



## STAFF REPORT

### City Council

Meeting Date:

12/2/2025

Staff Report Number:

25-180-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 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) at the meeting of Dec. 2, 2025, or within 10 days of the presentation of the section 9212 report; 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 (March 3, 2026); establishing the schedule for submission of ballot arguments; and authorizing and requesting the County of San Mateo conduct the election (Attachments B or C); and appropriating an additional \$378,000 in the fiscal year 2025-26 budget if the special election is selected by City Council.

## 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 complementary 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 reviewed the certification of the petition at its 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).

On Nov. 4, staff presented the City Council with the above three options. The City Council selected option C and ordered a report pursuant to Elections Code section 9212. This Section 9212 report would need to be presented to the City Council no later than Dec. 4, 2025, and is presented as a separate agenda item at this Dec. 2, 2025, City Council meeting.

Pursuant to Elections Code section 9215, after the Section 9212 report is presented, the City has two options: Adopt the ordinance after the presentation or within 10 days of the report being presented to the City Council, (Attachment A) or order an election (Attachments B and C).

Staff recommends that the City Council choose between one of these options at this Dec. 2, 2025 City Council meeting. Each of these options is discussed below.

#### Adopt the ordinance

If the City Council proceeds with adopting the proposed ordinance without alteration (Attachment A), the ordinance would be considered adopted on that date, and effective within 30 days. Alternatively, per Elections Code section 9215, the City may adopt the ordinance within 10 days after the section 9212 report 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. There is no additional cost of including an initiative to the City Council seats election. The cost for three City Council seats would remain the same (\$78,733 – \$94,500).

The County estimates that the cost to the City for a special election, for the Initiative, 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. According to Election Code section 1000, the applicable established election date is the first Tuesday after the first Monday in March of each even-numbered year that is evenly divisible by four. As such, the date of the special election would be March 3, 2026.

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 10 days following the date the vote is declared by the City Council in accordance with Elections Code section 9217.

The timeline for the submission of ballot arguments is as follows:

**Table 1: Submission of ballot arguments timeline**

Item	Date	Submission requirements
Filing of ballot arguments	No later than Dec. 17, 2025	<ul style="list-style-type: none"> <li>• No more than 300 words</li> <li>• Signed with printed names and signatures of the submitting authors</li> <li>• 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</li> </ul>
Rebuttals	No later than Dec. 26, 2025	<ul style="list-style-type: none"> <li>• No more than 250 words</li> <li>• Signed with printed names and signatures of the submitting authors</li> <li>• 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</li> </ul>

### Impact on City Resources

According to the County of San Mateo Assessor County Clerk Recorder's & Elections Office, including the initiative in the consolidated general election (Nov. 3, 2026) that already includes City Council seats would incur no additional costs in overall election services. Costs for the consolidated general election would be included in the proposed fiscal year 2026-27 budget. A Menlo Park only special election (March 3, 2026) would cost \$315,000 – \$378,000 and requires the appropriation of \$378,000 in the City's current fiscal year 2025-26 budget.

### 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 Nov. 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 (March 3, 2026) 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.

Report prepared by:  
Nira F. Doherty, City Attorney

Report reviewed by:  
Judi A. Herren, Assistant to the City Manager/ 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 has received and considered the report prepared pursuant to Elections Code section 9212 regarding the proposed Initiative, and having been presented with that analysis at its meeting on Dec. 2, 2025, the Council is proceeding in accordance with Elections Code section 9215; 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:

\_\_\_\_\_  
Drew Combs, Mayor

ATTEST:

\_\_\_\_\_  
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 has received and considered the report prepared pursuant to Elections Code section 9212 regarding the proposed Initiative, and having been presented with that analysis at its meeting on Dec. 2, 2025, the Council is proceeding in accordance with Elections Code section 9215; 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 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 Consolidate and 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. The election shall be held in accordance with the Elections Code of the State of California. As required by Elections Code section 10403, the City of Menlo Park acknowledges that the consolidated election will be held and conducted in the manner prescribed in section 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 section 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 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 Nov. 3, 2026, 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 County of San Mateo Assessor County Clerk Recorder's & Elections 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 County of San Mateo Assessor County Clerk Recorder's & Elections 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.

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 second day of December, 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 ON TUESDAY, MARCH 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 has received and considered the report prepared pursuant to Elections Code section 9212 regarding the proposed Initiative, and, having been presented with that analysis at its meeting on Dec. 2, 2025, the Council is proceeding in accordance with Elections Code section 9215; 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 March 3, 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 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, by Dec. 17, 2025 All arguments for and against the measure shall be no more than 300 words, 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. Rebuttals pursuant to Elections Code section 9285 shall be no more than 250 words, signed in the same manner, and submitted to the City Clerk by Dec. 26, 2025.

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, by Dec. 17, 2025. 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 County of San Mateo Assessor County Clerk Recorder's & Elections Office 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 County of San Mateo Assessor County Clerk Recorder's & Elections Office.

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 second day of December, 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.