



REGULAR MEETING AGENDA

Date: 12/17/2019
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

- A. Call To Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Public Comment**

Under "Public Comment," the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under public comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under public comment other than to provide general information.

- E. Consent Calendar**

- E1. Waive second reading and adopt ordinance banning flavored tobacco and e-cigarette sales and prohibiting vaping in designated areas ([Staff Report #19-277-CC](#))
- E2. Waive the second reading and adopt Ordinance No. 1062 amending Title 12 [Buildings and Construction] of the Menlo Park Municipal Code to adopt local amendments to the California Building Standards Code, adopt Resolution No. 6532 ratifying the Menlo Park Fire Protection District ordinance adopting amendments to the 2019 California Fire Code with modifications, and adopt Resolution No. 6530 to direct fines collected for violations of the construction and demolition recycling ordinance (12.48) to be used for zero waste initiatives ([Staff Report #19-276-CC](#))

- F. Regular Business**

- F1. Recognition of the outgoing Mayor
- F2. Selection of Mayor and Vice Mayor ([Staff Report #19-242-CC](#))
- F3. Appoint City Council representatives and alternates to various regional agencies to City Council subcommittees and as liaisons to City Council advisory bodies ([Staff Report #19-243-CC](#))

- F4. Provide direction to the City's voting delegate regarding regional vacancies for the next City Selection Committee meeting December 20, 2019 ([Staff Report #19-244-CC](#))

G. City Manager's Report

H. City Councilmember Reports

I. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the city clerk's office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 12/5/2019)



STAFF REPORT

City Council

Meeting Date:

12/17/2019

Staff Report Number:

19-276-CC

Consent Calendar:

Waive the reading and adopt Ordinance No. 1062 amending Title 12 [Buildings and Construction] of the Menlo Park Municipal Code to adopt local amendments to the California Building Standards Code

Recommendation

Staff Recommends that the City Council waive the second reading and adopt Ordinance No. 1062 amending Title 12 [Buildings and Construction] of the Menlo Park Municipal Code to adopt local amendments to the California Building Standards Code (Attachment A.)

Policy Issues

State law requires two City Council actions, a first reading and second reading, to amend or add to a city's municipal code. The adoption of the proposed local amendments to the State codes and City's Municipal Code do not represent a change in City policy. The City Council has already adopted local amendments to the energy code (known as the City's energy reach code) and has ratified the Fire District's local amendments to the fire code. This ordinance implements local amendments to the remaining building codes.

Background

On November 5, staff provided the City Council a preview of the proposed local amendments for this triennial period to receive initial feedback and direction on any additional local amendments. Staff then presented the draft ordinance to the City Council November 19. City Councilmember Carlton had a number of questions. The full City Council asked that City Councilmember Carlton meet with staff separately, and continued the item to December 10 to permit those questions to be answered. Staff met with City Councilmember Carlton and answered the questions. December 10, staff brought back the changes to City Council for approval, City Council accepted those two changes, and also pointed out two minor revisions on page 14 of Ordinance No. 1062 section 12.32.010 Definitions #2 ("official" was unintentionally stricken in two areas.) City Council unanimously approved the first reading of Ordinance No. 1062 and adopted resolutions 6530 ratifying the Fire District's local amendments to the fire code and 6532 directing certain collected penalties toward zero waste efforts.

Analysis

If the City Council chooses to take action to adopt Ordinance No. 1062, the local amendments will be effective January 17, 2020. All building applications submitted on or after January 17, 2020 will be subject to the new State building code requirements as well as the local amendments. Any project filing an application between January 1, 2020 and January 16, 2020 will be subject to the new State building requirements and

the previously adopted Reach Code, but not the local amendments. Staff does not expect many applications to be filed during this gap period.

Impact on City Resources

There is no impact on City resources.

Environmental Review

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

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting and posting a notice at the City Hall front counter.

Attachments

A. Ordinance No. 1062 amending Title 12

Report prepared by:

Cara Silver, Assistant City Attorney

Chuck Andrews, Assistant Community Development Director

Reviewed by:

Deanna Chow, Interim Community Development Director

ORDINANCE NO. 1062**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING TITLE 12 [BUILDINGS AND CONSTRUCTION] OF THE MENLO
PARK MUNICIPAL CODE TO ADOPT LOCAL AMENDMENTS TO THE
CALIFORNIA BUILDING STANDARDS CODE**

WHEREAS, the City of Menlo Park ("City") wishes to adopt a building code in accordance with law and to use the most updated regulations in the processing of development in the City;

WHEREAS, California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the California Building Standards;

WHEREAS, California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5 provide that the City may make changes or modifications to the building standards contained in the California Building Standards based upon express findings that such changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions;

WHEREAS, because of the City's unique local climatic, geologic and topographic conditions, the City desires to make amendments and additions to the code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENLO PARK DOES ORDAIN AS FOLLOWS:

SECTION 1: FINDINGS AND DETERMINATIONS. The following local climatic, conditions justify modifications to the California Building Standards Code.

A. Climatic: The City is located in Climate Zone 3 as established in the 2019 California Energy Code. Climate Zone 3 incorporates mostly coastal communities from Marin County to southern Monterey County including San Francisco. The City experiences precipitation ranging from 13 to 20 inches per year with an average of approximately 15 inches per year. Ninety-five percent of precipitation falls during the months of November through April, leaving a dry period of approximately six months each year. Relative humidity remains moderate most of the time. Temperatures in the summer average around 80 degrees Fahrenheit and in the winter in the mid 50 degrees Fahrenheit. Prevailing winds in the area come from the west with velocities generally in the 12 miles per hour range, gusting from 25 to 35 miles per hour. These climatic conditions along with the greenhouse emissions generated from structures in both the residential and non-residential sectors requires exceeding the energy standards for building construction established in the 2019 California Buildings Standards Code. The City Council also adopted a Climate Action Plan that has a goal of reducing greenhouse gas emissions 27% below 2005 levels by 2020. In order to achieve and maintain this goal, the City needs to adopt policies and regulations that reduce the use of fossil fuels that contribute to climate change, such as natural gas in buildings, in new development. Human activities, such as burning natural gas to heat buildings, releases greenhouse gases into the atmosphere and causes an overall increase in global average temperature. This causes sea levels to rise, affecting the City's shoreline and infrastructure.

Many new buildings in Menlo Park will be built near the coastline in an area known as the Bayfront Area that is situated on marshlands and former salt ponds. San Francisquito Creek also runs through the City, which creates an increasing potential flooding risk with climate change as a result of human generated greenhouse gas emissions. Menlo Park is vulnerable to sea level rise where new development is proposed in this code cycle. New buildings that are directly vulnerable to sea level rise should avoid generating additional greenhouse gas emissions. The proposed Reach Code would ensure that new buildings use cleaner sources of energy that are greenhouse gas free.

B. Geologic: The City of Menlo Park is subject to earthquake hazard caused by its proximity to San Andreas Fault. This fault runs from Hollister, through the Santa Cruz Mountains, epicenter of the 1989 Loma Prieta earthquake, then on up the San Francisco Peninsula, then offshore at Daly City near Mussel Rock. This is the approximate location of the epicenter of the 1906 San Francisco earthquake. The other fault is Hayward Fault. This fault is about 74 mi long, situated mainly along the western base of the hills on the east side of San Francisco Bay. Both of these faults are considered major Northern California earthquake faults which may experience rupture at any time. Thus, because the City is within a seismic area which includes these earthquake faults, the modifications and changes cited herein are designed to better limit property damage as a result of seismic activity and to establish criteria for repair of damaged properties following a local emergency.

C. Topographic: The City of Menlo Park is contiguous with the San Francisco Bay, resulting in a natural receptor for storm and waste water run-off. Also the City is located in an area that is relatively high liquefaction potential given its proximity to the Bay. The surface condition consists mostly of stiff to dense sandy clay, which is highly plastic and expansive in nature. The aforementioned conditions within the City create hazardous conditions for which departure from California Building Standards Code is warranted.

SECTION 2: DELETION OF EXISTING MUNICIPAL CODE SECTIONS: Existing Chapter 12.04.100 and Addendum A [Building Security] and 12.48.060 [Deposit Required] are hereby deleted.

SECTION 3: AMENDMENT OF CODE. Chapter 12.06 of Title 12 [Buildings and Construction] is hereby re-adopted to read as follows:

Chapter 12.06 CALIFORNIA BUILDING CODE AMENDMENTS

Sections:

- | | |
|-----------|---|
| 12.06.010 | Chapter 1 Division II adopted and Section 105.2 of Chapter 1 Division II amended. |
| 12.06.020 | Appendix J adopted and Section J104.5 added. |

12.06.010 Chapter 1 Division II adopted and Section 105.2 amended. Chapter 1 Division II of the California Building Code is hereby adopted, and Section 105.2 of Chapter 1 is amended as follows:

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other law or ordinance of the City of Menlo Park. Permits will not be required for the following:

1. One-story detached accessory buildings used as tool and storage or garden sheds or similar uses, provided the height does not exceed eight feet, the projected roof area does not exceed 64 square feet, and the structure complies with Section 16.68.030 Accessory buildings and/or structures of the City of Menlo Park Municipal Code
2. Wood fences not over seven feet high.
3. Oil Derricks.
4. Retaining walls which are not over two feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III liquids.
5. Detached free-standing water tanks supported directly on a concrete foundation at grade if the capacity does not exceed five 500 gallons and the height above grade does not exceed six feet and the height to width ratio does not exceed two to one.
6. Platforms, walks, and driveways not more than 12 inches above grade and not over any basement or story below.
7. Painting, papering, carpeting, tiling except in showers, cabinets, countertops and similar finish work.
8. Temporary television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R Division 3 occupancy that are less than 24 inches deep, do not exceed 5,000 Gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems
11. Swings and other playground equipment accessory to detached one- and two-family dwellings not exceeding 120 square feet as measured at the supports or nine feet in height as measured from existing natural grade to the top of the highest structural member, guard rail, or appendage.
12. Windows awnings supported by an exterior wall of Group R Division 3 occupancy when projecting not more than 36 inches.
13. Non-fixed and moveable fixtures, cases, racks, counters, and partitions not over five feet nine inches in height.

Unless otherwise exempted by this code, a separate Building permit for plumbing, electrical, and mechanical work will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work done in a manner in violation of the provisions of these codes or any laws or ordinances of the City of Menlo Park.

12.06.020 Appendix J adopted and Section J104.5 added.

Appendix J of the California Building Code is hereby adopted and Section J104.5 is added to read as follows:

J104.5 Imported Fill. Prior to the import of fill, the origin of the fill shall be identified by a licensed geotechnical engineer and samples of the soil shall be tested and shown to meet the standards established in the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) guidelines for clean imported fill material. The test results from the samples shall be submitted to and approved by the Building Official prior to the fill being brought on site.

SECTION 4: ADOPTION AND AMENDMENT OF CODE. Chapter 12.08 [California Residential Code Amendments] of Title 12 [Buildings and Construction] is hereby re-adopted and Sections 12.08.040 (Limits on Repair and Remodel); 12.08.050 (Building Permit Issuance when Original Permit Does Not Exist) and 12.08.060 (Standards for Tiny Homes) is hereby added to read as follows:

CALIFORNIA RESIDENTIAL CODE AMENDMENTS

Sections:

- | | |
|-----------|--|
| 12.08.010 | Chapter 1 Division II adopted and Section R105.2 of Chapter 1 Division II amended. |
| 12.08.020 | Table R301.2(1) of Chapter 3 amended. |
| 12.08.030 | Section R322.1 of Chapter 3 amended. |
| 12.08.040 | Limits on Repair and Remodel |
| 12.08.050 | Building Permit Issuance when Original Permit Does Not Exist. |
| 12.08.060 | Standards for Tiny Homes |

12.08.010 Section R105.2 of Chapter 1 Division II amended as follows.

Chapter 1 Division II adopted and Section R105.2 amended. Chapter 1 Division II of the California Residential Code is hereby adopted, and Section R105.2 of Chapter 1 is amended as follows:

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other law or ordinance of the City of Menlo Park. Permits will not be required for the following:

1. Detached accessory buildings used as tool and storage or garden sheds or similar uses, provided the height does not exceed 64 square feet, and the structure complies with Section 16.68.030 Accessory buildings and/or structures of the City of Menlo Park Municipal Code
2. Wood fences not over seven feet high.
3. Oil Derricks.
4. Retaining walls which are not over two feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III liquids.

5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Platforms, walks, and driveways not more than 12 inches above grade and not over any basement or story below.
7. Painting, papering, carpeting, tiling except in showers, cabinets, countertops and similar finish work.
8. Temporary television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R Division 3 occupancy that are less than 24 inches deep, do not exceed 5,000 Gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems
11. Swings and other playground equipment accessory to detached one- and two-family dwellings not exceeding 120 square feet as measured at the supports or nine feet in height as measured from existing natural grade to the top of the highest structural member, guard rail, or appendage.
12. Windows awnings supported by an exterior wall of Group R Division 3 occupancy when projecting not more than 36 inches.
13. Non-fixed and moveable fixtures, cases, racks, counters, and partitions not over five feet nine inches in height.
14. Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling unit and do not serve the exit door required by Section 311.4.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work done in a manner in violation of the provisions of these codes or any laws or ordinances of the City of Menlo Park.

12.08.020 Table R301.2(1) of Chapter 3 amended.

Table R301.2(1) of Chapter 3 of the California Residential Code is amended as follows:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDER- LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Wind- borne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
NA	110	NA	NA	NA	D-E	NA	NA	NA	NA	NA	MP Muni Code Section 12.42	NA	58.55

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(3). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, 0216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective F1RMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

12.08.030 Section R322.1 of Chapter 3 amended.

Section R322.1 of Chapter 3 of the California Residential Code is amended as follows:

R322.1 General. Buildings and structures constructed in whole or part in flood hazard areas including A or V Zones and Coastal A Zones, as established in Table R301.2(1), and substantial improvement and restoration of substantial damaged of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section and Chapter 12.42, Flood Damage Prevention, of the City of Menlo Park's Municipal Code. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions of associated with the most restrictive flood hazard area. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24."

Addition of section 12.08.040 (Limits on Repair and Remodel)

Limits on repair/remodel for R3 and U occupancies. When the scope of work for R3 and U occupancies involves the alteration or removal of any existing structural framing that meets or exceeds 75 percent or greater of the linear footage of interior and exterior walls, including the removal of roof structure in those wall areas, cumulative within a two-year period, the project shall be considered as new construction.

Addition of 12.08.050 implementing Senate Bill 1266 as follows:

12.08.050 - Building Permit Issuance when Original Permit Does Not Exist. The building official is authorized to determine the date of construction of a residential unit, apply the building standards in effect at that date of construction, and issue a retroactive building permit when a record of the issuance of a building permit for the construction of an existing residential unit does not exist. (Reference Senate Bill 1226 Chapter 1010).

Addition of Section 12.08.060 Tiny Homes:

Appendix Q of the California Residential Code regarding Tiny Home Construction is hereby adopted.

SECTION 5: AMENDMENT OF CODE. Chapter 12.14 of Title 12 [Buildings and Construction] is hereby re-adopted to read as follows:

CALIFORNIA PLUMBING CODE AMENDMENTS

Sections:

12.14.010 Section 808.2 of Chapter 8 added.

Section 808.2 of the California Plumbing Code is added to read as follows:

808.2 Single Pass Cooling Water Systems Prohibited. Clean running water used only once for exclusively as a cooling medium in an appliance, device, or apparatus is prohibited.

SECTION 6: AMENDMENT OF CODE. Chapter 12.18 of Title 12 [Buildings and Construction] is hereby re-adopted to read as follows:

CALIFORNIA GREEN BUILDING STANDARDS CODE AMENDEMENTS

Sections:

12.18.010	Section 4.408.1 of Chapter 4 amended
12.18.020	Section 5.408.1 of Chapter 5 amended
12.18.030	Section 4.106.4 of Chapter 4 amended
12.18.040	Section 4.106.4.1 of Chapter 4 amended
12.18.050	Section 4.106.4.2 of Chapter 4 amended
12.18.060	Section 4.106.4.2.3 of Chapter 4 deleted
12.18.070	Section 4.106.4.2.4 of Chapter 4 deleted
12.18.080	Section 5.106.5.3 of Chapter 5 amended
12.18.090	Section 5.106.5.3.1 of Chapter 5 amended
12.18.100	Section 5.106.5.3.2 of Chapter 5 amended
12.18.110	Table 5.106.5.3.3 of Chapter 5 amended

12.18.010 Section 4.408.1 of Chapter 4 amended

Section 4.408.1 of Chapter 4 is amended to read as follows:

4.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of both inert and non-inert nonhazardous demolition waste and 65 percent of both inert and non-inert nonhazardous construction waste in accordance with Section 4.408.2, 4.408.3 or 4.408.4 and meet the requirements of Chapter 12.48

Recycling and Salvaging of Construction and Demolition Debris City of Menlo Park
Municipal Code.

Exceptions:

1. Excavated soil and land clearing debris.
2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the job site.
3. The enforcing agency may make exceptions to the requirements of this section when isolated jobsites are located in areas beyond the haul boundaries of the diversion facility.

12.18.020 Section 5.408.1 of Chapter 5 amended

Section 5.408.1 of Chapter 5 is amended to read as follows:

5.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of both inert and non-inert nonhazardous demolition waste and 65 percent of both inert and non-inert nonhazardous construction waste in accordance with Section 5.408.2, 5.408.3 or 5.408.4 and meet the requirements of Chapter 12.48 Recycling and Salvaging of Construction and Demolition Debris City of Menlo Park Municipal Code.

Exceptions:

1. Excavated soil and land clearing debris.
2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the job site.
3. The enforcing agency may make exceptions to the requirements of this section when isolated jobsites are located in areas beyond the haul boundaries of the diversion facility.

12.18.030 Section 4.106.4 of Chapter 4 amended.

Section 4.106.4 of Chapter 4 is amended to read as follows:

4.106.4 Electric vehicle (EV) charging for new construction. New construction shall comply with Sections 4.106.4.1 and 4.106.4.2 to facilitate future installation and use of EV chargers. Electric vehicles supply equipment (EVSE) shall be installed in accordance with the California Electric Code, Article 625.

Exceptions: On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based on one or more of the following conditions:

1. Where there is no commercial power supply.
2. Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the homeowner or developer by more than \$400.00 per dwelling unit.

3. For 100 percent Below Market Rate housing developments, EVSE shall be provided for a minimum of 10 percent of the total number of dwelling units.

(Ord. 1049 § 2 (part), 2018).

12.18.040 Section 4.106.4.1 of Chapter 4 amended.

Section 4.106.4.1 of Chapter 4 is amended to read as follows:

4.106.4.1 New Single-family dwellings. For each dwelling unit install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective devices.

(Ord. 1049 § 2 (part), 2018).

12.18.050 Section 4.106.4.2 of Chapter 4 amended.

Section 4.106.4.2 of Chapter 4 is amended to read as follows:

4.106.4.2 New multifamily dwellings. Where more than two (2) multifamily dwelling units including town-houses are constructed on a building site, the following are to be installed at the time of construction:

1. For each dwelling unit, installation of a listed raceway and wiring to accommodate a 208/240-volt dedicated branch circuit. The raceway and wiring shall be installed in accordance with the California Electric Code. Construction plans and specifications shall include, but are not limited to the following:

- The type and location of the vehicle supply equipment (EVSE).
- The raceway shall not be less than trade size 1"
- The raceway and wiring shall originate at a service panel or a subpanel serving the area and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.
- The service panel or subpanel shall have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the future installation of the EVSE.
- Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to charge required EV at its full rated amperage.

2. Install EVSE in 15 percent of the total number of required electric vehicle charging spaces (EV spaces) associated with the building inclusive of landscape reserve parking, for all types of parking facilities, but in no case less than one; and
3. Install a branch circuit, wiring and NEMA 14-50 receptacle sized to carry not less than a 40 amp, 240 volt load for electric vehicle charging at each structural column of residential carports if constructed.

Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

(Ord. 1049 § 2 (part), 2018: Ord. 1033 § 2 (part), 2017. Formerly 12.18.030).

12.18.060 Section 4.106.4.2.3 of Chapter 4 deleted.

Section 4.106.4.2.3 of Chapter 4 is deleted. (Ord. 1049 § 2 (part), 2018).

12.18.070 Section 4.106.4.2.4 of Chapter 4 deleted.

Section 4.106.4.2.4 of Chapter 4 is deleted. (Ord. 1049 § 2 (part), 2018).

12.18.080 Section 5.106.5.3 of Chapter 5 amended.

Section 5.106.5.3 of Chapter 5 is amended to read as follows:

5.106.5.3 Electric Vehicle (EV) charging. Section 5.106.5.3 shall apply to newly constructed buildings or additions and/or alterations to existing buildings as established in Table 5.106.5.3.3. Construction shall comply with Section 5.106.5.3.1 or Section 5.106.5.3.2 to facilitate future installation of electric vehicle supply equipment (EVSE). When EVSE is/are installed, it shall be in accordance with the California Building Code, the California Electrical Code and as follows:

(Ord. 1049 § 2 (part), 2018: Ord. 1033 § 2 (part), 2017. Formerly 12.18.040).

12.18.090 Section 5.106.5.3.1 of Chapter 5 amended.

Section 5.106.5.3.1 of Chapter 5 is amended to read as follows:

5.106.5.3.1 Single charging space requirements. When only a single charging space is required per Table 5.106.3.3, the following are required to be installed at the time of construction:

- A raceway; and
- Wiring.

The raceway and wiring shall be installed in accordance with the California Electric Code. Construction plans and specifications shall include, but are not limited to the following:

Newly constructed buildings

1. The type and location of the EVSE.
2. Listed raceway and wiring capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway shall not be less than trade size 1"
4. The raceway and wiring shall originate at a service panel or a subpanel serving the area and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.
5. The service panel or subpanel and wiring shall have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the future installation of the EVSE.

Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to charge required EV at its full rated amperage.

Additions and/or alterations

1. The type and location of the EVSE.
2. A listed raceway capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway shall not be less than trade size 1"
4. The raceway shall originate at a service panel or a subpanel serving the area and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.
5. The service panel or subpanel shall have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the future installation of the EVSE.
6. Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to charge required EV at its full rated amperage.

(Ord. 1049 § 2 (part), 2018).

12.18.100 Section 5.106.5.3.2 of Chapter 5 amended.

Section 5.106.5.3.2 of Chapter 5 is amended to read as follows:

5.106.5.3.2 Multiple charging space requirements. When multiple charging spaces are required to be installed per Table 5.106.5.3.3, raceways(s) and wiring, is/are required to be installed at the time of construction and shall be installed in accordance with the California Electric Code. Construction plans and specifications shall include, but are not limited to, the following:

Newly constructed buildings

1. The type and location of the EVSE.
2. Listed raceway and wiring capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway(s) and wiring shall originate at a service panel or a subpanel(s) serving the area and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet(s), box(es), enclosure(s) or equivalent.
4. Plan design shall be based upon 40-ampere minimum branch circuits.
5. Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EV's at its full rated amperage.
6. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for future installation of the EVSE.

Additions and/or alterations

1. The type and location of the EVSE.
2. Listed raceway capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet(s), box(es), enclosure(s) or equivalent.
4. Plan design shall be based upon 40-ampere minimum branch circuits.
5. Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EV's at its full rated amperage.
6. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for future installation of the EVSE.

(Ord. 1049 § 2 (part), 2018).

12.18.110 Table 5.106.5.3.3 of Chapter 5 amended.

Table 5.106.5.3.3 of Chapter 5 is amended to read as follows:

Table 5.106.5.3.3

1

New Construction			Addition and/or Alteration	
Square Footage of Building	Total Number of Parking Stalls	Number of Required EV Charging Spaces ²	Square Footage of Affected Area	Number of Required EV Charging Spaces ²
1 sq. ft.— 9,999 sq. ft.	0—9	0	1 sq. ft.— 9,999 sq. ft.	0
	10—25	1		
	26—50	2		
	51—75	4	10,000 sq. ft.—25,000 sq. ft. ³	Minimum of 5% of total required number of parking stalls and install EVSE in a minimum of 1 charging space.
Greater than 9,999 sq. ft.	N/A	Minimum of 15% of total required number of parking stalls ² and install EVSE in 10% of the total required number of parking stalls, with a minimum of 1, in charging space(s).	Greater than 25,000 sq. ft. ⁴	Minimum of 10% of total required number of parking stalls and install EVSE in 1 plus 1% of the total required number of parking stalls in charging space(s).

1. The EV space requirement is based on the required parking associated with the building where the work is being performed, inclusive of landscape reserve parking.

2. Calculations for spaces shall be rounded up to the nearest whole number.

3. For additions/alterations 10,000 sq. ft.—25,000 sq. ft. in the first year after the effective date of the ordinance, the requirement would be one percent. In the second year after the effective date of the ordinance, the requirement would be three percent. In the third year after the effective date of the ordinance and thereafter, the requirement would be five percent.

4. For larger additions/alterations (25,001 sq. ft. and greater), in the first year after the effective date of the ordinance, the requirement would be two percent. The second year after the effective date of the ordinance, the requirement would be five percent. In the third year after the effective date of the ordinance and thereafter, the requirement would be 10 percent.

(Ord. 1049 § 2 (part), 2018).

SECTION 7: AMENDMENT OF CODE. Sections 12.28.005 and 12.28.015 [Numbering Buildings] of Title 12 [Buildings and Construction] are hereby added to read as follows:

Section

12.28.005 Section CBC 501.2 and CRC 319.1 amended

The number size and stroke on any building shall be consistent with the California Residential Code or California Building Code or Menlo Park Fire Department Ordinance as ratified by the City Council, whichever is more restrictive.

Addition of Section 12.28.015 (Numbering of Buildings)

The following standards shall apply to lighting, address identification and parking areas:

- (1) All residential dwellings shall display a street number in a prominent location on the street side of the residence in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be no less than four inches in height and shall be of a contrasting color to the background to which they are attached, with not less than .5" inch stroke.
- (2) There shall be positioned at each entrance of a multiple family dwelling complex a diagrammatic representation of the complex which shows the location of the viewer and the unit designations within the complex. In addition, each individual unit within the complex shall display a prominent identification number, not less than four inches in height, which is easily visible to approaching vehicular and/or pedestrian traffic.
- (3) The address number of every commercial building shall be easily visible from the street. The numerals in these numbers shall be no less than eight inches in height with a ½" inch stroke and be of a color contrasting to the background. In addition, any business which affords vehicular access to the rear through any driveway, alleyway or parking lot shall also display the same numbers on the rear of each such building. When a structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of one inch (1") stroke by twelve inches (12") in height is required.
- (4) All exterior commercial doors, during the hours of darkness, shall be illuminated with a minimum of one foot-candle of light. All exterior bulbs shall be protected by weather and vandalism resistant cover(s).
- (5) Open parking lots, and access thereto, providing more than ten parking spaces and for use by the general public, shall be provided with a maintained minimum of one foot-candle of light on the parking surface from dusk until the termination of business every operating day.

SECTION 8: AMENDMENT OF CODE. Chapter 12.32 [Moving Buildings] of Title 12 [Buildings and Construction] is hereby amended as follows:

Amendment of Section 12.32.010 (Definitions), 020 (Permit Required), 030 (Application for Permit), 050 (Investigation of Applicant – Report), 060 (Inspection Fee), 070 (Issuance of Permit) and 100 (Denial of Permit).

12.32.010 Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section, as follows:

- (1) "Building" is any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind;
- (2) "Building official" is the building official of the city or his regularly authorized deputy;

(3) "Structure" is that which is built or constructed, an edifice, or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (Prior code § 6.20).

12.32.020 Permit required.

No person shall move any building or structure into or within the city or shall remove any building or structure from the city without first obtaining a permit from the building department for each such building or structure to be moved or removed. (Prior code § 6.21).

12.32.030 Application for permit.

To obtain a permit to move or remove a building or structure the applicant shall first file an application therefor in writing on a form furnished for that purpose by the building department. Every such application shall contain the following information:

- (1) The location and legal description of the land on which the building or structure to be moved or removed at the time of the application is situated;
- (2) The location and legal description of the land to which the building or structure is to be moved;
- (3) The alterations or additions, if any, to be made to the building or structure to be moved or removed;
- (4) The name and address of the person who will install the foundations and do any other necessary work that may be required at the new site, if the building or structure is to be moved or removed to land within the city;
- (5) The name and address of the person who will move the building or structure to be moved or removed;
- (6) The use made of the building or structure to be moved or removed at the time of the application for a permit to move or remove the same;
- (7) The use to be made of the building or structure if it is to be moved or removed to land within the city;
- (8) Any such other information as may reasonably be required by the building official. (Prior code § 6.22).

12.32.050 Investigation of applicant—Report.

The building department upon receipt of application for a permit to move or remove a building or structure pursuant to this chapter shall make all necessary inspections to determine whether such building or structure may be moved safely without demolishing or destroying the same and shall determine whether or not the proposed location of any building or structure sought to be moved or removed in the city meets the requirements of the California Building Code and any other laws or ordinances appertaining thereto. The application may also be examined and reviewed by other departments of the city to check compliance with the laws and ordinances. Upon the making of his inspections and the completion of his investigation of the application for a permit to move or remove any building or structure the building official shall make and file a written report of his findings and recommendations with every such application for a permit to move or remove a building or structure. (Prior code § 6.24).

12.32.060 Inspection fee.

Where investigations under this chapter are required to be made by the building official

beyond the city limits of the city, the applicant shall pay the building department a sum in an amount established by resolution of the City Council for the full mileage from the city hall to the site where the inspection is made. This charge shall be additional to other fees required to be paid for the application under the provisions of this chapter. (Prior code § 6.25).

12.32.070 Issuance of permit.

If the written report of the building official shows that the building or structure specified in the application may be moved safely without demolishing or destroying the same and if the report shows that where the building or structure is to be moved or removed to land within the city the building or structure when so moved or removed will conform with the requirements of any laws and ordinances applicable thereto, the building official shall issue the permit to move or remove the building or structure upon fulfillment of the conditions set forth in Sections 12.32.080 and 12.32.090 by the applicant. (Prior code § 6.26).

12.32.100 Denial of permit.

If the written report of the building official shows that the moving or removing of the building or structure specified in the application may not be done safely without demolishing or destroying the same he shall deny the application for a permit to move or remove the building or structure. If the written report of the building official shows that where the building or structure specified in the application is to be moved or removed into the city that the building or structure may not be made to conform with the requirements of any laws and ordinances applicable thereto, the building official shall deny the application for a permit to move or remove the building or structure unless the applicant can and does select another location within the city to which the building or structure may be moved or removed in conformance with any laws and ordinances applicable thereto, or unless the applicant selects another location not subject to the jurisdiction of the city. (Prior code § 6.29).

SECTION 9: AMENDMENT OF CODE. Sections 12.36.020, 12.36.030 and 12.36.050 of Chapter 12.36 of Title 12 [Buildings and Construction] are hereby re-adopted and amended to read as follows:

12.36.020 Pools to be fenced—Specifications generally.

Every person in possession of land within the city, either as owner, purchaser under contract, lessee, tenant, or licensee, upon which is situated a swimming pool, fish pond, wading pool, or any outside body of water created by artificial means, designed or used for swimming or other immersion purposes, any part of which is two feet deep or more, shall at all times maintain on the lot or premises upon which such pool is located, an enclosure surrounding such pool, or completely surrounding the lot or premises upon which such pool is located, a fence or other solid structure not less than five feet in height and having no openings therein, other than doors or gates as hereinafter provided, larger than fifty inches square, except that a rectangular opening having no horizontal dimension exceeding four inches may have a greater area. (Prior code § 25.2).

12.36.030 Self-closing doors or gates.

All gates or doors opening through the solid enclosure required by the preceding section shall, at all times, be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure hereinabove required need not be so equipped. The self-closing and self-latching devices shall be not less than 54" above grade. (Prior code § 25.3).

12.36.050 Submission and approval of pool plans.

All plans submitted to the city for swimming pools to be constructed shall show compliance with the requirements of the preceding sections, and final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of Section 12.36.040 have been complied with. (Prior code § 25.5).

SECTION 10: AMENDMENT OF CODE. Chapter 12.40 [Auto Courts and Motor Courts] of Title 12 [Buildings and Construction] is hereby amended as follows:

Amendment of Section 12.40.030 (Permit Required), 040 (Inspection of premises), 050 Action by City Council), 060 Application Fee).

12.40.030 Permit required—Application.

It is unlawful for any person to commence the operation or construction of an auto camp or motor court or to construct additional buildings or reconstruct or move buildings in an existing auto camp or motor court unless such person shall first make application in writing to the building official of the city and obtain a permit therefor. Such application shall contain a description of the grounds upon which the auto camp or motor court is to be constructed or reconstructed or upon which new buildings are to be erected in an existing auto camp or motor court, together with plans and specifications of the proposed construction or reconstruction of such buildings. (Prior code § 4.3).

12.40.040 Inspection of premises.

Within thirty days after the filing of the application required by Section 12.40.030, the building official shall make an inspection of the place selected for the auto camp or motor court to ascertain if the place so selected is satisfactory for such purpose and if the plans and specifications aforementioned conform to the requirements of this chapter. (Prior code § 4.4).

12.40.050 Action by city council.

If the building official finds that the site is satisfactory and that the plans and specifications conform to the requirements of this chapter, he shall present to the City Council the application for the permit, his report, findings and recommendation and the City Council shall consider the application and before the permit can be issued, the City Council shall approve the same. (Prior code § 4.5).

12.40.060 Application fee.

The application for the permit required by this chapter shall be accompanied by a fee in an amount established by resolution of the City Council, which fee shall be paid to the building department for credit to the general fund of the city; provided, however, that in the case of any addition, alteration or repair to buildings or equipment in any auto camp or motor court heretofore erected, such application shall not be accompanied by any fee. (Prior code § 4.6).

SECTION 11: AMENDMENT OF CODE. The following sections of Chapter 12.48 [Recycling and Salvaging of Construction and Demolition Debris] of Title 12 [Buildings and Construction] are hereby amended as follows:

Section 12.48.060 of Chapter 12 of The City of Menlo Park Municipal Code is deleted

Section 12.48.110 of Chapter 12 of the City of Menlo Park Municipal Code is amended as follows:

1. The community development director or their designee is authorized to take any and all other actions reasonable and necessary to enforce this chapter.

2. Criminal Penalties. Each violation of the provisions of this chapter shall constitute a misdemeanor, and shall be punishable by imprisonment in the county jail for a period of time not to exceed six (6) months, or by fine not exceeding one thousand dollars (\$1,000.00), or by both such fine and imprisonment. Each day that a violation continues shall be deemed a new and separate offense.

3. Administrative Penalties. Violation of any provision of this chapter shall be subject to the assessment of one dollar (\$1.00) per square foot of project area or one thousand dollars (\$1,000), whichever is greater. The city council may, by resolution, modify the amount of the administrative penalty.

4. The Building Official or designee is authorized to issue stop work orders, notices of violation, administrative penalties and citations under this chapter.

5. Any citation or administrative penalty received under this chapter may be appealed to the City Manager or designee whose determination shall be final. Such appeal must be filed within fifteen (15) days of receipt of the citation or penalty.

6. Permit issuance. No certificates of occupancy or other permits or approvals relating to a project cited under this chapter shall be issued by the City until the administrative penalty has been paid in full.

7. All remedies provided in this section shall be cumulative and are not exclusive.

SECTION 12: EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Administrative Code, Section 15061(b)(3) that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") on the grounds that these standards are more stringent than the State standards, there are no reasonably foreseeable adverse impacts and there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 13: SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 14: EFFECTIVE DATE. This Ordinance shall become effective thirty days following adoption or on January 1, 2020, whichever is later.

SECTION 15: POSTING. Within fifteen (15) days of its adoption, the Ordinance shall be posted in three (3) public places within the City of Menlo Park, and the Ordinance, or a summary of the Ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on this tenth day of December 2019.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the seventeenth day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Ray Mueller, Mayor

ATTEST:

Judi A. Herren, City Clerk

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STAFF REPORT

City Council

Meeting Date: 12/17/2019

Staff Report Number: 19-242-CC

Regular Business: Selection of Mayor and Vice Mayor

Recommendation

Staff recommends the City Council select a Mayor and Vice Mayor for 2020.

Policy Issues

The proposed action conforms to current practice.

Background

The Menlo Park Municipal Code, Section 2.04.120, states that the City Council shall meet in December of each year and choose one of its members as Mayor and one as Vice Mayor (formally Mayor Pro Tem.)

Staff recommends the following process for the selection of the Mayor and Vice Mayor:

- The current Mayor turns the meeting chair over to the city clerk
- The city clerk will take nominations from the City Council for Mayor
- Votes for each nominee will be taken until a city councilmember receives a majority vote thereby selecting the new Mayor
- The city clerk will return the meeting chair to the new Mayor
- The Mayor will take nominations for Vice Mayor
- Votes for each nominee will be taken until a city councilmember receives a majority vote thereby selecting the new Vice Mayor

Environmental Review

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

Public Notice

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

Report prepared by:
Judi A. Herren, City Clerk

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REGULAR MEETING AGENDA

Date: 12/17/2019
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

STAFF REPORT RELEASE NOTICE

The Staff Report No. 19-243 for appoint City Council representatives and alternates to various regional agencies to City Council subcommittees and as liaisons to City Council advisory bodies will be available by 5 p.m. on December 12, 2019.

Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the City Clerk's Office at 650-330-6620. (Posted 12/5/2019.)

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STAFF REPORT

City Council

Meeting Date:

12/17/2019

Staff Report Number:

19-244-CC

Regular Business:

Provide direction to the City's voting delegate regarding regional vacancies for the next City Selection Committee meeting December 20, 2019

Recommendation

Staff recommends that the City Council provide direction to the City's voting delegate regarding vacancies on various regional boards to be voted on at the next City Selection Committee meeting December 20, 2019.

Policy Issues

The proposed action conforms to current practice.

Background

The City Selection Committee meeting will take place in Colma December 20, 2019. According to the City Council of Cities bylaws, the Mayor is designated as the voting member for each city. Following past practice, this item is on the agenda in order to provide input to the Mayor or alternate for voting purposes.

Several regional seats will become vacant through the San Mateo County Council of Cities. Under consideration are the following:

Bay Area Air Quality Management District (BAAQMD)

- Selection of one (1) City Councilmember to serve on BAAQMD representing all cities (all cities eligible) fulfilling Belmont City Councilmember Davina Hurt's term through December 31, 2019

California Identification System (CAL-ID)

- Selection of one (1) City Councilmember to serve on CAL-ID representing all cities (all cities eligible) fulfilling Daly City City Councilmember Glenn Sylvester's term through December 31, 2019

San Mateo County Transportation Authority (SMCTA) - Northern

- Selection of one (1) City Councilmember to serve on the SMCTA representing Northern cities (eligible cities: Atherton, East Palo Alto, Menlo Park, Portola Valley, Redwood City, San Carlos, Woodside) for a term of two (2) years beginning January 1, 2020 through December 31, 2021 fulfilling San Bruno City Councilmember Rico Medina's term through December 31, 2019

San Mateo County Transportation Authority (SMCTA) – all cities

- Selection of one (1) City Councilmember to serve on the SMCTA representing all cities (all cities are

eligible) for a term of two (2) years beginning January 1, 2020 through December 31, 2021 fulfilling Burlingame City Councilmember Emily Beach's term through December 31, 2019

City Selection Committee for 2020 (Attachment A)

- Election of a Chairperson to the City Selection Committee for 2020
(Note: Candidates must be a current Mayor or City Councilmember)
- Election of a Vice Chairperson to the City Selection Committee for 2020
(Note: Candidates must be a current Mayor or City Councilmember)

Impact on City Resources

There is no impact on City resources.

Environmental Review

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

Public Notice

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

Attachments

- A. List of vacant positions provided by the City Selection Committee
- B. 2020 City Selection Committee proxy designee form

Report prepared by:
Judi A. Herren, City Clerk

Updated as of 10/28/19

Vacant Positions!

Please submit your “Letters of Interests” no later than **5p.m. on Friday, December 6, 2019** to Sukhmani Purewal, Secretary of City Selection Committee and Assitant Clerk of the Board of Supervisors via email or fax. Please email: spurewal@smcgov.org or fax: 650-363-1916.

The next City Selection Committee meeting will on December 20, 2019 in Colma along with Council of Cities Dinner (more info. to come)

➤ **Bay Area Air Quality Management District (BAAQMD)**

○ 1 Regular Member

- Davina Hurt, Belmont (position expiring 12/31/19)
- New 2-year term will be from January 1, 2020 through December 31, 2021
- All Cities eligible

➤ **San Mateo County Transportation Authority (SMCTA)**○ 1 Regular Member representing *Cities Northern*

- Rico Medina, San Bruno (position expiring 12/31/19)
- New 2-year term will be from January 1, 2020 through December 31, 2021
- Eligible Cities: Brisbane, Colma, Daly City, Pacifica, San Bruno, & South San Francisco

➤ **San Mateo County Transportation Authority (SMCTA)**

○ 1 Regular Member representing Cities-at-large

- Emily Beach, Burlingame (position expiring 12/31/19)
- New 2-year term will be from January 1, 2020 through December 31, 2021
- All Cities eligible

➤ **California Identification System (CAL-ID)**

○ 1 Regular Member

- Glenn Sylvester, Daly City (position expiring 12/31/19)
- New 3-year term will be from January 1, 2020 through December 31, 2022
- All Cities eligible

➤ **Election of a Chairperson to the City Selection Committee for 2020**➤ **Election of a Vice Chairperson to the City Selection Committee for 2020**

SAN MATEO COUNTY

CITY SELECTION COMMITTEE

ATTACHMENT B

Glenn R. Sylvester, Chairperson
Sue Vaterlaus, Vice Chairperson

Sukhmani S. Purewal, City Selection Secretary
400 County Center
Redwood City, 94063
650-363-1802

TO: Sukhmani S. Purewal, Secretary
City Selection Committee

SUBJECT: Alternate to the City Selection Committee

I _____, Mayor of the City/Town of _____,
hereby appoint Councilmember _____, to serve as my
alternate to the City Selection Committee meeting(s).

In the absence of my appointee, I then appoint: **(Please choose one)**

☐ Councilmember _____ to represent me

☐ Vice-Mayor and each Councilmember in order of seniority

(You must check only ONE of the following options)

My alternate is to serve for the:

☐ _____ meeting only
Date

☐ duration of my term of office as Mayor

☐ I do not choose to appoint an alternate

Signature of Mayor

Date

Please return to:

Sukhmani S. Purewal, Secretary
City Selection Committee
Hall of Justice, 400 County Center / CMO 105
Redwood City, CA 94063

Or Fax to 650 363-1916 or bring to the meeting

If you should have any questions please do not hesitate to call me (650) 363-1802