



## STAFF REPORT

### City Council

Meeting Date:

11/4/2025

Staff Report Number:

25-169-CC

Public Hearing:

**Determination of action, pursuant to Elections Code section 9215, regarding the proposed initiative measure entitled “Downtown Parking Plazas Ordinance”**

## Recommendation

Staff recommends the City Council take one of the following actions as required by California Elections Code section 9215:

- A. Adopt an ordinance of the City Council of the City of Menlo Park adopting the citizen sponsored initiative measure to prohibit the City of Menlo Park from selling, leasing, donating, disposing of or conveying City-owned Downtown Parking Lots that would affect or diminish the availability or convenience of parking, without voter approval (Attachment A); or
- B. Adopt a resolution of the City Council of the City of Menlo Park submitting the citizen sponsored initiative measure to prohibit the City of Menlo Park from selling, leasing, donating, disposing of or conveying City-owned Downtown Parking Lots that would affect or diminish the availability or convenience of parking, without voter approval, to the voters at the next general municipal election (Nov. 3, 2026), or at a special election to be held 88-103 days after the call of the election the citizen sponsored initiative measure; establishing the schedule for submission of ballot arguments; and authorizing and requesting the County of San Mateo conduct the election (Attachments B or C); or
- C. Adopt a resolution ordering a report pursuant to Elections Code section 9212; authorize a one-time budget appropriation in the amount of \$164,951; and authorize the City Manager to execute an amendment to the Master Services Agreement with M-Group in the not-to-exceed amount of \$164,951 to draft and complete the Elections Code section 9212 report (Attachment D).

## Background

On March 20, 2024, the California Department of Housing and Community Development certified the City's 2022-2031 Housing Element. The Housing Element includes many programs designed to meet the City's Regional Housing Allocation Needs, in compliance with State law. Program H4.G outlines a plan to develop at least 345 affordable housing units on a combination of downtown parking lots.

The Downtown Parking Lots Initiative (the “Initiative”), if adopted, would add Title 17, Chapter 17.01 to the City's Municipal Code and, among other provisions, prohibit the City from selling, trading, leasing, donating, disposing or otherwise conveying all or a portion of City-owned downtown Menlo Park parking lots for any reason that would affect, or diminish the availability or convenience of parking, without voter approval, with exceptions for maintenance work and related capital improvement projects, and temporary events.

The Initiative defines “Parking Plazas” as the eight separate parking lots located in downtown Menlo Park, described as “publicly owned” and “owned by the City.”

Specifically, the Initiative would prohibit the City from taking the following actions without voter approval if such action would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors:

1. Disposing, selling, trading, leasing, donating, or otherwise conveying all or any portion of a Parking Plaza;
2. Designating a Parking Plaza as “surplus” or “exempt surplus” land pursuant to the Surplus Lands Act;
3. Modifying, altering, or constructing any improvements on the Parking Plazas;
4. Changing the use of a Parking Plaza.

If the City wishes to take one of these actions, it must place that action on the next regularly scheduled election, and the action will only become effective if approved by a majority of the voters.

There are exceptions to the voter-requirement. Actions taken to maintain, repair, renovate or improve the Parking Plazas do not require voter approval as long as they are intended to preserve, improve or expand availability of access or convenience for public parking. Temporary events, such as farmers markets or other similar events, are also permitted without voter approval as long as such activities are temporary and do not last more than three consecutive days.

The Initiative is also retroactive to May 15, 2025. If the City takes any of the actions above between May 15, 2025, and the Initiative’s effective date, the actions shall be null and void unless the action is reenacted with a vote.

On Sept. 15, 2025, the City released a Request for Proposals (RFP) for development of housing in compliance with program H4.G of its Housing Element, focused at this time on evaluating Parking Plazas 1, 2, and/or 3 for housing, replacement public parking, and other complimentary uses. The program aims to integrate affordable housing options in high-resources areas of the community while adhering to the Surplus Lands Act.

## **Analysis**

On Oct. 10, 2025, the petition for the proposed Initiative was filed with the City Clerk of the City of Menlo Park (Elections Code section 9208) within the required time following the publication date. The city clerk determined that the proponents submitted 2,200 valid signatures, which exceeded the minimum number of 2,103 signatures required.

The city clerk initiated the review of the petition, according to required Election Code provisions, including format, content, circulation dates and circulator’s declaration.

Signature verification is performed by the County of San Mateo, Office of the Assessor-County Clerk-Recorder & Elections (County). Having completed the comprehensive review of signatures, by letter dated Oct. 20, 2025, the County signed a certification on sufficiency and notified the proponents of the certification.

Based on the validation of the petition format and content (Elections Code section 9239) along with the signature verification (Elections Code sections 9215 and 9240), the city clerk certified the petition as sufficient to qualify as an initiative petition for the ballot.

Following certification of the signatures, Elections Code sections 9211, 9114 and 9115 require that the petition be brought to the City Council at the City Council’s next regular meeting. The City Council reviews the certification of the petition as a separate agenda item at this Nov. 4 meeting.

Elections Code section 9215 requires that the City Council choose from one of the following courses of action:

- A. Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
- B. Submit the ordinance, without alteration, to the voters pursuant to Elections Code section 1405; or
- C. Order a report pursuant to Elections Code section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the City Council, the City Council is required to either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

Each of these actions is discussed in greater detail below:

#### Adopt the ordinance

If the City Council proceeds with adopting the proposed ordinance without alteration (Attachment A) at the Nov. 4 City Council meeting, the ordinance would be considered adopted on that date. Alternatively, per Elections Code section 9215, the City may adopt the ordinance within 10 days after certification is presented. Per Elections Code section 9217, “No ordinance that is either proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance.”

If the City Council elects to adopt the ordinance, 30 days following adoption of the ordinance, Title 17, Chapter 17.01 would be added to the City’s Municipal Code, and the City would be prohibited from selling, trading, leasing, donating, disposing or otherwise conveying all or a portion of the City-owned downtown parking lots for any reason that would diminish or affect the availability or convenience of parking, without voter approval.

#### Submit ordinance to the voters

If the City Council submits the ordinance to the voters, the City has two options.

The first option is the City may submit the measure to the voters at the City’s next general municipal election. The next general municipal election is Nov. 3, 2026 (Elections Code section 9215, 1405(a)).

The second option is the City may call a special election to submit the Initiative to the voters (Elections Code section 1405(b)). If the City calls a special election, the election must be held on a Tuesday at least 88 days after the order of election, but not more than 103 days after the order of election.

The City of Menlo Park, together with many other jurisdictions in the County of San Mateo, requests election services from the County of San Mateo to consolidate election costs. In so doing, the city realizes significant savings in personnel time and costs associated with running a municipal election. However, to have the County assist with the City’s municipal election, the Elections Code requires that the City Council request such assistance via resolution.

The County provided the City with estimates for both a municipal general election (Nov. 3, 2026) and a special election (88-103 days after calling the special election).

The County estimates that the cost to the City for the Nov. 3, 2026, general election, including the Initiative measure and three City Council seats would be \$78,733 – \$94,500.

The County estimates that the cost to the City for a special election to be held 88-103 days after calling the

election would be \$315,000 – \$378,000.

Attachment B to this staff report orders the proposed Initiative submitted to the voters at the regular Nov. 3, 2026, gubernatorial election, and requests that the County assist with and conduct the election.

Attachment C to this staff report orders the proposed Initiative submitted to the voters at a special election to be held at least 88 days but not more than 103 days after the order of election, and requests that the County assist with and conduct the election. The date on which a special election could be held depends on the date the order of the special election is called.

Both resolutions establish the following ballot language to be submitted to the voters:

Should the measure, which prohibits the City of Menlo Park from making changes to City-owned downtown parking lot properties, including selling, leasing, or conveying any of the properties, authorizing a new use such as housing development on any of the properties, or modifying, altering, or constructing improvements on any of the properties, if such change would diminish parking availability, access or convenience, unless the voters pass another ballot measure to approve the change, be adopted?	YES
	NO

This measure will require the approval of a majority vote of the City of Menlo Park voters voting on the measure to become effective. If it is approved, the measure would become effective ten (10) days following the date the vote is declared by the City Council in accordance with Elections Code section 9217.

#### Order an Elections Code section 9212 report

The City Council also has the option to order a report pursuant to Elections Code section 9212 that provides:

- A. During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of section 9215 (i.e., the two options above), the City may refer the proposed Initiative measure to a city agency or agencies for a report on any or all of the following:
  1. Its fiscal impact.
  2. Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
  3. Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
  4. Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
  5. Its impact on the community's ability to attract and retain business and employment.
  6. Its impact on the uses of vacant parcels of land.
  7. Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  8. Any other matters the legislative body requests to be in the report.

If the City Council orders the report pursuant to Elections Code section 9212, the report would need to be presented to the City Council no later than Dec. 4, 2025. The City Council would once again have the choices articulated above: (A) adopt the ordinance, which must be done within 10 days of report presentation or (B) order an election, a general election or a special election.

The Elections Code section 9212 report could be prepared by City staff or City consultants. Similar to the Elections Code section 9212 report prepared in 2022 for Measure V, staff is proposing to utilize a consultant to prepare the report given the limited timing, complexity and technical components of the report, with staff, the City Manager's Office and the City Attorney's Office assisting in drafting and/or review of the report. Staff reached out to the M-Group, who prepared the most recent Elections Code § 9212 report and has a master agreement with the City for professional services for ongoing or on-call needs, for a proposal to prepare the report. The scope of work and cost of service proposal is included as Attachment D, Exhibit A.

M-Group's proposal includes analysis of items 1 through 7 above and some allowance for other matters to be analyzed should the City Council request. The total not to exceed flat fee for these services is \$164,951, inclusive of subconsultant technical work by Hexagon for a qualitative vehicle miles travelled (VMT)-based transportation analysis and by BAE for a fiscal impact analysis. Of this proposed amount, \$30,000 would be contingency, only used if needed and approved by the City Manager. Should the City Council pursue preparation of the Elections Code section 9212 report, staff requests a budget appropriation in the amount of \$164,951, which includes the contingency to provide flexibility and ensure timely preparation of the report.

### **Impact on City Resources**

As explained above, according to the County of San Mateo Assessor County Clerk Recorder's & Elections Office for election services, the cost of a consolidated general election (Nov. 3, 2026) is: \$78,733 – \$94,500, and the cost of a Menlo Park only special election is \$315,000 – \$378,000. The preparation of an Elections Code section 9212 report was not budgeted in the fiscal year 2025-26 budget and would require a budget appropriation of \$164,951 from the unassigned fund balance in the General Fund (Fund 100).

Pending City Council direction, the funds needed to hold the election would be included in the proposed fiscal year 2026-27 budget or as an amendment to the fiscal year 2025-26 budget depending on the election date.

### **Environmental Review**

The proposed actions are not projects under California Environmental Quality Act (CEQA) Guidelines §15378 (b)(3). A project under CEQA does not include "[t]he submittal of proposals to a vote of the people of the state or a particular community that does not involve a public agency sponsored initiative." (*Stein v. City of Santa Monica* (1980) 110 Cal. App.3d 458; *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal. 4th 165).

### **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. An ordinance of the City Council of the City of Menlo Park adopting the citizen-initiative measure entitled “Downtown Parking Plazas Ordinance Initiative”
- B. A resolution of the City Council of the City of Menlo Park adopting the citizen-initiative “Downtown Parking Plazas Ordinance Initiative” to the consolidated general election of November 3, 2026; establishing the schedule for submission of ballot arguments; and authorizing and requesting the County of San Mateo conduct the election.
- C. A resolution of the City Council of the City of Menlo Park ordering the submission of the citizen-initiative measure entitled “Downtown Parking Plazas Ordinance Initiative” to a special election at least 88 days but not more than 103 days after the order of the election; establishing the schedule for submission of ballot arguments; and authorizing and requesting the County of San Mateo conduct a special election.
- D. A resolution of the City Council of the City of Menlo Park ordering a report pursuant to Elections Code section 9212

Report prepared by:  
Nira F. Doherty, City Attorney

Report reviewed by:  
Judi A. Herren, City Clerk



**ORDINANCE NO. XXXX**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ADOPTING THE CITIZEN-SPONSORED INITIATIVE MEASURE PROHIBITING  
THE CITY OF MENLO PARK FROM SELLING, LEASING, DONATING,  
DISPOSING OF OR CONVEYING CITY-OWNED DOWNTOWN PARKING LOTS  
WITHOUT VOTER APPROVAL**

WHEREAS, May 15, 2025, a Notice of Intent to Circulate a Petition was filed with the City's Elections Official (City Clerk) with a request that a title and summary be prepared for the measure; and

WHEREAS, the city attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the City Clerk Oct. 10, 2025, bearing 3,440 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain 2,103 valid signatures on the Petition; that number representing 10% of the registered voters of the City; and

WHEREAS, the County of San Mateo Assessor County Clerk Recorder's & Elections Office has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, the City Clerk certified the sufficiency of the signatures Nov. 4, 2025; and

WHEREAS, having obtained sufficient signatures, Elections Code section 9215 provides that the City Council is required to either (1) adopt the ordinance, without alteration, at the meeting at which the certification of the petition is presented (Nov. 4, 2025), or within 10 days after it is presented, (2) submit the ordinance, without alteration, to the voters, pursuant to Elections Code section 1405, or (3) order a report pursuant to Elections Code section 9212; and

WHEREAS, the City Council of the City of Menlo Park desires to adopt the Initiative entitled "Downtown Parking Plazas Ordinance Initiative."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park does hereby adopt the Initiative entitled "Downtown Parking Plazas Ordinance Initiative," which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, the City Clerk is directed to cause the provisions of the adopted ordinance to be codified in the Menlo Park Municipal Code.

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I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Ordinance of the City Council of the City of Menlo Park was duly and regularly passed and adopted at a meeting by said City Council on the \_\_\_ day of \_\_, 2025, 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 \_\_ 2025.

APPROVED:

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Drew Combs, Mayor

ATTEST:

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Judi A. Herren, City Clerk

Exhibits:

A. Text of the measure



## **Downtown Parking Plazas Ordinance**

The people of the City of Menlo Park do ordain as follows:

### **SECTION 1. Title.**

This Ordinance may be cited as the “Downtown Parking Plazas Ordinance.”

### **SECTION 2. Downtown Menlo Park Parking Plazas Ordinance.**

The City of Menlo Park Municipal Code is hereby amended by adding new Title 17, called “Downtown Parking Plazas,” consisting of Chapter 17.01.

#### **Title 17. Downtown Parking Plazas**

##### **Chapter 17.01. Downtown Parking Plazas**

##### **17.01.010 Findings and Purpose.**

The people of the City of Menlo Park find and declare that:

1. Downtown Menlo Park is a cherished part of the City which serves as a thriving business and shopping district, as well as a vibrant community hub relied on by residents and visitors.
2. To remain accessible and successful, the City’s Downtown area must be easily navigated by car with sufficient parking to accommodate all visitors and workers. Without convenient parking, the Downtown area will suffer -- hurting businesses, discouraging visitors and undermining community welfare.
3. The eight publicly owned Downtown parking plazas (“Parking Plazas”) provide the critical infrastructure needed to support that access.
4. The Parking Plazas are located within the El Camino Real/Downtown Specific Plan (“Downtown Specific Plan”). As stated in the Municipal Code, the purpose of the Downtown Specific Plan is to preserve and enhance community life, character and vitality through public space improvements that improve connectivity.
5. The Parking Plazas were acquired, developed and maintained through funding from Downtown property owners and the general public for the specific and sole purpose of providing adequate parking to serve the needs of the Downtown community. Protecting the original public purpose for these Parking Plazas is crucial for Downtown success.

6. Any decision to alter the original use of the Parking Plazas must be made carefully and with full community engagement. The stakes are too high to entrust the future of these public assets to anyone but the people themselves.
7. At the same time, the City should have the flexibility to maintain and improve lighting, landscaping and other features of the Parking Plazas and to use them for farmers markets and other short-term community events. Improvements which expand parking availability and convenience should be encouraged.
8. City officials should analyze and pursue options for meeting the City's needs which do not impact the use of the Parking Plazas for parking and vehicular access.
9. Any decision to sell, lease, declare surplus or re-purpose the Parking Plazas for any use other than for parking and vehicular access must first be approved by a majority vote of the people of Menlo Park.
10. Voters should have a say over actions which the City takes with respect to the Parking Plazas after the City becomes aware of the initiative even if taken before this initiative appears on the ballot.

**17.01.020 Definitions.**

"City" means the City of Menlo Park, California, or the area within the territorial limits of the City of Menlo Park, California, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional provision or any law; additionally, City shall collectively refer to the Mayor, City Council (as defined in Section 1.04.010), all City departments, and all City employees.

"Downtown" shall refer in general terms to the area generally bound by El Camino Real, Oak Grove Avenue, Menlo Avenue and University Drive, as also referred in the Downtown Specific Plan as the Downtown Core within Figure B1 and in Figure C5 Downtown.

"Parking Plazas" shall refer to the following parking lots located in the Downtown area which are owned by the City:

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 1	071-102-400	Lot between El Camino and Chestnut on west side of Santa Cruz
Plaza 2	071-094-180	Lot off Oak Grove

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 3	071-092-290	Lot between University and Crane on west side of Santa Cruz
Plaza 4	071-273-160	Lot next to Draeger's
Plaza 5	071-281-160	Lot between Evelyn and Crane
Plaza 6	071-283-140, 071-283-050	Lot next to Wells Fargo, between Crane and Chestnut
Plaza 7	071-284-100, 071-284-080	Lot next to Trader Joe's, between Chestnut and Curtis
Plaza 8	071-285-160	Lot between Curtis and Doyle

#### **17.01.030 Preservation of Parking Plazas.**

Notwithstanding any other provision in the City's Municipal Code, General Plan, Downtown Specific Plan, or other City statutes, the City may not take any of the following actions with respect to a Parking Plaza unless and until the action is approved by a majority vote of the City's voters:

1. Sell, trade, lease, donate, dispose or otherwise convey any of the Parking Plazas, or any portion thereof, for any reason which would affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Designate any of the Parking Plazas as "surplus land" or "exempt surplus land" under the California Surplus Land Act (Government Code sections 54220 et seq.), or otherwise designate the parking plazas in a way which could affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Modify, alter or construct any capital project or other physical alteration on any of the Parking Plazas which permanently diminishes the availability, access or convenience of public parking for Downtown customers, workers and visitors.
4. Change the use of a Parking Plaza in any way which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.

#### **17.01.040 Exceptions.**

Notwithstanding section 17.01.030, the City may take the following actions with respect to the Parking Plazas without a vote of the People:

1. Maintenance, repairs or renovations to the Parking Plazas, even if these activities temporarily affect parking availability, access or convenience, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Capital improvements for the Parking Plazas, even if these activities temporarily affect parking access or availability, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Community activities, such as the farmers' market or similar events, which use the Parking Plazas on a short-term (no more than three (3) consecutive days) and temporary basis.

#### **17.01.050 Reenactment Required for City Actions Prior to Effective Date.**

1. If the City takes any action listed in section 17.01.030 on or after May 15, 2025, but prior to the effective date of this Chapter, which was not adopted in compliance with the requirements of this Chapter, that action shall be deemed null, void and of no further force or effect unless and until the action is reenacted in compliance with the requirements of this Chapter.
2. Any action listed in section 17.01.030 taken by the City on or after May 15, 2025, shall be subject to the requirements of this Chapter.

#### **17.01.060 Required Election.**

1. If the City wishes to take any action listed in section 17.01.030, the City Council must place such action on the next regularly-scheduled election ballot following the final City approval of the action.
2. The Council shall not place such action on the ballot unless and until the City has taken all steps necessary under the law to approve the action.
3. Such action shall not become effective unless and until it is first approved by the City pursuant to all legal requirements and thereafter approved by the voters pursuant to this Chapter.
4. Placing an action listed in section 17.01.030 on the ballot shall not affect other legal requirements for such action, including environmental review under the California Environmental Quality Act.

5. All materials which the City prepares for distribution to voters in connection with the election referenced herein, including the voter information pamphlet, shall describe with particularity the proposed action, the impact of the proposed action on the Parking Plazas, the change, if any, in the number or location of parking spaces, and the cost to the City.

#### **17.01.070 Citizen Initiative.**

An action listed in section 17.01.030 may be placed on the ballot via citizens initiative and will take effect based on approval by a majority of the City's voters.

#### **SECTION 3. Earliest Possible Election.**

The people of Menlo Park hereby expressly request that this measure be submitted to the voters of Menlo Park at the earliest time allowable by law.

#### **SECTION 4. Effective Date.**

This Ordinance shall become effective upon its approval by a simple majority of electors voting on the Ordinance, but shall become operative as of May 15, 2025.

#### **SECTION 5. Conflicting Measures.**

A. Any other measure concerning or affecting the availability, access or convenience of public parking for Downtown customers, workers and visitors which appears on the same ballot shall be deemed to conflict with this Ordinance.

B. In the event that this Ordinance and one or more conflicting measures appear on the same ballot, the provisions of the measure which receives the greater number of affirmative votes shall prevail in their entirety, and the other measure or measures shall be null and void.

C. If this Ordinance is approved by the voters but superseded by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this Ordinance shall be self-executing and given full force and effect.

#### **SECTION 6. Severability.**

Should any provision of this measure, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, voidable, or invalid, that determination shall have no effect on any other provision, or the application of this measure to any other person or circumstance and, to that end, the provisions hereof are severable. By approving this measure, the voters express their intent that each section and subsection would have been adopted irrespective of whether any one or more sections or subsections are found to be invalid or unconstitutional, and that each section and subsection is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable or

otherwise void, voidable or invalid, that the least amount of language be severed from the ordinance.

**SECTION 7. Amendments.**

No provision of this Ordinance shall be amended or repealed except by a vote of the people of Menlo Park.

**SECTION 8. Liberal Construction.**

This Ordinance shall be liberally construed to effectuate its purposes.

**SECTION 9. Municipal Affairs.**

The people of the City of Menlo Park hereby declare that preserving the availability, access and convenience of public parking for Downtown customers, workers and visitors by requiring voter approval of any change in use to the Parking Plazas constitutes a municipal affair.

The people of the City of Menlo Park declare their intent that this citizen initiative be enacted, and voter approval be required for changes to the Parking Plazas, if this Ordinance is approved by a simple majority of voters.

**SECTION 10. Legal Defense.**

The people of the City of Menlo Park desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the City. The people, by approving this Ordinance, hereby declare that the proponents of this Ordinance have a direct and personal stake in defending this Ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event the City fails to defend this Ordinance, or the City fails to appeal an adverse judgment against the constitutionality, statutory permissibility, or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the people through this Ordinance to act as agents of the people. The City shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the City to perform the defense itself.

## RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY  
OF MENLO PARK A CITIZEN-SPONSORED INITIATIVE MEASURE  
PROHIBITING THE CITY OF MENLO PARK FROM SELLING, LEASING,  
DONATING, DISPOSING OF OR CONVEYING CITY-OWNED DOWNTOWN  
PARKING LOTS WITHOUT VOTER APPROVAL, AT THE CONSOLIDATED  
GENERAL ELECTION ON TUESDAY, NOV. 3, 2026; ESTABLISHING THE  
SCHEDULE FOR SUBMISSION OF BALLOT ARGUMENTS; AND  
AUTHORIZING AND REQUESTING THE COUNTY OF SAN MATEO CONDUCT  
THE ELECTION**

WHEREAS, May 15, 2025, a Notice of Intent to Circulate a Petition was filed with the City's Elections Official (City Clerk) with a request that a title and summary be prepared for the measure; and

WHEREAS, the city attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the City Clerk Oct. 10, 2025, bearing 3,440 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain 2,103 valid signatures on the Petition; that number representing 10% of the registered voters of the City; and

WHEREAS, the County of San Mateo Assessor County Clerk Recorder's & Elections Office has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, the City Clerk certified the sufficiency of the signatures Nov. 4, 2025; and

WHEREAS, Elections Code section 9215 provides that the City Council is required to either submit the proposed ordinance to the voters at an election, adopt the proposed ordinance without alteration, or request a report on the proposed ordinance; and

WHEREAS, the City Council of the City of Menlo Park desires to submit the Initiative to the voters at the gubernatorial election to be held Nov. 3, 2026; and

WHEREAS, the City Council desires to consolidate the general municipal election for the Initiative described herein with the gubernatorial election to be held Nov. 3, 2026.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED:

Section 1. Call for Election. Pursuant to the requirements of the California Elections Code sections 306, 9215, and 9222, there is called and ordered to be held in the City of Menlo Park, a regular municipal election for the purpose of submitting to the voters of the City of Menlo Park a



citizen initiative entitled “Downtown Parking Plazas Ordinance Initiative.” As required by Elections Code sections 13247, the abbreviated form of the initiative to appear on the ballot is specified below in section 2 of this Resolution. The voter initiative shall be entitled “Downtown Parking Plazas Ordinance Initiative.” The City’s designated elections official is hereby authorized and directed to make any changes to the proposition, text of the ballot label below or this resolution as required to conform to any requirements of law.

Section 2. Ballot Language. The following question shall be submitted to the voters on the ballot:

Should the measure, which prohibits the City of Menlo Park from making changes to City-owned downtown parking lot properties, including selling, leasing, or conveying any of the properties, authorizing a new use such as housing development on any of the properties, or modifying, altering, or constructing improvements on any of the properties, if such change would diminish parking availability, access or convenience, unless the voters pass another ballot measure to approve the change, be adopted?	YES
	NO

This question requires the approval of a majority vote of the City of Menlo Park voters voting on the measure at the election to become effective. If the Initiative is so approved by the City of Menlo Park voters, then the Ordinance attached hereto as Exhibit A shall become effective ten (10) days following the date the vote is declared by the City Council in accordance with Elections Code sections 9217.

Section 3. Text of Measure. The complete text of the Measure to be submitted to the voters for approval is attached to this resolution as Exhibit A. The text of the measure shall be printed in the ballot materials and be available for public inspection in the city clerk’s office and on the City’s website at [www.menlopark.gov](http://www.menlopark.gov).

Section 4. Publication of Measure. The City Clerk is hereby directed to cause notice of the measure to be published once in a newspaper of general circulation in the City of Menlo Park, in accordance with of the California Elections Code sections 12111 and California Government Code sections 6061.

Section 5. Request to Consolidate and Conduct Election and Canvass Returns.

- (a) Pursuant to Elections Code commencing with sections 10400, the City Council hereby requests, consents, and agrees that the County of San Mateo shall take all actions which are necessary or appropriate in connection with the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing election returns and certifying the results of the election to the City Council. Pursuant to Elections Code sections 10002, the Board of Supervisors of San Mateo County is requested to permit the Registrar of Voters to render all services specified by Elections Code sections 10418 relating to the election. The City hereby agrees to reimburse San Mateo County in full for any services performed by each for the City upon presentation of an invoice to the City.
- (b) The election on the Initiative shall be held and conducted, the voters canvassed and the returns made, and the results ascertained and determined as provided herein. The election shall be held in accordance with the Elections Code of the State of California. As

required by Elections Code sections 10403, the City of Menlo Park acknowledges that the consolidated election will be held and conducted in the manner prescribed in sections 10418 of the Elections Code.

- (c) The election on the Initiative shall be held in the City of Menlo Park in the County of San Mateo on Nov. 3, 2026, as required by law.
- (d) At the next regular meeting of the City Council of the City Menlo Park occurring after the returns of the election for the Initiative have been canvassed and the results have been certified to the City Council, or at a special meeting called for such purpose if required by law, the City Council shall cause to be entered in its minutes a statement of the results of the election.

Section 6. Submission of Ballot Arguments. The City Council hereby adopts provisions for the filing of ballot arguments and rebuttal arguments for the Initiative set forth in California Elections Code sections 9282 *et seq.* All arguments for and against the measure shall be filed with the city clerk pursuant to the timelines set forth in the County of San Mateo's Election Calendar for the Nov. 3, 2026, gubernatorial election. All arguments for and against the measure shall be signed, with printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

Section 7. Impartial Analysis. In accordance with California Elections Code sections 9280, the City Council directs the City Clerk to transmit a copy of the Initiative to the city attorney, who shall prepare an impartial analysis showing the effect of the measure on the existing law and the operation of the measure. The city attorney's impartial analysis may not exceed 500 words.

Section 8. Services of City Clerk. The City Clerk is hereby authorized and directed to take all steps necessary to place the measure on the ballot, including giving further or additional notice of the election as required by law, and to cause the ordinance or measure to be printed. A copy of the ordinance or measure shall be made available to any voter upon request. As required by Elections Code sections 12111, the City Clerk shall cause a synopsis of the measure to be published in a newspaper of general circulation at least one time not later than one week before the Nov. 3, 2026, election. The notice shall be headed "Measure to Be Voted On" and be in the form described in Elections Code sections 12111.

Section 9. Canvass Returns of the Election. The San Mateo County Elections Department is hereby authorized to canvass the returns of the election, including this ballot measure. The City Clerk will certify the results to the City Council of the City of Menlo Park.

Section 10. Filing of Copy of Resolution. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Election Department of the County of San Mateo.

Section 11. Election Held Pursuant to Law. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 12. Effective Date. This Resolution shall take effect upon its adoption.

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I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing City Council resolution was duly and regularly passed and adopted at a meeting of said City Council on the \_\_\_ day of \_\_\_, 2025, 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 \_\_\_, 2025.

---

Judi A. Herren, City Clerk

Exhibits:

A. Text of the measure

## **Downtown Parking Plazas Ordinance**

The people of the City of Menlo Park do ordain as follows:

### **SECTION 1. Title.**

This Ordinance may be cited as the “Downtown Parking Plazas Ordinance.”

### **SECTION 2. Downtown Menlo Park Parking Plazas Ordinance.**

The City of Menlo Park Municipal Code is hereby amended by adding new Title 17, called “Downtown Parking Plazas,” consisting of Chapter 17.01.

#### **Title 17. Downtown Parking Plazas**

##### **Chapter 17.01. Downtown Parking Plazas**

##### **17.01.010 Findings and Purpose.**

The people of the City of Menlo Park find and declare that:

1. Downtown Menlo Park is a cherished part of the City which serves as a thriving business and shopping district, as well as a vibrant community hub relied on by residents and visitors.
2. To remain accessible and successful, the City’s Downtown area must be easily navigated by car with sufficient parking to accommodate all visitors and workers. Without convenient parking, the Downtown area will suffer -- hurting businesses, discouraging visitors and undermining community welfare.
3. The eight publicly owned Downtown parking plazas (“Parking Plazas”) provide the critical infrastructure needed to support that access.
4. The Parking Plazas are located within the El Camino Real/Downtown Specific Plan (“Downtown Specific Plan”). As stated in the Municipal Code, the purpose of the Downtown Specific Plan is to preserve and enhance community life, character and vitality through public space improvements that improve connectivity.
5. The Parking Plazas were acquired, developed and maintained through funding from Downtown property owners and the general public for the specific and sole purpose of providing adequate parking to serve the needs of the Downtown community. Protecting the original public purpose for these Parking Plazas is crucial for Downtown success.

6. Any decision to alter the original use of the Parking Plazas must be made carefully and with full community engagement. The stakes are too high to entrust the future of these public assets to anyone but the people themselves.
7. At the same time, the City should have the flexibility to maintain and improve lighting, landscaping and other features of the Parking Plazas and to use them for farmers markets and other short-term community events. Improvements which expand parking availability and convenience should be encouraged.
8. City officials should analyze and pursue options for meeting the City's needs which do not impact the use of the Parking Plazas for parking and vehicular access.
9. Any decision to sell, lease, declare surplus or re-purpose the Parking Plazas for any use other than for parking and vehicular access must first be approved by a majority vote of the people of Menlo Park.
10. Voters should have a say over actions which the City takes with respect to the Parking Plazas after the City becomes aware of the initiative even if taken before this initiative appears on the ballot.

**17.01.020 Definitions.**

"City" means the City of Menlo Park, California, or the area within the territorial limits of the City of Menlo Park, California, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional provision or any law; additionally, City shall collectively refer to the Mayor, City Council (as defined in Section 1.04.010), all City departments, and all City employees.

"Downtown" shall refer in general terms to the area generally bound by El Camino Real, Oak Grove Avenue, Menlo Avenue and University Drive, as also referred in the Downtown Specific Plan as the Downtown Core within Figure B1 and in Figure C5 Downtown.

"Parking Plazas" shall refer to the following parking lots located in the Downtown area which are owned by the City:

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 1	071-102-400	Lot between El Camino and Chestnut on west side of Santa Cruz
Plaza 2	071-094-180	Lot off Oak Grove

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 3	071-092-290	Lot between University and Crane on west side of Santa Cruz
Plaza 4	071-273-160	Lot next to Draeger's
Plaza 5	071-281-160	Lot between Evelyn and Crane
Plaza 6	071-283-140, 071-283-050	Lot next to Wells Fargo, between Crane and Chestnut
Plaza 7	071-284-100, 071-284-080	Lot next to Trader Joe's, between Chestnut and Curtis
Plaza 8	071-285-160	Lot between Curtis and Doyle

#### **17.01.030 Preservation of Parking Plazas.**

Notwithstanding any other provision in the City's Municipal Code, General Plan, Downtown Specific Plan, or other City statutes, the City may not take any of the following actions with respect to a Parking Plaza unless and until the action is approved by a majority vote of the City's voters:

1. Sell, trade, lease, donate, dispose or otherwise convey any of the Parking Plazas, or any portion thereof, for any reason which would affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Designate any of the Parking Plazas as "surplus land" or "exempt surplus land" under the California Surplus Land Act (Government Code sections 54220 et seq.), or otherwise designate the parking plazas in a way which could affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Modify, alter or construct any capital project or other physical alteration on any of the Parking Plazas which permanently diminishes the availability, access or convenience of public parking for Downtown customers, workers and visitors.
4. Change the use of a Parking Plaza in any way which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.

#### **17.01.040 Exceptions.**

Notwithstanding section 17.01.030, the City may take the following actions with respect to the Parking Plazas without a vote of the People:

1. Maintenance, repairs or renovations to the Parking Plazas, even if these activities temporarily affect parking availability, access or convenience, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Capital improvements for the Parking Plazas, even if these activities temporarily affect parking access or availability, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Community activities, such as the farmers' market or similar events, which use the Parking Plazas on a short-term (no more than three (3) consecutive days) and temporary basis.

#### **17.01.050 Reenactment Required for City Actions Prior to Effective Date.**

1. If the City takes any action listed in section 17.01.030 on or after May 15, 2025, but prior to the effective date of this Chapter, which was not adopted in compliance with the requirements of this Chapter, that action shall be deemed null, void and of no further force or effect unless and until the action is reenacted in compliance with the requirements of this Chapter.
2. Any action listed in section 17.01.030 taken by the City on or after May 15, 2025, shall be subject to the requirements of this Chapter.

#### **17.01.060 Required Election.**

1. If the City wishes to take any action listed in section 17.01.030, the City Council must place such action on the next regularly-scheduled election ballot following the final City approval of the action.
2. The Council shall not place such action on the ballot unless and until the City has taken all steps necessary under the law to approve the action.
3. Such action shall not become effective unless and until it is first approved by the City pursuant to all legal requirements and thereafter approved by the voters pursuant to this Chapter.
4. Placing an action listed in section 17.01.030 on the ballot shall not affect other legal requirements for such action, including environmental review under the California Environmental Quality Act.



5. All materials which the City prepares for distribution to voters in connection with the election referenced herein, including the voter information pamphlet, shall describe with particularity the proposed action, the impact of the proposed action on the Parking Plazas, the change, if any, in the number or location of parking spaces, and the cost to the City.

#### **17.01.070 Citizen Initiative.**

An action listed in section 17.01.030 may be placed on the ballot via citizens initiative and will take effect based on approval by a majority of the City's voters.

#### **SECTION 3. Earliest Possible Election.**

The people of Menlo Park hereby expressly request that this measure be submitted to the voters of Menlo Park at the earliest time allowable by law.

#### **SECTION 4. Effective Date.**

This Ordinance shall become effective upon its approval by a simple majority of electors voting on the Ordinance, but shall become operative as of May 15, 2025.

#### **SECTION 5. Conflicting Measures.**

A. Any other measure concerning or affecting the availability, access or convenience of public parking for Downtown customers, workers and visitors which appears on the same ballot shall be deemed to conflict with this Ordinance.

B. In the event that this Ordinance and one or more conflicting measures appear on the same ballot, the provisions of the measure which receives the greater number of affirmative votes shall prevail in their entirety, and the other measure or measures shall be null and void.

C. If this Ordinance is approved by the voters but superseded by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this Ordinance shall be self-executing and given full force and effect.

#### **SECTION 6. Severability.**

Should any provision of this measure, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, voidable, or invalid, that determination shall have no effect on any other provision, or the application of this measure to any other person or circumstance and, to that end, the provisions hereof are severable. By approving this measure, the voters express their intent that each section and subsection would have been adopted irrespective of whether any one or more sections or subsections are found to be invalid or unconstitutional, and that each section and subsection is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable or

otherwise void, voidable or invalid, that the least amount of language be severed from the ordinance.

**SECTION 7. Amendments.**

No provision of this Ordinance shall be amended or repealed except by a vote of the people of Menlo Park.

**SECTION 8. Liberal Construction.**

This Ordinance shall be liberally construed to effectuate its purposes.

**SECTION 9. Municipal Affairs.**

The people of the City of Menlo Park hereby declare that preserving the availability, access and convenience of public parking for Downtown customers, workers and visitors by requiring voter approval of any change in use to the Parking Plazas constitutes a municipal affair.

The people of the City of Menlo Park declare their intent that this citizen initiative be enacted, and voter approval be required for changes to the Parking Plazas, if this Ordinance is approved by a simple majority of voters.

**SECTION 10. Legal Defense.**

The people of the City of Menlo Park desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the City. The people, by approving this Ordinance, hereby declare that the proponents of this Ordinance have a direct and personal stake in defending this Ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event the City fails to defend this Ordinance, or the City fails to appeal an adverse judgment against the constitutionality, statutory permissibility, or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the people through this Ordinance to act as agents of the people. The City shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the City to perform the defense itself.

**RESOLUTION NO. XXXX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF MENLO PARK A CITIZEN-SPONSORED INITIATIVE MEASURE PROHIBITING THE CITY OF MENLO PARK FROM SELLING, LEASING, DONATING, DISPOSING OF OR CONVEYING CITY-OWNED DOWNTOWN PARKING LOTS WITHOUT VOTER APPROVAL, AT A SPECIAL ELECTION TO BE HELD NOT LESS THAN 88 DAYS NOR MORE THAN 103 AFTER THE ORDER OF THIS ELECTION; ESTABLISHING THE SCHEDULE FOR SUBMISSION OF BALLOT ARGUMENTS; AND AUTHORIZING AND REQUESTING THE COUNTY OF SAN MATEO CONDUCT THE ELECTION**

WHEREAS, May 15, 2025, a Notice of Intent to Circulate a Petition was filed with the City's Elections Official (City Clerk) with a request that a title and summary be prepared for the measure; and

WHEREAS, the city attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the City Clerk Oct. 10, 2025, bearing 3,440 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain 2,103 valid signatures on the Petition; that number representing 10% of the registered voters of the City; and

WHEREAS, the County of San Mateo Assessor County Clerk Recorder's & Elections Office has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, the City Clerk certified the sufficiency of the signatures Nov. 4, 2025; and

WHEREAS, Elections Code section 9215 provides that the City Council is required to either submit the proposed ordinance to the voters at an election, adopt the proposed ordinance without alteration, or request a report on the proposed ordinance; and

WHEREAS, pursuant to Elections Code sections 9215 and 1405, the City Council of the City of Menlo Park desires to submit the Initiative to the voters at special election to be held not less than 88 days nor more than 103 days after the order of the election, on \_\_, 2026; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**BE IT FURTHER RESOLVED:**

Section 1. Call for Election. Pursuant to the requirements of the California Elections Code, sections 306, 9215, 1405 and 9222, there is called and ordered to be held in the City of Menlo Park, a special municipal election for the purpose of submitting to the voters of the City of Menlo Park a citizen initiative entitled "Downtown Parking Plazas Ordinance Initiative." As required by Elections Code section 13247, the abbreviated form of the initiative to appear on the ballot is

specified below in section 2 of this Resolution. The voter initiative shall be entitled “Downtown Parking Plazas Ordinance Initiative.” The City’s designated elections official is hereby authorized and directed to make any changes to the proposition, text of the ballot label below or this resolution as required to conform to any requirements of law.

Section 2. Ballot Language. The following question shall be submitted to the voters on the ballot:

Should the measure, which prohibits the City of Menlo Park from making changes to City-owned downtown parking lot properties, including selling, leasing, or conveying any of the properties, authorizing a new use such as housing development on any of the properties, or modifying, altering, or constructing improvements on any of the properties, if such change would diminish parking availability, access or convenience, unless the voters pass another ballot measure to approve the change, be adopted?	YES
	NO

This question requires the approval of a majority vote of the City of Menlo Park voters voting on the measure at the election to become effective. If the Initiative is so approved by the City of Menlo Park voters, then the Ordinance attached hereto as Exhibit A shall become effective ten (10) days following the date the vote is declared by the City Council in accordance with Elections Code section 9217.

Section 3. Text of Measure. The complete text of the Measure to be submitted to the voters for approval is attached to this resolution as Exhibit A. The text of the measure shall be printed in the ballot materials and be available for public inspection in the city clerk’s office and on the City’s website at [www.menlopark.gov](http://www.menlopark.gov).

Section 4. Publication of Measure. The City Clerk is hereby directed to cause notice of the measure to be published once in a newspaper of general circulation in the City of Menlo Park, in accordance with of the California Elections Code section 12111 and California Government Code section 6061.

Section 5. Request to Conduct Election and Canvass Returns.

- (a) Pursuant to Elections Code commencing with section 10400, the City Council hereby requests, consents, and agrees that the County of San Mateo shall take all actions which are necessary or appropriate in connection with the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing election returns and certifying the results of the election to the City Council. Pursuant to Elections Code section 10002, the Board of Supervisors of San Mateo County is requested to permit the Registrar of Voters to render all services specified by Elections Code section 10418 relating to the election. The City hereby agrees to reimburse San Mateo County in full for any services performed by each for the City upon presentation of an invoice to the City.
- (b) The election on the Initiative shall be held and conducted, the voters canvassed and the returns made, and the results ascertained and determined as provided herein.
- (c) The election shall be held in accordance with the Elections Code of the State of California.
- (d) At the next regular meeting of the City Council of the City Menlo Park occurring after the returns of the election for the Initiative have been canvassed and the results have been

certified to the City Council, or at a special meeting called for such purpose if required by law, the City Council shall cause to be entered in its minutes a statement of the results of the election.

Section 6. Submission of Ballot Arguments. The City Council hereby adopts provisions for the filing of ballot arguments and rebuttal arguments for the Initiative set forth in California Elections Code section 9282. All arguments for and against the measure shall be signed, with printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

Section 7. Impartial Analysis. In accordance with California Elections Code § section 9280, the City Council directs the City Clerk to transmit a copy of the Initiative to the city attorney, who shall prepare an impartial analysis showing the effect of the measure on the existing law and the operation of the measure. The city attorney's impartial analysis may not exceed 500 words.

Section 8. Services of City Clerk. The City Clerk is hereby authorized and directed to take all steps necessary to place the measure on the ballot, including giving further or additional notice of the election as required by law, and to cause the ordinance or measure to be printed. A copy of the ordinance or measure shall be made available to any voter upon request. As required by Elections Code section 12111, the City Clerk shall cause a synopsis of the measure to be published in a newspaper of general circulation at least one time not later than one week before the election. The notice shall be headed "Measure to Be Voted On" and be in the form described in Elections Code section 12111.

Section 9. Canvass Returns of the Election. The San Mateo County Elections Department is hereby authorized to canvass the returns of the election, including this ballot measure.

Section 10. Filing of Copy of Resolution. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Election Department of the County of San Mateo

Section 11. Election Held Pursuant to Law. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 12. Effective Date. This Resolution shall take effect upon its adoption.

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I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing City Council resolution was duly and regularly passed and adopted at a meeting of said City Council on the \_\_\_ day of \_\_\_, 2025, 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 \_\_\_, 2025.

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Judi A. Herren, City Clerk

Exhibits:

A. Text of the measure

## **Downtown Parking Plazas Ordinance**

The people of the City of Menlo Park do ordain as follows:

### **SECTION 1. Title.**

This Ordinance may be cited as the “Downtown Parking Plazas Ordinance.”

### **SECTION 2. Downtown Menlo Park Parking Plazas Ordinance.**

The City of Menlo Park Municipal Code is hereby amended by adding new Title 17, called “Downtown Parking Plazas,” consisting of Chapter 17.01.

#### **Title 17. Downtown Parking Plazas**

##### **Chapter 17.01. Downtown Parking Plazas**

##### **17.01.010 Findings and Purpose.**

The people of the City of Menlo Park find and declare that:

1. Downtown Menlo Park is a cherished part of the City which serves as a thriving business and shopping district, as well as a vibrant community hub relied on by residents and visitors.
2. To remain accessible and successful, the City’s Downtown area must be easily navigated by car with sufficient parking to accommodate all visitors and workers. Without convenient parking, the Downtown area will suffer -- hurting businesses, discouraging visitors and undermining community welfare.
3. The eight publicly owned Downtown parking plazas (“Parking Plazas”) provide the critical infrastructure needed to support that access.
4. The Parking Plazas are located within the El Camino Real/Downtown Specific Plan (“Downtown Specific Plan”). As stated in the Municipal Code, the purpose of the Downtown Specific Plan is to preserve and enhance community life, character and vitality through public space improvements that improve connectivity.
5. The Parking Plazas were acquired, developed and maintained through funding from Downtown property owners and the general public for the specific and sole purpose of providing adequate parking to serve the needs of the Downtown community. Protecting the original public purpose for these Parking Plazas is crucial for Downtown success.



6. Any decision to alter the original use of the Parking Plazas must be made carefully and with full community engagement. The stakes are too high to entrust the future of these public assets to anyone but the people themselves.
7. At the same time, the City should have the flexibility to maintain and improve lighting, landscaping and other features of the Parking Plazas and to use them for farmers markets and other short-term community events. Improvements which expand parking availability and convenience should be encouraged.
8. City officials should analyze and pursue options for meeting the City's needs which do not impact the use of the Parking Plazas for parking and vehicular access.
9. Any decision to sell, lease, declare surplus or re-purpose the Parking Plazas for any use other than for parking and vehicular access must first be approved by a majority vote of the people of Menlo Park.
10. Voters should have a say over actions which the City takes with respect to the Parking Plazas after the City becomes aware of the initiative even if taken before this initiative appears on the ballot.

**17.01.020 Definitions.**

"City" means the City of Menlo Park, California, or the area within the territorial limits of the City of Menlo Park, California, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional provision or any law; additionally, City shall collectively refer to the Mayor, City Council (as defined in Section 1.04.010), all City departments, and all City employees.

"Downtown" shall refer in general terms to the area generally bound by El Camino Real, Oak Grove Avenue, Menlo Avenue and University Drive, as also referred in the Downtown Specific Plan as the Downtown Core within Figure B1 and in Figure C5 Downtown.

"Parking Plazas" shall refer to the following parking lots located in the Downtown area which are owned by the City:

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 1	071-102-400	Lot between El Camino and Chestnut on west side of Santa Cruz
Plaza 2	071-094-180	Lot off Oak Grove

<u>Common Designation</u>	<u>APN Number</u>	<u>Location Description</u>
Plaza 3	071-092-290	Lot between University and Crane on west side of Santa Cruz
Plaza 4	071-273-160	Lot next to Draeger's
Plaza 5	071-281-160	Lot between Evelyn and Crane
Plaza 6	071-283-140, 071-283-050	Lot next to Wells Fargo, between Crane and Chestnut
Plaza 7	071-284-100, 071-284-080	Lot next to Trader Joe's, between Chestnut and Curtis
Plaza 8	071-285-160	Lot between Curtis and Doyle

#### **17.01.030 Preservation of Parking Plazas.**

Notwithstanding any other provision in the City's Municipal Code, General Plan, Downtown Specific Plan, or other City statutes, the City may not take any of the following actions with respect to a Parking Plaza unless and until the action is approved by a majority vote of the City's voters:

1. Sell, trade, lease, donate, dispose or otherwise convey any of the Parking Plazas, or any portion thereof, for any reason which would affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Designate any of the Parking Plazas as "surplus land" or "exempt surplus land" under the California Surplus Land Act (Government Code sections 54220 et seq.), or otherwise designate the parking plazas in a way which could affect the use of the Parking Plazas for parking or which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Modify, alter or construct any capital project or other physical alteration on any of the Parking Plazas which permanently diminishes the availability, access or convenience of public parking for Downtown customers, workers and visitors.
4. Change the use of a Parking Plaza in any way which would diminish the availability, access or convenience of public parking for Downtown customers, workers and visitors.

#### **17.01.040 Exceptions.**

Notwithstanding section 17.01.030, the City may take the following actions with respect to the Parking Plazas without a vote of the People:

1. Maintenance, repairs or renovations to the Parking Plazas, even if these activities temporarily affect parking availability, access or convenience, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
2. Capital improvements for the Parking Plazas, even if these activities temporarily affect parking access or availability, if they are intended to preserve, improve or expand availability, access or convenience of public parking for Downtown customers, workers and visitors.
3. Community activities, such as the farmers' market or similar events, which use the Parking Plazas on a short-term (no more than three (3) consecutive days) and temporary basis.

#### **17.01.050 Reenactment Required for City Actions Prior to Effective Date.**

1. If the City takes any action listed in section 17.01.030 on or after May 15, 2025, but prior to the effective date of this Chapter, which was not adopted in compliance with the requirements of this Chapter, that action shall be deemed null, void and of no further force or effect unless and until the action is reenacted in compliance with the requirements of this Chapter.
2. Any action listed in section 17.01.030 taken by the City on or after May 15, 2025, shall be subject to the requirements of this Chapter.

#### **17.01.060 Required Election.**

1. If the City wishes to take any action listed in section 17.01.030, the City Council must place such action on the next regularly-scheduled election ballot following the final City approval of the action.
2. The Council shall not place such action on the ballot unless and until the City has taken all steps necessary under the law to approve the action.
3. Such action shall not become effective unless and until it is first approved by the City pursuant to all legal requirements and thereafter approved by the voters pursuant to this Chapter.
4. Placing an action listed in section 17.01.030 on the ballot shall not affect other legal requirements for such action, including environmental review under the California Environmental Quality Act.

5. All materials which the City prepares for distribution to voters in connection with the election referenced herein, including the voter information pamphlet, shall describe with particularity the proposed action, the impact of the proposed action on the Parking Plazas, the change, if any, in the number or location of parking spaces, and the cost to the City.

#### **17.01.070 Citizen Initiative.**

An action listed in section 17.01.030 may be placed on the ballot via citizens initiative and will take effect based on approval by a majority of the City's voters.

#### **SECTION 3. Earliest Possible Election.**

The people of Menlo Park hereby expressly request that this measure be submitted to the voters of Menlo Park at the earliest time allowable by law.

#### **SECTION 4. Effective Date.**

This Ordinance shall become effective upon its approval by a simple majority of electors voting on the Ordinance, but shall become operative as of May 15, 2025.

#### **SECTION 5. Conflicting Measures.**

A. Any other measure concerning or affecting the availability, access or convenience of public parking for Downtown customers, workers and visitors which appears on the same ballot shall be deemed to conflict with this Ordinance.

B. In the event that this Ordinance and one or more conflicting measures appear on the same ballot, the provisions of the measure which receives the greater number of affirmative votes shall prevail in their entirety, and the other measure or measures shall be null and void.

C. If this Ordinance is approved by the voters but superseded by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this Ordinance shall be self-executing and given full force and effect.

#### **SECTION 6. Severability.**

Should any provision of this measure, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, voidable, or invalid, that determination shall have no effect on any other provision, or the application of this measure to any other person or circumstance and, to that end, the provisions hereof are severable. By approving this measure, the voters express their intent that each section and subsection would have been adopted irrespective of whether any one or more sections or subsections are found to be invalid or unconstitutional, and that each section and subsection is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable or

otherwise void, voidable or invalid, that the least amount of language be severed from the ordinance.

**SECTION 7. Amendments.**

No provision of this Ordinance shall be amended or repealed except by a vote of the people of Menlo Park.

**SECTION 8. Liberal Construction.**

This Ordinance shall be liberally construed to effectuate its purposes.

**SECTION 9. Municipal Affairs.**

The people of the City of Menlo Park hereby declare that preserving the availability, access and convenience of public parking for Downtown customers, workers and visitors by requiring voter approval of any change in use to the Parking Plazas constitutes a municipal affair.

The people of the City of Menlo Park declare their intent that this citizen initiative be enacted, and voter approval be required for changes to the Parking Plazas, if this Ordinance is approved by a simple majority of voters.

**SECTION 10. Legal Defense.**

The people of the City of Menlo Park desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the City. The people, by approving this Ordinance, hereby declare that the proponents of this Ordinance have a direct and personal stake in defending this Ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event the City fails to defend this Ordinance, or the City fails to appeal an adverse judgment against the constitutionality, statutory permissibility, or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the people through this Ordinance to act as agents of the people. The City shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the City to perform the defense itself.

## RESOLUTION NO. XXXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ORDERING THE PREPARATION OF A REPORT PURSUANT TO ELECTIONS CODE SECTION 9212 TO EVALUATE THE CITIZEN-SPONSORED INITIATIVE MEASURE PROHIBITING THE CITY OF MENLO PARK FROM SELLING, LEASING, DONATING, DISPOSING OF, OR CONVEYING CITY-OWNED DOWNTOWN PARKING LOTS WITHOUT VOTER APPROVAL, AUTHORIZING A ONE-TIME BUDGET APPROPRIATION OF NECESSARY FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING AGREEMENT WITH M-GROUP**

WHEREAS, May 15, 2025, a Notice of Intent to Circulate a Petition was filed with the City's Elections Official (City Clerk) with a request that a title and summary be prepared for the Downtown Parking Lots Initiative (the "Initiative"); and

WHEREAS, the city attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the City Clerk Oct. 10, 2025, bearing 3,440 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain 2,103 valid signatures on the Petition; that number representing 10% of the registered voters of the City; and

WHEREAS, the County of San Mateo Assessor County Clerk Recorder's & Elections Office has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, the City Clerk certified the sufficiency of the signatures on Nov. 4, 2025; and

WHEREAS, having obtained sufficient signatures, Elections Code section 9215 provides that the City Council is required to either (1) adopt the ordinance, without alteration, at the meeting at which the certification of the petition is presented (Nov. 4, 2025), or within 10 days after it is presented, (2) submit the ordinance, without alteration, to the voters, pursuant to Elections Code section 1405, or (3) order a report pursuant to Elections Code section 9212; and

WHEREAS, the City Council of the City of Menlo Park desires to order a report pursuant to Elections Code section 9212 to evaluate the Initiative's impact on, including but not limited, the City's finances, land use policies, consistency with the general and specific plan, its impact on infrastructure, public works and services, and any other matters the City Council deems appropriate.

NOW, THEREFORE, BE IT RESOLVED,

1. Section 1: Ordering of Report. Pursuant to Elections Code section 9212, the City Council hereby directs the City Manager and designees to prepare a report analyzing the effects of the Initiative and to present the report to the City Council within 30 days of Nov. 4, 2025.
2. Section 2: Contents of Report. The report shall, to the extent feasible, address the following topics set forth in Elections Code section 9212 regarding the Initiative:
  - a. Its fiscal impact.

- b. Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under section 65008 of the Government Code and Chapters 4.2 (commencing with §65913) and 4.3 (commencing with section 65915) of Division 1 of Title 7 of the Government Code.
  - c. Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
  - d. Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
  - e. Its impact on the community's ability to attract and retain business and employment.
  - f. Its impact on the uses of vacant parcels of land.
  - g. Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  - h. Any other matters the legislative body requests to be in the report.
3. Section 3. The City Council hereby approves and authorizes a one-time budget appropriation in the amount of \$164,951.
4. Section 4. The City Council hereby authorizes the City Manager to execute an amendment to the existing Master Services Agreement with M-Group (attached hereto as Exhibit B) in the not-to-exceed amount of \$164,951 for the scope of work and services outlined in Exhibit A, attached hereto and to draft and complete the Elections Code section 9212 report.

I, Judi A. Herren, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution of the City Council of the City of Menlo Park was duly and regularly passed and adopted at a meeting by said City Council on the \_\_\_ day of \_\_\_, 2025, 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 \_\_\_ 2025.

---

Judi A. Herren, City Clerk

Exhibits:

A. Master Services Agreement amendment between M-Group and City of Menlo Park

# AGREEMENT AMENDMENT

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



Amendment #: 4597.3

## AGREEMENT FOR SERVICES BETWEEN THE CITY OF MENLO PARK AND METROPOLITAN PLANNING GROUP

THIS THIRD AMENDMENT is made and entered into this \_\_\_\_\_, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY," and METROPOLITAN PLANNING GROUP, hereinafter referred to as "FIRST PARTY."

1. Section 4. COMPENSATION AND PAYMENT of Agreement No. 4597, ("Agreement"), Section 4. COMPENSATION AND PAYMENT [amendment to section] is hereby amended to read as follows:

"A. CITY shall pay FIRST PARTY an all-inclusive fee that shall not exceed the amount as described in Exhibits "A-1, A-2, A-3, and A-4" Scope of Services. All payments shall be inclusive of all indirect and direct charges to the Project incurred by FIRST PARTY. The CITY reserves the right to withhold payment if the City determines that the quantity or quality of the work performed is unacceptable."

Except as modified by this Amendment, all other terms and conditions of Agreement No. 4597 remain the same.

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

SIGNATURE PAGE TO FOLLOW



**FOR FIRST PARTY:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Tax ID#

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Nira F. Doherty, City Attorney

\_\_\_\_\_  
Date

**FOR CITY OF MENLO PARK:**

\_\_\_\_\_  
Justin I. C. Murphy, City Manager

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Judi A. Herren, City Clerk

\_\_\_\_\_  
Date

Exhibit A-4

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***Metropolitan Planning Group*** will provide ***on-call, contract planning services*** for the preparation of the Elections Code Section 9212 report.

Cost of services: The flat rate fee shall not exceed an amount of ***\$164,951***. City will pay by automated clearing house.



**M-GROUP** *a new design on urban planning*  
policy planning + urban design ■ environmental review ■ current planning

October 30, 2025

Deanna Chow  
Community Development Director  
City of Menlo Park  
Via email: [DMChow@menlopark.org](mailto:DMChow@menlopark.org)

**RE: Menlo Park 9212 Report Preparation for a Citizen-Sponsored Initiative Prohibiting the City of Menlo Park from Selling, Leasing, Donating, Disposing, or Conveying City-Owned Downtown Parking Lots Without Voter Approval.**

Dear Deanna,

M-Group proposes to prepare the 9212 report if authorized by the City Council at their November 4, 2025, meeting pertaining to the ballot measure that would require voter approval for the selling, leasing, donating, disposing, or conveying City-Owned Downtown parking lots.

Given our long history of collaboration with the City on both current and policy planning matters, including the adopted 6<sup>th</sup> Cycle Housing Element, and a 9212 report for Measure V, completed in 2022 for the city, we believe our firm is well suited to this effort.

We will collaborate closely with City staff, City attorneys, Bay Area Economics (BAE), and Hexagon Transportation Consultants to finalize this report in time for the special City Council meeting planned for the first week of December. M-Group's team will be led by Principal-In-Charge **Geoff Bradley, AICP**, supported by Principal Planner **Asher Kohn, AICP**, Senior Planner **Mary-Ann Matheou**, and Associate Planner **Shikha Merchant**, with additional technical analysis provided by **BAE** and **Hexagon**.

Please find attached our proposed Scope of Work, Budget, and Schedule. Don't hesitate to contact me with any questions or revisions.

Sincerely,

**GEOFF I. BRADLEY, AICP**  
Principal-In-Charge  
[gbradley@m-group.us](mailto:gbradley@m-group.us)  
408.340.5642 x102

**ATTACHMENTS:**

Scope of Work  
Budget  
Schedule  
Rate Sheet

Cc: Stephanie Hagar, BAE  
Shu hao (Ollie) Zhou, Hexagon

## SCOPE OF WORK

The report will cover the standard items in the election code, as specified below, as well as any additional items requested by the City Council.

### **Elections Code section 9212**

- (a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of [Section 9215](#), the legislative body may refer the proposed initiative measure to a city agency or agencies for a report on any or all of the following:
- (1) Its fiscal impact.
  - (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under [Section 65008](#) of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
  - (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
  - (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
  - (5) Its impact on the community's ability to attract and retain business and employment.
  - (6) Its impact on the uses of vacant parcels of land.
  - (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  - (8) Any other matters the legislative body requests to be in the report. Assumed to be similar to the 9212 Report for Measure V in 2022.
- (b) The report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than 30 days after the elections official certifies to the legislative body the sufficiency of the petition.

## BUDGET

Due to the compressed schedule for this report and the potential for additional items requested by the City Council, we suggest the following budget as a Fixed Fee project. The M-Group budget includes our standard 10% subconsultant management fee.

City of Menlo Park						
9212 Report: Downtown Parking Lots						
	Principal-In-Charge G. Bradley	Principal Planner A. Kohn	Senior Planner M. Matheou	Associate Planner S. Merchant	Document Prep	Subtotal
	hourly rate	\$400	\$200	\$180	\$150	\$95
TASK	9212 Report Preparation					
0	Project Management, Coordination & Public Meetings	10	8	8	8	\$9,000
1	Its fiscal impact	4	4	4	6	\$4,400
2	Consistency Analysis for General Plan, Specific Plans & Zoning and the limitations on city actions under Section 65008 of the Government Code	6	4	4	6	\$5,200
3	Effect on use of land & impact on ability to meet regional housing needs	4	4	4	6	\$4,400
4	Impact on infrastructure funding of all types including maintenance	4	0	4	6	\$3,600
5	Impact on ability to attract & retain businesses/employment	4	0	4	6	\$3,600
6	Impact on the uses of vacant parcels	2	2	4	6	\$3,200
7	Impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization	6	4	4		\$4,300
8	Any other matters the City Council requests to be in the report; Assumed to be similar to the 9212 Report for Measure V in 2022	20	10	10	10	\$14,250
M-GROUP SUBTOTAL:		60	36	46	54	\$51,950
SUBCONSULTANT TECHNICAL STUDIES						
	BAE: Fiscal and Economic Analysis					\$64,455
	Hexagon: Qualitative VMT-based Transportation Analysis					\$11,000
	M-Group Subconsultant Administrative Fee 10%					\$7,546
SUBCONSULTANT SUBTOTAL:						\$83,001
TOTAL WITHOUT CONTINGENCY						\$134,951
CONTINGENCY	(May be used by any of the firms with City approval)					\$30,000
CONTINGENCY SUBTOTAL:						\$30,000
TOTAL WITH CONTINGENCY						\$164,951
NOTES						
1	M-Group reserves the right to re-allocate task hours as necessary but within the total budget.					
2	This cost proposal includes attendance at two public hearings. If additional hearings are necessary, attendance will be charged at the same rate.					
3	Contingency will only to be used with the City's approval.					
4	Unexpected delays or out of scope tasks may result in a cost increase that will be discussed with the City at the appropriate time.					
5	Cost Proposal is for a Fixed Fee contract with invoicing upon Project Completion.					
Date: October 30, 2025						

SCHEDULE

City Council consideration/Receive Notice to Proceed ..... Wednesday, November 4, 2025  
First Draft due to City Staff ..... Friday, November 14, 2025  
City staff to return First Draft ..... Tuesday, November 18, 2025  
Revise & return 2<sup>nd</sup> Draft ..... Friday, November 21, 2025  
City Attorney Review due ..... Monday, November 24, 2025  
Deliver Final Report to City ..... Wednesday, November 26, 2025  
City Council review..... Special Meeting first week of December

# M-GROUP | 2025-2026 RATE SHEET

M-GROUP STAFF	HOURLY RATES	
	2025	2026
Admin Analyst Environmental Tech Planning Tech Contract Administrator	\$95	\$100
Assistant Planner Assistant Environmental Planner Assistant Urban Designer Social Media Coordinator Document Specialist	\$120	\$126
Associate Planner Associate Environmental Planner Associate Urban Designer GIS Services Graphics Specialist	\$150	\$158
Historic Preservation Specialist Public Art Specialist	\$165	\$173
Senior Planner Senior Project Manager Senior Environmental Planner Senior Urban Designer	\$180	\$189
Principal Planner Principal Project Manager Principal Environmental Planner Principal Policy Planner Director of Urban Design	\$200	\$210
Principal Interim CDD	\$245 - \$400	\$245 - \$400

1. M-Group will invoice the client at project completion for a lump sum.
2. Hourly rates are subject to annual adjustment on January 1<sup>st</sup>.
3. M-Group adds a 10% administration fee to Subconsultant invoices.
4. Mileage costs of \$0.70/mile may be charged for staff travelling beyond their Bay Area region (SF/South Bay, East Bay, North Bay).
5. Work over 8 hours per day, on holidays, or after business hours may be charged at 125% of the above-listed rates, upon client approval.

## MENLO PARK CITY-OWNED PARKING LOTS BALLOT INITIATIVE 9212 REPORT

### **Proposed Scope of Work – BAE**

#### ***Task 1. Project Initiation and Background Review***

BAE will participate in a virtual meeting with City staff to confirm the objectives, scope, and schedule for the analysis. As part of this task, BAE will also assemble and review relevant background materials, including the ballot measure language, recent studies, and planning and zoning documents.

#### ***Task 2. Fiscal Impact Evaluation***

BAE will prepare a qualitative assessment of the potential fiscal implications of the ballot measure due to its potential restrictions on the City's ability to redevelop City parking lots with residential uses. This analysis will consider the following:

- The fiscal impacts of the sites based on the current parking lot use, accounting for tax-exempt status, any current parking revenue generation, and a high-level qualitative assessment of the relationship between available parking and sale tax revenue from Downtown businesses.
- The fiscal impacts of the sites if sites developed with residential uses, accounting for potential taxable status (dependent on the characteristics of the developments and the housing operators), revenues associated with new residents (e.g., sales tax from local taxable purchases and utility user tax revenue), and City service costs associated with new residents.

This analysis will provide a qualitative assessment of the relative fiscal impacts of the sites based on their current parking lot use compared to the fiscal impacts of the sites if developed with residential uses.

#### ***Task 3: Racial and Economic Equity Impacts Evaluation***

BAE will support the M-Group team with analysis to assist in assessing any potential impacts of the ballot measure on racial and economic equity. BAE's work on this analysis will identify characteristics of the neighborhoods where the parking lot sites are located to assess access to opportunity (based on TCAC/HCD Opportunity Maps), household income and poverty rates, and racial and ethnic composition. The analysis will include summary tables and figures illustrating the distribution of the parking lot sites based on these characteristics. Based on the characteristics of the neighborhoods where the sites are located, BAE will then evaluate whether the proposed ballot measure could affect the City's ability to affirmatively further fair housing by limiting residential opportunities on these sites.



***Task 4: Business and Employment Attraction and Retention***

BAE will provide an assessment of the possible impacts of the ballot measure on business and employment attraction and retention, with a focus on businesses in Downtown Menlo Park.

This analysis will include the following components:

- **Downtown Business Inventory.** BAE will assess the inventory of businesses in Downtown Menlo Park to better understand the mix of services, retail, and restaurants that the parking lot sites currently serve.
- **Analysis of Benefits of Parking Spaces.** BAE will assess the benefits of the existing parking lots in terms of supporting expenditures in Downtown Menlo Park and the potential effects on local spending if future developments on parking lot sites lead to changes in the local parking inventory. This assessment will consider:
  - Current utilization rates for the parking lot sites (if available from the City).
  - Any plans to replace the existing public parking spaces in the event of new development on the sites.
  - The availability of alternative methods to travel to Downtown Menlo Park if parking in public parking lots is unable to meet demand, such as other options for public parking or other modes of transportation.
  - Whether potential reductions to the public parking inventory will be temporary, as in the case of public parking spaces that would become unavailable during construction and replaced when the development is complete, or permanent.

Based on these considerations, BAE will provide a high-level assessment of potential decreases in local expenditures that could result from possible reductions in Downtown visitation due to new development on the parking lot sites.

- **Analysis of New Household Expenditures.** BAE will prepare an estimate of the potential household expenditures among new households that would live in residential developments that could be constructed on the parking lot sites, with a focus on likely household expenditures in Downtown Menlo Park. This analysis will consider the anticipated income levels for households that would occupy new residential units on the parking lot sites and tailor spending estimates based on the expected household income profile.
- **Workforce Housing Impacts.** BAE will evaluate the relationship between new residential development on the parking lot sites and the need for workforce housing to support local business operations.

***Task 5: Infrastructure Funding Impacts***

BAE will provide an assessment of how the ballot measure could affect infrastructure funding and costs. For this task, BAE will:

- Review the City impact fee schedules, including fees for parks, transportation, and stormwater, as well as impact fee structures for the relevant school districts, to estimate the impact fee revenue that would be generated by any residential development on the sites that could occur in the future.
- Prepare a high-level discussion of other potential funding sources for infrastructure improvements.
- Conduct a high-level, qualitative assessment of the relationship between available infrastructure funding sources and the cost of providing infrastructure to new development. BAE will not prepare any estimates of the infrastructure needs that new development would generate or the cost of constructing new infrastructure, but will instead rely on existing information to prepare this analysis, to the extent that existing information is available.

***Task 6: Public Meetings***

If requested by City staff, BAE can attend one City Council meeting to present the findings from the analysis, respond to questions, and receive comments and input. BAE will also assist in the preparation of presentation materials as necessary.

***Task 7 : Draft and Final Report***

BAE will prepare draft sections of the 9212 report that synthesize the findings from the tasks described above and will clearly describe assumptions, methodologies, and data sources. BAE will provide these sections to M-Group for incorporation into the full draft report. Upon receipt of a single set of consolidated comments from M-Group on the draft, BAE will revise the relevant report sections as appropriate to create a version for City staff review. BAE will undertake up to two additional rounds of revisions to the draft materials to respond to comments from City staff.

## Proposed Budget

BAE will bill for the work described above on a fixed-fee basis, as shown in the budget provided below. The budget shown below will include all consultant costs, including personnel, overhead, and miscellaneous reimbursable expenses. Miscellaneous expenses such as data purchase are passed through to the client with no markup. BAE reserves the right to re-allocate budget among authorized tasks to best serve project needs; however, in no event shall the total cost exceed the cost shown below, unless the City requests additional work beyond the agreed-upon scope.

<b>Task</b>	<b>Budget</b>
Task 1: Project Initiation and Background Review	\$4,740
Task 2: Fiscal Impact Evaluation	\$13,650
Task 3: Racial and Economic Equity Impacts Evaluation	\$9,375
Task 4: Business and Employment Attraction and Retention	\$13,570
Task 5: Infrastructure Funding Impacts	\$3,470
Task 6: Public Meetings	\$2,800
Task 7: Draft and Final Report	<u>\$16,100</u>
<b>Subtotal Labor</b>	<b>\$63,705</b>
<i>Expenses (Data)</i>	\$750
<b>Total (Labor + Expenses)</b>	<b>\$64,455</b>



# HEXAGON TRANSPORTATION CONSULTANTS, INC.

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October 23, 2025

Mr. Geoff Bradley  
M-Group  
51 E. Campbell Avenue #1257  
Campbell, CA 95009

***Subject: Proposal to Prepare a Transportation Analysis for the 9212 Report Regarding the Ballot Measure for Downtown Parking Lot Developments.***

Dear Mr. Bradley:

Hexagon Transportation Consultants, Inc. is pleased to submit this proposal to prepare a transportation analysis for the 9212 report pertaining to the ballot measure that would require voter approval for the City to sell, lease, donate, dispose, or convey city-owned downtown parking lots. The City currently has an RFP inviting development proposals for downtown parking plazas (identified as sites #9/9a, #10, and #14 through #19). These sites have a capacity for at least 345 affordable housing units. A minimum of 506 public parking spaces (out of 556 existing spaces) should be provided if all three sites are developed with housing.

Hexagon will rely on M-Group and the City to provide details on how the ballot measure would affect land use projections for the Housing Element Update. Hexagon assumes that a worst case analysis would involve the assumption that no housing would be built on any of the downtown parking plaza sites, and either the housing buildout would be reduced, or the units would be moved to other areas. Hexagon will qualitatively discuss the potential implications of the Ballot Measure on VMT impacts and on LOS non-compliance.

A qualitative discussion on public parking usage can also be provided if the City can share the parking study that determined the 506 space peak parking demand at these lots. This proposal does not include conducting a new parking demand analysis.

Hexagon will prepare a brief memorandum documenting our findings within three weeks upon receiving budget authorization. Hexagon understands the urgency of this study and will work to compress the schedule as feasible. The budget also includes attendance at two City Council hearing. The cost for services rendered under this agreement will be billed on a lump sum amount of \$11,000.

We appreciate your consideration of Hexagon Transportation Consultants for this assignment. If you have any questions, please do not hesitate to call.

Sincerely,

HEXAGON TRANSPORTATION CONSULTANTS, INC.

Shu hao (Ollie) Zhou, T.E.  
Principal Associate