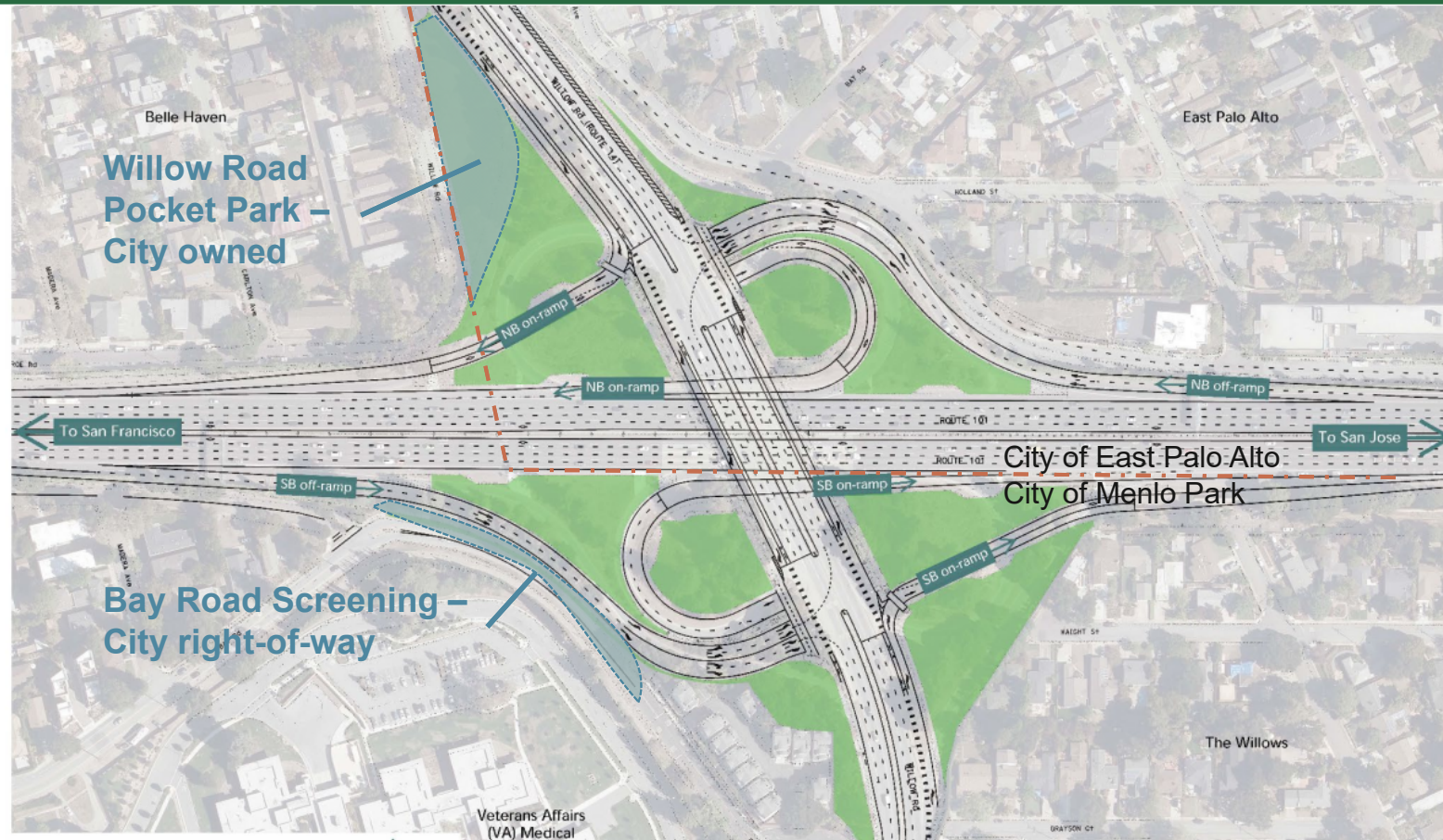


WILLOW/101 PROJECT STATUS

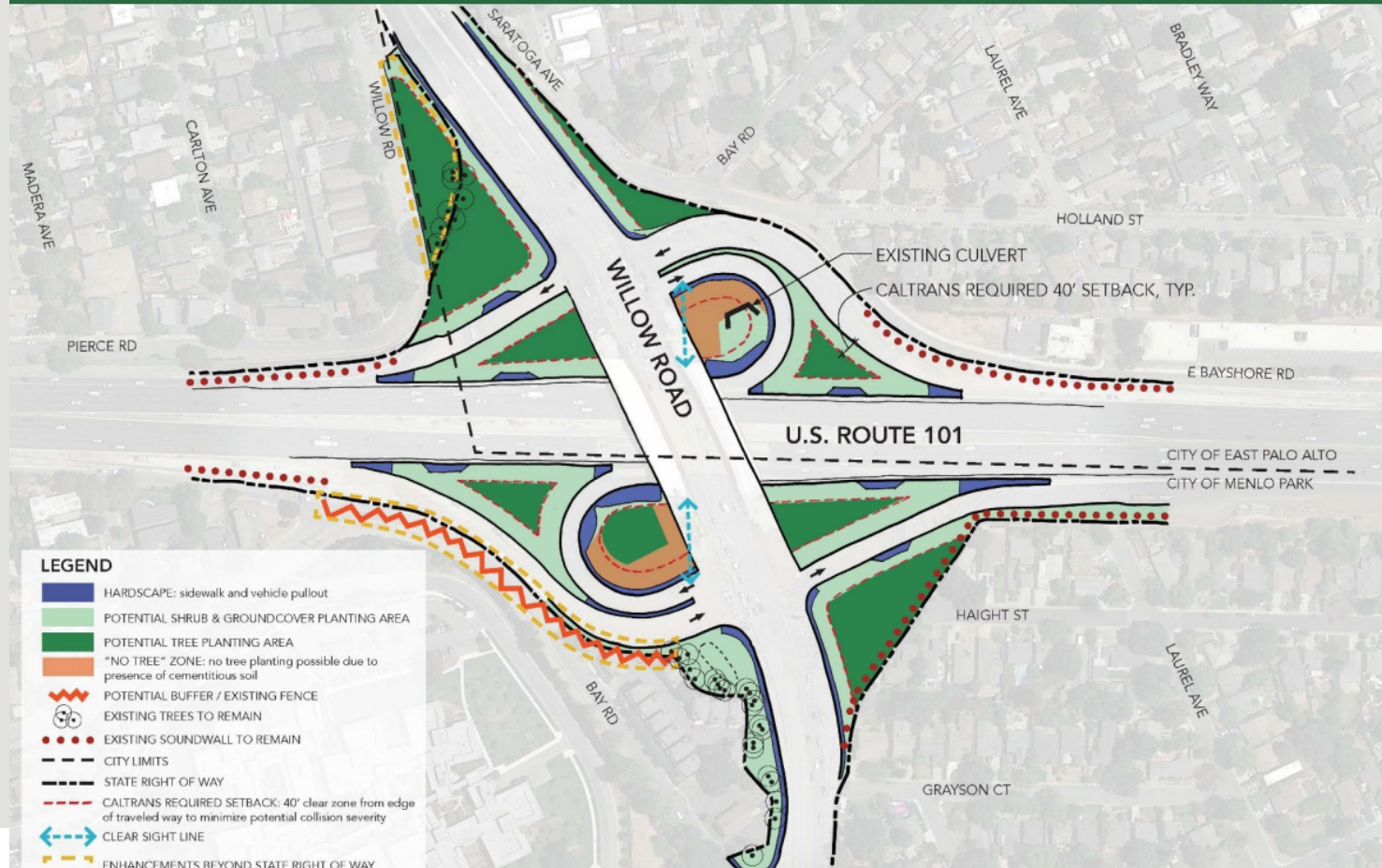
- 2019 – Interchange construction completed
- 2020-2021 – Interchange used by Caltrans to support San Mateo 101 Express Lanes construction
- Landscaping phase
 - Fall 2019 – Community meeting to review design options
 - Dec 2019 EQC meeting – recommended a preferred enhanced design (\$5.6 million)
 - 2020 – submitted an Urban Greening Grant (\$4.2 million)
 - 2021 – notified not successful
 - 2022 – reconsider Caltrans standard landscaping plan (\$1.6 million budget from SMCTA)

Attachment A

Project Limits



Opportunities and Constraints



Redwood Tree Alternatives

- Redwoods
 - Evergreen
 - Need very specific climate
 - High water use
- Cedars
 - Evergreen
 - Features similar to redwoods
 - Fragrant wood
 - Bluish-green berries
 - Less particular about growing environment
 - Lower water use



Atlas Cedar



Coast Live Oak



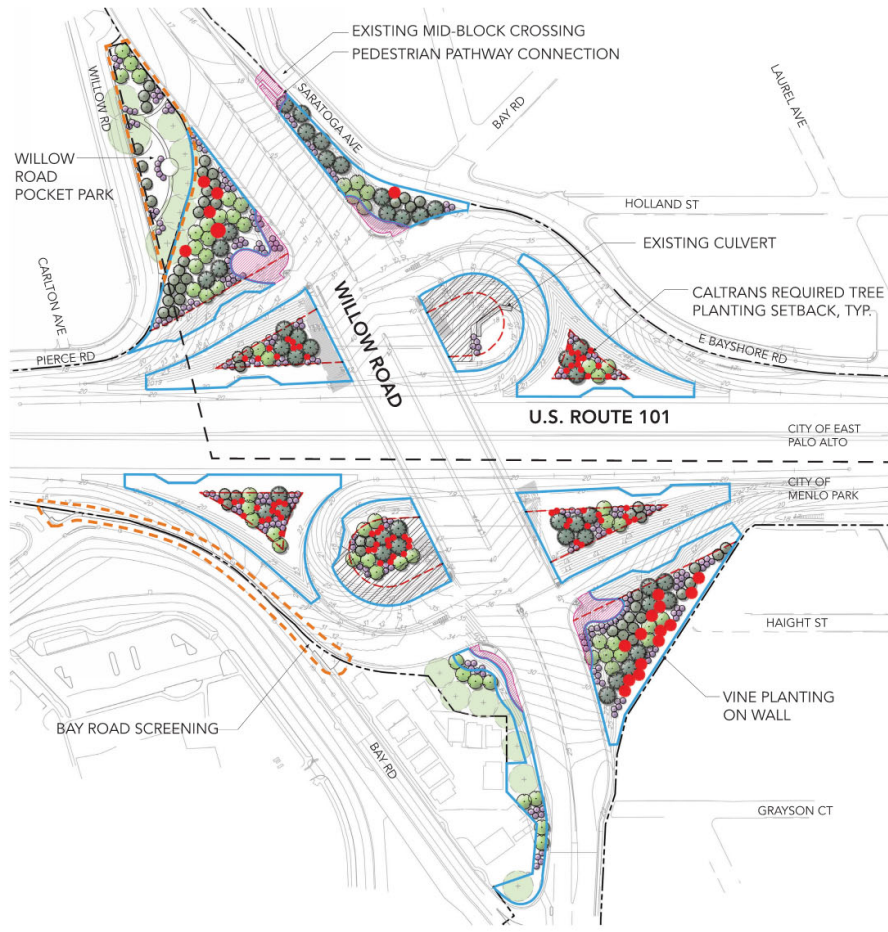
Deodar Cedar



Norfolk Island Pine



Attachment E

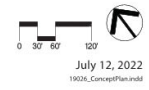


- LEGEND**
- EXISTING TREES TO REMAIN
 - CITY LIMITS
 - STATE RIGHT OF WAY
 - CALTRANS REQUIRED TREE PLANTING SETBACK, TYP.
 - ENHANCEMENTS BEYOND STATE RIGHT OF WAY
 - "NO TREE" ZONE
 - ADDITIONAL TREE
 - IRRIGATED LANDSCAPE
 - NON-IRRIGATED HYDROSEED

Note: Tree spacing shown on the plan is diagrammatic. Design refinements will need to be made in a future phase to ensure adequate spacing for each species.

Tree Densification Exhibit

Willow Road / Highway 101 Interchange Landscaping
Menlo Park, CA



July 12, 2022
19036_ConceptPlan.indd

Attachment F



Willow Road Approaching Highway 101 South On-Ramp, Caltrans Standard Landscaping

The simulated views depicted are illustrative only, to assist the public in visualizing potential Caltrans standard landscaping. Renderings are approximate, may not be accurately depicted, and are subject to change.



SCOPE OF WORK OPTIONS

- \$1.6 million available from SMCTA for construction

Item	Construction Cost*	Contingency	Design & Other
Caltrans right-of-way	\$1,186,000	\$446,000	\$352,000
Bay Road screening	\$129,000	\$39,000	\$35,000
Total	\$1,315,000	\$485,000	\$387,000
Willow pocket park**	\$457,000	\$183,000	\$188,000
Total + pocket park	\$1,772,000	\$668,000	\$575,000

* Will be refined through construction documents, includes basic landscaping along Willow Road area owned by the City

** New park could be phased in over time



REQUEST FOR CITY COUNCIL

- Provide direction on the next steps for the landscaping phase of the Willow Road/U.S. 101 interchange project
 - Proceed with Caltrans standard landscape plan?
 - Willow Road options?
 - Potential to contribute city funds to increase tree sizes?
- Schedule if direction provided tonight
 - Summer 2022 – Coordinate with Caltrans and East Palo Alto
 - Spring/Summer 2023 – complete construction documents
 - Spring/Summer 2024 – install landscape
 - Approximately 3-4 years for plant establishment



THANK YOU



STAFF REPORT

City Council

Meeting Date:

7/12/2022

Staff Report Number:

22-131-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 urges 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 strains of the SARS-

CoV-2 virus 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, Assistant to the City Manager/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 Omicron subvariants of the SARS-CoV-2 virus is overtaking other variants in San Mateo County; and

WHEREAS, according to data from the County's Health Administrator and County website, the County is averaging approximately 51 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 strains of the SARS-CoV-2 virus 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 twelfth day of July, 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 July, 2022.

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date: 7/12/2022
Staff Report Number: 22-132-CC

Consent Calendar: Approve scope of work for the Caltrain quiet zone implementation plan

Recommendation

Staff recommends that the City Council approve the scope of work for the quiet zone implementation plan (Attachment A.)

Policy Issues

The City Council identified the Caltrain quiet zone implementation plan (Project) as a high priority project in their 2021 work plan.

Background

The City of Menlo Park currently has four at-grade crossings with Caltrain:

- Ravenswood Avenue
- Oak Grove Avenue
- Glenwood Avenue
- Encinal Avenue

In addition, there is a pedestrian crossing located approximately 250 feet north of the Ravenswood crossing at the Menlo Park Caltrain Station and an at-grade crossing at Palo Alto Avenue in Palo Alto, just across the city boundary that requires trains to sound their horns in Menlo Park. A map of these six crossings plus a seventh crossing at Watkins Avenue in Atherton is included as Attachment B.

On January 25, 2022, the City Council provided feedback on a draft request for proposals (RFP) for the Project. A hyperlink to the staff report from that meeting is included as Attachment C.

Public and City Councilmember feedback at that meeting included:

- Marcy Abramowitz spoke in support of the quiet zone and resident participation and requested that the RFP include California specific experience with quiet zones and inclusion of the pedestrian crossing at the Menlo Park Caltrain station
- Adina Levin spoke in support of the quiet zone and acknowledged the Palo Alto Avenue crossing horn noise impacts to Menlo Park residents
- Adrian Brandt spoke in support of the quiet zone
- Susannah Ragab spoke in support of the quiet zone
- George Ugras spoke in support of the quiet zone and including the Palo Alto Avenue crossing

The City Council discussed including the Palo Alto crossing in the RFP, including the pedestrian crossing at the Menlo Park Caltrain station, and selecting a consultant with California experience implementing quiet zones.

Analysis

Staff issued an RFP in February 2022 with a core scope of work for the five at grade crossings in Menlo Park and an optional scope of work for the Palo Alto Avenue crossing in Palo Alto. After extending the RFP response deadline, the City received three proposals in April 2022:

- Kimley-Horn and Associates (KHA)
- STV
- R.L. Banks & Associates, Inc. (RLBA)

The top two firms conducted a portion of the analysis required for a quiet zone study as part of their proposals and identified concrete steps to implement a quiet zone in Menlo Park, including developing concept designs for the crossing improvements needed. The third firm provided a credible scope of work for a quiet zone study, but offered no implementation work as part of their proposal.

Staff interviewed the top two firms and identified KHA as the preferred consultant for the project, a decision that was unanimous among panel members. The panel include staff from the cities of Menlo Park and Palo Alto.

Staff negotiated with KHA and developed a final scope of work and budget (Attachment A) that includes the crossings in both Menlo Park and Palo Alto. Palo Alto will contribute funding for both the overall conduct of the study as well as specific additional scope required to add the Palo Alto Avenue crossing to the scope of work. This enables both cities to develop a study at lower cost than either one could develop on their own. Note that the Palo Alto Avenue crossing is substantially less complex than the four at grade road crossings in Menlo Park and may have a more straightforward path to developing a quiet zone. In Menlo Park, all of the crossings would have to be part of a single quiet zone as none is more than a quarter mile from the others.

KHA has an existing master agreement with the City. If the City Council approves the scope of work, this task will be added to this existing master agreement.

Impact on City Resources

City Council established a budget of up to \$75,000 to conduct the quiet zone study as part of the fiscal year 2021-22 budget. An additional \$300,000 was allocated to the Project from the Springline development December 7, 2021. Funding for future investments identified by the implementation plan would likely exceed available funding and would need to be allocated in the future.

The total cost for the project is \$150,000, which includes the five crossings in the City of Menlo Park and the Palo Alto Avenue crossing in the City of Palo Alto. The two cities have developed an agreement for the City of Palo Alto to contribute approximately \$35,000 to the Project cost. Staff estimates that the City's cost would be \$20,000 higher (\$135,000 instead of \$115,000) if the City were to conduct the study alone.

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. Future improvements identified by the quiet zone study may require environmental review, to be determined at the conclusion of the study.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. In addition, individuals who have previously expressed interest in the Project have been notified by email.

Attachments

- A. Kimley-Horn and Associates, Inc. scope of work
- B. Map of at grade crossings
- C. Hyperlink – January 25, 2022 staff report: menlopark.org/files/sharedassets/public/agendas-and-minutes/city-council/2022-meetings/agendas/20220125-city-council-agenda-packet.pdf&page=111

Report prepared by:
Phong Vo, Associate Transportation Engineer

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

Kimley Horn Scope of Work

Contract Scope of Work

1. Project Management

Kimley-Horn and the Project Management team led by Peter Meyerhofer will prepare the project work plan, project schedule, and on-going contract management and project coordination with the City and stakeholders, including Caltrain. Bi-weekly check-in meetings are anticipated along with a Project Kick-off meeting. Kimley-Horn will prepare monthly invoices along with a bulleted progress report highlighting the significant activities completed for the subject time period.

Deliverables:

- Project Schedule
- Kick-Off Meeting agenda and minutes
- Action Item log with weekly progress meeting Agendas
- Monthly Invoices and Associated Progress Report

2. Document Review and Data Collection

Kimley-Horn staff will perform an initial site visit to review current conditions of the four at-grade crossings, and assess any opportunities or constraints for potential new improvements. As part of this due diligence process Kimley-Horn will also have meetings and coordinate with City staff, Caltrain staff, and stakeholders to obtain key corridor and arterial roadway information such as traffic volumes, train frequency and speeds, new project developments planned for the area such as Presidio Bay's Springline development, and crash history at each location if available. This information will be important to both CPUC and Caltrain when assessing potential safety measures and proposed infrastructure improvements at each at-grade crossing location.

Deliverables:

- Meeting and coordination minutes with stakeholders
- Technical memo summarizing the opportunities and constraints identified through this task

3. Conceptual Design

Kimley-Horn will prepare conceptual design plans for each of the included crossings. Given the limited clear storage distance between the rail corridor and El Camino Real, it is unlikely that SSM-compliant medians can be used on the southwest side of the crossings, so exit gates will most likely be required. Therefore, there would be two primary alternatives available at most locations:

- Three Quadrant Gates – Placement of exit gate(s) on the El Camino Real side of the crossing with a median on the northeast side could potentially provide an ASM at each location.
- Four Quadrant Gates (Full Closure) – Placement of exit gate(s) on each side of the crossing would result in creation of an SSM. Design studies would need to be accomplished to determine whether medians with crossing gates would be used, or whether effective closure could be achieved with crossing gates alone. It should be noted that a 10-foot minimum width median

would be required to provide a median-mounted gate. This may be necessary to avoid use of non-standard gate arm lengths (e.g., greater than 32-feet.)

In addition to the placement of entry and exit gates and medians, driveways within 60 feet of the rail may need to be closed, relocated, or otherwise mitigated, as the FRA does not consider medians to be effective if there are commercial (40-foot width) driveways within this reach.

For each crossing within the proposed zone, Kimley-Horn will advance one or more feasible options potentially creating either an SSM or ASM. This information will be developed as a prerequisite to the Quiet Zone Analysis step.

Deliverables:

- Concept Design alternatives (Part of set of 3 alternatives) exhibits in 11x17 format
- Companion Technical Memo summarizing the opportunities and constraints identified through this task

4. Quiet Zone Analysis

Utilizing the Quiet Zone strategies and approach described herein the Kimley-Horn team will perform the Quiet Zone Analysis and address the key items described in the RFP:

- Calculate Quiet Zone Risk Index (QZRI) for the proposed quiet zone without improvements (existing conditions).
- Compare the existing conditions QZRI to the Nationwide Significant Risk Threshold (NSRT) and Risk Index with Horns (RIWH)
- Determine the applicability of each supplemental safety measure (SSM) and each alternative safety measure (ASM) to each crossing
- Provide a measurement of Quiet Zone Risk Index (QZRI) for each crossing based on implementation of applicable ASMs.
- Based on this analysis, develop a small set of alternatives (up to 3) for implementing a quiet zone in Menlo Park, including identifying tradeoffs and costs across potential safety measures at intersections.
- Complete the required safety analysis.
- Summarize the quiet zone analysis and present findings to the Complete Streets Commission

Deliverables:

- Quiet Zone Analysis Summary Tech Memo

5. Field Diagnostics

In order to verify the adequacy of proposed improvements, it is assumed that a preliminary field diagnostic meeting will be performed at all at-grade crossing locations identified by the City in this RFP (it is assumed that a formal field diagnostic would be conducted subsequently in support of the CPUC GO-88 B application process with designs further advanced.) The field diagnostic meeting is anticipated to include the following participants:

- City of Menlo Park staff

- CPUC staff (likely Kevin Schumacher or assigned equivalent for NorCal region)
- UPRR (Peggy Ygbuhay) and/or staff representative including Benesch (typically Ellis Mays in NorCal region)
- Kimley-Horn contract task leads
- Caltrain representatives

When organizing and conducting a field diagnostic meeting we typically like to develop a draft concept design for the subject crossing(s) to be reviewed prior to hosting the meeting in the field. We would develop a 15% level concept design and send to all participating entities a minimum two weeks before the scheduled field diagnostic meeting. In doing this, it provides all participants a chance to review the proposed design ahead of time and come with any questions or comments to the meeting that can be addressed as a group together in the field. By having a concept design already prepared it allows for a more efficient and productive field meeting and minimizes subsequent back and forth design iterations after the fact. This in turn expedites the concept development process and schedule and leads to faster concurrence between permitting and stakeholder agencies.

Deliverables:

- Approved field review minutes
- Recommended design revisions

6. Cost Estimates

For each alternative, and corresponding improvements within each alternative at applicable crossings, the Kimley-Horn team will develop planning level cost estimates. The cost estimates will detail approximate infrastructure costs, as well as expected project delivery costs anticipated to complete the project. Our team will develop unit costs based on recent similar at-grade crossing projects in progress or completed in northern California, Caltrans unit price database, and recent UPRR costs incurred at similar crossings in the region.

Deliverables:

- Concept level Cost Estimates for Design Alternatives

7. Prepare Draft and Final Report

Per the RFP the Kimley-Horn team will prepare a draft Implementation Plan incorporating all the previous tasks and submit to the City staff for review. The report will document and summarize the findings related to the implementation of a quiet zone in the City of Menlo Park. The report will include proposed options and a recommendation for implementing a quiet zone, including the estimated cost of each option and the specific improvements and costs at each crossing. Based on feedback from the community and the City, the Kimley-Horn team will update the draft Report into a Final Report.

Deliverables:

- Draft Report
- Final Report

8. Outreach and Coordination

The subject railroad corridor runs adjacent to existing residences, schools, businesses as well as planned new developments. As such, the project will naturally draw the attention of many City residents, business owners, and stakeholders. Our team will proactively conduct ongoing coordination with City of Menlo Park and City of Palo Alto elected and appointed bodies and the public. Per the RFP, subtasks include:

a. Develop an outreach plan that identifies the appropriate opportunities during the development of the work to meet with publicly elected bodies, commissions, and the public. This plan will include key elements such as:

- Education and information regarding a Quiet Zone and how the process works
- Proposed improvements and alternatives needed to create a Quiet Zone
- Schedule and key milestones to implement a Quiet Zone
- Cost
- Temporary Construction Impacts

b. Support at least four presentations to the Menlo Park Complete Streets Commission or the City of Palo Alto Rail Committee or Planning and Transportation Commission and a presentation to City Councils for both City of Menlo Park and City of Palo Alto.

c. Conduct any public outreach meetings as identified in the outreach plan. Our team expects up to two public outreach meetings, used to both inform of the process as well as present subsequent design alternatives. Obtaining resident and stakeholder feedback on the alternatives will be important to the ultimate success of the project. Additional Teams or Zoom meetings to discuss location specific at-grade crossing designs are anticipated with developers and school district representatives as well.

Deliverables:

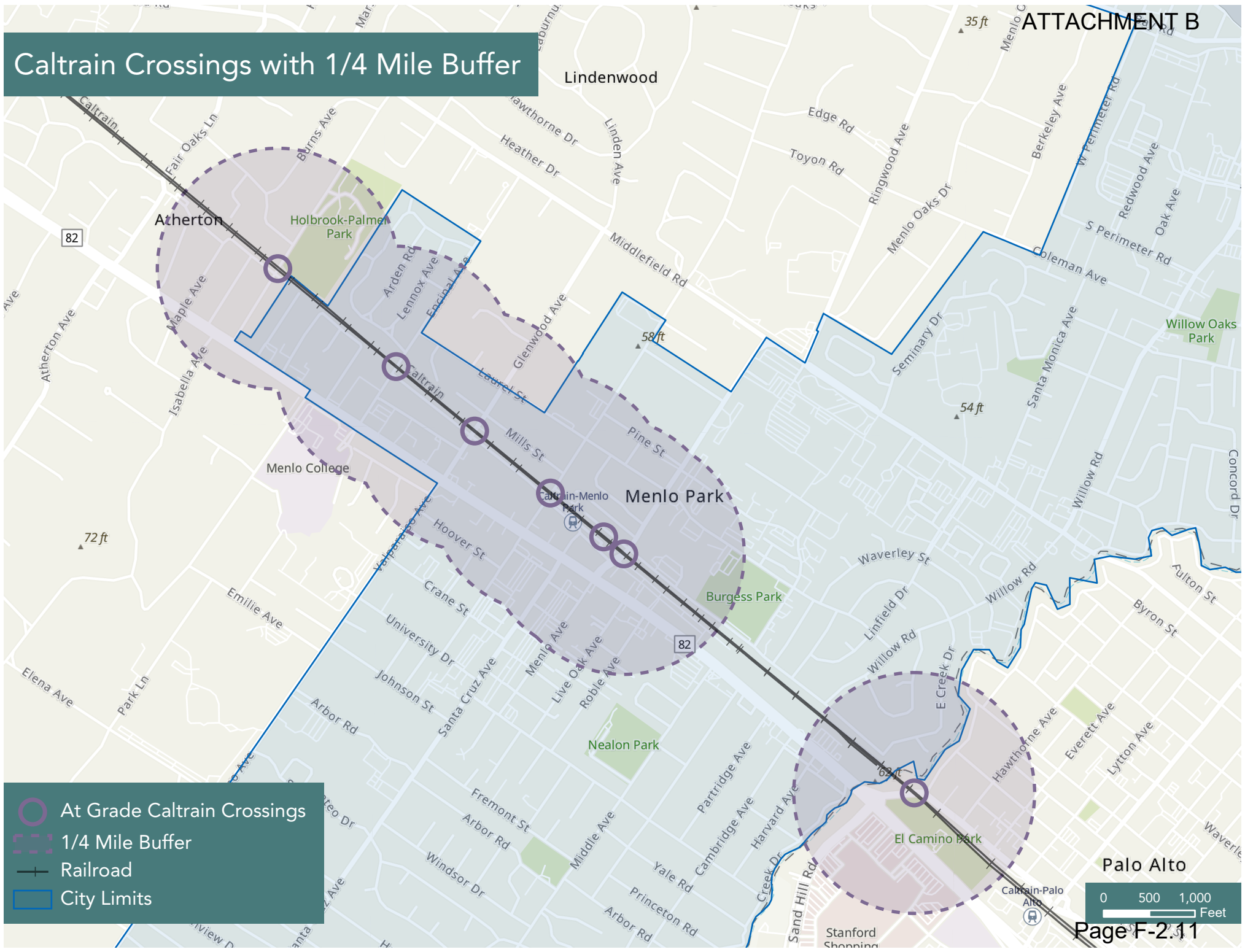
- Development of up to 4 presentations to City Staff; one Council Meeting for both Cities of Menlo Park and Palo Alto.
- Develop presentations for up to 2 public outreach meetings.
- Meeting minutes for virtual Teams/Zoom outreach meetings with targeted key stakeholders





Kimley Horn Budget

		Kimley-Horn and Associates, Inc.									Palo Alto			
		Meyerhofer	Ogden	Aguigui	Professional II	Professional I	Analyst II	Analyst I	Sr. Project Support	Project Support	Total Hours	Total Cost	Percent	Total Cost
Rate	Project Manager	\$325.00	\$395.00	\$380.00	\$220.00	\$210.00	\$175.00	\$155.00	\$190.00	\$140.00				
Task 1:	Project Management	30	2	2	2	0	2	0	15	15	68	\$ 17,040.00		\$ 4,752.00
	Project Management	28							15	15	58	\$ 14,050.00	20%	\$ 2,810.00
	Kick-off Meeting	2	2	2	2		2				10	\$ 2,990.00	20%	\$ 598.00
	Monthly Progress Meetings	6	6	3		6					21	\$ 6,720.00	20%	\$ 1,344.00
Task 2:	Data Collection, Field Survey, and Coordination	20	11	16	22	12	56	96	0	0	233	\$ 10,152.00		\$ 2,030.40
	Field Review of Crossings	6					6				12	\$ 3,000.00	20%	\$ 600.00
	Data Collection	3			2		4	6			15	\$ 2,377.00	20%	\$ 475.40
	Opportunities and Constraints Tech Memo	4	1		2		8	8			23	\$ 4,775.00	20%	\$ 955.00
Task 3:	Conceptual Design	8	5	8	10	6	24	44	0	0	105	\$ 27,800.00		\$ 6,491.00
	Conceptual Design Draft (Base Scope)	6	3	6	8	4	18	36			81	\$ 16,745.00	0%	\$ -
	Palo Alto At-Grade Crossing	2	2	2	2	2	6	8			24	\$ 5,350.00	100%	\$ 5,350.00
	Conceptual Design Final	2	1	2	4	2	6	10			27	\$ 5,705.00	20%	\$ 1,141.00
Task 4:	Quiet Zone Analysis	11	13	3	0	0	34	18	0	0	79	\$ 18,590.00		\$ 3,718.00
	Quiet Zone Analysis and Alternatives	8	8	2			18	10			46	\$ 11,220.00	20%	\$ 2,244.00
	Draft Tech Memo	3	5	1			16	8			33	\$ 7,370.00	20%	\$ 1,474.00
Task 5:	Field Diagnostic Meetings	17	0	0	0	0	20	0	0	0	37	\$ 9,025.00		\$ 2,500.00
	Base Scope At-grade Crossings (x4)	12					15				27	\$ 6,525.00	0%	\$ -
	Palo Alto At-Grade Crossing	5					5				10	\$ 2,500.00	100%	\$ 2,500.00
Task 6:	Cost Estimate	3	0	2	3	0	13	13	0	0	34	\$ 6,685.00		\$ 1,337.00
	Draft Estimates	2		1	2		8	8			21	\$ 4,110.00	20%	\$ 822.00
	Final Estimates	1		1	1		5	5			13	\$ 2,575.00	20%	\$ 515.00
Task 7:	Draft and Final Report	9	6	3	5	0	46	26	0	0	95	\$ 19,615.00		\$ 3,923.00
	Draft Report	5	4	2	3		30	16			60	\$ 12,355.00	20%	\$ 2,471.00
	Final Report	4	2	1	2		16	10			35	\$ 7,260.00	20%	\$ 1,452.00
Task 8:	Outreach and Coordination	32	11	0	0	0	54	54	0	0	151	\$ 32,565.00		\$ 9,093.00
	Public Outreach and Coordination Meetings (x2 in person)	14	8				18	18			58	\$ 13,650.00	20%	\$ 2,730.00
	Complete Streets Commission Presentation Development	9	2				20	20			51	\$ 10,315.00	20%	\$ 2,063.00
	City Council Presentation Development and Meeting	9	1				16	16			42	\$ 8,600.00	50%	\$ 4,300.00
											0			
	TOTAL HOURS	130	48	34	42	18	249	251	15	15	802			
	Subtotal Labor:	\$ 42,250.00	\$ 18,960.00	\$ 12,920.00	\$ 9,240.00	\$ 3,780.00	\$ 43,575.00	\$ 38,905.00	\$ 2,850.00	\$ 2,100.00		\$ 141,472.00		\$ 33,844.40
	Other Direct Costs											\$ 6,000.00		\$ 1,200.00
	Traffic Counts (x5 crossing locations)											\$ 5,000.00	20%	\$ 1,000.00
	Mileage											\$ 1,000.00	20%	\$ 200.00
	TOTAL COST:											\$ 147,472.00	24%	\$ 35,044.40

Palo Alto Exclusive Items \$ 10,200
Menlo Park Savings \$ 24,844.40

Caltrain Crossings with 1/4 Mile Buffer



-  At Grade Caltrain Crossings
-  1/4 Mile Buffer
-  Railroad
-  City Limits





STAFF REPORT

City Council Meeting Date: 7/12/2022
Staff Report Number: 22-137-CC

Consent Calendar: Receive and file 2021 priorities, work plan quarterly report as of June 30, 2022 and advisory body work plan update

Recommendation

Staff recommends the City Council receive and file the 2021 priorities, work plan quarterly report as of June 30, 2022 and advisory body work plan update.

Policy Issues

City Council adopts annual priorities to prioritize limited resources.

Background

City Council adopted its 2021 priorities and work plan at the April 20, 2021, meeting. On September 21, 2021, staff transmitted an informational update on the status of priorities as of July 31, 2021, February 8, 2022 staff transmitted an informational update on the status of priorities as of December 31, 2021, on April 12, 2022 staff transmitted an informational update on the status of priorities as of March 31, 2021.

Analysis

This report transmits an update as of June 30, 2022 (Attachment A) and contains the best information available, reflecting demands on executive and management resources due to work on City Council priorities, maintenance of regular operations, emergencies and unexpected demands on resources, and staff attrition. As shown in Attachment A, the update includes two categories of work efforts:

- City Council priorities. Designation of a project as a priority clarifies that staff may strategically realign limited resources to achieve the stated milestones for priority projects. The realignment may delay work on other projects or impact services to the public.
- City Council work plan. Work plan projects reflect City Council goals. The distinction between a “priority” and a “work plan” project is that resources may be shifted away from work plan projects and public services, if necessary, to make progress on priority projects.

Staff has also compiled a list of requests and recent direction from the City Council from 2021 to-date (Attachment B.)

In addition, staff has provided an update of the work plans for the following advisory bodies (Attachment C):

- Complete Streets Commission
- Environmental Quality Commission
- Finance and Audit Committee
- Housing Commission

- Library Commission
- Parks and Recreation Commission

Impact on City Resources

This report transmits an informational update on the status of the priorities and work plan efforts underway. As shown in Attachment A, resources are not available to advance all the priority and work plan efforts at this time.

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. City Council adopted 2021 priorities and work plan progress report as of June 30, 2022
- B. City Council requested work efforts as of June 30, 2022
- C. Advisory body work plans as of June 30, 2022

Report prepared by:

Judi A. Herren, Assistant to the City Manager/City Clerk

Report reviewed by:

Justin Murphy, Interim City Manager

Table 1: 2021 Adopted priorities			
Name	Project overview	6/30 status	6/30 update
01. Redistricting	Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed. Assembly Bill 849 (2019) requires cities and counties to engage communities in the redistricting process by holding public hearings and/or workshops and doing public outreach, including to non- English-speaking communities.	Done	The Independent Redistricting Commission (IRC) adopted the updated District map on April 14, 2022 and the IRC Chair presented that map to the City Council on April 26, 2022. At the April 26, 2022 meeting, the City Council unanimously adopted a resolution affirming the IRC’s Redistricting Plan and the new City Council district boundaries set forth in Map 131.1 as adopted by the IRC. The new District map will be used for November 8, 2022 election.
02. Reimagining public safety	City Council established a Re-imagining Public Safety Subcommittee, composed of Vice Mayor Wolosin, City Councilmember Taylor, the city manager, and the police chief. An academic, Dr. Terri Givens, was added to the team to facilitate public discussion on policing. Focus groups will be held to generate public feedback on policing, the department will conduct public presentations to increase transparency, and a Community and Police Advisory Team will be established to provide the department with a resource for public feedback and collaboration.	Done	The Subcommittee, through the use of an Academic as a facilitator, held "safe space focus groups" in each of the city’s five City Council districts. This information was gathered without the presence of police, to provide as open a channel possible for frank feedback about policing. A great number of comments were collected, de-personalized for anonymity, and provided to the police department. The police department reflected the feedback and next steps in a public Zoom Town Hall session on June 1, 2022. The presentation was followed by a "Q&A" session which was accomplished in a panel format with the police department command staff on hand. There were additional questions remaining which will soon be answered in a similar format. Additional public presentations, outreach, and dialogue will be continuing in the spirit of public education, evaluation, accountability, and where appropriate, re-imagining of public safety in the future.
03. CAP #1 - Explore policy/program options to convert 95% of existing buildings to all-electric by 2030	Achieve the following milestones to project completion: 1. May 2021: Complete cost effectiveness analysis on various policy/program pathways toward achieving 95% electrification by 2030. 2. June 2021: Environmental Quality Commission (EQC) provides advice to City Council on cost effectiveness analysis and potential pathways to achieve electrification goals for existing buildings. 3. July/August 2021: City Council reviews policy/program options and EQC recommendations and directs staff on next steps.	In progress	A resolution of support was adopted to collaborate with BlocPower in providing electrification services in the community. Staff is also supporting Menlo Spark in submitting an application for a \$1 million grant from ICLEI that would support BlocPower and reduce project costs for low to moderate income building owners who want to electrify. Staff have also been working with the Bay Area Reach Code Initiative that incorporates three counties in the Bay Area on proposed reach codes for this new building code cycle that will begin January 1, 2023. Staff provided recommendations regarding reach codes for new and existing buildings to the Environmental Quality Commission (EQC) in March. The EQC supported the staff recommendations and added additional considerations as part of their recommendation to the City Council. However, there was a request to wait on presenting to City Council in order to allow time to review model codes from the Bay Area Reach Code Initiative. This was also supported by the City Council Climate Action Plan subcommittee. Model codes were recently released in late June and is being reviewed. Staff is also participating in ICLEI’s Race to Zero cohort that includes other cities with aggressive climate action plan goals and strategies.

Table 1: 2021 Adopted priorities			
Name	Project overview	6/30 status	6/30 update
04. 2022 housing element and related zoning code updates and documents	Housing Elements are housing plans that are one part of the General Plan – a guide to all the ways each city, town or county is planned and managed, from our roads and sidewalks to our parks and neighborhoods. With an update required every eight years by the State of California, this Housing Element update will create a foundation for all the policies and programs related to housing.	Done	The project team released the draft Housing Element on May 11, 2022 and circulated for public review and feedback from the Housing Commission, Planning Commission and City Council in May and early June. The draft Housing Element has been updated to respond to substantive comments received during the comment period and is anticipated to be submitted to the California Department of Housing and Community Development (HCD) in early July. Climate Resilient Communities (CRC), a project partner organization, conducted outreach related to the Environmental Justice Element and Safety Element update, with a community meeting on April 5, 2022, and focus groups and a community survey held during the months of May and June. The project team is currently evaluating the responses received and preparing drafts of the Environmental Justice and Safety Elements.
05. ConnectMenlo community amenities list update	Review community amenities procedures and update community amenity list associated with bonus level developments in the Bayfront Area.	In progress	The Subcommittee released a draft of the updated Community Amenities List as an Informational Item on June 28, 2022.
06. Menlo Park Community Campus building	In December 2019, the City Council received a proposal from Facebook Inc. proposing to explore funding and development of a new multi-generational community center and library located in Menlo Park's Belle Haven neighborhood, replacing the existing community center, senior center, youth center, pool house, and library facilities. Identified as a City Council priority on January 28, 2020, this project would deliver the City's funding contribution to the project.	In progress	Steel erection was completed in April 2022, and interior wall framing is in progress. The roof slab pour will take place in mid-July, and the exterior skin is scheduled to start at the end of July. Construction is slated for completion by fall 2023.
07. Reimagining downtown	Project scope has yet to be established. Requires City Council direction.	On hold-capacity	
08. Caltrain rail corridor quiet zone analysis	This study would fund a review of grade crossing improvements needed to consider a quiet zone along the Caltrain corridor at the Encinal, Glenwood, Oak Grove and Ravenswood Avenue crossings.	In progress	Consultants were interviewed in May 2022 and a preferred consultant and scope of work will be reviewed by City Council in July 2022.

Table 1: 2021 Adopted priorities			
Name	Project overview	6/30 status	6/30 update
09. CAP #4 - Middle Avenue rail crossing and complete street	This project would provide a grade-separated crossing through the Caltrain railway to create a pedestrian/ bicycle connection near Middle Avenue, between Alma Street near Burgess Park and El Camino Real at the proposed open space plaza as identified in the El Camino Real/Downtown Specific Plan. The project would develop detailed design plans and construct the project. As part of the terms of the development agreement for Middle Plaza at 500 El Camino Real, Stanford University is required to make a contribution towards the cost of the project, 50 percent of the cost, up to \$5,000,000. In May 2020, the Santa Clara County Board of Supervisors also allocated \$1,000,000 in funds for this project through the Stanford University recreation mitigation fund established during the 2000 General Use Permit approvals.	In progress	Undercrossing included ongoing coordination with Caltrain on the undercrossing design. Pursued multiple opportunities for funding, including Representative Eshoo adding as a member designated project in the Federal budget and pursuit of a One Bay Area Grant, 3rd round. Complete Streets project included conducting public outreach and presenting outreach findings to the Complete Streets Commission.

Table 2: 2021 Adopted work plan

Name	Project overview	6/30 status	6/30 update
10. Racial equity - NLC REAL program and baseline project	<p>Created in 2015 in the wake of social unrest in Ferguson, Missouri, NLC's Race, Equity And Leadership (REAL) program helps to empower and equip local officials with tools to address racial disparities in their communities.</p> <p>As local leaders look to reimagine government policies, procedures, and processes to build more equitable communities, REAL is available to help cities and towns learn the impact of historical inequities and design programs that dismantle structural and system racism. REAL provides training with local elected officials and municipal staff, seminars for municipal staff and local elected officials, customized training to match city needs.</p>	On hold-capacity	
11. CAP #2 - Set citywide goal for increasing EVs and decreasing gasoline sales	<p>Defer implementation to the Beyond Gas Initiative (BGI)8 under Joint Venture Silicon Valley. Staff will continue to work with BGI within current staff capacity using existing communication mediums to promote and market information from BGI.</p>	Done	
12. CAP #3 - Expand access to electric vehicle (EV) charging for multifamily and commercial properties	<p>Resources will be used to monitor the effectiveness of state and regional charging infrastructure incentives, and the City will promote/market the incentives to multifamily property owners using existing databases and communication mediums. In addition, \$5,000 to \$10,000 in additional incentives will be allocated to further motivate at least two multifamily property owners with existing units/buildings to install electric vehicle (EV) charging infrastructure.</p>	On hold-pending direction	<p>A waste-billing insert was sent to multifamily customers in March informing them about Peninsula Clean Energy (PCE) electric vehicle (EV) charging rebates, which resulted in some initial interest from multifamily property owners/managers. Although several existing multifamily property owners have received technical assistance from PCE to install EV charging, none has moved forward with installing charging stations due to the high cost share of the projects. In addition, City Council allocated up to \$10,000 to support multifamily property owners. Staff is unable to utilize the City Council allocation and needs further direction on this matter. The allocation is not enough to support/motivate property owners as their cost share is between 70 and 80%. Rebates are typically successful with customer project cost shares at 15% or less. A Menlo Park matching rebate could significantly support existing multifamily properties (especially smaller sized properties) with installing EV charging. At-home charging provides equity and overall confidence for purchasing an EV. San Carlos recently allocated a budget of \$100,000 to offer matching 50% of PCE's rebates for existing multifamily properties to install EV charging.</p>
13. CAP #4 - Reduce vehicle miles traveled (VMT) by 25% or an amount recommended by the Complete Streets Commission	<p>Resources will be used to focus on current work underway that would reduce VMT that includes the SB2 Housing grant, completion of the Transportation Management Association feasibility study, and implementation of VMT guidelines for new development adopted in June 2020. In addition, the Complete the Streets Commission's work plan includes prioritizing projects in the Transportation Master Plan that would reduce VMT. The Complete Streets Commission two-year work plan will be amended to include a future work effort to set a VMT reduction target in 2022 dependent upon staff resourcing to support this effort, provided it does not impact delivery of capital projects planned for the same timeframe.</p>	In progress	<p>The Complete Streets Commission Multimodal Metrics subcommittee reported out on work develop multimodal metrics in March 2022. Subcommittee priorities included safety, multimodal network connectivity, and tracking the status of Transportation Master Plan projects. Safety and connectivity metrics were identified in part to help demonstrate implementation of vehicle miles traveled (VMT) reduction strategies by providing a transportation network that enables travel by non-automobile modes of travel.</p>
14. CAP #4a - Transportation management association (TMA) formation	<p>The goal of a TMA is to coordinate logistics and TDM services amongst multiple member businesses. Instead of an individual business providing TDM services for their employees, a TMA allows multiple businesses to share TDM resources. TDM services may not be cost-effective and well-utilized at individual businesses, so a TMA creates cost-efficiency and a shared burden amongst everyone, allowing smaller businesses to access some services that they would normally not be affordable.</p>	In progress	<p>The City officially joined commute.org. Staff are continuing to coordinate with Manzanita Works.</p>

Table 2: 2021 Adopted work plan

Name	Project overview	6/30 status	6/30 update
15. CAP #5 - Eliminate the use of fossil fuels from municipal operations	Utilize current resources and available budget toward eliminating fossil fuels in building the new Menlo Park Community Campus. In addition, if there are fossil fuel appliances or assets at the end of its life, a non-fossil fuel option as a replacement will be the default unless infeasible. Additional appropriations may be required for non-fossil fuel assets or appliances that have a cost premium. Specifically in 2021-22, the City will focus on expanding a pilot program to transition landscaping equipment from gas to electric. In future years, as City contractor agreements are procured, the City will incorporate a request for landscaping equipment as well. A Sustainable Fleet Policy was adopted in 2020. There will be additional opportunities for comprehensive non-fossil fuel asset or appliance replacement planning through the upcoming Corporation Yard Needs Assessment and Facilities Inventory and Maintenance Plan, which were funded in 2021-22 capital improvement plan.	In progress	A decarbonization plan is underway with a draft being reviewed internally at this stage. This includes an overall EV charging plan to transition the city's vehicle fleet and employee charging needs. In addition, two capital improvement projects were added this this fiscal year: electrification of the Burgess pool as the pool's heating equipment is expected to be replaced in the near future and electrical service upgrades to support the civic center campus electrification. Incentives and financing are being explored to support these projects.
16. CAP #6 - Develop a climate adaptation plan to protect the community from sea level rise and flooding	Continue to participate in and monitor One Shoreline, a flood and sea level rise resiliency district, that was formed to support planning and mitigation measures for coastal erosion, sea level rise, and flooding threats up to 2100. Menlo Park is a member of this agency and pays dues annually through funds provided in the capital improvement plan. This work covers Menlo Park's neighborhoods adjacent to the bay and creeks. In February 2021, One Shoreline's board of directors authorized the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration project to go out to bid. Bidding is currently underway for pre-qualified bidders and construction is expected to begin in mid-2021. Resources will be utilized to continue to actively work with neighboring communities and other agencies to close gaps not addressed by the above projects and seek further funding.	In progress	A resiliency position was included in the city's adopted budget to support this effort.
17. CAP #6a - Menlo Park SAFER Bay implementation	This project provides funds to support the staff time needed to continue to implement SAFER Bay. In September 2020, PG&E approached the City about partnering on a FEMA grant opportunity to address sea level rise impacting the Ravenswood Electrical Substation consistent with the SAFER Bay project and the recently completed Dumbarton Bridge West Approach + Adjacent Communities Resilience Study. Following initial coordination, the City, SFCJPA and PG&E also reached out Facebook to consider providing additional funding to expand the project. The FEMA grant is a program offering up to \$50 million per project to reduce risks from disasters and natural hazards. The City Council authorized a letter of support for the application on November 17, 2020. PG&E, the SFCJPA, Facebook and the City collaborated on the required documentation for a Building Resilient Infrastructure and Communities (BRIC) application, which was submitted to CalOES by December 3, 2020. Cal OES submitted the grant application for FEMA consideration on January 27. FEMA notified the City in summer 2021 of potential award.	In progress	In the time since the grant application has been submitted, the City has responded to multiple requests for additional information from FEMA.
18. Public health advocacy (COVID-19, mental health)	Project scope has yet to be established. Requires City Council direction.	On hold-capacity	
19. Caltrain grade separation	The existing Ravenswood Avenue Caltrain crossing is a critical rail crossing within Menlo Park. It is within the El Camino Real/Downtown Specific Plan Area and falls within the City's Priority Development Area. The project would fund the additional scope of work requested by the City Council in 2018 to evaluate a fully elevated alternative and advance engineering design of a chosen preferred alternative.	In progress	Staff participated in CPUC hearing and project was nominated as the fourth highest ranked grade separation project in the State. Coordinated with funding partners to discuss restating project.
20. Willow Road traffic calming	Project scope has yet to be established. Requires City Council direction.	On hold-pending direction	
21. Coleman and Ringwood Avenues Transportation Study	Joint modal with San Mateo County to evaluate traffic calming and multimodal safety improvement options for Coleman and Ringwood Avenues.	In progress	Conducted multiple outreach events and a first Community Advisory Committee meeting. Consultant began development of an existing conditions report.

New City Council requests or direction to advance new initiatives			
Name	Date requested or direction provided	6/30 status	6/30 update
01. Study session on the Bay-Delta Plan	Requested by the City Council during adoption of the 2020 Urban Water Management Plan on May 25, 2021.	On hold-capacity	See Item 18 and Housing Element Update WSA.
02. Follow up on parks projects and Measure T funds	Requested by City Council on August 17, 2021.	On hold-capacity	Substantially completed during Measure T bond issuance discussion.
03. Follow up on the selected construction method for Chilco Street median islands	Requested by the City Council on September 21, 2021. City manager reported on October 23, 2021 regarding the outreach conducted, that a two-week roadway closure to allow construction was selected, and that construction was to be delayed until spring 2022.	Completed	
04. Follow up on pedestrian safety measures in the Bayfront area in response to development	Requested by the City Council on October 23, 2021.	Completed	Staff presented a pedestrian circulation update for the Bayfront Area to the Complete Streets Commission and Council. Most of the proposed improvements will be implemented by ongoing developments in the area.
05. Request for future agenda item to add the identification of parks to the municipal code	Requested by the City Council on October 23, 2021.	In progress	On City Council tentative agenda.
06. Study session on leaf blower restriction ordinance (enforcement, trade-in program, education)	Requested by the City Council on November 16, 2021.	In progress	On City Council tentative agenda.
07. Adopt wireless facility ordinance	Staff requested City Council direction on November 16, 2021 to return with an ordinance for adoption.	In progress	
08. Provide direction on restarting the Neighborhood Traffic Management Program	Requested by the City Council on November 16, 2021.	In progress	Staff met with a subcommittee of the Complete Streets Commission to discuss potential approaches.
09. Annual update on the status of City's annex plan to the San Mateo County Local Hazard Mitigation Plan	Requested by the City Council on November 16, 2021.	Future item	
10. Follow up on Springline traffic	Requested by the City Council on December 7, 2021.	Future item	
11. Follow up on Sharon Rd/Eastridge Ave safety, if action or budget required by the City Council	Requested by the City Council on December 7, 2021.	Completed	
12. Adopt SB9 regulations	Staff requested City Council direction on December 14, 2021 to return with ordinance updates to respond to recent state housing legislation (SB9).	In progress	
13. Provide direction on guidelines, regulations and restrictions for impact fees	Requested by the City Council on January 15, 2022.	On hold - capacity	
14. Develop permanent design guidelines and permitting process for downtown outdoor uses	Staff requested City Council direction on January 25, 2022.	In progress	

Advisory body work plan updates			
Advisory body	City Council approval date	Approved work plan	Work plan items for future City Council approval/action
Complete Streets Commission	October 12, 2021	<ol style="list-style-type: none"> To advance the goals of the city's newly adopted Climate Action plan by making alternatives to driving safer and more attractive. Advise City Council on the implementation of the TMP. Continue to advocate for and advise the Council on the planning and installation of the Middle Avenue pedestrian and bicycle rail crossing, and safe cycling/pedestrian infrastructure connecting the Burgess complex to the Middle Avenue corridor to Olive Street, and north on Olive Street to Hillview Middle School. Continue to support Council in ongoing initiatives to improve access to Downtown and support downtown businesses. Continue to support the implementation of the Safe Routes to School strategy and advocate for community engagement, program continuity and engineering implementation. Continue to support City Council's role as a stakeholder with regard to regional multimodal and transportation demand management programs projects to increase sustainable transportation for Menlo Park. 	<ul style="list-style-type: none"> -Update the transportation impact analysis guidelines to include multimodal study metrics -Evaluate the current process and procedure of the neighborhood traffic management program (TMP Project No.165) -Evaluate the current state of the safe routes to school program -Request the City Council to allocate staff resources to assist the multimodal Subcommittee to review future transit related study recommendations that could impact the City of Menlo Park and develop an action list for City Council approval
Environmental Quality Commission	February 8, 2021	<ol style="list-style-type: none"> Climate Action Plan (CAP). Urban canopy preservation. Green and sustainable initiatives. Gas Powered Leaf Blower Ordinance. 	Climate Action Plan related items
Finance and Audit Committee	August 17, 2021	<ol style="list-style-type: none"> Annual investment policy review Annual independent auditor's report review OpenGov transparency portal improvements and community training Capital improvement plan review 	<ul style="list-style-type: none"> -OpenGov transparency portal improvements and community training -Capital improvement plan review
Housing Commission	November 17, 2020	<ol style="list-style-type: none"> Increase production of Accessory Dwelling Units (ADUs) Partner with and support Community Land Trusts (CLTs): Increase Density/Zoning (density and height): Identify sites where affordable housing can be built on publicly owned land and high opportunity sites Administration/Strategies Community Engagement 	<ol style="list-style-type: none"> Staff is evaluating a proposal with MidPen Housing that seeks to create a CLT. An initial funding request from the BMR Housing Fund is expected to return to City Council during the current fiscal year. The Housing Commission reviewed and approved the proposal on March 4, 2021. Affordable housing site identification is an ongoing part of the Housing Element Update, which will continue to be presented at various public meetings including City Council and Housing Commission. The next NOFA release is tentatively scheduled for November 2022.
Library Commission	November 9, 2021	<ol style="list-style-type: none"> Support and advise the development of the Menlo Park Community Campus project (MPCC) in the areas of library programming, service integration, and library policies within the shared space environment in the new facility, as directed by City Council Support and advise the advancement of the overall Library Systems Improvement Program, as directed by City Council Establish a plan and timeline to periodically review the library's public-facing policies and recommend updates, as required, with a special focus on policies that may be impacted by shared space operations at the new MPCC Establish an understanding of and advise on the library needs of the community during the current COVID pandemic and in other emergencies. This may include a review of library policies and services related to adaptations made by the library in response to emergencies. Of particular interest is how the current pandemic is affecting user access, how library service is changing, the impact of technology on the provision of library services, and how the Commission might help increase equitable access for community members Establish a plan and timeline to periodically receive staff presentations and reports about major Library service areas and programs and Commissioner liaison reports about affiliates. Maintain a 12-month schedule of planned Commission agenda items; update and post for public review monthly Encourage and facilitate robust public comment and participation at Commission meetings Foster a public meeting environment that is inclusive of all members of the diverse Menlo Park community. Support the filling of openings on the Commission and the effective onboarding of new Commissioners 	None
Parks and Recreation Commission*	August 6, 2018	<ol style="list-style-type: none"> Research and evaluate the social services and recreation opportunities in the City of Menlo Park, particularly in the Belle Haven Neighborhood resulting in high quality programs and services meeting the diverse and changing needs of residents throughout the City. Study and evaluate, through such means as the Master Plan process, operational planning goals, utilization options, and guidelines for City Park and Community Services facilities resulting in facilities and equipment being properly maintained, upgraded and/or expanded to meet community needs. Research and evaluate improved offerings, new venues, and strengthened City partners and sponsorships that results in high quality educational, recreational, artistic, and cultural programs in the City of Menlo Park. 	<ol style="list-style-type: none"> Facilitate the goals laid out in the 2019 Parks and Recreation Master Plan. Provide high quality programs and services for Menlo Park residents. Maintain, upgrade, and expand city parks and facilities. Enhance public awareness and engagement. Include diverse community perspectives. Prioritize accessibility, safety, and sustainability. <ul style="list-style-type: none"> -Specific Examples -Gather feedback on Willow Oaks park improvements. <ul style="list-style-type: none"> -Discuss and gather information on the pros and cons of contracting out city services. -Review the pickle ball court additions. -Invite members of the public on commission park tours. -Balance Belle Haven versus neighboring community needs in the new Menlo Park Community Center. -Develop strategies to mitigate the risks of off-leash dogs harming children

* Proposed work plan was brought to the City Council on February 3, 2022 and continued to a future meeting.



STAFF REPORT

City Council

Meeting Date:

7/12/2022

Staff Report Number:

22-138-CC

Consent Calendar:

**Receive and file the investment portfolio as of
March 31, 2022**

Recommendation

Staff and the Finance Audit Committee (FAC) recommends the City Council receive and file the City's investment portfolio as of March 31, 2022.

Policy Issues

The City and the Successor Agency funds are invested in full compliance with the City's investment policy and State law, which emphasize safety, liquidity and yield.

Background

The City's investment policy requires a quarterly investment report to the City Council, which includes all financial investments of the City and provides information on the investment type, value and yield for all securities. The FAC reviewed the City's investment portfolio as of March 31, 2022 June 2, 2022 to ensure compliance with the investment policy.

Analysis

Investment portfolio as of March 31, 2022

The City's investment portfolio's fair value basis as of March 31, 2022, totaled \$145,433,255. As shown below in Table 1, the City's investments by type are measured by the amortized cost as well as the fair value as of March 31, 2022. The Local Agency Investment Fund (LAIF) is considered a safe investment as it provides the liquidity of a money market fund. The majority of the remaining securities are prudent and secure short- and medium-term investments (1-5 years), bearing a higher interest rate than LAIF, and/or provide investment diversification.

Table 1: Recap of investments held as of March 31, 2022				
Security	Amortized cost basis	Fair value basis	% of portfolio	
LAIF	\$ 56,217,976	\$ 56,217,976	38.7%	
Securities portfolio				
Corporate bonds	38,837,598	37,959,691	26.1%	
Government agencies	26,567,579	26,189,803	18.0%	
Government bonds	25,789,473	25,065,785	17.2%	
Total	\$ 147,412,626	\$ 145,433,255	100.0%	

As shown in Table 1, the fair value of the City’s securities was \$1,979,371 less than the amortized cost as of March 31, 2022. The difference between amortized cost and fair value is referred to as an unrealized loss or gain, and is due to market values fluctuating from one period to another. It is important to note that any unrealized loss or gain does not represent an actual cash transaction to the City, as the City generally holds securities to maturity to avoid market risk.

The consolidated portfolio report for the quarter ending March 31, 2022, is included as Attachment A and each component is described in greater detail below.

LAIF

As previously shown in Table 1, 38.7 percent of the portfolio resides in the City’s account at the LAIF, a liquid fund managed by the California State Treasurer, yielding 0.37 percent for the quarter ended March 31, 2022. LAIF yields have fluctuated greatly over recent years, gradually increasing from historic lows following the Great Recession, then falling rapidly during the course of the COVID-19 public health emergency. Due to rising interest rates, staff plans to invest a significant amount of the balance in LAIF (\$56.2 million) as well as the City’s current commercial account with Union Bank (\$46.8 million) in longer-term securities. Staff is developing a cash forecasting model with the City’s consultant and establishing proper account authorization to accomplish this reserve movement. Once the model is completed, it will forecast the City’s annual liquidity considering the adopted budget, investment maturities, encumbrances and other factors influencing balances. Once the model has been developed, staff can review this with the FAC.

Securities portfolio

As of March 31, 2022, the City held a number of securities in corporate bonds, government agency notes and government bonds and reflect a diversified mix in terms of type but all at low risk. Insight Investment serves as the City’s financial adviser on security investments and makes recommended trades of securities, purchase and sale that align market conditions to the City Council adopted investment policy to the greatest extent possible. The Insight Investments quarterly statement for the period ended March 31, 2022, is provided in Attachment A. As shown on the quarterly statement, the return for managed assets for the period ended March 31, 2022, on an amortized cost basis, was 1.16 percent. The positions the City held as of March 31, 2022, along with maturities, purchases and transactions are included in Attachment B. The FAC recommended rating of the City’s corporate investments according to an Economic, Social, Governance (ESG) scale. Attachment C outlines these investments relative to a scale of 1 – 5, 1 being the best investment. The City’s investment advisor reviewed this rating with the FAC.

Performance comparison

As specified in the City's investment policy, the performance of the portfolio is measured against the benchmark of a treasury bond. In the quarter ending March 31, 2022, the City's portfolio returned a weighted average of 1.16 percent with non-LAIF funds having a weighted average maturity of 1.76 years. The trailing two-year treasury note saw a yield of 0.59 percent, or 0.57 percent lower than the City's portfolio performance. Primary factors influencing the City's portfolio as well as the two-year treasury note are the supply chain problems associated with the pandemic, Russia's military conflict, and Federal Reserve fiscal management policy.

Impact on City Resources

Considering LAIF as well as Union Bank, the City has more than sufficient funds available to meet its expenditure requirements for the next six months.

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. Insight Investments consolidated portfolio report for the quarter ended March 31, 2022
- B. Insight Investments quarterly report for the quarter ended March 31, 2022
- C. Insight ESC Rating as of March 31, 2022

Report prepared by:
Marvin Davis, Interim Finance Director

City of Menlo Park

Quarterly Consolidated Portfolio Report

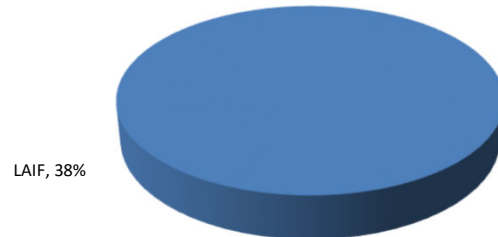
March 31, 2022

City Managed Assets % Return

LAIF	\$	56,217,976	38%	0.37%
Total Internally Managed	\$	56,217,976	38%	

Weighted Average Yield **0.37%**

	Days	
Effective Average Duration - Internal	1	
Weighted Average Maturity - Internal	1	

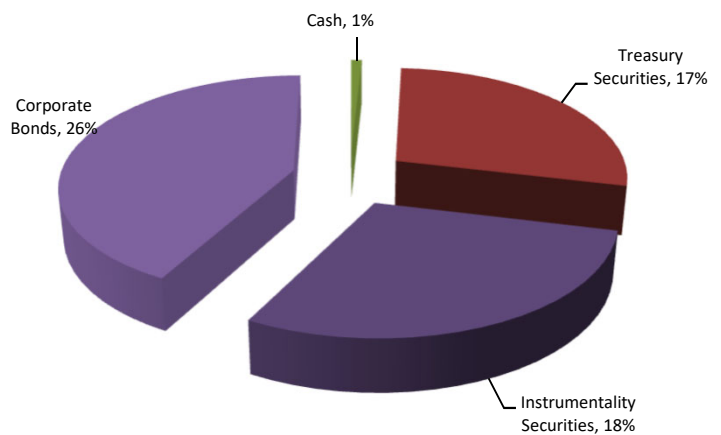


Advisor Managed Assets % Return

Cash	\$	759,084	1%	0.02%
Treasury Securities	\$	25,065,785	17%	0.83%
Instrumentality Securities	\$	26,189,804	18%	1.44%
Corporate Bonds	\$	37,959,691	26%	1.20%
Total Externally Managed	\$	89,974,363	62%	

Weighted Average Yield **1.16%**

	Years	
Effective Average Duration - External	1.63	
Weighted Average Maturity - External	1.76	

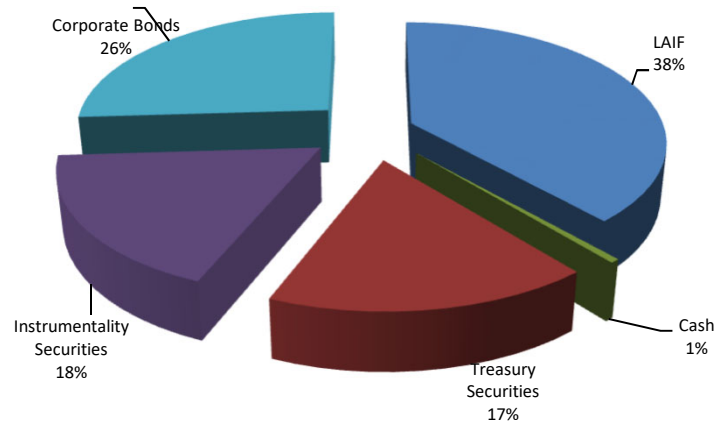


Total Portfolio Assets % Return

LAIF	\$	56,217,976	38%	0.37%
Cash	\$	759,084	1%	0.02%
Treasury Securities	\$	25,065,785	17%	0.83%
Instrumentality Securities	\$	26,189,804	18%	1.44%
Corporate Bonds	\$	37,959,691	26%	1.20%
Total Portfolio Assets	\$	146,192,340		

Weighted Average Yield **0.85%**

	Years	
Effective Average Duration - Total	1.00	
Weighted Average Maturity - Total	1.08	



Portfolio Change

Beginning Balance	\$	156,691,282
Ending Balance	\$	146,192,340

* Note: All data for external assets was provided by the client and is believed to be accurate.

Insight Investment does not manage the external assets and this report is provided for the client's use.

Market values are presented.

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CITY OF MENLO PARK

March 2022



Contents

Fixed income market review	3
Activity and performance summary	4
Recap of securities held	6
Maturity distribution of securities held	7
Securities held	8
GASB 40 - Deposit and investment risk disclosure	14
Securities purchased	19
Securities sold and matured	20
Detail of return and interest received	21
Transaction report	25
Additional information	26

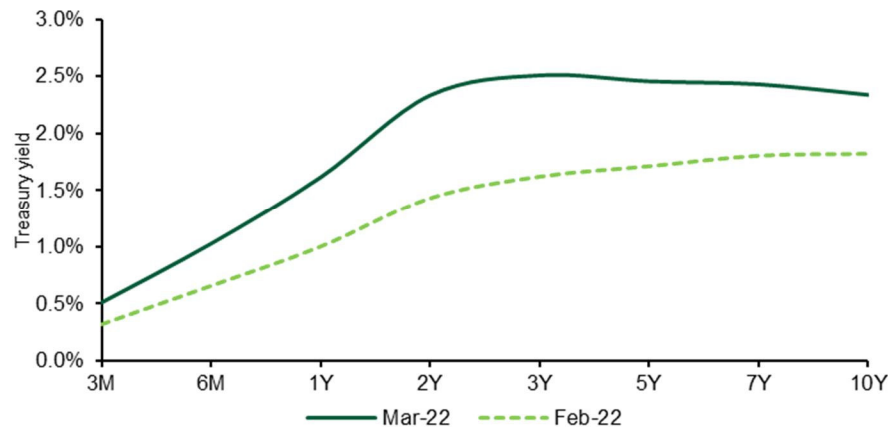
As of March 31, 2022

Chart 1: Commodity prices become increasingly volatile



Source: Bloomberg, March 31, 2022

Chart 2: Short-end Treasury yields rise as the Fed becomes more hawkish



Source: Bloomberg, March 31, 2022

Economic Indicators and Monetary Policy

The Federal Reserve (Fed) kicked-off its rate hiking cycle, with its first rate rise since 2018. The Fed’s quarterly “dot plot” was increasingly hawkish for the third straight meeting. The median projection rose to seven rate hikes this year, up from four in December. This implies one 25bp hike at every remaining meeting this year. Seven members were even more hawkish than this, pointing to openness toward 50bp moves.

CPI recorded another multi-decade high, albeit this time in line with expectations at 7.9% year-on-year, while Core CPI was 6.4%. Within the “sticky” categories, Notably, healthcare inflation moderated. In the shelter categories, owners’ equivalent rent maintained its recent pace at 0.4%, while rents accelerated to 0.6%.

Employment growth continued its strong run, with nonfarm jobs up 678,000, well above consensus estimates for ~500,000. The unemployment rate fell to 3.8% from 4%, further than expected even as the participation rate ticked up to 62.3%, a new cycle high. Average hourly earnings, the most anticipated element of the employment report, underwhelmed however, by remaining unchanged. However, idiosyncratic issues likely played a part following disruptions relating to the Omicron Covid-19 variant.

The war in Ukraine continued with Russia failing to take control of Kyiv and toward the end of the month, appearing to concentrate on Ukraine’s Eastern regions. Tentative peace talks began by the end of the month, albeit terms of an agreement still far off. The US announced a ban of imports on Russian oil and gas and the release of up to 180m barrels of domestic oil reserves over six months. This is the largest release since the reserve was created in 1974. Commodity prices continued to be volatile, particularly oil, gas, wheat and other agricultural commodities (Chart 1).

Interest Rate Summary

Yields rose materially across the curve, particularly the short end (Chart 2). At the end of March, the 3-month US Treasury bill yielded 0.51%, the 6-month US Treasury bill yielded 1.03%, the 2-year US Treasury note yielded 2.34%, the 5-year US Treasury note yielded 2.46% and the 10-year US Treasury note yielded 2.34%.

ACTIVITY AND PERFORMANCE SUMMARY

For the period March 1, 2022 - March 31, 2022

<u>Amortized Cost Basis Activity Summary</u>	
Opening balance	91,835,344.76
Income received	176,411.95
Total receipts	176,411.95
Total disbursements	0.00
Interportfolio transfers	0.00
Total Interportfolio transfers	0.00
Realized gain (loss)	0.00
Change in accruals from security movement	0.00
Total amortization expense	(62,990.59)
Total OID/MKT accretion income	4,969.14
Return of capital	0.00
Closing balance	91,953,735.26
Ending fair value	89,974,363.45
Unrealized gain (loss)	(1,979,371.81)

<u>Detail of Amortized Cost Basis Return</u>				
	Interest earned	Accretion (amortization)	Realized gain (loss)	Total income
Cash and Cash Equivalents	7.78	0.00	0.00	7.78
Corporate Bonds	88,433.71	(41,948.64)	0.00	46,485.07
Government Agencies	41,017.49	(4,840.79)	0.00	36,176.70
Government Bonds	29,578.00	(11,232.02)	0.00	18,345.98
Total	159,036.98	(58,021.45)	0.00	101,015.53

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.09	0.05	0.02
Overnight Repo	0.05	0.03	0.01
Merrill Lynch 3m US Treas Bill	0.09	0.08	0.03
Merrill Lynch 6m US Treas Bill	0.16	0.14	0.06
ML 1 Year US Treasury Note	0.32	0.29	0.11
ML 2 Year US Treasury Note	0.59	0.49	0.16
ML 5 Year US Treasury Note	1.16	0.74	0.18

* rates reflected are cumulative

<u>Summary of Amortized Cost Basis Return for the Period</u>	
	Total portfolio
Interest earned	159,036.98
Accretion (amortization)	(58,021.45)
Realized gain (loss) on sales	0.00
Total income on portfolio	101,015.53
Average daily amortized cost	91,916,943.51
Period return (%)	0.11
YTD return (%)	0.29
Weighted average final maturity in days	641

ACTIVITY AND PERFORMANCE SUMMARY

For the period March 1, 2022 - March 31, 2022

<u>Fair Value Basis Activity Summary</u>		
Opening balance		90,985,100.45
Income received	176,411.95	
Total receipts		176,411.95
Total disbursements		0.00
Interportfolio transfers	0.00	
Total Interportfolio transfers		0.00
Unrealized gain (loss) on security movements		0.00
Change in accruals from security movement		0.00
Return of capital		0.00
Change in fair value for the period		(1,187,148.95)
Ending fair value		89,974,363.45

<u>Detail of Fair Value Basis Return</u>			
	Interest earned	Change in fair value	Total income
Cash and Cash Equivalents	7.78	0.00	7.78
Corporate Bonds	88,433.71	(487,918.66)	(399,484.95)
Government Agencies	41,017.49	(312,749.81)	(271,732.32)
Government Bonds	29,578.00	(386,480.48)	(356,902.48)
Total	159,036.98	(1,187,148.95)	(1,028,111.97)

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.09	0.05	0.02
Overnight Repo	0.05	0.03	0.01
ICE Bofa 3 Months US T-BILL	0.06	0.05	0.03
ICE Bofa 6m US Treas Bill	(0.05)	(0.08)	(0.03)
ICE Bofa 1 Yr US Treasury Note	(0.94)	(0.98)	(0.38)
ICE BofA US Treasury 1-3	(2.84)	(2.86)	(1.33)
ICE BofA US Treasury 1-5	(3.72)	(3.82)	(1.86)

* rates reflected are cumulative

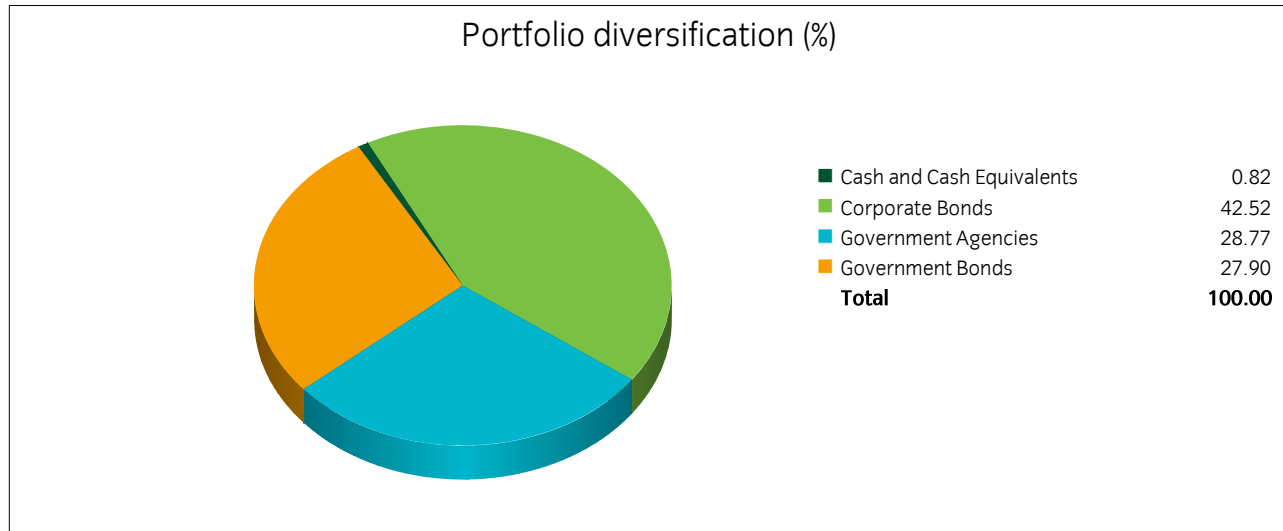
<u>Summary of Fair Value Basis Return for the Period</u>	
	Total portfolio
Interest earned	159,036.98
Change in fair value	(1,187,148.95)
Total income on portfolio	(1,028,111.97)
Average daily total value *	90,810,539.69
Period return (%)	(1.12)
YTD return (%)	(2.23)
Weighted average final maturity in days	641

* Total value equals market value and accrued interest

RECAP OF SECURITIES HELD

As of March 31, 2022

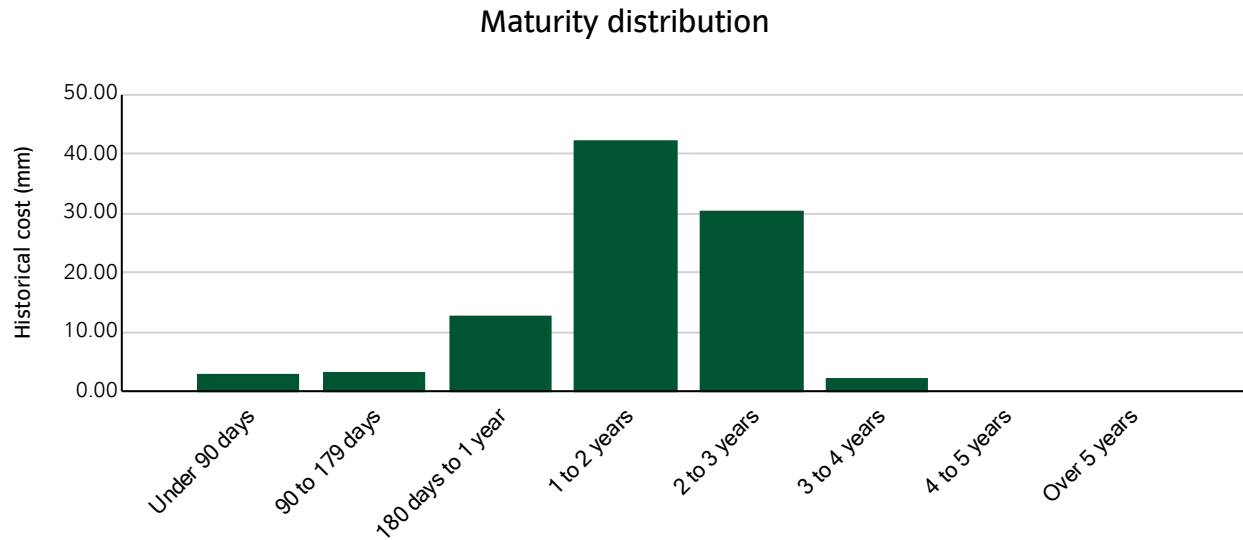
	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Weighted average final maturity (days)	Percent of portfolio	Weighted average effective duration (years)
Cash and Cash Equivalents	759,083.81	759,083.81	759,083.81	0.00	1	0.82	0.00
Corporate Bonds	39,483,202.94	38,837,598.69	37,959,690.67	(877,908.02)	664	42.52	1.58
Government Agencies	26,711,516.00	26,567,579.54	26,189,803.83	(377,775.71)	578	28.77	1.53
Government Bonds	25,905,927.51	25,789,473.22	25,065,785.14	(723,688.08)	690	27.90	1.85
Total	92,859,730.26	91,953,735.26	89,974,363.45	(1,979,371.81)	641	100.00	1.63



MATURITY DISTRIBUTION OF SECURITIES HELD

As of March 31, 2022

Maturity	Historic cost	Percent
Under 90 days	2,766,423.81	2.98
90 to 179 days	3,021,700.00	3.25
180 days to 1 year	12,757,229.91	13.74
1 to 2 years	42,133,248.88	45.37
2 to 3 years	30,181,127.66	32.50
3 to 4 years	2,000,000.00	2.15
4 to 5 years	0.00	0.00
Over 5 years	0.00	0.00
	92,859,730.26	100.00



SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Cash and Cash Equivalents										
	Cash and Cash Equivalents	0.000		759,083.81	759,083.81	759,083.81	759,083.81	0.00	0.00	0.82
Total Cash and Cash Equivalents				759,083.81	759,083.81	759,083.81	759,083.81	0.00	0.00	0.82
Corporate Bonds										
90331HPC1	US BANK NA CINCINNATI 2.65% 23MAY2022 (CALLABLE 22APR22)	2.650	05/23/2022 04/23/2022	1,000,000.00	1,012,470.00	1,000,269.75	1,001,014.72	744.97	9,422.22	1.09
037833DC1	APPLE INC 2.1% 12SEP2022 (CALLABLE 12AUG22)	2.100	09/12/2022 08/12/2022	2,000,000.00	2,026,680.00	2,003,887.15	2,005,558.42	1,671.27	2,216.67	2.18
02665WCA7	AMERICAN HONDA FINANCE 2.6% 16NOV2022	2.600	11/16/2022	1,000,000.00	1,011,150.00	1,002,072.29	1,004,866.10	2,793.81	9,750.00	1.09
46625HJH4	JPMORGAN CHASE & CO 3.2% 25JAN2023	3.200	01/25/2023	1,000,000.00	1,031,190.00	1,007,331.51	1,010,500.96	3,169.45	5,866.67	1.11
369550BD9	GENERAL DYNAMICS CORP 3.375% 15MAY2023 (CALLABLE 15APR23)	3.375	05/15/2023 04/15/2023	943,000.00	984,840.91	954,494.76	954,261.64	(233.12)	12,023.25	1.06
459200HP9	IBM CORP 3.375% 01AUG2023	3.375	08/01/2023	1,000,000.00	1,061,840.00	1,039,872.71	1,013,641.80	(26,230.91)	5,625.00	1.14
742718EB1	PROCTER & GAMBLE CO/THE 3.1% 15AUG2023	3.100	08/15/2023	1,000,000.00	1,041,328.13	1,013,776.04	1,010,651.79	(3,124.25)	3,961.11	1.12
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	1.350	08/25/2023	1,000,000.00	1,021,010.00	1,012,351.63	987,672.54	(24,679.09)	1,350.00	1.10
24422EUM9	JOHN DEERE CAPITAL CORP 3.65% 12OCT2023	3.650	10/12/2023	950,000.00	1,005,926.50	971,058.27	969,004.73	(2,053.54)	16,277.99	1.08
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	3.004	12/20/2023 12/20/2022	1,000,000.00	1,028,310.00	1,017,442.18	1,002,524.87	(14,917.31)	8,427.89	1.11

SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
14913R255	CATERPILLAR FINL SERVICE 0.95% 10JAN2024	0.950	01/10/2024	1,000,000.00	993,070.00	993,691.04	974,163.31	(19,527.73)	2,137.50	1.07
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	0.450	01/11/2024	1,800,000.00	1,797,858.00	1,798,343.76	1,738,391.60	(59,952.16)	1,800.00	1.94
02665WCT6	AMERICAN HONDA FINANCE 3.55% 12JAN2024	3.550	01/12/2024	1,000,000.00	1,090,440.00	1,053,513.81	1,015,506.31	(38,007.50)	7,790.28	1.17
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	0.450	01/17/2024	800,000.00	787,240.00	788,372.23	772,914.74	(15,457.49)	740.00	0.85
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	3.650	01/23/2024 12/23/2023	1,500,000.00	1,618,310.00	1,580,193.19	1,526,396.12	(53,797.07)	10,341.67	1.74
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	3.500	01/23/2024 12/24/2023	1,000,000.00	1,047,210.00	1,018,509.65	1,014,099.79	(4,409.86)	6,611.11	1.13
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	3.375	02/05/2024 01/05/2024	1,000,000.00	1,067,060.00	1,050,413.90	1,013,750.09	(36,663.81)	5,250.00	1.15
594918BX1	MICROSOFT CORP 2.875% 06FEB2024 (CALLABLE 06DEC23)	2.875	02/06/2024 12/06/2023	960,000.00	993,734.40	972,946.83	972,260.21	(686.62)	4,216.67	1.07
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	3.550	03/05/2024 03/05/2023	1,500,000.00	1,606,050.00	1,537,396.58	1,508,563.91	(28,832.67)	3,845.83	1.73
24422EUX5	JOHN DEERE CAPITAL CORP 2.6% 07MAR2024	2.600	03/07/2024	1,450,000.00	1,476,419.00	1,461,166.79	1,453,584.05	(7,582.74)	2,513.33	1.59
459200JY8	IBM CORP 3% 15MAY2024	3.000	05/15/2024	2,000,000.00	2,141,300.00	2,095,069.92	2,013,227.66	(81,842.26)	22,666.67	2.31
14913R2L0	CATERPILLAR FINL SERVICE 0.45% 17MAY2024	0.450	05/17/2024	1,600,000.00	1,597,536.00	1,598,259.77	1,530,450.83	(67,808.94)	2,680.00	1.72

SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
46647PBQ8	JPMORGAN CHASE & CO 1.514% 01JUN2024 (CALLABLE 01JUN23)	1.514	06/01/2024 06/01/2023	2,000,000.00	2,042,800.00	2,018,691.70	1,972,942.34	(45,749.36)	10,093.33	2.20
06051GHL6	BANK OF AMERICA CORP 3.864% 23JUL2024 (CALLABLE 23JUL23)	3.864	07/23/2024 07/23/2023	1,500,000.00	1,605,540.00	1,563,030.83	1,516,957.16	(46,073.67)	10,948.00	1.73
693506BQ9	PPG INDUSTRIES INC 2.4% 15AUG2024 (CALLABLE 15JUL24)	2.400	08/15/2024 07/15/2024	2,000,000.00	2,012,600.00	2,006,280.97	1,971,321.74	(34,959.23)	6,133.33	2.17
89236TGL3	TOYOTA MOTOR CREDIT CORP 2% 07OCT2024	2.000	10/07/2024	1,000,000.00	999,410.00	999,686.88	981,283.61	(18,403.27)	9,666.67	1.08
69353REF1	PNC BANK NA 3.3% 30OCT2024 (CALLABLE 30SEP24)	3.300	10/30/2024 09/30/2024	2,500,000.00	2,737,590.00	2,666,475.89	2,523,882.23	(142,593.66)	34,375.00	2.95
14913Q3B3	CATERPILLAR FINL SERVICE 2.15% 08NOV2024	2.150	11/08/2024	1,000,000.00	1,048,770.00	1,034,682.53	991,785.03	(42,897.50)	8,540.28	1.13
931142DV2	WALMART INC 2.65% 15DEC2024 (CALLABLE 15OCT24)	2.650	12/15/2024 10/15/2024	1,500,000.00	1,595,520.00	1,578,316.13	1,508,512.37	(69,803.76)	11,704.17	1.72
Total Corporate Bonds				38,003,000.00	39,483,202.94	38,837,598.69	37,959,690.67	(877,908.02)	236,974.64	42.52

Government Agencies

313379Q69	FEDERAL HOME LOAN BANK 2.125% 10JUN2022	2.125	06/10/2022	1,000,000.00	994,870.00	999,675.08	1,003,112.56	3,437.48	6,552.08	1.07
313380GJ0	FEDERAL HOME LOAN BANK 2% 09SEP2022 #0000	2.000	09/09/2022	1,000,000.00	995,020.00	999,332.92	1,004,383.60	5,050.68	1,222.22	1.07
3133EA7E2	FEDERAL FARM CREDIT BANK 1.96% 07NOV2022	1.960	11/07/2022	2,000,000.00	2,030,580.00	2,006,716.46	2,009,395.10	2,678.64	15,680.00	2.19
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	2.500	12/09/2022	1,500,000.00	1,531,815.00	1,506,342.62	1,511,453.07	5,110.45	11,666.67	1.65

SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
3133EKKT2	FEDERAL FARM CREDIT BANK 2.25% 08FEB2023	2.250	02/08/2023	1,500,000.00	1,520,580.00	1,504,846.06	1,511,147.87	6,301.81	4,968.75	1.64
3130AJ7E3	FEDERAL HOME LOAN BANK 1.375% 17FEB2023	1.375	02/17/2023	2,000,000.00	2,002,200.00	2,002,063.31	1,996,115.32	(5,947.99)	3,361.11	2.16
3135G0U43	FANNIE MAE 2.875% 12SEP2023	2.875	09/12/2023	2,000,000.00	2,081,960.00	2,028,202.45	2,020,287.60	(7,914.85)	3,034.72	2.24
3133EKVB9	FEDERAL FARM CREDIT BANK 1.86% 17OCT2023	1.860	10/17/2023	2,000,000.00	1,993,956.00	1,997,789.55	1,994,244.38	(3,545.17)	16,946.67	2.15
3133EKKU9	FEDERAL FARM CREDIT BANK 2.3% 08NOV2023	2.300	11/08/2023	1,500,000.00	1,524,645.00	1,509,027.13	1,505,427.29	(3,599.84)	13,704.17	1.64
3130AB3H7	FEDERAL HOME LOAN BANK 2.375% 08MAR2024	2.375	03/08/2024	2,000,000.00	2,045,380.00	2,018,709.53	2,001,150.24	(17,559.29)	3,034.72	2.20
3133EMTD4	FEDERAL FARM CREDIT BANK 0.37% 15MAR2024 (CALLABLE 12APR22)	0.370	03/15/2024	2,000,000.00	1,998,000.00	1,998,701.66	1,925,129.74	(73,571.92)	328.89	2.15
3133EMBE1	FEDERAL FARM CREDIT BANK 0.3% 28MAR2024 (CALLABLE 12APR22)	0.300	03/28/2024	2,000,000.00	1,998,500.00	1,999,145.92	1,918,697.84	(80,448.08)	50.00	2.15
3133EKNX0	FEDERAL FARM CREDIT BANK 2.16% 03JUN2024	2.160	06/03/2024	1,000,000.00	1,012,070.00	1,005,315.42	997,940.47	(7,374.95)	7,080.00	1.09
3135G0V75	FANNIE MAE 1.75% 02JUL2024	1.750	07/02/2024	2,000,000.00	1,982,440.00	1,992,052.00	1,972,471.40	(19,580.60)	8,652.78	2.13
3130AKX84	FEDERAL HOME LOAN BANK 0.27% 23AUG2024 (CALLABLE 23MAY22)	0.270	08/23/2024 05/23/2022	1,000,000.00	999,500.00	999,659.43	952,817.01	(46,842.42)	285.00	1.08

SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
3130AL7C2	FEDERAL HOME LOAN BANK 0.5% 25AUG2025 (CALLABLE 25MAY22)	0.500	08/25/2025 05/25/2022	2,000,000.00	2,000,000.00	2,000,000.00	1,866,030.34	(133,969.66)	1,000.00	2.15
Total Government Agencies				26,500,000.00	26,711,516.00	26,567,579.54	26,189,803.83	(377,775.71)	97,567.78	28.77
Government Bonds										
91282CAR2	USA TREASURY 0.125% 31OCT2022	0.125	10/31/2022	1,000,000.00	995,354.91	996,007.83	993,828.12	(2,179.71)	521.41	1.07
912828S35	USA TREASURY 1.375% 30JUN2023	1.375	06/30/2023	1,000,000.00	984,492.19	995,173.00	992,812.50	(2,360.50)	3,418.51	1.06
912828Y61	USA TREASURY 2.75% 31JUL2023	2.750	07/31/2023	1,000,000.00	1,040,468.75	1,014,544.86	1,009,257.81	(5,287.05)	4,482.04	1.12
912828D1	USA TREASURY 1.375% 31AUG2023	1.375	08/31/2023	2,000,000.00	1,967,109.38	1,988,842.61	1,980,156.24	(8,686.37)	2,316.58	2.12
912828D8	USA TREASURY 2.875% 30SEP2023	2.875	09/30/2023	1,000,000.00	1,041,679.69	1,034,243.58	1,011,132.81	(23,110.77)	0.00	1.12
91282CAP6	USA TREASURY 0.125% 15OCT2023	0.125	10/15/2023	1,500,000.00	1,493,203.13	1,495,460.69	1,453,769.54	(41,691.15)	860.23	1.61
91282CDD0	USA TREASURY 0.375% 31OCT2023	0.375	10/31/2023	2,000,000.00	1,981,803.58	1,983,665.54	1,943,906.24	(39,759.30)	3,128.45	2.13
912828P1	USA TREASURY 2.875% 30NOV2023	2.875	11/30/2023	1,800,000.00	1,881,216.97	1,867,111.44	1,818,843.75	(48,267.69)	17,202.61	2.03
912828V23	USA TREASURY 2.25% 31DEC2023	2.250	12/31/2023	1,000,000.00	1,019,261.16	1,007,498.26	999,843.75	(7,654.51)	5,593.92	1.10
91282CBM2	USA TREASURY 0.125% 15FEB2024	0.125	02/15/2024	1,500,000.00	1,489,746.09	1,492,718.24	1,440,410.16	(52,308.08)	227.90	1.60

SECURITIES HELD

As of March 31, 2022

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
9128286R6	USA TREASURY 2.25% 30APR2024	2.250	04/30/2024	1,000,000.00	1,023,050.23	1,011,081.00	997,343.75	(13,737.25)	9,385.36	1.10
91282CCC3	USA TREASURY 0.25% 15MAY2024	0.250	05/15/2024	2,000,000.00	1,997,116.08	1,997,924.01	1,911,640.62	(86,283.39)	1,878.45	2.15
912828XT2	USA TREASURY 2% 31MAY2024	2.000	05/31/2024	2,000,000.00	2,101,803.58	2,068,972.14	1,983,125.00	(85,847.14)	13,296.70	2.26
912828Y87	USA TREASURY 1.75% 31JUL2024	1.750	07/31/2024	2,000,000.00	2,087,272.33	2,060,523.01	1,968,750.00	(91,773.01)	5,704.42	2.25
9128282U3	USA TREASURY 1.875% 31AUG2024	1.875	08/31/2024	1,000,000.00	1,012,382.81	1,006,291.04	986,054.69	(20,236.35)	1,579.48	1.09
91282CCX7	USA TREASURY 0.375% 15SEP2024	0.375	09/15/2024	1,700,000.00	1,696,685.38	1,697,286.12	1,615,066.40	(82,219.72)	277.17	1.83
912828YY0	USA TREASURY 1.75% 31DEC2024	1.750	12/31/2024	2,000,000.00	2,093,281.25	2,072,129.85	1,959,843.76	(112,286.09)	8,701.66	2.25
Total Government Bonds				25,500,000.00	25,905,927.51	25,789,473.22	25,065,785.14	(723,688.08)	78,574.89	27.90
Grand total				90,762,083.81	92,859,730.26	91,953,735.26	89,974,363.45	(1,979,371.81)	413,117.31	100.00

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of March 31, 2022

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
United States Treasury Note/Bond												
91282CAR2	USA TREASURY 0.125%	0.125	10/31/2022		AA+	Aaa	1,000,000.00	995,354.91	1.07	993,828.12	1.10	0.58
912828S35	USA TREASURY 1.375%	1.375	06/30/2023		AA+	Aaa	1,000,000.00	984,492.19	1.06	992,812.50	1.10	1.23
912828Y61	USA TREASURY 2.75%	2.750	07/31/2023		AA+	Aaa	1,000,000.00	1,040,468.75	1.12	1,009,257.81	1.12	1.30
9128282D1	USA TREASURY 1.375%	1.375	08/31/2023		AA+	Aaa	2,000,000.00	1,967,109.38	2.12	1,980,156.24	2.20	1.40
9128285D8	USA TREASURY 2.875%	2.875	09/30/2023		AA+	Aaa	1,000,000.00	1,041,679.69	1.12	1,011,132.81	1.12	1.47
91282CAP6	USA TREASURY 0.125%	0.125	10/15/2023		AA+	Aaa	1,500,000.00	1,493,203.13	1.61	1,453,769.54	1.62	1.53
91282CDD0	USA TREASURY 0.375%	0.375	10/31/2023		AA+	Aaa	2,000,000.00	1,981,803.58	2.13	1,943,906.24	2.16	1.57
9128285P1	USA TREASURY 2.875%	2.875	11/30/2023		AA+	Aaa	1,800,000.00	1,881,216.97	2.03	1,818,843.75	2.02	1.61
912828V23	USA TREASURY 2.25%	2.250	12/31/2023		AA+	Aaa	1,000,000.00	1,019,261.16	1.10	999,843.75	1.11	1.70
91282CBM2	USA TREASURY 0.125%	0.125	02/15/2024		AA+	Aaa	1,500,000.00	1,489,746.09	1.60	1,440,410.16	1.60	1.86
9128286R6	USA TREASURY 2.25%	2.250	04/30/2024		AA+	Aaa	1,000,000.00	1,023,050.23	1.10	997,343.75	1.11	2.01
91282CCC3	USA TREASURY 0.25%	0.250	05/15/2024		AA+	Aaa	2,000,000.00	1,997,116.08	2.15	1,911,640.62	2.12	2.10
912828XT2	USA TREASURY 2%	2.000	05/31/2024		AA+	Aaa	2,000,000.00	2,101,803.58	2.26	1,983,125.00	2.20	2.10
912828Y87	USA TREASURY 1.75%	1.750	07/31/2024		AA+	Aaa	2,000,000.00	2,087,272.33	2.25	1,968,750.00	2.19	2.27
9128282U3	USA TREASURY 1.875%	1.875	08/31/2024		AA+	Aaa	1,000,000.00	1,012,382.81	1.09	986,054.69	1.10	2.35
91282CCX7	USA TREASURY 0.375%	0.375	09/15/2024		AA+	Aaa	1,700,000.00	1,696,685.38	1.83	1,615,066.40	1.80	2.43
912828YY0	USA TREASURY 1.75%	1.750	12/31/2024		AA+	Aaa	2,000,000.00	2,093,281.25	2.25	1,959,843.76	2.18	2.66
Issuer total							25,500,000.00	25,905,927.51	27.90	25,065,785.14	27.86	1.85

Federal Farm Credit Banks Funding Corp

3133EA7E2	FEDERAL FARM CREDIT	1.960	11/07/2022		AA+	Aaa	2,000,000.00	2,030,580.00	2.19	2,009,395.10	2.23	0.60
3133EKKT2	FEDERAL FARM CREDIT	2.250	02/08/2023		AA+	Aaa	1,500,000.00	1,520,580.00	1.64	1,511,147.87	1.68	0.85
3133EKVB9	FEDERAL FARM CREDIT	1.860	10/17/2023		AA+	Aaa	2,000,000.00	1,993,956.00	2.15	1,994,244.38	2.22	1.51
3133EKKU9	FEDERAL FARM CREDIT	2.300	11/08/2023		AA+	Aaa	1,500,000.00	1,524,645.00	1.64	1,505,427.29	1.67	1.56
3133EMTD4	FEDERAL FARM CREDIT	0.370	03/15/2024		AA+	Aaa	2,000,000.00	1,998,000.00	2.15	1,925,129.74	2.14	1.88

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of March 31, 2022

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Federal Farm Credit Banks Funding Corp												
3133EMBE1	FEDERAL FARM CREDIT	0.300	03/28/2024		AA+	Aaa	2,000,000.00	1,998,500.00	2.15	1,918,697.84	2.13	1.92
3133EKNX0	FEDERAL FARM CREDIT	2.160	06/03/2024		AA+	Aaa	1,000,000.00	1,012,070.00	1.09	997,940.47	1.11	2.11
Issuer total							12,000,000.00	12,078,331.00	13.01	11,861,982.69	13.18	1.46
Federal Home Loan Banks												
313379Q69	FEDERAL HOME LOAN	2.125	06/10/2022		AA+	Aaa	1,000,000.00	994,870.00	1.07	1,003,112.56	1.11	0.19
313380GJ0	FEDERAL HOME LOAN	2.000	09/09/2022		AA+	Aaa	1,000,000.00	995,020.00	1.07	1,004,383.60	1.12	0.44
3130A3KM5	FEDERAL HOME LOAN	2.500	12/09/2022		AA+	Aaa	1,500,000.00	1,531,815.00	1.65	1,511,453.07	1.68	0.68
3130AJ7E3	FEDERAL HOME LOAN	1.375	02/17/2023		AA+	Aaa	2,000,000.00	2,002,200.00	2.16	1,996,115.32	2.22	0.88
3130AB3H7	FEDERAL HOME LOAN	2.375	03/08/2024		AA+	Aaa	2,000,000.00	2,045,380.00	2.20	2,001,150.24	2.22	1.88
3130AKX84	FEDERAL HOME LOAN	0.270	08/23/2024	05/23/2022	AA+	Aaa	1,000,000.00	999,500.00	1.08	952,817.01	1.06	2.32
3130AL7C2	FEDERAL HOME LOAN	0.500	08/25/2025	05/25/2022	AA+	Aaa	2,000,000.00	2,000,000.00	2.15	1,866,030.34	2.07	3.17
Issuer total							10,500,000.00	10,568,785.00	11.38	10,335,062.14	11.49	1.51
Bank of America Corp												
06051GHC6	BANK OF AMERICA CORP	3.004	12/20/2023	12/20/2022	A-	A2	1,000,000.00	1,028,310.00	1.11	1,002,524.87	1.11	0.71
06051GHF9	BANK OF AMERICA CORP	3.550	03/05/2024	03/05/2023	A-	A2	1,500,000.00	1,606,050.00	1.73	1,508,563.91	1.68	0.91
06051GHL6	BANK OF AMERICA CORP	3.864	07/23/2024	07/23/2023	A-	A2	1,500,000.00	1,605,540.00	1.73	1,516,957.16	1.69	1.27
Issuer total							4,000,000.00	4,239,900.00	4.57	4,028,045.94	4.48	1.00
Federal National Mortgage Association												
3135G0U43	FANNIE MAE 2.875%	2.875	09/12/2023		AA+	Aaa	2,000,000.00	2,081,960.00	2.24	2,020,287.60	2.25	1.42
3135G0V75	FANNIE MAE 1.75%	1.750	07/02/2024		AA+	Aaa	2,000,000.00	1,982,440.00	2.13	1,972,471.40	2.19	2.19
Issuer total							4,000,000.00	4,064,400.00	4.38	3,992,759.00	4.44	1.80
Toyota Motor Credit Corp												
89236THA6	TOYOTA MOTOR CREDIT	1.350	08/25/2023		A+	A1	1,000,000.00	1,021,010.00	1.10	987,672.54	1.10	1.38

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of March 31, 2022

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Toyota Motor Credit Corp												
89236THU2	TOYOTA MOTOR CREDIT	0.450	01/11/2024		A+	A1	1,800,000.00	1,797,858.00	1.94	1,738,391.60	1.93	1.76
89236TGL3	TOYOTA MOTOR CREDIT	2.000	10/07/2024		A+	A1	1,000,000.00	999,410.00	1.08	981,283.61	1.09	2.42
Issuer total							3,800,000.00	3,818,278.00	4.11	3,707,347.75	4.12	1.83
Caterpillar Financial Services Corp												
14913R255	CATERPILLAR FINL	0.950	01/10/2024		A	A2	1,000,000.00	993,070.00	1.07	974,163.31	1.08	1.75
14913R2L0	CATERPILLAR FINL	0.450	05/17/2024		A	A2	1,600,000.00	1,597,536.00	1.72	1,530,450.83	1.70	2.10
14913Q3B3	CATERPILLAR FINL	2.150	11/08/2024		A	A2	1,000,000.00	1,048,770.00	1.13	991,785.03	1.10	2.51
Issuer total							3,600,000.00	3,639,376.00	3.92	3,496,399.17	3.89	2.12
John Deere Capital Corp												
24422EUM9	JOHN DEERE CAPITAL	3.650	10/12/2023		A	A2	950,000.00	1,005,926.50	1.08	969,004.73	1.08	1.47
24422EVN6	JOHN DEERE CAPITAL	0.450	01/17/2024		A	A2	800,000.00	787,240.00	0.85	772,914.74	0.86	1.78
24422EUX5	JOHN DEERE CAPITAL	2.600	03/07/2024		A	A2	1,450,000.00	1,476,419.00	1.59	1,453,584.05	1.62	1.88
Issuer total							3,200,000.00	3,269,585.50	3.52	3,195,503.52	3.55	1.73
International Business Machines Corp												
459200HP9	IBM CORP 3.375%	3.375	08/01/2023		A-	A3	1,000,000.00	1,061,840.00	1.14	1,013,641.80	1.13	1.30
459200JY8	IBM CORP 3%	3.000	05/15/2024		A-	A3	2,000,000.00	2,141,300.00	2.31	2,013,227.66	2.24	2.03
Issuer total							3,000,000.00	3,203,140.00	3.45	3,026,869.46	3.36	1.79
JPMorgan Chase & Co												
46625HJH4	JPMORGAN CHASE & CO	3.200	01/25/2023		A-	A2	1,000,000.00	1,031,190.00	1.11	1,010,500.96	1.12	0.81
46647PBQ8	JPMORGAN CHASE & CO	1.514	06/01/2024	06/01/2023	A-	A2	2,000,000.00	2,042,800.00	2.20	1,972,942.34	2.19	1.14
Issuer total							3,000,000.00	3,073,990.00	3.31	2,983,443.30	3.32	1.03

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of March 31, 2022

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
PNC Bank NA												
69353REF1	PNC BANK NA 3.3%	3.300	10/30/2024	09/30/2024	A	A2	2,500,000.00	2,737,590.00	2.95	2,523,882.23	2.81	2.40
Issuer total							2,500,000.00	2,737,590.00	2.95	2,523,882.23	2.81	2.40
American Honda Finance Corp												
02665WCA7	AMERICAN HONDA	2.600	11/16/2022		A-	A3	1,000,000.00	1,011,150.00	1.09	1,004,866.10	1.12	0.62
02665WCT6	AMERICAN HONDA	3.550	01/12/2024		A-	A3	1,000,000.00	1,090,440.00	1.17	1,015,506.31	1.13	1.72
Issuer total							2,000,000.00	2,101,590.00	2.26	2,020,372.41	2.25	1.19
Apple Inc												
037833DC1	APPLE INC 2.1%	2.100	09/12/2022	08/12/2022	AA+	Aaa	2,000,000.00	2,026,680.00	2.18	2,005,558.42	2.23	0.41
Issuer total							2,000,000.00	2,026,680.00	2.18	2,005,558.42	2.23	0.41
PPG Industries Inc												
693506BQ9	PPG INDUSTRIES INC 2.4%	2.400	08/15/2024	07/15/2024	BBB+	A3	2,000,000.00	2,012,600.00	2.17	1,971,321.74	2.19	2.26
Issuer total							2,000,000.00	2,012,600.00	2.17	1,971,321.74	2.19	2.26
Citibank NA												
17325FAS7	CITIBANK NA 3.65%	3.650	01/23/2024	12/23/2023	A+	Aa3	1,500,000.00	1,618,310.00	1.74	1,526,396.12	1.70	1.70
Issuer total							1,500,000.00	1,618,310.00	1.74	1,526,396.12	1.70	1.70
Walmart Inc												
931142DV2	WALMART INC 2.65%	2.650	12/15/2024	10/15/2024	AA	Aa2	1,500,000.00	1,595,520.00	1.72	1,508,512.37	1.68	2.51
Issuer total							1,500,000.00	1,595,520.00	1.72	1,508,512.37	1.68	2.51
PNC Financial Services Group Inc/The												
693475AV7	PNC FINANCIAL	3.500	01/23/2024	12/24/2023	A-	A3	1,000,000.00	1,047,210.00	1.13	1,014,099.79	1.13	1.70
Issuer total							1,000,000.00	1,047,210.00	1.13	1,014,099.79	1.13	1.70

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of March 31, 2022

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
US Bancorp												
91159HHV5	US BANCORP 3.375%	3.375	02/05/2024	01/05/2024	A+	A2	1,000,000.00	1,067,060.00	1.15	1,013,750.09	1.13	1.74
Issuer total							1,000,000.00	1,067,060.00	1.15	1,013,750.09	1.13	1.74
Procter & Gamble Co/The												
742718EB1	PROCTER & GAMBLE	3.100	08/15/2023		AA-	Aa3	1,000,000.00	1,041,328.13	1.12	1,010,651.79	1.12	1.34
Issuer total							1,000,000.00	1,041,328.13	1.12	1,010,651.79	1.12	1.34
US Bank NA/Cincinnati OH												
90331HPC1	US BANK NA CINCINNATI	2.650	05/23/2022	04/23/2022	AA-	A1	1,000,000.00	1,012,470.00	1.09	1,001,014.72	1.11	0.08
Issuer total							1,000,000.00	1,012,470.00	1.09	1,001,014.72	1.11	0.08
Microsoft Corp												
594918BX1	MICROSOFT CORP 2.875%	2.875	02/06/2024	12/06/2023	AAA	Aaa	960,000.00	993,734.40	1.07	972,260.21	1.08	1.72
Issuer total							960,000.00	993,734.40	1.07	972,260.21	1.08	1.72
General Dynamics Corp												
369550BD9	GENERAL DYNAMICS	3.375	05/15/2023	04/15/2023	A-	A3	943,000.00	984,840.91	1.06	954,261.64	1.06	1.04
Issuer total							943,000.00	984,840.91	1.06	954,261.64	1.06	1.04
Cash and Cash Equivalents												
	INVESTED CASH	0.000					759,083.81	759,083.81	0.00	759,083.81	0.84	0.00
Issuer total							759,083.81	759,083.81	0.00	759,083.81	0.84	0.00
Grand total							90,762,083.81	92,859,730.26	100.00	89,974,363.45	100.00	1.63

SECURITIES PURCHASED

For the period March 1, 2022 - March 31, 2022

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Unit cost	Principal cost	Accrued interest
Government Agencies								
3130AJ7E3	FEDERAL HOME LOAN BANK 1.375% WELLS FARGO BANK, N.A.	03/10/2022 03/11/2022	1.375	02/17/2023	2,000,000.00	100.11	(2,002,200.00)	(1,833.33)
Total Government Agencies					2,000,000.00		(2,002,200.00)	(1,833.33)
Grand total					2,000,000.00		(2,002,200.00)	(1,833.33)

SECURITIES SOLD AND MATURED

For the period March 1, 2022 - March 31, 2022

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost at sale or maturity	Price	Fair value at sale or maturity	Realized gain (loss)	Accrued interest sold
Government Agencies											
313378WG2	FEDERAL HOME LN BKS CONS BD DTD 2.5 DUE 03-11-2022	03/11/2022 03/11/2022	2.500		(2,000,000.00)	2,019,700.00	2,000,000.00	0.00	2,000,000.00	0.00	0.00
Total (Government Agencies)					(2,000,000.00)	2,019,700.00	2,000,000.00		2,000,000.00	0.00	0.00
Grand total					(2,000,000.00)	2,019,700.00	2,000,000.00		2,000,000.00	0.00	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period March 1, 2022 - March 31, 2022

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Cash						
	Cash and Cash Equivalents	0.00	0.00	0.00	7.78	7.78
Total Cash		0.00	0.00	0.00	7.78	7.78
Corporate Bonds						
02665WCA7	AMERICAN HONDA FINANCE 2.6% 16NOV2022	(275.08)	0.00	(5,128.96)	2,383.33	0.00
02665WCT6	AMERICAN HONDA FINANCE 3.55% 12JAN2024	(2,500.64)	0.00	(15,826.63)	3,254.17	0.00
037833DC1	APPLE INC 2.1% 12SEP2022 (CALLABLE 12AUG22)	(883.45)	0.00	(6,196.18)	3,850.00	21,000.00
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	(2,012.56)	0.00	(6,362.50)	2,753.67	0.00
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	(3,348.95)	0.00	(15,196.14)	4,881.25	26,625.00
06051GHL6	BANK OF AMERICA CORP 3.864% 23JUL2024 (CALLABLE 23JUL23)	(3,997.73)	0.00	(16,941.40)	5,313.00	0.00
14913R2L0	CATERPILLAR FINL SERVICE 0.45% 17MAY2024	68.06	0.00	(22,630.13)	660.00	0.00
14913R2S5	CATERPILLAR FINL SERVICE 0.95% 10JAN2024	295.73	0.00	(13,267.76)	870.83	0.00
14913Q3B3	CATERPILLAR FINL SERVICE 2.15% 08NOV2024	(1,109.25)	0.00	(13,324.38)	1,970.84	0.00
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	(3,861.63)	0.00	(24,257.76)	5,018.75	0.00
369550BD9	GENERAL DYNAMICS CORP 3.375% 15MAY2023 (CALLABLE 15APR23)	(919.58)	0.00	(8,379.55)	2,917.41	0.00
459200JY8	IBM CORP 3% 15MAY2024	(3,728.23)	0.00	(32,325.34)	5,500.00	0.00
459200HP9	IBM CORP 3.375% 01AUG2023	(2,486.86)	0.00	(11,271.04)	3,093.75	0.00
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	539.16	0.00	(9,301.46)	330.00	0.00
24422EUX5	JOHN DEERE CAPITAL CORP 2.6% 07MAR2024	(480.64)	0.00	(21,577.21)	3,455.83	18,850.00
24422EUM9	JOHN DEERE CAPITAL CORP 3.65% 12OCT2023	(1,144.47)	0.00	(9,426.80)	3,178.55	0.00
46647PBQ8	JPMORGAN CHASE & CO 1.514% 01JUN2024 (CALLABLE 01JUN23)	(1,331.95)	0.00	(19,283.74)	2,775.66	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period March 1, 2022 - March 31, 2022

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Corporate Bonds						
46625HJH4	JPMORGAN CHASE & CO 3.2% 25JAN2023	(745.58)	0.00	(6,195.44)	2,933.34	0.00
594918BX1	MICROSOFT CORP 2.875% 06FEB2024 (CALLABLE 06DEC23)	(640.93)	0.00	(10,722.25)	2,530.00	0.00
69353REF1	PNC BANK NA 3.3% 30OCT2024 (CALLABLE 30SEP24)	(5,549.20)	0.00	(58,142.92)	7,333.33	0.00
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	(891.31)	0.00	(15,283.89)	3,208.33	0.00
693506BQ9	PPG INDUSTRIES INC 2.4% 15AUG2024 (CALLABLE 15JUL24)	(228.40)	0.00	(44,975.08)	4,400.00	0.00
742718EB1	PROCTER & GAMBLE CO/THE 3.1% 15AUG2023	(834.92)	0.00	(12,346.85)	2,841.67	0.00
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	77.51	0.00	(18,945.74)	742.50	0.00
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	(733.76)	0.00	(8,842.28)	1,237.50	0.00
89236TGL3	TOYOTA MOTOR CREDIT CORP 2% 07OCT2024	10.36	0.00	(19,514.26)	1,833.34	0.00
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	(2,298.75)	0.00	(13,752.28)	3,093.75	0.00
90331HPC1	US BANK NA CINCINNATI 2.65% 23MAY2022 (CALLABLE 22APR22)	(367.85)	0.00	(1,817.81)	2,429.16	0.00
931142DV2	WALMART INC 2.65% 15DEC2024 (CALLABLE 15OCT24)	(2,567.74)	0.00	(26,682.88)	3,643.75	0.00
Total Corporate Bonds		(41,948.64)	0.00	(487,918.66)	88,433.71	66,475.00
Government Agencies						
3135G0V75	FANNIE MAE 1.75% 02JUL2024	293.65	0.00	(33,870.56)	3,208.34	0.00
3135G0U43	FANNIE MAE 2.875% 12SEP2023	(1,620.83)	0.00	(24,711.60)	5,270.83	28,750.00
3133EMBE1	FEDERAL FARM CREDIT BANK 0.3% 28MAR2024 (CALLABLE 12APR22)	35.69	0.00	(35,245.84)	550.00	3,000.00
3133EMTD4	FEDERAL FARM CREDIT BANK 0.37% 15MAR2024 (CALLABLE 12APR22)	55.25	0.00	(27,332.02)	678.33	3,700.00
3133EKVB9	FEDERAL FARM CREDIT BANK 1.86% 17OCT2023	119.05	0.00	(24,002.32)	3,410.00	0.00
3133EA7E2	FEDERAL FARM CREDIT BANK 1.96% 07NOV2022	(928.54)	0.00	(8,804.08)	3,593.33	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period March 1, 2022 - March 31, 2022

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Government Agencies						
3133EKNX0	FEDERAL FARM CREDIT BANK 2.16% 03JUN2024	(203.65)	0.00	(15,777.72)	1,980.00	0.00
3133EKKT2	FEDERAL FARM CREDIT BANK 2.25% 08FEB2023	(472.01)	0.00	(8,870.62)	3,093.75	0.00
3133EKKU9	FEDERAL FARM CREDIT BANK 2.3% 08NOV2023	(468.54)	0.00	(18,751.48)	3,162.50	0.00
313378WG2	FEDERAL HOME LN BKS CONS BD DTD 2.5 DUE 03-11-2022	(216.27)	0.00	(1,391.54)	1,805.56	25,000.00
3130AKX84	FEDERAL HOME LOAN BANK 0.27% 23AUG2024 (CALLABLE 23MAY22)	11.84	0.00	(17,239.29)	247.50	0.00
3130AL7C2	FEDERAL HOME LOAN BANK 0.5% 25AUG2025 (CALLABLE 25MAY22)	0.00	0.00	(46,767.06)	916.67	0.00
3130AJ7E3	FEDERAL HOME LOAN BANK 1.375% 17FEB2023	(136.69)	0.00	(6,084.68)	1,527.78	0.00
313380GJ0	FEDERAL HOME LOAN BANK 2% 09SEP2022 #0000	125.86	0.00	(2,024.05)	1,833.33	10,000.00
313379Q69	FEDERAL HOME LOAN BANK 2.125% 10JUN2022	132.71	0.00	(1,483.03)	1,947.91	0.00
3130AB3H7	FEDERAL HOME LOAN BANK 2.375% 08MAR2024	(804.14)	0.00	(34,750.42)	4,354.16	23,750.00
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	(764.17)	0.00	(5,643.50)	3,437.50	0.00
Total Government Agencies		(4,840.79)	0.00	(312,749.81)	41,017.49	94,200.00
Government Bonds						
91282CBM2	USA TREASURY 0.125% 15FEB2024	329.06	0.00	(20,742.18)	160.57	0.00
91282CAP6	USA TREASURY 0.125% 15OCT2023	249.94	0.00	(15,996.09)	159.68	0.00
91282CAR2	USA TREASURY 0.125% 31OCT2022	578.30	0.00	(1,640.63)	107.04	0.00
91282CCC3	USA TREASURY 0.25% 15MAY2024	82.94	0.00	(32,812.50)	428.17	0.00
91282CCX7	USA TREASURY 0.375% 15SEP2024	93.59	0.00	(33,468.75)	541.33	3,187.50
91282CDD0	USA TREASURY 0.375% 31OCT2023	874.56	0.00	(22,031.26)	642.26	0.00
91282S35	USA TREASURY 1.375% 30JUN2023	328.16	0.00	(8,750.00)	1,177.49	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period March 1, 2022 - March 31, 2022

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Government Bonds						
9128282D1	USA TREASURY 1.375% 31AUG2023	667.72	0.00	(20,859.38)	2,316.58	0.00
912828YY0	USA TREASURY 1.75% 31DEC2024	(2,222.69)	0.00	(47,421.86)	2,997.24	0.00
912828Y87	USA TREASURY 1.75% 31JUL2024	(2,199.54)	0.00	(40,468.76)	2,997.24	0.00
9128282U3	USA TREASURY 1.875% 31AUG2024	(220.61)	0.00	(21,328.12)	1,579.48	0.00
912828XT2	USA TREASURY 2% 31MAY2024	(2,699.67)	0.00	(37,578.12)	3,406.59	0.00
9128286R6	USA TREASURY 2.25% 30APR2024	(451.40)	0.00	(18,203.13)	1,926.80	0.00
912828V23	USA TREASURY 2.25% 31DEC2023	(363.20)	0.00	(14,765.63)	1,926.79	0.00
912828Y61	USA TREASURY 2.75% 31JUL2023	(925.85)	0.00	(11,328.13)	2,354.97	0.00
9128285P1	USA TREASURY 2.875% 30NOV2023	(3,416.19)	0.00	(26,507.81)	4,407.28	0.00
9128285D8	USA TREASURY 2.875% 30SEP2023	(1,937.14)	0.00	(12,578.13)	2,448.49	14,375.00
Total Government Bonds		(11,232.02)	0.00	(386,480.48)	29,578.00	17,562.50
Grand total		(58,021.45)	0.00	(1,187,148.95)	159,036.98	178,245.28

TRANSACTION REPORT

For the period March 1, 2022 - March 31, 2022

Trade date Settle date	Cusip	Transaction	Sec type	Description	Maturity	Par value or shares	Realized gain(loss)	Principal	Interest	Transaction total
03/05/2022 03/05/2022	06051GHF9	Income	Corporate Bonds	BANK OF AMERICA CORP 3.55%	03/05/2024	1,500,000.00	0.00	0.00	26,625.00	26,625.00
03/07/2022 03/07/2022	24422EUX5	Income	Corporate Bonds	JOHN DEERE CAPITAL CORP	03/07/2024	1,450,000.00	0.00	0.00	18,850.00	18,850.00
03/08/2022 03/08/2022	3130AB3H7	Income	Government Agencies	FEDERAL HOME LOAN BANK	03/08/2024	2,000,000.00	0.00	0.00	23,750.00	23,750.00
03/09/2022 03/09/2022	313380GJ0	Income	Government Agencies	FEDERAL HOME LOAN BANK 2%	09/09/2022	1,000,000.00	0.00	0.00	10,000.00	10,000.00
03/10/2022 03/11/2022	3130AJ7E3	Bought	Government Agencies	FEDERAL HOME LOAN BANK	02/17/2023	2,000,000.00	0.00	(2,002,200.00)	(1,833.33)	(2,004,033.33)
03/11/2022 03/11/2022	313378WG2	Income	Government Agencies	FEDERAL HOME LN BKS CONS	03/11/2022	2,000,000.00	0.00	0.00	25,000.00	25,000.00
03/11/2022 03/11/2022	313378WG2	Capital Change	Government Agencies	FEDERAL HOME LN BKS CONS	03/11/2022	(2,000,000.00)	0.00	2,000,000.00	0.00	2,000,000.00
03/12/2022 03/12/2022	037833DC1	Income	Corporate Bonds	APPLE INC 2.1% 12SEP2022	09/12/2022	2,000,000.00	0.00	0.00	21,000.00	21,000.00
03/12/2022 03/12/2022	3135G0U43	Income	Government Agencies	FANNIE MAE 2.875%	09/12/2023	2,000,000.00	0.00	0.00	28,750.00	28,750.00
03/15/2022 03/15/2022	3133EMTD4	Income	Government Agencies	FEDERAL FARM CREDIT BANK	03/15/2024	2,000,000.00	0.00	0.00	3,700.00	3,700.00
03/15/2022 03/15/2022	91282CCX7	Income	Government Bonds	USA TREASURY 0.375%	09/15/2024	1,700,000.00	0.00	0.00	3,187.50	3,187.50
03/28/2022 03/28/2022	3133EMBE1	Income	Government Agencies	FEDERAL FARM CREDIT BANK	03/28/2024	2,000,000.00	0.00	0.00	3,000.00	3,000.00
03/31/2022 03/31/2022	9128285D8	Income	Government Bonds	USA TREASURY 2.875%	09/30/2023	1,000,000.00	0.00	0.00	14,375.00	14,375.00
03/31/2022		Income	Cash and Cash Equivalent	Cash		0.00	0.00	0.00	7.78	7.78

ADDITIONAL INFORMATION

As of March 31, 2022

Past performance is not a guide to future performance. The value of investments and any income from them will fluctuate and is not guaranteed (this may partly be due to exchange rate changes) and investors may not get back the amount invested. Transactions in foreign securities may be executed and settled in local markets. Performance comparisons will be affected by changes in interest rates. Investment returns fluctuate due to changes in market conditions. Investment involves risk, including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. The information contained herein is for your reference only and is being provided in response to your specific request and has been obtained from sources believed to be reliable; however, no representation is made regarding its accuracy or completeness. This document must not be used for the purpose of an offer or solicitation in any jurisdiction or in any circumstances in which such offer or solicitation is unlawful or otherwise not permitted. This document should not be duplicated, amended, or forwarded to a third party without consent from Insight. This is a marketing document intended for professional clients only and should not be made available to or relied upon by retail clients.

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Where indicated, performance numbers used in the analysis are gross returns. The performance reflects the reinvestment of all dividends and income. INA charges management fees on all portfolios managed and these fees will reduce the returns on the portfolios. For example, assume that \$30 million is invested in an account with INA, and this account achieves a 5.0% annual return compounded monthly, gross of fees, for a period of five years. At the end of five years that account would have grown to \$38,500,760 before the deduction of management fees. Assuming management fees of 0.25% per year are deducted monthly from the account, the value at the end of the five year period would be \$38,022,447. Actual fees for new accounts are dependent on size and subject to negotiation. INA's investment advisory fees are discussed in Part 2A of its Form ADV.

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Please compare the information provided in this statement to the information provided in the statement received from your Custodian.

For trading activity the Clearing broker will be reflected. In certain cases the Clearing broker will differ from the Executing broker.

In calculating ratings distributions and weighted average portfolio quality, Insight assigns U.S Treasury and U.S agency securities a quality rating based on the methodology used within the respective benchmark index. When Moody's, S&P and Fitch rate a security, Bank of America and Merrill Lynch indexes assign a simple weighted average statistic while Barclays indexes assign the median statistic. Insight assigns all other securities the lower of Moody's and S&P ratings.

Information about the indices shown here is provided to allow for comparison of the performance of the strategy to that of certain well-known and widely recognized indices. There is no representation that such index is an appropriate benchmark for such comparison. You cannot invest directly in an index and the indices represented do not take into account trading commissions and/or other brokerage or custodial costs. The volatility of the indices may be materially different from that of the strategy. In addition, the strategy's holdings may differ substantially from the securities that comprise the indices shown.

The ICE BofA 3 Month US T-Bill index is an unmanaged market index of U.S. Treasury securities maturing in 90 days that assumes reinvestment of all income.

The ICE BofA 6 Month US T-Bill index measures the performance of Treasury bills with time to maturity of less than 6 months.

The ICE BofA 1-Year US Treasury Index is a one-security index comprised of the most recently issued 1-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 1-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 3-Year US Treasury Index is a one-security index comprised of the most recently issued 3-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 3-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 5-Year US Treasury Index is a one-security index comprised of the most recently issued 5-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 5-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 1-3 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than three years.

The ICE BofA 1-5 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than five years.

ADDITIONAL INFORMATION

As of March 31, 2022

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City of Menlo Park								
Insight ESG Ratings as of March 31, 2022								
Cusip/Id	Description	Moody Rating	S&P Rating	Par	Insight ESG Score	Environmental	Social	Governance
90331HPC1	US BANK NA CINCINNATI 2.65% 23MAY2022 (CALLABLE 22APR22)	A1	AA-	\$ 1,000,000	4	2	5	4
037833DC1	APPLE INC 2.19% 12SEP2022 (CALLABLE 12AUG2022)	Aaa	AA+	\$ 2,000,000	4	3	3	5
02665WCA7	AMERICAN HONDA FINANCE 2.6% 16NOV2022	A3	A-	\$ 1,000,000	3	1	4	3
46625HJH4	JPMORGAN CHASE & CO 3.2% 25JAN2023	A2	A-	\$ 1,000,000	3	1	3	4
369550BD9	GENERAL DYNAMICS 3.375% 15MAY2023	A3	A-	\$ 943,000	4	3	5	3
459200HP9	IBM CORP 3.2% 01AUG2023	A3	A-	\$ 1,000,000	3	1	3	4
742718EB1	PROCTER & GAMBLE CORP 3.1% 15AUG2023	Aa3	AA-	\$ 1,000,000	4	3	5	3
89236THA6	TOYOTA MOTOR CREDIT 1.35% 25 AUG 2023	A1	A+	\$ 1,000,000	3	3	3	5
24422EUM9	JOHN DEERE CAPITAL CORP 3.65% 12OCT2023	A2	A	\$ 950,000	3	3	3	3
06051GHC6	BANK OF AMERICA NA 3.004% 20DEC2023 (CALLABLE 20DEC2022)	A2	A-	\$ 1,000,000	3	1	4	4
14913R2S5	CATERPILLAR FIN. SER. .95% 10JAN2024	A2	A	\$ 1,000,000	3	3	3	4
89236THU2	TOYOTA MOTOR CREDIT .45% 11JAN2024	A1	A+	\$ 1,800,000	3	3	3	5
02665WCT6	AMERICAN HONDA FINANCE 3.55% 12JAN2024	A3	A-	\$ 1,000,000	3	1	4	3
24422EVN6	JOHN DEERE CAPITAL CORP .45% 17JAN2024	A2	A	\$ 800,000	3	3	3	3
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	Aa3	A+	\$ 1,500,000	3	1	3	4
693475AV7	PNC FINSERVGRUP 3.5% 23JAN2024 (CALLABLE 24DEC2023)	A3	A-	\$ 1,000,000	2	2	3	2
91159HHV5	US BANK NA CINCINNATI 3.375% 05FEB2024 (CALLABLE 06JAN2024)	A1	AA-	\$ 1,000,000	4	2	5	4
594918BX1	MICROSOFT CORP 2.875% 06FEB2024 (CALLABLE 06DEC23)	Aaa	AAA	\$ 960,000	2	1	2	4
06051GHF9	BANK OF AMERICA NA 3.55% 5MAR2024 (CALLABLE 5MAR2023)	A2	A-	\$ 1,500,000	3	1	4	4
24422EUX5	JOHN DEERE CAPITAL CORP 2.6% 07MAR2024	A2	A	\$ 1,450,000	3	3	3	3
459200JY8	IBM CORP 3.0% 15MAY2024	A3	A-	\$ 2,000,000	3	1	3	4
14913R2L0	CATERPILLAR .45% 17MAY2024	A2	A	\$ 1,600,000	3	3	3	4
46647PBQ8	JPMORGAN CHASE & CO 1.514% 01JUN2024 (CALLABLE 01JUN23)	A2	A-	\$ 2,000,000	3	1	3	4
06051GHL6	BANK OF AMERICA NA 3.864% 23JUL2024 (CALLABLE 23JUL2023)	A2	A-	\$ 1,500,000	3	1	4	4
693506BQ9	PPG INDUSTRIES INC 2.4% 15AUG2024	A3	BBB+	\$ 2,000,000	2	1	3	4
89236TGL3	TOYOTA MOTOR CREDIT 2.00% 07OCT2024	A1	A+	\$ 1,000,000	3	3	3	5
69353REF1	PNC BANK NA 3.3% 30OCT2024 (CALLABLE 30SEP2024)	A2	A	\$ 2,500,000	2	2	3	2
14913Q3B3	CATERPILLAR 2.15% 8NOV2024	A2	A	\$ 1,000,000	3	3	3	4
931142DV2	WALMART INC. 2.65% 15DEC2024 (CALLABLE 15OCT2024)	Aa2	AA	\$ 1,500,000	4	2	4	5
Corporate				\$ 38,003,000	3.07	2.00	3.45	3.79

ESG ratings are from 1 to 5, with 1 as the highest rating and 5 as the lowest. All ratings are weighted by industry rankings, based on the importance of the category within the individual industry.



STAFF REPORT

City Council

Meeting Date: 7/12/2022

Staff Report Number: 22-135-CC

Regular Business: Appointment of Justin Murphy as city manager and approval of compensation for city manager services

Recommendation

Appoint Justin Murphy as city manager and approve compensation for city manager services.

Policy Issues

The City Council has the responsibility of appointing the city manager. The city manager serves as the City's chief executive officer.

Background

In June 2021 the City Council created a subcommittee consisting of City Councilmember Taylor and Vice Mayor Wolosin to retain a recruiter to provide city manager recruiting services. In August 2021 the Hawkins Group was selected to manage the outreach and recruitment for a new permanent city manager. In January 2022, City Manager Starla Jerome-Robinson retired from service to the City of Menlo Park. Justin Murphy was appointed interim city manager on January 11, 2022.

With the help of the Hawkins Group, the recruitment process produced multiple highly qualified candidates for City Council consideration. After several rounds of interviews, the City Council identified the most qualified and top candidate as Justin Murphy, the current interim city manager and long-standing City employee. Mr. Murphy has over 24 years of experience with the City starting employment with the City in 1996 as an associate planner. Mr. Murphy was the public works director from 2016 to 2019 when he was elevated to the position of deputy city manager. He served as the deputy city manager until his interim appointment in January 2022. Mr. Murphy hold a Bachelor of Arts in Urban Studies/Affairs from Stanford University and a Masters of Public Administration from Harvard University's Kennedy School of Government. Given Mr. Murphy's extensive experience with the challenges facing the City, Mr. Murphy is not only a good fit for the City and the City Council, but will also provide needed continuity and stability for the community and the City Council's priorities.

On June 17, 2022, the City Council voted 5-0 to appoint Justin Murphy as the city manager.

Analysis

If the employment agreement is approved, Mr. Murphy will begin serving the City as the city manager retroactive to June 20, 2022. The agreement is for an initial three-year term to 2025 with an option for an additional two years. The terms and conditions of the proposed employment agreement are comparable to other city managers in surrounding area. In addition to the standard terms and conditions, the agreement provides for the following salary and benefits:

- Starting annual base salary will be \$275,000, which shall be adjusted on July 1 of each year as follows:
 - Year 1 \$5,500
 - Year 2 \$6,500
 - Year 3 \$7,500
- A signing bonus of \$10,000.
- Upon the completion of successful performance evaluations, the City Council may award the city manager with a bonus in line with the city's management benefit plan for management appointees.
- The City will provide the city manager with health benefits, leave accruals, car allowance and retirement benefits consistent with those provided under the City's management benefit plan for management appointees. The city manager will be enrolled in the Public Employees Retirement System (PERS) Classic Tier 1 plan in accordance with PERS rules.
- Mr. Murphy has agreed to terms of a general release agreement related to termination of employment, which is attached to the employment agreement as Attachment A.

Impact on City Resources

There are no additional financial impacts associated with this engagement as the city manager salary is currently budgeted.

Environmental Review

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

Public Notice

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

Attachments

A. Employment agreement

Report prepared by:

Genevieve Ng, Legal Counsel Sloan Sakai Young & Wong

EMPLOYMENT AGREEMENT

City Manager

This Employment Agreement (“Agreement”) is made and entered into on this _____, by and between the **City of Menlo Park** (the “City”) and **Justin I. C. Murphy** (“Murphy”) for services to be performed by Murphy in the position of City Manager. The City and Murphy are collectively hereinafter referred to as “Parties.”

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the Parties agree as follows:

1. Duties.

The City hereby agrees to employ Murphy to perform the functions and duties of City Manager for the City as specified in the Municipal Code of the City of Menlo Park, the job description, and any other applicable Ordinances, Resolutions or Policies, and to perform such other legally permissible and proper duties and functions as the City shall from time-to-time assign. Murphy agrees that to the best of his ability and experience he will at all times loyally and conscientiously perform all of the duties and obligations required of him either expressly or implicitly by the terms of the Agreement. Murphy agrees that he will not, so long as he is employed by the City, take any employment or perform any consulting duties that will interfere with or be inconsistent with the performance of his duties as City Manager for the City.

2. Term of Agreement.

The term of Murphy’s employment shall commence on June 20, 2022. Murphy agrees to remain in the exclusive employ of the City for a three (3) year term until August 30, 2025 with an option for an additional for two (2) years. Upon mutual agreement of the City Council and Murphy, this Agreement may be extended for an additional two (2) years. The parties shall commence discussion of the two (2) year option no later than March 11, 2025. If the two (2) year option is triggered so that this Agreement is for a full five (5) years, thereafter the Agreement shall automatically renew annually unless the City gives Murphy timely notice of non-renewal per Section 7.3 below. Unless such notice of non-renewal Murphy may neither accept other employment nor become employed by another employer until such termination date, unless such termination date is modified as provided hereafter.

3. Compensation and Benefits.

3.1 Salary

For services rendered pursuant to this Agreement, the City shall pay Murphy an annual base salary of \$275,000. Said salary shall be paid on the dates and in the manner consistent with the payroll procedures of the City.

3.2 Salary Increases

Murphy shall receive an automatic salary increase the first full pay period following each July 1 during the term of this Agreement as follows:

Year 1	\$5,500
Year 2	\$6,500
Year 3	\$7,500

The City Council may also consider additional salary increases beyond those specified above to keep pace with any potential across the board increases provided to Executive Management.

Salary increases in the subsequent years of this Agreement shall be discussed when the two (2) year option is triggered in 2025.

3.3 Signing Bonus

The City shall pay Murphy a one-time signing bonus in the amount of \$10,000, payable upon the City’s first payroll period following the adoption of this Agreement in 2022 and subject to all applicable tax reporting and withholding requirements.

3.4 Benefits.

Murphy shall be entitled to the same benefits, holidays and general leave provided to City executive management employees under the City’s Management Benefit Plan for Management Appointees, as such plan may be amended by the City from time to time.

3.5 Retirement Plan.

Murphy shall be covered by the same retirement plan by which all other "miscellaneous employees" of the City in effect as of June 20, 2022 for “classic” members. Murphy shall pay the required employee contribution on a tax-deferred basis as provided under Section 414(h)(2) of the Internal Revenue Code, and shall contribute to the employer contribution as specified in the City’s Management Benefit Plan for Management Appointees as such may be modified from time to time by the City Council.

3.6 Car Allowance.

The City shall provide Murphy the same automobile allowance provided to all executive management employees, payable in the same manner as other employees of the City are paid.

3.7 Income Tax Liabilities.

Murphy shall be responsible for all income tax liability assessed under law on account of his Compensation under this Agreement

4. Performance Evaluation.

4.1 Annual Goals.

The City Council, in consultation with Murphy, shall define such goals and performance objectives which they determine to be necessary for the proper operation of the City. In attainment of the City Council's adopted performance objectives, the City Council, in consultation with Murphy, shall further establish a relative priority among the various goals and objectives, and reduce said goals and objectives to writing.

4.2 Annual Performance Evaluation.

The City Council shall review and evaluate the performance and compensation of Murphy on at least an annual basis. Murphy shall be eligible for a performance-based bonus in line with the City's Management Benefit Plan for Management Appointees based on his review by the City Council and within the City Council's discretion. Nothing in this Agreement shall be interpreted to require City to evaluate Murphy solely upon the performance standards, nor to limit the discretion of the City to evaluate Murphy as it deems necessary in the sole discretion of the City.

5. Professional Development.

The City hereby agrees to budget a reasonable amount for and to pay for executive coaching, membership fees-and dues, of conference and meeting registrations, and the travel and subsistence expenses of Murphy for professional development and official travel, meetings and occasions adequate to continue the professional development of the City Manager and to adequately pursue necessary official and other functions of the City, including, but not limited to, International City Manager's Association (ICMA) and League of California Cities conferences. Travel and conference expenses shall be reimbursed for reasonable expenses only, and in accordance with the City's standard policies governing travel and conference expense reimbursement.

6. Death or Disability.

This Agreement shall be immediately terminated upon Murphy's death or legal incapacity by operation of Labor Code section 2920. If Murphy is permanently disabled to the extent that he cannot perform the full range of the essential functions of his position as determined by his treating physician or is otherwise unable to perform the full range of the essential functions of his position because of sickness, accident, injury, mental incapacity or other health reasons for a period of six (6) successive weeks beyond the exhaustion of all general leave, the City shall have the option to terminate the Agreement, subject to compliance with all provisions of law.

7. Separation from Employment.

7.1 At-Will Employment.

Murphy's tenure as City Manager under this Agreement is limited to the contractual term of three (3) years and Murphy's employment as City Manager will terminate on August 30, 2025 unless the Parties agree to extend this agreement on or before that date. Moreover, due to the duties of the position and nature of the services provided by Murphy, the City Council may, subject to the provisions set forth below, terminate the services of Murphy at any time, it being expressly understood and agreed between the parties that Murphy serves as an at-will employee of the City Council. Nothing herein shall prevent, limit, or otherwise interfere with the right of the City Council to terminate Murphy with or without cause. Murphy shall have no right to a termination hearing. Murphy shall have no "return rights" to any position previously held at the City and shall not be entitled to employment in any other City position upon termination of employment pursuant to this agreement.

7.2 Severance for No Cause Separation.

Notwithstanding any other provision of this Employment Agreement, and as required by Government Code Sections 3511.2 and 53260, if Murphy is terminated by the City while Murphy is still willing and able to perform the duties of City Manager, the City agrees to pay Murphy a lump sum payment as follows: a cash settlement equal to Murphy's monthly Base Salary, as adjusted, multiplied by the number of months left on the unexpired term of the Agreement, up to a maximum of six (6) months. Any severance payment made by the City pursuant to this section shall be contingent on Murphy executing and delivering to City a release in substantially the same form as that attached hereto as Exhibit A.

7.3 Notice Requirements.

The City must provide Murphy with sixty (60) days' notice prior to the separation from employment. The City may not give notice of separation from employment to Murphy until ninety (90) days after a general municipal election, or an election in which a member of the City Council is elected, as further set forth in Section 2.08.110, paragraph five, of the Municipal Code of the City of Menlo Park. No severance payment or other compensation shall be payable in the event of the termination of this Agreement prior to the expiration of the Term, except for the notice period set forth herein.

7.4 For Cause Separation.

Notwithstanding section 7.2 above, the City shall not be obligated to pay, and shall not pay any amounts to Murphy if Murphy is terminated because of:

- 7.4.1 the conviction of felony or misdemeanor or plea of nolo contendere to a crime,

- 7.4.2 the conviction of any felony or misdemeanor involving moral turpitude,
- 7.4.3 the willful or persistent material breach of duties or inattention to duties,
- 7.4.4 a violation of statute or law constituting misconduct in office, or
- 7.4.5 willful misconduct.

7.5 Voluntary Resignation.

Murphy may resign at any time from his position with the City provided that he gives the City not less than sixty (60) days' prior written notice. Should Murphy not provide the City with at least sixty (60) days' prior written notice, he shall not be entitled to cash out of any benefit other than as required by law. Further, City shall not be obligated to pay Murphy any severance amount under if Murphy voluntarily retires or resigns in writing prior to termination, or if Murphy is terminated at expiration of this agreement.

8. Bonding.

Murphy shall secure a public official's bond in the amount of \$200,000 as required by Section 2.08.040 of the Municipal Code of the City of Menlo Park. The City shall bear the full cost of such bond and/or any other bonds required of Murphy under any law or ordinance.

9. Indemnification and Defense.

The City shall indemnify, defend, and hold Murphy harmless from and against all demands, claims, suits, actions, and legal proceedings brought against Murphy and arising out of events within the scope of Murphy's employment and performance of professional duties as City Manager, except to the extent that Murphy's actions are the result of gross negligence or willful misconduct. Murphy shall cooperate in good faith with the City with respect to defense of such claims, demands, or legal actions.

10. Abuse of Office.

Any salary provided Murphy pending an investigation shall be fully reimbursed if the Murphy is convicted of a crime involving an abuse of his office or position, as set forth in Government Code sections 53243 and 53243.4. Any funds for the legal criminal defense of the Murphy provided by the City shall be fully reimbursed to the City if the Murphy is convicted of an abuse of his office or position, as set forth in Government Code sections 53243.1 and 53243.4. Further, regardless of the term of this Agreement, if this Agreement is terminated, any cash settlement or severance related to the termination that Murphy receives from the City shall be fully reimbursed to the City if Murphy is convicted of a crime involving an abuse of his office or position, as set forth in Government Code sections 53243.2 and 53243.4.

11. Notice.

Notices pursuant to the Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid. Alternatively, notices required pursuant to the Agreement may be personally served in the same manner as is applicable to civil judicial proceedings. Notice shall be deemed given as of the date of personal service or 48 hours after the date of deposit of such written notice in the course of transmission in the United States Postal Service to the addresses set forth below or as subsequently communicated by one party to the other in writing.

11.1 Notice to Murphy shall be sent to: Justin I. C. Murphy
By delivery to the City Hall during regular business hours or to Murphy's home address on file with the City.

11.2 Notice to City shall be sent to: Mayor
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

12. Severability.

In the event that any term of this Agreement is finally held or determined to be illegal or void by a court having jurisdiction over the City and Murphy, the remainder of this Agreement shall remain in full force and effect unless the term or terms held to be illegal or void are wholly inseparable from the remaining provisions of the Agreement.

13. Governing Law.

This Agreement shall be governed by the laws of the State of California.

14. Counterparts.

This Agreement may be executed in multiple counterparts, each of which shall constitute an original, and all of which taken together shall constitute one and the same instrument. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute the Agreement.

15. Entire Agreement.

This Agreement is the entire agreement between the parties regarding City's employment of Murphy and supersedes all prior oral or written understandings. This Agreement cannot be modified except by a written amendment signed by both Parties. The Agreement shall be interpreted as though prepared by both parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement which shall be effective upon the commencement date specified in Section 2 herein.

CITY OF MENLO PARK

Betsy Nash
Mayor

Date: _____

JUSTIN I. C. MURPHY

Date: _____

ATTEST:

Judi A. Herren
City Clerk



STAFF REPORT

City Council

Meeting Date:

7/12/2022

Staff Report Number:

22-136-CC

Regular Business:

Waive the first reading and introduce an ordinance amending Title 8, Peace, Safety and Morals, of the Municipal Code to create a comprehensive permitting system for public assemblies, events, and use of City parks and facilities

Recommendation

Staff recommends the City Council waive the first reading and introduce an ordinance amending Section 8.06.050 and 8.06.060 of Chapter 8.06 (“Noise”) of Title 8 (“Peace, Safety and Morals”) of the Menlo Park Municipal Code; repealing Section 8.06.065 of Chapter 8.06 (“Noise”) of Title 8 (“Peace, Safety and Morals”) of the Menlo Park Municipal Code; amending Section 8.06.070 of Chapter 8.06 (“Noise”) of Title 8 (“Peace, Safety and Morals”) of the Menlo Park Municipal Code; amending Chapter 8.16 (“Public Assembly”) of Title 8 (“Peace, Safety and Morals”); adding Chapter 8.60 (“Special Events”) of Title 8 (“Peace, Safety and Morals”) of the Menlo Park Municipal Code; and repealing and replacing Chapter 8.28 (“Parks and Recreation”) of Title 8 (“Peace, Safety and Morals”) of the Menlo Park Municipal Code.

Policy Issues

The United States Constitution and California Constitution guarantee the right of the people to peaceably assemble and speak or protest in public places.

Background

To ensure that the First Amendment rights of assembly and speech are properly protected within the City, the City Attorney’s office has worked with City Staff to amend the permitting requirements for special events and events in City parks. The proposed Ordinance includes amendments to Chapter 8.06, regarding noise limitations, Chapter 8.28 regarding exclusive use of City parks, and adds a new Chapter 8.60, establishing a comprehensive permitting scheme for special events, exempting certain constitutionally protected “expressive activity.”

The proposed ordinance amends the noise chapter of the Menlo Park Municipal Code (MPMC) and the special events and parks permitting provisions of the MPMC as follows:

Noise – Chapter 8.06

- Proposed § 8.06.050 – Exemptions.
 - Amends existing noise ordinance exemptions to ensure consistency with proposed Special Events permitting scheme
- Proposed § 8.06.060 – Temporary permits, Special Event Permits, and Use Permits
 - Amends the noise ordinance to reflect proposed new Special Events Permitting scheme and to allow the director of community development to issue permits allowing certain one-off events (such as

- weddings or graduation parties), which are not considered Special Events, to exceed noise limits.
- Repeals § Section 8.06.065 – Ministerial Permits and Corresponding Amendment to 8.06.070 – Time for Compliance
 - Repeals § 8.06.065, which is no longer necessary or applicable, and removes a reference to that section in Section 8.06.070.

Public Assembly – Chapter 8.16

- Proposed Chapter 8.16 – Public Assembly
 - Adds provision exempting Special Events with permits issued under proposed Chapter 8.60 from requiring crowds to disperse upon direction from police.

Chapter 8.28 – Parks and Recreation

- Proposed § 8.28.010 – Purpose of chapter.
 - Adds provision to refer to protection of First Amendment rights of the people to peaceably assemble in the City's parks.
- Adds a new § 8.28.020 – Definitions.
 - Adds definitions to ensure clarity throughout section.
- Proposed § 8.28.030 – General Principles.
 - Previously § 8.28.020. Renumbered due to new § 8.28.020 including definitions.
 - Minor amendments to ensure inclusivity in access to public recreation services and consistency throughout the MPMC.
- Proposed § 8.28.040 – Group activities – Permit Required.
 - Previously § 8.28.030.
 - Amended to reflect case law regarding regulations of group gatherings in light of the First Amendment.
 - The amendments also now require a permit for use of certain activities/gatherings in a public park, but exempts expressive activity (as defined in the new Chapter 8.60) from permit requirements, consistent with the Constitution.
- Removes existing § 8.28.040 – Limit on size of group
 - Combined limitation in existing § 8.28.040 with proposed § 8.28.040 to ensure that permits are required for exclusive use of parks
- Proposed § 8.28.050 – Occupancy standard.
 - Amended to reflect case law regarding regulations of group gatherings in light of the First Amendment.
- Proposed to § 8.28.060 – Sound standard
 - Amended to ensure consistency with sound standards in existing Chapter 8.06, governing noise limitations in the City.
- Proposed § 8.28.070 – Application for permit
 - Allows city manager to adopt administrative regulations that are consistent with and further the terms and requirements of the Parks and Recreation Ordinance.
 - States that the application must be submitted to the library and community services director (Director) for review, and removes provision allowing the Director to approve/deny the permit and attach conditions for approval. The criteria for issuance are addressed in a new § 8.28.080 to provide for more specificity in what is and is not required of applicants.

- Adds new § 8.28.080 – Criteria for Issuance.
 - Lists specific criteria for issuance of a parks and recreation permit in light of case law requiring clear standards for issuance and denial of permits.
- Adds a new § 8.28.090 – Conditions of Approval.
 - Allows the library and community services director (Director) to impose reasonable conditions on permits, limited to specific enumerated conditions to curb the Director’s discretion.
- Adds a new § 8.28.100 – Permit holder responsibilities.
 - Imposes certain responsibilities on individuals who obtain permits for use of public parks, including complying with applicable rules and regulations, conditions imposed by the permit, and informing attendees of the same.
- Adds a new § 8.28.110 – Revocation of permit.
 - Allows the library and community services director, or designee, to cancel or terminate permits issued under this Chapter upon finding that the applicant misstated or misrepresented material facts in the application or that the activity or any significant park thereof is illegal or is endangering life and/or property.
- §8.28.120 – Appeal of decision
 - Previously § 8.28.090.
 - Removes provision allowing appeals of city manager decisions to the City Council. This makes the city manager’s decision final, if the library and community services director’s decision is appealed.
- Proposed § 8.28.130 – Establishment of fees.
 - Directs the city manager, in consultation with the library and community services, community development, public works, administrative services, and police departments, to establish reasonable fees for recovering city costs associated with implementation and enforcement of the chapter.
- Removes § 8.28.100 – Free programs and 8.28.110 – Fees for community group activities
 - These sections were removed because they are unnecessary in light of city manager’s authority in § 8.28.140 to establish reasonable fees.
- Proposed § 8.28.140 – Prohibited activity in parks or facilities.
 - Previously § 8.28.130.
 - Removes prohibition on commercial activities for private profit due to changes in state law which expressly permit sidewalk vending and commercial activities in parks
 - Allows the city manager, in consultation with the library and community services director and police department, to establish reasonable fees for the recovery of City costs associated with enforcement of the terms of the Parks and Recreation Ordinance.
 - Removes the listed criteria for when fees may be assessed because similar provisions have been subject to legal challenge.
- Proposed § 8.28.150 – Park regulations.
 - This provision requiring the library and community services director (Director) to promulgate rules and regulations was previously in another section. The city attorney’s office created a new section to make the Director’s authority more clear.

Chapter 8.60 – Special Events

- Adds new Chapter to MPMC to govern issuance of permits for Special Events, as defined, in light of First Amendment protections
- See “Analysis” for discussion of elements of proposed permitting scheme for Special Events

Analysis

The proposed ordinance intends to protect the Constitutional rights of the people of Menlo Park to peaceably assemble and protest in the City's public spaces through coordinating a process for managing special events to ensure the health and safety of event patrons, residents, workers and other visitors, and to prohibit illegal activities from occurring at special events consisting of expressive activities. The proposed amendments and additions to the MPMC also create a mechanism for cost recovery and use charges, to the extent authorized by law, while not unduly impacting the viability of special events. The proposed revisions to the existing permitting requirements for the City's parks and open spaces, protects the rights of people to peaceable assemble as well as protects and conserves those parks and open spaces.

The proposed amendments to Title 8 create a permitting system for special events, defined to include organized parades, processions or assemblies on public streets/rights-of-way, organized assemblies of over 150 people, or any other organized activity conducted for a common use, purpose, or benefit which will require City public services (Proposed § 8.60.020(10).) The permitting provisions would not apply to constitutionally protected expressive activity on City owned, controlled, or maintained property involving less than 150 persons, activities on school grounds, spontaneous events, under certain conditions, enumerated in the proposed amendments, or filming. (Proposed § 8.60.030.) Staff intends to bring a second ordinance with establishing regulations around filming in the City at the next City Council meeting.

The proposed ordinance defines expressive activity as "conduct, the sole or principal object of which is the expression of opinion, views, or ideas protected by the First Amendment of the U.S. Constitution," and includes, but is not limited to "public oratory and distribution of literature" (Proposed § 8.60.020(4).) The proposed amendments also provide that events on private property, such as graduations or weddings, which may not be considered a "special event," must nonetheless obtain a noise permit from the director of community development if the event will exceed the noise limitations in the City's MPMC. Any permits issued for Special Events must specifically set forth applicable noise limitations if the Special Event proposes to exceed the noise limitations in the MPMC.

The proposed ordinance also includes revisions to the City's Parks and Recreation code to ensure consistency among the City's various permitting schemes as well as compliance with Constitutional prerogatives protecting freedom of speech and assembly. Under these proposed revisions to the Parks and Recreation code, organizers of events requiring exclusive use of City park for more than 150 people, must obtain a permit from the director of library and community services or their designee. If the event requiring exclusive use of a park would be considered "expressive activity," it would instead be subject to the Special Events permitting requirements discussed above.

Impact on City Resources

The proposed ordinances update the MPMC allowing the police chief (or their designee) to issue Special Events permits and the library and community services director (or their designee) to issue permits for exclusive use of City parks. The City will need to update the Accela (City's permitting system) infrastructure and coordinate enforcement (if needed) with the police department.

Environmental Review

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

Public Notice

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

Attachments

A. Proposed ordinance

Report prepared by:

Judi A. Herren, Assistant to the City Manager/ City Clerk

Report reviewed by:

Tamar Burke, Assistant City Attorney

ORDINANCE NO. XXXX

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING SECTIONS 8.06.050 AND 8.06.060 OF CHAPTER 8.06 “NOISE,”
REPEALING SECTION 8.06.065 OF CHAPTER 8.06 “NOISE,” AMENDING
SECTION 8.06.070 “MINISTERIAL PERMITS” OF CHAPTER 8.06 “NOISE,”
ADDING A NEW CHAPTER 8.60 “SPECIAL EVENTS,” AMENDING CHAPTER
8.16 “PUBLIC ASSEMBLY,” AND REPEALING AND REPLACING CHAPTER
8.28 “PARKS AND RECREATION” OF TITLE 8 OF THE MENLO PARK
MUNICIPAL CODE**

WHEREAS, the United States Constitution and California Constitution guarantee the right of the people to peaceably assemble and speak or protest in public places; and

WHEREAS, the City of Menlo Park intends to protect these Constitutional rights of the people of Menlo Park to peaceably assemble and protest in the City’s public spaces; and

WHEREAS, the City wishes to provide a coordinated process for managing special events to ensure the health and safety of event patrons, residents, workers, and other visitors, and to prohibit illegal activities from occurring at special events consisting of expressive activities; and

WHEREAS, the City also wishes to create a mechanism for cost recovery and use charges, to the extent authorized by law, while not unduly impacting the viability of special events; and

WHEREAS, the City intends to update its existing permitting requirements for the City’s streets, sidewalks, parks and open spaces to protect the rights of the people to peaceable assemble as well as to protect and conserve those parks and open spaces.

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. Amendment to Section 8.06.050 – Exemptions.

Section 8.06.050 – Exemptions, is hereby amended to read as follows. New wording is shown in underline and deletions are shown in ~~strike through~~.

Section 8.06.050 Exemptions.

(e) Special Events. Any event or use for which a Special Event ~~special event~~ permit has been issued under Chapter 8.60 ~~by the city~~ that specifically sets forth applicable noise levels; ~~allows noise levels to be exceeded;~~

(g) Athletic Fields/Playgrounds/Parks/Public Tennis Courts/Public Recreation Facilities. From seven (7) a.m. to ten (10) p.m. any organized athletic events or activities occurring on athletic fields, playgrounds, parks, tennis courts or other public recreation facilities owned or operated by a school district, the city or the county; provided no amplified music

or sound system is utilized, unless a Special Events permit under Chapter 8.60 or a parks permit under Chapter 8.28 has been issued which sets forth applicable noise levels.

SECTION 3. Amendment to Section 8.06.060 – Temporary permits, Special Event Permits and Use Permits of the Menlo Park Municipal Code.

Section 8.06.060 – Temporary Permits, Special Event Permits and Use Permits, is hereby amended to read as follows. New wording is shown in underline and deletions are shown in ~~strikethrough~~.

Section 8.06.060 Temporary permits, ~~special event permits~~ and use permits.

(a) If an applicant can demonstrate that a diligent investigation of available noise abatement techniques indicates that compliance with the requirements of this Chapter would be impractical or unreasonable, the director of community development may issue a permit to allow an exclusion from the provisions contained in all or part of this chapter with appropriate conditions to minimize the public detriment caused by such exclusions. Any such permit shall be of as short duration as possible up to three (3) months, but renewable once for up to an additional three (3) month period upon showing of good cause, and shall be conditioned upon details and a schedule for compliance.

(b) The director of community development, or his/her designee, shall have authority to issue ~~special event noise~~ permits for ~~special~~ events which occur no more frequently than twice per calendar year. The nature, time and notice procedures of such permit process, including criteria for approval, shall be established by the director of community development. Any person dissatisfied with the decision of the director of community development may appeal such decision within ten (10) days of the date of such decision in accordance with Section 16.92.210. Special Events governed by Chapter 8.60 are exempt from the requirement of obtaining a noise permit to exceed noise levels in this Chapter to the extent the Special Event Permit specifically sets forth the applicable noise limitations.

(b) If an applicant can demonstrate that a diligent investigation of available noise abatement techniques indicates that compliance with the requirements of this chapter would be impractical or unreasonable, a use permit to allow an exclusion from the provisions contained in all or part of this chapter may be issued by the planning commission pursuant to the terms and provisions of Chapter 16.82, with appropriate conditions to minimize the public detriment caused by such exclusion.

SECTION 4. Repeal Section 8.06.065 – Ministerial Permits of the Menlo Park Municipal Code.

Section 8.06.065 – Ministerial Permits is hereby repealed.

SECTION 5. Amendment to Section 8.06.070 – Time for compliance of the Menlo Park Municipal Code.

Section 8.06.070 – Time for compliance, is hereby amended to read as follows. New wording is shown in underline and deletions are shown in ~~strikethrough~~.

(a) Nonresidential operations in existence prior to May 20, 1999, shall be granted a six (6) month period within which to comply with provisions of this chapter. Any facility not in compliance by the end of such six (6) month period may apply for a temporary permit, as described in Section 8.06.060(a) to be excluded from the provisions of this chapter. This section shall apply only to nonresidential facilities already in existence or for which work of improvement had commenced prior to the date this chapter went into effect. *

(b) Except as provided in subsection (a) of this section, ~~or as provided in Section 8.06.065,~~ all other operations in existence prior to the date this chapter went into effect* shall have three (3) months to comply with the provisions of this chapter or apply for a temporary permit for additional time to comply.

SECTION 6. Amendment to Chapter 8.16 – Public Assembly, of Title 8 – Peace, Safety, and Morals of the Menlo Park Municipal Code.

Chapter 8.16 – Public Assembly, is hereby amended to read as follows. New wording is shown in underline and deletions are shown in ~~strike through~~.

Whenever the free passage of any street or sidewalk is obstructed by a crowd the persons composing such crowd shall disperse or move on when directed to do so by any police officer.

This prohibition shall not apply to Special Events, governed by Chapter 8.60 of this Title.

SECTION 7. Adoption of Chapter 8.60 – Special Events, of Title 8 – Peace, Safety, and Morals, of the Menlo Park Municipal Code.

A new Chapter 8.60 – Special Events, of Title 8, Peace, Safety, and Morals, is hereby added to the Menlo Park Municipal Code to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 8. Repeal and Replace Chapter 8.28 – Parks and Recreation, of Title 8 – Peace, Safety, and Morals of the Menlo Park Municipal Code.

Chapter 8.28 – Parks and Recreation, of Title 8 – Peace, Safety, and Morals is hereby repealed in its entirety and replaced to read as set forth in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 9. 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 10. 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 Ordinance may have significant effects on the environment.

SECTION 11. 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 twelfth day of July, 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 __, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Betsy Nash, Mayor

ATTEST:

Judi A. Herren, City Clerk

Exhibits:

- A. Chapter 8.60 – SPECIAL EVENTS
- B. Chapter 8.28 – PARKS AND RECREATION

Chapter 8.60 – SPECIAL EVENTS

Sections:

- 8.60.010 – Purpose and intent.
- 8.60.020 – Definitions.
- 8.60.030 – General provisions.
- 8.60.040 – Special Event permit application.
- 8.60.050 – Review process.
- 8.60.060 – Denial/revocation of Special Event permit.
- 8.60.070 – Applicable fees.
- 8.60.080 – Appeals.
- 8.60.090 – Interference with Expressive Activity prohibited.
- 8.60.100 – Hold harmless.
- 8.60.110 – Display of Special Event permit.
- 8.60.120 – Administrative regulations.
- 8.60.130 – Penalties.

8.60.010 – Purpose and intent.

The purpose of this Chapter is to protect the First Amendment rights of the people of Menlo Park to peaceably assemble and/or protest in the City's public places and to establish the least restrictive and reasonable time, place and manner regulation of these activities. It is further intended to provide a coordinated process for managing special events to ensure the health and safety of event patrons, residents, workers, and other visitors, to prohibit illegal activities from occurring at special events, and to create mechanisms for cost recovery and use charges, to the extent authorized by law, while not unduly impacting the viability of special events.

8.60.020 – Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this Chapter:

1. "Applicant" means any person who seeks a permit under this chapter to organize Expressive Activity.
2. "Assembly" means the assembling or coming together of a number of persons for a particular purpose.
3. "City property" means all real property and improvements owner, operated or controlled by the City within the City's jurisdiction. City property includes, but is not limited to City Hall, police and fire facilities, recreational facilities, parks, libraries, and streets and sidewalks.
4. "Expressive Activity" means conduct, the sole or principal object of which is the expression of opinion, views, or ideas, protected by the First Amendment of the U.S. Constitution. Expressive activity includes, but is not limited to, public oratory and distribution of literature.
5. "Organize" means to organize, operate, manage, stage, promote, sponsor or carry on a special event.

6. "Organizer" means the person who organizes, operates, manages, stages, promotes, sponsors or carries on a special event.

7. "Permit" means a special event permit issued by the City of Menlo Park Police Chief or their designee, consistent with the provisions of this Chapter.

8. "Permittee" means any person that has been issued a permit to organize a special event in accordance with this Chapter.

9. "Person" means and includes an individual, corporation, partnership, trust, non-profit organization, association, group or other business entity or organization.

10. "Special Event" means any of the following:

A. Any organized formation, parade, procession, demonstration or assembly which may include persons, animals, vehicles or any combination thereof, which is to assemble or travel in unison on any public street, sidewalk or the public right-of-way owned or controlled by the City which does not comply with applicable traffic regulations, laws, or controls; or

B. Any organized assemblage of one hundred and fifty (150) or more persons at any public place, public property, or public facility which is to gather for a common purpose under the direction or control of a person; or

C. Any other organized activity conducted by a person for a common or collective use, purpose of benefit which shall require the use of City public services for police regulation, monitoring or control, street closure, erecting barriers, or traffic control, parking needs that will exceed the capacity of the venue, or that will interfere with normal use and operation of public right-of-ways for travel.

8.60.030 – General provisions.

1. Permit Required. Except when expressly provided pursuant to the terms of a permit, lease, or contract which has been specifically authorized by the City Council, no person shall operate any Special Event regulated by this Chapter without first obtaining a permit in accordance with the provisions of this Chapter, unless exempt as set forth below. Special Event permits must set forth the applicable noise limit if the proposed event shall exceed the noise limitations set forth in Chapter 8.06.

2. Exempt Activities:

A. Any Expressive Activity on City owned, controlled, or maintained property involving less than one hundred and fifty (150) persons.

B. Activities on school grounds, which are exempt from the requirements of this Chapter.

C. Spontaneous events which are occasioned by news or affairs coming into public knowledge less than forty-eight hours prior to such event may be conducted on City property without the organizers having to obtain a Special Event permit if all of the following factors are satisfied:

1. The spontaneous event does not impede vehicular traffic or violate regulations regarding pedestrian and vehicular traffic;
 2. The organizer provides the police chief or designee with at least four (4) hours of prior notice of the spontaneous event; and
 3. The location where the spontaneous event is to be conducted has not been previously rented, reserved, or otherwise obligated to another use in accordance with established City policies and procedures for use and/or rental of City facilities. Events which require a permit pursuant to other chapters of the Municipal Code, including but not limited to group activities pursuant to Chapter 8.28, shall not be considered spontaneous events.
- D. Filming, as regulated by Chapter 8.70.

8.60.040 – Special Event permit application.

1. To receive a Special Events permit, an Applicant must complete and file an application with the police chief or designee on a form approved by the city manager. The Applicant must provide the following information:
 - A. A description of the proposed use, event, or activity;
 - B. The street or other public property and the specific area or areas thereof which will be utilized in connection with the proposed Special Event, including a description of noise generating equipment, such as Sound-amplifying equipment as defined in Chapter 8.06.020(18);
 - C. The manner in which the public property will be utilized;
 - D. The date or dates and the specific times thereof, including set-up and tear-down, that the public property is to be utilized for the described Special Event;
 - E. The name, address and telephone number of the person, entity, or organization sponsoring or conducting the proposed Special Event; and
 - F. The name, address and telephone number of the person or persons to be contacted regarding the application or permit.
2. The police chief or designee shall review and issue or deny the application within twenty-eight (28) days of receipt of a completed application.

8.60.050 – Review process.

1. Subject to the criteria for denial set forth in Section 8.60.060, the police chief or designee shall issue a Special Event permit if it is determined that all of the following criteria have been met:
 - A. The proposed use of City property for the Special Event is not otherwise governed by or subject to any other permit procedures provided elsewhere in this Code.

B. The preparation for or the conduct of the proposed Special Event will not unduly impede, obstruct, or interfere with the operation of emergency vehicles or equipment in or through the particular permit area or adversely affect the City's ability to perform municipal functions or furnish City services in the vicinity of the permit area.

C. The proposed Special Event does not otherwise present a substantial safety, noise, environmental, or traffic hazards, considering the number of participants and proposed location, such as to endanger the health or safety of the event participants, general public, or City employees, which cannot be adequately remedied by reasonable traffic control and other safety measures.

2. In deciding whether to approve an application, no consideration may be given to the message of the event, the content of speech, or the identity or associational relationships of the Applicant.

8.60.060 – Denial/revocation of Special Event permit.

The police chief or designee may deny any application for a Special Event permit or revoke such a permit if the police chief or designee finds any of the following:

1. One or more of the approval criteria specified in Section 8.60.050 is not or can no longer be met;
2. The Applicant has knowingly made a false, misleading or fraudulent statement of fact to the City in the application process;
3. The application does not contain the information required by this Chapter;
4. The application does not satisfy the requirements of this Chapter;
5. The Applicant fails to comply with any conditions of approval including, but not limited to:
 - (A) Remittance of fees, charges or deposits,
 - (B) Submittal of an indemnification agreement and/or proof of insurance for the Special Event as required by the City;
 - (C) Timely submittal of all required documents.
6. The applicant has damaged City property and has not paid in full for such damage or has other outstanding and unpaid debts related to a prior Special Event permit issued by the City.
7. The Special Event is scheduled to occur at a location and time in conflict with another Special Event already permitted or that can be permitted to another applicant that submitted an application first in time.
8. The Special Event is in conflict with applicable provisions of any federal, state and/or local laws.

9. The Applicant has damaged City property on prior occasions without having paid for the damage.

8.60.070 – Applicable fees.

Special Event permit application fees pursuant to this Chapter shall be established by separate resolution of the City Council. Where a Special Event requires street closure, barriers, or other infrastructure, the Applicant shall pay such fees as may be established by resolution of the City Council for traffic control and related municipal expenses. Additionally, use of City buildings or facilities shall be subject to any use or rental fees established by the City which shall be deposited by the Applicant prior to use.

8.60.080 – Appeals.

An Applicant may appeal the denial or revocation of a permit by the police chief or designee by providing the city manager or designee written notice of appeal within ten (10) days of the denial or revocation. The city manager or designee shall hold a hearing within five (5) days of the filing of a notice of appeal, at which time the applicant may present any and all evidence, testimony, and information relevant to the city manager's decision. The city manager or designee, within five (5) days following the appeal hearing, shall issue a decision. The decision of the city manager or designee shall be delivered to the applicant and shall be final and binding.

8.60.090 – Interference with Expressive Activity prohibited.

It shall be unlawful for any person to interfere with a Special Event permitted under this Chapter by engaging in the following acts when done with the intent to cause interference:

1. Blocking, obstructing, or impeding the passage of participants, vehicles, or animals in the Special Event along the Special Event route;
2. Walking or running, driving a vehicle, riding a bicycle or skateboard, or using any similar device through, between, with, or among participants, vehicles, or animals in the Special Event;
3. Dropping, throwing, rolling, or flying any object toward, among, or between participants, vehicles, or animals in a Special Event;

8.60.100 – Hold harmless.

Each Permittee shall execute a hold harmless agreement in a form approved by the City agreeing to defend, indemnify, and hold harmless the City against losses and liabilities incurred from the willful or negligent acts or omissions of the Permittee or its officers, employees, and agents. If City property is destroyed or damaged by reason of Permittee's Special Event and the damage or destruction is directly attributable to the Permittee, the Permittee shall reimburse the City for the actual replacement or repair cost of the destroyed or damaged property. Nothing in this provision shall require a Permittee to indemnify the City from claims or losses occasioned by the reaction of third parties to Expressive Activity at the Permittee's Special Event.

8.60.110 – Display of Special Event permit.

A copy of the Special Event permit shall be displayed at the event site and shall be exhibited upon demand of any City official.

8.60.120 – Administrative regulations.

The city manager or designee, may adopt administrative regulations that are consistent with and that further the terms and requirements set forth within this Chapter, and as may be necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful uses, protect the safety of persons and property and to control vehicular and pedestrian traffic. All such administrative regulations must be in writing.

8.60.130 – Penalties.

Any person who intentionally violates any of the provisions of this Chapter shall be guilty of a misdemeanor. Violations of this chapter may enforced pursuant to any laws and remedies available to the City including but not limited to enforcement as a misdemeanor and/or public nuisance pursuant to Chapters 1.12 and 8.04 of this Code.

Chapter 8.28

PARKS AND RECREATION

Sections:

- 8.28.010 – Purpose of chapter.
- 8.28.020 – Definitions.
- 8.28.030 – General Principles.
- 8.28.040 – Group activities – Permit required.
- 8.28.050 – Occupancy standard.
- 8.28.060 – Sound standard.
- 8.28.070 – Application for permit.
- 8.28.080 – Criteria for issuance.
- 8.28.090 – Conditions of approval.
- 8.28.100 – Permit holder responsibilities.
- 8.28.110 – Revocation of permit.
- 8.28.120 – Appeal of decision.
- 8.28.130 – Establishment of fees.
- 8.28.140 – Prohibited activity in parks or facilities.
- 8.28.150 – Park regulations.
- 8.28.160 – Parks closed at night.
- 8.28.170 – County ordinance adopted by reference.
- 8.28.180 – Penalty for violation.

8.28.010 – Purpose of chapter.

The purpose of this chapter is to regulate the use of parks and other recreation facilities of the city for the optimum use and enjoyment of residents of Menlo Park; to establish standards to prevent the misuse and destruction of the facilities; to establish regulations to insure the safety and comfort of users of the facilities as well as persons residing or owning property in the vicinity of the facilities; and to protect the First Amendment rights of the People of Menlo Park to peaceably assemble in the City's public parks.

8.28.020 – Definitions.

1. "Expressive Activity" shall have the same definition as set forth in Chapter 8.60 of this Title.
2. "Park(s)" means and includes every park, plaza, outdoor public area, trails, open pace property, greenbelt, or portion thereof together with any accompanying parking lot or staging area, which is owned, managed, or controlled by the City of Menlo Park for the recreational use and/or enjoyment of the public.
3. "Permit" means a permit issued by the City of Menlo Park issued pursuant to this Chapter.
4. "Recreation facility" means fields, courts, pools, amphitheaters, areas specifically designed for organized activities such as, but not limited to, baseball, softball, soccer, tennis, basketball, and organized group gatherings which are owned, managed, or

controlled by the City of Menlo Park for the recreational use and/or enjoyment of the public.

5. "Refuse" means any garbage, trash, bottles, cans, papers, ashes, food and vegetable material, rubbish, industrial wastes, animal waste, grass clippings, tree or shrub pruning or any other discarded substance, matter or thing, whether liquid or solid.

8.28.030 – General principles.

The following principles shall govern use of recreation facilities:

- (1) Recreation facilities primarily are intended for the use and enjoyment by residents of Menlo Park;
- (2) Public recreation services should be available to all Menlo Park residents without discrimination as to race, religion, gender identity, economic status, or any protected status;
- (3) The public recreation program should include a wide variety of activities, including passive enjoyment, to appeal to different interests, ages and abilities, and should not merely be limited to physical activities, outdoor activities, daytime activities, or to the interests of children or others of special categories;
- (4) Recreation facilities are intended to be used:
 - (A) Informally by residents,
 - (B) For programs sponsored by the city,
 - (C) For joint city-school programs,
 - (D) For organized group activities, when not required for the above.

8.28.040 – Group activities – Permit required.

Because of limitations of size and open areas, activities involving the exclusive use of any area of a park or for a group of more than one hundred and fifty (150) persons shall be subject to the obtaining of a permit therefor, and subject to the standards and regulations contained in this chapter. Activities involving the use of a park which is less than one acre in size, other than Camp Fremont Memorial Park, by or for a group of more than twenty persons shall also require a rental reservation. It shall be unlawful for any person to engage in any use of any park, building, or portion thereof, for which a permit is required without obtaining such a permit. Nothing in this section shall require persons or entities to obtain a permit for Expressive Activities, where such activity is addressed by Chapter 8.60 of this Title.

8.28.050 – Occupancy standard.

Based on the availability of vehicular parking facilities, the preservation of turf and other planted materials, the availability of sanitary facilities and the safety and comfort of persons using parks and recreation facilities, maximum occupancy standards are hereby established for group activities which shall be one person per two hundred square feet of usable open area. According to the above standard, the size of any group permitted to use Burgess Park (two hundred eighty thousand square feet) shall not exceed one thousand four hundred persons; the size of any group permitted to use Kelly Park (one hundred eighty thousand square feet) shall not exceed nine hundred persons.

8.28.060 – Sound standard.

In recognition of the rights of residents in the vicinity of parks to enjoy the comfort of their homes in normal peace and quiet, as well as the right of citizens to enjoy a reasonable peace and quiet in appropriately designed parks, the use of any radio receiving set, musical instrument, machine

or device for producing or reproducing sound, or any device which produces noise in such a manner as to unreasonably disturb the peace, quiet, and comfort of persons is prohibited in all parks with the exception of Burgess and Kelly Parks. Use of said equipment in Burgess and Kelly Parks shall be subject to requirements of Chapter 8.06, unless a permit is issued pursuant to this Chapter specifically sets forth applicable noise levels in excess of those provided in Chapter 8.06.

8.28.070 – Application for permit.

1. Any individual or group desiring to reserve any park or recreation facility, or any portion thereof, for exclusive use or for use, or that is organizing a gathering of over one hundred and fifty (150) persons, shall apply to the library and community services director, in writing on a form approved by the city manager. The city manager or designee may adopt administrative regulations that are consistent with and that further the terms and requirements herein.
2. The application must be submitted to the library and community services director not less than seventy-two (72) hours prior to the desired reservation.

8.28.080 – Criteria for issuance.

The library and community services director or designee shall issue a permit pursuant to the provisions of this Chapter unless the library and community services director or designee determines the application meets any of the following criteria:

1. The information contained in the application, or supplemental information provided, is not complete or is materially false or misleading.
2. The applicant has failed to submit a complete application, supply satisfactory evidence of insurance, or has not remitted the fees or deposits as required by the Chapter.
3. The park, recreation facility, or portion thereof is unavailable for the period for which the permit is requested.
4. The area proposed for the applicant's use or activity could not physically accommodate the number of participants expected to participate in a safe manner.
5. The proposed use, activity or event is not compatible with the uses established for the requested park, building or portion thereof, in that it unreasonably interferes with use of the park by others.
6. The proposed use has a realistic potential to create a threat to the public health, safety or welfare, or to damage public property, which may not be adequately remedied by reasonable traffic control, barriers, and/or other safety measures.
7. The proposed use would require the diversion of public safety or other city employees from their normal duties so as to unreasonably reduce adequate levels of service to any other portion of the city, or the event will adversely affect the city's ability to reasonably perform municipal functions or furnish city services.
8. The proposed use, event or activity will have a significant adverse environmental impact.
9. The proposed use would be in conflict with applicable provisions of any federal, state and/or local law.

8.28.090 – Conditions of approval.

Permits issued pursuant to this Chapter are subject to such reasonable conditions as the library and community services director or designee may determine necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful uses, protect the safety of persons and property, ensure compliance with

noise requirements set forth in Chapter 8.06, and to control vehicular and pedestrian traffic in and around the park and/or recreational facility. These conditions may include conditions for waste management and restoration of the park, environmental protection, conditions to ensure safe accommodation of an event's pedestrian and vehicular traffic, indemnification and hold harmless of the City, and reasonable designation of alternate sites, times, or dates in the event of conflict with available resources.

8.28.100 – Permit holder responsibilities.

After a person obtains a permit pursuant to the provisions of this Chapter, that permit holder must:

1. Comply with all rules and regulations and all applicable City Ordinances as though the same were incorporated into the permit.
2. Comply with all conditions imposed by the permit.
3. Inform all attendees of the conditions of the permit and the applicable rules and regulations.

8.28.110 – Revocation of permit.

Any permit for the use of the premises shall contain a provision that the library and community services director or designee shall have the power to cancel and terminate such permit and to require the immediate removal of all persons from said premises upon their finding:

- (1) That the applicant misrepresented or misstated any material fact in their application; or
- (2) That the activity or any significant part thereof taking place on said premises is contrary to State or local law, or is endangering life and/or property.

8.28.120 – Appeal of decision.

Any interested person may appeal the decision of the library and community services director or designee by providing the city manager or designee with written notice of appeal within five (5) days of the denial or revocation. The city manager or designee shall hold a hearing within ten (10) days of the filing of a notice of appeal, at which time the applicant may present any and all evidence, testimony, and information relevant to the city manager's decision. The city manager or designee, within five (5) days following the appeal hearing, shall issue a decision. The decision of the city manager or designee shall be delivered to the applicant and shall be final and binding.

8.28.130 – Establishment of fees.

The city manager, in consultation with the library and community services, community development, public works, administrative services, and police departments, is hereby authorized to establish reasonable fees for the recovery of City costs associated with implementation and enforcement of this Chapter.

8.28.140 – Prohibited activity in parks or facilities.

The following activities are prohibited in any park or recreational facility:

- (1) Exclusive occupancy of any park or facility without a permit therefor, or the occupancy of any park by any group for which a permit is required without such permit;
- (2) Occupancy of any park, except Burgess or Kelly, by a group of larger than one hundred fifty persons;

- (3) Commercial activities for private profit except where expressly permitted by State law and upon acquisition of required permits;
- (4) Golf, except in designated areas;
- (5) Motor-driven vehicles or models, including drones and unmanned aircraft systems, except in designated areas, and except for the use of drones by public safety personnel for emergency operations;
- (6) Riding animals or bicycles except where developed for vehicular use;
- (7) Placing litter or debris elsewhere than in containers therefor;
- (8) Discharging weapons;
- (9) Removal of turf, soil, grass, tree, shrub, or portion thereof; except as such work may be done by authorized city employees;
- (10) Lighting or maintaining fires, except in places provided by the city or in a portable barbeque approved by the recreation department;
- (11) Overnight use of parks, other than city-sponsored activities or other activities for which the City has provided written permission to utilize a park or recreation facility beyond the closing time;
- (12) Play or practice baseball using a hard ball; or hit a hard ball with a baseball bat; this shall not prohibit the playing of the game of baseball with a soft ball.
- (13) To ride, drive, lead or keep a saddle horse, pony, mule, or other such animal;
- (14) To possess or consume alcoholic beverages other than beer or wine. Beer or wine may be consumed only at places more than one hundred feet from parking, loading, and roadway areas;
- (15) To cause, create, encourage, or threaten to cause any disturbance which may reasonably result in injury or property damage, or disturb the peace, comfort and security of the park patrons or employees.

8.28.150 – Park regulations.

The library and community services director shall be and is authorized and directed to promulgate such rules and regulations as they may deem to be necessary to effectively enforce the use regulations established in this chapter. The regulations may permit any of the activities prohibited in this chapter in any defined and prescribed area provided that a suitable area is set aside for such activity, and said areas are signed and posted, indicating the type of use permissible, and the rules applicable to said use, if any.

8.28.160 – Parks closed at night.


No person shall remain in any park or public recreation facility or building between the hours of thirty (30) minutes after sunset and sunrise other than a city employee in the performance of their duty or persons participating in city-sponsored activities or other activities for which the city has provided written permission to utilize a park or recreation facility beyond the closing time.

8.28.170 – County ordinance adopted by reference.


Section 2, Division III, Part Two (Chapter 10, Sec. 3385—3392) of the San Mateo County Ordinance Code (described as the "San Mateo County Parks and Recreation Department Ordinance Code," effective October 21, 1976) is incorporated in this chapter and made a part of this chapter by reference but only as it relates to county park facilities located within the city. The only existing county facility as of the date of adoption of said ordinance to which this section shall apply is Flood Park.

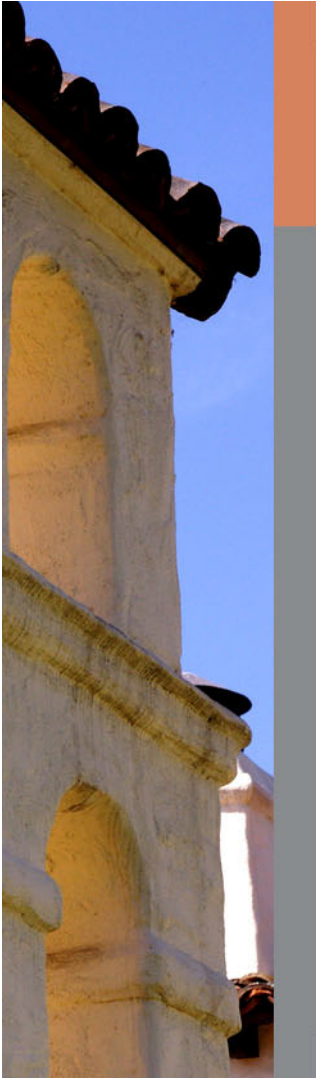
8.28.180 – Penalty for violation.

Any person, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of the provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred (\$500) dollars or by imprisonment in the county jail for six (6) months, or by both such fine and imprisonment. Any violation of this chapter which is committed and continues from day to day constitutes a separate offense for each and every day during which such violation is committed or continued.



WAIVE THE FIRST READING AND INTRODUCE AN ORDINANCE AMENDING TITLE 8, PEACE, SAFETY AND MORALS, OF THE MUNICIPAL CODE TO CREATE A COMPREHENSIVE PERMITTING SYSTEM FOR PUBLIC ASSEMBLIES, EVENTS, AND USE OF CITY PARKS AND FACILITIES

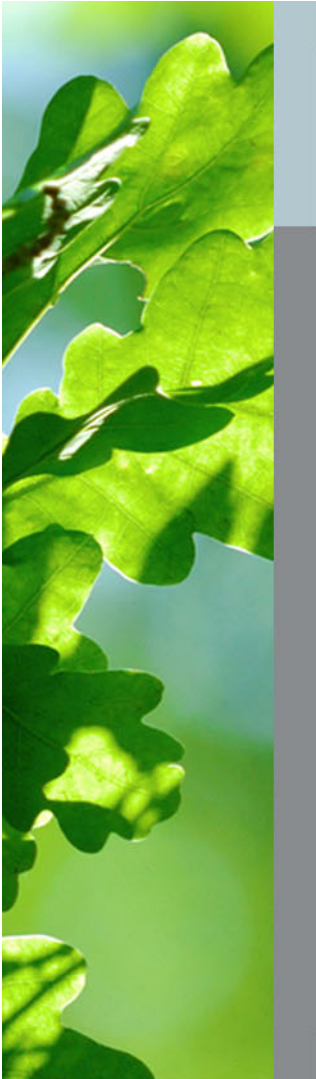




TYPES OF PERMITS REGULATING GATHERINGS IN THE CITY

1. Special Event Permits
2. Parks Permits
3. Noise Permits
4. Film Permits





SPECIAL EVENT PERMIT

- Requires special event permit:
 1. Formations, parades, demonstrations on City streets or on the City's right-of-ways
 2. Organized assemblies of over 150 people on public property
 3. Any other organized activity for a common use/purpose/benefit requiring public services
- Does ***not*** require special event permit:
 1. "Expressive activity" conducted on private property
 2. "Expressive activity" involving fewer than 150 people
 3. Activities on school grounds
 4. Spontaneous events generated by breaking news on City property if all of the following are true
 - ✓ The news must have come into public knowledge less than 48 hour
 - ✓ Organizers provide the police chief or designee at least 4 hours of prior notice
 - ✓ The location of the spontaneous event has not already been obligated to another use
 5. Filming pursuant to the film ordinance (updated film ordinance to City Council on July 26)
- No Noise Permit (under Chapter 8.06) required for Special Events



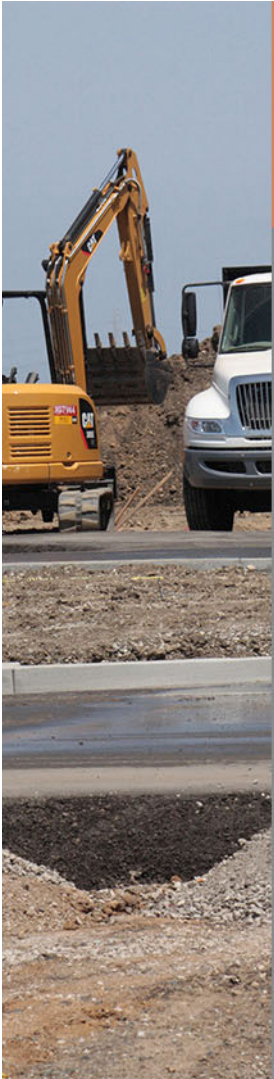
PARKS PERMIT

- Requires parks permit:
 1. Exclusive use of any area of a park for a group of any size
 2. Use of any area of a park with more than 150 people
 3. Activities in a park less than 1 acre with more than 20 people
 - Camp Fremont Park is exempt from this requirement

- Does ***not*** require park permit:
 1. Expressive activity (expressive activity in parks is governed by the Special Events Permitting provisions)
 2. Use of any area of a park with less than 150 people

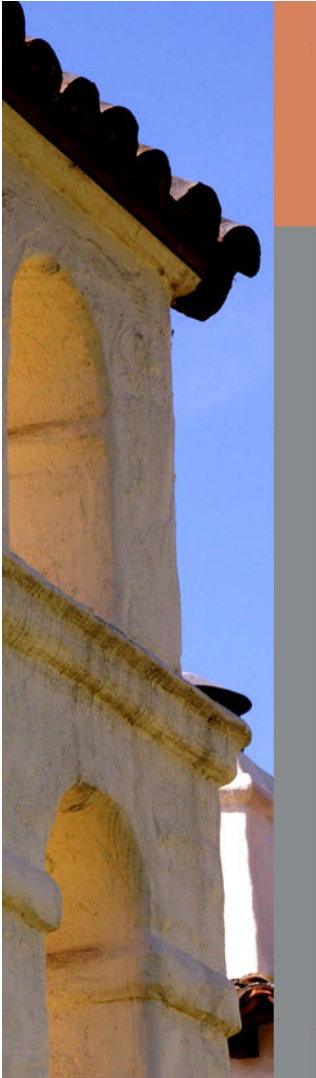
- Capacity limitations
 - One person/ 200 sq feet of usable open area
 - Burgess: max 1,400
 - Kelly: max 900

- Noise permit required if required under Chapter 8.06 (i.e. if noise will exceed City's noise limitations)



NOISE PERMIT

- Required on private property and is not otherwise governed by the Special Events Ordinance
- Granted by the community development director or designee



FILM PERMIT (SCHEDULED FOR THE JULY 26 CITY COUNCIL MEETING)



- Requires film permit:
 1. Required for use on public or private property
- Exceptions – does ***not*** require a film permit:
 1. Small operations
 2. News media operations
 3. Filming activities conducted at a studio
 4. Still photography
 5. City produced government access films



THANK YOU



STAFF REPORT

City Council

Meeting Date: 7/12/2022
Staff Report Number: 22-133-CC

Informational Item: City Council agenda topics: July 26 – August 9, 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 August 9, 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: July 26 – August 9, 2022

Report prepared by:

Judi A. Herren, Assistant to the City Manager/City Clerk

Tentative City Council Agenda

#	Title	Department	Item type	City Council action
1	Master Fee Schedule	ASD	Public Hearing	Approve
2	Workers' Comp Claims	ASD, CAO	Closed Session	No action
3	Resolution approving exception to the 180-day waiting period for CalPERS retired annuitant	ASD	Consent	Adopt resolution
4	Aquatics operator - Analysis/RFP study session	CA, LCS	Study Session	Direction to staff
5	Approve funding for 335 Pierce Road (predevelopment CLT, loan authorization docs)	CDD	Regular	Approve
6	Authorize the city manager to enter into master professional agreements with geotechnical firms for building permit review services	CDD	Consent	Approve
7	Housing Element Update water supply assessment	CDD	Regular	Adopt resolution
8	Adopt Community Amenity Implementing Regulations and Updated Amenities List	CMO	Regular	Adopt resolution
9	Adopt Resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public	CMO	Consent	Adopt resolution
10	Confirm voting delegate for the League of California Cities annual conference	CMO	City Councilmember Report	Decide
11	EQC Quarterly Report to City Council	CMO	Advisory body reports	Receive and file
12	Presentation: Recognition of RethinkWaste Trash-to-Art Contest	CMO	Presentation	No action
13	Waive first reading and introduce ordinance amending the Parks and Recreation ordinance related to film permitting	CMO	Consent	Adopt ordinance
14	First reading ordinance: prohibiting use of park lands for any other usages	CMO, CAO	Regular	Approve
15	Ballot measure direction from 6/28	CMO, CAO	Public Hearing	Adopt ordinance, Adopt resolution
16	Commemorative park amenities policy	LCS	Informational	Receive and file
17	Direction on city observances based on holidays of religious origin	LCS	Regular	Direction to staff
18	MPCC project updates: Community survey, budget	LCS	Study Session	Direction to staff
19	Options for city observances based on holidays of religious origin	LCS	Informational	No action
20	706 Santa Cruz Avenue - Tentative Map Extension Request	PW	Public Hearing	Adopt resolution
21	Adopt Reso XXXX to reduce the posted speed limit in school zones consistent with the California Vehicle Code	PW	Consent	Adopt resolution
22	Automated water meter reading project agreement	PW	Consent	Approve
23	Confirm existing public improvement agreement with Greystar for Menlo Uptown or update to remove improvements on Willow Road	PW	Regular	Approve
24	Provide direction on the continued use of level of service analysis in traffic impact analysis	PW	Study Session	Direction to staff



STAFF REPORT

City Council

Meeting Date:

7/12/2022

Staff Report Number:

22-134-CC

Informational Item:

Personnel activity report as of June 30, 2022

Recommendation

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

Policy Issues

City Council authorizes the annual budget, including approved full-time equivalent (FTE) personnel budgets, and delegates personnel management to the city manager. The purpose of this report is to provide information on the number of vacancies and recruitment status of those positions.

Background

From time to time, staff has reported personnel activity to the City Council to identify the status of active, pending and yet-to-be prioritized recruitments, new hires, and separations for regular appointed benefited employees. The last two years have presented challenges in recruiting and retaining employees which is evident in Table 1 listing vacancies and recruitments. As also shown, recruitment for many of these is in progress.

Analysis

Vacancies can have an impact on programs and services provided by the City. In addition, recruitment activities for these positions increases the workload of human resources staff.

City staff have worked diligently to continue providing a high level of service, covering gaps created by vacancies through accessing other resources (temporary employees, consultants, interim/acting appointments, extra help retired annuitants.) This allows city services and projects to continue; however, it is not sustainable long-term as the vacant positions truly require regular appointed employees.

There are 10 executive and management vacancies in: administrative services, city manager's office, community development, library and community services, and public works. Four of those positions are currently filled with an interim or acting employee. Filling the executive and management positions is critical as it provides a sense of stability and continuity to staff. The recruitment plan for these positions has been established with several in the process of being recruited for.

As approved by the City Council as part of the fiscal year 2022-23 budget, the service level enhancements (SLEs) included new or restored positions that are in the process of being incorporated into the current recruitment plan. These positions will be reflected in the next quarterly personnel activity report.

Table 1: Personnel activity					
Department	Authorized FTEs	Total vacancies	Vacancy rate	Vacancies under recruitment	Vacancies in queue
Administrative Services	26	5.5	22%	2	3.5
City Manager's Office	11	3	27%	0	3
Community Development	33	9	27%	4	5
Library and Community Services	61.5	5	8%	3	2
Police	62.5	2.5	4%	2.5	0
Public Works	73	7	10%	6	1
Total	266.75*	32	12%	17.5	14.5

*Excludes City Councilmembers five FTEs

Impact on City Resources

Contract services funds are available within in the current budget for recruitment 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

None.

Report prepared by:

Mary Morris-Mayorga, Administrative Services Director – Extra Help Retired Annuitant