



**REGULAR MEETING MINUTES**

**Date:** 8/25/2020

**Time:** 5:00 p.m.

**Regular Meeting Location:** Joinwebinar.com – ID# 488-664-435

According to City Council policy, all regular 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 Meeting (Joinwebinar.com – ID# 488-664-435)**

**A. Call To Order**

Mayor Taylor called the meeting to order at 5:05 p.m.

**B. Roll Call**

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren

**C. Public Comment**

- Kathleen Daly spoke on concerns regarding stormwater inspection charges for commercial retailers.

Mayor Taylor requested adding an emergency Regular Business item requesting City Council direction on opening cooling stations and installation of air quality monitors to this agenda.

**ACTION:** Motion and second (Taylor/ Carlton) to add emergency Regular Business item regarding City Council direction on opening cooling stations and installation of air quality monitors to this agenda, passed unanimously.

**# Emergency Item**

**#1. City Council direction on opening cooling stations and installation of air quality monitors**

- Pamela Jones commented on the microclimates in Menlo Park and questioned where air quality monitors should be placed in the City.

The City Council received clarification on the air quality monitor program with the County and the purchase of Purple Air Monitors or other air quality monitors while waiting for the County program installation. The City Council discussed the City's liability for City placed monitors or the lack of monitors and where the City purchased monitors would be placed. The City Council also discussed the usage of the cooling stations and current administrative policy.

**ACTION:** Motion and second (Mueller/ Nash) to purchase three air quality monitors limited to \$2,000 with a



strong disclaimer by the city attorney regarding City liability, passed 3-2 (Carlton and Combs dissenting).

**ACTION:** Motion and second (Mueller/ Nash) to send a letter from Mayor Taylor and city manager to the County SMC Labs and Air Quality District urgently requesting the installation of the program monitors and for staff to develop criteria for cooling stations during the COVID-19 pandemic, passed unanimously.

#### **D. Study Session**

- D1. Provide direction on the solid waste rate review process ([Staff Report #20-181-CC](#))

Sustainability Manager Rebecca Lucky and R3 Consulting Group representatives Garth Schultz and Claire Wilson made the presentation (Attachment).

The City Council received clarification on the allocation for the cost per city, the complexity of the process, deposit/penalty of construction waste, and residential verse commercial rate increases. The City Council directed staff to conduct a five-year study, setting effective date as January 1, 2021, and explore establishing a 20 percent rate reduction for low-income solid waste customers.

The City Council took a break at 7:26 p.m.

The City Council reconvened at 7:52 p.m.

#### **E. Consent Calendar**

- E1. Accept the City Council meeting minutes for July 14, 16, and 28, 2020 ([Attachment](#))

**ACTION:** Motion and second (Nash/ Carlton) to approve the consent calendar, passed unanimously.

#### **F. Regular Business – no staff presentations**

- F1. Review and adopt City Council Procedure #CC-20-013 –“City Councilmember requests” ([Staff Report #20-154-CC](#)) – **continued from 7/28**

The City Council discussed the proposed removed language, 10-day action length, issues with technology and City Councilmember reports.

**ACTION:** Motion and second (Carlton/ Nash) to adopt City Council Procedure #CC-20-013 –“City Councilmember requests” changing the 10-business days to two-business days prior to the publication of agenda and having the option of sending the request to CCIN ([city.council@menlopark.org](mailto:city.council@menlopark.org)) or directly to the city manager with a carbon copy (cc) to the Mayor, passed unanimously.

- F2. Review and adopt City Council Procedure #CC-20-014 – “Videoconference meeting participation” ([Staff Report #20-182-CC](#))

The City Council continued item F2. to a future meeting.

- F3. Approve first amendment to interim city attorney services agreement with Jorgenson, Siegel, McClure & Flegel, LLP ([Staff Report #20-178-CC](#))

The City Council received clarification on the roll over hours.

**ACTION:** Motion and second (Nash/ Carlton) to approve the first amendment to interim city attorney services agreement with Jorgenson, Siegel, McClure & Flegel, LLP, passed unanimously.



- F4. Appropriate \$150,000 for contract planning services and authorize the city manager to sign an amended contract with the M-Group for a total contract amount of \$200,000 ([Staff Report #20-184-CC](#))

**ACTION:** Motion and second (Carlton/ Nash) to appropriate \$150,000 for contract planning services and authorize the city manager to sign an amended contract with the M-Group for a total contract amount of \$200,000, passed unanimously.

- F5. Adopt Resolution No. 6580 approving guidelines for written protests of utility rate increases subject to Proposition 218 ([Staff Report #20-175-CC](#))

The City Council received clarification on protest guidelines.

**ACTION:** Motion and second (Carlton/ Combs) to adopt Resolution No. 6580 approving guidelines for written protests of utility rate increases subject to Proposition 218, passed unanimously.

- F6. Adopt a resolution designating the public works director and assistant public works director as the City's authorized agents to obtain federal financial assistance from the California Office of Emergency Services and Federal Emergency Management Agency ([Staff Report #20-187-CC](#))

The City Council discussed the authorizing agents for the City.

**ACTION:** Motion and second (Combs/ Carlton) to adopt a resolution designating the public works director and assistant public works director as the City's authorized agents to obtain federal financial assistance from the California Office of Emergency Services and Federal Emergency Management Agency, passed unanimously.

- F7. Award a construction contract to Golden Bay Construction, Inc. for the Pierce Road sidewalk and San Mateo Drive bike route installation project ([Staff Report #20-185-CC](#))

**ACTION:** Motion and second (Carlton/ Combs) to award a construction contract to Golden Bay Construction, Inc. for the Pierce Road sidewalk and San Mateo Drive bike route installation project, passed unanimously.

- F8. Adopt Resolution No. 6582 accepting the Alcoholic Beverage Control grant to support programs deterring alcohol sales to minors ([Staff Report #20-186-CC](#))

**ACTION:** Motion and second (Carlton/ Combs) to adopt Resolution No. 6582 accepting the Alcoholic Beverage Control grant to support programs deterring alcohol sales to minors, passed unanimously.

- F9. Authorize the city manager to enter in an agreement with SZS Engineering to develop a self-evaluation and transition plan pursuant to the Americans with Disabilities Act ([Staff Report #20-177-CC](#))

**ACTION:** Motion and second (Nash/ Combs) to authorize the city manager to enter into an agreement with SZS Engineering to develop a self-evaluation and transition plan pursuant to the Americans with Disabilities Act including adding the Laurel Campus to page F-9.5 to the report, passed unanimously.

- F10. Approve the 2020-21 Finance and Audit Committee workplan ([Staff Report #20-176-CC](#))

The City Council received clarification on staff's request for approval of the workplan and not the parking lot items



**ACTION:** Motion and second (Carlton/ Combs) to approve the 2020-21 Finance and Audit Committee workplan without the parking lot items, passed unanimously.

The City Council took a break at 10:02 p.m.

The City Council reconvened at 10:10 p.m.

## **G. Regular Business**

- G1. Update on and consideration of extension/modifications to the Downtown street closure and temporary outdoor use permit pilot program ([Staff Report #20-179-CC](#))

Assistant Community Development Director Deanna Chow made a presentation (Attachment).

- Theresa Beltramo spoke in opposition of the street closure.
- Chamber of Commerce President Fran Dehn provided comments, highlighting the Chamber of Commerce's survey and to think about the decision in two parts – the Santa Cruz Avenue street closure and the citywide outdoor operation permit. The Chamber recommended that the permit to allow outdoor business expansions should be extended beyond the original 90 days.

The City Council discussed the challenges facing businesses in Downtown, alternatives to the design of the closure of Santa Cruz Avenue, aesthetics of the barricades, and overall timeline and permitting process.

**ACTION:** By acclamation, the City Council voted to continue the meeting past 11 p.m.

The City Council directed that Mayor Taylor and City Councilmember Carlton (as a pair), City Councilmembers Mueller and Nash (as a pair), and Vice Mayor Combs visit Downtown to evaluate the current street closure for the next meeting.

The City Council continued item G1. to a future meeting.

- G2. Adopt Resolution No. 6581 to approve amendments to the salary schedule as of August 30, 2020 to include salary ranges for information technology staff needs and receive update on personnel vacancies as of August 18, 2020 ([Staff Report #20-180-CC](#))

**ACTION:** Motion and second (Nash/ Carlton) to adopt Resolution No. 6581 to approve amendments to the salary schedule as of August 30, 2020 to include salary ranges for information technology staff needs and receive update on personnel vacancies as of August 18, 2020, passed unanimously.

## **H. Informational Items**

- H1. City Council agenda topics: September 2020 to October 2020 ([Staff Report #20-173-CC](#))
- H2. Update on future City Council agenda items related to the Bayfront Canal and Atherton Channel flood protection project and associated drainage easement ([Staff Report #20-174-CC](#))
- H3. Update on the actuarial valuation for the other post-employment benefits trust fund as of June 30, 2019 ([Staff Report #20-183-CC](#))

The City Council discussed the impacts on liabilities from layoffs.



**I. City Manager's Report**

- I1. Update the City Council and public on COVID-19 health emergency and the City's response ([Attachment](#))

None.

**J. City Councilmember Reports**

None.

**K. Adjournment**

Mayor Taylor adjourned the meeting at 12:05 a.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of September 22, 2020.



## NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
  - Submit a written comment online:  
[menlopark.org/publiccommentAugust25](https://menlopark.org/publiccommentAugust25)\*
  - Record a comment or request a call-back when an agenda topic is under consideration:  
Dial 650-474-5071\*
  - Access the regular meeting real-time online at:  
[joinwebinar.com](https://joinwebinar.com) – Regular Meeting ID 488-664-435
  - Access the regular meeting real-time via telephone (listen only mode) at:  
(914) 614-3221  
Regular Meeting ID 775-418-569 (# – no audio pin)  
\*Written and recorded public comments and call-back requests are accepted up to 1-hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
  - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:  
Channel 26
  - Online:  
[menlopark.org/streaming](https://menlopark.org/streaming)

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](https://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](https://menlopark.org/agenda)).





# STUDY SESSION ON MENLO PARK'S 2021-2025 SOLID WASTE RATES

Solid Waste, Recycling, and Organics Collection







## OVERVIEW OF SOLID WASTE RATES

- Single-family residential customers receive bundled services for garbage, recycling, and organics at one rate
- Monthly rates include:
  - Weekly garbage, recycling and organics collection
  - Sorting (recycling and organics only), storing, transportation, and marketing (or landfilling) of materials via Shoreway
  - Outreach and education and other related solid waste services
  - SBWMA programs and administration
  - City programs (closed landfill) and administration (contract management)
- Multi-family and commercial customers pay separate garbage and organics rates





## SOLID WASTE RATES LAST SET IN 2017 FOR RATE YEARS 2018–2020

- 2017 Rate Hearing set maximum rates for residents and business for 2018, 2019, and 2020
- City sets the maximum rates, which are charged by Recology to residents and businesses for solid waste system services each year
- Prior to 2018, rates had not been adjusted since 2012, yielding annual shortfalls – rate revenues did not meet cost of service
- Rates from 2018–2020 reversed shortfall trend and phased in increases to meet anticipated 2021 expense increases





## RATE STUDY “FOUNDATIONAL PRINCIPLES”

- Collect revenues to fund solid waste system
  - Collection services contract with Recology
  - Post-collection services through SBWMA
- Ensure the revised rate structure
  - Adjusts rates based on cost of providing service
  - Includes all operational costs and fees
  - Funds the zero waste plan & supports landfill diversion
  - Understandable by customers & implementable by Recology
- Provide rate stability
  - Minimize impacts to rate payers
  - Annual data-driven rate adjustments
  - Avoid future rate revenue shortfalls





## 2021 RATE STUDY METHODOLOGY

- Based on 2021 Recology Compensation Application and SBWMA 2021 Shoreway Budget
  - Amended and Restated Recology Agreement = 10% increase in compensation
  - Adopted SBWMA budget and tipping fees
  - Current residential and commercial subscription levels
  
- Rate adoption package will also include projected maximum rates for 2022 through 2025
  - Possible future additional changes in Recology compensation, above CPI
  - Further SBWMA tipping fee increases for future costs for SB 1383, capital replacement, COVID-19 impacts to agency reserves
  - Potential City rate stabilization reserves





## CURRENT SOLID WASTE RATES

Table 1: Comparison of 2020 Single-Family Rates by SBWMA Member Agency  
Monthly Single-Family solid waste rates (based on garbage container size)

Member Agency	20 gallon	32 gallon	64 gallon	96 gallon
San Mateo	\$15.19	\$24.29	\$53.52	\$82.69
Foster City	\$15.35	\$24.59	\$49.16	\$73.75
Redwood City	\$15.87	\$32.86	\$64.20	\$95.31
<b>Menlo Park</b>	<b>\$22.81</b>	<b>\$31.14</b>	<b>\$63.73</b>	<b>\$91.46</b>
Atherton	\$25.00	\$50.00	\$93.00	\$138.00
San Carlos	\$25.87	\$38.65	\$58.87	\$76.06
Belmont	\$29.57	\$38.85	\$76.48	\$114.72
Unincorporated San Mateo	\$35.33	\$41.99	\$61.95	\$88.00
North Fair Oaks (County)	\$36.07	\$36.07	\$36.07	\$84.14
Hillsborough	\$36.17	\$50.60	\$78.48	\$111.12
East Palo Alto	\$48.56	\$48.56	\$48.56	\$48.56
Burlingame	N/A	\$26.80	\$53.60	\$79.55
West Bay Sanitary	N/A	\$51.00	\$72.00	\$105.00
<b>Average without Menlo Park</b>	<b>\$28.30</b>	<b>\$38.69</b>	<b>\$62.16</b>	<b>\$91.41</b>





## 2021-2025 ANTICIPATED RATE OUTCOMES

- RESIDENTIAL: Increases to bundled residential rates (garbage, recycling, organics) in the range of \$2-\$3 per month should be expected each year

Table 2: Adopted Rates for Single-Family						
Waste Stream	Garbage Container Size	2017 Bundled Monthly Rate	2018 Bundled Monthly Rate	2019 Bundled Monthly Rate	2020 Bundled Monthly Rate	Difference from 2020 to 2017
Bundled solid waste collection, processing, and disposal service	20 gallon	\$13.99	\$16.97	\$19.90	\$22.81	\$8.82
	32 gallon	\$23.40	\$26.03	\$28.60	\$31.14	\$7.74
	64 gallon	\$55.99	\$58.62	\$61.19	\$63.73	\$7.74
	96 gallon	\$83.72	\$86.35	\$88.92	\$91.46	\$7.74





## 2021-2025 ANTICIPATED RATE OUTCOMES

- COMMERCIAL: Garbage rates (unchanged since 2012) may increase slightly - recycling and organics rates expected to increase

Table 3: Adopted Commercial Rates, 1x Per Week Pick-up, Selected Sizes						
Material Type and Frequency	Container Size *CY=Cubic Yards	2017	2018	2019	2020	Difference from 2020 to 2017
Once Weekly Garbage	96-gal	\$102.77	\$102.77	\$102.77	\$102.77	\$0.00
	2 CY	\$249.39	\$249.39	\$249.39	\$249.39	\$0.00
	3 CY	\$374.08	\$374.08	\$374.08	\$374.08	\$0.00
Once Weekly Recycling	96-gal	-	\$1.77	-	\$1.77	-
	2 CY	-	\$1.77	-	\$1.77	-
	3 CY	-	\$1.77	-	\$1.77	-
Once Weekly Organics	96-gal	\$51.39	\$54.54	\$57.69	\$60.84	-
	2 CY	\$62.35	\$126.65	\$190.95	\$255.25	\$192.90
	3 CY	\$124.69	\$187.14	\$249.59	\$312.04	\$187.35





## LOW-INCOME RATE OPTIONS

- Use the existing PG&E CARE program as a basis for enrollment
- Discount costs are not eligible to be paid by solid waste rates
  - Paid by the City's general fund or other eligible funding sources
- Program to be administered by Staff or third party
- 32-gallon customer with a 20% discount yields a \$6.23 monthly rate savings

Table 4: Potential Discounted Rate Impacts

Discount	Total Current CARE Enrolled	Cost of Discount for CARE Enrollees	Total CARE Qualified	Cost of Discount for CARE Qualified	Third Party Program Development Cost	Total Potential Cost
<b>10%</b>	1,164	\$4,401	2,670	\$10,094	\$55,000	\$65,094
<b>15%</b>		\$6,601		\$15,141		\$70,141
<b>20%</b>		\$8,801		\$20,188		\$75,188
<b>25%</b>		\$11,001		\$25,235		\$80,235





## NEXT STEPS

- August and September 2020
  - Update to 2020 financial and service data from Recology and SBWMA
  - Project 5-year maximum rates (2021-2025)
  - Council Meeting presenting rate model, draft 2021 rates, and direction to issue Proposition 218 notices (September)
- Fall 2020
  - Proposition 218 notice (September)
  - Proposition 218 hearing and Council action setting 2021 rates and 2022-2025 maximum rates (November)
- 2022 through 2025
  - Recology charges rates for each year per Council-approved 5-year maximum rates





## SEEKING COUNCIL DIRECTION...

- Confirmation on setting rates for five years and approach using prior rate study's foundational principles
  
- Confirmation on setting rates effective **January 1, 2021**
  - Adoption of rates by Council is needed by late November or early December
  
- Establishment of a low-income solid waste rate at a recommended 20% discount





# THANK YOU!

For additional questions, please contact:

Garth Schultz, Principal  
R3 Consulting Group, Inc.  
[gschultz@r3cgi.com](mailto:gschultz@r3cgi.com)







# SANTA CRUZ AVE CLOSURE PILOT REVIEW

City Council Meeting – August 25, 2020

ARRIAGA FAMILY  
GYMNASIUM





## BACKGROUND

- June 16 - City Council direction
  - Street closure in line with Chamber of Commerce proposal
  - Streamline permits for the usage of outdoor space
  - Waive all fees associated with permit
  - 90 day pilot with check-in after 45 days
- June 19 - Urgency ordinance adopted
- July 16 - City Council adopts updated ordinance
  - Based upon Chamber of Commerce feedback
  - Targeted reopening of one-way lanes
  - Added personal services and fitness studios to eligible uses for temporary outdoor use permit
- August 11 - “45-day” status update
- August 25 – Consideration of modifications



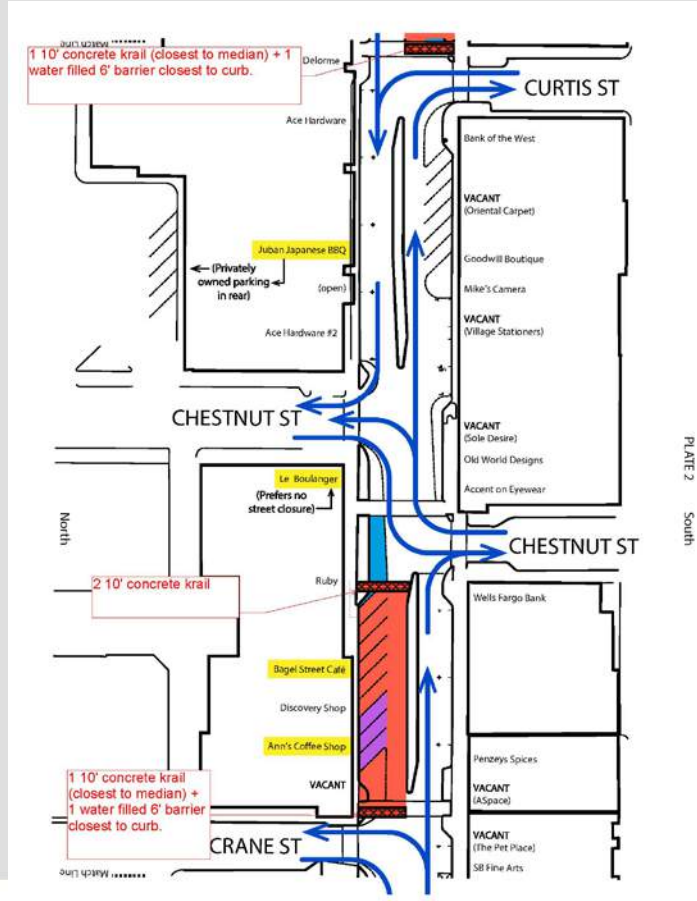
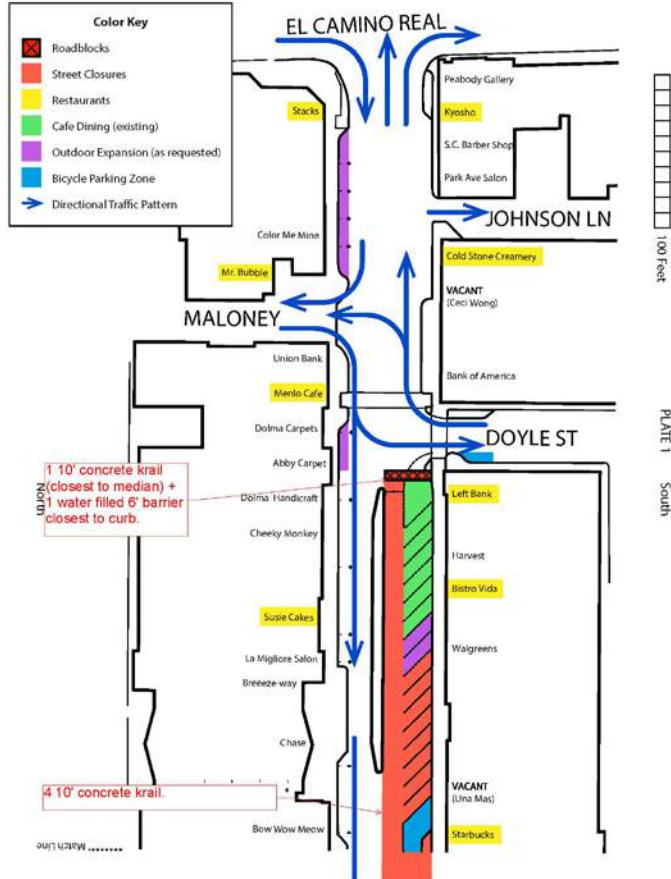


## PROGRAM REVIEW

- 17 total applications for outdoor use
  - 9 dining
  - 3 retail
  - 5 personal services
- Costs associated with closure materials to date
  - \$25k for barricades
  - \$5k for plants and trees
- Feedback
  - Retail businesses have lost volume
  - Pedestrian traffic has not offset loss of vehicular traffic yet
  - Support for expanded business operations
  - Chamber of Commerce Survey

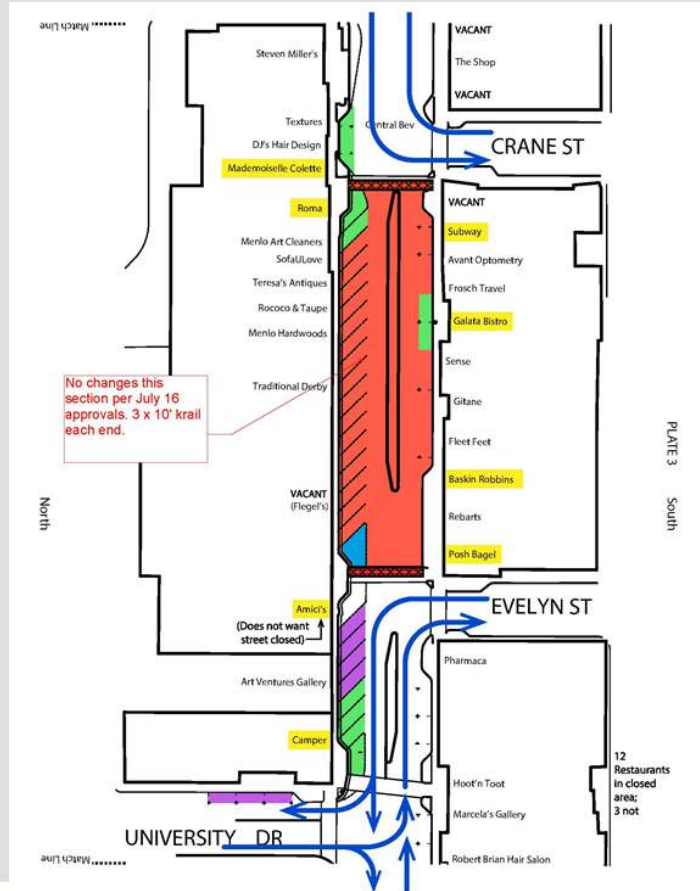


# CURRENT STREET CLOSURE





# CURRENT STREET CLOSURE







## STREET CLOSURE MODIFICATION OPTIONS

- Option 1 – No change
  - One way lanes travel lanes on Santa Cruz
    - Southbound from Doyle through Curtis Street
    - Northbound from Crane Street to Chestnut Street
  - Closed travel lanes on Santa Cruz between Crane and Evelyn Streets
- Option 2 – Reopen travel lanes along Santa Cruz
  - Retain closed on-street parking spaces and parking plazas in Downtown
  - Continue expanded operations in private parking lots outside of Downtown
- Option 3 – Hybrid Approach
  - Reevaluate and open select portions of Santa Cruz and on-street parking spaces on each block for customers that need the easier access
- Option 4 – Reopen travel lanes and parking





## TEMPORARY OUTDOOR USE PERMIT MODIFICATION OPTIONS

- Allow uses other than retail, dining, personal services and fitness studios
  
- Extend permit expiration
  - Align program with daylight savings
  - Align program with end of calendar year
  - Other





## POTENTIAL ACTIONS

- Consider options for street closure configuration
- Consider extending program beyond 90 days (September 17)





**THANK YOU**