



SPECIAL AND REGULAR MEETING MINUTES

Date: 10/29/2019
Time: 6:30 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

Mayor Mueller participated by phone from the Association of Corporate Counsel:
The Clarendon Hotel and Spa by GreenTree
401 W Clarendon Avenue
Phoenix, AZ 85013

6:30 p.m. Study Session

A. Call To Order

Mayor Pro Tem Taylor called the meeting to order at 6:33 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller (arrived at 7:08 p.m.), Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, City Attorney Bill McClure, City Clerk Judi A. Herren

C. Pledge of Allegiance

SS1. Direction on next steps for addressing unregulated and unmaintained newsracks ([Staff Report #19-221-CC](#))

Management Analyst, Housing John Passmann made the presentation (Attachment).

- Tom Lilledahl spoke in support of the previously proposed ordinance.
- Dave Price, Daily Post, spoke on the concerns facing the City and the residents.
- Cherie Zaslowsky spoke in support of keeping newsracks in their current locations and in opposition of an ordinance.
- Fran Dehn spoke in support of a newsrack ordinance.

The City Council discussed the previously introduced ordinance and options presented by staff. Confirmation was received that any ordinance would include newsracks within the City and not solely in the downtown. City staff will work with publishers to modify the previously introduced ordinance to prevent relocating existing newsracks unless there is a substantial access or safety issue and bring the ordinance back to the City Council in early 2020

City Council took a recess at 7:36 p.m.

City Council reconvened at 7:44 p.m.

7:00 p.m. Regular Meeting

Mayor Pro Tem Taylor reordered the agenda.

- E3. Bay Area Water Supply and Conservation Agency (BAWSCA) report to City Council from Kirsten Keith

Former Mayor and Menlo Park BAWSCA representative made the presentation (Attachment).

- Wynn Grcich spoke on cancer causing additives in water.

D. Public Comment

- Laurie Pasqual spoke in opposition of Assembly Bill 967.
- Wynn Grcich spoke in opposition of Assembly Bill 967.
- Jim Lewis, Historical Association, spoke on the relationship between Menlo Park and Galway Ireland and presented a video (Attachment).
- Jen Wolosin, Menlo Together, announced two events 1) November 6 "Getting Downtowns Moving with Convenient and Sustainable Access " and 2) November 17 "The Color of Law - Menlo Park Edition".

- E1. Proclamation: Media Day

Mayor Pro Tem Taylor read the proclamation and Midpen Media Center Executive Director Keri Stokstad and Board President Sue Purdy Pelosi accepted (Attachment).

- Wynn Grcich spoke in support of the Media Day proclamation.

F. Commissioner Reports

- F1. Housing Commission report

Housing Commission Chair Nevada Merriman and Vice Chair Karen Grove made a presentation (Attachment).

The City Council discussed the workplan and how City Council can assist. Chair Merriman stated that help sorting through the workplan would be useful.

E. Presentations and Proclamations

- E2. Presentation: 2018-19 community development department and public works department organizational reviews prepared by Matrix Consulting

Deputy City Manager Justin Murphy introduced the item.

Matrix Consulting Group Vice President Alan Pennington will make the presentation (Attachment).

- Lynne Bramlett commented that a study of the residents' experience should be performed (Attachment).

The City Council received clarification that the presented study included input from stakeholders representing commercial and residential projects and explanations on specific recommendations made in the report.

G. Consent Calendar

- G1. Accept the City Council meeting minutes for September 24 and October 1, 2019 ([Attachment](#))

The City Council continued the October 1 minutes.

ACTION: Motion and second (Carlton/ Nash) to accept City Council meeting minutes for September 24, passed 4-0-1 (Taylor abstaining).

- G2. Approve the purchase of property located at 1283 Willow Road from MP1283 Willow LLC for \$3,633,000 and approve use agreement to permit MidPen Housing to use property for construction staging ([Staff Report #19-225-CC](#))

- Curtis Conroy had concerns that the appraisal was not included in the staff report.

The City Council received historical data from City Attorney Bill McClure. The City Council discussed the sale property and the interest to purchase expressed by the Menlo Park Fire Protection District.

By acclamation, the City Council postponed this item to the end of the agenda.

- G5. Approve the permanent neighborhood traffic management plan for North Lemon Avenue between Valparaiso Avenue and Santa Cruz Avenue ([Staff Report #19-222-CC](#))

ACTION: Motion and second (Nash/ Carlton) to approve the permanent neighborhood traffic management plan for North Lemon Avenue between Valparaiso Avenue and Santa Cruz Avenue, passed unanimously.

- G6. Receive and file West Bay Sanitary District's Bayfront recycled water facilities plan and delegate authority to the city manager to negotiate an agreement for recycled water purveyorship options ([Staff Report #19-217-CC](#))

The City Council received clarification on the boundaries set by West Bay Sanitary District.

ACTION: Motion and second (Carlton/ Taylor) to receive and file West Bay Sanitary District's Bayfront recycled water facilities plan and delegate authority to the city manager to negotiate an agreement for recycled water purveyorship options, passed unanimously.

H. Regular Business

- H1. Introduction of Ordinance No. 1060 amending Chapter 13.24 [Heritage Trees] of Title 13 [Streets, sidewalks and utilities] and repealing Chapter 16.65 [Solar Access] of Title 16 [Zoning] ([Staff Report #19-223-CC](#))

Sustainability Manager Rebecca Lucky made the presentation ([Attachment](#)).

- Kathy Neuman read from an email ([Attachment](#)).

- Peter Edmonds spoke in opposition of the ordinance (Attachment).
- Catherine Martineau, Director of Canopy, made suggestions to the proposed ordinance.
- Scott Marshall spoke in support of the ordinance.

The City Council discussed the current ordinance and the recommended changes. The City Council also proposed changes to the ordinance.

ACTION: Motion and second (Combs/ Carlton) to introduce Ordinance No. 1060 amending Chapter 13.24 [Heritage Trees] of Title 13 [Streets, sidewalks and utilities] and repealing Chapter 16.65 [Solar Access] of Title 16 [Zoning] with the following edits:

- Update or remove Public Works Director or designee throughout the ordinance
- Section 13.24.050 (criteria) to change “tree rating” to “tree risk rating” and change “tree health” to “tree health rating”
- Add to Section 13.24.050 (b), “Before a heritage tree is removed, notice of removal shall be posted on the property”, for all removals
- Delete Section 3 of ordinance (solar access)
- Clarification of the language in Section 13.24.050 (5) regarding the development related criterion to distinguish between removals based on a tree’s interference with a proposed development project and removals due to a tree’s interference with an existing building.
 - Addition of an annual reporting requirement regarding the effectiveness of the heritage tree ordinance, Section 13.24.110(2).

,passed unanimously.

G3. Receive and file the investment portfolio review as of September 30, 2019
(Staff Report #19-220-CC)

- Lynne Bramlett suggested these reports go to Finance and Audit Committee before City Council (Attachment).

ACTION: Motion and second (Carlton/ Nash) to receive and file the investment portfolio review as of September 30, 2019, passed unanimously.

G4. Receive and file the quarterly financial review of general fund operations as of September 30, 2019
(Staff Report #19-219-CC)

- Lynne Bramlett commented on details of the report including hotel occupancy tax (Attachment).

The City Council received clarification that developer fees are included in a separate annual report and the timing of the report release was completed before first quarter money for transient occupancy tax was recorded. The City Council also discussed the Finance and Audit Committee receiving the report dependent on their quarterly meeting schedule.

ACTION: Motion and second (Combs/ Taylor) to receive and the quarterly financial review of general fund operations as of September 30, 2019, passed unanimously.

I. Informational Items

I1. City Council agenda topics: November 2019 to January 2020 ([Staff Report #19-216-CC](#))

No action or discussion.

Item I2. was continued to November 5.

I2. Downtown street café program update ([Staff Report #19-224-CC](#))

The City Council adjourned to closed session at 11:33 p.m. to discuss item G2., Approve the purchase of property located at 1283 Willow Road from MP1283 Willow LLC for \$3,633,000 and approve use agreement to permit MidPen Housing to use property for construction staging (Staff Report #19-225-CC).

Mayor Pro Tem Taylor called the regular meeting back to order at 11:45 p.m.

- G2. Approve the purchase of property located at 1283 Willow Road from MP1283 Willow LLC for \$3,633,000 and approve use agreement to permit MidPen Housing to use property for construction staging (Staff Report #19-225-CC)

City Attorney Bill McClure reported no action taken during closed session.

ACTION: Motion and second (Combs/ Taylor) to approve the purchase of property located at 1283 Willow Road from MP1283 Willow LLC for \$3,633,000 and approve use agreement to permit MidPen Housing to use property for construction staging, passed unanimously.

J. City Manager's Report

City Manager Starla Jerome-Robinson reported on a San Mateo County coalition meeting.

K. City Councilmember Reports

City Councilmember Carlton reported on the League of California Cities Annual Expo, October 16-18, 2019.

Mayor Mueller announced he is no longer recused from the Stanford general use permit topic.

City Councilmember Nash reported on the Stanford general use permit meeting in San Jose on November 5 at 1:30 p.m.

L. Adjournment

Mayor Pro Tem Taylor adjourned the meeting at 11:49 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of December 10, 2019.

NEWSRACK STUDY SESSION

City Council Meeting – October 29, 2019

DIRECTION NEEDED

- Is action on newsrack concerns desired?
- If so, which option should staff pursue?



THE CONCERNS

- Unmaintained newsracks
 - Dilapidated
 - Abandoned
 - Trash receptacles
- Detracts from downtown
 - Business complaints
 - Resident complaints
- Accessibility concerns





BACKGROUND

- 1980s
 - Green racks
 - Lack of responsible party
- 2016
 - Surge of complaints
 - Inventoried downtown newsracks
 - Difficult to abate without an ordinance
- 2017
 - August 22: Informational staff report & commitment to conduct community outreach
 - October 25: Community meeting
 - November 7: Informational item submitted about the community meeting
 - December 5: City Council regular business item seeking direction



BACKGROUND CONT.

- 2018
 - March 13 – first reading of ordinance
 - Second reading put on hold
- 2019
 - Complaints prompt exploration of past actions
 - Desire to bring project to a close in some form

Downtown Newsrack Locations

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Peet's Coffee & Tea



Lot 2

Lot 3

Lot 1

Le Boulanger

Stella Restaurant

Lot 4

DRAEGER'S SUPERMARKET

Lot 5

Lot 6

Lot 7

TRADER JOES

Lot 8

LEFT BANK

Applewood Pizza

Newspaper Racks

- Private
- Public

Parking

- Selected Santa Cruz Ave Businesses
- Parks

Street Improvements

- Landscape
- Ramp
- Sidewalk
- Vertical Curb

0 125 250 500 Feet

Locations are approximate





2018 DRAFTED ORDINANCE

- Maintenance
 - Section 13.28.050
- Size and Design Standards
 - Section 13.28.060
- Standards for Placement and Location of Newsracks
 - Section 13.28.070
- Abandoned Newsrack
 - Section 13.28.020

OPTIONS FOR NEXT STEPS

- Option A: No Ordinance/Status Quo
 - Publishers self-police
 - Staff could take a more active role
 - Green racks still present a problem
- Option B: Originally Proposed Ordinance
 - Passed first reading March 13, 2018
 - Publisher/community buy-in
 - Less restrictive than neighboring communities



OPTIONS FOR NEXT STEPS CONT.

- Option C: Modified Ordinance
 - Corrals in the downtown area
 - Use locations where newsracks congregate currently
 - Similar to downtown Burlingame and Palo Alto
- Option D: New Ordinance/Public Process
 - Restart entire process
 - Direction on new ordinance
 - Community meetings with stakeholders
- Or any combination of above





DIRECTION

1. Does the City Council want to act on newsrack concerns?
 - If no, Option A: Status Quo
 - Is there direction for staff to take a more active role?
2. If yes, which option or combination of options should staff pursue?
 - Option B: Originally Proposed Ordinance
 - Option C: Modified Ordinance
 - Option D: New Ordinance/Public Process



THANK YOU



OPTION D ADDITIONAL QUESTIONS



1. Does the City Council want to standardize the newsracks?
 - a. Style (pedestal or modular)
 - b. Size
 - c. Color
 - d. Manufacturer and/or model

2. Does the City Council want to regulate newsracks locations within the City?

3. Does the City Council want to restrict the number of newsracks allowed?

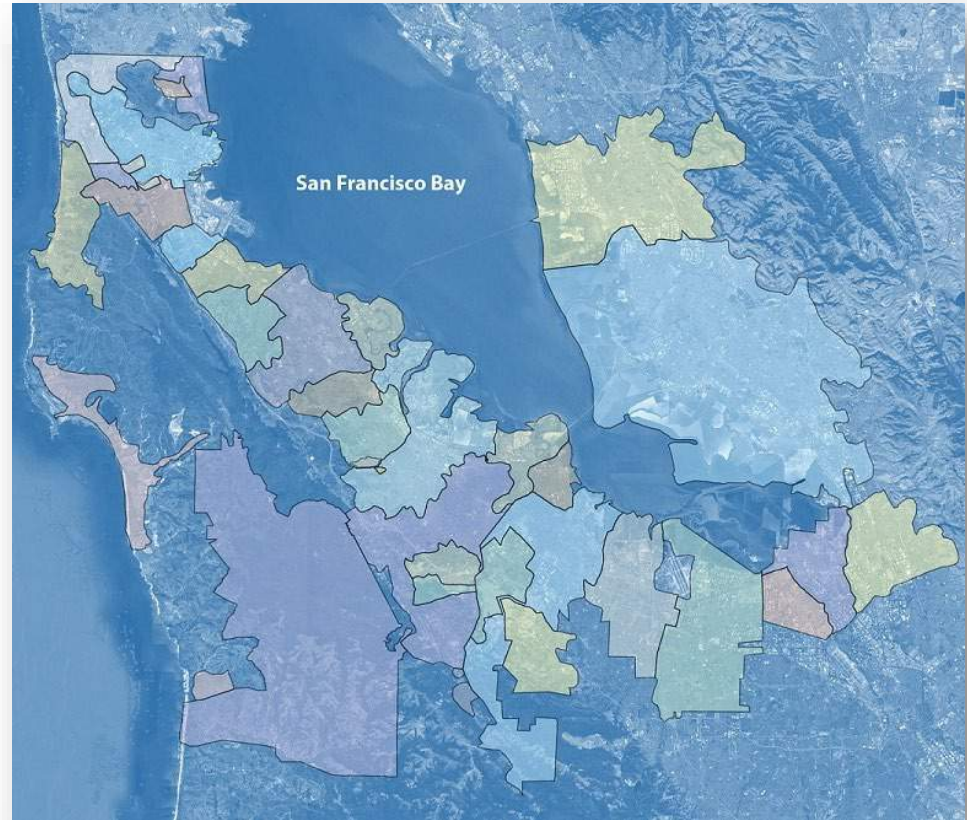




What is BAWSCA?

(Bay Area Water Supply and Conservation Agency)

- Special agency formed in 2003
- Provides regional water supply planning, resource development, and conservation program services to enhance water reliability of the San Francisco (Hetch Hetchy) Regional Water System
- Represents the interest of 26 water suppliers in San Mateo, Santa Clara, and Alameda Counties (1.8 million residents and over 40,000 businesses, and countless community organizations)



BAWSCA's 26 Member Agencies

Alameda County

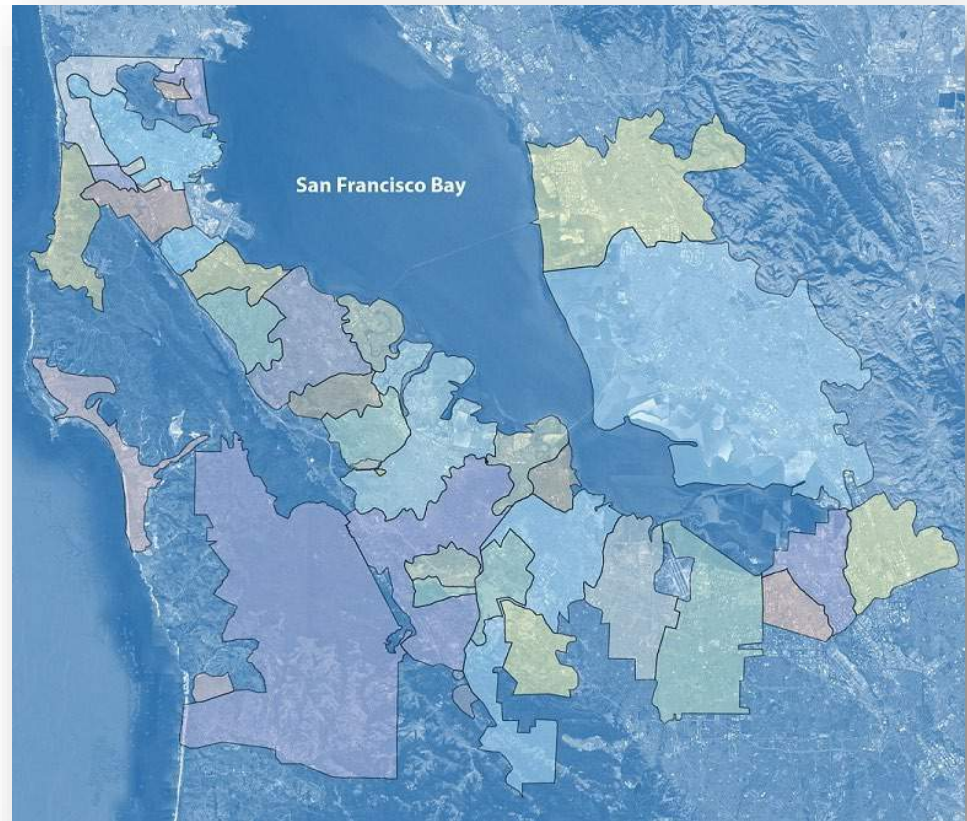
- Hayward, Alameda County Water District

Santa Clara County

- Milpitas, San Jose, Santa Clara, Sunnyvale, Mountain View, Palo Alto, Purissima Hills WD, Stanford University

San Mateo County

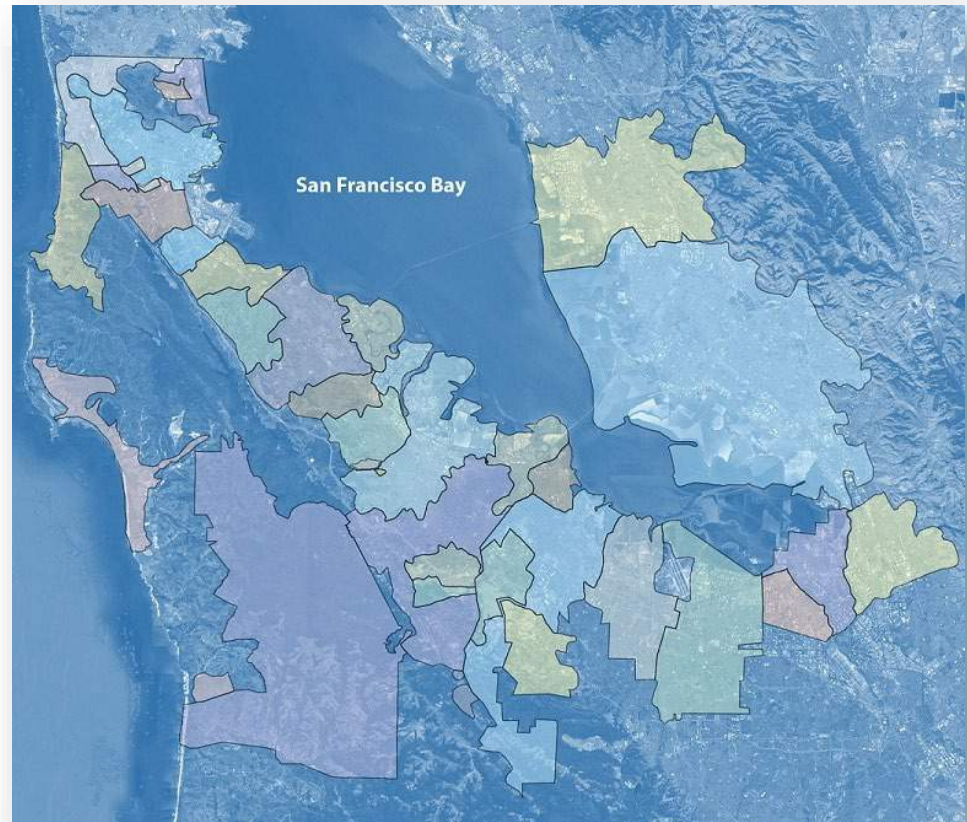
- East Palo Alto, Menlo Park, Redwood City, California Water Service, Mid-Peninsula WD, Coastside CWD, Foster City (Estero), Burlingame, Hillsborough, Millbrae, San Bruno, Brisbane, Guadalupe Valley MID, North Coast CWD, Westborough CWD, Daly City



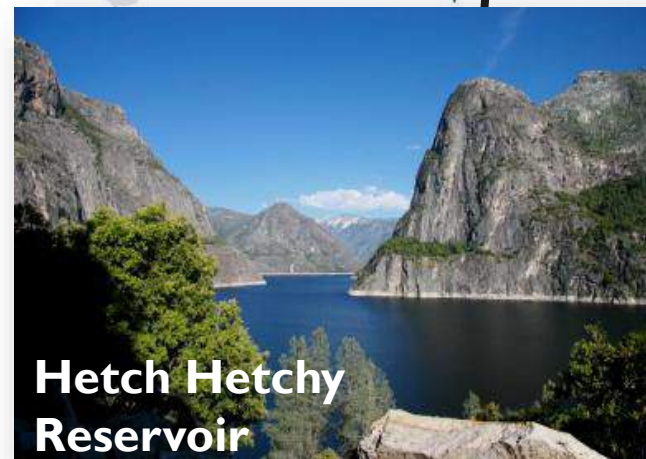
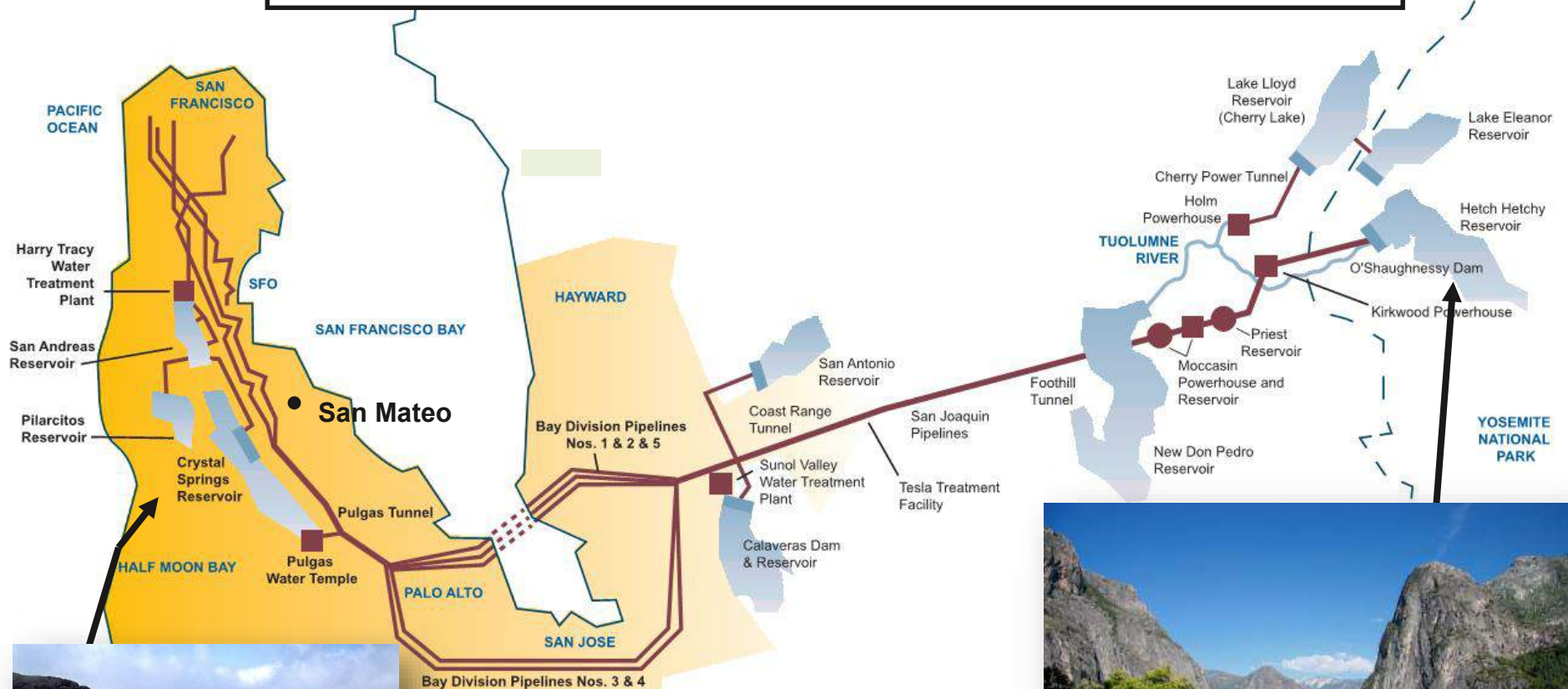
What are BAWSCA's Goals?

BAWSCA's Goal:

Reliable supply of
high quality water at
a fair price

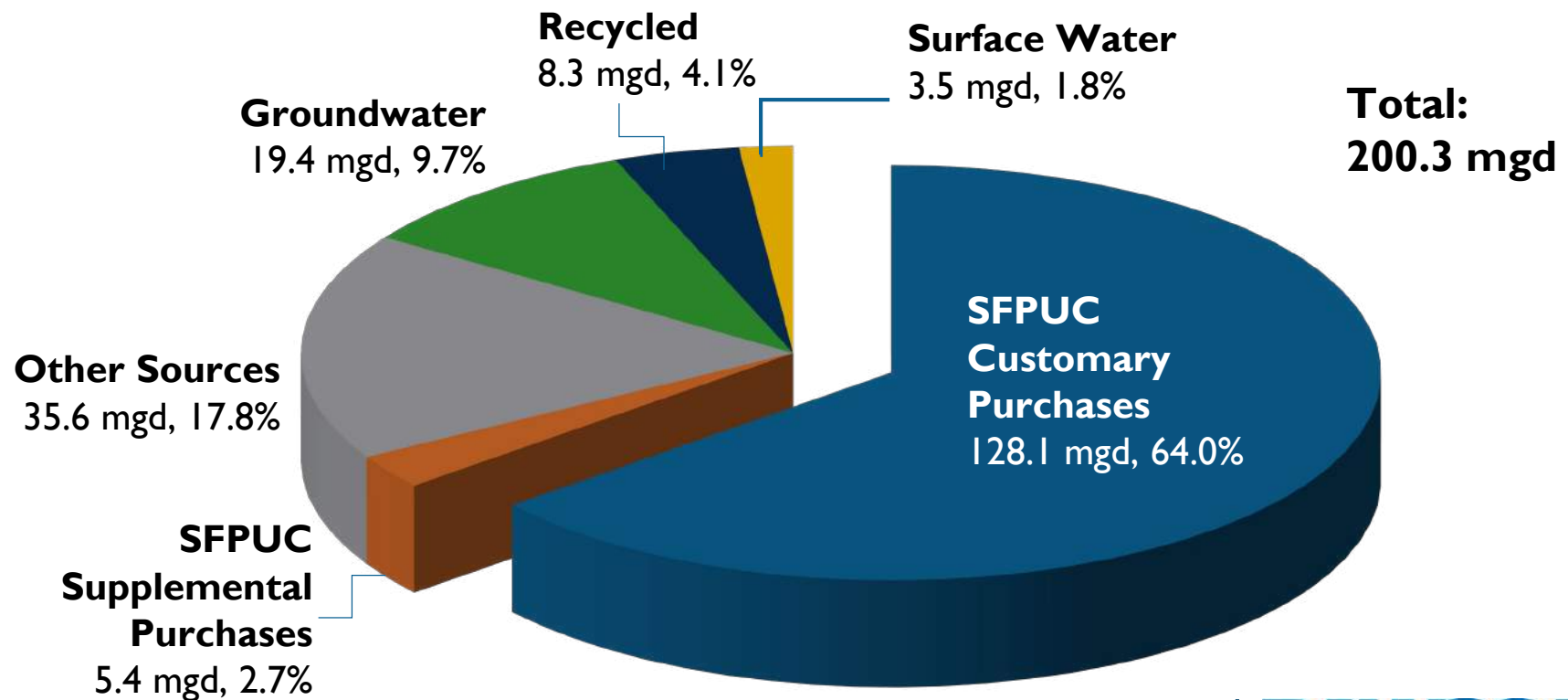


San Francisco Regional Water System



Communities Outside SF Rely on the System

BAWSCA agencies rely on the SF Regional Water System for two-thirds of their total water supplies



San Francisco Required to Fix the System

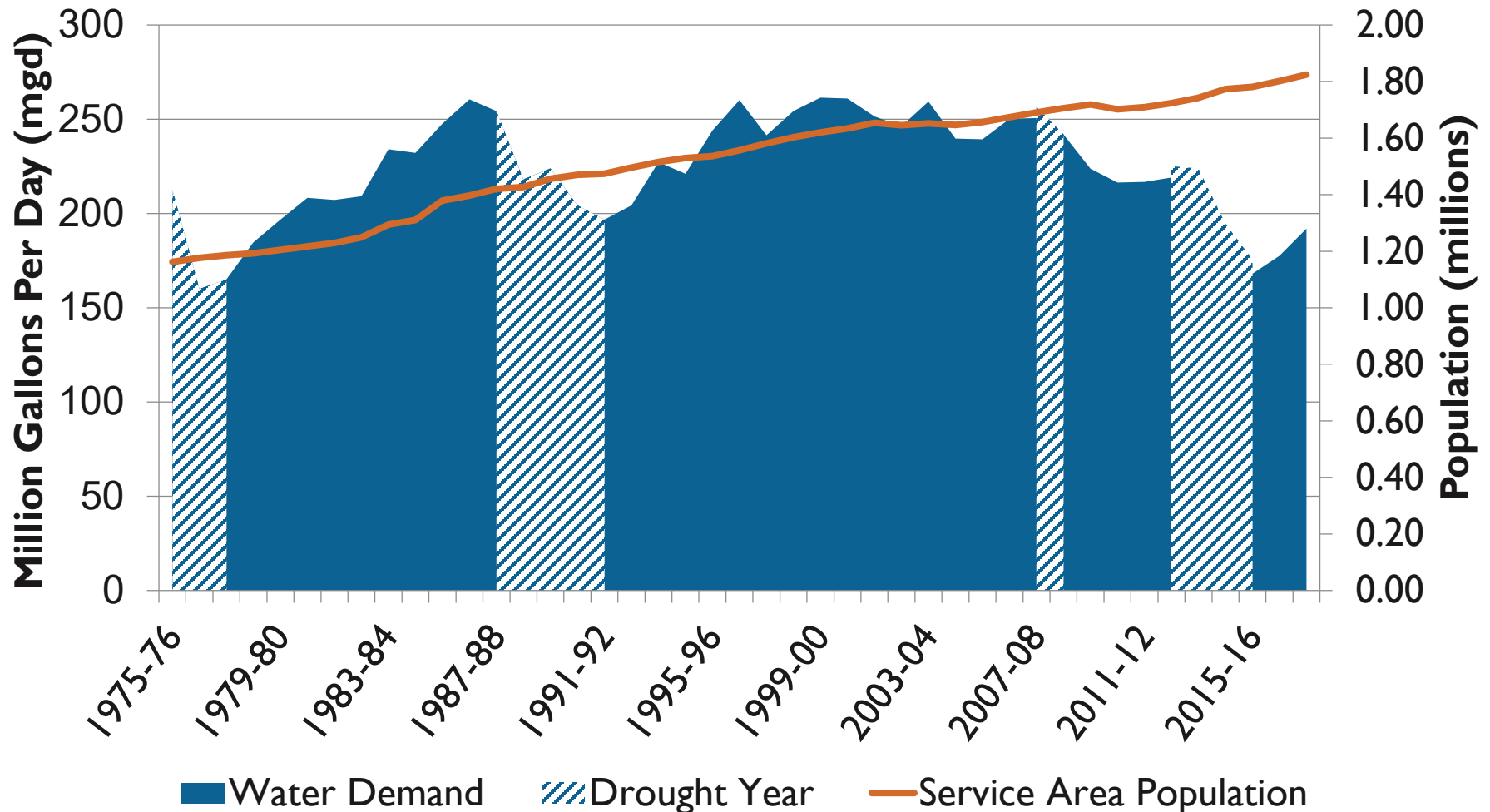
- AB 1823 (2002, Papan), required SF to fix Regional Water System
 - In response to local elected officials' and water suppliers' concerns regarding reliability of SF Regional Water System
 - Resulted in Water System Improvement Program (WSIP)
- WSIP is designed to meet specific purposes:
 - High water quality, seismic reliability, delivery reliability, water supply reliability, system sustainability, cost-effectiveness
- When WSIP is complete, the Regional Water System will be able to meet the following seismic reliability objectives:
 - Deliver basic water service (229 mgd) to region within 24 hours after major earthquake
 - Restore facilities to meet an average demand (300 mgd) within 30 days after major earthquake

WSIP is 97% Complete

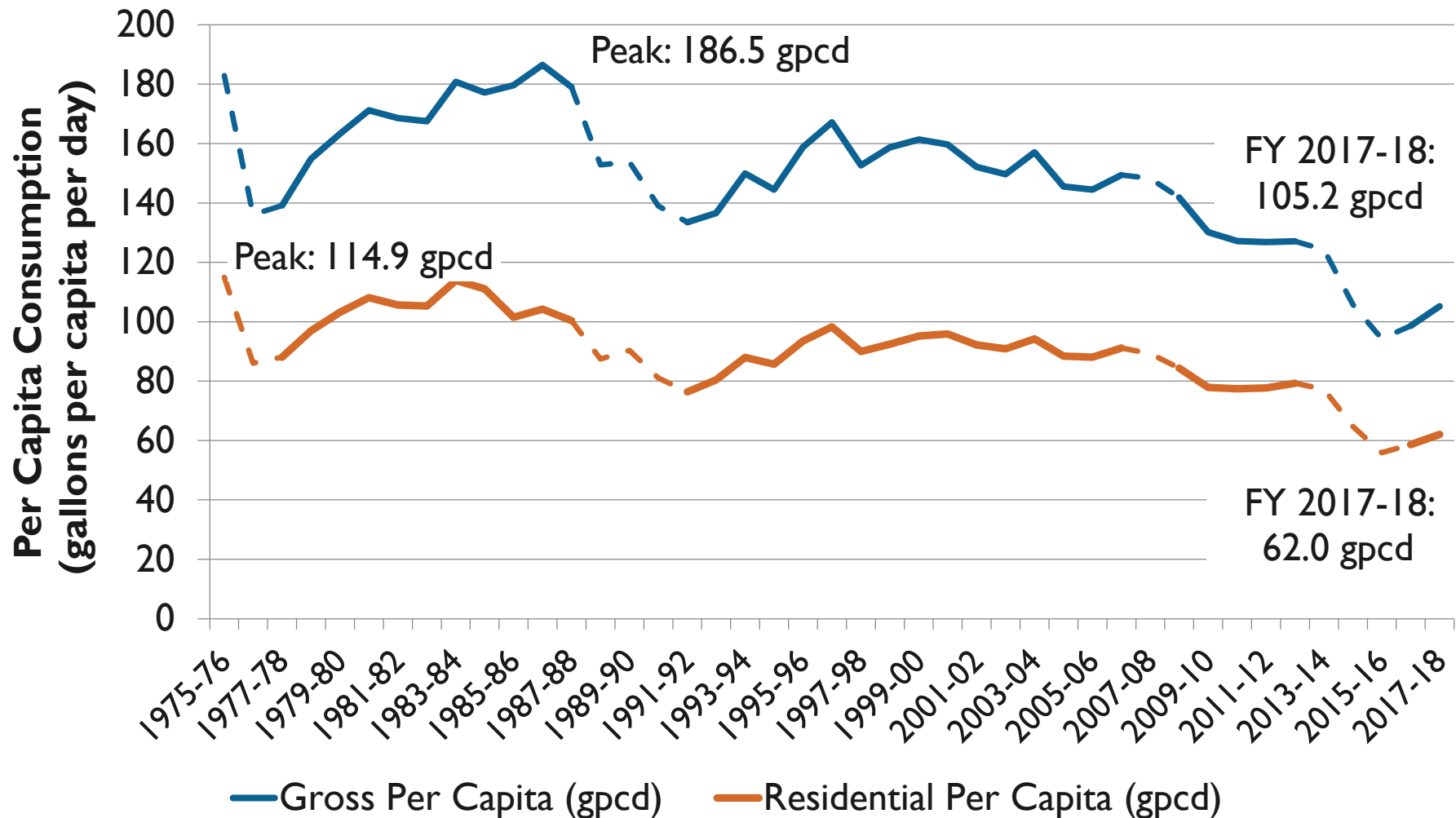
- All projects scheduled to complete by Dec. 31, 2021
- \$4.788 billion funded by rate payers
- 52 projects



23% Less Water Used Today in BAWSCA Region Compared to FY 1986-87 Despite a 31% Population Increase

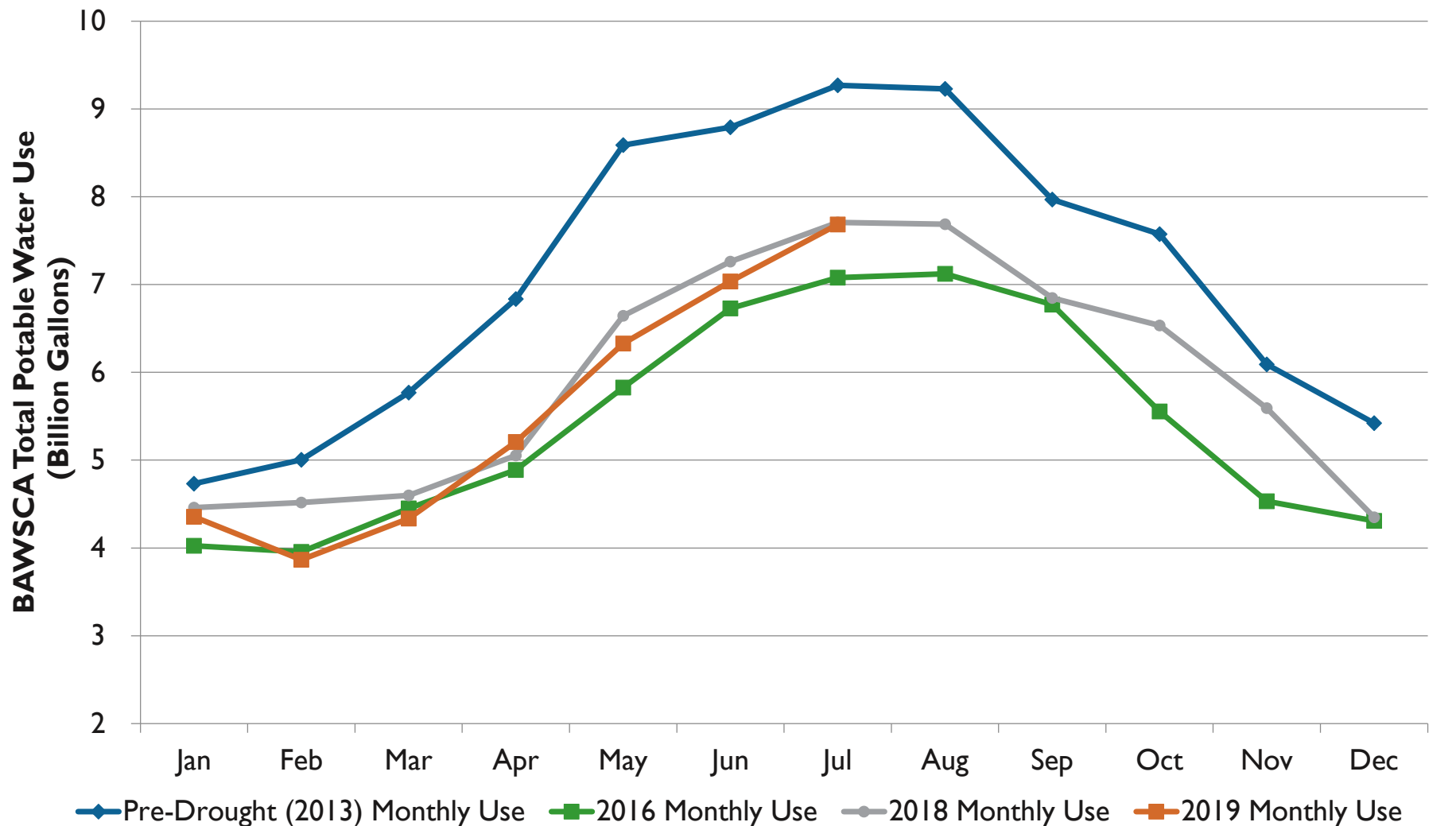


Residential Per Capita Has Decreased by 46% in BAWSCA Region



Dashed line indicates drought year

BAWSCA July 2019 Total Potable Water Use 17% Less Than July 2013



BAWSCA Taking Action to Ensure Water Supply Reliability and Resilience

- Increasing risks for supply reliability on Regional Water System
 - Population and job growth
 - Climate change (e.g., drought, sea level rise)
 - Regulatory action (e.g., Bay Delta Plan)
 - Legal action (e.g., Restore Hetch Hetchy)
 - Affordability
- Engaging local, state and federal elected officials
- Local “drought-proof” supplies becoming increasingly important
 - Potable Reuse being examined throughout service area
- Evaluating potential investment in joint regional supply projects
 - Los Vaqueros Reservoir Expansion, Pacheco Reservoir, others
- Water conservation remains critically important

Making Conservation a Way of Life

- Water conservation was a key element of BAWSCA's long-term water supply planning before the drought
- State looking to implement new long-term water use targets
 - BAWSCA has multi-year work plan item associated with supporting agencies in implementing new water use objectives
- BAWSCA and member agencies have programs in place to promote water use efficiency
 - Classes
 - Online resources
 - Rebates and vouchers

www.BayAreaGardening.org

From thirsty lawn to water-efficient landscape



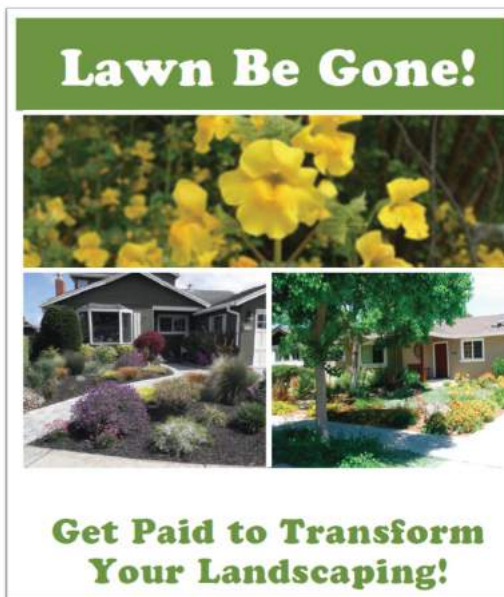
Rebate Programs: www.BayAreaConservation.org



Up to \$100 Rain Barrel Rebates



Rebates of \$1 to \$4 per Square Foot



High-Efficiency Sprinkler Nozzles Rebates – up to \$5 per nozzle





L. Ash, 2017

**MIKE CUBBARD, MAYOR, GALWAY, IRELAND
REMARKS TO THE MENLO PARK CITY COUNCIL
TUESDAY, OCTOBER 29, 2019, 7:00 PM**

Good afternoon Mayor and City Council Members.

My name is Michael Cubbard. I'm the current Mayor of Galway City.

I'm delighted to speak with you this afternoon.

First off to introduce myself to yourselves.

Secondly, I hope you have enjoyed the book on Menlo here in Galway on the history and heritage of the great Village of Menlo, just outside the Galway City Center.

Menlo as you know is linked with yourselves and twinned with yourselves and we are very proud of that.

William Henry put the book together. I'm sure you're all read the book at this stage. It's fantastic read and it really does shrine the history and heritage of the great Village of Menlo here in Galway.

Of course, Galway has been chosen as the European Capital of Culture next year in 2020.

On February 8th we embark on our cultural journey.

Our opening ceremony in Galway City and I invite you all to join us here next year as part of the European Capital of Culture.

We have a number of events February 8th to January 21st in terms of Art, Music, Dance, Sport, etc. You name it we have it.

We welcome you here in Galway next year and thank you this afternoon.

The video can be accessed on the internet, at

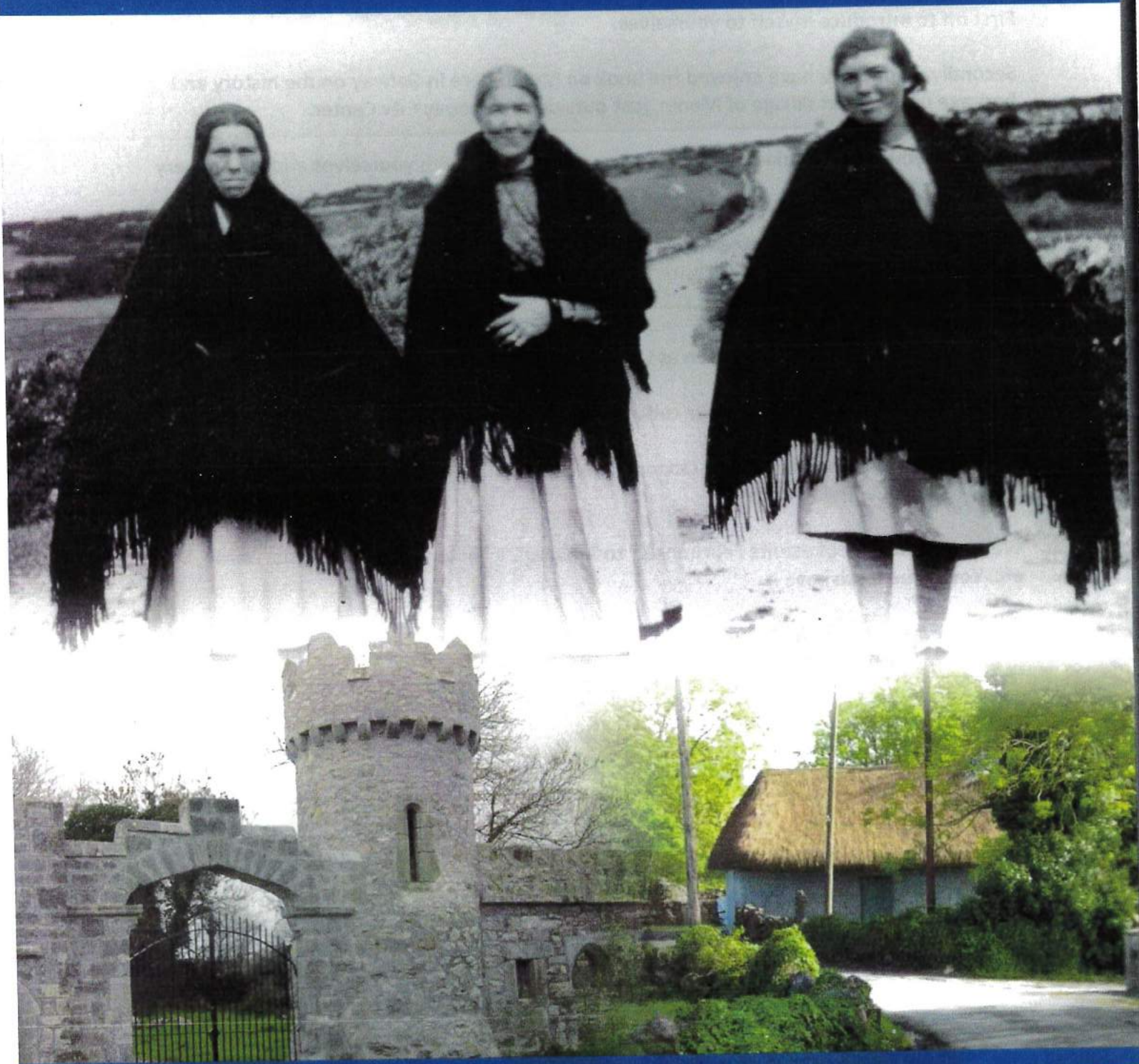
<https://sites.google.com/view/galway-mayor-october-2019/home>

Enclosures:

- 1- Photograph
- 2- Book – Cover Page
- 3- Book – Promotional Flyer
- 4- Email, dated June 11, 2019
- 5- Galway 2020: European Capital of Culture
- 6- President Michael D. Higgins article

Menlo

Memories & Folklore





Pictured below are Members of the Council at the meeting. The first Ordinary Meeting of Galway City Council will take place on Monday 24th June 2019.

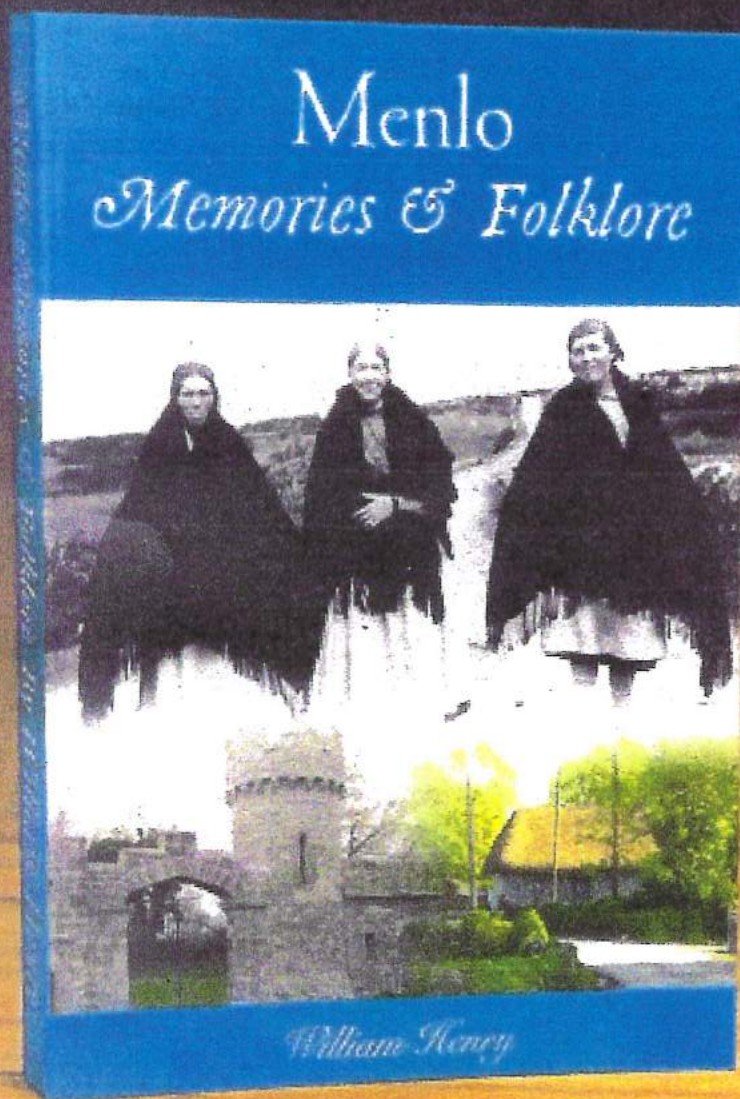


Your Elected Members for each Local Electoral Area are:

You are Cordially Invited to the Launch of

Menlo *Memories & Folklore*

By *William Henry*



The Book will be
launched by
Councillor Frank Fahy

Saturday:
6 July 2019 at 8.00 p.m.

Venue:
**Menlo Park Hotel,
Galway**

**Finger-food – Music –
Entertainment**
(Celebrating Galway 2020)

To: Jim Lewis <jimlewis@aol.com>

Subject: Menlo Memories & Folklore Invitation

Date: Wed, Jun 12, 2019 1:58 am

Attachments: Cover design full Blue Colour 10mm proof.pdf (654K), Menlo Memories & Folklore invitation.pdf (583K)

Hi Jim,

Please find attached the invitation to *Menlo Memories & Folklore*.

I have also attached the cover.

Please feel free to circulate this invitation to anyone who might be interested in attending the launch.

Kind regards, William 086 870 7405

Blurb: The book tells the story of the rich history and folklore of Menlo stretching back through centuries of tradition. It begins with the Stone Age and continues unbroken through the medieval period and completes the full circle into modern times. The story of the people is ever-present in the book and invites readers to journey back to ancient times and become entranced with the history, folktales and customs of this place of antiquity. There are many stories captured in this book that will captivate any audience including many aspects of the Blake family. It follows life as it evolved over centuries in a traditional village and explores times of hardship and famine, along with the early education and religious aspects of the people. The reader is introduced to a wealth of characters throughout the book. The great sporting life of Menlo forms part of the story and, indeed, its connection with Menlo Park City in California. The richness of its wonderful traditions are explored in detail with *Seanchai* tales from legendary storytellers including the role the fairies played in everyday life. One will certainly be enlightened and refreshed after taking this enchanting voyage of discovery back through time in this magical place they call Menlo.



Virus-free. www.avg.com

AOL Mail (4938) x Galway 2020 Committee - AOL S x Galway 2020 European Capital x +

galway2020.ie/en/

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Galway 2020 European Capital Gaillimh of Culture

PROGRAMME ABOUT NEWS/MEDIA GET INVOLVED CONTACT

Q f t i e EN | GA

GALWAY 2020

In 2020 Galway, Ireland becomes the European Capital of Culture, a year of extraordinary creativity and disruption.

Will you join us?

This website uses cookies to ensure you get the best experience on our website. [Learn more](#)

GOT IT!

Windows taskbar: e, N, W, Chrome, Firefox, VLC, 3:04 PM 9/17/2019

9/17/2019

Fáilte is Fiche

President Michael D. Higgins



As President of Ireland, it is a particular privilege for me to present this programme for the Galway 2020 celebrations; a programme that, I am sure, will illustrate why Galway deserves the title of European Capital of Culture 2020.

Mar Uachtarán na hÉireann, is pribhléid ar leith dom an clár seo d'imeachtaí ceiliúrtha Gaillimh 2020 a chur i láthair; is clár é, is cinnte, a léireoidh an fáth a bhfuil an teideal Príomhchathair Chultúir na hEorpa 2020 tuillte ag Gaillimh.

Proclamation

Midpen Media Community Media Day October 20, 2019

WHEREAS, the sharing of ideas and information helps to build common understanding and common values within a community and access to information in today's media environment is critical for the healthy functioning of our community; and

WHEREAS, community media organizations provide a means for diverse communities to tell their stories, hear each other's stories, and create new stories together; and

WHEREAS, community media organizations provide information to the community that is not covered by mainstream commercial media; and

WHEREAS, community media organizations provide people with the skills necessary for the creation, sharing, and consumption of knowledge and ideas through media and connects community organizations, schools, and local governments to their constituents; and

WHEREAS, community media is an important resource for participating in local democratic policy and processes; and

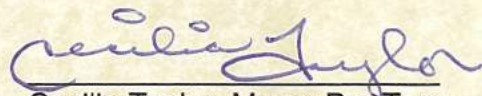
WHEREAS, in many communities, people are not aware of the diverse and valuable programming on public, education, and government access channels or community radio channels; and

WHEREAS, communities will benefit from increased general awareness of, viewing audiences for, and creators of media content created by and for the community.

NOW THEREFORE, BE IT PROCLAIMED that I, Cecilia Taylor, Mayor Pro Tem of the City of Menlo Park, do hereby proclaim October 20, 2019 as Community Media Day within Menlo Park, and all people are hereby called upon to promote the importance of community media, training available at Midpen Media, and programming available on Channels 26, 27, 28, 29, 30, and 75.

BE IT FURTHER RESOLVED, that Midpen Media plays a vital role in the building of our community by encouraging conversations about our common interests, increasing discourse around policy issues, fostering understanding of local cultures, and sharing information to improve our lives.




Cecilia Taylor, Mayor Pro Tem
October 2019



Who's Your Local Hero?

Do you know someone who
has an inspiring story to tell?
has overcome hardship?
has contributed over and above to the community?
would be thoughtful and compelling in a television interview?

If so, it's time to recognize your Local Hero!

New Deadline: November 8

Please send us your nominations. It's easy! Just email: louise@midpenmedia.org with the following:

1. Your name and contact information
2. The name and contact information of the person you are nominating
3. A description (at least a paragraph or more) of why your nominee should be selected

Nominees must live in or work in/serve Atherton, East Palo Alto, Menlo Park, Palo Alto or Stanford.

Last Year's Winners

You can check out last year's winners here:

<https://youtu.be/mA7BxROFctM>





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HOUSING COMMISSION

Quarterly Update

ARRIENGA FAMILY
GYMNASIUM



HOUSING COMMISSION

Chair – Nevada Merriman

Vice Chair – Karen Grove

Commission Members:

- Meg McGraw-Scherer
- Wendy McPherson
- Rachel Horst
- Curtis Conroy
- Lauren Bigelow



MISSION STATEMENT

- We are affordable housing advocates.
- We make recommendations to the City Council on issues related to housing policy, implement Council policy decisions, and represent the City where needed on housing matters.
- We are a conduit of information out to the community about affordable housing programs and a conduit of information back from the community regarding housing matters to the City Council.



SUMMARY OF ACCOMPLISHMENTS (4/9/2019-10/29/2019)

- Recommended BMR Agreement Terms
- Recommended BMR funding (NOFA)
- Updated “Enhanced Housing Policy Priorities” of Work Plan
- Short Term Rental (STR) Regulation – Community Engagement and Analysis
- Recommendation to City Council to become a member of California Community Housing Agency (JPA) to increase production of middle income housing
- Received update on Menlo Park Tenant Relocation Assistance Program
- Received update from the City’s Homeless Outreach Team
- Held regular, special and subcommittee meetings



WORK PLAN PROGRESS

| Item | Status |
|--|--------------|
| BMR housing – compliance oversight | In progress |
| Housing Element implementation – State compliance | Met, ongoing |
| Housing projects – awareness of upcoming projects | Met, ongoing |
| Community advocacy for affordable housing | Met, ongoing |
| Collaborate with area housing agencies and advocates | In progress |
| Housing outreach and support | In progress |
| Become more involved in housing policy and funding opportunities | Met, ongoing |
| Become involved in the NOFAs | Met, ongoing |
| Review annual BMR Report | Met, ongoing |
| Propose a new regular meeting schedule | Met |
| Review quarterly reports from Hello Housing | Met, ongoing |
| Prioritization of Enhanced Housing Program Policies | Met, ongoing |
| Review and recommend housing policy action | Met, ongoing |



NEXT STEPS

- Recommendation for Short Term Rental Regulation
- Issue BMR Fund NOFA
- Recommendation for amendments to BMR Guidelines
- Develop new 2020 work plan
- Desire to support City Council by providing timely, useful input on existing and new housing related laws:
 - ❖ Examples
 - Policies that increase housing options citywide
 - NOFA – prioritize projects close to transit
 - Upzone a site downtown and use BMR funds to sponsor City lead project
 - Participate in SMC “Home for All” ADU efforts
 - Support community outreach efforts related to ADU’s



***Operational and Organizational Assessment of
the Public Works and Community Development
Departments***

Menlo Park, California

matrix 
consulting group

Project Methodologies

- ◆ **Develop an understanding of the unique operating environment of Menlo Park** – from interviews and data collection.
- ◆ **Maximize input and interaction with City and Department staff** – to understand service delivery approaches, solicit staff input and keep staff apprised of progress.
- ◆ **Develop a detailed profile of operations** – to document existing operations, processes, staffing, and organizational structure.
- ◆ **Best practice comparisons** – to identify where operational practices meet or fall short of industry best practices.
- ◆ **Detailed analysis of improvement opportunities** – focused on staffing, efficiency of practices, and cost effectiveness of service delivery.

Project Approach

| Task | Issues Addressed |
|--|--|
| Initial Issues and Profile | What are the key issues shaping the study? How are functions organized, staffed, funded and operated? |
| Stakeholder Survey and Focus Groups (CD only) | What are the key issues identified by prior customers? Are the issues factually based or perceptions? |
| Best Practice Assessment | How do services provided by the Departments compare to “best practices” in the public works and community development industry? |
| Staffing and Operations | How do the Departments determine appropriate services levels, and are staffing levels commensurate with these levels? |
| Technology | How is technology used to manage operations and make decisions regarding service delivery? Are new systems needed? |
| Organization | Are spans of control appropriate? Are functions appropriately grouped and supervised? Are there gaps or duplications? |
| Final Reports | What prioritized changes should be implemented? Who should be responsible for implementation? How should implementation be monitored and success assessed? |

Key Themes – Community Development

- ◆ Building and Planning permit review processes are handled differently (e.g. project management, review comment transmission, etc.)
- ◆ The permitting software system does not meet the needs of staff or their customers.
- ◆ Supervisors and management do not use key performance indicators to proactively monitor workload and staff performance.
- ◆ Customer education and outreach efforts should be expanded.
- ◆ The zoning code has not been comprehensively updated recently and impacts staff's effectiveness.

Key Themes – Stakeholder Feedback

- ◆ Customers understand what is necessary to move a project forward, but they feel uncertainty about how long it will take.
- ◆ Customers had a concern over the lack of proactive communication from the City.
- ◆ Customers believe that the City could improve in better coordinating reviews between staff.
- ◆ Customers find that speaking to permitting staff is more helpful than using the website.
- ◆ Customers view the development review process as overly complicated, unpredictable, and ever-changing from one project to the next.
- ◆ Customers are happy with the Building Inspection process and the Inspectors' work, but feel the time frame for getting an inspection is too long.

CD – Key Recommendations

- ◆ Implement review timeline standards by application type and track performance.
- ◆ Develop and report on key performance metrics for each functional area.
- ◆ Develop and implement a proactive below market rate housing audit program.
- ◆ Issue a single consolidated list of plan review comments for Building and Planning applications.
- ◆ Implement an expedited plan review function for selected planning applications.
- ◆ Revise weekly planning staff meetings to focus on application and submittal completeness checks.

CD – Key Recommendations

- ◆ Expand planning counter hours by staffing a Planning Technician at the permit counter in the morning.
- ◆ Organizationally relocate land development engineering functions from Public Works to Community Development.
- ◆ Modify staffing allocations:
 - Create position of Project Coordinator to serve as case manager for major applications and serve as single point of contact with applicants.
 - Convert Plan Check Engineer position to full-time position.
 - Add one additional Inspector position.
 - Transition from contract planner to a fulltime in-house long range planner.

CD – Key Recommendations

- ◆ Enhance customer education and outreach:
 - Conduct regular meeting between City and Development community
 - Develop authority matrix and post on the website
 - Enhance website to provide an overview of development process including FAQs and process flow charts
 - Create a Planning Commission calendar showing applications deadlines and post on website
 - Implement fillable pdf forms until time that electronic submittals are available

Key Themes – Public Works

- ◆ Documentation and standards should be updated to provide clear guidance and increase consistency of application (engineering standards, CIP Development and Management Manual).
- ◆ Service levels should be adopted for major work activities.
- ◆ Additional workload planning efforts should be undertaken to schedule and manage existing workloads.
- ◆ Staffing adjustments to align staffing with workload and service requirements.
- ◆ Department is pursuing APWA accreditation.

Public Works – Key Recommendations

- ◆ Organizationally relocate land development engineering functions from Public Works to Community Development.
- ◆ Adopt CalTrans documentation guidelines for standard detail.
- ◆ Update engineering details and standards.
- ◆ Develop a resource loaded project schedule for all capital projects to be designed and inspected each fiscal year.
- ◆ Complete a final report on all capital projects upon completion of construction and acceptance of the project.
- ◆ Develop a Capital improvement Projects Development and Management Manual.

Public Works – Key Recommendations

- ◆ Enhance funding available for replacing aging equipment.
- ◆ Implement a preventive maintenance program for Facilities Maintenance Section.
- ◆ The Department should begin to define service levels for all major work activities and develop an annual work program.
- ◆ Modify staffing allocations:
 - ➔ Add one Equipment Mechanic position.
 - ➔ Add one Maintenance Worker in Trees Section.
 - ➔ Add one Maintenance Worker in Streets Section.

Questions / Discussion?



CITY COUNCIL MEETING PUBLIC COMMENT

To: City Council
From: Lynne Bramlett
Date: 29 October 2019
Re: ²
AGENDA TOPIC E1: Presentation: 2018-19 community development department and public works department organizational reviews prepared by matrix consulting.

Review of Current Process/Timeline

1. Staff wrote the original RFP, which was issued May 23, 2018.
2. On August 6, 2018, Council authorized up to \$200,000 for this study. Staff subsequently selected Matrix Consulting.
3. Since at least March 2019, staff has been “reviewing” the results of Matrix Consulting’s findings and working on an implementation plan. I know this based on an email from the former Director of the Community Development Department.
4. Sep 9, 2019 – I made a public records request for the Matrix Consulting report. In response, I received this answer from **Nick Flegel** from the City Attorney’s law firm: *“I have checked with Staff, and understand that these reports are still in draft form and are therefore exempt from disclosure....As soon as they are ready, they will be posted at the City’s website...as part of the Staff Report.”*
5. Tonight’s agenda topic is under Presentation category. There is no link to the Presentation. We also don’t see the Matrix Consulting Report on their letterhead.

Comments

1. A study of this kind is inherently a **review of staff responsibility and performance**. Council would be more assured of objective, independent input by having Consultants work directly with Council.
2. The Staff are in place to **serve the public and implement the council’s priorities**. The process of setting priorities for improving processes requires involvement of these (Council and Residents) key stakeholders.
3. This study was approved by the prior Council. This makes it all the more important that the consultant’s findings be made directly to this Council without any possibility of adjustments being made by Staff.

4. This kind of topic **warrants a full discussion**. The agenda placement conveys a one-way sharing of information. At the very least, a link to the presentation should have been added to the agenda.
5. The public has also raised questions regarding the general staff organization and the need for greater transparency into same. Would it not have been **more transparent** for the Council and the public to be presented with the findings earlier in the year after Matrix completed its work?
6. Could Matrix not have made its presentation, and delivered their findings **directly to Council**, before Staff was allowed to participate in their review.

Request to Council

For future organizational reviews:

1. Can Council work directly with the Consultants and have them deliver their findings directly to Council?
2. Can these studies build in a purposeful mechanism to obtain input from key stakeholders, including residents and Council?
3. Can Council separate these types of matters into two agenda topics?
 - a. Presentation of the findings
 - b. Discussion of the Implementation Plan.

Will Council also consider the idea of adding the staff position of internal City Auditor, reporting directly to Council? An example nearby is in the City of Palo Alto.

Additional General Questions

1. Methodology: What research methodology did Matrix Consulting use, including who did they talk with?
2. What Matrix Consulting Recommendations were removed from their draft report?
3. Why did Staff need from March 2019 until October 2019 to revise the draft report from Matrix Consulting?



HERITAGE TREE ORDINANCE UPDATE

Rebecca Lucky, Sustainability Manager



THE TEAM AND COMMUNITY

Staff and Partners:

- Sustainability Manager
- HortScience | Bartlett Consulting
- City Arborist
- Principal Planner
- Assistant City Attorney
- Peninsula Conflict Resolution Center
- Sustainability Project Contractor

Appointed Heritage Tree Task Force Members 2018-2019:

- **10 Public Meetings**
- Councilmember Combs (Chair, previous service on Planning Commission)
- Sally Cole (Vice Chair)
- Jen Judas
- Kimberly LeMieux
- Tom LeMieux
- Scott Marshall (former EQC member)
- Catherine Martineau (Executive Director Canopy)
- Carolyn Ordonez
- Horace Nash
- Sally Sammut Johnson



BACKGROUND

BACKGROUND

- Adopted in 1979 and has been revised five times with the latest in 2006
- Trees are a community benefit/good
- Purpose of the Heritage Tree Ordinance is to preserve trees by regulating their removal on private property
 - Implemented by requiring a permit to allow pruning or removal of trees of a certain size
 - City Arborist uses specific decision making criteria to determine if removal is necessary
 - Allows for appeals of the City Arborist decision
 - Includes penalties for violations of the ordinance





WHY AN UPDATE?

- Over the last several years concerns have been raised regarding development related appeals, unpermitted removals, and inadequate code enforcement
- City Council Work Plan item in 2017, 2018, and 2019 (priority No.4)
- Objectives included:
 - Ensure large healthy population of trees
 - Balance property enjoyment and implementation efficiency



SUMMARY OF MAJOR CHANGES



POLICY ANALYSIS FINDING

- Decision making criteria needed clarity
 - Subjective interpretations identified as the major problem by permit applicants, appellants, and staff
- Intermingled benefits of trees with thresholds for removal
- Currently there are eight decision making criteria, and permit data showed three reasons for removal:
 - The tree poses a health and safety risk that cannot be mitigated (56%)
 - The tree impacts a proposed development that cannot be mitigated (14%)
 - The tree is dead or dying (13%)
- Most cities with tree protection ordinances had three criteria related to risk, health, and development



WHEN IS IT CONSIDERED APPROPRIATE TO REMOVE A HERITAGE TREE?

1. The tree is dead
2. Risk rating cannot be mitigated to low
 - International Society of Arboriculture Best Management Practice: Tree Risk Assessment
3. Severe declining tree health that cannot be mitigated, likely die or fail within a year
4. Invasive or undesirable species (short list)
5. Interferes with proposed development, repair, alteration or improvement of a site or habitable building or is causing structural damage to a habitable building and there is no feasible or reasonable design alternatives
6. Removal is requested by a utility or government agency due to health or safety risk and there is no feasible or reasonable design alternative



APPEAL PROCESS CHANGES

- Limits ability to appeal to only permit applicants when related to risk or tree health
 - Permit applicants and community members can still appeal development related removals to the Environmental Quality Commission and City Council
- Sets specific standards related to filing appeals to increase process efficiency, such as time frames for submitting alternative design ideas for exploration
- Offering conflict/mediation for community member appeals before a formal appeal is processed
- Changes the appeal process for tree removal related to Planning Commission project approvals





TREE REPLACEMENTS REQUIREMENTS

- Development related removals
 - Require replacement to be equal to the value of the tree(s) being removed using an industry standard
- Non-development related removals
 - Replacement matrix using trunk diameter for number of replacements
- Enforcement of replacement trees
 - Two inspections required: one to confirm tree is replaced and another two years later, to confirm that tree is thriving





CITY COUNCIL DIRECTION AND ENGAGEMENT

COUNCIL DIRECTION FROM JULY

- Agreed with staff and Task Force recommendations
- Directed that further community engagement be extended through Planning Commission, Environmental Quality Commission, and Heritage Tree Task Force public meetings
- Expressed concern about the cost to implement the updates and requested staff explore ways of reducing the anticipated implementation cost



HERITAGE TREE TASK FORCE FEEDBACK SUMMARY

- Draft ordinance provided in September
- Super majority vote (2/3) resulted in recommending ordinance adoption with following changes:
 - Increase feasibility threshold for alternative designs in development projects to preserve tree(s)
 - Add public noticing requirement to ordinance
 - Add collection of data to monitor effectiveness of the ordinance
 - Reduce the list of invasive species





ENVIRONMENTAL QUALITY COMMISSION FEEDBACK SUMMARY

- Draft ordinance provided in September
- Recommended adoption with some additional language for final occupancy, public review of administrative guidelines, and third party review of alternative designs.
- Consider developing an Urban Forest Master Plan after ordinance adoption for a holistic approach to managing the urban canopy.



PLANNING COMMISSION FEEDBACK SUMMARY

- Provided proposed policy in August and recommended adoption by City Council
- Expressed concern over removing the building moratorium
 - Stop work order added
- Provided ideas for funding implementation
 - Landscape assessment district increase, nonprofit to assist in implementation



COST TO IMPLEMENT



UPDATED IMPLEMENTATION COST

- \$75,000 to \$120,000 annually
 - Previously cost were anticipated to be \$185,000 to \$200,000
- Environmental Quality Commission remains appeal decision making body
- Using existing permitting or other tree tracking software to verify tree replacements
- Reduced appeals due to increased clarity in decision making criteria and appeals process

FUNDING OPPORTUNITIES

- Increasing permit fees
- Using portion of the proposed tree mitigation requirements for development related removals
- Using General Fund to supplement shortfalls
- Increasing property tax
- Use a mix of contractor, staff, and non-profit to assist with implementation
- To be explored further in implementation phase and include in annual city budget process





SUMMARY OF BENEFITS AND IMPACTS



EXPECTED COMMUNITY BENEFITS

- More replacement trees being planted and verified
- Increased preservation of healthy heritage trees in development projects
- Reduced number of appeals (and cost to city operations and permit applicants)
- Reduced conflicts between community, staff and permit applicants
- Increased public access to heritage tree removal permit records and information



IMPACTS TO COMMUNITY

- Increases in permit fees
 - TBD and will be brought forward for evaluation by City Council next year
- Increases cost for development related removals:
 - Required to replace and/or pay the value of the tree being removed
 - Required to use city approved certified arborist
 - May be required to use an alternative design that could cost more based on feasibility thresholds
- Increases cost for non-development related removals:
 - Required to use city approved certified arborist
 - Required to plant more trees based on trunk diameter



COUNCIL ACTION



RECOMMENDATION

- Approve Attachment A in the staff report that would make changes to the heritage tree ordinance that would become effective July 1, 2020
 - Repeal of the solar access ordinance is being removed as part of the decision tonight
 - California Environmental Quality Act review has been completed and the ordinance has been found to be exempt because it still maintains or increases the existing tree canopy
- If approved, implementation planning and development will occur from January to June 2020



THANK YOU

CITY COUNCIL MEETING PUBLIC COMMENT

To: CITY COUNCIL

From: LYNNE BRAMLETT

Date: 29 OCTOBER 2019

Re: **Agenda Category G3: Receive and file the investment portfolio review as of September 30, 2019.**

The Finance & Audit Committee has asked to review major financial reports before they go to Council. **The FAC did not review these reports before they went to Council.** Having the FAC review major reports provides multiple benefits:

1. The FAC may notice something that needs fixing;
2. The FAC review gives the public (and Council) a more informal and interactive venue in which to ask questions about the City's finances.
3. It sends a message to the FAC that their opinion matters, while also fostering teamwork across staff, council and residents.

The FAC made the below recommendations to Council on April 9, 2019 for the Investment Portfolio. **I did not see their recommendations reflected in this report.**

- a. Split investments between multiple financial advisors to potentially maximize returns. *The report only mentions working with Insight Investments.*
- b. Add metrics or benchmarks to policy. *Not in report.*
- c. Increase transparency by posting easy-to-find and understand investment information. *I have separately emailed the Budget Director with suggestions.*
- d. Add industries invested in to quarterly investment report. *Not in report.*

H.1

Peter Edmonds

Good evening Mayor and City Councillors,

Oct. 29, 2019

I am Peter Edmonds, a resident of Menlo Park, District 3. The Heritage Tree Task Force, Planning Commission, Environmental Quality Commission, the City Council and all consultants and supporting staff are due considerable credit for producing the respectable revision of the Heritage Tree Ordinance, addressing many perceived issues.

Nevertheless, I feel it necessary to draw your attention to two substantial and unaddressed issues:

1. The intangible benefits of Heritage Trees have been accorded notice but no valuations;
2. Code enforcers do not work on weekends but tree-destruction companies do.

1. Intangible Benefits of Heritage Trees

In Phase II, the HTTF generated the list of intangible benefits detailed in the first section of the revised ordinance, 13.24.010: Intent and Purpose. After this innovation, no attempts were made to assign valuations to the listed benefits.

In contrast, when the Council recently enacted the Reach Codes for 2020, it rightfully prided itself on leading the field.

There is an opportunity for Menlo Park to lead the field also in valuations of the intangible benefits of Heritage Trees, if such work is authorized as a Phase III. At least two options are available:

- A. Valuations according to the costs of structures of human origin, providing equivalent benefits;
- B. Valuations based on planting replacement trees providing equivalent leaf area in the canopy.

1.A. Equivalent Benefits from Structures of Human Origin

The first figure (overleaf) suggests a way to circumvent the judgmental aspect of valuing intangible benefits. After selecting the dominant intangible benefits on the left in any given case of impending removal of a Heritage Tree, cost estimates could be generated from existing data for structures of human origin that provide equivalent benefits, such as those listed on the right. These estimates could then be regarded as the valuations of the intangible benefits.

1.B. Tree Plantings for Equivalent Leaf Area

An article published earlier this year in a forestry journal was provided by the city's consulting arborist to the EQC: HortScience. Ms. Lucky forwarded it to me. It describes a method of estimating numbers of replacement trees that would compensate for the loss of leaf area in the canopy, when Heritage Trees are removed. Many intangible benefits are directly related to leaf area, which is thus a suitable proxy. Numbers of replacement trees can then be converted to dollar values with knowledge of local costs for tree purchase and planting. The method takes account of the future benefits as the replacement trees grow larger and the lost future benefit from removing a mature tree, using typical mortality rates for the planted and removed species. The second figure shows an example of dependence of results on a removed tree's trunk diameter (DBH) and life span.

2. Absence of code enforcement on weekends

Tree-company executives are clearly aware of the working hours of code enforcers and can schedule dodgy removals of trees on weekends, as we saw at 1000 ECR. That's when I learned that a police officer on patrol was not willing to enforce conditions on a permit for tree removals in progress during a weekend; if they did so, it might have a deterrent effect. No other inexpensive remedy occurred to me.

13.24.010 Intent and Purpose

"This chapter is adopted with the intent and purpose of promoting the preservation and development of a healthy, diverse tree canopy in Menlo Park, which is highly valued by our community and is vital to the character and health of our city. Trees are valued for their many contributions to the environment, public health and quality of life of the Menlo Park community. Examples of those benefits include:

- provide shade
- enhance resilience to climate change
- improve air quality
- provide shelter from wind
- prevent erosion and landslides
- protect against flood hazards
- add to the city's scenic beauty and character
- recognize historical significance to our city
- create natural gathering places
- reduce noise pollution
- enhance privacy
- enhance neighborhood property values
- provide habitat for wildlife

Examples of man-made devices providing approximately equivalent benefits

- awnings, sunshades, sails
- solar panels, wind turbines, heat pumps (high capital cost)
- CO₂-extraction tunnels, chemical filters & fans (high capital cost)
- windbreaks, walls, sails
- irrigated/drainage terracing, e.g., Asian rice terraces (high capital cost)
- levees, seawalls (high capital cost)
- sculptures, wall-paintings, mosaics [according to preferences]
- monuments, libraries (high capital cost)
- plazas, parks (high capital cost)
- acoustic barriers
- walls, fences
- underground power & cable-TV lines and fiber-optic cables, sidewalks
- nesting boxes, bird feeders

Figure below from Nowak and Ävermann, "Tree compensation rates: Compensating for the loss of future tree values", Urban Forestry and Urban Greening, 41, 93-103 (2019)

[DBH = trunk diameter at 54" above grade level; Years to Death refers to the estimated life span of the removed tree.]

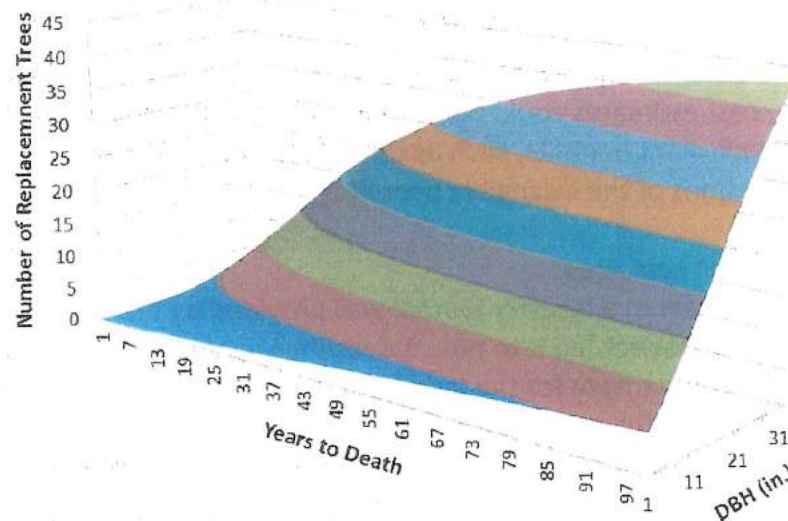


Fig. 6. Number of large one-inch (2.54 cm) dbh replacement trees with a 4 percent mortality rate needed to compensate for large tree loss based on dbh and estimated life span of existing tree. This figure is a graphic representation of data in Supplemental Table 1.

To: CITY COUNCIL

From: LYNNE BRAMLETT

Date: 29 OCTOBER 2019

Re: **Agenda Category G4: Receive and file the quarterly financial review of general fund operations as of September 30, 2019.**

Most of the City's revenue is coming from Property Taxes and **Development Agreements**. Developer agreements are a shaky foundation for the City's revenue as the current ones will eventually sunset, and the pace of development is not sustainable. Property Taxes will also be limited due to proposition 13.

Hotel transient occupancy taxes are much lower than expected. Why is the number blank in the Actuals for 9/30/18 category blank? Why is the number only 364 as of 9/30/19? Yet there are a number of potential hotels in the development pipeline. That includes the proposed development of Red Cottage Inn into a larger hotel, the proposed hotel on Haven Avenue and Facebook's planned new hotel and their proposed one at Willows Village.

The **development agreements need transparency**. One cannot find them all together at the City's website. I've searched under Resolution 4159 (Procedures for Developer Agreements) but this doesn't pull up a clean list. These are also not reported collectively in a yearly report. The Tax Revenue by City Council District does not include amounts coming in via Developer Agreements.

Resolution 4159 was also adopted January 1990. **This likely needs updating.**

Suggestions

I suggest that Council task the FAC to examine ways to broaden the City's revenue sources, and to conduct a deeper analysis as to why some, such as sales and hotel taxes, are much lower than budget projections. The FAC could also put together a plan for more transparency of developer agreements.

If the desired work is more than this committee can do, you could create a new task force with a limited scope. Many capable residents would be delighted to help. This would also foster teamwork across staff, council and residents.