



CITY COUNCIL SPECIAL AND REGULAR MEETING AGENDA

Tuesday, February 12, 2013
5:00 P.M.

701 Laurel Street, Menlo Park, CA 94025
City Council Chambers

5:00 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Public Comment on these items will be taken prior to adjourning to Closed Session

CL1. Closed Session pursuant to Government Code section 54957.6 to conference with labor negotiators regarding labor negotiations with the Police Officers Association (POA) and the Police Management Association (PMA).

Attendees: Alex McIntyre, City Manager, Starla Jerome-Robinson, Assistant City Manager, Bill McClure, City Attorney, Gina Donnelly, Human Resources Director

CL2. Closed Session with City Attorney regarding litigation

(1) Existing litigation: *Peninsula Interfaith Action, et al. v City of Menlo Park* San Mateo County Superior Court Case No. CIV513882 pursuant to Government Code Section 54956.9(a); and

(2) Potential litigation against the City of Menlo Park pursuant to Section 54956.9(b)(1)

ROLL CALL – Carlton, Cline, Keith, Ohtaki, Mueller

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

REPORT FROM CLOSED SESSION

A. PRESENTATIONS AND PROCLAMATIONS

A1. Presentation by HIP Housing: Willow Road Project Update

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Bicycle Commission quarterly report on the status of their 2-Year Work Plan

C. PUBLIC COMMENT #1 (Limited to 30 minutes)

Under “Public Comment #1”, the public may address the Council on any subject not listed on the agenda and items listed under the Consent Calendar. Each speaker may address the 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 Council cannot act on items not listed on the agenda and, therefore, the Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

D. CONSENT CALENDAR

- D1. Approve a change to the meeting schedule for the Environmental Quality Commission (Staff report #13-017)
- D2. Accept minutes of the January 22, 2013 Council meeting (Attachment)

E. PUBLIC HEARINGS

- E1. Consider an appeal of the Planning Commission's decision to approve a Use Permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a professional office use at 2200 Sand Hill Road (Staff report #13-022)
- E2. Consider an appeal of the Planning Commission's decision to approve a Use Permit and variance to construct two single-family dwelling units and associated site improvements on a substandard lot located at 1976 Menalto Avenue, and to consider an appeal of the Environmental Quality Commission's decision to uphold an appeal of staff's decision to remove a heritage size magnolia tree (Staff report #13-024)

F. REGULAR BUSINESS

- F1. Review and modification of the City's Fund Balance Policy and use of one-time revenues; approve funding mechanism for comprehensive planning and capital projects; approve establishment of separate infrastructure maintenance and capital projects funds (Staff report #13-018)
- F2. Consider authorizing additional staff, appropriating \$100,000 for 2012-13 budget and approximately \$1.2 Million for 2013-14 budget and authorize a new Capital Improvement Project for City Hall improvements, appropriating \$250,000 for the project and authorize the City Manager to execute any necessary contracts associated with the project not to exceed the budgeted amount (Staff report #13-019)
- F3. Approve the Median Island and Right-of-Way Landscape Maintenance Service Request for Proposals (Staff report #13-020)
- F4. Council discussion and possible recommendation on various seats for determination at the next City Selection Committee meeting scheduled for February 22, 2013 (Staff report #13-021)
- F5. Consider state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item – None

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

- I1. Update on the Housing Element meeting schedule (Staff report #13-023)

J. COUNCILMEMBER REPORTS

K. PUBLIC COMMENT #2 (Limited to 30 minutes)

Under "Public Comment #2", the public if unable to address the Council on non-agenda items during Public Comment #1, may do so at this time. Each person is limited to three minutes. Please clearly state your name and address or jurisdiction in which you live.

L. ADJOURNMENT

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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 the Consent Calendar and any matters of public interest not listed on the agenda, 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 Mayor, either before or during the 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 Mayor, either before or during consideration of the item.

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 Office of the City Clerk, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours. Members of the public may send communications to members of the City Council via the City Council's e-mail address at city.council@menlopark.org. These communications are public records and can be viewed by any one by clicking on the following link: <http://ccin.menlopark.org>

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ADMINISTRATIVE SERVICES DEPARTMENT

Council Meeting Date: February 12, 2013

Staff Report #: 13-017

Agenda Item #: D-1

CONSENT CALENDAR: Approve a change to the meeting schedule for the Environmental Quality Commission

RECOMMENDATION

The Environmental Quality Commission recommends approval of the Environmental Quality Commission changing their meetings to the fourth Wednesday of each month.

BACKGROUND

The Environmental Quality Commission has had difficulty obtaining meeting space for their monthly meeting, which is the first Wednesday of each month. The Commission's January 9, 2013 agenda included a discussion of alternatives to help locate a meeting space that would be available on a monthly basis.

ANALYSIS

The Commission members indicated changing the regular scheduled meeting would be helpful. During the discussion by the Commission, it was determined that the current meeting room at the Recreation Center was booked for over half of the year. The Council Conference Room on the first Wednesday is not available because the Housing Commission meets at that time. The Commission, in a 6-0 vote, approved changing the meeting to the fourth Wednesday to better accommodate a meeting room.

IMPACT ON CITY RESOURCES

There are no impacts on City resources.

POLICY ISSUES

Pursuant to City Council Policy CC-01-0004, section F4 states "Monthly regular meetings shall have a fixed date and time established by the Commission/Committee. Changes to the established regular dates and times are subject to the approval of the City Council. An exception to this rule would include any changes necessitated to fill a temporary need in order for the Commission/Committee to conduct its meeting in a most efficient and effective way as long as proper and adequate notification is provided to the Council and made available to the public."

ENVIRONMENTAL REVIEW

The proposed action does not require environmental review.

Signature on file
Margaret S. Roberts, MMC
City Clerk

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS: None



**CITY COUNCIL
SPECIAL AND REGULAR MEETING MINUTES**

**Tuesday, January 22, 2013 at 5:30 p.m.
701 Laurel Street, Menlo Park, CA 94025
City Council Chambers**

Mayor Ohtaki called the Study Session to order at 5:36 p.m. with Council Member Cline arriving at 5:38 p.m.

SS1. Pension – Understanding the financial impact

Carol Augustine, Finance Director introduced Mr. John Bartell, Bartel Associates, LLC who made the presentation. ([PowerPoint](#))

NOTE: Mayor Ohtaki left the meeting at 6:15 p.m. and Vice Mayor Mueller presided over the remainder of the Study Session.

Public Comments

- Mickie Winkler suggested using Moody's expected rate of return for calculations. She suggested reducing the number of employees on the staff.

The Study Session ended at 6:57 and the Council took a short recess.

Mayor Ohtaki called the Regular Session to order at 7:06 p.m. with all Council Members present.

Mayor Ohtaki led the Pledge of Allegiance

Mayor Ohtaki announced the upcoming community meetings and that Item F4 will be taken out of order and heard prior to F3.

A. PRESENTATIONS AND PROCLAMATIONS

There were no presentations made.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Library Commission quarterly report on the status of their 2-year Work Plan
Commission presentation made by Commission Chair Jacqueline Cebrian

B2. Parks and Recreation Commission quarterly report on the status of their 2-year Work Plan
Commission presentation made by Commission Chair James Cebrian

C. PUBLIC COMMENT #1

- Bill Weseloh, Menlo Park Historical Association, presented Council Member Carlton and Vice Mayor Mueller with a copy of the historical book, entitled "Beyond the Gate".
- Opha Wray, Mt. Olive Church spoke regarding the Hamilton Park cleanup and the addition of a bench in honor of Father Bostic. She requested posting signs advising pet owners to keep their animals on a lease and to clean up after them.

- Robert Heredia spoke regarding the Menlo Park Police Department and questioned what is being done regarding the officer that has been in the newspaper.
- Hank Lawrence spoke in opposition to Consent Calendar Item D3, reusable bag ordinance. ([Handout](#))

D. CONSENT CALENDAR

ACTION: Motion and second (Keith/Cline) to approve the consent calendar except for Item D2 as presented passes unanimously.

- D1.** Initiate the Menlo Park Landscape Assessment District proceedings for fiscal year 2013-14 and adopt **Resolution No. 2122** describing the improvements and direct preparation of the Engineer's Report ([Staff report #13-007](#))
- D3.** Waive the second reading of **Ordinance No. 989** and adopt San Mateo County's reusable bag ordinance by reference by adding Chapter 7.10 [Reusable Bay Ordinance] to Title 7 [Health and Sanitation] of the Menlo Park Municipal Code ([Staff report #13-010](#))
- D4.** Approve increasing the rebate for the Lawn Be Gone Program, direct staff to pursue increasing the rebate cap for commercial and multifamily customers and implement a landscape efficiency assistance planning in next year's fiscal year water conservation budget ([Staff report #13-014](#))
- D5.** Rescind authorization for the City Manager to approve a contract with Akins North America, Inc., and authorize the City Manager to approve a contract with ICF International in the amount of \$194,457 and future augments as may be necessary to complete the environmental review for the project located at 151 Commonwealth Drive and 164 Jefferson Drive ([Staff report #13-012](#))
- D6.** Accept the minutes of the January 8, 2013 City Council meeting ([Attachment](#))

E. PUBLIC HEARINGS

There were no public hearings scheduled.

F. REGULAR BUSINESS

- F1.** Adopt a resolution approving a Complete Streets Policy for the City of Menlo Park ([Staff report #13-011](#))

Staff presentation by Chip Taylor, Director of Public Works

Public Comments

- Mickie Winkler spoke in opposition to the Complete Streets Policy.

ACTION: Motion and second (Keith/Ohtaki) approving **Resolution No. 6123** approving a Complete Streets Policy adding "business" prior to the word "days" in the last paragraph of the Policy passes unanimously.

ACTION: Motion and second (Carlton/Keith) to take Item D2 passes unanimously.

- D2.** Adopt **Resolution No. 6124** authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC) and commit the necessary matching

funds and stating the assurance to complete the 2013-2014 Resurfacing of Federal Aid Routes Project ([Staff report #13-009](#))

This item removed from the Consent Calendar since it requires a Complete Streets Policy to move forward.

ACTION: Motion and second (Cline/Carlton) approving **Resolution No. 6124** authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC) and commit the necessary matching funds and stating the assurance to complete the 2013-2014 Resurfacing of Federal Aid Routes Project passes unanimously.

F2. Authorize the City Manager to approve an agreement with Infrastructure Engineering Corporation for the Emergency Water Supply Project to proceed with Environmental Review, well design, well construction, and wellhead facilities design at the City's corporation yard by an amount not to exceed \$430,691; and expand public outreach to the Tier 2 and 3 Sites as possible emergency well locations, and include an additional site along Alma Street as a Tier 3 Site ([Staff report #13-016](#))

NOTE: Vice Mayor Mueller is recused from the item due to the proximity of property that he owns and left the meeting at 8:28 p.m. and returned at 9:02 p.m.

Staff presentation by Michel Jeremias, Senior Civil Engineer ([PowerPoint](#))

ACTION: Motion and second (Keith/Cline) authorizing the City Manager to approve an agreement with Infrastructure Engineering Corporation for the Emergency Water Supply Project to proceed with Environmental Review, well design, well construction, and wellhead facilities design at the City's corporation yard by an amount not to exceed \$430,691; and to expand public outreach to the Tier 2 and 3 Sites as possible emergency well locations, and include an additional site along Alma Street as a Tier 3 Site passes 4-0-1 (Mueller recused).

NOTE: Item F4 was taken out of order.

F4. Accept the 2012 Advisory Body Attendance Report and discuss the status of recruitments ([Staff report #13-015](#))

Staff presentation by Margaret Roberts, City Clerk

ACTION: By acclamation the Council accepted the 2012 Advisory Body Attendance Report.

F3. Consider the Term Sheet for the Development Agreement for the Facebook West Campus Project located at the intersection of Bayfront Expressway and Willow Road ([Staff report #13-013](#))

NOTE: Starla Jerome-Robinson announced that she is recused from participating in Item F3 due to her husband's employment and left the meeting at 9:10 p.m.

Staff presentation by Alex McIntyre, City Manager ([PowerPoint](#))

Presentation by John Tenanes, Facebook

Public Comments

- Opha Wray spoke in support of Facebook.
- Kail Lubarsky, JobTrain, spoke in support of Facebook.
- Mark Leach, San Francisco Building Trades Council, spoke in support of Facebook.
- Fran Dehn, Chamber of Commerce, spoke in support of Facebook.

- Clem Molony spoke in support of Facebook.
- George Yang spoke in support of Facebook.
- Omar Chatty suggested that Facebook contribute the funds to complete the Bay Trail.

ACTION: Motion and second (Keith/Carlton) to approve the Term Sheet for the Development Agreement for the Facebook West Campus Project located at the intersection of Bayfront Expressway and Willow Road passes unanimously.

F5. Consider state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item
There were no legislative items discussed.

G. CITY MANAGER’S REPORT

There was no City Manager report given.

H. WRITTEN COMMUNICATION

There were no written communications.

I. INFORMATIONAL ITEMS

I1. Accept the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2012 ([Staff report #13-008](#))

The Council received the report.

J. COUNCILMEMBER REPORTS

Council Members reported in compliance with AB1234 requirements.

K. PUBLIC COMMENT #2

Wynn Grcich spoke regarding toxins. ([Handout](#))

L. ADJOURNMENT

The meeting was adjourned at 9:59 p.m.



Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: February 12, 2013
Staff Report #: 13-022

Agenda Item #: E-1

PUBLIC HEARING: Consider an Appeal of the Planning Commission's Decision to Approve a Use Permit for the Storage and Use of Hazardous Materials (Diesel Fuel) for an Emergency Generator, Associated with a Professional Office Use at 2200 Sand Hill Road

RECOMMENDATION

The City Council should consider the merits of an appeal of the Planning Commission's approval of a use permit for the storage and use of diesel fuel for an emergency generator, associated with a professional office (venture capital) use at 2200 Sand Hill Road. Staff recommends that the City Council uphold the action of the Planning Commission to approve the use permit, thereby denying the appeal, and approving the findings, actions, and conditions of approval for the use permit, as provided in Attachment A.

BACKGROUND

Proposal

The project site is located at 2200 Sand Hill Road, and is a through-lot with frontages along Sand Hill Road and Sharon Park Drive. The project site is zoned C-1-X (Administrative and Professional, Restrictive, Conditional Development) and is developed with a two-story office building, with an interior courtyard. The proposed emergency generator is associated with a specific tenant of the building, Lightspeed Ventures. A location map is included as Attachment B.

The San Francisco Public Utility Commission (SFPUC) right-of-way is located to the west of the project site, and a portion of the required parking for the project site is located on the SFPUC parcel, which is zoned R-3-A (X) (Garden Apartment Residential, Conditional Development). The parcel to the west of the project site, across the SFPUC parcel, is also located in the R-3-A (X) zoning district, and is occupied by a multi-story, multi-building condominium development addressed 675 Sharon Park Drive and also known as Lincoln Green. The SFPUC right-of-way is also utilized by the neighboring condominium development for access and parking. Other properties across Sharon Park Drive, to the north of the site share the R-3-A (X) zoning designation and are occupied by multi-family residential developments. The property to the east of the

project site is located in the same C-1(X) zoning district as the project site and contains a multi-story office building, with a ground floor bank use. Sand Hill Road borders the site to the south and the SLAC National Accelerator Laboratory, Stanford Hills Park, and single-family residences in the Stanford Hills neighborhood are located across Sand Hill Road from the subject site.

The applicant, the property owner on behalf of their tenant, is requesting use permit approval to use hazardous materials in association with an outside emergency generator. The generator would utilize diesel fuel, and includes a 126 gallon tank within a generator enclosure. The applicant states that a power loss would be detrimental to the firm's operations and that the proposed generator would allow for 48 hours of emergency standby power. Except in the case of a power outage, the generator would typically be run once a month for 30 minutes, consistent with the manufacturer's recommendations for routine testing. The applicant provided a project description letter that describes the proposal in more detail (Attachment C).

The applicant is proposing to locate the generator along Sharon Park Drive, adjacent to the existing trash enclosure. The applicant states that the proposed location was selected to avoid displacing parking spaces, conflicts with existing PG&E facilities, and landscaping adjacent to the building. The generator would be located within a new concrete masonry unit (CMU) enclosure with a wall height of approximately seven feet, six inches above grade and painted to match the existing trash enclosure. The enclosure height would exceed the height of the generator by approximately one foot. The proposed enclosure would be located six feet, eight inches from the property line along Sharon Park Drive. The enclosure would be set back approximately 27 feet from the SFPUC parcel and 53 feet from the nearest property occupied by residences. Inside of the proposed enclosure, the generator itself would be housed within a second sound attenuated enclosure.

Since the unit is ground-mounted, the City's noise regulations limit the maximum noise level to 50 dB(A) at the nearest residential property line during the evening hours and 60 dB(A) during the daytime hours. While the SFPUC parcel is zoned residential, a portion of the parcel is used for parking for the project site and therefore, the sound is measured at the lease line of the project site within the SFPUC parcel, approximately 55 feet from the proposed generator. The applicant's project description letter contains a discussion of the noise-dampening effects of the CMU enclosure. However, to ensure compliance with Chapter 8.06 of the Municipal Code, also known informally as the noise ordinance, staff included a condition of approval (4.a) requiring that the applicant provide a noise study concurrent with the submittal of a building permit application to confirm that the unit will comply with the 50 dB(A) requirement at all times, which is more restrictive than the normally allowed daytime level of 60 dB(A).. If the unit does not comply, the applicant would be required to incorporate additional sound reduction measures into the project. As discussed below in the Planning Commission Action section of the report, the Commission amended the condition of approval to further mitigate noise impacts based on expressed concerns by neighboring residents.

Proposed Hazardous Materials

The existing office building does not currently utilize hazardous materials and has not previously had an emergency generator. Diesel fuel for the generator would be the only hazardous material stored on-site. The project plans, included as Attachment D, provide the locations of the use and storage of the diesel fuel. The applicant has submitted a hazardous materials business plan (HMBP) that inventories emergency equipment, and contains an employee training plan and record keeping plan (Attachment E). The proposed generator would have a double contained tank, with low level and leak detector switches. In addition, the generator would contain a five-gallon overfill/spill basin.

The Menlo Park Fire Protection District, City of Menlo Park Building Division, West Bay Sanitary District, and San Mateo County Environmental Health Services Division were contacted regarding the proposed use and storage of the diesel fuel. The correspondence from these agencies has been included as Attachment F. Each entity found the proposal to be in compliance with all applicable standards and has either approved or conditionally approved the proposal. Although the project site is located in close proximity to residences, there would be no unique requirements for the proposed use of diesel fuel.

Use Permit Review

The proposed use and storage of diesel fuel requires that the Planning Commission (or City Council, on appeal) determine whether or not the establishment, maintenance, or operation of the use applied for would, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it would be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.

Staff believes the proposed emergency generator would not create any such hazard or nuisance, as it would be utilized infrequently for testing and in an emergency. Though the generator will create noise when in use, Condition 4.a as discussed above would establish a standard more restrictive than the City's current standards for noise generation near residential properties. In addition, the applicant has modified the testing schedule from 15 minutes twice a month, to one combined 30-minute testing cycle once a month, for a total of six hours a year, which would limit potential impacts of noise to neighboring properties. The proposed generator would be required to meet all Environmental Protection Agency (EPA) standards. The storage and use of diesel fuel has been reviewed by the relevant agencies to ensure that the proposal meets all regulatory and safety standards. Emergency power generators are not uncommon components of modern office uses, in particular for financial businesses.

Planning Commission Review and Action

On December 3, 2012, the Planning Commission reviewed the requested use permit. Members of the public (in particular residents of the adjacent 675 Sharon Park Drive development) spoke in opposition to the proposed generator. After receiving the public testimony and discussing the proposal, including potential impacts related to noise and air emissions, the Planning Commission approved the project subject to the findings and conditions included in Attachment A (vote of 5-0-2 with Commissioners O'Malley and Eiref abstaining). In response to concerns relating to noise impacts, the Planning Commission amended condition 4.a to include an additional noise measurement at a height above grade of the property line that generally corresponds with the upper level windows of the nearest building at the neighboring condominium complex. The additional measurement will require compliance with a maximum noise level of 50 dB(A) at the SFPUC parcel lease line at both the ground level and at a height that is equivalent to the upper story windows.

Appeal

On December 3, 2012, Dennis Monohan of 675 Sharon Park Drive, Apartment 208, and 54 additional residents of the Lincoln Green Condominium Association filed an appeal of the Planning Commission's decision. The appeal letter is included as Attachment G.

ANALYSIS

The appeal letter raises a number of concerns with the proposed emergency generator. The concerns are listed below with discussion by staff.

1. **Noise**: The appellant indicates that the neighbors are concerned about the noise impacts related to the generator.

Although noise in the city is regulated by Chapter 8.06 of the Municipal Code, when a project is discretionary, the Planning Commission has the ability to modify the noise limitations through the conditions of approval. Staff initially added condition 4.a requiring compliance with the more restrictive standard of 50 dB(A) at all hours to further limit any potential noise impacts to the neighboring property. The Planning Commission amended the condition to include an additional sound measurement that will further limit noise impacts. As proposed, condition 4.a establishes a more restrictive standard than would otherwise be allowed by the noise ordinance and which staff believes adequately addresses potential noise from the proposed generator.

2. **Safety**: The appellant raises concerns that the proposed generator is a fire/explosion hazard and that the proposed generator could be struck by vehicles driving along Sharon Park Drive.

The proposed generator would be located within a concrete masonry unit (CMU) enclosure, approximately 6 feet, eight inches from the property line along Sharon Park Drive. There is no fence between the project site and the CMU enclosure, and the enclosure would be located along the outside of a gradual curve; however, the setback from the property line and the vertical curb and sidewalk within the public right-of-way should reduce the possibility that a vehicle would collide with the enclosure. Staff is not aware of any incidents at this location in which vehicles have driven over the curb and onto the site. In addition, if a vehicle did reach the enclosure, the CMU enclosure and the fact that the diesel fuel would not be exposed would provide added protection.

The Menlo Park Building Division and the Menlo Park Fire Protection District (MPFPD) were contacted regarding the proposed generator, including the use and storage of diesel fuel and the CMU wall enclosure and determined that the proposal meets all applicable Building and Fire Codes.

3. Health Impacts: The appellant raises concerns about particulate matter and toxic air contaminants from the generator, as well as pollution from the diesel fuel delivery truck.

The generator is intended to be utilized only during power outages and routine testing. Therefore, unless there is an emergency, the generator would operate approximately six hours a year. The proposed generator would comply with the Environmental Protection Agency's Non Road Tier 4 emission standards. In addition, due to the small size of the generator (less than 50 horsepower), it is exempt from the Bay Area Air Quality Management District (BAAQMD) permitting thresholds. Staff does not believe the fuel delivery truck operations are particularly different than other trucks that typically serve an office use (e.g., package delivery, office supplies, etc.).

4. Location: The appellant raises questions about the appropriateness of the location of the proposed generator on-site, relative to the property line adjacent to 675 Sharon Park Drive.

The site constraints limit the possible locations of the proposed generator. The applicant states in their project description letter (Attachment C) that the northern side of the building (adjacent to another commercial development) is not an option due to the 15-foot clearance that is required between the generator and any combustible materials, and the required access for the PG&E transformer. In addition, a signalized intersection, allowing access to the site and the Stanford Hills neighborhood, is located along Sand Hill Road, limiting the ability of the applicant to locate the emergency generator along Sand Hill Road. Furthermore, a significant portion of the project site along Sand Hill Road is located within the SFPUC lease area, and also a public utility easement (PUE), which further limits the ability of the applicant to locate the emergency generator along Sand Hill Road.

The proposed CMU wall was added by the applicant after the original application submittal, in order to reduce potential noise and visual impacts of the proposed emergency generator. The generator cannot displace required parking spaces, as there is not a surplus of parking on-site, and therefore, must be located in one of the existing landscaped areas on-site. Along Sharon Park Drive, existing trees and a reduced landscaping strip between the parking lot and the property line limit the ability of the applicant to locate the generator toward the commercial building at 2180 Sand Hill Road. With regard to the location of emergency generators along the Sand Hill Road corridor, emergency generators have been permitted at other commercial developments in the vicinity, for example at Quadrus (2400-2498 Sand Hill Road) and the Rosewood hotel-office complex (2825-2895 Sand Hill Road).

Correspondence

Since the appeal, staff has not received any items of correspondence on the project.

IMPACT ON CITY RESOURCES

The applicant paid a deposit of \$1,500 for review of the application for a use permit. Additional staff time above the initial deposit is cost recoverable on an hourly basis, through the end of the appeal period. The appellant paid a flat fee of \$110 to file an appeal of the Planning Commission's decision. Staff time spent on the review of the appeal to the City Council is not recovered, per Council policy.

POLICY ISSUES

No changes to the General Plan or Zoning Ordinance are required for the project. Each use permit request is considered individually. The City Council should consider whether the required use permit findings can be made for the proposal to incorporate an emergency diesel generator at an existing office building.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Signature on file

Kyle Perata
Assistant Planner

Signature on file

Arlinda Heineck
Community Development Director

PUBLIC NOTICE: Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 1,320-foot radius (quarter-mile) of the subject property.

ATTACHMENTS

- A. Draft Findings, Actions, and Conditions for Approval
- B. Location Map
- C. Project Description Letter
- D. Project Plans
- E. Hazardous Materials Business Plan (HMBP)
- F. Hazardous Materials Agency Referral Forms
 - Communication from Menlo Park Fire Protection District,
 - San Mateo County Environmental Health Department,
 - West Bay Sanitary District,
 - Menlo Park Building Division
- G. Letter of Appeal Submitted by Dennis Monohan of 675 Sharon Park Drive, Apartment 208, and signed by 54 residents of the Lincoln Green condominium development.

Note: Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps and drawings are available for public viewing at the Community Development Department.

DOCUMENTS AVAILABLE FOR REVIEW AT CITY OFFICES AND WEBSITE

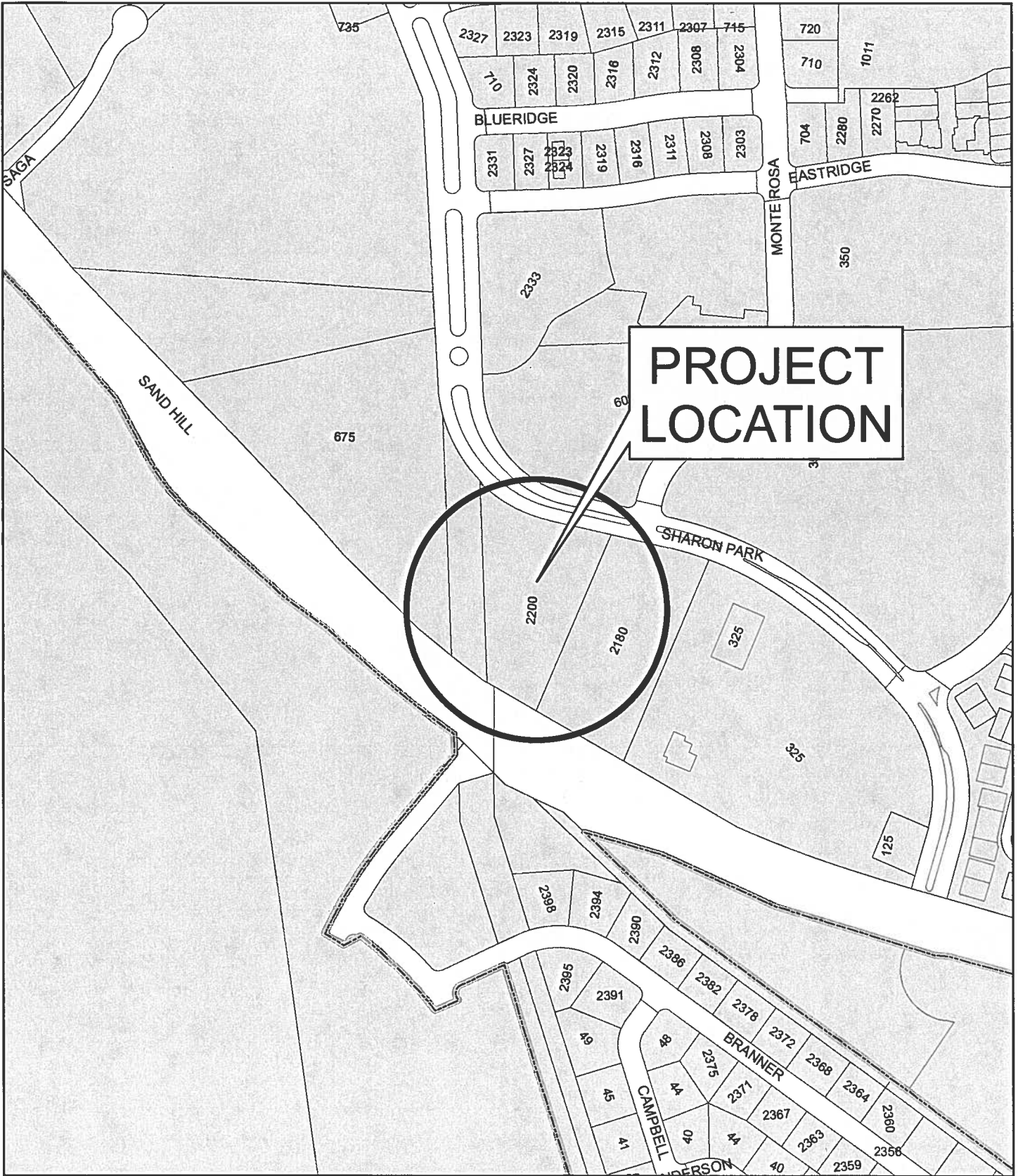
- Planning Commission Meeting Documents
 - December 3, 2012
 - Staff Report
 - Minutes

**2200 Sand Hill Road
Draft Findings, Actions, and Conditions for Approval
February 12, 2013**

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans provided by abr engineers, consisting of five plan sheets, dated received November 26, 2012, and approved by the Planning Commission on December 3, 2012 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all sanitary district, Menlo Park Fire Protection District, and utility companies regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. If there is an increase in the quantity of hazardous materials on the project site, a change in the location of the storage of the hazardous materials, or the use of additional hazardous materials after this use permit is granted, the applicant shall apply for a revision to the use permit.
 - e. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.
 - f. If the business discontinues operations at the premises, the use permit for hazardous materials shall expire unless a new business submits a new hazardous materials business plan to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials business plan is in substantial compliance with the use permit.

4. Approve the use permit subject to the following ***project specific*** conditions:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a noise study analyzing the project, which shall be conducted by a licensed acoustical engineer. The study shall analyze the noise output of the generator at the nearest residential property line (lease line on the SFPUC parcel), and also at a height above the property line that would generally correspond to where a direct line between the upper level windows of the closest residential building and the proposed generator would cross the property line. If the proposed generator is not in compliance with the Noise Ordinance (Municipal Code Chapter 8.06) for nighttime hours, additional sound attenuation measures would be required, per the recommendations of the acoustical engineer.



**PROJECT
LOCATION**

CITY OF MENLO PARK
 LOCATION MAP
 2200 SAND HILL ROAD

DRAWN: KTP CHECKED: KTP DATE: 02/12/13 SCALE: 1" = 300' SHEET: 1





ATTACHMENT C

880 Mabury Road
San Jose, CA 95133
T: 408.534.2827
F: 408.295.6423

AHEAD OF THE CURRENT™
www.rosendin.com

November 27, 2012

Mr. Kyle Perata
City of Menlo Park Planning Department
701 Laurel Drive
Menlo Park, CA

Subject: 2200 Sand Hill Road Generator Installation

Kyle,

The proposed generator installation at the above referenced address will be exercised per the generator manufacturer's requirements which are 30 minutes per month. This will take place between 12 noon and 12:30 on the 2nd Wednesday of each month. The time of day was decided upon to take place during the local lunch hour when vehicular traffic would be heavier than normal. The only other time the generator will run would be during a PG&E power outage. I checked the Bay Area Power Outage Time Line Site and in 2012 from January to October PG&E had (18) power outages, none of which occurred in San Mateo County. The site address is <http://www.mapreport.com/na/west/ba/news/subtopics/d/o.html#m0>

In multi-family dwellings, sound transmission is very critical around the surrounding units. Building codes require wall and floor assemblies to have a minimum STC of 45 or 50. STS (Sound Transmission Class), is a system that is used and widely accepted as a tool for noise transmission levels. This number is based upon the noise transmitted on the other side of the wall, meaning zero feet or very close from the source. Higher STC blocks more noise from transmitting through the wall. An 8" CMU, with filled grout has a value of 55, see attached chart. This is better than most wood-gypsum board assemblies used in high end dwellings.

Please refer to the attached site map which shows the nearest residential dwelling over 150' from the generator location. Also note that there are trees and bushes planted between the generator location and the dwellings. Trees are one of the most natural and effective noise suppressors because they absorb most of the noise without deflecting it.

The CMU wall is approximately 1' higher than the generator. The noise generated by the generator will travel sideways and will hit the CMU walls. Some of the noise will be deflected up or down, but most of the noise will ultimately be deflected, suppressed or dissipated.

Any noise that might travel through the CMU walls will have to travel more than 150' before it encounters the nearest residential dwelling. Most of the noise would be suppressed along the way due to the trees and other daily noises generated by vehicular traffic in the surrounding environment.

Around the generator enclosure itself new trees will be planted for aesthetic purposes, but will also act as noise suppression.

CalTrans uses CMU walls along freeways that are 25' from residential dwellings and they are very effective.

Best Regards,

Rosendin Electric, Inc.

Steve E. Loeffler

Steve E. Loeffler

Service Manager

STCratings.com

Welcome to **STCratings.com**, a collaborative arm of [Acoustics.com](#). This site aligns with our goals of promoting the importance of acoustics and acoustic-related issues across a variety of related industries.

A common acoustic issue in virtually any space is sound transmission. Sound transmission can be both airborne and/or structure borne vibration. (Structure borne vibration is assessed by a different standard, Impact Insulation Class - IIC, and is not addressed in this text). Airborne sound travels through the air and can transmit through a material, assembly or partition. Sound can also pass under doorways, through ventilation, over, under, around, and through obstructions. When sound reaches a room where it is unwanted, it becomes noise. Noise such as that from automobiles, trains and airplanes can transmit through the exterior structure of a building. In the same way, noise from mechanical equipment or speech can transmit from one room within a building to an adjacent space.

Sound transmission can cause noise control, confidentiality, and privacy issues. Sound from a noisy environment such as a mechanical equipment room or an area with loud activities or music can transmit through a partition into a quieter space. This will cause unwanted noise within the quieter space. This is not only an annoyance; in several cases it can cause the quieter space to become unusable for its intended purpose. Several spaces require confidentiality. Offices of counselors, lawyers, or human resource departments cannot function in a space where sound will transmit through the surrounding walls and into an adjacent space. In most other office situations if confidentiality is not an issue, privacy is. If sound transmission is not properly controlled, the space or environment will not provide privacy for its users.

Transmission Loss is a measurement of a partition's ability to block sound at a given frequency, or the number of decibels that sound of a given frequency is reduced in passing through a partition. Measuring Transmission Loss over a range of 16 different frequencies between 125-4000 Hz, is the basis for determining a partition's Sound Transmission Class.

The Sound Transmission Class (STC) is a single-number rating of a material's or an assembly's ability to resist airborne sound transfer at the frequencies 125-4000 Hz. In general, a higher STC rating blocks more noise from transmitting through a partition.

STC is highly dependant on the construction of the partition. A partition's STC can be increased by:

- Adding mass
- Increasing or adding air space
- Adding absorptive material within the partition

A partition is given an STC rating by measuring its Transmission Loss over a range of 16 different frequencies between 125-4000 Hz. 125-4000 Hz is consistent with the frequency range of speech. The STC rating does not assess the low frequency sound transfer. Special consideration must be given to spaces where the noise transfer concern is other than speech, such as mechanical equipment or music.

Even with a high STC rating, any penetration, air-gap, or "flanking" path can seriously degrade the isolation quality of a wall. Flanking paths are the means for sound to transfer from one space to another other than through the wall. Sound can flank over, under, or around a wall. Sound can also travel through common ductwork, plumbing or corridors. Noise will travel between spaces at the weakest points. There is no reason to spend money or effort to improve the walls until all the weak points are controlled.

Rules of Thumb

Recommended Ratings

Weaknesses - What You Should Know

The difference between STC and NRC

STC Ratings for Various Wall Assemblies

STC Ratings for Masonry Walls



Adding Mass

The weight or thickness of a partition is the major factor in its ability to block sound. For example, a thick concrete wall will block more sound than a thin gypsum/2x4 wall. Mass is commonly added to existing walls by adding additional layers of gypsum. When the mass of a barrier is doubled, the isolation quality (or STC rating) increases by approximately 5 dB, which is clearly noticeable.

[back to top](#)

Increasing or Adding Air Space

An air space within a partition can also help to increase sound isolation. This, in effect creates two independent walls. However, the STC will be much less than the sum of the STC for the individual walls. The airspace can be increased or added to an existing partition. A common way to add an airspace is with resilient channels and a layer of gypsum. An airspace of 1 1/2" will improve the STC by approximately 3 dB. An air space of 3" will improve the STC by approximately 6 dB. An airspace of 6" will improve the STC by approximately 8 dB.

[back to top](#)

Adding Absorptive Material in the Partition

Sound absorptive material can be installed inside of a partition's air space to further increase its STC rating. Installing insulation within a wall or floor/ceiling cavity will improve the STC rating by about 4-6 dB, which is clearly noticeable. It is important to note that often times, specialty insulations do not perform any better than standard batt insulation.

[back to top](#)

STCratings.com

STC RATINGS FOR MASONRY WALLS

STC ratings for masonry/CMU walls is based on weight of the block and whether the cells are filled or not and what material it is filled with.

Estimated STC Ratings for CMU Walls

Wall Thickness, in.	Hollow Units		Grout Filled		Sand Filled	
	Weight	STC	Weight	STC	Weight	STC
4	20	44	38	47	32	46
6	32	46	63	51	50	49
8	42	48	86	55	68	52
10	53	50	109	60	86	55

The STC rating of a CMU wall can be estimated based on its weight using the following formula:

$$STC = 0.18W + 40$$

where W = pounds per square foot (psf)

This information is provided as a tool to help estimate. The estimate could easily be off by as much as +/- 4 dB. There are numerous other issues that need to be addressed to get a more accurate calculation. Therefore, hiring a professional acoustical consultant would be essential. [Click here](#) to find an acoustical consultant in your area.

[Rules of Thumb](#)

[Recommended Ratings](#)

[Weaknesses - What You Should Know](#)

[The difference between STC and NRC](#)

[STC Ratings for Various Wall Assemblies](#)

[Home](#)



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RECOMMENDED RATINGS

In general, loud speech can be understood fairly well through an STC 30 wall but should not be audible through an STC 60 wall. An STC of 50 is a common building standard and blocks approximately 50 dB from transmitting through the partition. However, occupants could still be subject to awareness, if not understanding, of loud speech. Constructions with a higher STC (as much as 10dB better - STC 60) should be specified in sensitive areas where sound transmission is a concern.

The Uniform Building Code (UBC) contains requirements for sound isolation for dwelling units in Group-R occupancies (including hotels, motels, apartments, condominiums, monasteries and convents).

UBC requirements for walls: STC rating of 50 (if tested in a laboratory) or 45 (if tested in the field*).

UBC requirements for floor/ceiling assemblies: STC ratings of 50 (if tested in a laboratory) or 45 (if tested in the field*).

* The field test evaluates the dwelling's actual construction and includes all sound paths.

An assembly rated at STC 50 will satisfy the building code requirement. However, as mentioned above, occupants could still be subject to awareness, if not understanding, of loud speech. Therefore, it is typically argued that luxury accommodations require a more stringent design goal.

Rules of Thumb

Weaknesses - What You Should Know

The difference between STC and NRC

STC Ratings for Various Wall Assemblies

STC Ratings for Masonry Walls

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2200 Sand Hill Rd, Sharon Heights Shopping Center, Menlo Park

© 2012 Google

GO

0.11 1948

37° 25' 22.76" N 122° 11' 57.94" W elev. 209.11

Install New Generator Enclosure TO THE Sharon Heights Office Complex

2200 Sand Hill Road

Menlo Park, CA 94025

LOCATION MAP



PLANNING INFO.

- PROPERTY OWNER:
SHARON HEIGHTS SHOPPING CENTER,
2200 SAND HILL ROAD,
MENLO PARK, CA 94025.
- PROJECT ADDRESS:
2200 SAND HILL ROAD,
MENLO PARK, CA 94025.
- PROJECT SCOPE:
• INSTALL GENERATOR ENCLOSURE.
- CONST. TYPE:
- GROUP OF OCCUPANCY:
- A.P.N.
- LEGAL DESC.:
- ZONING:
- MAX. BLDG. HT.:
- GRADING:
- TREE REMOVAL:
- TOPOGRAPHY:
- LOT AREA:
- PROJECT CODE COMPLIANCE:
1. IRC 2009
2. CALIFORNIA RESIDENTIAL CODE 2010
3. CALIFORNIA FIREWORKS CODE 2010
4. CALIFORNIA ELECTRICAL CODE 2010
5. CALIFORNIA PLUMBING CODE 2010
6. CALIFORNIA MECHANICAL CODE 2010
7. CALIFORNIA MECHANICAL CODE 2010
8. CALIFORNIA ENERGY CODE 2008

AERIAL PHOTO



DRAWING INDEX

- CO 0 COVER SHEET, LOCATION MAP & GENERAL NOTES.
- S1 0 EXISTING SITE PLAN.
- S2 0 PROPOSED GENERATOR FLOOR, ELEVATIONS AND SECTIONS.

Clayton, Residence MATT1201
 09/27/12
 CO.0
 Preliminary Set

GENERAL

1. These notes apply to all drawings.
2. All work shall be in accordance with all Federal, State and Local Building Codes and Safety ordinances in effect at the time of building (IRC 2009, CBC 2010).
3. In the event certain features of the construction are not fully shown, their construction shall be shown for similar features.
4. Any conflicts or discrepancies between the drawings and site conditions shall be immediately brought to the attention of the engineer and corrected as directed by the Engineer.
5. Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify and hold the Owner and the Engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the Owner or the Engineer.
6. Contractor acknowledges that he has thoroughly familiarized himself with the building site conditions, grades, etc., with the drawings and specifications, and the delivery facilities and all other matters and conditions which may affect the operations and completion of the work and assumes all risks therefrom.
7. The drawings automatically indicate existing and new construction. Due to the nature of the work, adjustments will likely be required in the field to meet the design objectives. Such adjustments are part of the contract and shall be indicated in the shop drawings.
8. Contractor shall be responsible for all temporary shoring. Shoring shall be provided to support the existing structure until all work on the drawings is completed.
9. The Contractor shall be responsible for the coordination of all work including, but not limited to that shown on these drawings.

DEMOLITION, SHORING AND UNDERPINNING WORK

1. Before proceeding with demolition, survey and evaluate the area to ensure that the structure is not damaged beyond the demolition work. Remove demolition debris promptly from the building.
2. Shoring and bracing floors, roofs, piers and walls during demolition and rebuilds until the new structural work is completed and tied to the existing building. Do not overcut existing floors with construction debris.
3. Remove and relocate utilities crossing excavations and new foundations. Adequately support utility lines adjacent to new foundations.
4. Protect streets, sidewalks, and adjacent building foundations during excavation by sheet piling, bracing and shoring as required by field conditions.
5. Remove existing foundations uncovered during excavations; do not remove them unless approved by the Architect.

EXCAVATION

1. Remove soft or organic materials under and adjacent to footings and slabs on-grade.
2. Slope sides or shoring, above, or below excavations to ensure stability.
3. Drain excavations to remove water and place concrete to the dry.
4. Excavations shown on the drawings are minimum required depths. Excavate deeper if need to reach soil with specified bearing strength or increase footing size at the direction of the Architect/Engineer.

FOUNDATION

1. The Engineer is not responsible for the adequacy of the founding soils. Minimum soil bearing pressure 1000 psf. The foundation engineer is NOT.
2. The Contractor shall notify the Engineer at least 48 hours prior to placing concrete.
3. Anchor bolts shall be a minimum of 3/8" x 10" at maximum 20" O.C. and within 6" of each end and a minimum of two bolts per piece of wall. Anchor bolts shall be grade A307 or A36 threaded bolts or 1/2" bolts with 3" minimum bars. Where steel walls are called out on plans they shall be spaced per requirement of SHEAR WALL SCHEDULE, TYP. U.M.D.

REINFORCED CONCRETE

1. Concrete shall have a ultimate strength of 2,500 psi at 28 days as per 2010 CRC Section RM4-1.2.2. Special inspection not required provided that a batch plant ticket is provided.
2. Reinforcing steel shall be ASTM A615 Grade 60 except #3 bars may be Grade 40. Mild reinforcement in its position with devices sufficiently numerous to prevent displacement during placing concrete.
3. The following minimum concrete cover shall be provided for reinforcing bars:
Minimum cover (bricks) 2"
Cast-in place concrete 3"
Cast against and permanently exposed to earth 3"
Exposed to earth or weather 3"
4. Concrete shall be mixed and delivered in accordance with ASTM-C94 with a maximum slump of 4 inches.

MASONRY

1. Masonry work shall conform to all requirements of ACI 330 "Building Code Requirements for Masonry Structures"
2. Follow concrete masonry units shall conform to ASTM C90 Type I, with a compressive strength of 1500 psi and a maximum density of 115 pcf. Mortar shall be type S with proportions per CBC Table 2103.1.1(1) and 2103.1.2(2) (Masonry cement shall not be used). Grout shall have an F_y of 2000 psi. Grout for design in 1500 psi (solid grouted construction) and 1350 psi (partial grouted construction). All units shall be laid in running bond unless noted otherwise.
3. Mechanically applied grout in vertical spaces immediately after pouring. Provide clecoats if grout is outside 5'-0". Minimum grout fill shall be 10'-0" unless noted otherwise on the plans.
4. Unless noted otherwise on the plans, place control joints in masonry walls such that no straight run of wall exceeds 24'-0".
- 75-1500 psi
- 75-2000 psi
- 75-4000 psi

MASONRY REINFORCING

1. Vertical reinforcing #4 bars at 8" masonry.
#6 bars at 16" masonry - typical unless noted otherwise.
In center of grid at center of wall. Continuous full height of wall with one bar at corners, intersections, wall ends, beam bearings, junks and each side of control joints and at intervals not to exceed 48" o.c. unless noted otherwise. Tie at 5'-0" vertically with single wire laps by tie by A.A. products company. Lap splices shall be 40 bar diameter for grade 40 bars and 48 diameter for grade 60 bars. Detail all vertical reinforcing to foundation with details to match vertical wall or column reinforcing.
2. Horizontal reinforcing #4 bars at 16" masonry - typical unless noted otherwise.
#6 bars in columns #7 deep graded continuous bond beams at roof and elevated floor lines. One bar a minimum 3" deep graded continuous bond beams at top of parapet or top of a free standing wall. Place these bars continuous through control joints. They must be lapped 1'-0" each side of all corners and wall intersections to maintain bond beam continuity. Lap splices shall be 40 bar diameter for grade 40 bars and 48 diameter for grade 60 bars. Stagger alternate splices a minimum of 40 bar diameter. Provide standard weight (No 9 gage wire) de-a-wall or de-a-wire ladder type joint reinforcing at 16" o.c. in masonry walls.

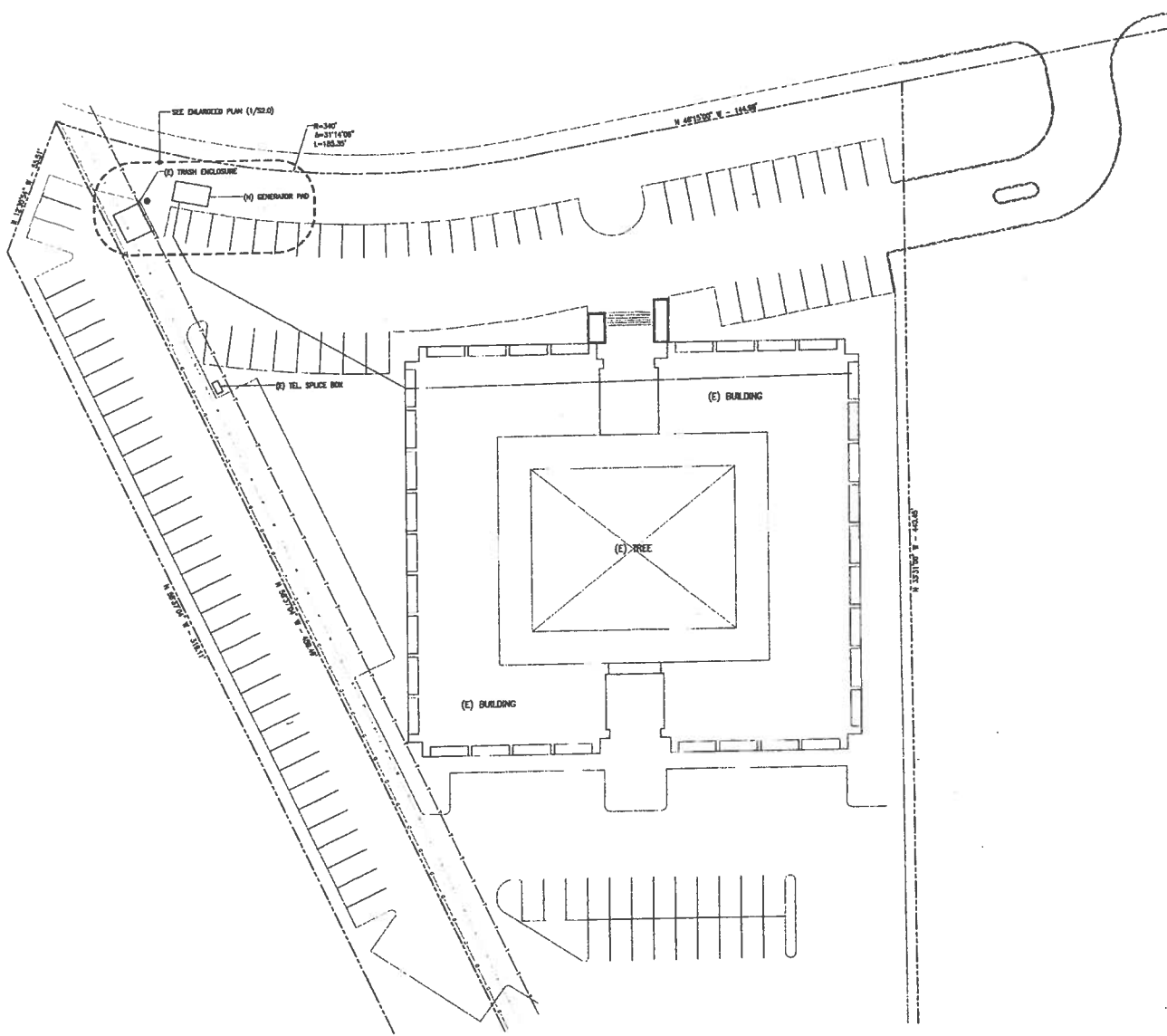
Sharon Heights Office Complex
 2200 Sand Hill Road
 Menlo Park, CA 94025
 5
 Date: 09/27/12
 Designer: A. RAJIVSURI
 Checker: A. RAJIVSURI
 Title: A. RAJIVSURI
 Scale: AS SHOWN
 Job: MATT1201
 Name: CO.0
 CR: 0/0/0/0/0

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NOV 26 2012
CITY OF MENLO PARK
PLANNING

Clayton Residence | MATT1201 | 09/27/12
 Preliminary Set | S.I.O.



13 Existing Site Plan
 SCALE: 1" = 20'



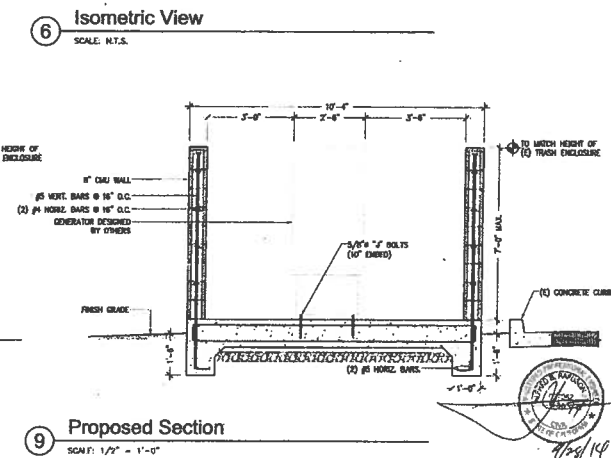
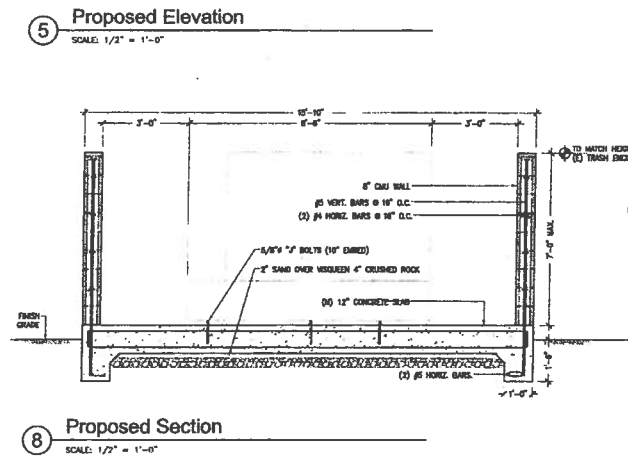
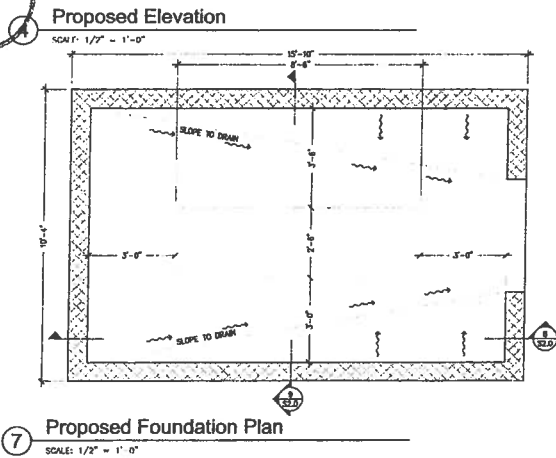
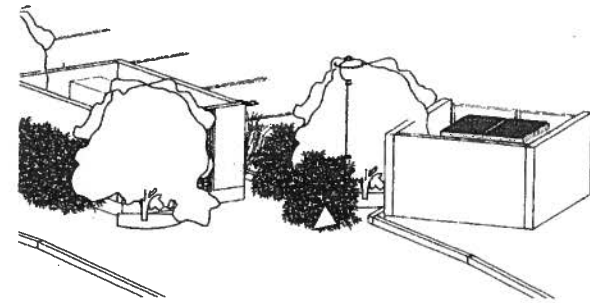
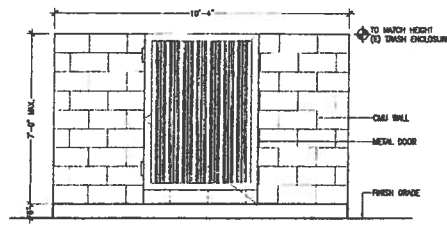
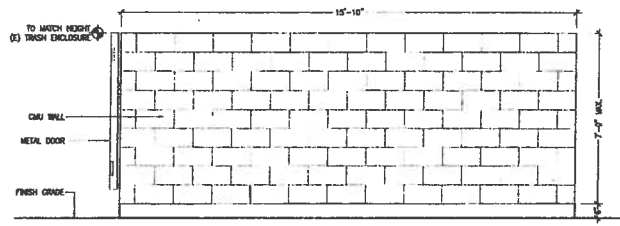
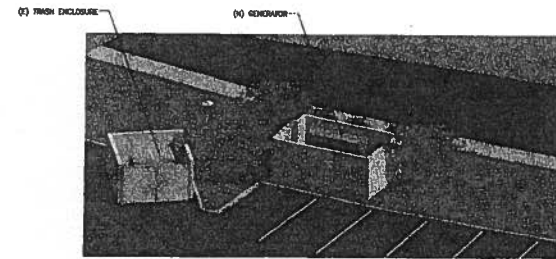
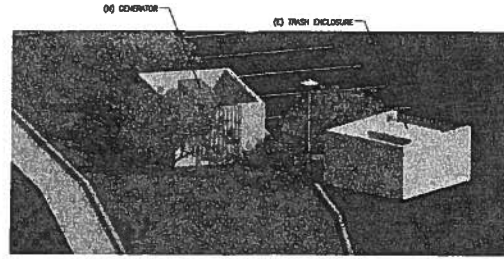
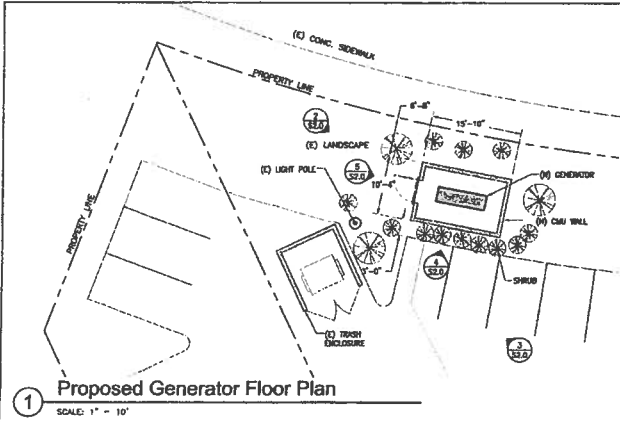
NO.	DATE	REVISION


 Sharon Heights Office Complex
 2200 Sand Hill Road
 Menlo Park, CA 94025

Date: 09/27/12
 Designer: A. RICHARDS
 Checker: S. MADRIGAL
 Title: L. FERRER
 Job: AS. SITE PLAN
 Sheet: MATT1201

S.I.O.
 Of Shooles

09/27/12
 Clayton Residence MATT1201
 Preliminary Set S2.0

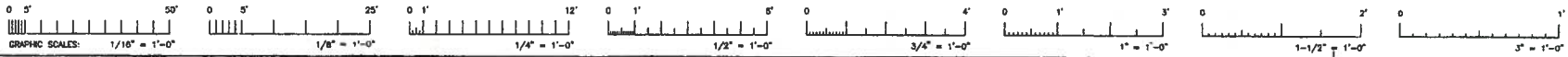


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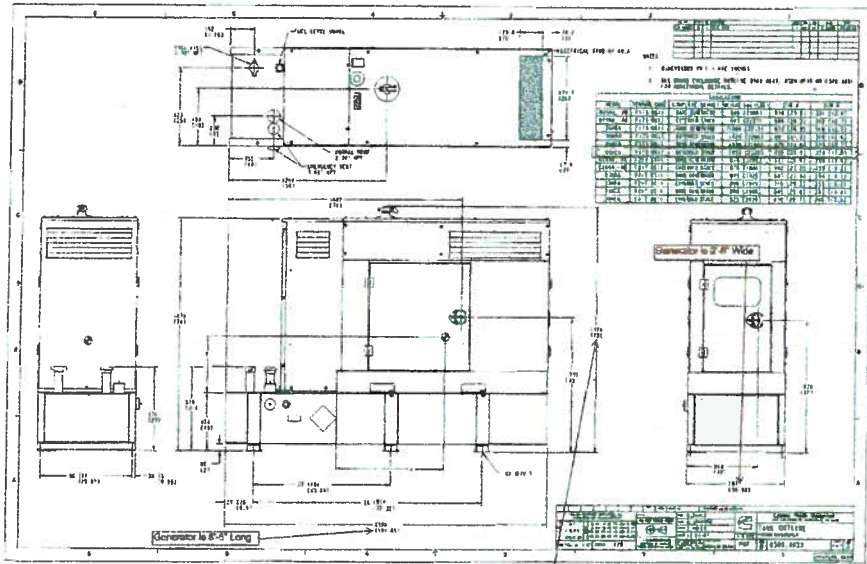
Sharon Heights Office Complex
 2200 Sand Hill Road
 Menlo Park, CA 9

DATE: 09/27/12
 Designer: RAJESH
 Checked: RAJESH
 Drawn By: AS SHOWN
 Revise: AS SHOWN
 Job: MATT1201
 Sheet: S2.0
 Of Sheets: 14

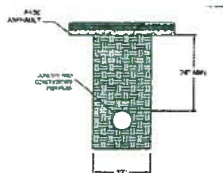
RAJESH ENGINEERS
 10000 S. DEER CREEK RD.
 SAN JOSE, CA 95138
 TEL: (415) 353-8888
 FAX: (415) 353-8889
 WWW: WWW.RAJESHENGINEERS.COM



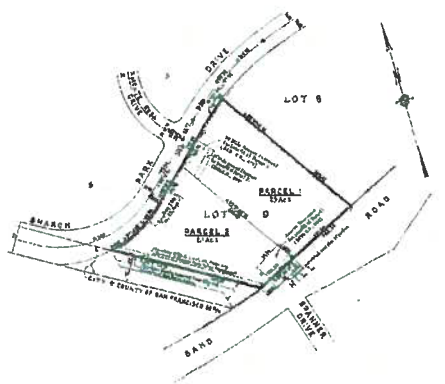
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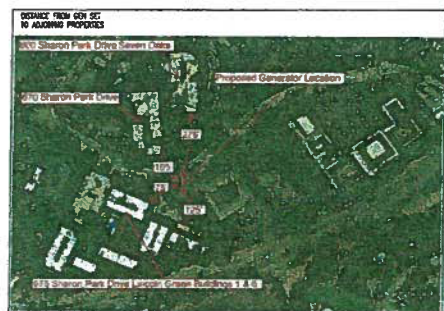
A GENERATOR DETAIL
SCALE: NTS



B TRENCH DETAIL
SCALE: NTS



C EXISTING PARCEL PLAN
SCALE: NTS



CITY OF MENLO PARK
LOCATION MAP
2200 SAND HILL ROAD

LIGHTSPEED
Address
LIGHTSPEED
2200 SAND HILL ROAD
MENLO PARK, CA

No.	Revisions	Date	By	App.
1	ISSUED FOR PERMIT	03/08/12		
2	CITY COMMENTS			
3	PROPOSED GENERATOR DETAIL			
4	RE-CORRECTED			

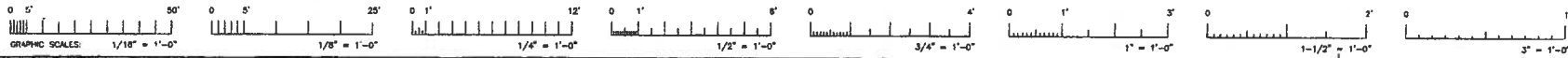


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ELECTRICAL SITE PLAN

Drawn by: JS SHOWN
Checked by: CAD DEPT.
Date: 02/09/2012
Project No. 283549
Sheet
E2.1
Of Sheets

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3 NW CORNER OF 2200 SAND HILL ROAD BUILDING
SCALE: NTS
E3.0



1 2200 SAND HILL ROAD FACING SHARON PARK DRIVE
NORTH SIDE OF BUILDING
SCALE: NTS
E3.0



4 PROPOSED GENERATOR LOCATION NEAR TRASH ENCLOSURE
15' SETBACK FROM THE SIDEWALK FACING SHARON DRIVE
SCALE: NTS
E3.0



2 NW CORNER OF 2200 SAND HILL ROAD BUILDING
SCALE: NTS
E3.0

Project
LIGHTSPEED

Address
**LIGHTSPEED
2200 SAND HILL ROAD
MENLO PARK, CA**

No.	Revisions	By	Date	Appr.
1	ISSUED FOR PERMIT		03/08/12	
2	CITY COMMENTS			
3	PROPOSED GENERATOR REPLACEMENT			
4				
5				
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7				
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10				



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Sheet Title
DETAILS

Scale: AS SHOWN
Drawn by: CJP/DPF
Checked by: BT/SL
Date: 03/09/2012

Project No: 26549
Sheet
E3.0
Of 20

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OCT 02 2012

2200 Sand Hill Road, Menlo Park, CACITY OF MENLO PARK
BUILDING**Emergency generator installation – project description (Updated 10/02/2012)**

1. The intent of this project is to provide emergency standby power for the tenant LightSpeed in case of a PG&E power failure. Lightspeed Venture Partners is a leading global venture capital firm with over \$2 billion of committed capital under management. A power loss without emergency back-up would be extremely detrimental to the firm's livelihood.
2. We will furnish and install (1) 25kw emergency standby generator at 2200 Sand Hill Road. The generator has a 126 gallon belly tank which will provide 48 hours of emergency standby power under full load.
3. The generator will be exercised per the manufacturer's recommendations which are (30) thirty minutes per month for a total of (6) six hours per year. The generator will be exercised from twelve noon to twelve thirty on the second Wednesday of each month.
4. This generator will only be connected to the tenant LightSpeed's server room and nothing else in the facility.
5. The generator enclosure is green in color, see attached paint sample and will be enclosed in a non-walk in weather proof sound attenuated enclosure.
6. No parking spaces have been or will be displaced for the installation of this generator.
7. There will also be an emergency panel and automatic transfer switch (ATS) located inside the tenants server room. The ATS will be connected to the emergency panel and will call for generator power if a power outage is detected.
8. The location of the generator was chosen to avoid displacing of parking spaces. The initial proposed location for the generator was in a planter area next to the building, but this location was rejected due to the slope of the landscape area and irrigation conflicts which would have called for the removal of several plants. In the current proposed location only some ivy ground cover will be disturbed.
9. Our plans also show the new generator enclosure which will house the generator. The new enclosure will be painted to match the adjacent trash enclosure.
10. Alternate locations were looked at such as the north east side of the building where air handlers and the PG&E transformer are located. Unfortunately there is no space available that would give the generator a 15' required clearance from combustible materials. Placing the generator here would also restrict PG&Es requirement to access their transformer.

UNIDOCs
FACILITY INFORMATION
BUSINESS OWNER/OPERATOR IDENTIFICATION PAGE

Page ____ of ____

I. IDENTIFICATION

FACILITY ID # (Agency Use Only)															1.	BEGINNING DATE	100.	ENDING DATE	101.	
BUSINESS NAME (Same as Facility Name or DBA -- Doing Business As)															3.	BUSINESS PHONE				102.
Lightspeed Venture Partners																(650) 234-8300				
BUSINESS SITE ADDRESS															103.	BUSINESS FAX				102a.
2200 Sand Hill Road, Suite 100																()				
BUSINESS SITE CITY										104.	ZIP CODE		105.	COUNTY				108.		
Menlo Park											CA 94025									
DUN & BRADSTREET										106.	PRIMARY SIC		107.	PRIMARY NAICS				107a.		
BUSINESS MAILING ADDRESS																108a.				
Same as above																				
BUSINESS MAILING CITY										108b.	STATE		108c.	ZIP CODE				108d.		
											CA									
BUSINESS OPERATOR NAME															109.	BUSINESS OPERATOR PHONE				110.
Lightspeed Venture Partners																(650) 234-8300				

II. BUSINESS OWNER

OWNER NAME															111.	OWNER PHONE				112.
REATA Company (Property Owner)																(650) 802-1800				
OWNER MAILING ADDRESS																113.				
c/o 1825 South Grant Street, Suite 700																				
OWNER MAILING CITY										114.	STATE		115.	ZIP CODE				116.		
San Mateo											CA			94402						

III. ENVIRONMENTAL CONTACT

CONTACT NAME															117.	CONTACT PHONE				118.
Michael Decaro																(650) 234-8300				
CONTACT MAILING ADDRESS															119.	CONTACT EMAIL				119a.
2200 Sand Hill Road																mdecaro@lightspeedvp.com				
CONTACT MAILING CITY										120.	STATE		121.	ZIP CODE				122.		
Menlo Park											CA			94025						

-PRIMARY-**IV. EMERGENCY CONTACTS****-SECONDARY-**

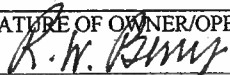
NAME										123.	NAME					128.
Arthur Gallo											Michael Decaro					
TITLE										124.	TITLE					129.
Building Maintenance											Director of IT					
BUSINESS PHONE										125.	BUSINESS PHONE					130.
(408) 888-0177											(650) 234-8300					
24-HOUR PHONE										126.	24-HOUR PHONE					131.
(877) 258-5296											(650) 234-8300					
PAGER #										127.	PAGER #					132.
()											()					

ADDITIONAL LOCALLY COLLECTED INFORMATION:

Billing Address: c/o 1825 South Grant Street, Suite 700 San Mateo, CA 94402

Property Owner: REATA Company Phone No.: (650) 802-1800

Certification: Based on my inquiry of those individuals responsible for obtaining the information, I certify under penalty of law that I have personally examined and am familiar with the information submitted and believe the information is true, accurate, and complete.

SIGNATURE OF OWNER/OPERATOR OR DESIGNATED REPRESENTATIVE										DATE	134.	NAME OF DOCUMENT PREPARER				135.
										7	7	Russell W. Berry				
NAME OF SIGNER (print)										136.	137.					
Russell W. Berry - Matteson Realty Services, Inc., Agent											ice President					

Non-Waste Hazardous Materials Inventory Statement

For use by Unidocs Member Agencies or where approved by your Local Jurisdiction

te: 5/25/12

Business Name: **Lightspeed Venture Partners** Type of Report on This Page: Add; Delete; Revise
as Facility Name Page of
(One page per building or area)

Facility Location: **N/A - General Office** EPCRA Confidential Location? Yes; No
Building/Storage Area Trade Secret Information? Yes; No Facility ID #
(Agency Use Only)

Z. SS	2. Map and Grid or Location Code	3. Common Name	4. Hazardous Components (For mixtures only)			5. Type and Physical State	6. Quantities			7. Units	8. Storage Codes		9. Hazard Categories
			Chemical Name	% Wt.	EHS		CAS No.	Max. Daily	Average Daily		Largest Cont.	Storage Pressure	
		No 2 Diesel Fuel			<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input checked="" type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input checked="" type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS Diesel Fuel #2 Naphthalene			<input type="checkbox"/>	<input type="checkbox"/> solid <input checked="" type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: * R			
					<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS			<input type="checkbox"/>	<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: *			
					<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS			<input type="checkbox"/>	<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: *			
					<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS			<input type="checkbox"/>	<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: *			
					<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS			<input type="checkbox"/>	<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: *			
					<input type="checkbox"/>	<input type="checkbox"/> pure <input type="checkbox"/> mixture				<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		CAS No. <input type="checkbox"/> EHS			<input type="checkbox"/>	<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas		Curies: (If radioactive)	Days On Site:	Storage Container: *			

- | | | | | | |
|--------------------------|-----------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Code Storage Type | Code Storage Type | Code Storage Type | Code Storage Type | Code Storage Type | Code Storage Type |
| A Aboveground Tank | D Steel Drum | G Carboy | J Bag | M Glass Bottle or Jug | P Tank Wagon |
| B Belowground Tank | E Plastic/Non-metallic Drum | H Silo | K Box | N Plastic Bottle or Jug | Q Rail Car |
| C Tank Inside Building | F Can | I Fiber Drum | L Cylinder | O Tote Bin | R Other |

If EPCRA, sign below: _____

Hazardous Waste Inventory Statement

For use by Unidocs Member Agencies or where approved by your Local Jurisdiction

Date: 5/23/12

Business Name: Lightspeed Venture Partners <small>(Same as Facility Name or DBA)</small>	Type of Report on This Page: <input type="checkbox"/> Add; <input type="checkbox"/> Delete; <input type="checkbox"/> Revise	Page _____ of _____ <small>(One page per building or area)</small>
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Chemical Location: N/A - General Office <small>(Building/Storage Area)</small>	EPCRA Confidential Location? <input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No Trade Secret Information? <input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No	Facility ID # <small>(Agency Use Only)</small>
--	---	--

1. Haz. Class	2. Map and Grid or Location Code	3. Waste Stream Name	4. Hazardous Components			5. Type and Physical State	6. Quantities			7. Annual Waste Amount	8. Units	9. Storage Codes		10. Hazard Categories
			Chemical Name	% Wt.	EHS		CAS No.	Max. Daily	Average Daily			Largest Cont.	Storage Pressure	
						<input checked="" type="checkbox"/> waste					<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure r <input type="checkbox"/> acute heal. <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		Management Method:				<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas	Curies: <small>(If radioactive)</small>	Days On Site:	Storage Container:*	State Waste Code:				
		<input type="checkbox"/> Shipped Off-site												
		<input type="checkbox"/> Recycled On-site												
		<input type="checkbox"/> Treated On-site												
						<input checked="" type="checkbox"/> waste					<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		Management Method:				<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas	Curies: <small>(If radioactive)</small>	Days On Site:	Storage Container:*	State Waste Code:				
		<input type="checkbox"/> Shipped Off-site												
		<input type="checkbox"/> Recycled On-site												
		<input type="checkbox"/> Treated On-site												
						<input checked="" type="checkbox"/> waste					<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		Management Method:				<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas	Curies: <small>(If radioactive)</small>	Days On Site:	Storage Container:*	State Waste Code:				
		<input type="checkbox"/> Shipped Off-site												
		<input type="checkbox"/> Recycled On-site												
		<input type="checkbox"/> Treated On-site												
						<input checked="" type="checkbox"/> waste					<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		Management Method:				<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas	Curies: <small>(If radioactive)</small>	Days On Site:	Storage Container:*	State Waste Code:				
		<input type="checkbox"/> Shipped Off-site												
		<input type="checkbox"/> Recycled On-site												
		<input type="checkbox"/> Treated On-site												
						<input checked="" type="checkbox"/> waste					<input type="checkbox"/> gallons <input type="checkbox"/> pounds <input type="checkbox"/> cu. feet <input type="checkbox"/> tons	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb.	<input type="checkbox"/> ambient <input type="checkbox"/> > amb. <input type="checkbox"/> < amb. <input type="checkbox"/> cryogenic	<input type="checkbox"/> fire <input type="checkbox"/> reactive <input type="checkbox"/> pressure release <input type="checkbox"/> acute health <input type="checkbox"/> chronic health <input type="checkbox"/> radioactive
		Management Method:				<input type="checkbox"/> solid <input type="checkbox"/> liquid <input type="checkbox"/> gas	Curies: <small>(If radioactive)</small>	Days On Site:	Storage Container:*	State Waste Code:				
		<input type="checkbox"/> Shipped Off-site												
		<input type="checkbox"/> Recycled On-site												
		<input type="checkbox"/> Treated On-site												

* Code	Storage Type	Code	Storage Type	Code	Storage Type	Code	Storage Type	Code	Storage Type	Code	Storage Type
A	Aboveground Tank	D	Steel Drum	G	Carboy	J	Bag	M	Glass Bottle or Jug	P	Tank Wagon
B	Belowground Tank	E	Plastic/Nonmetallic Drum	H	Silo	K	Box	N	Plastic Bottle or Jug	Q	Rail Car
C	Tank Inside Building	F	Can	I	Fiber Drum	L	Cylinder	O	Tote Bin	R	Other

If EPCRA, sign below:

UNIDOCs
FACILITY INFORMATION
BUSINESS ACTIVITIES PAGE

I. FACILITY IDENTIFICATION

FACILITY ID # <i>(Agency Use Only)</i>	1	EPA ID # (Hazardous Waste Only)	2.
BUSINESS NAME <i>(Same as Facility Name or DBA - Doing Business As)</i>			
Lightspeed Venture Partners			
BUSINESS SITE ADDRESS			
2200 Sand Hill Road, Suite 100			
BUSINESS SITE CITY	104.	CA	105.
Menlo Park		ZIP CODE 94025	

II. ACTIVITIES DECLARATION

**NOTE: If you check YES to any part of this list,
please submit the Business Owner/Operator Identification page.**

Does your facility...	If Yes, please complete these pages of the UPCF...
A. HAZARDOUS MATERIALS Have on site (for any purpose) at any one time, hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in ASTs and USTs); or the applicable Federal threshold quantity for an extremely hazardous substance specified in 40 CFR Part 355, Appendix A or B; or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 4. HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION
B. REGULATED SUBSTANCES Have Regulated Substances stored onsite in quantities greater than the threshold quantities established by the California Accidental Release Prevention Program (CalARP)?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 4a. Coordinate with your local agency responsible for CalARP.
C. UNDERGROUND STORAGE TANKS (USTs) Own or operate underground storage tanks?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 5. UST OPERATING PERMIT APPLICATION – FACILITY INFORMATION UST OPERATING PERMIT APPLICATION – TANK INFORMATION
D. ABOVE GROUND PETROLEUM STORAGE Own or operate ASTs above these thresholds: Store greater than 1,320 gallons of petroleum products (new or used) in aboveground tanks or containers?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 8. No form required to CUPAs
E. HAZARDOUS WASTE Generate hazardous waste? Recycle more than 100 kg/month of excluded or exempted recyclable materials (per HSC §25143.2)? Treat hazardous waste onsite? Perform treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)? Consolidate hazardous waste generated at a remote site? Need to report the closure/removal of a tank that was classified as hazardous waste and cleaned onsite? Generate in any single calendar month 1,000 kilograms (kg) (2,200 pounds) or more of federal RCRA hazardous waste, or generate in any single calendar month, or accumulate at any time, 1 kg (2.2 pounds) of RCRA acute hazardous waste; or generate or accumulate at any time more than 100 kg (220 pounds) of spill cleanup materials contaminated with RCRA acute hazardous waste? Serve as a Household Hazardous Waste (HHW) Collection site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 9. EPA ID NUMBER – provide at top of this page <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 10. RECYCLABLE MATERIALS REPORT (one per recycler) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 11. ONSITE HAZARDOUS WASTE TREATMENT NOTIFICATION – FACILITY PAGE ONSITE HAZARDOUS WASTE TREATMENT NOTIFICATION – UNIT PAGE (one page per unit) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 12. CERTIFICATION OF FINANCIAL ASSURANCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 13. REMOTE WASTE CONSOLIDATION SITE ANNUAL NOTIFICATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14. HAZARDOUS WASTE TANK CLOSURE CERTIFICATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14a. Obtain federal EPA ID Number, file Biennial Report (EPA Form 8700-13A/B), and satisfy requirements for RCRA Large Quantity Generator. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14b. See CUPA for required forms.
F. LOCAL REQUIREMENTS (You may also be required to provide additional info	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 15. (your CUPA or local agency.)

Emergency Response/Contingency Plan

(Hazardous Materials Business Plan Module)

Authority Cited: HSC§ 25504(b); 19 CCR §2731; 22 CCR §66262.34(a)(4)

All facilities that handle hazardous materials in HMBP quantities must have a written emergency response plan. In addition, facilities that generate 1,000 kilograms or more of hazardous waste (or more than 1 kilogram of acutely hazardous waste or 100 kilograms of debris resulting from the spill of an acutely hazardous waste) per month, or accumulate more than 6,000 kilograms of hazardous waste on-site at any one time, must prepare a hazardous waste contingency plan. Because the requirements are similar, they have been combined in a single document, provided below, for your convenience. This plan is a required module of the Hazardous Materials Business Plan (HMBP). **If you already have a plan that meets these requirements, you should not complete the blank plan, below, but you must include a copy of your existing plan as part of your HMBP.**

This site-specific Emergency Response/Contingency Plan is the facility's plan for dealing with emergencies and shall be implemented immediately whenever there is a fire, explosion, or release of hazardous materials that could threaten human health and/or the environment. **At least one copy of the plan shall be maintained at the facility for use in the event of an emergency and for inspection by the local agency.** A copy of the plan and any revisions must be provided to any contractor, hospital, or agency with whom special (i.e., contractual) emergency services arrangements have been made (*see section 3, below*).

1. Evacuation Plan:

a. The following alarm signal(s) will be used to begin evacuation of the facility (*check all that apply*):

Bells; Horns/Sirens; Verbal (*i.e., shouting*); Other (*specify*) P.A. System

b. Evacuation map is prominently displayed throughout the facility.

Note: A properly completed HMBP Site Plan satisfies contingency plan map requirements. This drawing (or any other drawing that shows primary and alternate evacuation routes, emergency exits, and primary and alternate staging areas) must be prominently posted throughout the facility in locations where it will be visible to employees and visitors.

2. a. Emergency Contacts:*

Fire/Police/Ambulance Phone No.: **911**

California Emergency Management Agency Phone No.: **(800) 852-7550**

b. Post-Incident Contacts:*

Certified Unified Program Agency (CUPA) Phone No.: (408) 918-3400

Local Hazardous Materials Program Phone No.: (650) 372-6200

California Department of Toxic Substances Control (DTSC) Phone No.: (510) 540-2122

Cal/OSHA Division of Occupational Safety and Health Phone No.: (510) 286-7000

Air Quality Management District Phone No.: (415) 771-6000

Regional Water Quality Control Board Phone No.: (510) 622-2300

* Phone numbers for agencies in Unidocs Member Agency geographic jurisdictions are available at www.unidocs.org.

c. Emergency Resources:

Poison Control Center* Phone No.: **(800) 876-4766**

Nearest Hospital: Name: Stanford Phone No.: (650) 723-5111

Address: 300 Pasteur Drive City: Palo Alto

3. Arrangements With Emergency Responders: N/A

If you have made special (i.e., contractual) arrangements with any police department, fire department, hospital, contractor, or State or local emergency response team to coordinate emergency services, describe those arrangements below:

Emergency Response/Contingency Plan (Hazardous Materials Business Plan Module)

8. Emergency Equipment:

22 CCR §66265.52(e) [as referenced by 22 CCR §66262.34(a)(4)] requires that emergency equipment at the facility be listed. Completion of the following Emergency Equipment Inventory Table meets this requirement.

EMERGENCY EQUIPMENT INVENTORY TABLE

1. Equipment Category	2. Equipment Type	3. Locations *	4. Description**
Personal Protective Equipment, Safety Equipment, and First Aid Equipment	<input type="checkbox"/> Cartridge Respirators		
	<input type="checkbox"/> Chemical Monitoring Equipment <i>(describe)</i>		
	<input type="checkbox"/> Chemical Protective Aprons/Coats		
	<input type="checkbox"/> Chemical Protective Boots		
	<input type="checkbox"/> Chemical Protective Gloves		
	<input type="checkbox"/> Chemical Protective Suits <i>(describe)</i>		
	<input type="checkbox"/> Face Shields		
	<input type="checkbox"/> First Aid Kits/Stations <i>(describe)</i>		
	<input type="checkbox"/> Hard Hats		
	<input type="checkbox"/> Plumbed Eye Wash Stations		
	<input type="checkbox"/> Portable Eye Wash Kits <i>(i.e., bottle type)</i>		
	<input type="checkbox"/> Respirator Cartridges <i>(describe)</i>		
	<input type="checkbox"/> Safety Glasses/Splash Goggles		
	<input type="checkbox"/> Safety Showers		
<input type="checkbox"/> Self-Contained Breathing Apparatuses (SCBA)			
<input type="checkbox"/> Other <i>(describe)</i>			
Fire Extinguishing Systems	<input type="checkbox"/> Automatic Fire Sprinkler Systems		
	<input type="checkbox"/> Fire Alarm Boxes/Stations		
	<input type="checkbox"/> Fire Extinguisher Systems <i>(describe)</i>		
	<input checked="" type="checkbox"/> Fire Extinguishers <i>(describe)</i>	At Generator	
	<input type="checkbox"/> Other <i>(describe)</i>		
Spill Control Equipment and Decontamination Equipment	<input type="checkbox"/> Absorbents <i>(describe)</i>		
	<input type="checkbox"/> Berms/Dikes <i>(describe)</i>		
	<input type="checkbox"/> Decontamination Equipment <i>(describe)</i>		
	<input type="checkbox"/> Emergency Tanks <i>(describe)</i>		
	<input type="checkbox"/> Exhaust Hoods		
	<input type="checkbox"/> Gas Cylinder Leak Repair Kits <i>(describe)</i>		
	<input type="checkbox"/> Neutralizers <i>(describe)</i>		
	<input type="checkbox"/> Overpack Drums		
	<input type="checkbox"/> Sumps <i>(describe)</i>		
	<input checked="" type="checkbox"/> Other <i>(describe)</i>	At Generator	5-gallon overfill/spill basin
Communications and Alarm Systems	<input type="checkbox"/> Chemical Alarms <i>(describe)</i>		
	<input checked="" type="checkbox"/> Intercoms/ PA Systems		
	<input type="checkbox"/> Portable Radios		
	<input checked="" type="checkbox"/> Telephones	Throughout	
	<input checked="" type="checkbox"/> Tank Leak Detection Systems	At Generator	Low level and leak detection switch
<input type="checkbox"/> Other <i>(describe)</i>			
Additional Equipment <i>(Use Additional Pages if Needed.)</i>	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

* Use the map and grid numbers from the Storage Map prepared

for your HMBP.

** Describe the equipment and its capabilities. If applicable, attach additional pages, numbered appropriately, if needed.

testing/maintenance procedures/intervals. Attach

Employee Training Plan

(Hazardous Materials Business Plan Module)

Authority Cited: HSC, Section 25504(c); 22 CCR §66262.34(a)(4)

All facilities that handle hazardous materials in HMBP quantities must have a written employee training plan. This plan is a required module of the Hazardous Materials Business Plan (HMBP). A blank plan has been provided below for you to complete and submit if you do not already have such a plan. **If you already have a brief written description of your training program that addresses all subjects covered below, you are not required to complete the blank plan, below, but you must include a copy of your existing document as part of your HMBP.**

Check all boxes that apply. [Note: Items marked with an asterisk (*) are required.]:

1. Personnel are trained in the following procedures: N/A Fueling and maintenance of the generator will be done by qualified sub-contractors

<input type="checkbox"/>	Internal alarm/notification *		
<input type="checkbox"/>	Evacuation/re-entry procedures & assembly point locations*		
<input type="checkbox"/>	Emergency incident reporting		
<input type="checkbox"/>	External emergency response organization notification		
<input type="checkbox"/>	Location(s) and contents of Emergency Response/Contingency Plan		
<input type="checkbox"/>	Facility evacuation drills, that are conducted at least (specify):		(e.g., "Quarterly", etc.)

2. Chemical Handlers are additionally trained in the following: N/A

<input type="checkbox"/>	Safe methods for handling and storage of hazardous materials *		
<input type="checkbox"/>	Location(s) and proper use of fire and spill control equipment		
<input type="checkbox"/>	Spill procedures/emergency procedures		
<input type="checkbox"/>	Proper use of personal protective equipment *		
<input type="checkbox"/>	Specific hazard(s) of each chemical to which they may be exposed, including routes of exposure (i.e., inhalation, ingestion, absorption) *		
<input type="checkbox"/>	Hazardous Waste Handlers/Managers are trained in all aspects of hazardous waste management specific to their job duties (e.g., container accumulation time requirements, labeling requirements, storage area inspection requirements, manifesting requirements, etc.) *		

3. Emergency Response Team Members are capable of and engaged in the following: N/A

Complete this section only if you have an in-house emergency response team

<input type="checkbox"/>	Personnel rescue procedures		
<input type="checkbox"/>	Shutdown of operations		
<input type="checkbox"/>	Liaison with responding agencies		
<input type="checkbox"/>	Use, maintenance, and replacement of emergency response equipment		
<input type="checkbox"/>	Refresher training, which is provided at least annually *		
<input type="checkbox"/>	Emergency response drills, which are conducted at least (specify):		(e.g., "Quarterly", etc.)

Record Keeping N/A
(Hazardous Materials Business Plan Module)

All facilities that handle hazardous materials must maintain records associated with their management. A summary of your record keeping procedures is a required module of the Unidocs Hazardous Materials Business Plan (HMBP). A blank summary has been provided below for you to complete and submit if you do not already have such a document. **If you already have a brief written description of your hazardous materials record keeping systems that addresses all subjects covered below, you are not required to complete this page, but you must include a copy of your existing document as part of your HMBP.**

Check all boxes that apply. The following records are maintained at the facility. [Note: Items marked with an asterisk (*) are required.]:

<input type="checkbox"/>	Current employees' training records (to be retained until closure of the facility) *
<input type="checkbox"/>	Former employees' training records (to be retained at least three years after termination of employment) *
<input type="checkbox"/>	Training Program(s) (i.e., written description of introductory and continuing training) *
<input type="checkbox"/>	Current copy of this Emergency Response/Contingency Plan *
<input type="checkbox"/>	Record of recordable/reportable hazardous material/waste releases *
<input type="checkbox"/>	Record of hazardous material/waste storage area inspections *
<input type="checkbox"/>	Record of hazardous waste tank daily inspections *
<input type="checkbox"/>	Description and documentation of facility emergency response drills

Note: The above list of records does not necessarily identify every type of record required to be maintained by the facility.

Note: The following section applies where local agencies require facility owners/operators to perform and document routine facility self-inspections:

A copy of the Inspection Check Sheet(s) or Log(s) used in conjunction with required routine self-inspections of your facility must be submitted with your HMBP. [Exception: Unidocs provides a Hazardous Materials/Waste Storage Area Inspection Form that you may use if you do not already have your own form. If you use the Unidocs form (available at www.unidocs.org), you do not need to attach a copy.]

Check the appropriate box:

<input checked="" type="checkbox"/>	We will use the Unidocs "Hazardous Materials/Waste Storage Area Inspection Form" to document inspections.
<input checked="" type="checkbox"/>	We will use our own documents to record inspections. (A blank copy of each document used must be attached to this HMBP.)



**DEVELOPMENT SERVICES
PLANNING DIVISION**
Contact: Kyle Perata 650-330-6721 or
ktperata@menlopark.org
 701 Laurel Street
 Menlo Park, CA 94025
 PHONE (650) 330-6702
 FAX (650) 327-1653

AGENCY REFERRAL FORM
RETURN DUE DATE: Wednesday, August 8, 2012

DATE: July 25, 2012

TO: MENLO PARK FIRE PROTECTION DISTRICT
 Ron Keefer
 170 Middlefield Road
 Menlo Park, CA 94025
 (650) 323-2407

Applicant	Lightspeed Venture Partners
Applicant's Address	2200 Sand Hill Road, Suite 100, Menlo park, CA 94025
Telephone/FAX	Tel: 408-534-2827 (Consultant)
Contact Person	Steve Loeffler (408-534-2827)
Business Name	Lightspeed Venture Partners
Type of Business	The applicant is proposing an emergency generator to serve the tenants of a multi-story office building.
Project Address	2200 Sand Hill Road, Menlo park, CA 94025

FOR OFFICE USE ONLY	
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this agency.	
<input checked="" type="checkbox"/> The Fire District has reviewed the applicant's plans and use of listed hazardous materials/chemicals and has found the proposal to be in compliance with all applicable Fire Codes.	
<input type="checkbox"/> The Fire District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Use Permit approval (please list the suggested conditions and mitigation measures).	
The applicant's proposal has been reviewed by the Menlo Park Fire Protection District by:	
Signature/Date	Name/Title (printed)
<i>[Signature]</i> 7/25/12	Ron Keefer Assit FM
Comments:	



**DEVELOPMENT SERVICES
PLANNING DIVISION**
 Contact: Kyle Perata 650-330-6721 or
 ktperata@menlopark.org
 701 Laurel Street
 Menlo Park, CA 94025
 PHONE (650) 330-6702
 FAX (650) 327-1653

AGENCY REFERRAL FORM
RETURN DUE DATE: Wednesday, August 8, 2012

DATE: July 25, 2012

TO: SAN MATEO COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION
 Dan Romf, Hazardous Materials Specialist
 San Mateo County Environmental Health
 2000 Alameda de las Pulgas, Ste 100
 San Mateo, CA 94403
 (650) 372-6235

Applicant	Lightspeed Venture Partners	
Applicant's Address	2200 Sand Hill Road, Suite 100, Menlo park, CA 94025	
Telephone/FAX	Tel: 408-534-2827 (Consultant)	
Contact Person	Steve Loeffler (408-534-2827)	
Business Name	Lightspeed Venture Partners	
Type of Business	The applicant is proposing an emergency generator to serve the tenants of a multi-story office building.	
Project Address	2200 Sand Hill Road, Menlo park, CA 94025	
FOR OFFICE USE ONLY		
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this agency.		
<input checked="" type="checkbox"/> The Health Department has reviewed the applicant's plans and use of listed hazardous materials/chemicals and has found the proposal to be in compliance with all applicable Codes.		
<input type="checkbox"/> The Health Department has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Use Permit approval (please list the suggested conditions and mitigation measures). The Health Department will inspect the facility once it is in operation to assure compliance with applicable laws and regulations.		
The applicant's proposal has been reviewed by the San Mateo County Environmental Health Services Division by:		
Signature/Date	8/29/12	Name/Title (printed) Dan Romf UMSH
Comments:	Approved	



**DEVELOPMENT SERVICES
PLANNING DIVISION**

701 Laurel Street
Menlo Park, CA 94025
PHONE (650) 858-3400
FAX (650) 327-5497

AGENCY REFERRAL FORM

DATE: July 26, 2012

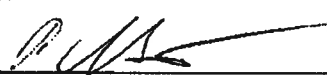
TO: WEST BAY SANITARY DISTRICT
500 Laurel Street
Menlo Park, CA 94025
(650) 321-0384

Applicant	Lightspeed Venture Partners
Applicant's Address	2200 Sand Hill Road, Suite 100, Menlo park, CA 94025
Telephone/FAX	Tel: 408-534-2827 (Consultant)
Contact Person	Steve Loeffler (408-534-2827)
Business Name	Lightspeed Venture Partners
Type of Business	The applicant is proposing an emergency generator to serve the tenants of a multi-story office building.
Project Address	2200 Sand Hill Road, Menlo park, CA 94025

FOR OFFICE USE ONLY

- The hazardous materials listed are not of sufficient quantity to require approval by this agency.
- The Sanitary District has reviewed the applicant's proposed plans and use of listed hazardous materials/chemicals and has found that the proposal meets all applicable Code requirements.
- The Sanitary District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Use Permit approval (please list the suggested conditions and mitigation measures).

The applicant's proposal has been reviewed by the West Bay Sanitary District by: Jed Bever
Inspector

Signature/Date 	Name/Title (printed) Phil Scott District Manager
Comments:	



**DEVELOPMENT SERVICES
PLANNING DIVISION**
 Contact: Kyle Perata 650-330- 6721 or
 ktperata@menlopark.org
 701 Laurel Street
 Menlo Park, CA 94025
 PHONE (650) 330-6702
 FAX (650) 327-1653

AGENCY REFERRAL FORM
RETURN DUE DATE: Wednesday, August 8, 2012

DATE: July 25, 2012

TO: CITY OF MENLO PARK BUILDING DIVISION
 701 Laurel Street
 Menlo Park, CA 94025
 (650) 330-6704

Applicant	Lightspeed Venture Partners
Applicant's Address	2200 Sand Hill Road, Suite 100, Menlo park, CA 94025
Telephone/FAX	Tel: 408-534-2827 (Consultant)
Contact Person	Steve Loeffler (408-534-2827)
Business Name	Lightspeed Venture Partners
Type of Business	The applicant is proposing an emergency generator to serve the tenants of a multi-story office building.
Project Address	2200 Sand Hill Road, Menlo park, CA 94025
FOR OFFICE USE ONLY	
<input type="checkbox"/> The hazardous materials listed are not of sufficient quantity to require approval by this Division. <input checked="" type="checkbox"/> The Building Division has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable California Building Code requirements. <input type="checkbox"/> The Building Division has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures to be made a part of the City's Use Permit approval (please list the suggested conditions and mitigation measures).	
The applicant's proposal has been reviewed by the City of Menlo Park's Building Division by:	
Signature/Date <i>Ron LaFrance 8/23/12</i>	Name/Title (printed) Ron LaFrance, Building Official
Comments: <i>Must comply with Section 3404.4.6 of the 2010 CFC</i>	

ATTACHMENT G

December 10, 2012

Margaret Roberts, MMC
City Clerk
701 Laurel Street
Menlo Park, CA 94025-3469

Dear Ms. Roberts,

This letter appeals to the City Council against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, proposed by the property owner of 2200 Sand Hill Road in Menlo Park for the convenience of a venture capitalist company which leases part of that property. The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district.

Some residents of Lincoln Green, a residential condominium development located at 675 Sharon Park Drive, who live adjacent to the rear of the 2200 Sand Hill Road property --- where the diesel generator is sited --- share concerns about the choice of backup emergency power. Their concerns include the generator's noise, safety (fire/explosion hazard), particulate matter (PM) 2.5 (fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less), and toxic air contaminants (formed in the atmosphere by reactions among different pollutants such as those from vehicular traffic on Sand Hill Road and Sharon Park Drive) that may or may not pose a threat to human health in terms of increased cancer and non-cancer risk (chronic and acute). Some residents have suggested that Sharon Park Drive traffic could inadvertently drive into the generator causing rupture, explosion, and serious health risks (airborne contaminants and fire) to the Lincoln Green residents. A fire could spread quickly due to the natural gas laundry facility located 100 feet from the planned site.

Residents are concerned about the generator and storage tanks being located 53 feet from the Lincoln Green property line, especially when they observe the size of the parking lot and atrium at 2200 Sand Hill Road noting that the location could be changed. Other Lincoln Green residents recommend that an alternative fuel and power source be sought, such as biodiesel, stationary battery, fuel cell, or natural gas --- instead of diesel, which is considered a *passé* option.¹

Further, as recommended by the Bay Area Air Quality Management District, *California Environmental Quality Act, Air Quality Guidelines*, the construction (tear up and re-paving of the asphalt) for the conduit from the generator to the building, operational impacts (noise, safety and health risks), and mobile source (diesel delivery truck) impacts the local population. The health of people who opt to walk on the side walk or ride bikes on Sharon Park Drive, of which there are many, is at risk.

This energy project is very likely to impact sensitive individuals (segments of the population most susceptible to poor air quality: children, the elderly, and those with pre-existing serious health

¹ Federal and state renewable fuel incentives exist to help defray the cost of biodiesel. According to Bonneville Power (only one source of information on biodiesel), a principal benefit of biodiesel is significantly reduced air emissions. See section IV-A of http://transmission.bpa.gov/PlanProj/Non-Wires_Round_Table/NonWireDocs/BiodieselOlympicPeninsula%20_7_04.pdf

problems affected by air quality) who spend significant amount of their time at Lincoln Green. For all of these reasons, this letter appeals to the City Council against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company at 2200 Sand Hill Road in Menlo Park.

Attached is a list of residents in Lincoln Green who support, as evidenced by their signature, appeal of the permit for the diesel backup generator at 2200 Sharon Park Drive. These people have received a copy of this letter.

Further information on Diesel Health Effects can be found at <http://www.arb.ca.gov/research/diesel/diesel-health.htm>.

Thank you for your consideration,



Dennis Monohan


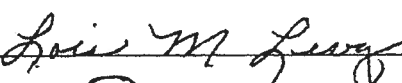
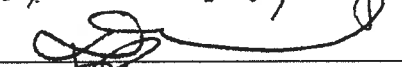
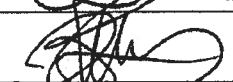
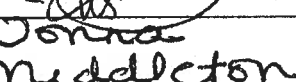
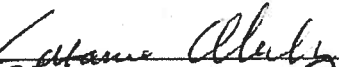
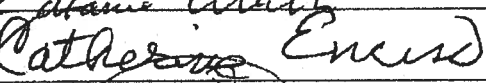
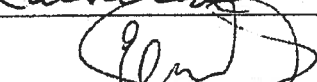

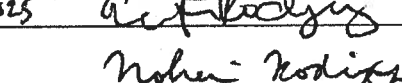


675 Sharon Park Drive
Apt. 208
Menlo Park, CA 94025
650-854-8934

Attachment: Signature list of concerned individuals living in Lincoln Green

By signing below, I support the appeal to the City Council (Menlo Park, CA) against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company (located at 2200 Sand Hill Road, Menlo Park, CA). The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district. Each signature represents an individual person who does not agree with the location of the proposed diesel generator.

	Date	Printed Name	Street Address	Signature
1	12/7/2012	Pam Rezvani	675 Sharon Park Dr. #205 Menlo Park, CA 94025	Pam Rezvani
2	12/7/12	JA LALI	675 SHARON PARK DR #203 MENLO PARK	J. Lali
3	12/7/2012	ERHAN YENILMEZ	675 SHARON PARK DR APT 206 MENLO PARK, CA 94025	E Yenilmez
4	12/17/12	Ursula Berg	675 Sharon Park Dr. #305 Menlo Park, CA 94025	Ursula Berg
5	12/8/12	Jean Baronas	675 Sharon Park Dr #208 Menlo Park, CA 94025	Jean Baronas
6	12/7/12	Dennis Monohan	675 Sharon Park Dr #208 Menlo Park, CA	Dennis Monohan
7	12/7/12	Marc Struve	675 Sharon Park Dr. #302 Menlo Park CA	Marc Struve
8	12/7/12	Audrey Struve	675 Sharon Park Dr. #302 Menlo Park, CA	Audrey Struve
9	12/7/12	Paul Studemeier	675 Sharon Park Drive, #212 Menlo Park, CA	Paul Stud
10	12/7/12	Yumiko Itoh	675 Sharon Park Dr. #236 Menlo Park, CA 94025	Yumiko Itoh
11	12/6/12	Rebecca Armenta	675 Sharon Park Dr #204 Menlo Park CA 94025	Rebecca Armenta
12	12/5/12	Dave Doe	675 Sharon Park #106	Dave Doe

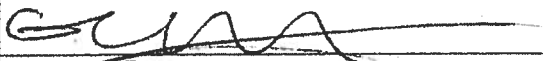
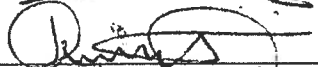
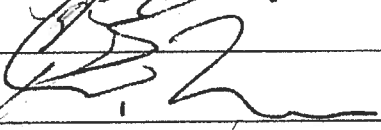


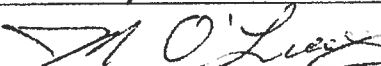
By signing below, I support the appeal to the City Council (Menlo Park, CA) against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company (located at 2200 Sand Hill Road, Menlo Park, CA). The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district. Each signature represents an individual person who does not agree with the location of the proposed diesel generator.

	Date	Printed Name	Street Address	Signature
13	12/8	MARIA TERESA FRANCO	675 SHARON PARK DR #105	
14	12/8	Lois M Levy	675 Sharon Park Dr. #110	
15	12/8	DIANNE ELLSWORTH	675 Sharon Park Dr. #102	
16	12/8	Themobile M tafa	675 Sharon Park Dr #112	
17	12/8	Donna Middleton	675 Sharon Park DR #111	
18	12/8	Sertom T Obuchi	675 Sharon Park Dr. #101	
19	12/8	Catherine Enciso	675 Sharon Park Dr. 202	
20	11/8	Ernesto Paizer	675 Sharon Park Dr. 311	
21	12/8	ARTURO RODRIGUEZ	675 SHARON PARK DR. #301 Menlo PARK CA 94025	
22	12/8	NOHEMI RODRIGUEZ	675 SHARON PARK DR. #301 Menlo Park CA 94025	
23	12/8	Math Baker	675 Sharon Park Dr. #134, MP, CA 94025	
24	12/8	Emiliana Baker same ↑		

By signing below, I support the appeal to the City Council (Menlo Park, CA) against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company (located at 2200 Sand Hill Road, Menlo Park, CA). The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district. Each signature represents an individual person who does not agree with the location of the proposed diesel generator.

	Date	Printed Name	Street Address	Signature
25	12/8/12	Sally A. Halstead-Hersch	675 Sharon Park Dr. #234 Menlo Park	Sally Halstead-Hersch
26	12/8/12	H. Van Welft	675 Sharon Park Dr #232 Menlo Park	H. Van Welft
27	12/8/12	DAVID KOENIG	675 SHARON PARK DR. #129	David Koening
28	1/4/13	Mark Coster	675 Sharon Park Dr. #237 Menlo Park 94025	Mark Coster
29	12/8/12	Jim Nippos	675 Sharon Park Dr. #245	Jim Nippos
30	12/8/12	Mary Rohan	675 Sharon Park Dr #245	Mary Rohan
31	12/8/12	Judy Wong	675 Sharon Park Dr #141	Judy Wong
32	12/8/12	ANITA WALDMAN	675 SHARON PARK DR #307	Anita Waldman
33	12/9/12	MICHA JASINS	675 Sharon Park Dr #132	Michael Jasins
34	12/10/12	JUDITH S JACKSON	675 Sharon Park Dr #128 - Menlo Park	Judith Jackson
35		Lu Quijico	675 Sharon Park Dr #119	Lu Quijico
36	12.10.12	Janet Martin	675 Sharon Park Dr. # 66	Janet Martin

By signing below, I support the appeal to the City Council (Menlo Park, CA) against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company (located at 2200 Sand Hill Road, Menlo Park, CA). The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district. Each signature represents an individual person who does not agree with the location of the proposed diesel generator.

	Date	Printed Name	Street Address	Signature
37	2012 12/8	Chisato Konishi	675 Sharon Park Dr. Apt. 145 Menlo Park CA 94025	Chisato Konishi
38	12/8	Christine Whitcomb	675 Sharon Park Dr. Apt 147 Menlo Park, CA 94025	
39	12/8	David Waxman	" "	
40	12/8	Carol Day	675 Sharon Park Dr #148 Menlo Park, CA 94025	Carol Day
41	12/8	Susan Freyberg	675 Sharon Park Drive #147, Menlo Park, CA 94025	Susan R. Freyberg
42	12/08	Joyce P. Harper	675 Sharon Park Drive #146 Menlo Park, CA 94025	Joyce P. Harper
43	12/08	David Gukasian	675 Sharon Park Dr. #240 Menlo Park, CA 94025	
44	12/08	David Mason	675 Sharon Park Dr #207 Menlo Park CA 94025	
45	12/8	Arianna Cuiher	675 Sharon Park Dr. #223 Menlo Park CA 94025	
46	12-8	Mary Ann Day	675 " 215 " "	
47	12/6/12	Joseph O'Leary	" " apt. 218	Joseph O'Leary
48	12/8/12	Rachel Valentine	" " apt. 314 " "	Rachel Valentine

By signing below, I support the appeal to the City Council (Menlo Park, CA) against the use permit for the storage and use of hazardous materials (diesel fuel) for an emergency generator, associated with a venture capitalist company (located at 2200 Sand Hill Road, Menlo Park, CA). The proposed generator would be located at the rear of the property, within a concrete masonry unit enclosure along Sharon Park Drive in the C-1 (X) (Administrative and Professional, Restrictive, Conditional Development) zoning district. Each signature represents an individual person who does not agree with the location of the proposed diesel generator.

	Date	Printed Name	Street Address	Signature
49	12/10/12	Barbara Baxter	675 Sharon Pk. Dr. # 322	Barbara M. Baxter
50	12/8/12	Jane Kos	675 Sharon Park Dr # 135	Jane Kos
51	12/10/12	Klaire Finlayson Assoc. Manager		Klaire Finlayson
52	12/10/12	Norman Compton	675 Sharon Park Dr # 144	Norman Compton
53	12/10/12	Nancy M Jensen	675 Sharon Park Drive # 144	Nancy M Jensen
54	12/10	Nancy Robertson	675 Sharon Park Dr # 136	— attached —
55				
56				
57				
58				
59				
60				



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: February 12, 2013
Staff Report #: 13-024

Agenda Item #: E-2

PUBLIC HEARING: Consider an Appeal of the Planning Commission's Decision to Approve a Use Permit and Variance to Construct Two Single-Family Dwelling Units and Associated Site Improvements on a Substandard Lot Located at 1976 Menalto Avenue, and to Consider an Appeal of the Environmental Quality Commission's Decision to Uphold an Appeal of Staff's Decision to Remove a Heritage Size Magnolia Tree

RECOMMENDATION

The City Council should consider the merits of an appeal of the Planning Commission's approval of a use permit and variance to demolish a single-story, single family residence and construct two two-story, single-family dwelling units and associated site improvements, on a substandard lot. In conjunction with the appeal of the Planning Commission's decision, the Council should consider the merits of an appeal of the Environmental Quality Commission's (EQC) decision to uphold an appeal of staff's decision to approve the removal of a heritage size magnolia tree. Staff recommends that the City Council deny the appeal and uphold the Planning Commission's action to approve the use permit and variance and uphold the appeal of the EQC decision, thereby allowing the heritage magnolia tree to be removed. The recommended findings, actions, and conditions of approval for the use permit and variance are provided in Attachment A.

BACKGROUND

The proposal's key milestones are summarized in the following table and are described in more detail throughout this report.

<u>Date</u>	<u>Milestone</u>	<u>Action/Result</u>
May 2, 2012	Application Submittal	Staff commenced technical review of proposal and provided notice of application submittal to neighbors
September 24, 2012	Planning Commission Study Session	Planning Commissioners considered public comments and provided individual, tentative guidance to applicant
November 19, 2012	Planning Commission Public Hearing	Use Permit and Variance approved
November 21, 2012	City Arborist Heritage Tree Permit Action	Permits for three tree removals approved
November 29, 2012	Appeal of Use Permit, Variance, and Heritage Tree Removal Permit Approvals (by Neighbors)	Appeals tentatively scheduled for Environmental Quality Commission (EQC) and City Council consideration
January 9, 2013	EQC Consideration of Appeals of Heritage Tree Permits	Appeals denied and removal permits upheld for two trees; appeal upheld and removal permit denied for one tree (Tree #1, magnolia)
January 17, 2013	Appeal of EQC Denial of Heritage Tree Removal Permit (by Applicant)	Appeal tentatively scheduled for comprehensive City Council consideration, along with use permit and variance appeals
February 12, 2013	City Council Consideration of All Appeals	<i>TBD</i>

Proposal

The applicant originally submitted an application for a use permit and variance to construct two new units on a substandard lot on May 2, 2012. The application included requests for three heritage tree removal permits. Staff received a number of items of correspondence on the initial application from surrounding neighbors. Based partially on the neighborhood correspondence, the applicant requested that the Planning Commission review the proposed project as a study session item to provide input on the proposed design as well as the variance requests. The letters on the initial application and additional public comments were reviewed and considered by the Planning Commission at a study session on September 24, 2012. As a study session item, the Commission did not take formal action on the application, but provided general feedback to the applicant on the proposed design and variance requests.

After the Study Session, the applicant modified the plans to take into account the Planning Commission's guidance. The revised project as subsequently considered and

acted on by the Planning Commission is summarized below and is the basis for the City Council's comprehensive review.

Site Location

The project site is located at 1976 Menalto Avenue, between O'Connor Street and Elm Street in the Willows neighborhood. A location map is included as Attachment B. The property is zoned R-2 (Low Density Apartment) and developed with a single-story, single family residence, which is currently vacant.

Using Menalto Avenue in an east to west orientation, the parcels across the street, to the north, are part of the R-2 zoning district, with the exception of the shopping center at 1913-1933 Menalto Avenue. The parcels that make up the shopping center have a zoning district designation of C-2 (Neighborhood Shopping) and P (Parking). The adjacent parcels, along the south side of Menalto Avenue, are located in the R-2 zoning district. The subject property is located near the intersection of O'Connor Street and Menalto Avenue. Parcels to the rear of the subject site, which are panhandle lots along O'Connor Street, are located in the R-1-U (Single-Family Urban) zoning district. The parcels along O'Connor Street are zoned R-1-U, with the exception of the three parcels closest to Menalto Avenue (100, 106, and 110 O'Connor Street), which are zoned R-2. The parcel to the north of the subject site, along Menalto Avenue, is zoned R-2, like the project site. Most of the other parcels in the greater neighborhood are in the R-1-U zoning district. A mixture of housing types, including single-family residences, two-unit developments, and multi-family developments, occupy the surrounding residential properties. Most of the newer residences are two-story structures in a variety of traditional residential styles.

Project Description

The existing parcel is a panhandle lot, with the access in the middle, rather than the typical "flag" lot layout, which results in a "T" shaped lot. As defined by the Zoning Ordinance, the front lot line, in the case of a panhandle lot, is the shorter dimension of the lot boundaries which are contiguous to the private driveway or easement which provides access to the lot. As applied to the project site, the front lot line is the line parallel to Menalto Avenue. This results in a lot that is approximately 54 feet in depth and approximately 112 feet in width, making the lot substandard with regard to lot depth. After applying the front and rear setback requirements of 20 feet, the buildable depth is reduced to between 12 and 16 feet. The applicant is requesting variances to encroach into the front and rear setbacks. The existing structure is nonconforming with regard to the front and rear setbacks.

The proposed design would create two comparably sized, detached single-family houses, where two units is the maximum number allowed per the site's lot area and zoning district. The applicant is proposing to construct a total of 2,444.8 square feet of floor area, representing a 40 percent Floor Area Limit (FAL), the maximum allowed, and 1,561.2 square feet of building coverage or 19.1 percent, which is well below the

maximum permitted of 35 percent. The proposal would comply with the R-2 second-story FAL limit of 15 percent. The maximum permitted FAL is based on the net lot area, which excludes the panhandle portion of the lot. However, the panhandle portion is included for purposes of calculating the maximum density and building coverage. The R-2 zoning district requires that 40 percent of the site contain landscaping. The proposed development currently contains 61.5 percent (5,025.85 square feet) of landscaping and open space. However, the landscaping requirement is currently proposed to be met partially through the use of permeable pavers for the driveway and open parking areas, which may be calculated as half paving and half landscaping. With the inclusion of condition of approval 4.b (added by City Staff, including input from the City Arborist, after the printing of the Planning Commission Staff Report), the driveway would be revised to include impervious material, instead of pervious pavers, to help reduce the impact of the driveway excavation on the oak tree at 106 O'Connor Street. Therefore, the amount of landscaping would decrease and staff will verify that the project will meet the 40 percent minimum landscaping and open space requirement during the review of the building permit.

The units would be mirror images of each other, located across a parking court from one another. As originally proposed, the units included front setbacks of between 10 and 14 feet, a rear setback of 10 feet, a left side setback of 12 feet, six-and-a-half inches, and a right side setback of 13 feet, five-and-a-half inches. The original proposal also contained a 33-foot separation between the units. As a result of direction by the Planning Commission at the study session, the side setbacks were increased to 20 feet by bringing the units closer together and modifying the floor plans, which resulted in slightly reduced front setbacks for each unit. The units are currently proposed to be 20 feet, three-and-a-half inches apart for the main portion of the units, and 24 feet and a half inch at the garage doors. The front and rear setbacks would be a minimum of ten feet.

Both units would have two bedrooms, two-and-a-half bathrooms, and a private yard area. On the second floor, each unit would contain a balcony adjacent to the master bedroom. The balconies would face the parking court, which is the interior of the site. The units would be a maximum of 24 feet in height, which is below the maximum permitted height of 28 feet. The proposed development would comply with the daylight plane requirement, as well as all applicable development standards, with the exception of the required front and rear setbacks, for which the applicant has requested a variance.

The applicant intends to pursue administrative approval of a tentative parcel map for the creation of two condominium units, which would allow each unit to be sold individually. For new construction, minor subdivisions can be approved administratively, if a project has previously obtained use permit approval.

The applicant's project description letter and project plans are available as Attachments C and D, respectively.

Design and Site Layout

Each of the two units would have one attached covered parking space, with one uncovered parking space located in the rear setback, adjacent to the covered parking space, and accessed via the parking court between the units. Although a variance is required for the front and rear setbacks, parking is permitted within the required rear setback and therefore, the proposed uncovered parking spaces do not require a variance. The proposed layout of the parking complies with the parking and driveway design guidelines for required back-up distance. Each unit would contain a patio with a height of less than 12 inches above grade, located within the side yards (functionally each unit's rear yard). The applicant is proposing to plant a row of English laurel trees along the side property lines to help minimize potential privacy impacts to the neighbors.

The units are designed in a contemporary style. The homes would contain rectangular geometries and clean finish materials, including smooth stucco and stained horizontal wood siding. The applicant is proposing to utilize slightly different tones on the units to provide modest individuality between the units. The garage doors would be painted paneled wood, and the windows would be wood frame aluminum clad windows, with simulated true divided lights of a contemporary pattern. On the second floor, the bathroom windows would be textured or frosted glass to help limit potential impacts to the neighbors. The design would feature pitched roofs, which would incorporate a more traditional design element into the contemporary design of the development. The roofs would consist of a standing seam system with deep closed eave overhangs.

Variances

As prescribed by the Zoning Ordinance, approval of any variance request requires that the following five specific findings be made:

1. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits;
2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;
3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property;
4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification; and
5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable

Specific Plan process. This finding would not be applicable in this case since there is no Specific Plan which governs the property.

The applicant is requesting a variance to encroach into the required front and rear setbacks for each unit. The west unit (using Menalto in an east to west orientation) is proposed to encroach approximately six feet, nine inches into the required front setback, and nine feet into the required rear setback, which would result in a 13-foot, three-inch front setback and an 11-foot rear setback. The east unit is proposed to encroach approximately nine feet, six inches into the required front setback, and 10 feet into the required rear setback, which would result in a 10-foot, six-inch front setback and a 10-foot rear setback. The applicant has provided a variance request letter that has been included as Attachment E.

In the variance request letter, the applicant states that the hardship is particular to the property and not created by any act of the owner, due to the unusual T-shape of the property with the access centered on the lot as opposed to a more typical panhandle lot with access to one side. Additionally, the applicant explains that the unusual configuration drives the determination of the front lot line as being the longer line parallel to Menalto Avenue. The T-shaped lot is unlike any other lot in the neighborhood, making this a distinct case, which results in a buildable envelope between 12 and 16 feet deep. The applicant states that the shallow nature of the lot makes it a challenge to provide functional single-family homes and required parking within the required setbacks. The applicant studied various options, an example of which is shown in Attachment E for a two unit development that would not require variances; however, due to the required setbacks, limit on second level floor area, and parking requirements, the design was determined to be infeasible. The applicant discusses the design alternatives and feasibility in more detail in Attachment E.

The applicant states that the variances are necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the vicinity, and would not constitute a special privilege due to the unique constraints presented by the location of where the panhandle adjoins the main portion of the lot, and the required setbacks that result from the panhandle location. Attachment E contains a diagram showing how the Zoning Ordinance setback requirements would apply to the property for a typical L-shaped panhandle lot, and compares those typical setbacks to the setbacks for the subject site.

The applicant also explains that in addition to the T-shaped nature of the lot, the combination of the location, and the shape of the lot creates atypical contiguous setbacks between the subject property and the adjacent properties. The applicant states that the site layout and design is intended to minimize impacts on the neighbors, and maximize the open space and required yards on-site.

Staff evaluated the variance request based on the applicable variance findings and determined that the unusual configuration of the property as a T-shaped lot and resulting shallow depth of the property creates a hardship and limits the ability to

develop the property while meeting all required development standards. More typically shaped and more often found panhandle lots would not face the same restrictions that are created by the shallow depth. Although the depth creates an added constraint, the property does have the minimum lot area for two units and, as such, the granting of a variance would not constitute a special privilege, but instead would allow the property to be developed similar to more typical panhandle lots in the R-2 zoning district.

The applicant has designed the development to limit the variance requests as much as possible, and has increased setbacks where possible to limit impacts on the neighbors. In addition, the proposal would comply with the City’s daylight plane requirements and, as a result, should not be materially detrimental to the public health, safety, and welfare, nor impair adequate supply of light to the adjacent properties.

Trees and Landscaping

The applicant submitted an arborist report with the initial project proposal, detailing the species, size, and conditions of all significant trees on site, and on adjacent properties. As part of a full resubmittal, the applicant submitted a revised arborist report (Attachment F), which determines the present condition of the heritage trees and non-heritage trees on site, and identifies tree preservation and protection measures. The applicant has retained an additional arborist to review the initial arborist report. The additional arborist letter is discussed more in the Appeal section of the report.

The applicant is proposing to remove three heritage size trees:

<u>Tree Number</u>	<u>Tree Type</u>	<u>Diameter</u>	<u>Location on Property</u>	<u>Condition</u>	<u>Basis for Removal Request</u>
#1	Magnolia	19.5 inches	Middle-right	Good	Construction
#2	Chilean lantern	16.5 inches	Right	Fair	Health/Structure
#3	Valley oak	17 inches	Middle-rear	Fair	Health/Structure

The proposed site layout would result in the magnolia tree being located within the footprint of the development. The proposed development attempts to balance the impacts of the structures on the neighboring properties, as well as the heritage trees on-site and on neighboring parcels. In order for the development to incorporate larger side setbacks, in keeping with the direction of the Planning Commission, the applicant is requesting to remove the heritage magnolia tree.

The arborist report also assesses the potential impacts of the proposed development on four trees on neighboring properties:

- A 35-inch coast live oak located near the intersection of the panhandle access and the main portion of the lot;
- Two 30-inch Monterey pine trees located along the west side property line of the panhandle; and

- A 25-inch honey locust, located near the right-front lot line on the neighboring parcel)

The arborist report provides mitigation measures to reduce construction impacts. The arborist specifically discusses foundation construction within the tree protection zone of the coast live oak and also identifies mitigation measures for potential impacts of the driveway on the two stone pine trees. As stated by the arborist, these techniques would reduce construction impacts to a less-than-significant level.

In compliance with City procedures, the applicant is proposing to plant new heritage replacement trees. Specifically, the applicant is proposing to plant a 15-gallon redwood tree in the rear, right corner of the property. The applicant is working with the neighbors to determine a suitable replacement tree for the rear, left corner of the property. The third heritage tree replacement would be planted along the front, right property line, which would be the same species as the heritage tree replacement in the rear, left corner of the property. Staff added condition of approval 5a requiring the applicant to incorporate the species and size of the two additional heritage tree replacements on the building permit plans, subject to review and approval of the Planning Division and City Arborist. In addition, the applicant is proposing to plant English laurel trees and additional ornamental trees along the side property lines to help limit potential impacts to the neighbors.

Planning Commission Review and Action

The Planning Commission reviewed the project at its meeting of November 19, 2012. After considering public comment, the Commission conditionally approved the project 6-0-1, with Commissioner Onken (who was not on the Planning Commission at the time of the September 24 study session) abstaining.

City Arborist Action

With regard to the heritage trees on-site, the City Arborist had tentatively approved removal of Tree #2 (Chilean lantern) and Tree #3 (valley oak), as the removal requests were not integral to the proposed development project. However, when the City has a discretionary development application, such as a use permit and/or variance, the public notice of the City's heritage tree action is not sent until after the Planning Commission takes action on the overall project. The City Arborist did not take action on Tree #1 (magnolia), since it was development related, and subject to review in conjunction with the overall project. The Planning Commission's November 19, 2012 approval of the development project enabled staff to take formal action to approve all three heritage tree removals.

Appeal of Use Permit, Variance, and Heritage Tree Removal Permit Approvals

On November 29, 2012, the City Clerk's office received an appeal of the Planning Commission's approval of the use permit and variance and an appeal of the three

heritage tree removal permits. The appeal was submitted by Michelle Daher, and is discussed in more detail in the Analysis section of this report.

Environmental Quality Commission Review of Heritage Tree Permit Appeals

The EQC reviewed the three heritage tree appeals at its meeting of January 9, 2013. While the appellant's letter also discussed perceived impacts to the neighboring coast live oak tree located on the property addressed 106 O'Connor Street, the EQC's review was limited to the appeal of the three on-site heritage tree removal permits. Section 13.24.040 of Menlo Park's Heritage Tree Ordinance requires staff to consider the following eight factors when determining whether there is good cause for permitting removal of a heritage tree:

- (1) The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
- (2) The necessity to remove the tree or trees in order to construct proposed improvements to the property;
- (3) The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;
- (4) The long-term value of the species under consideration, particularly lifespan and growth rate;
- (5) The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;
- (6) The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;
- (7) The number of trees the particular parcel can adequately support according to good arboricultural practices; and
- (8) The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).

The EQC denied two of the heritage tree removal permit appeals in a 4-0-1-2 vote (with Commissioner Kuntz-Duriseti absent and Commissioners DeCardy and Marshall recused), based on considerations 1, 4, and 8 of the heritage tree ordinance. However, the EQC upheld the appeal of the magnolia tree, resulting in denial of the request to remove the tree, based on considerations 2 and 8 of the Heritage Tree Ordinance in a 4-0-1-2 vote (with Commissioner Kuntz-Duriseti absent and Commissioners DeCardy and Marshall recused).

Although the EQC's review was restricted to the three on-site removal requests, the City Council has the ability to consider impacts to neighboring properties, including impacts to trees on neighboring properties, through the use permit and variance requests. Such

impacts were a topic of review by the Planning Commission, and are discussed in more detail in the Analysis section.

Appeal of Environmental Quality Commission Decision

Subsequently the project applicant appealed the EQC's decision to uphold the appeal of the magnolia tree and deny the removal of the tree. The City Council should consider all appeals comprehensively.

ANALYSIS

Appeal of the Planning Commission's Action

The appeal letter (Attachment G) of the Planning Commission's action raises a number of concerns with the proposed project, including the following items:

1. Parking Location: The appellant indicates that idling cars could impact the neighboring property, as uncovered parking spaces are located adjacent to the rear property line, which is shared with 120 O'Connor Street.

Required parking is not permitted in the required front and side yard setbacks; however, required parking is permitted in the required rear yard setback. Since the property line parallel to Menalto Avenue is considered the front lot line, the lot line shared with 120 O'Connor Street would be considered the rear property line. The required parking would be located behind the units, completely contained within the rear yard setback, and visually obstructed from the 120 O'Connor Street by existing/proposed fencing.

The residence at 120 O'Connor Street is located approximately 11 feet, six inches from the proposed uncovered parking space for the western unit, and approximately 19 feet, nine inches from the proposed uncovered parking space for the eastern unit. In addition to the fencing, a small landscape strip between the proposed parking spaces and the shared property line could be utilized to plant screening to minimize any potential impacts to the property at 120 O'Connor Street. Lastly, staff believes that any potential noise effects from parking in this location would be limited in duration, as residents typically do not idle parked cars for extended periods of time or engage in unnecessary opening/closing of vehicle doors or trunks.

2. Removal of the Existing Tree Canopy, Through the Removal of Three Heritage Trees: The appellant raises concerns about the removal of three heritage trees on-site and the impact that the resulting loss of tree canopy would have on the neighborhood.

As discussed above, the City Arborist acted on the requests to remove two of the heritage trees based on the health of the trees, which are in fair condition. Staff

initially directed the applicant to consider design alternatives that would preserve the heritage size magnolia tree; however, at the Planning Commission study session, the Commission directed the applicant to increase the side yard setbacks to 20-feet, to be consistent with typical L-shaped flag lots. Therefore, designs that would have preserved the magnolia tree would not have been consistent with the Planning Commission's study session direction and subsequent action.

3. Impacts to Heritage Oak Tree Located on 106 O'Connor Street: The applicant's appeal letter states that long-term damage is possible to the heritage oak tree, located on the property addressed 106 O'Connor Street.

The arborist report, dated November 14, 2012 assesses the potential impacts of the proposed development on four trees on neighboring property, as previously described and provides mitigation measures to reduce construction impacts. The arborist specifically discusses foundation construction within the tree protection zone of the coast live oak on the neighboring property and also identifies mitigation measures for potential impacts of the driveway on the two stone pine trees. As stated by the arborist, these techniques would reduce construction impacts to a less-than-significant level.

In addition to the project arborist evaluation and report, the Planning Division worked with the City Arborist, prior to the November 19 Planning Commission meeting, to ensure that the project included additional mitigation measures to limit potential impacts to the coast live oak tree. The Planning Division, in consultation with the City Arborist, added conditions of approval 5b and 5c regarding the driveway material and construction methods. In addition, staff has included additional conditions with the initial administrative review of the tentative subdivision map, requiring changes to the parcel map to relocate utility trenching farther away from the trees of concern and similarly reduce impacts on these trees.

After the Planning Commission approval, the applicant retained Michael Young of Urban Tree Management, Inc. to review the previous arborist report prepared by Ned Patchett, dated November 14, 2012 to determine if the original arborist report adequately evaluated the proposed project, potential impacts to heritage trees in the vicinity, and to determine if any additional mitigation measures could be implemented. This supplemental report by Urban Tree Management, dated December 19, 2012, is contained in Attachment H. The report states that a limb from the oak tree at 106 O'Connor Street will need to be removed as part of the project, but that the limb can be removed without harm to the tree. The report prepared by Michael Young states that Ned Patchett's report accurately describes the impacts of the proposed project on the oak tree, and that if his recommendations are followed, the tree should tolerate the proposed development.

The appellant also submitted an additional arborist report (Attachment I), prepared by Barrie D. Coate, Consulting and dated January 3, 2013, which assesses the impacts of the proposed construction on the oak tree. The report states that it would be possible to develop the project on the adjacent property without causing long term decline to the tree. The arborist recommends excavation be kept 20 feet from the tree, but also states that if the foundation is closer than 20 feet to the tree, the construction could be done using a pier and grade beam foundation design. In addition the arborist recommends that the building be constructed above grade, instead of utilizing a slab on grade design. The arborist also states that the necessary limb removal would not cause permanent harm to the tree. The arborist also mentions that the driveway should be pervious material; however, the City Arborist believes that pervious material would result in a more significant impact due to additional excavation. The arborist also provides recommendations for general care and upkeep for the health of the tree.

The City Arborist reviewed all three arborist reports and determined the project arborist report, conducted by Ned Patchett, and reviewed and evaluated by Michael Young, is thorough and would adequately protect the heritage oak tree and additional heritage trees on neighboring sites. Additionally, the City Arborist suggests incorporating components of Barrie Coate's report, in particular establishing a 20-foot tree protection zone for the oak tree. When work will occur in the modified tree protection zone, the project arborist should be on-site, and the mitigation measures contained in Ned Patchett's report must be followed. Staff has added conditions of approval to clearly specify these requirements, based on the additional review of the City Arborist.

The appellants provided three alternative development proposals with their appeal, which are included as part of Attachment G. The first alternative was reviewed by the Planning Commission at the November 19 meeting, and is not consistent with the Planning Commission's study session direction or subsequent action. The two additional alternatives, that are included as part of the appellants' letter, would continue to result in the removal of the heritage magnolia tree, as the tree would continue to be located within the footprint of the units. The alternatives do not address the City Arborist's determination to remove the Chilean lantern or valley oak trees, and are not consistent with the Planning Commission's direction to the permit applicant. In addition, Option B contains a request for a variance that would reduce the rear setback by more than 50 percent for one of the units. The proposed seven foot rear setback in Option B cannot be approved, as variances are limited to a 50 percent reduction in the applicable development standard.

Appeal of the Environmental Quality Commission's Decision

The applicant's appeal letter (Attachment J) of the EQC's decision states that developing around the magnolia tree would not be consistent with the Planning Commission's direction and would not be feasible due to Zoning Ordinance and

Transportation Division requirements for the development. In addition, the applicant states he engaged a second arborist (Michael Young of Urban Tree Management, Inc.) to independently evaluate the three heritage tree on-site. Michael Young also recommended the removal of these trees as part of the project. The appeal letter states the Heritage Tree Ordinance criteria #2 “The necessity to remove the tree or trees in order to construct proposed improvements to the property” and criteria #8 “The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s)” are met by the proposed application to remove the magnolia tree.

As discussed previously, the final design of the project was driven by the Planning Commission’s direction at its study session meeting on the project for the applicant to pursue a specific setback configuration, which resulted in the magnolia tree being located within the footprint of the development. The City has a Heritage Tree Ordinance, which is designed to protect trees and encourage property owners to develop projects that preserve trees where feasible, but which provides allowances for removals if certain criteria are met. Developing around the magnolia tree would push the units closer to the left side property line, which could result in greater impacts to the neighbors adjacent to this property, and would not be consistent with the Planning Commission’s direction on the project.

As noted previously, the Planning Commission’s findings and action on the use permit and variance are included as Attachment A. In its deliberations, the Council may wish to consider factors such as the site zoning and neighborhood compatibility, desirability for an increase in additional housing units, the impacts of the removal of the heritage trees on-site, and potential impacts to heritage trees on neighboring properties.

Correspondence

Other than the formal appeal letters and the additional arborist reports from the applicant and the appellant, staff has not received any items of correspondence on the item since the Planning Commission’s approval of the project.

IMPACT ON CITY RESOURCES

The applicant paid a deposit of \$1,500 for review of the application for a use permit. Additional staff time above the initial deposit is cost recoverable on an hourly basis, through the end of the appeal period. The appellant paid a \$110 flat fee to file an appeal of the Planning Commission’s decision. The applicant paid a \$150 flat fee to file an appeal of the Environmental Quality Commission’s decision to uphold the appeal of the magnolia tree. Staff time spent on the review of the appeals to the City Council is not recovered, per Council policy.

POLICY ISSUES

No changes to the General Plan or Zoning Ordinance are required for the project. Each use permit, variance, and heritage tree removal permit request is considered individually.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.

Signature on file
Kyle Perata
Assistant Planner

Signature on file
Arlinda Heineck
Community Development Director

PUBLIC NOTICE: Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

ATTACHMENTS

- A. Draft Findings, Actions, and Conditions for Approval
- B. Location Map
- C. Project Description Letter
- D. Project Plans
- E. Variance Findings and Justification Letter
- F. Arborist Report Prepared by Ned Patchett, Dated November 14, 2012
- G. Letter of Appeal Submitted by Michelle Daher, 106 O'Connor Street, received November 29, 2012
- H. Arborist Report, prepared by Urban Tree Management, Inc., Dated December 19, 2012
- I. Arborist Report prepared by Barrie D. Coate, Dated January 3, 2013
- J. Letter of Appeal Submitted by Billy McNair of 1976 Menalto Avenue, received January 17, 2013

Note: Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps and drawings are available for public viewing at the Community Development Department.

DOCUMENTS AVAILABLE FOR REVIEW AT CITY OFFICES AND/OR WEBSITE

- Planning Commission Meeting Documents
 - September 24, 2012
 - Staff Report
 - Minutes
 - November 19, 2012
 - Staff Report
 - Minutes
- Environmental Quality Commission Meeting Documents
 - Environmental Quality Commission Staff Report, dated January 9, 2013
 - Draft January 9, 2013 Meeting Minutes

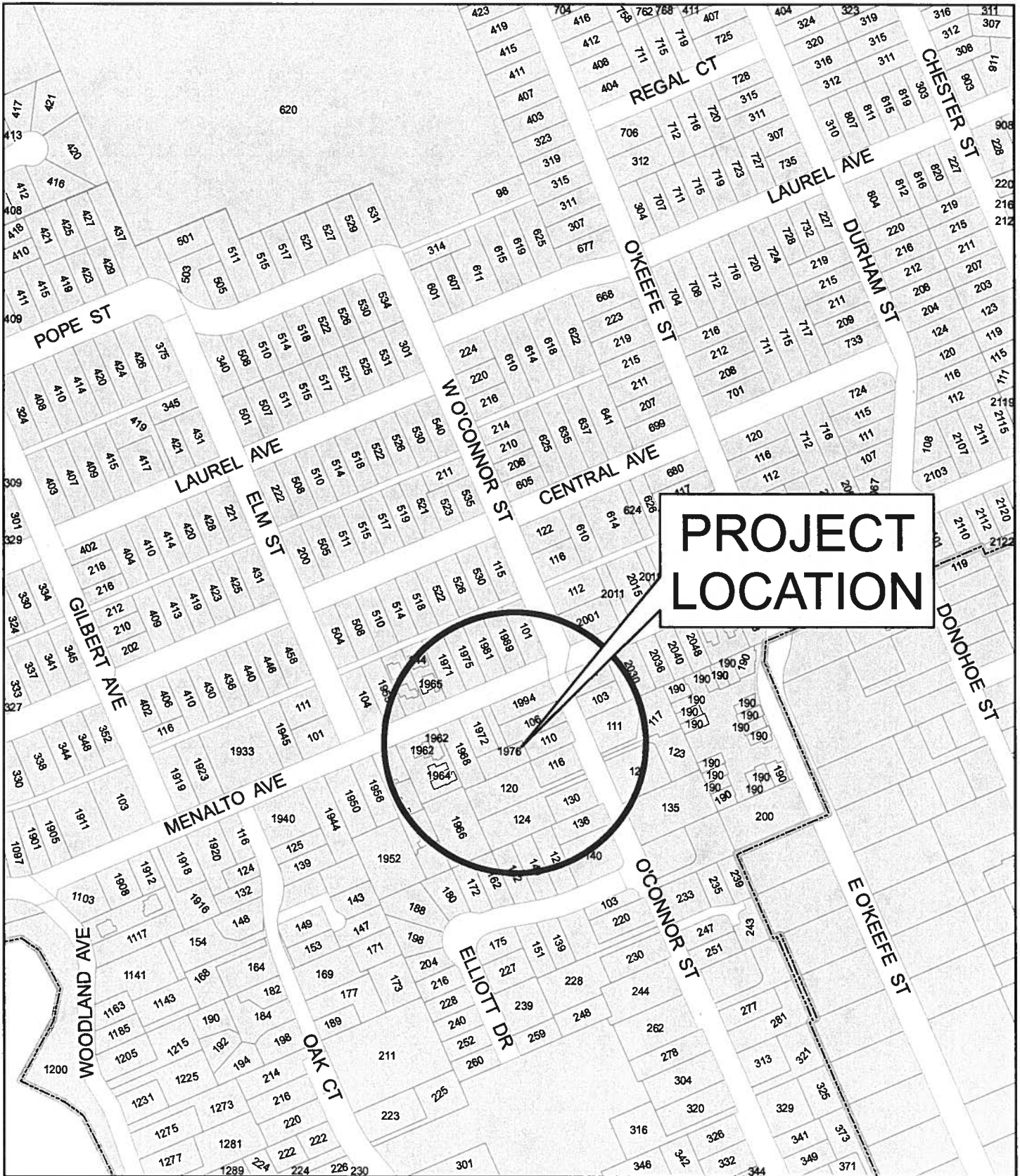
**1976 Menalto Avenue
Draft Findings, Actions, and Conditions for Approval
February 12, 2013**

1. The project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:
 1. The location of the panhandle access to the lot and the resulting shallow depth of the lot, create a constraint to the design potential for the redevelopment of two residential units on the site within the required front and rear setbacks without approval of the requested variances.
 2. The proposed variances are necessary for the construction of two detached units with a site layout that is consistent with the typical neighborhood pattern, and therefore, the preservation and enjoyment of substantial property rights possessed by other conforming properties in the same vicinity, in particular with regard to "L" shaped panhandle lots, and the variance would not constitute a special privilege of the recipient not enjoyed by neighbors.
 3. Except for the requested variances, the construction of the two units will conform to all other requirements of the Zoning Ordinance. Granting of the variances will not be materially detrimental to the public health, safety, or welfare, and will not impair an adequate supply of light and air to adjacent property since the structures will otherwise conform to the required setbacks, provide adequate on-site parking, and meet the FAL, building coverage, height, and landscaping requirements per the R-2 zoning district. Additionally, the development would be designed to contain increased side yard setbacks to limit impacts to the neighboring parcels.
 4. The conditions upon which the requested variance is based would not be applicable, generally, to other properties within the same zoning classification since the variance is based on the dimensions of the lot and the location of the panhandle access.

5. The property is not within any Specific Plan area, and as such no finding regarding an unusual factor is required to be made.
4. Uphold the appeal of the Environmental Quality Commission's decision to deny the heritage tree removal permit for the southern magnolia tree (Tree No. 1), thereby allowing removal of the tree.
5. Approve the use permit and variance requests subject to the following ***standard*** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Young and Borlik Architects, consisting of 17 plan sheets, dated received November 9, 2012, and approved by the Planning Commission on November 19, 2012, except as modified by the conditions contained herein.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. Landscaping shall properly screen all utility equipment that is installed outside of a building and that cannot be placed underground. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Concurrent with the first building permit submittal, the applicant shall submit plans in conformance with the frontage improvements as shown on the approved tentative parcel map. These revised plans shall be submitted for the review and approval of the Engineering Division. All frontage improvements must be constructed and approved by the Engineering Division prior to approval and subsequent recordation of the parcel map.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading, demolition or building permit.

- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
 - h. Prior to building permit issuance, the applicant shall submit proposed landscape and irrigation documentation as required by Chapter 12.44 (Water-Efficient Landscaping) of the City of Menlo Park Municipal Code. If required, the applicant shall submit all parts of the landscape project application as listed in section 12.44.040 of the City of Menlo Park Municipal Code. This plan shall be subject to review and approval by the Planning and Engineering Divisions. The landscaping shall be installed and inspected prior to final inspection of the building.
4. Approve the use permit and variance requests subject to the following **project specific** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the plans to include the species for the two unidentified heritage tree replacements, subject to review and approval of the Planning Division and City Arborist. The heritage tree replacements shall be a minimum of 15 gallon in size.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the material for the panhandle driveway to be an impervious material, such as asphalt or concrete, utilizing the existing base material, in order to minimize potential impacts on the root structure of heritage trees in proximity to the driveway. If the applicant can provide documentation that pervious pavers would not increase the depth of excavation, compared to concrete or asphalt, then pervious pavers may be used, subject to review and approval of the Planning Division and City Arborist.
 - c. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the notations on the plan sheets, and the arborist report to require that all new excavation for the widened panhandle portion of the driveway be conducted using an air spade, in order to minimize potential impacts on the root structure of heritage trees in proximity to the driveway, subject to review and approval of the Planning Division and City Arborist.
5. Approve the use permit and variance requests subject to the following **project specific** tree protection conditions, as recommended in the three arborist reports for the project:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the plans to incorporate a tree protection fence composed of six foot high chain-link material mounted on two inch galvanized iron posts at least 20 feet from the trunk of the oak tree located on 106 O'Connor Street. The plans shall indicate that the fencing of the 20 foot tree protection zone occupied by the existing house, should be installed immediately after the existing building and slab are removed.
- b. Demolition of the existing building within the 20 foot tree protection zone should occur from the inside of the building with demolition equipment standing on the existing building slab. No demolition equipment should be allowed off that existing slab.
- c. Demolition of the existing building slab within the 20 foot tree protection zone should be removed by a tractor standing on currently undisturbed slab floor, breaking up the slab floor into pieces that can be hand loaded into a tractor which is standing on previously undisturbed slab, backing up as the pieces are loaded into the tractor to reduce the impact of demolition on the oak tree.
- d. Simultaneous with the submittal of a complete building permit application, any foundation within the 20 foot tree protection zone shall be a pier and beam foundation design with the beam laid on top of existing grade, per the recommendations in the arborist report prepared by Barrie D. Coate.
- e. Removal of the east facing limb, which emerges at seven feet above grade, back to the branch bark ridge, shall be conducted under the supervision of the project arborist.
- f. Removal of either the entire north facing limb, which emerges at 12 feet above grade, or only the 10 inch diameter branch, which divides from that limb at four feet from the trunk leaving an eight inch diameter limb directly above the fence line shall be conducted under the supervision of the project arborist.



**PROJECT
LOCATION**

CITY OF MENLO PARK
 LOCATION MAP
 1976 MENALTO AVENUE

DRAWN: KTP CHECKED: KTP DATE: 02/12/13 SCALE: 1" = 300' SHEET: 1





YOUNG AND BORLIK
ARCHITECTS, INCORPORATED

480 LYTTON AVENUE SUITE 8
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November 12, 2012 (revised)

Kyle Perata
Assistant Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Project description for 1976 Menalto

This letter is to describe the project proposed for 1976 Menalto an 8,168 sf lot in the R-2 zoning district in the Willows neighborhood. On this odd T-shaped flag lot, we are proposing two new detached single family homes with the common panhandle driveway to the street. This project was initially reviewed at a study session hearing with the Planning Commission on September 24, to solicit feedback on the proposal, with mixed but generally positive and encouraging feedback about the design and variance aspects of the project. We have also received mixed reviews from adjacent neighbors who have expressed a variety of opinions and concerns. Some neighbors that initially opposed the project at the study session no longer oppose the project in light of some of our redesign subsequent to the study session. In this proposed solution we now present at this Planning Commission hearing, we have sought to respond and incorporate as much of the feedback from all sides as possible in balancing the unique characteristics and requirements that will facilitate a successful project.

The lot size is 8,168 sf, and of sufficient size to allow a density of two units, but the dimensions are substandard for the R-2 district and necessitate a use permit for development. The overall parcel is a T-shaped flag log. Excluding the 20 foot wide driveway access that connects to the rear building area, the net lot area is 6,112 sf, which is the basis for calculating the allowable floor area limit. The current site has one single story residence with an attached one car garage. There are three heritage size trees on the lot which are in poor to fair health according to the arborist and we are applying to remove to accommodate the building envelope and the parking circulation. The front corner of the main site area is contains one Oak tree which just straddles over the property line, and is proposed to remain and be protected during construction. Single-family or two-family residences neighbor in each direction of this parcel. The adjacent parcels on both sides of the property are also zoned R2 for multi-family development. To the rear the zoning transitions to R1. (Refer to Figures 1a and 1b below)

For our proposed project, residence #1 is located to the north side of the lot, and the proposed final address for this home is 1976 Menalto Avenue. Residence #2 is located to the south side of the lot, and the proposed final address for this home is 1974 Menalto Avenue. A central driveway court links between the two homes. The surface material of the driveway area is a

Project Description
1976 Menalto

large field of decorative interlocking pervious pavers to enhance the feeling of the area as a courtyard and less as a driveway turnaround. The pan-handle portion of the lot contains the driveway access, which is required by the Menlo Park Fire District to be both a minimum 16 foot width and be demarcated as "no parking- fire lane." At the study session there were concerns expressed about excessive numbers of cars parks along the length of the driveway, however as a fire lane no parking at all will be allowed in this section of the access.

Both homes will follow the same but mirrored floor plan scheme, with matching contemporary architectural style and finishes. The layout is a two story floor plan of about 1,222 sf., including 229 sf. for the one-car attached garage. An additional uncovered parking space lies off the parking court adjacent to the garage in the rear yard setback, which is allowable per zoning requirements as the "rear" yard without special approval. The homes are styled with a modern aesthetic, with regular rectangular geometries and clean finish materials. Wall materials will be a balanced composition of smooth cement stucco finish and stained horizontal wood siding. The color schemes will be slightly different in tone to provide modest individuality between the two.

In our initial design, flat roof planes and parapet roofs were included to reflect the modern aesthetic and help keep the overall massing as low as possible. In response to neighborhood feedback seeking a more traditional look with a pitched roof to better align with the rest of the neighborhood, we have revised our design to include a pitched roof on both first and second floors. The low pitched roofs will be a standing seam metal system with deep closed eave overhangs. The windows will be aluminum clad with the brushed raw color finish, and with true simulated divided lites of a contemporary pattern as shown. The garage door will be painted wood.

Placement of the two homes is subject to the approval of a variance, to allow the home to encroach up to half of the required "front" and "rear" setbacks of 20 feet. The proposed front and rear setbacks for unit #1 are 10'-6" and 10'-0" respectively, and for unit #2 are 13'-3" and 11'-0" respectively. Both homes are located 20 feet from the "side" property lines, even though only 10 feet is required.

In response to additional concerns by neighbors about the health and protection of the large oak tree, we have also involved the project arborist to specifically review the impacts of construction and make specific recommendations for tree protection and maintenance. A copy is included with this submittal.

Thank you for your time in review of this project. We are proud and excited to present this design for your consideration, and look forward to the opportunity of creating these two modestly-sized yet quality homes to compliment the neighborhood.

Sincerely,

Daniel S. Rhoads
Young and Borlik Architects Inc.

Project Description
1976 Menalto



Figure 1a. Zoning map of the neighborhood around 1976 Menalto, showing the extent of R-2 lots in the immediate vicinity of the property which would also be allowed two unit developments.



Figure 1b. Land uses in the vicinity of 1976 Menalto as currently developed.

•(E) RESIDENCE IS NON-CONFORMING
WITHIN REDD'S SITE SETBACKS

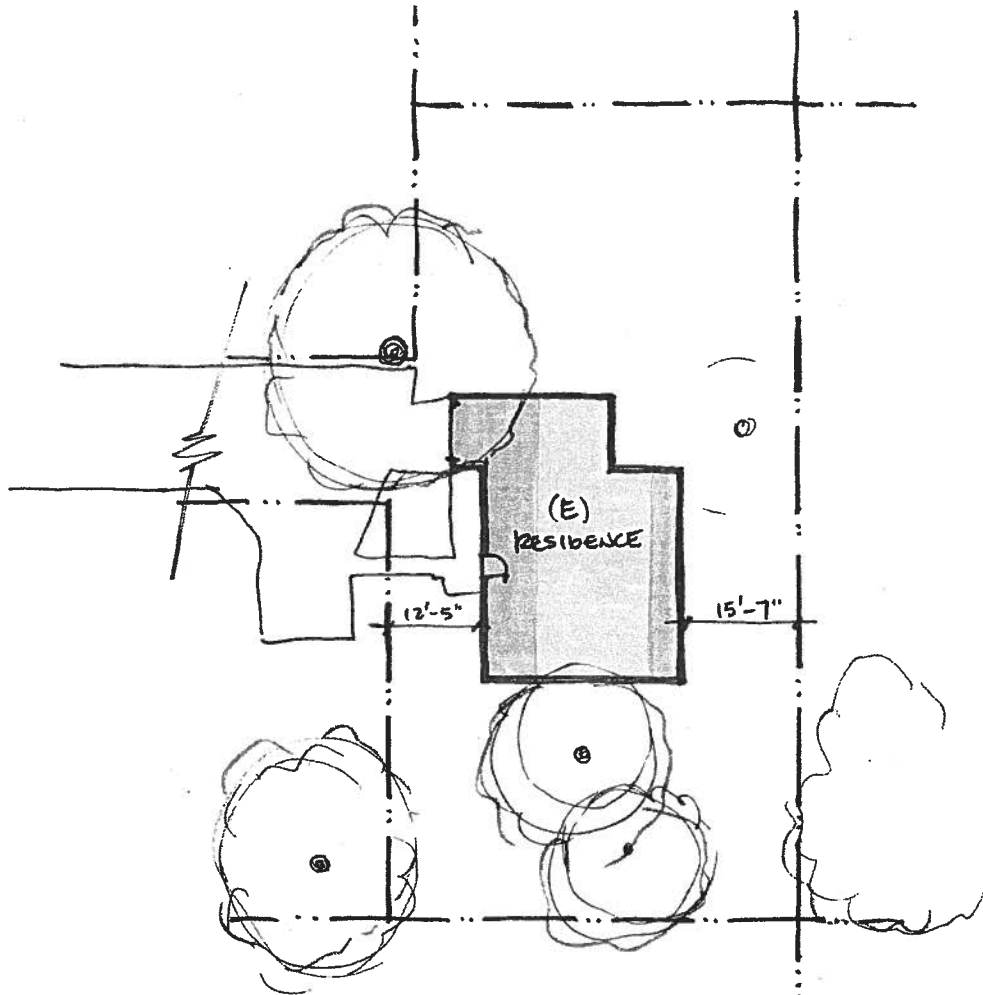
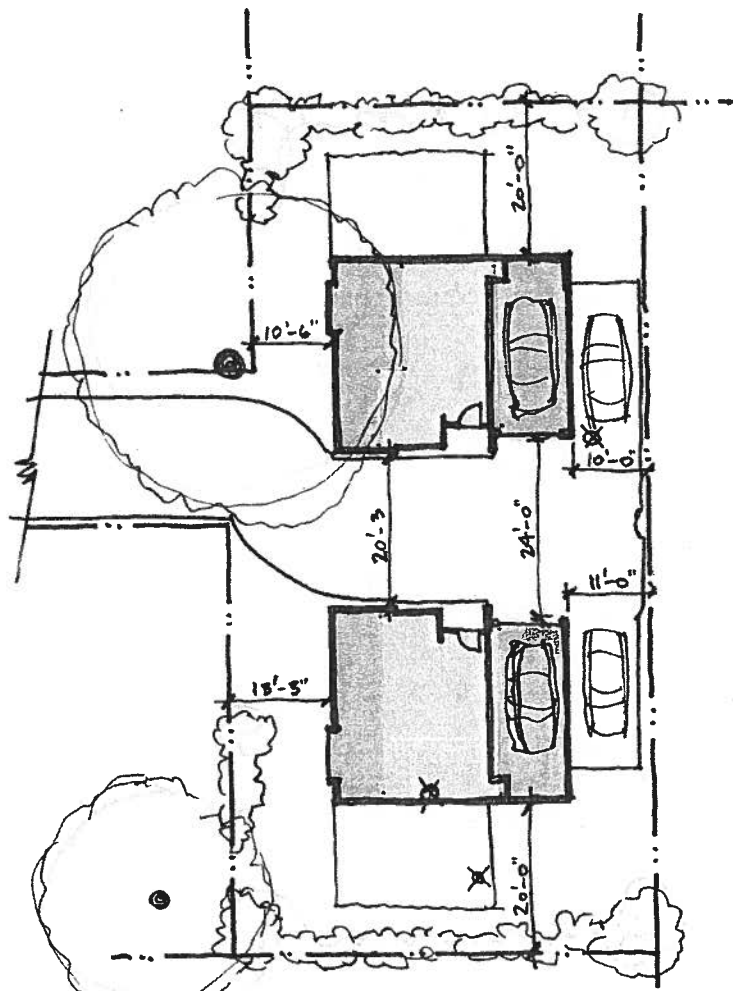


Figure 2. The existing residence is non-conforming to the required setback requirements, with encroaching areas highlighted.



- PROPOSED SCHEME BALANCES THE LOCATIONS ON SITE WITHIN THE SETBACK ENCROACHMENTS!
- LOCATION OF UNCOVERED PARKING COMPLIES W/ ZONING REQUIRMENTS AS "REAR" YARD
- SETBACKS PROPOSED MIMIC MORE CLOSELY WHAT WOULD BE REQUIRED ON A STANDARD FLAG LOT W/ DRIVEWAY INTERSECTING AT CORNER

Figure 3a. The proposed site plan scheme for two single family residences on the lot, with minimized driveway court between and balanced setback encroachments.

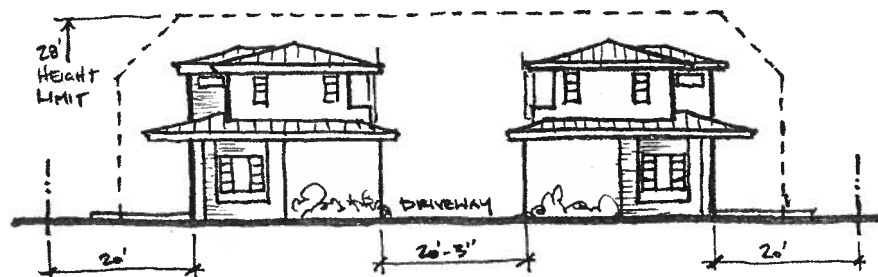


Figure 3b. The proposed "front" elevations corresponding with the site plan above.



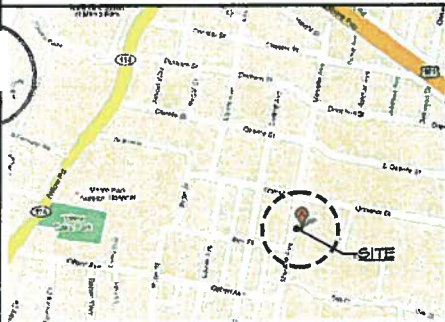
UNIT #1 - NORTH RESIDENCE
1976 MENALTO AVENUE



UNIT #2 - SOUTH RESIDENCE
1974 MENALTO AVENUE

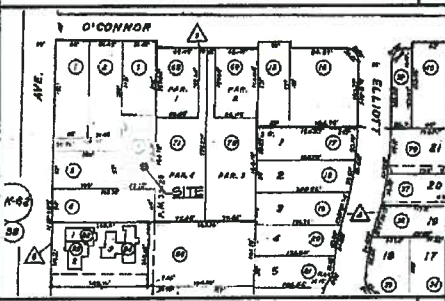
PROPOSED FRONT ELEVATIONS

H.T.S. 1



VICINITY MAP

6



PARCEL MAP

5

ARCHITECT
YOUNG AND BORLIK ARCHITECTS, INC.
480 LYTTON AVENUE, SUITE 8
PALO ALTO, CA 94301
TEL: (650) 959-1899
FAX: (650) 228-1118
ATTN: DAN MCNAIR

CIVIL ENGINEER
MACLEOD & ASSOCIATES
800 CENTER ST.
SAN CARLOS, CA 94070
TEL: (925) 983-8590
FAX: (925) 993-8878
ATTN: DAN MACLEOD, VERGEL GALLURA

STRUCTURAL
T.B.D.

MECHANICAL ENGINEER
P.J. SCILS, INC.
805 MOORE COURT
SUNSHINE, CA 94076
TEL: (925) 247-0634
FAX: (925) 244-8772
ATTN: PAUL GRISHAMER

ENERGY CONSULTANT
T.B.D.

LANDSCAPE ARCHITECT
T.B.D.

ARCHITECT
RED PATCHETT, WS-278A
890 BURBA VISTA STREET
ROSBEECH, CA 94009
TEL: (895) 400-0020

CONSULTANTS

4

SHEET#	DESCRIPTION
A0.1	VICINITY MAP, AREA CALCULATIONS, SHEET INDEX CONSULTANTS
A1.0	EXISTING SITE PLAN
A1.1	PROPOSED SITE PLAN
A1.2	AREA PLAN
A1.3	CONTEXTUAL FIRST FLOOR AREA PLAN
A1.4	CONTEXTUAL SECOND FLOOR AREA PLAN
A1.6	AREA CALCULATIONS
A1.8	DRIVEWAY LAYOUT PLANS
A2.1	PROPOSED FIRST & SECOND FLOOR PLAN-HOUSE #1
A2.2	PROPOSED FOUNDATION AND ROOF PLAN-HOUSE #1
A2.3	PROPOSED EXTERIOR ELEVATIONS-HOUSE #1
A2.4	PROPOSED BUILDING SECTIONS-HOUSE #1
A2.1	PROPOSED FIRST & SECOND FLOOR PLAN-HOUSE #2
A2.2	PROPOSED FOUNDATION AND ROOF PLAN-HOUSE #2
A2.3	PROPOSED EXTERIOR ELEVATIONS-HOUSE #2
A2.4	PROPOSED BUILDING SECTIONS-HOUSE #2
SU-1	TOPOGRAPHICAL SURVEY PLAN
T-1	TENTATIVE MAP, GRADING, DRAINAGE & UTILITY PLAN

RECEIVED
NOV 09 2012
By PLANNING
PRELIMINARY-
NOT YET APPROVED
FOR CONSTRUCTION

SHEET INDEX

3

APPLICANT:	063 - 430 - 040
PROJECT ADDRESS:	1976 MENALTO AVENUE MENLO PARK, CA 94025
OWNER:	1976 MENALTO L.L.C. 1105 CHANDLER ST., SUITE 8 MENLO PARK, CA 94025 ATTN: BILLY MCNAIR
ZONING:	R-2
OCCUPANCY:	R-3, U
CONSTRUCTION:	TYPE V-8, WITH AUTOMATIC FIRE SPRINKLERS
CODE COMPLIANCE:	2010 CBC, CBC, CEC, CMC, CPC, 2010 CALIF. ENERGY CODE
GROSS LOT AREA:	6,188 sf (0.188 acre)
NET LOT AREA (EXCLUDES PANHANDLE):	6,112 sf
MAX. ALLOW. FLOOR AREA (40 %):	2,446.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. 2ND FLOOR AREA (15 %):	916.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. STRUCT. COVERAGE (25 %):	2,288.8 sf (BASED ON GROSS LOT AREA)
MIN. LANDSCAPE AREA (40 %):	2,475.2 sf (BASED ON GROSS LOT AREA)
FRONT SETBACK (COMPT):	20'
SIDE SETBACK (COMPT):	10'
REAR SETBACK (COMPT):	20'
HEIGHT LIMIT:	22'
REQUIRED PARKING:	ONE COVERED, ONE UNCOVERED PER DWELLING UNIT
MAX. ALLOW. FLOOR AREA:	2,446.8 sf
RESIDENCE #1	
PROPOSED 1st FLOOR:	535.0sf
PROPOSED 2nd FLOOR:	488.2 sf
PROPOSED GARAGE:	279.2 sf
TOTAL FLOOR AREA:	1,322.4 sf
RESIDENCE #2	
PROPOSED 1st FLOOR:	535.0sf
PROPOSED 2nd FLOOR:	488.2 sf
PROPOSED GARAGE:	279.2 sf
TOTAL FLOOR AREA:	1,322.4 sf
TOTAL PROPOSED FLOOR AREA:	2,444.8 (SEE ALSO SHEET A1.8)
MAX. ALLOW. COVERAGE:	2,288.8 sf
PROPOSED RESIDENCE #1	780.8 sf
PROPOSED RESIDENCE #2	780.8 sf
TOTAL PROPOSED SITE COVERAGE:	1,561.6 sf (SEE ALSO SHEET A1.8)

PROJECT SUMMARY

2

ISSUE LOG
PLANNING COMMISSION
NOV 19, 2012

YOUNG AND BORLIK ARCHITECTS, INCORPORATED
480 LYTTON AVENUE, SUITE # 8
PALO ALTO, CA 94301
TEL: (650) 959-1899 FAX: (650) 228-1118
www.ybarchitects.com



TWO NEW RESIDENCES WITH VENDOR SUBMITTAL FOR
"1976 MENALTO L.L.C."
1976 MENALTO AVENUE
MENLO PARK, CA 94025

A.P.N. 063-430-040
CHECKED: DMB
DATE: APR 30, 2012
DRAWN: BMB
BY: MCNAIR-MENALTO

A0.1

ATTACHMENT D

TREE SCHEDULE

#	DIA.	SPECIES	STATUS
(1)	14.5"	MAGNOLIA GRANDIFLORA	REMOVE
(2)	16.5"	CORYLORODORUM PATAGONIA	REMOVE
(3)	17"	QUERCUS LOBATA	REMOVE
(4)	35"	QUERCUS ABRUFOLIA (NEIGHBOR'S)	REMAIN
(5)	25"	OLEIFITMA TRICANTHOS (NEIGHBOR'S)	REMAIN
(6)	30"	PINUS RADIATA (NEIGHBOR'S)	REMAIN
(7)	30"	PINUS RADIATA (NEIGHBOR'S)	REMAIN

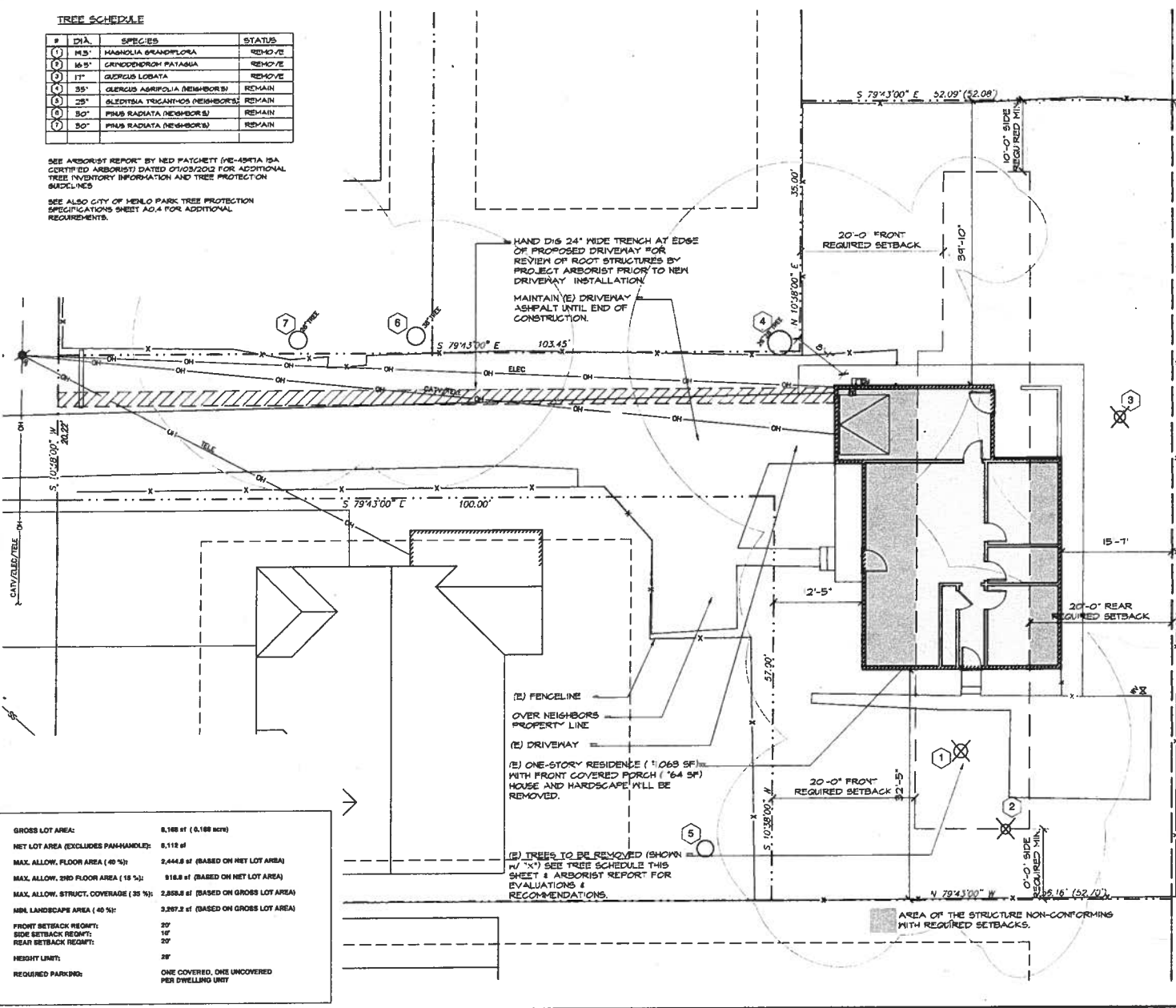
SEE ARBORIST REPORT BY NED FACHETTI (NED-ARPTA ISA) DATED 07/03/2014 FOR ADDITIONAL TREE INVENTORY INFORMATION AND TREE PROTECTION GUIDELINES

SEE ALSO CITY OF MENLO PARK TREE PROTECTION SPECIFICATIONS SHEET A2.4 FOR ADDITIONAL REQUIREMENTS.

VERIFY CITY REQUIREMENTS FOR WASTE DIVERSION PROGRAMS FOR CONSTRUCTION DEMO AND DEBRIS, PRIOR TO DEMOLITION ACTIVITIES.

NOTE:
IT IS UNLAWFUL FOR ANY PERSON TO DAMAGE OR HARM A HERITAGE TREE BY ANY MEANS WHATSOEVER, INCLUDING WITHOUT LIMITATION, VEHICLES, MACHINERY OR BUILDING SUPPLIES (GRT MATERIAL (INCLUDING FLUIDS) DURING ANY CONSTRUCTION OR RENOVATION OF STRUCTURES ON THE PARCEL.

PRIOR TO CONSTRUCTION ACTIVITIES, CONSULTING ARBORIST SHALL REVIEW TREE PROTECTION MEASURES TO BE IN PLACE PRIOR TO AND THROUGHOUT CONSTRUCTION ACTIVITIES, AS WELL AS MONITOR THE CONDITION OF THE HERITAGE TREES, AND CONDUCT ANY ROOT OR CANOPY PRUNING DURING THE CONSTRUCTION PROCESS.



GROSS LOT AREA:	8,188 sf (0.188 acres)
NET LOT AREA (EXCLUDES PAV-HANDLE):	8,112 sf
MAX. ALLOW. FLOOR AREA (40 %):	3,244.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. 2ND FLOOR AREA (15 %):	918.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. STRUCT. COVERAGE (35 %):	2,865.8 sf (BASED ON GROSS LOT AREA)
MIN. LANDSCAPE AREA (40 %):	3,275.2 sf (BASED ON GROSS LOT AREA)
FRONT SETBACK REQMT:	20'
SIDE SETBACK REQMT:	10'
REAR SETBACK REQMT:	20'
HEIGHT LIMIT:	28'
REQUIRED PARKING:	ONE COVERED, ONE UNCOVERED PER DWELLING UNIT

ISSUE LOG
NO. DATE BY REVISION
1 MAY 14 2014
2 APR 15 2014
3 APR 15 2014
4 APR 15 2014
5 APR 15 2014
6 APR 15 2014
7 APR 15 2014
8 APR 15 2014
9 APR 15 2014
10 APR 15 2014
11 APR 15 2014
12 APR 15 2014
13 APR 15 2014
14 APR 15 2014
15 APR 15 2014
16 APR 15 2014
17 APR 15 2014
18 APR 15 2014
19 APR 15 2014
20 APR 15 2014

PLANNING COMMISSION
NOV 16, 2012

YOUNG AND BORLIK
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PALO ALTO, CALIF. 94301
TEL: (650) 466-1850 FAX: (650) 325-
www.yab-architects.com



TWO NEW RESIDENCES WITH AND/OR SUBSTITUTION FOR:
"1976 MENALTO L.L.C."
1976 MENALTO AVENUE
MENLO PARK, CA 940

A.P.N. 083-430-040
OWNER: DSR
DRAWN: CS
DATE: APR. 30, 2012
DWG # 04
MUNICIPALITY: MENLO PARK

A1.0

EXISTING SITE PLAN



TREE SCHEDULE

#	DIA.	SPECIES	STATUS
1	19.5"	MANGOLIA GRANDIFLORA	REMOVE
2	16.5"	CERCOIDENDRON PARVIFLORA	REMOVE
3	17"	QUERCUS LOBATA	REMOVE
4	35"	QUERCUS AGROFOLIA (NEIGHBORS)	REMAIN
5	25"	BLEDDISIA TRICANTHOS (NEIGHBORS)	REMAIN
6	30"	PINUS RADATA (NEIGHBORS)	REMAIN
7	30"	PINUS RADATA (NEIGHBORS)	REMAIN

SEE ARBORIST REPORT BY NED PATCHETT (NE-49761A ISA CERTIFIED ARBORIST) DATED 01/09/2012 FOR ADDITIONAL TREE INVENTORY INFORMATION AND TREE PROTECTION GUIDELINES.

SEE ALSO CITY OF MENLO PARK TREE PROTECTION SPECIFICATIONS SHEET A0.4 FOR ADDITIONAL REQUIREMENTS.

(N) REPLACEMENT HERITAGE TREE: T.B.D. 15 gal.
 (N) UNCOVERED PARKING SPACE (4.5' x 16.5' CLEAR) IN REAR YARD SETBACK. SEE DASHED POLYSON.

(N) DECORATIVE TREE SCREENING "JAPANESE MAPLE"
 (N) GARAGE (0' x 20' CLEAR) REQUIRED FOR COVERED PARKING IN REAR DECK
 (N) TREE SCREENING "ENGLISH LAUREL" 15 gal.

(N) TREE SCREENING "FLOWERING PEAR" 15 gal.
 (N) UNIT #1 WITH MENALTO TWO-STORY RESIDENCE WITH ONE-CAR ATTACHED GARAGE SEE A.21
 (N) ELECTRICAL METER #1 AND GAS METER #1

(N) HOOD SIDE YARD FENCING & GATES TYP.
 (N) DRIVEWAY PAVEMENT SURFACE TYP. OVER FULLY PREVIOUS BASECOURSE PREPARATION, SEE CIVIL PLAN
 MINIMUM 16'-0" DRIVEWAY ACCESS WIDTH PER FIRE DEPARTMENT REQUIREMENTS, WITH MINIMUM 15'-6" VERTICAL CLEARANCE, AND POSTED AS "NO PARKING - FIRE LANE"

LOW BORDER PLANTING ALONG FENCE/DRIVEWAY
 PROPERTY BOUNDARY TYP.
 REAR SITE SETBACK LINES TYP.

(N) HOOD SIDE YARD FENCING & GATES TYP.
 (N) ELECTRICAL METER #2 AND GAS METER #2
 (N) REPLACEMENT HERITAGE TREE: T.B.D. 15 gal.
 (N) UNIT #2 WITH MENALTO TWO-STORY RESIDENCE WITH ONE-CAR ATTACHED GARAGE SEE A.21

(N) TREE SCREENING "ENGLISH LAUREL" 15 gal. (TYP.)
 (N) REAR DECK 8' ABOVE GRADE
 (N) OUTDOOR FIREPLACE
 (N) DECORATIVE TREE SCREENING "JAPANESE MAPLE" 15 gal.
 (N) DECORATIVE TREE SCREENING "FLOWERING PEAR" 15 gal.

(N) GARAGE (0' x 20' CLEAR) REQUIRED FOR COVERED PARKING
 (N) UNCOVERED PARKING SPACE IN REAR YARD SETBACK (4.5' x 16.5' CLEAR) SEE DASHED POLYSON
 (N) REPLACEMENT HERITAGE TREE: REDWOOD 15 gal.

AREAS OF THE STRUCTURE THAT REQUIRE VARIANCE APPROVAL.

NET LOT AREA (EXCLUDES PAN-HANDLES):	6,112 sf
MAX. ALLOW. FLOOR AREA (40 %):	2,444.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. 2ND FLOOR AREA (15 %):	916.8 sf (BASED ON NET LOT AREA)
MAX. ALLOW. STRUCT. COVERAGE (25 %):	2,858.8 sf (BASED ON GROSS LOT AREA)
MIN. LANDSCAPE AREA (40 %):	3,287.2 sf (BASED ON GROSS LOT AREA)
FRONT SETBACK REQMT:	20'
SIDE SETBACK REQMT:	15'
REAR SETBACK REQMT:	20'
HEIGHT LIMIT:	28'
REQUIRED PARKING:	ONE COVERED, ONE UNCOVERED PER DWELLING UNIT

PROPOSED SITE PLAN



1/8" = 1'-0" 1

ISSUE LOG
 ISSUE NO. DATE
 1 MAY 1, 2012
 2 APR 30, 2012
 PLANNING COMMISSION
 MEET 1A, 2012

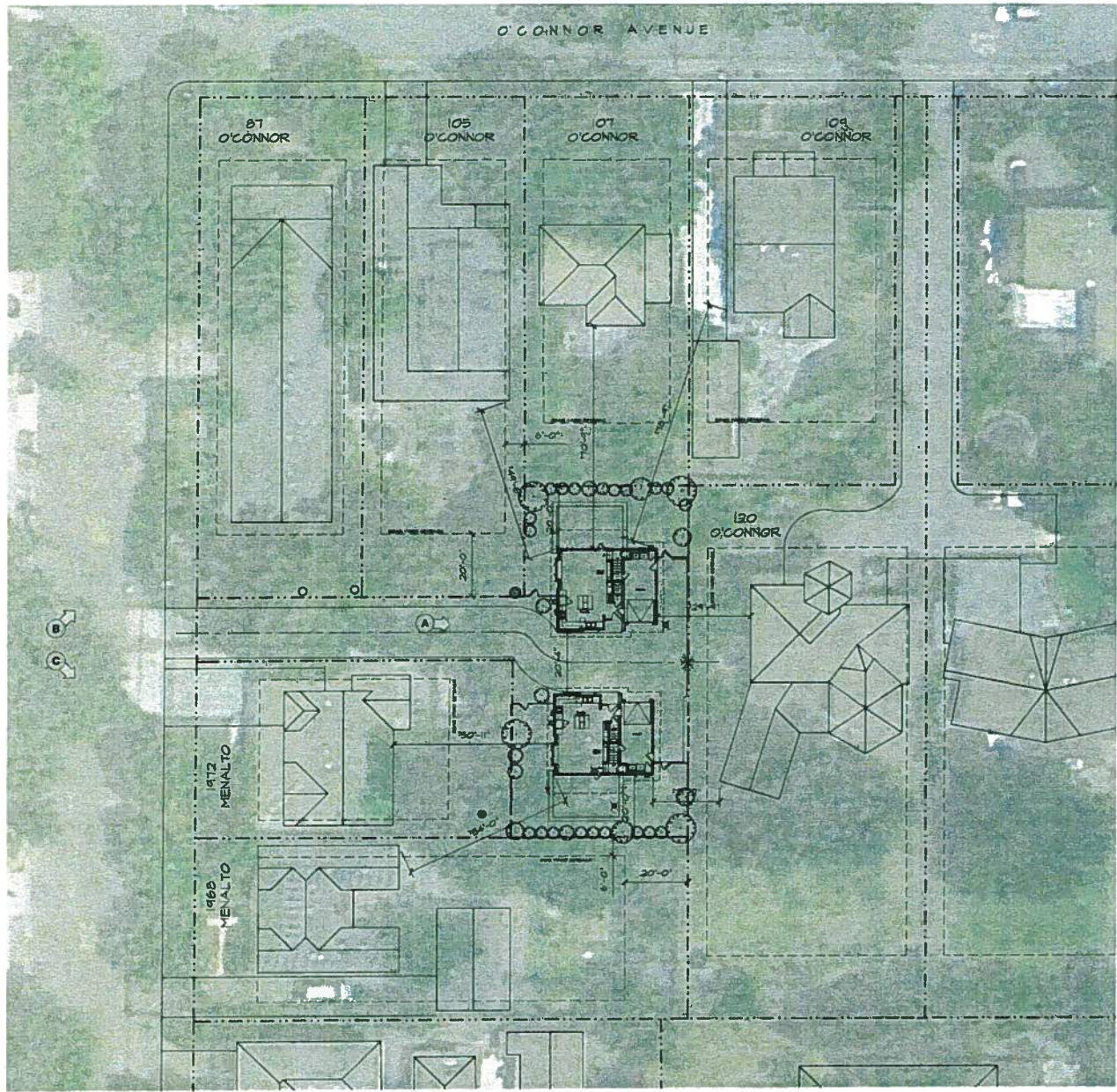
YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 400 LYTTON AVENUE, SUITE #9
 ALTO, CA 94501
 TEL: (925) 688-1990 FAX: (925) 323-1100
 www.ybarchitects.com



TWO NEW RESIDENTS WITH SENIOR SUBSTITUTION FOR:
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 94025

A.P.N. 083-430-040
 CHECKED BY: [Signature]
 DATE: APR. 30, 2012
 DRAWN BY: [Signature]
 MICHAEL-MENALTO

A1.1



PROPOSED AREA PLAN w/ CONTEXTUAL AERIAL VIEW



A



B



C



1/16" = 1'-0"

ISSUE LOG	
NO. OF ISSUES	0
NO. OF ISSUES CLOSED	0
NO. OF ISSUES OPEN	0

PLANNING COMMISSION	NOV. 18, 2012
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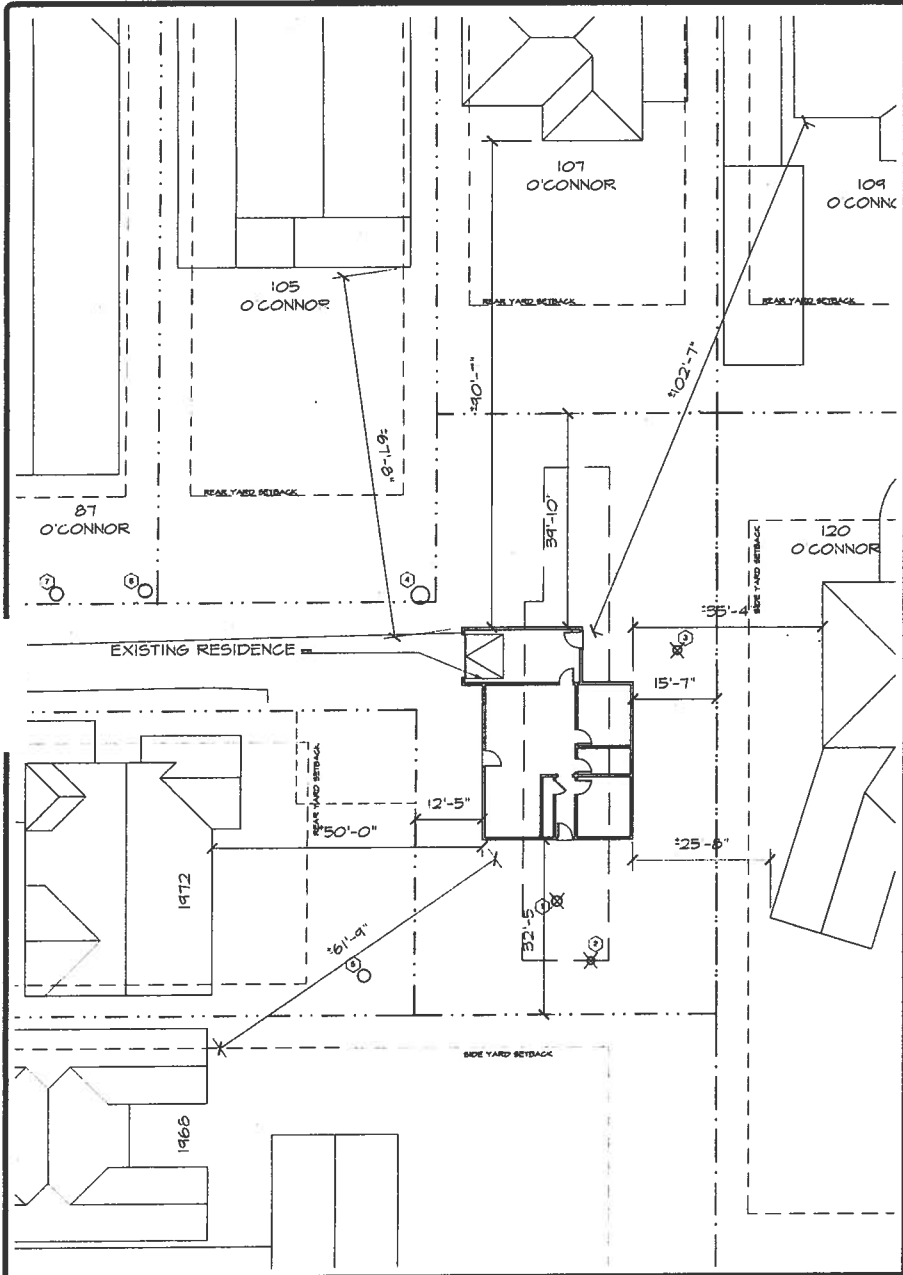
YOUNG AND BORLIK
 ARCHITECTS INCORPORATED
 680 LYTON AVENUE, SUITE 101
 OAKLAND, CA 94611
 TEL: (415) 668-1550 FAX: (415) 668-1522
 www.yabarchitects.com



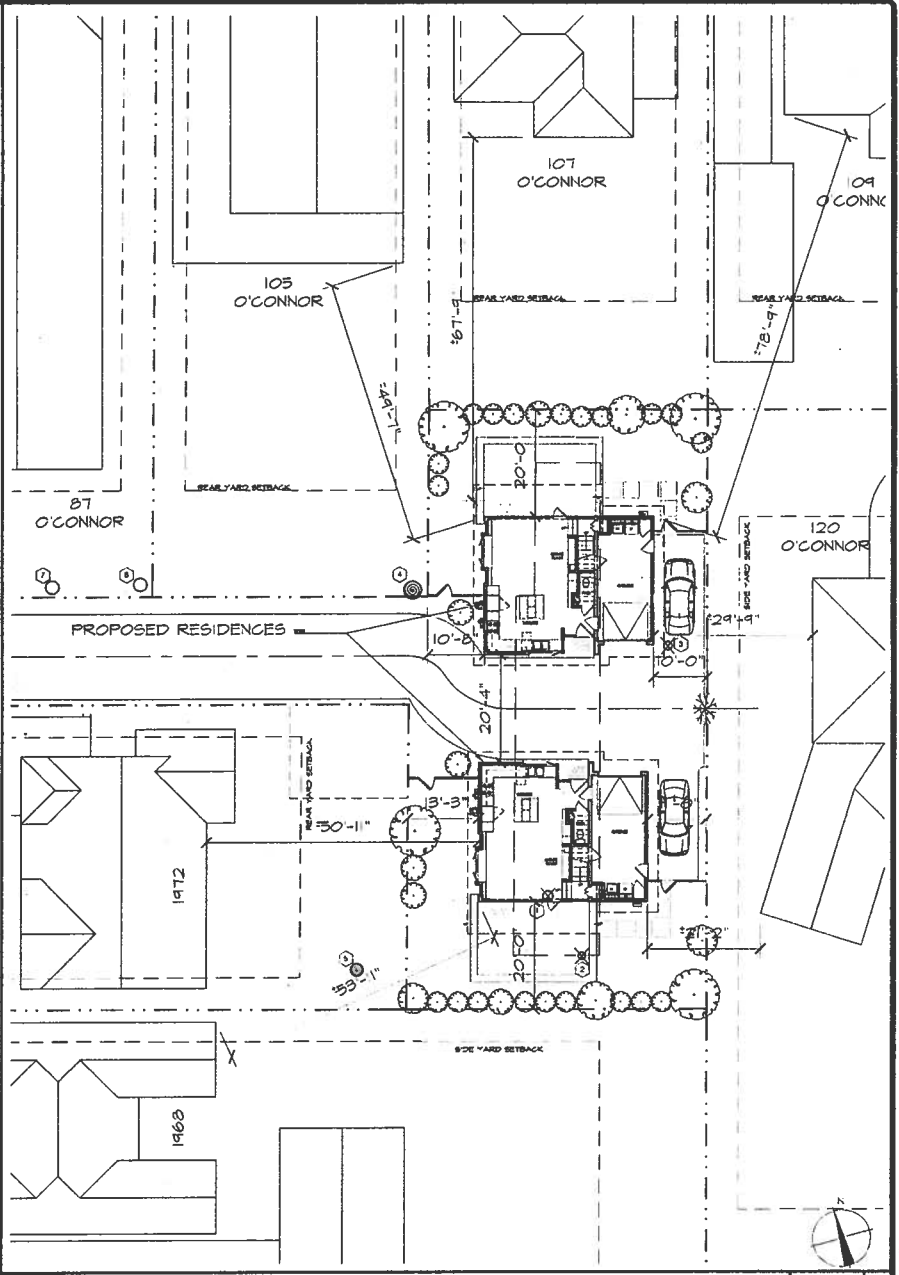
TWO NEW RESIDENTS WITH LAND SUBDIVISION FOR
 "1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 94025

A.P.N. 085-430-040	DATE
OWNER	DATE
DRN	CB
APR. 30, 2012	
1976 MENALTO L.L.C.	

A1.2



EXISTING FIRST FLOOR PLAN w/ CONTEXTUAL AERIAL VIEW 3/27" = 1/4" 2



PROPOSED FIRST FLOOR PLANS w/ CONTEXTUAL AERIAL VIEW 3/27" = 1/4" 1

ISSUE LOG

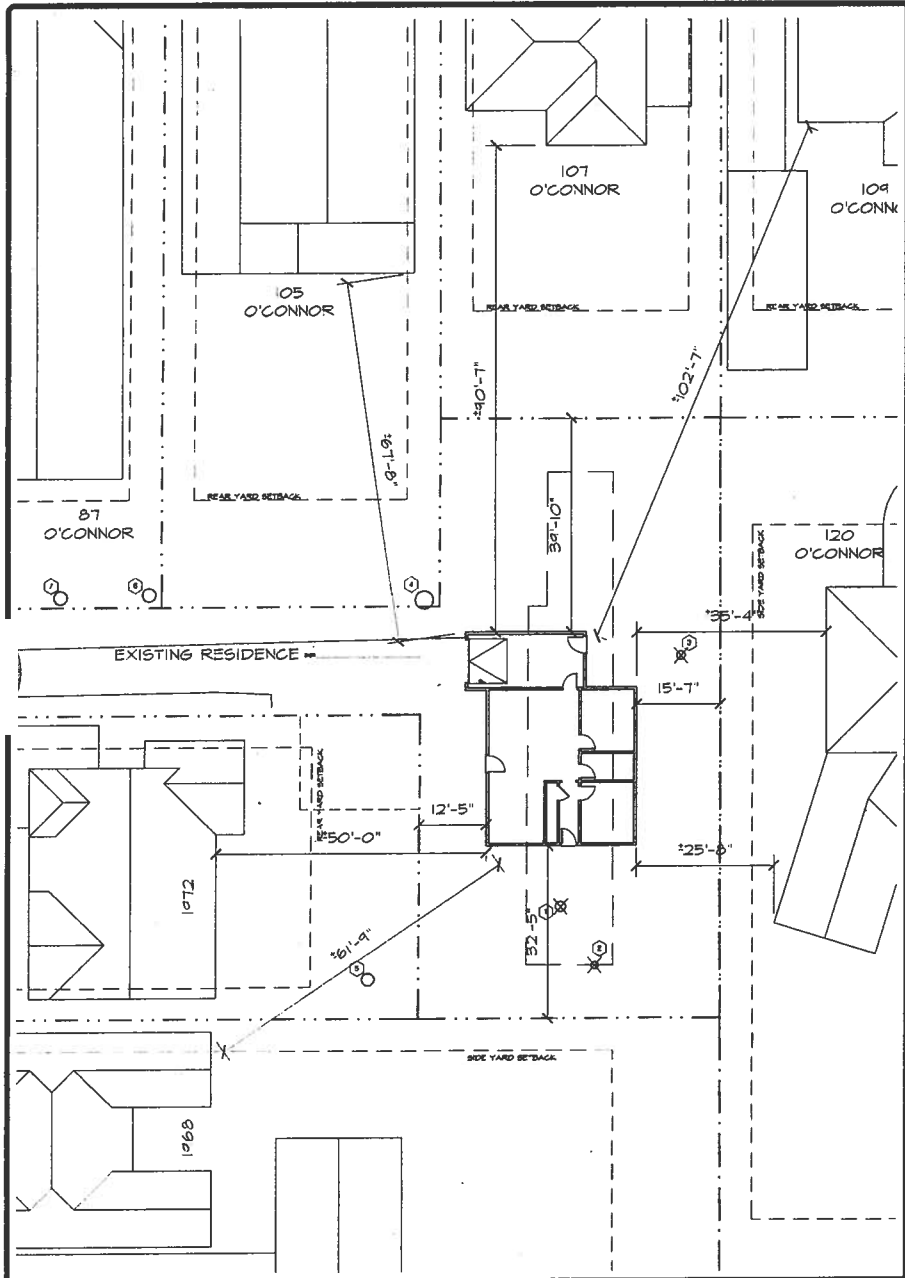
DESIGN BY	MR. D. MENALTO
DATE	APR. 30, 2012
CITY OF MENLO PARK	PLANNING COMMISSION
NOV. 18, 2011	

YOUNG AND BORLIK
ARCHITECTS, INCORPORATED
880 LYITTON AVENUE, SUITE 88 - ALTO, CA 94001
TEL: (650) 689-9590 FAX: (650) 323-7000
www.ybarchitects.com

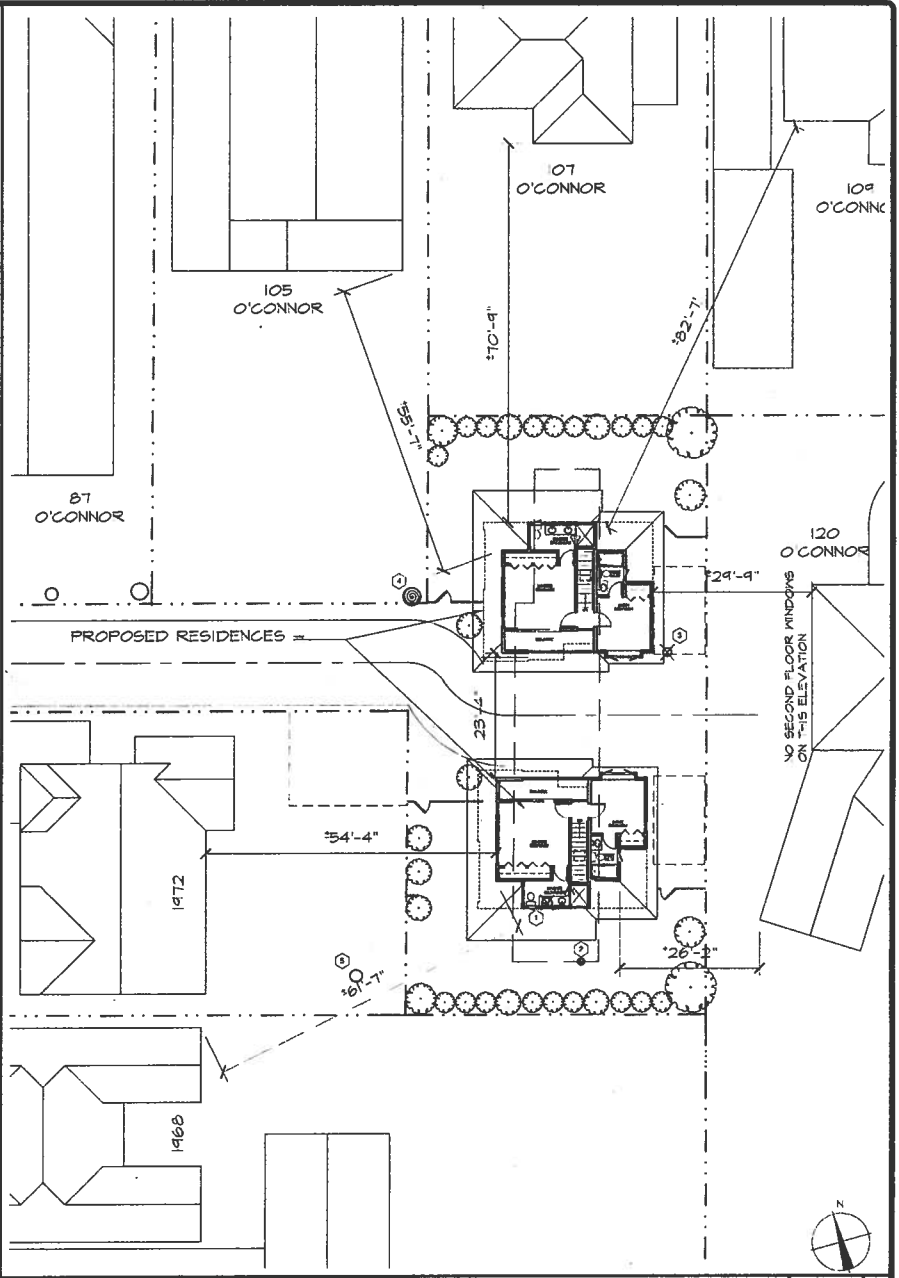
TWO NEW RESIDENCES WITH MINOR SUBSTITUTION FOR:
"1976 MENALTO L.L.C."
1976 MENALTO AVENUE
MENLO PARK, CA 940

A.P.N. 083-430-040
CHECKED BY: DBR
DATE: APR. 30, 2012
DESIGNED BY: RICHARD MENALTO

A1.3



EXISTING FIRST FLOOR PLAN w/ CONTEXTUAL AERIAL VIEW 3/28" = 1"=0" 2



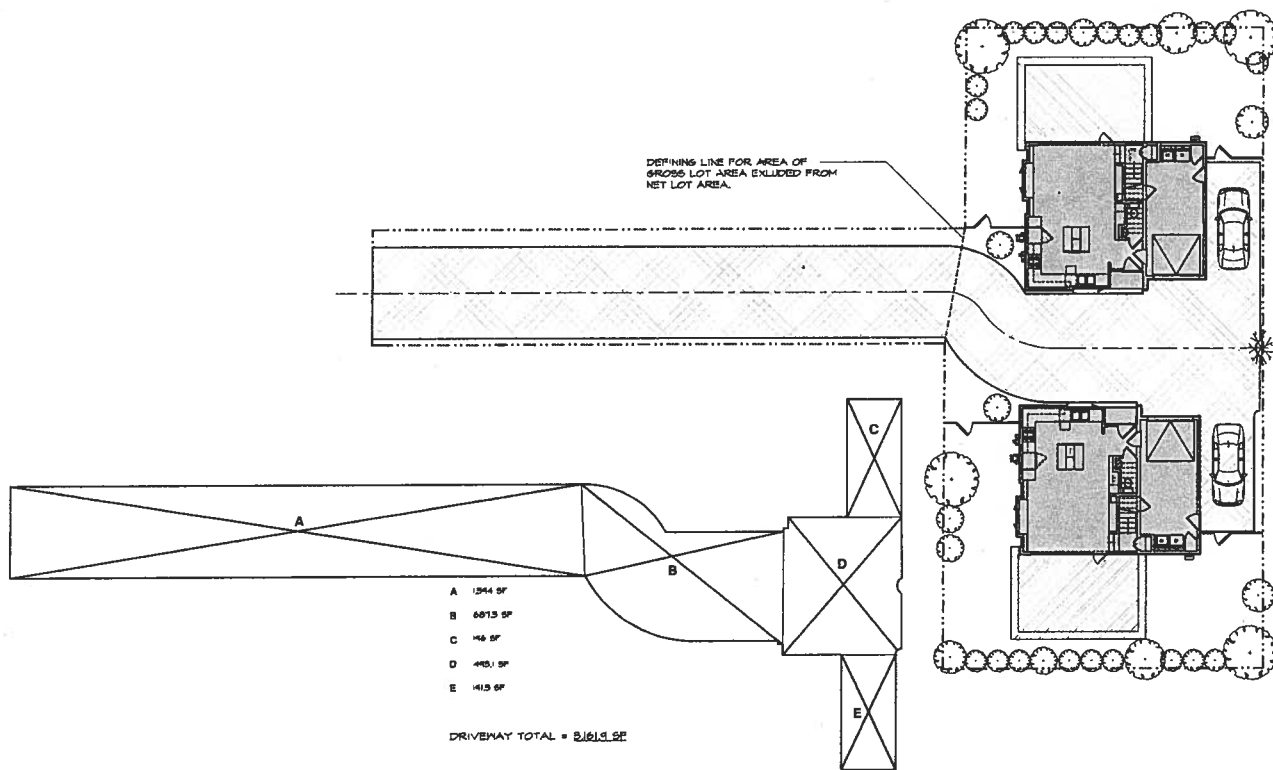
PROPOSED SECOND FLOOR PLANS w/ CONTEXTUAL AERIAL VIEW 3/28" = 1"=0" 1

ISSUE LOG
 DESIGN: 04/11/2012
 REVIEW: 04/11/2012
 PLANNING COMMISSION: 04/11/2012
 DATE: 04/11/2012

YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 480 LYTON AVENUE, SUITE #8 ALTO, CA 94501
 TEL: (925) 688-1950 FAX: (925) 688-1951
 www.youngandborlik.com

TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 940
 A.P.N. 063-030-040
 OWNER: MENALTO L.L.C.
 DATE: APR. 30, 2012
 DRAWN BY: MENALTO

A1.4

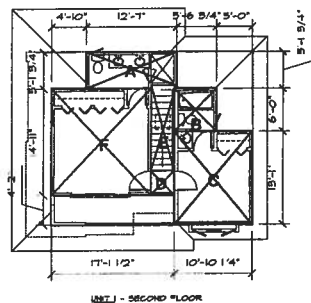


- STRUCTURAL COVERAGE
- PATIO & WALKWAYS
- INTERLOCKING PERMEABLE PAVERS OVER PERVIOUS BASEROCK

TOTAL LOT AREA	8165 SF
RESIDENCE #1 - COVERED ENTRY	764.2 SF / 16.4 SF
TOTAL RESIDENCE #1	780.6 SF
RESIDENCE #2 - COVERED ENTRY	764.2 SF / 16.4 SF
TOTAL RESIDENCE #2	780.6 SF
TOTAL STRUCTURAL COVERAGE	1561.2 SF (19.1%)
DRIVEWAY & PARKING	5161.9 SF @ 50% = 2580.95 SF (44.4%)
TOTAL PARKING AREA	5161.9 SF @ 50% = 2580.95 SF (44.4%)
USE 50% CONVERSION FACTOR FOR PERMEABLE PAVEMENT SYSTEM	
TOTAL LANDSCAPE & OPEN SPACE	5025.55 SF (61.5%)

AREA CALCULATIONS - SITE COVERAGE & SURFACE

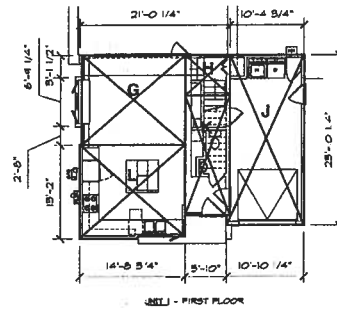
1" = 10' 2



- G 184.7 SF
- H 23.7 SF
- J 248.6 SF (GARAGE)
- K 106 SF
- L 112 SF
- FIRST FLOOR TOTAL = 364.2 SF

FIRST FLOOR TOTAL = 364.2 SF
 SECOND FLOOR TOTAL = 456.2 SF
 TOTAL RESIDENCE = 1223.4 SF

NOTE: UNIT 2 IS MIRROR IMAGE OF UNIT 1
CALCULATION IS THE SAME



AREA CALCULATIONS - UNIT 1

1" = 10' 1

PRELIMINARY - NOT YET APPROVED FOR CONSTRUCTION



ISSUE LOG
 1. REVIEW SET SUBMIT MAY 1, 2012
 2. REVIEW SET SUBMIT MAY 1, 2012
 3. REVIEW SET SUBMIT MAY 1, 2012
 PLANNING COMMISSION 08/18/2011

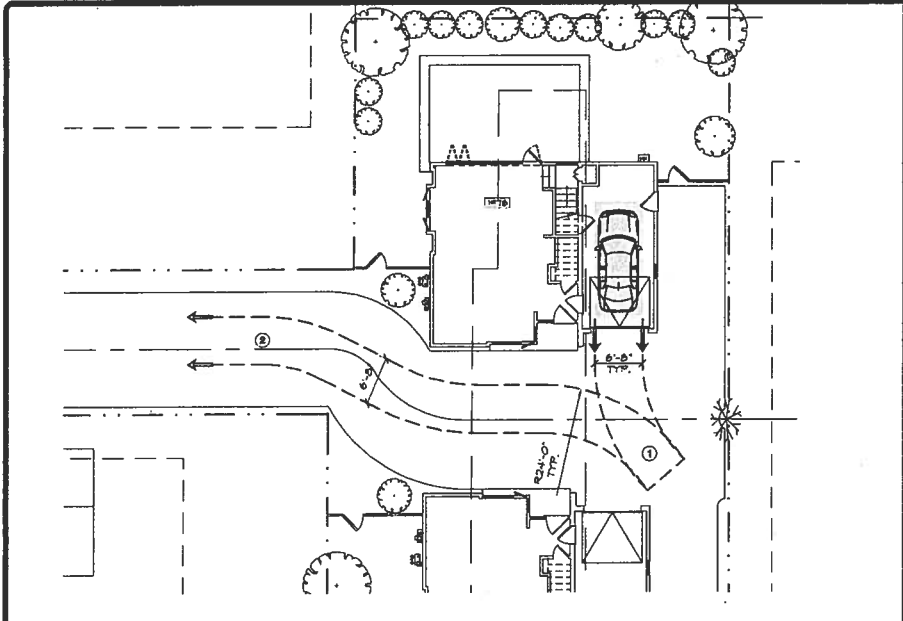
YOUNG AND BORLIK ARCHITECTS, INCORPORATED
 481 LYTTON AVENUE, SUITE 75... OAKLAND, CA 94601
 TEL: (925) 668-1999 FAX: (925) 668-1327
 www.youngandborlik.com



TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR
"1976 MENALTO LLC"
 1976 MENALTO AVENUE
 MENLO PARK, CA 94

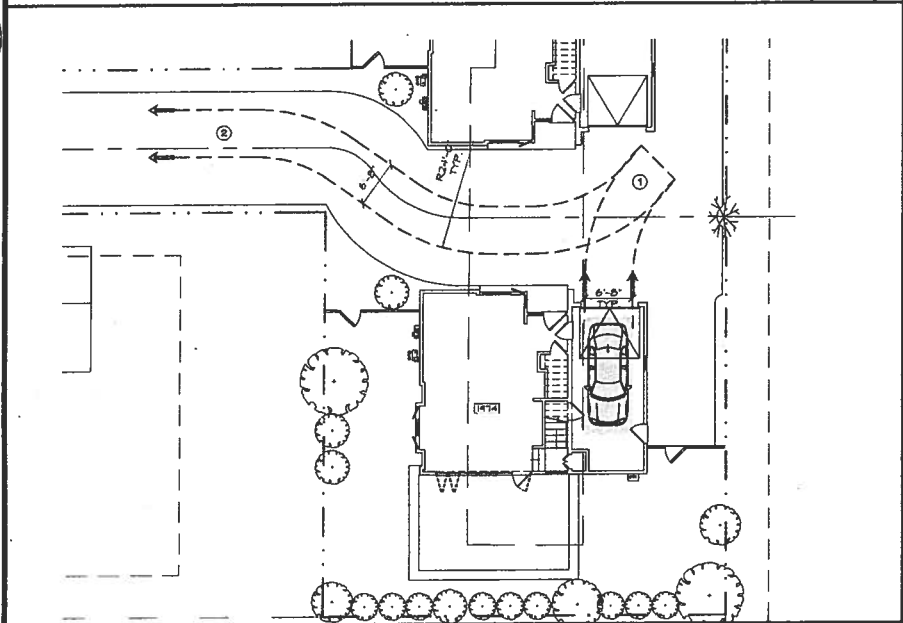
A.P.N. 063-430-046
 CHECKED BY: DSR
 DATE: APR. 30, 2012
 DRAWN BY: MCHARR-MENALTO

A1.5



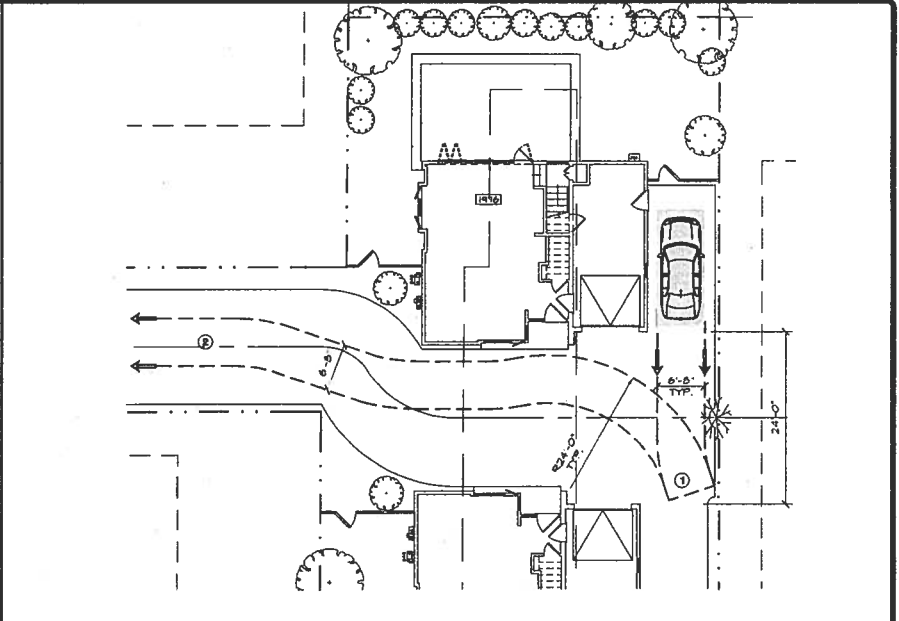
PARKING TURN-AROUND DIAGRAM

1/8" = 1'-0" 4



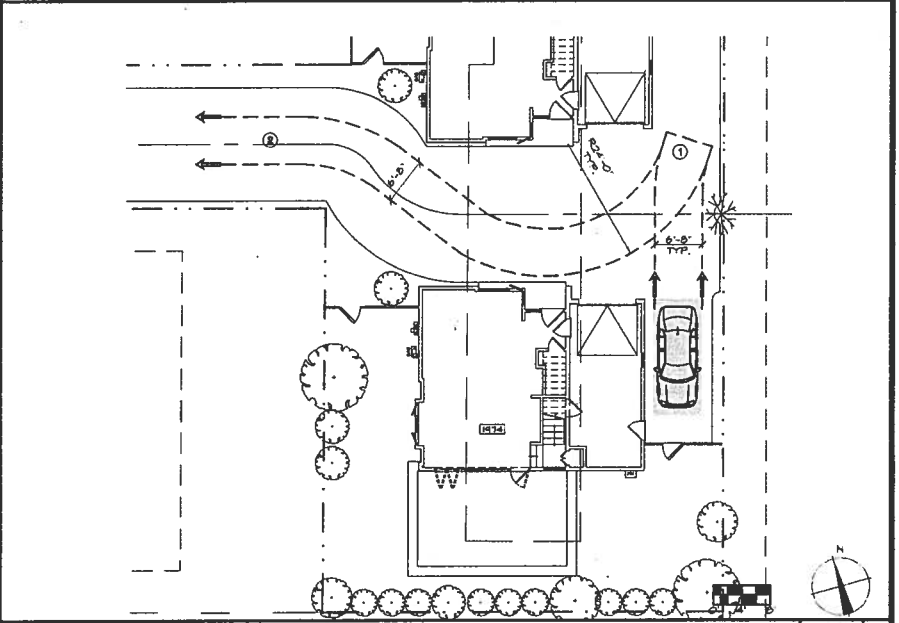
PARKING TURN-AROUND DIAGRAM

1/8" = 1'-0" 3



PARKING TURN-AROUND DIAGRAM

1/8" = 1'-0" 2



PARKING TURN-AROUND DIAGRAM

1/8" = 1'-0" 1

ISSUE LOG

1/8" = 1'-0" 1	1/8" = 1'-0" 2	1/8" = 1'-0" 3	1/8" = 1'-0" 4
----------------	----------------	----------------	----------------

DATE: 04/30/2012

ACTIVITY: SUBMIT

PLANNING COMMISSION

NOV 19, 2011

YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 480 LYITON AVENUE, SUITE 100 P.O. BOX 94301
 TEL: (650) 688-1950 FAX: (650) 732-
 www.yabarchitects.com

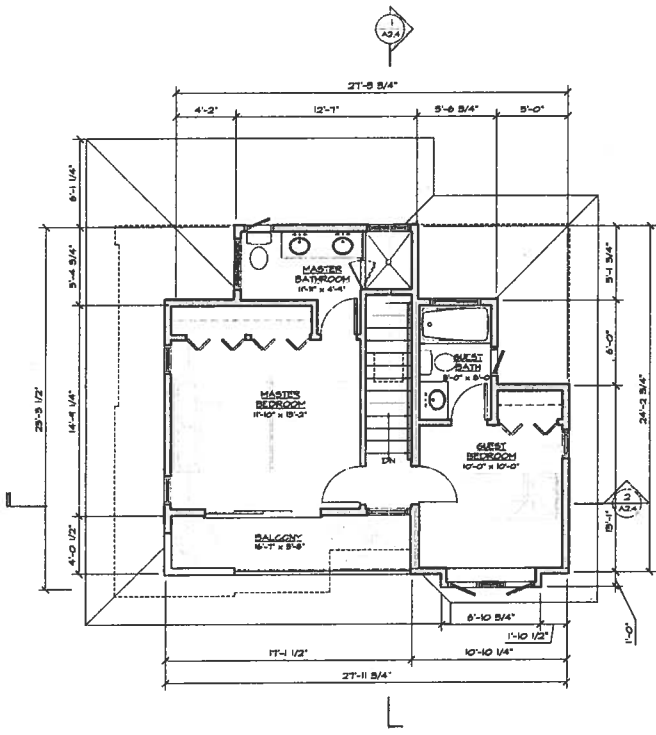
TWO NEW RESIDENCES WITH KINDER SUBDIVISION FOR:
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 940

A.P.N. 083-430-040

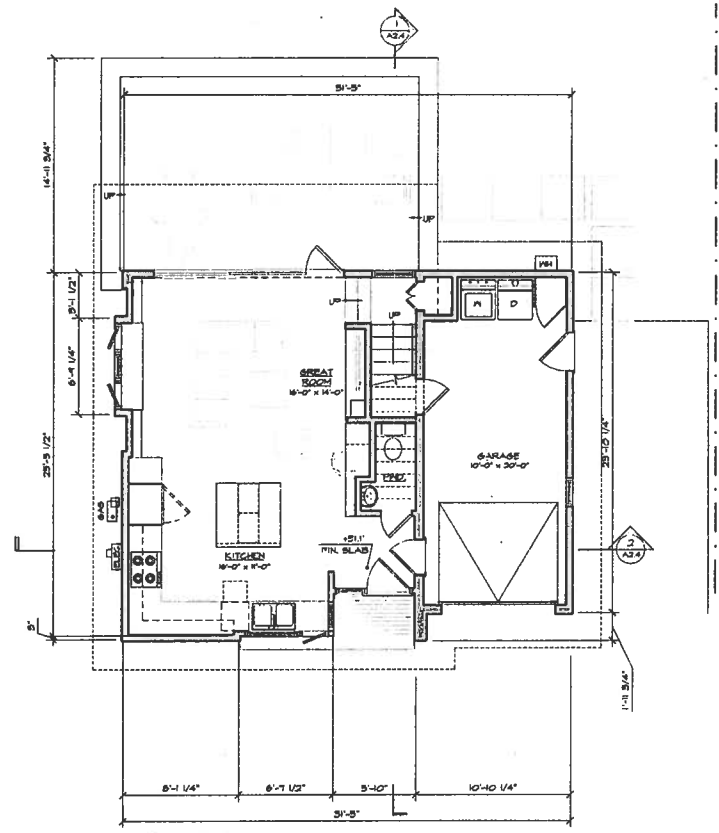
OWNER	DATE
DBN	APR. 30, 2012
CS	

FOR: MICHAEL MENALTO

A1.6



SECOND FLOOR PLAN



FIRST FLOOR PLAN

GENERAL NOTES:

VERIFY ALL HARDSCAPE, DRIVEWAY, & LANDSCAPE LAYOUTS AND FINISHES WITH OWNER.

SEE CIVIL PLANS FOR ALL FINISHED GRADES & DRAINAGE AND UTILITY CONNECTIONS & TRENCHING LOCATIONS.

WINDOWS & GLAZED DOORS TO BE WOOD FRAME, ALUMINUM CLAD, DUAL-PANE, W/ DIVIDED LIGHTS AS SHOWN ON ELEVATIONS. PROVIDE TINTED GLASS AT ALL GLAZED DOORS AND GLAZING WITHIN 24\"/>

SEE DOOR & WINDOW SCHEDULE A-11 FOR ALL EXTERIOR DOORS & WINDOWS AND INTERIOR DOORS.

FRAMING CONTRACTOR SHALL CAREFULLY REVIEW ALL ELECTRICAL, MECHANICAL, & STRUCTURAL PLANS AND CONSIDER ALL ISSUES IN LOCATION OF SIGNIFICANT BEAMS AND LAYOUT OF FLOOR & CEILING JOISTS TO ACCOMMODATE LIGHT CANS, PLUMBING, MINIMIZE HEADS OFF, CENTER FLOOR REGISTER IN DOORS, ALIGN CHUTES & CHASSES, ETC.

ALL DIMENSIONS ARE TO FACE OF STUD OR CENTERLINE OF WINDOW/DOORS, ETC. UNLESS NOTED OTHERWISE. VERIFY ALL CRITICAL DIMENSIONS AT EXISTING ELEMENTS IN FIELD PRIOR TO FRAMING.

EXTERIOR WALLS- 7/8\"/>

INTERIOR WALLS - 5/8\"/>

SEE STRUCTURAL PLANS FOR BEAR WALL & HOLDDOWN LOCATIONS & NAILING, 2x6 MIN. @ PLUMBING WALLS, 5/8\"/>

VERIFY PAINT AND COLOR SECTIONS W/ OWNER IN FIELD. PROVIDE LOW-VOC (50g/L FOR FLAT or 40g/L FOR NON-FLAT) OR NO-VOC (0g/L) PAINT.

VERIFY FINISH SELECTIONS, BASEBOARD, CEILING TRIM, AND DOOR & WINDOW CASINGS W/ OWNER IN FIELD. PROVIDE BLOCKING AS NECESSARY.

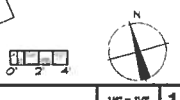
VERIFY ALL INTERIOR FLOOR FINISHES W/ OWNER PRIOR TO CONST. (BEDROOMS & BATHROOMS ETC.). VERIFY SELECTIONS, PATTERNS, BORDERS, ETC. WITH OWNER PRIOR TO CONSTRUCTION.

VERIFY ALL PLUMBING FIXTURES, APPLIANCES, LIGHTING SELECTIONS, DIMENSIONS, & REQUIREMENTS ETC. W/ OWNER PRIOR TO ROUGH FRAMING. COORDINATE WITH FRAMING CONTRACTOR.

MECHANICAL CONTRACTOR TO VERIFY ALL AIR DUCTS CHASSED DURING FOUNDATION WORK, PRIOR TO FRAMING. PLACE DUCTS OUT OF THE WAY IN LATTICES, GRAVE SPACES, ETC.

SEE ELECTRICAL PLANS W/ E.E. FOR LIGHTS, SWITCHES, OUTLETS, TV PHONE LOCATIONS, ETC. VERIFY W/ ELECTRICAL OWNER DURING FRAMING. COORDINATE ALIGNMENT W/ TILE FINISHES, HEIGHTS, WALL DEPTHS & FINISH BLOCKING, ETC.

PRELIMINARY - NOT YET APPROVED FOR CONSTRUCTION



PROPOSED FIRST & SECOND FLOOR PLAN - 1976 MENALTO AVENUE

ISSUE LOG

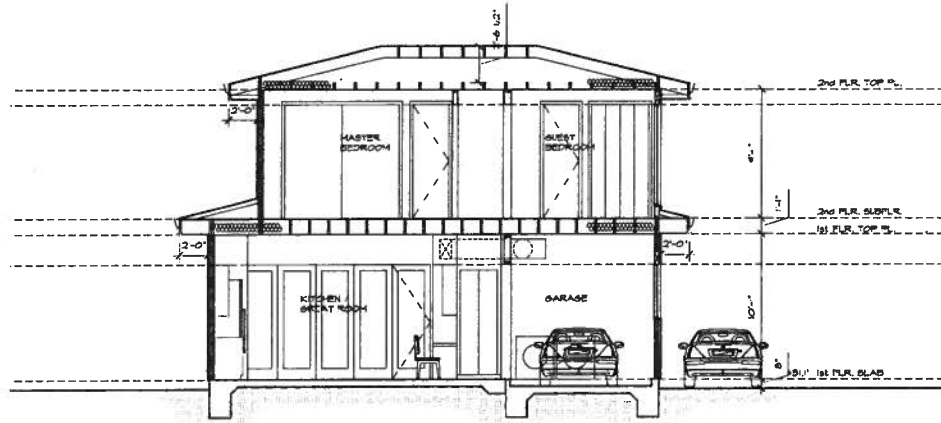
NO.	DATE	DESCRIPTION
1	NOV 17, 2012	ISSUE FOR PERMITS
2	NOV 18, 2012	PLANNING COMMISSION REVIEW

YOUNG AND BORLIK ARCHITECTS, INCORPORATED
 480 LITTON AVENUE, SUITE #8 ALTO, CA 94501
 TEL: (925) 488-1950 FAX: (925) 927-1111
 www.yabarchitects.com

ARCHITECT & ENGINEER
 1976 MENALTO L.L.C.
 1976 MENALTO AVENUE
 MENLO PARK, CA 94025

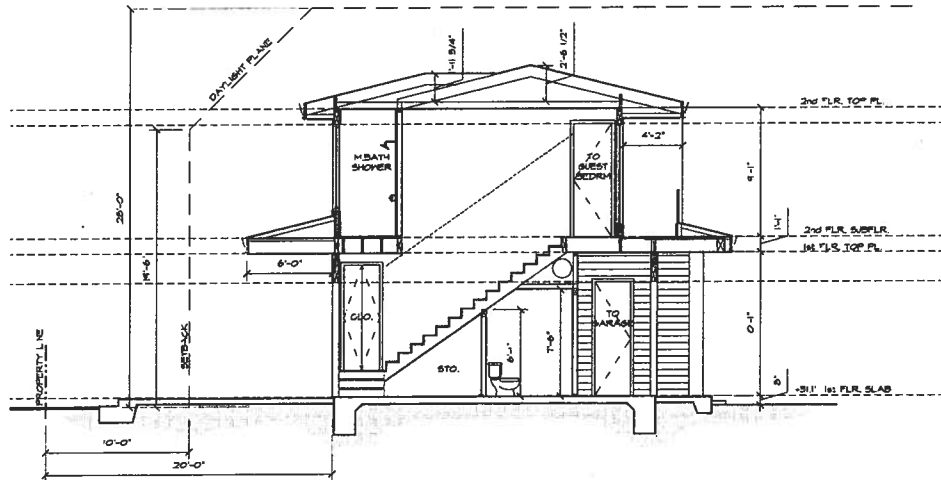
A.P.N. 063-450-048
 CHECKED: OSR
 DATE: APR. 30, 2012
 JOB # 10048R-MENALTO

A2.1



BUILDING SECTION

1/4" = 1'-0" 2



BUILDING SECTION

1/4" = 1'-0" 1

ISSUE LOG
DESCRIPTION OF WORK: SUBMIT
DATE: MAY 1, 2012
STUDY SUBJECT:
DATE: FEB 24, 2012
PLANNING COMMISSION
DATE: NOV 18, 2011

YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 488 LAYTON AVENUE, SUITE #8
 P.O. ALTO, CA 94021
 TEL: (650) 488-1990 FAX: (650) 322-7777
 www.yabarchitects.com



TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 94034

A.P.N. 083-430-048
OWNER: DRB
DATE: APR 28, 2012
JOB #: MANSAR-MENALTO

A2.4

GENERAL NOTES:

VERIFY ALL HARDSCAPE, DRIVEWAY, & LANDSCAPE LAYOUTS AND FINISHES WITH OWNER.

SEE CIVIL PLANS FOR ALL FINISHED GRADING & DRAINAGE, AND UTILITY CONNECTIONS & TRENCH LOCATIONS.

WINDOWS & FRENCH DOORS TO BE WOOD FRAME, ALUMINUM or VINYL GLAZED DUAL-PANE, w/ DIVIDED LIGHTS AS SHOWN ON ELEVATIONS. PROVIDE TEMPERED GLASS AT ALL GLAZED DOORS AND SLAZING WITHIN 2'-0" OF A DOOR OR WITHIN 18" OF FINISHED FLOOR. PROVIDE TEMPERED GLAZING AT WINDOWS AT CORNERS AND ABOVE BATH-TUBS. SEE U.S.C. NOTES ON SHEET A0-2.

SEE DOOR & WINDOW SCHEDULE A#11 FOR ALL EXTERIOR DOORS & WINDOWS AND INTERIOR DOORS.

FRAMING CONTRACTOR SHALL CAREFULLY REVIEW ALL ELECTRICAL, MECHANICAL, & STRUCTURAL PLANS AND CONSIDER ALL ISSUES IN LOCATION OF SIGNIFICANT BEAMS AND LAYOUT OF FLOOR & CEILING JOISTS TO ACCOMMODATE LIGHT GAINS, PLUMBING, MINIMIZE HEADINGS OFF CENTER FLOOR RESISTERS IN DOORS, ALIGH CHUTES & CHASES, ETC.

ALL DIMENSIONS ARE TO FACE OF STUD OR CENTERLINE OF WINDOW/DOOR, TYP. UNO. VERIFY ALL CRITICAL DIMENSIONS AT EXISTING ELEMENTS IN FIELD PRIOR TO FRAMING.

EXTERIOR WALLS - 1/2" STUCCO FINISH TO MATCH EXISTING) OF 5-GOAT APPLICATION & CONTINUOUS ALUMINUM KEEP SCREENED AT MUDRILL, OVER METAL LATH, OR 5/8" T&G HOOD HORIZONTAL SIDING OVER 2-LAYER SHEDS 12" BLDG PAPER OVER EXTERIOR SHEAR PLYND, OVER 2x FRAMING @ 16" O.C. UNO. SEE STRUCTURAL PLANS FOR SHEAR WALL & HOLDDOWN LOCATIONS & NAILING.

INTERIOR WALLS - 5/8" GYP BD. ON 2x4 STUDS @ 16" O.C. UNO. SEE STRUCTURAL PLANS FOR SHEAR WALL & HOLDDOWN LOCATIONS & NAILING. (2x6 MIN @ PLUMBING WALLS). 5/8" TYPE 2" GYPSUM BOARD @ ALL SEPARATION WALLS & CEILINGS IN GARAGE AND AT ENCLOSED SPACE UNDER STAIRS.

VERIFY PAINT AND COLOR SECTIONS BY OWNER IN FIELD. PROVIDE LOW-V.O.C. / ZERO VOC FOR FLAT or (50% VOC FOR NON-FLAT) OR NO-V.O.C. (50% L) PAINT.

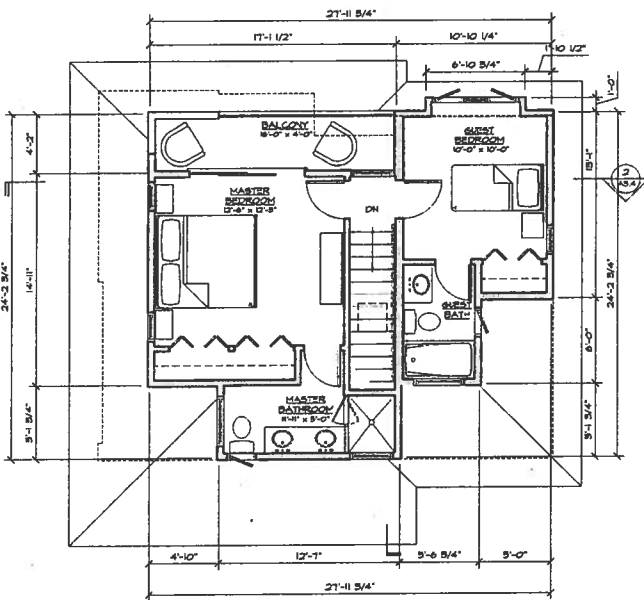
VERIFY FINISH SELECTIONS, BASEBOARD, CEILING TRIM AND DOOR & WINDOW CASINGS BY OWNER IN FIELD. PROVIDE BLOCKING AS NECESSARY.

VERIFY ALL INTERIOR FLOOR FINISHES BY OWNER PRIOR TO CONS. (BEDROOMS & BATHROOMS ETC.). VERIFY SELECTIONS, PATTERNS, BORDERS, ETC. WITH OWNER PRIOR TO CONSTRUCTION.

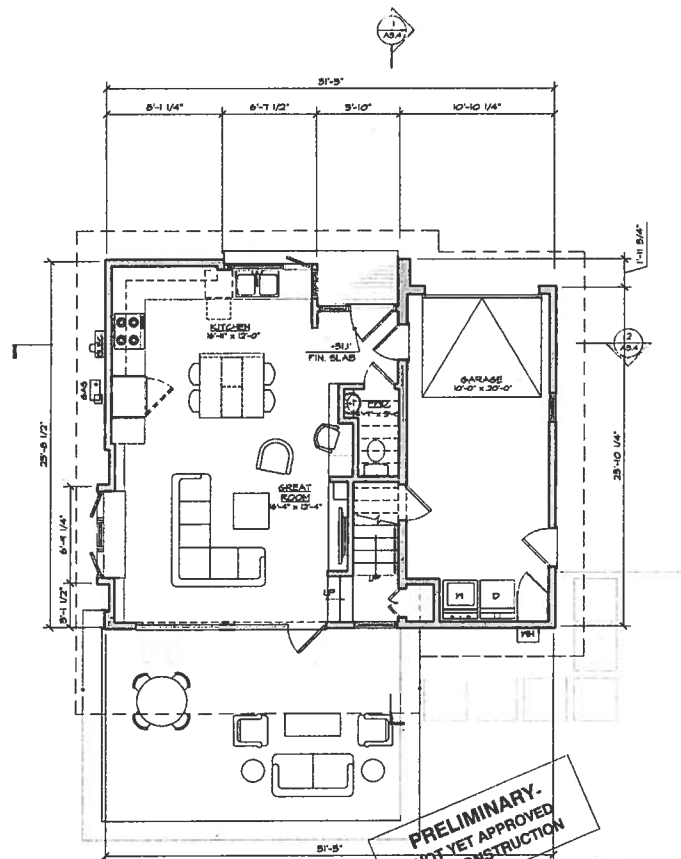
VERIFY ALL PLUMBING FIXTURES, APPLIANCES, LIGHTING SELECTIONS, DIMENSIONS, & REQUIREMENTS ETC. BY OWNER PRIOR TO ROUGH FRAMING. COORDINATE WITH FRAMING CONTRACTOR.

MECHANICAL CONTRACTOR TO VERIFY ALL AIR DUCTS, CHASES, LOCATIONS, CONFIGURATIONS, ETC. BY FRAMING CONTRACTOR DURING FOUNDATION WORK, PRIOR TO FRAMING. PLACE DUCTS OUT OF THE WAY IN ATTICS, CRAWLSPACES, ETC.

SEE ELECTRICAL PLANS (E2) FOR LIGHTS, SWITCHES, OUTLETS, TV, PHONE LOCATIONS, ETC. VERIFY W/ ELECTRICAL OWNER DURING FRAMING. COORDINATE ALIGNMENT W/ TILE FINISHES, HEIGHTS, WALL DEPTHS & FINISH BLOCKING, ETC.



SECOND FLOOR PLAN



FIRST FLOOR PLAN

PRELIMINARY - NOT YET APPROVED FOR CONSTRUCTION

PROPOSED FIRST & SECOND FLOOR PLAN - 1974 MENALTO AVENUE



ISSUE LOG

NO. 1	2012
NO. 2	2012
NO. 3	2012
NO. 4	2012
NO. 5	2012
NO. 6	2012
NO. 7	2012
NO. 8	2012
NO. 9	2012
NO. 10	2012

YOUNG AND BORLIK ARCHITECTS, INCORPORATED
 480 LITTON AVENUE, SUITE 18 • ALTO, CA 94501
 TEL: (925) 688-1950 FAX: (925) 327-7500
 www.yabarchitects.com

ARCHITECT & ENGINEER
 LICENSED IN CALIFORNIA
 00000000

TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR:
"1974 MENALTO L.L.C."
 1974 MENALTO AVENUE
 MENLO PARK, CA 94

A.P.N. 083-430-040
 DISPOSED BY: CS
 DATE: APR. 20, 2012
 JOB # SANJUAN-MENALTO

A3.1

ISSUE LOG	
DESIGN REVIEW SHEET	1801-1-2018
DATE REVISED	
SCALE	SCALE 1:1
PLUMBING COMMISSION	NOV 18, 2018

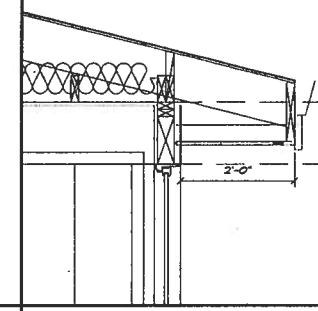
YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 480 LYTTON AVENUE, SUITE 100
 ALTO, CA 94501
 TEL: (925) 888-1990 FAX: (925) 833-1111
 www.yborchitects.com



TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR:
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 94025

A.P.N. 083-430-040	
CHECKED	DATE
DSR	CS
APR. 30, 2012	
JOB # MHAU8-MENALTO	

A3.2



EAVE DETAIL

SCALE 3

EAVE & PARAPET DETAIL

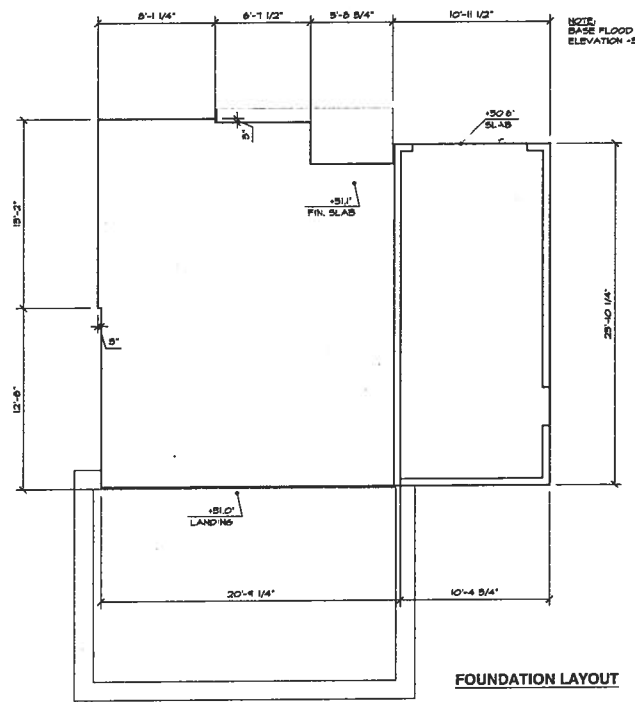
N.T.S. 2

TYPICAL FOUNDATION DETAIL

1" = 1'-0" 4

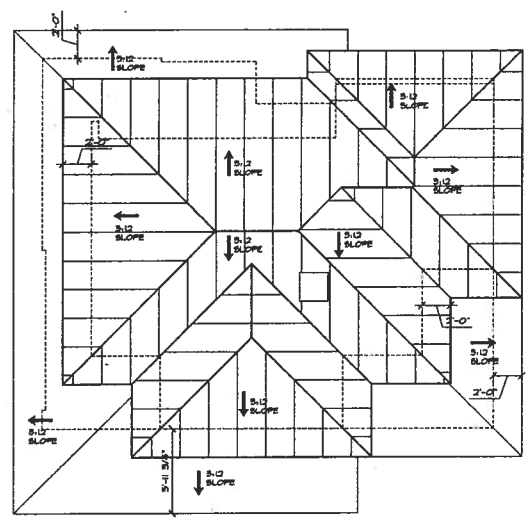
PATIO SLAB ON GRADE

1" = 1'-0" 5



FOUNDATION LAYOUT

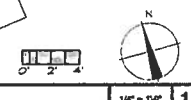
GENERAL NOTES:
 POST-TENSION CONCRETE SLAB ON GRADE FOUNDATION SEE PLAN & DETAILS.
 SEE SOILS REPORT FOR IMPORTANT EXCAVATION & SOIL PREPARATION MEASURES PRIOR TO CONSTRUCTION.
 SEE STRUCTURAL PLANS AND DETAILS. VERIFY HOLD-DOWN LAYOUT & FRAMING WITH DIMENSION PLAN AND PROVIDE ROUGH OPENINGS PRIOR TO POUR.
 SEE ALSO A2.1 DIMENSIONED FLOOR PLANS FOR ALL WALL, DOOR, & WINDOW LOCATIONS.
 SEE CIVIL PLANS FOR FINISHED GRADE & FINISH ELEVATIONS, UTILITY CONNECTIONS, ETC.
 VERIFY ALL UNDERSLAB PLUMBING & ELECTRICAL RIMS PRIOR TO CONSTRUCTION.



ROOF PLAN

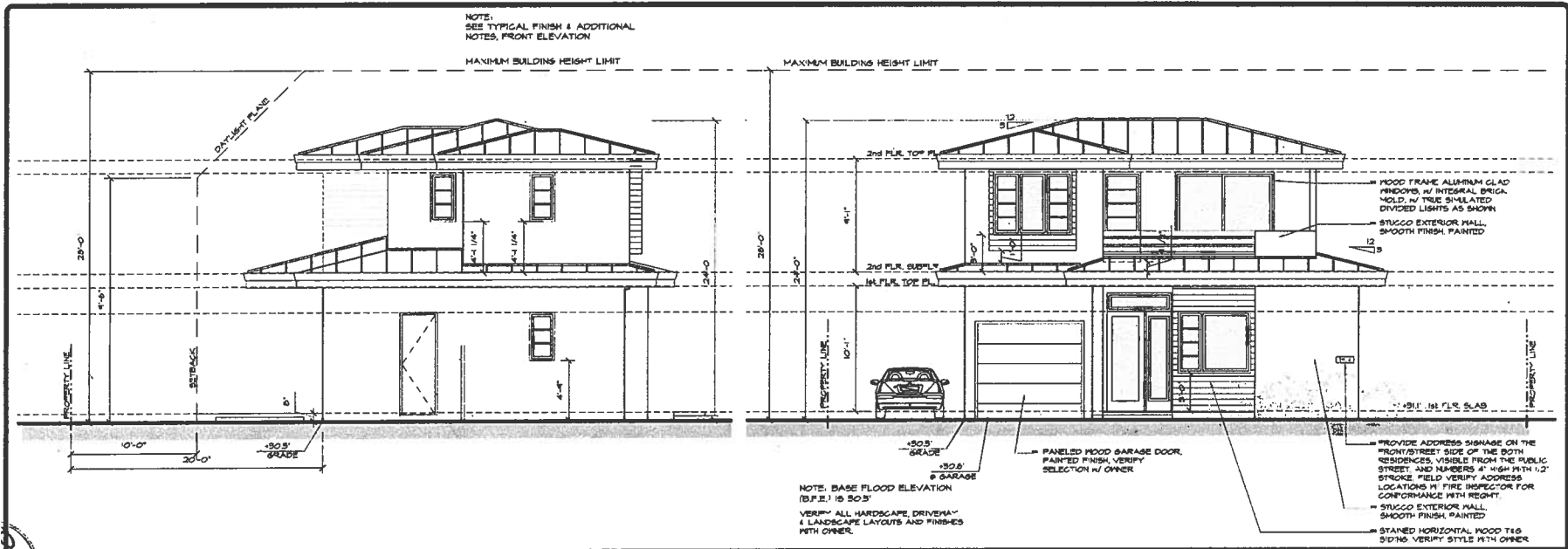
GENERAL & KEY NOTES:
 ROOFING: CERTAINTED, (I.C.C. ECR -1084) OR EQUAL. VERIFY FINAL SELECTION BY OWNER. COOL ROOF RATINGS PER MENDOTA PARK REQUIREMENTS. COOL ROOF MUST BE CERTIFIED BY THE GRC AND HAVE A REFLECTIVITY OF 0.75 OR BETTER AND EMISSIVITY OF 0.75 OR BETTER.
 CLASS "A" 40 YR. ASPHALT COMPOSITION SHINGLES OVER ONE-LAYER 30# ROOFING FELT w/ 50% OVERLAP OVER PLYWOOD SHEATHING PER STRUCTURAL.
 PAINTED G.I. SHEET METAL GUTTERS w/ 3" ROUND DOWNSPOUTS. VERIFY SELECTIONS BY OWNER.
 SEE ROOF VENTING CALCULATIONS FOR RIDGE & ROOF VENT SIZES & NET VENT RIGHTS. SEE ALSO A2.3 EXTERIOR ELEVATIONS FOR LOCATIONS.
 VERIFY ROOF & CEILING FRAMING FOR SKYLIGHT WELL ALIGNMENT OVER CENTER OF STAIRWELL.
 SANITARY SEWER VENTS SHALL TERMINATE AT LEAST 10'-0" AWAY FROM ANY OPERABLE SKYLIGHT.
 DIRECT ROOF JACKS, VENTS, AND OTHER PENETRATIONS TO THE REAR FACING ROOF PLANE WHERE POSSIBLE.

PRELIMINARY - NOT YET APPROVED FOR CONSTRUCTION



PROPOSED ROOF PLAN & FOUNDATION LAYOUT - 1974 MENALTO AVENUE

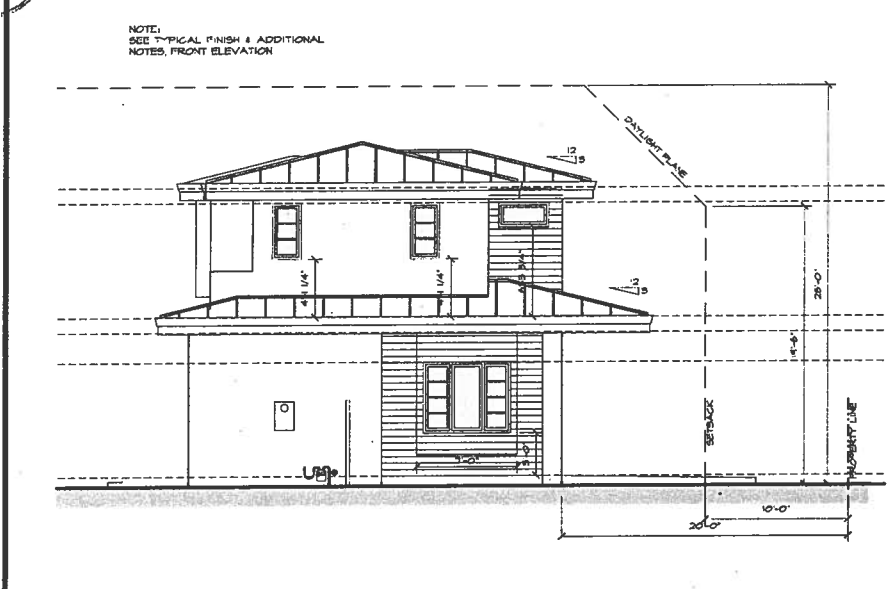
1" = 1'-0" 1



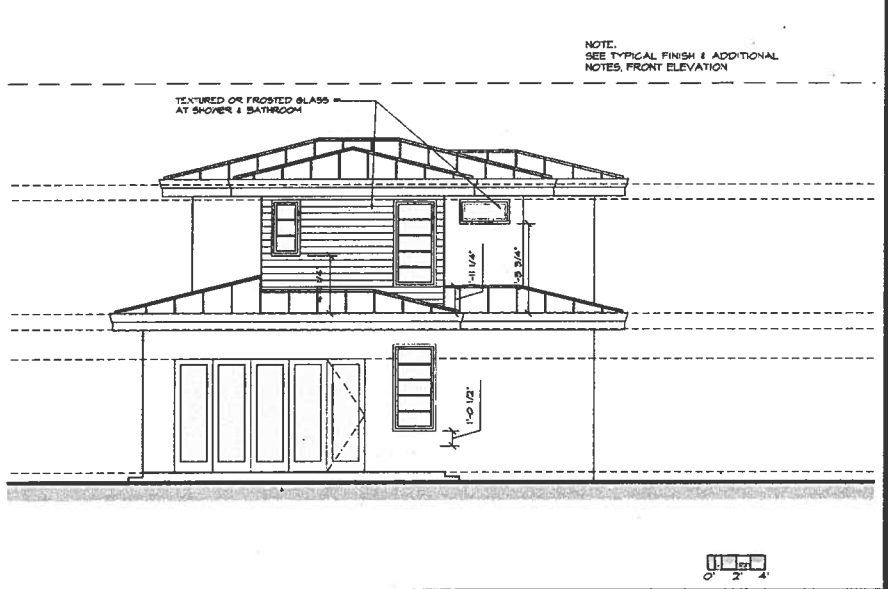
"REAR" ELEVATION (EAST)

INTERIOR-"SIDE" ELEVATION (NORTH) 1974 MENALTO

1/4" = 1'-0" 2



"FRONT" ELEVATION (WEST)



"SIDE" ELEVATION (SOUTH)

1/4" = 1'-0" 1

ISSUE LOG
 11/15/12 1974 MENALTO
 11/15/12 1976 MENALTO
 PLANNING COMMISSION
 NOV 18, 2012

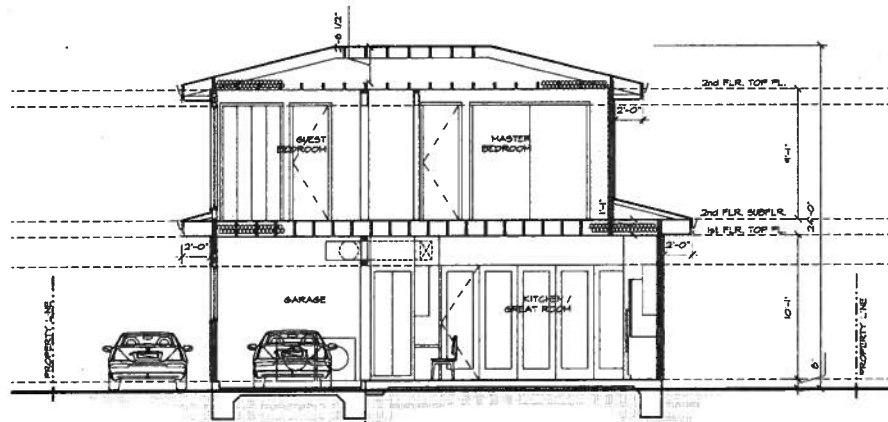
YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 486 LYTON AVENUE, SUITE 18
 ALTO, CA 94501
 TEL: (925) 685-1950 FAX: (925) 685-1951
 www.yabarchitects.com



TWO NEW RESIDENTS WITH INTERIOR SUBDIVISION FOR:
 "1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 940

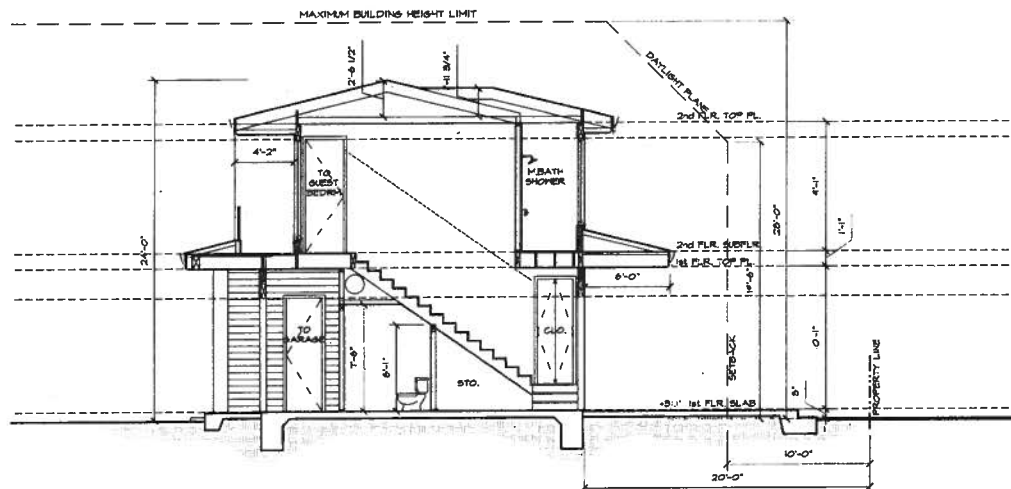
AP/N. 063-030-010
 CHECKED DATE
 APR. 30, 2012
 JOB #
 MCHNTR-MENALTO

A3.3



BUILDING SECTION

1/4" = 1'-0" 2



BUILDING SECTION

0 2 4

1/4" = 1'-0" 1

ISSUE LOG
DATE: 04-23-2012
STUDIO: A3.4
PLANNING COMMISSION
NOV 18, 2011

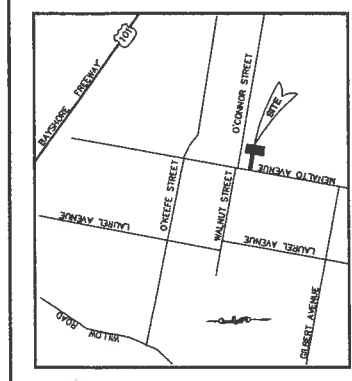
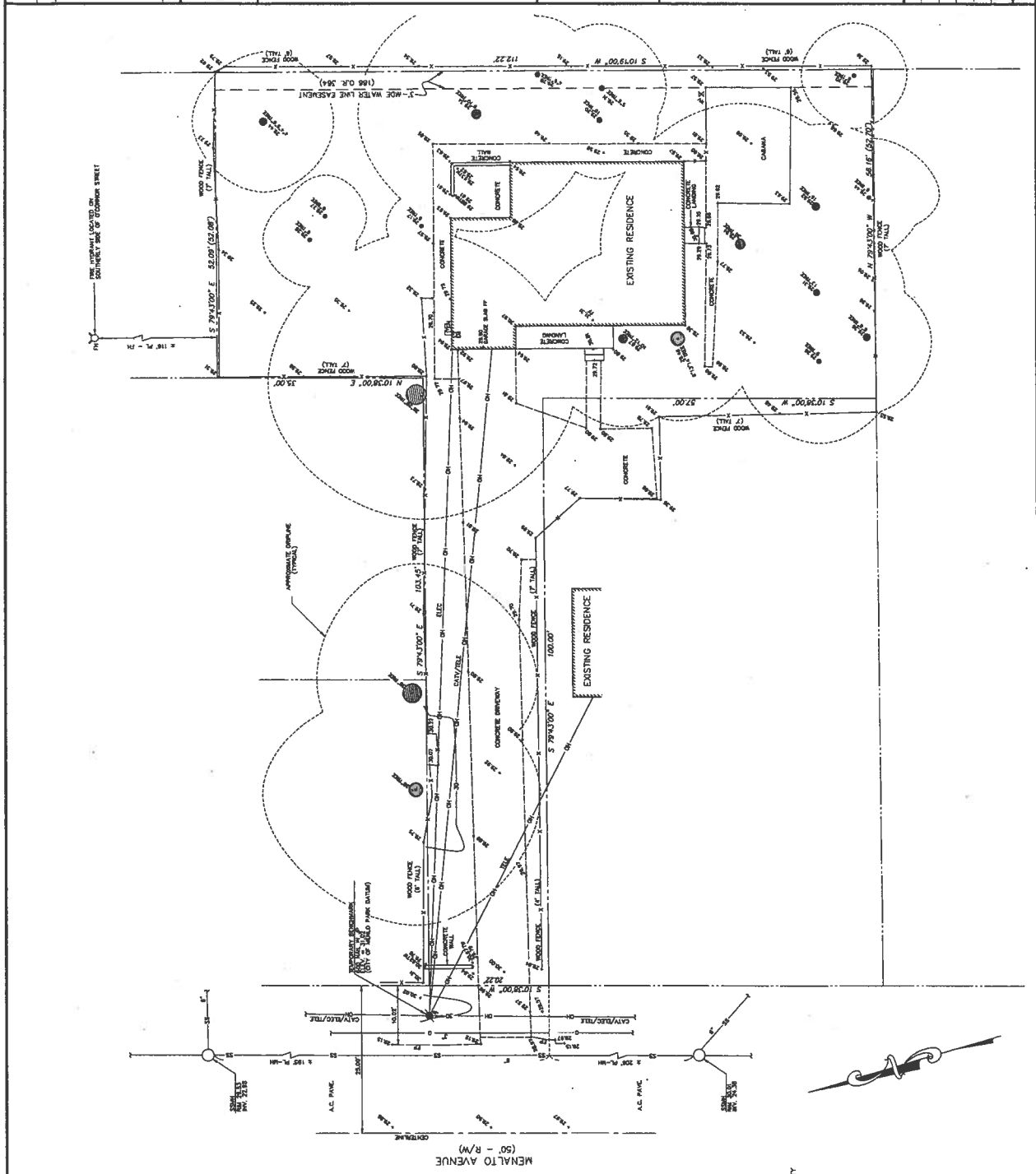
YOUNG AND BORLIK
 ARCHITECTS, INCORPORATED
 400 LYTTOR AVENUE, SUITE #9
 TEL: (650) 688-1990 FAX: (650) 321-1111
 www.ybarc architects.com



TWO NEW RESIDENCES WITH MINOR SUBDIVISION FOR:
"1976 MENALTO L.L.C."
 1976 MENALTO AVENUE
 MENLO PARK, CA 94034

A.P.N. 063-420-040	
CHECKED: DBR	DATE: APR. 23, 2012
DESIGNED: G3	PROJECT: 1976 MENALTO

A3.4



VICINITY MAP
(NOT TO SCALE)

LEGEND

- ASPHALT CONCRETE PAVEMENT
- CATV
- ELEC
- DM
- EP
- PH
- FF
- GM
- JP
- TELE
- TW
- WM
- WATER VALVE
- PRICE W/ SIZE & ELEVATION
- GAS LINE
- OVERHEAD LINE
- STORM DRAIN LINE
- SANITARY SEWER LINE
- WATER LINE
- () INDICATES RECORD DATA

LOT AREA

- = 6,168 ± SQ. FT.
- = 0.186 ± ACRES

UTILITY NOTE:
 THE UTILITIES SHOWN ON THE SURFACE AND SUBSURFACE ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE ASSOCIATED UTILITY COMPANIES. THE LOCATION, DEPTH, AND SIZE OF THESE UTILITIES FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE, RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

FLOOD ZONE NOTE:
 THE PROPERTY LIES WITHIN FLOOD ZONE AN PER FLOOD INSURANCE RATE MAP 060321-0006-0, THE MAXIMUM 100-YEAR BASE FLOOD ELEVATION = 303.

GRAPHIC SCALE
 1 inch = 40 feet



YOUNG AND BORLIK
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ATTACHMENT E

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November 12, 2012 (revised)

Kyle Perata
Assistant Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Variance Findings for 1976 Menalto Avenue

This letter is in regards to the proposed project at 1976 Menalto Avenue, for two new single family detached homes. The purpose of this letter is to address the justifications and findings associated with the approval of a variance to locate a portion of the structures within the required front and rear yard setbacks. We presented this project before the Planning Commission on September 24 as a study session item, to solicit feedback and input on our proposed design. Based on mixed review and commentary from that hearing that was generally positive, and in addressing as many concerns as voiced by the neighbors, we now present this project for Planning Commission review. We respectfully ask for granting of the variances for the success of this project, based on the findings and conditions below.

1. There are special circumstances or conditions affecting the property;

This T-shaped flag lot is unlike any other in this neighborhood. The lot is located in an R-2 residential zoning district in the Willows neighborhood, with a mixture of apartments, two-home subdivisions, and single family homes, in a slightly higher density development pattern. The lot borders other R-2 parcels as well as a few R-1-U parcels. The current site has a one-story residence with an attached two-car garage. The odd-shaped flag lot with gross area of 8,168 sf is served by a 100 foot long by 20 foot wide driveway. Excluding the driveway, the main portion of the existing lot is 112 foot in width and 52 to 56 feet deep. The parcel is zoned for R-2 development and the lot area is sufficient to allow two-home development density. With the 20 foot front and rear setbacks required per zoning, the resulting buildable envelope for any home would be 12 to 16 feet deep. Figure 1.1 shows a summary of the site and the setback requirements on this lot and adjacent lots, as well as adjacent uses and zoning. It would be an extreme challenge to build any practical residence within these confines. The existing house is in extreme disrepair and does not comply with the current setback requirements as built, and will be demolished for this project.

The constraints from the shallow depth of this lot make it a challenge to provide comfortable and functional homes and required parking and driveway provisions in any configuration within all the City requirements. Some sort of encroachment into the front and/or rear setbacks would be critical to the success and feasibility of any type of residential development on this property. An encroachment allowed by a variance would be up to 50% of the required yard setback, in this case up to 10 feet into the front and rear yard setbacks of 20 feet.

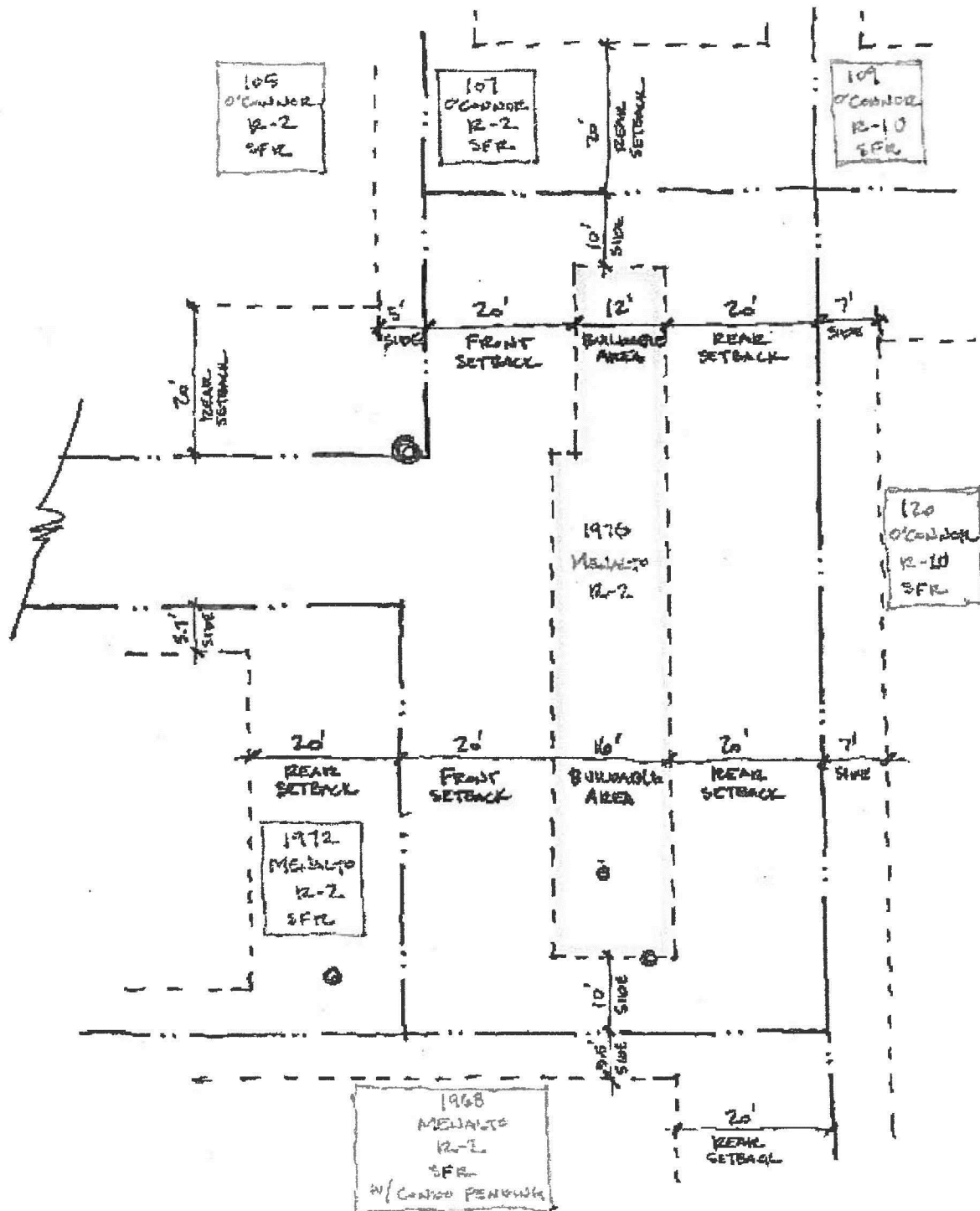


Figure 1.1 The existing lot at 1976 Menalto with the required setbacks applied per zoning (based on the driveway intersection point), and the resulting buildable envelope. Zoning and uses are also noted for the adjacent properties, as well as the adjacent setbacks.

2. *The exception is necessary for the preservation and enjoyment of a substantial property right of the applicant enjoyed by surrounding conforming properties, and if granted will not constitute a special privilege;*

This R-2 parcel is zoned for two home development, along with of the rest of the block and most of the adjacent properties. The gross lot size is sufficient to allow and accommodate two homes on this property. All of the neighboring parcels are developed with either one home or two homes per lot. We are asking for the same property right as the rest of the block to build two reasonable size residences for this parcel.

Based on the net lot area, the allowable floor area for this property is 2,444 sf. In attempting to accommodate as much of that allowable floor area within the narrow buildable envelope without encroaching into the setbacks, we've included an early schematic design study (Figure 2.2). To accommodate the required covered parking spaces, the two garages would need to be placed opposite each other within the narrow building envelope and separated by the backup distance for driveway access. Along with some minimal accommodation for entry and stairs, the ground floor area for each unit would be 336 sf apiece. The second floor above this would stack above these garages and need to bridge across the driveway opening to accommodate the proposed floor area (Figure 2.3). With the zoning limit for second floor area above the floor at 15% of the lot area, the second floor for each unit would be 458 sf apiece. The combined living unit accommodated in this scheme would only be a small studio apartment over the one car garage with total area of 794 sf each. A schematic elevation is shown in Figure 2.1. Both units together would accommodate only 1,588 sf, which is far below the allowable limit of 2,444 sf for the property (65% of what is allowable). The limitation on reaching anywhere close to the allowable floor area for this property is a direct result of the restrictive buildable envelope defined within the setback distances per the application of the zoning standards.

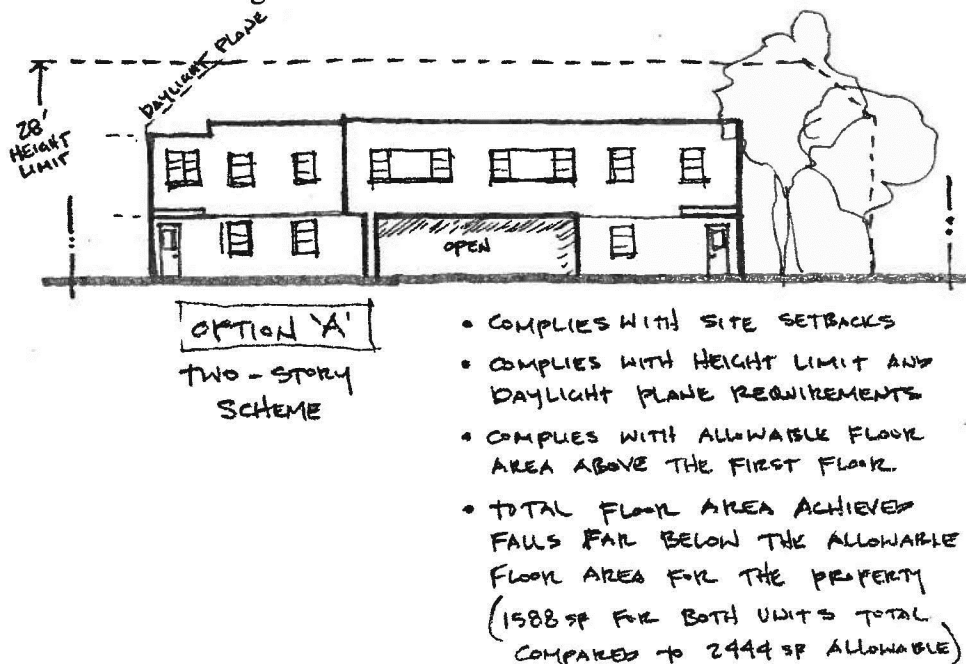


Figure 2.1 Front elevation associated with a two-story scheme, to meet all of the required zoning standards, but limited to only 1588 sf of floor area (compared to 2444 sf allowable).

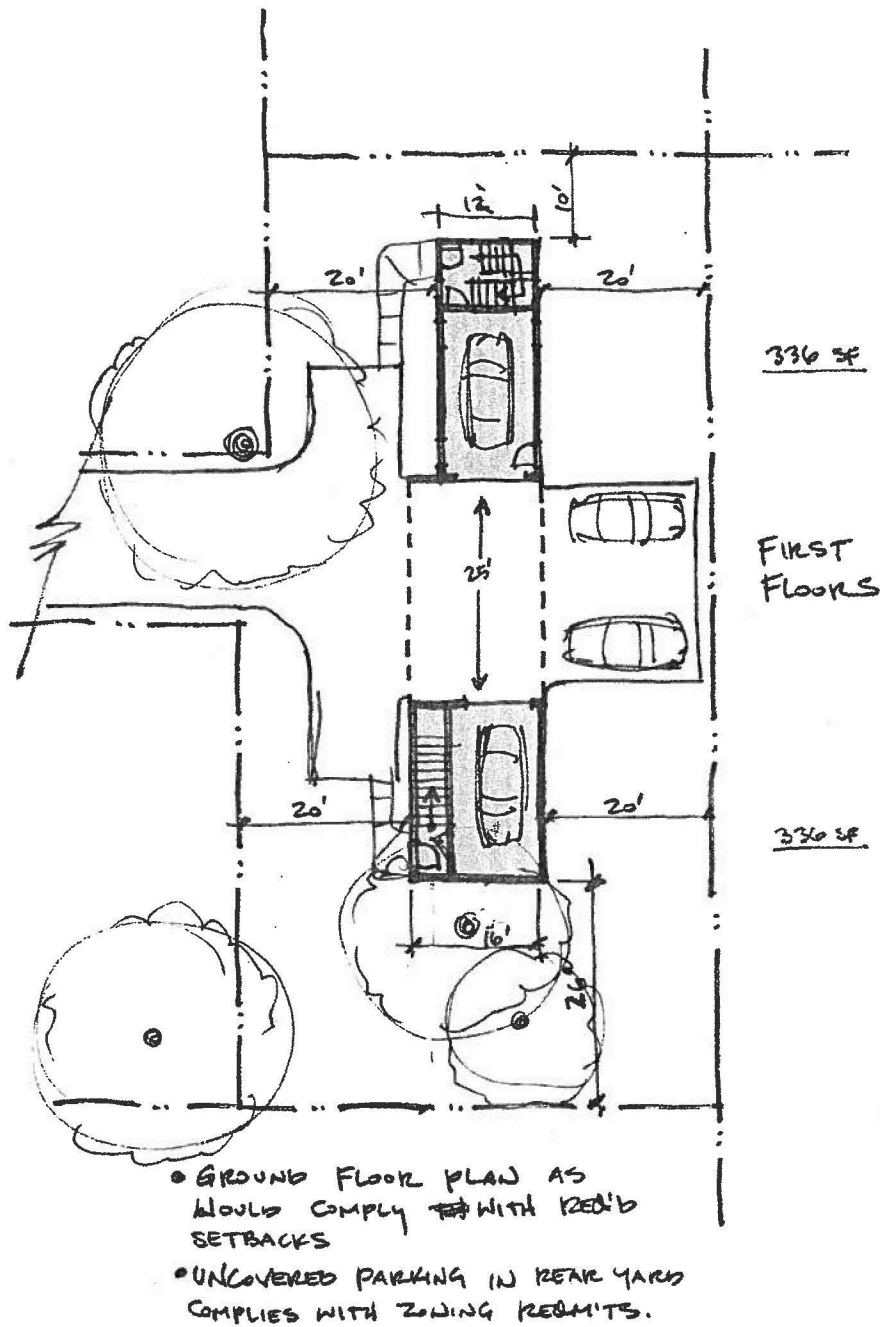
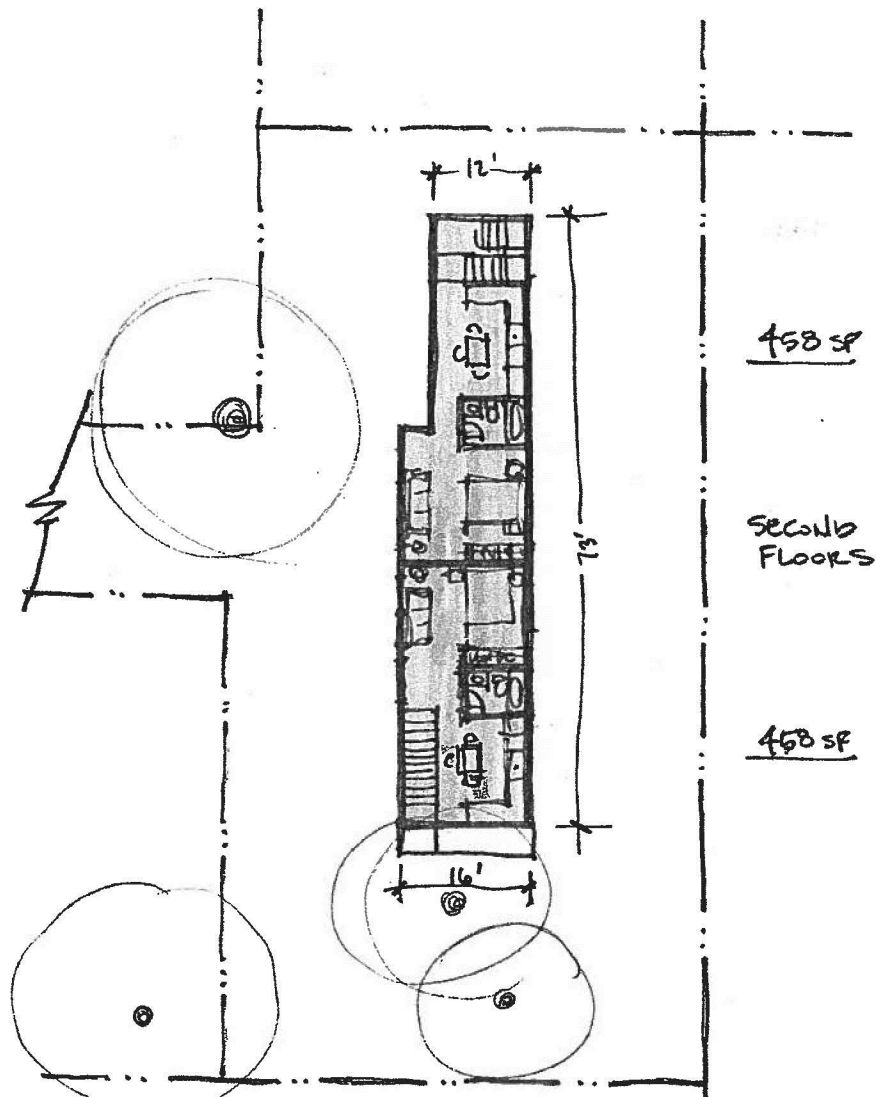


Figure 2.2 First floor plans for a schematic option that seeks to fit all of the allowable floor area within the required site setbacks.



OPTION 'A'
TWO STORY

- COMPLIES WITH SITE SETBACKS
- COMPLIES WITH MAX. ALLOWABLE SECOND FLOOR AREA PER LOT (15% LOT AREA)
- ONLY ALLOWS FOR ONE ROOM STUDIO APARTMENT, TOTAL 794 SF PER UNIT
- RESTRICTS TOTAL DEVELOPMENT TO 1588 SF (COMPARED TO 2444 SF ALLOWABLE)

Figure 2.3 Second floor plans for a schematic option 'A' that seeks to fit all of the allowable floor area within the required site setbacks. The allowable limit on second floor area, combined with the limited first floor space would result in a combined floor area of both units at 1588 sf compared with the allowable limit of 2444 sf.

The front/rear designation for a flag lot parcel is determined based on the shorter lengths of the property lines where it intersects the driveway portion. In the case of this subject parcel, since the driveway intersects in the middle rather than at the corner, the front/rear were determined based on short dimension created where the flag portion of the driveway intersected the main rectangular area. If we consider a scenario where the driveway intersected at the corner and the front/rear designation for this rectangular flag were switched, the setback determination and compliance would be entirely different. The required front/rear setback would be 20 feet, which is consistent with the 20 foot we have proposed. The required side setbacks would be only 5.6 feet (10% of the width), in the portions of the lot where we have proposed a 10.5 to 13.5 foot setback. The buildable envelope laid out in this scenario would be more compatible with neighboring properties and more closely reflect the design intent of our proposed site plan approach. A study of this is included in Figure 2.4.

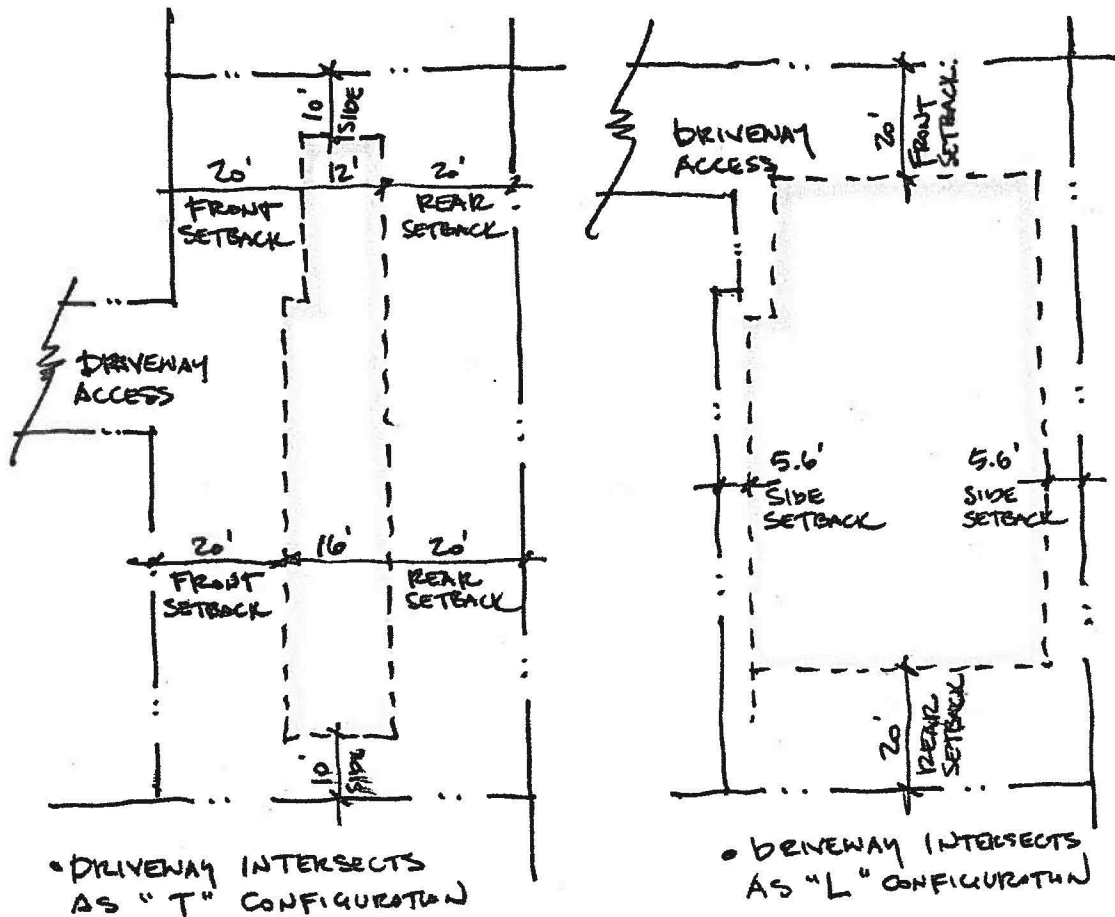


Figure 2.4 Illustrates how the required setbacks would compare, depending on the determination of the zoning definitions, for a parcel of the same size and dimensions with the only variation being the location of the driveway access as it intersects the main body of the lot.

3. *The granting of the exception will not be materially detrimental to the public health, safety, and welfare, or will not impair an adequate supply of light and air to adjacent properties;*

As shown in the above Figure 2.4, there is uniqueness to the zoning applied to this lot based on the location of the driveway intersection, irrespective of the lot size and dimensions. In a comparative example of how the two proposed homes would fit in either setback determination, the footprints would fit completely within the minimum setbacks if the front and rear designations were more typically applied if the driveway intersected at the corner rather than in the middle, as shown below in Figure 3.1. Our proposed "side" setbacks of 20 feet would equal what would be required if it were a minimum 20 foot front/rear setback. Our proposed "front/rear" setbacks of 10 feet to 13 feet would be greater than what would be required if it were a minimum 5.6 foot side setback (10% of lot width).

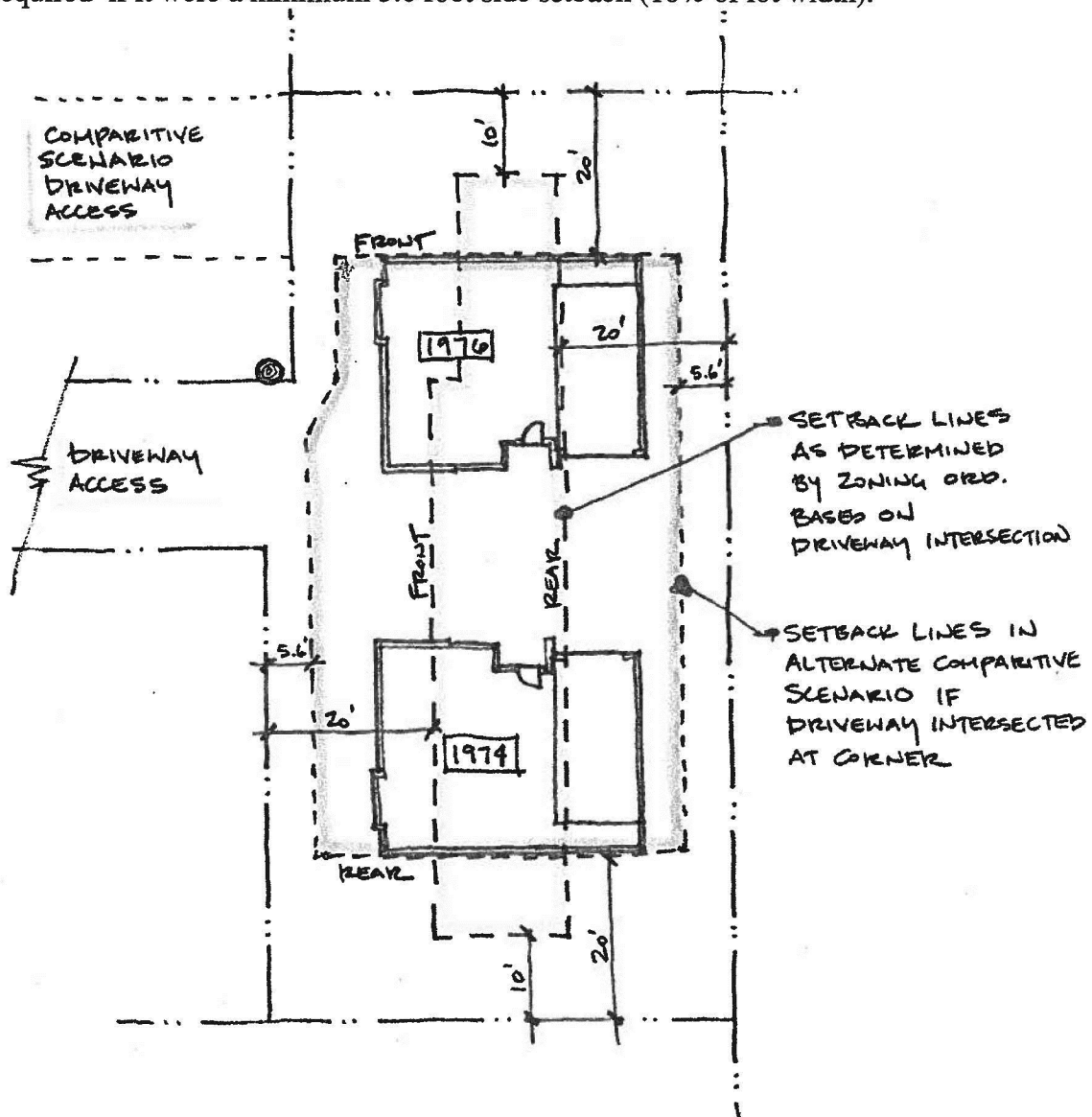


Figure 3.1 Illustrates how the proposed homes would fit in either setback scenario of lot designation, and how the footprints would fit completely within the setbacks without exception if the driveway intersected in a more common corner location rather than in the middle.

The overall proposed design maximizes the open space and yards on the property, with no detrimental effect to light and air, or the public health, safety and welfare. The site design for two homes have been arranged to face towards each other, which creates a modest common driveway court for the two homes to share. It also directs the focus of these homes inward rather than outward towards any adjacent neighbor. The modest second floor balconies also face the opposing neighbor rather than any adjacent neighbor to minimize any concern towards privacy. All other second floor windows are narrow at bedrooms or serve bathrooms with obscure glass, so views out to neighboring properties will be limited and minimal. New tree screening will also be planted with this project. Overall, we feel two individual detached smaller homes balanced on the lot would have a far less visual impact and total mass than if both homes attached in one larger structure which would be much more visually massive and imposing to the surrounding properties.

The required parking is achieved with a one-car attached garage, and an adjacent uncovered parking space in the rear yard. This rear yard location of the uncovered parking is allowed by zoning, and does not require any special variance approval, unlike if it were proposed in a side or front yard setback area. The driveway court between the two homes is as minimal as possible yet still provides all of the minimum backup and turning dimensions per the Transportation department guidelines.

4. The conditions upon which the requested variance is based would not be applicable, generally, to other properties within the same zoning classification.

This property is unique in shape and dimension among the neighborhood. The surrounding R-2 lots are predominantly deep and of sufficient width to allow reasonable residential development. The dimensions and characteristics of this lot are neither. We have created this proposed project specifically for this property, mindful of both the advantages and constraints of the site, and their impact on neighboring properties.

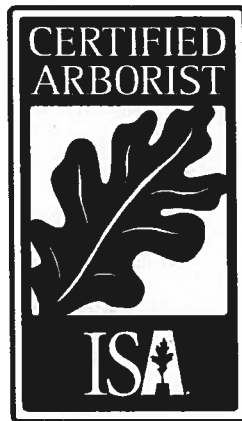
We have explored different design directions and options for this parcel in arriving at our current proposed development. All of this design work and schemes have coalesced into the proposed site improvements as submitted with this application. We feel they embody the best use of the property for our clients, are the most compatible with the context of the surrounding neighborhood, and pose the least impacts to the overall landscape, environment, and public welfare. We appreciate your time in the review and consideration of our application and are available at anytime to answer any questions or to provide additional information. We look forward to presenting and discussing this with the Planning Commissioners at the Public Hearing.

Sincerely,

Daniel S. Rhoads
Young and Borlik Architects Inc.

Tree Inventory and Preservation Report
For
1976 Menalto, LLC
1976 Menalto Avenue in Menlo Park, CA

Submitted by
Ned Patchett
Certified Arborist WE-4597A
Revised: November 14, 2012



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Summary

The 1976 Menalto, LLC retained my services to inventory all trees 6 inches in diameter and larger including any heritage trees located at 1976 Menalto Avenue in Menlo Park, CA and any heritage trees located on neighboring properties within 10 feet of the proposed construction. The purpose of my examination was to assess the health and condition of the subject trees, to determine if their condition warrants removal or retention, to determine the potential for construction impacts and make recommendations to reduce any construction impacts to a less than significant level.

There are (7) trees included within this report. Four of these trees are located on neighboring properties.

Based on my review, it is my opinion that (3) heritage trees require removal due to poor health and structural condition and in one instance because the tree is located within the proposed building footprint. Additionally, portions of the proposed construction are located within the tree protection zone of some of the trees located on neighboring properties. Therefore, I have provided tree protection recommendations to reduce any construction impacts to these trees to a less than significant level provided my recommendations are properly followed.

Introduction

Assignment

The 1976 Menalto, LLC retained my services to perform the following tasks:

1. Assess tree health and condition of all trees 6 inches in diameter and larger and all heritage trees at 1976 Menalto in Menlo Park, including any heritage trees located on neighboring properties, within 10 feet of the property line.
2. Determine if their condition warrants removal or retention.
3. Provide recommendations to reduce any construction impacts to a less than significant level.
4. Document this information in a written report.

Limits of Assignment

I did not perform an **aerial inspection** of the upper crown or a detailed **root crown inspection** on the subject trees. Additionally, my assessment of the (4) trees located on the neighboring properties is limited to viewing the trees from 1976 Menalto.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Tree Assessment Methods

On March 19, 2012, I visited the site to collect information for this report. I performed a **Visual Tree Assessment (VTA)** on the subject trees. The tree numbers within this report correspond to the tree numbers on the included Tree Map (see Tree Map in Appendix C). The following outlines the procedure for collecting information for this report:

1. Identify tree species
 2. Measure the diameter of the trunk at 54 inches above grade (Diameter at Standard Height)
 3. Assess the health and condition of the tree
 4. Assess the structural stability of the tree
 5. Inspect for pest or disease.
-

Definition of Heritage Tree

1. Any tree having a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more measured at 54 inches above natural grade.
 2. Any oak tree native to California, with a circumference of 31.4 inches (diameter of 10 inches) or more measured at 54 inches above natural grade.
 3. Any tree or group of trees specifically designated by the City Council for protection because of its historical significance, special character or community benefit.
 4. Any tree with more than one trunk measured at the point where the trunks divide, with a circumference of 47.1 inches (diameter of 15 inches) or more, with the exception of trees that are under twelve (12) feet in height, which are exempt from the ordinance.
-

Observations

Site Location

The site is located in a residential neighborhood in Menlo Park, CA. The project consists of demolition of the existing structure and building of two new units.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Subject Trees

I have inspected the trees on the site and determined that (3) trees meet the definition of a heritage tree in Menlo Park. In addition, there are (4) trees located on neighboring properties that I believe are heritage trees that are included within this report. I have prepared a tree inventory (see Tree Inventory in Appendix A) that contains all of the necessary information to satisfy the town of Menlo Park's requirements, including the size of optimal tree protection zone for these trees. This information is located within the tree inventory section of this report.

Tree Protection Recommendations

Tree Protection Fencing

Tree protection fencing should be erected at the edge of the tree protection zone during the construction process to minimize any unnecessary damage to these trees. The tree protection fencing should be 6 foot tall chain link fencing driven into the ground every 10 feet. The project arborist should oversee the layout of the tree protection fencing and approve the movement of the fencing when necessary to accommodate any construction activities that are located within the tree protection zone. **This fencing must be erected prior to any construction activities in order to be effective.**

Tree 4-Neighboring Oak

Foundation Work

I have reviewed the proposed construction plans and determined that portions of the proposed construction are located within the tree protection zone of Tree 4. Therefore, there is the possibility that roots from this tree could be encountered during the excavation activities for the foundation. The following are my recommendations to reduce any construction impacts from this work to a less than significant level.

1. I recommend using an air-spade to excavate the portions of the foundation that are located within the tree protection zone of this tree.
2. If roots larger than 2 inches in diameter are encountered then they should be cleanly cut at the edge of the excavation zone with a sharp handsaw and covered with burlap that is kept moist until the roots can be covered again with soil. Typically wetting the burlap in the morning and at the end of the day is sufficient.
3. A certified arborist should supervise this work.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

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Pruning Work

The portions of the upper crown of this tree that hang over 1976 Menalto show signs of regular maintenance and past pruning cycles. This is evident from the clean appearance and lack of dead branches on the limbs that hang over 1976 Menalto. I also observed signs of past branch removal to achieve clearance from the roof of the existing structure at 1976 Menalto. However, the large limbs that hang over 1976 Menalto have become heavy and over-extended with the concentration of weight located at the end of the branches. This condition increases the chances of a limb failure incident. Additionally, the remaining portion of the upper crown of this tree, which is growing over the neighboring property, has numerous dead branches and appears to have not been pruned in some time. Therefore, the following are my pruning recommendations to preserve this tree and reduce the chances of a branch failure incident.

1. I recommend performing a **crown cleaning** on this tree. This work includes removal of dead branches 2 inches in diameter and larger, removal of any broken or damaged branches and selective branch removal or reduction at the end of the branch tips to reduce the chances of a limb failure incident.
2. This tree has several large branches that are heavy and over-extended. Using pruning alone to address this issue may alter the beautiful appearance of the tree. Therefore, installation of support cables to reduce the chances of a limb failure in conjunction with proper pruning practices should be considered.

Clearance Pruning

A basic elevation study was performed at the site, using an extendible story pole, in order to determine if any branch removal is necessary to achieve adequate clearance for the proposed construction. A low branch from this tree, which is located on the east side of the crown, will require removal of the entire limb or selective branch removal and reduction to achieve sufficient clearance from the proposed structure (see Photo 3 in Appendix B). This branch is currently over-extended and heavy with a concentration of weight located at the end of the branch. This condition increases the chances of a failure event that could result in property damage or injury to a person. Additionally, this limb extends beyond the profile of the upper crown and reduction or removal would reduce the chances of a limb failure and improve the appearance of the tree (see Photo 4 in Appendix B).

Driveway

Tree 4, 6 & 7

I have reviewed the proposed construction plans and determined that the proposed construction for repaving the driveway is located within the tree protection zone of Trees 4, 6 & 7. Therefore, there is the possibility that roots from these trees could be encountered during these activities. The following are my recommendations to reduce these impacts to a less than significant level.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

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1. The demolition of the existing driveway surface should be one of the final elements of the construction so it can be used as a construction access route that protects the roots of Tree 4, 6 & 7.
2. The portions of the existing driveway that are located within the tree protection zone of these trees should be broken into pieces using a jackhammer and then collected in a skid steer bucket. The skid steer should remain on the existing driveway surface at all times. This should help reduce damage to the roots of these trees and reduce soil compaction
3. I recommend salvaging the existing base material for use below the new driveway surface. Adding additional base material to the existing layer of base is acceptable.
4. A certified arborist should supervise the demolition of the driveway surface within the tree protection zone of these trees.

The following are my recommendations to reduce any impacts from the installation of the new driveway surface to a less than significant level.

1. I recommend re-using the existing base to minimize the need for excavation into the root zone of these trees. If excavation is required it should not exceed 4-6 inches into the root zone of these trees. If further excavation is necessary than an air-spade should be used to expose these trees roots to determine the impact that this excavation work would have on these trees.
2. Any roots exposed during these construction activities that are larger than 2 inches in diameter should not be cut or damaged until the project arborist has an opportunity to assess the impact that removing these roots could have on the trees.
3. A certified arborist should supervise any excavation activities within the tree protection zone of these trees.
4. Biaxial Geo-grid can be used to successful minimize the thickness of the base material and compaction that is required for typical driveway construction.
5. Interlocking permeable pavers or permeable concrete should be used to allow water to reach the roots below the driveway surface.

Utility Installation

All new utilities should be routed along the edge of the driveway that is farthest from trees 4, 6 & 7. Any roots exposed during these construction activities that are larger than 2 inches in diameter should be cleanly cut at the edge of the excavation trench and

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

covered with burlap and kept moist until the roots can be covered again with soil. Typically, wetting the burlap in the morning and the end of the workday is sufficient.

Conclusion

Based on my review, it is my opinion that (3) heritage trees require removal due to poor health and structural condition and in one instance because the tree is located within the proposed building footprint. Additionally, portions of the proposed construction are located within the tree protection zone of some of the trees located on the neighboring property. Therefore, I have provided tree protection recommendations to reduce any construction impacts to these trees to a less than significant level provided my recommendations are properly followed.

Replacement Trees

The following is a list of recommended replacement trees:

1. *Arbutus marina*
2. *Pistacia chinensis*
3. *Quercus lobata*
4. *Quercus agrifolia*
5. *Lagerstroemia indica* 'Tuscarora'
6. *Betula pendula*
7. *Acer palmatum*
8. *Maytenus boaria*

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Glossary Of Terms

Aerial inspection	An inspection of the upper crown of the tree that requires climbing.
Crown	Parts of the tree above the trunk, including leaves, branches and scaffold limbs. (Matheny and Clark, 1994)
Diameter at standard height (DSH)	The diameter of a tree's trunk as measured at 4.5 feet from the ground. (Matheny and Clark, 1994)
Root crown	Area where the main roots join the plant stem, usually at or near ground level. Root Collar. (Glossary of Arboriculture Terms, 2007)
Root crown inspection	Process of removing soil to expose and assess the root crown of a tree. (Glossary of Arboriculture Terms, 2007)
Visual Tree Assessment (VTA)	A method of visual assessing the condition of a tree that does not include a root crown inspection or an aerial inspection.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

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Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Appendix A – Tree Inventory

Tree no.	Genus Species	Trunk diameter (in.)	Condition Rating	Observations	Recommendations	Optimal Tree Protection Zone (ft.)
1	Magnolia grandiflora	19 ½	Fair	The upper crown of this tree is thin and has some dead branches. Additionally, this tree is located within the proposed building footprint.	I recommend removal of this tree.	19
2	Crinodendron patagua	16 ½	Poor to Fair	This tree has dead branches and evidence of a past branch failure in the upper crown. In addition, I observed a poor branch attachment with decay between the main upright stems (see Photo 1 in Appendix B).	I recommend removal of this tree.	16
3	Quercus lobata	17	Poor to Fair	The narrow codominant branch attachment of the two main stems is susceptible to failure (see Photo 2). Additionally, I observed dead branches in the upper crown of this tree.	I recommend removal of this tree.	14
4	Quercus agrifolia	35	Fair	This tree is located on the neighboring property. This tree has large heavy and over-extended branches that hang into the rear yard of 1976 Menalto. These branches are susceptible to failure in their current condition. In addition, I observed dead branches in the upper crown of this tree.	Crown cleaning with an emphasis on selective branch removal or reduction to reduce the chances of a failure incident. Additionally, I recommend removal of selective lower branches that hang into the property at 1976 Menalto to provide adequate clearance for the construction activities.	30
5	Gleditsia triacanthos	25	Fair	This tree is located on the neighboring property. No significant observations at this time.	No recommendations at this time.	20
6	Pinus radiata	30	Fair	This tree is located on the neighboring property. No significant observations at this time.	Refer to Tree Protection Recommendations within main report.	25
7	Pinus radiata	30	Fair	This tree is located on the neighboring property. No significant observations at this time.	Refer to Tree Protection Recommendations within main report.	25

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Appendix B – Photographs

Photo 1

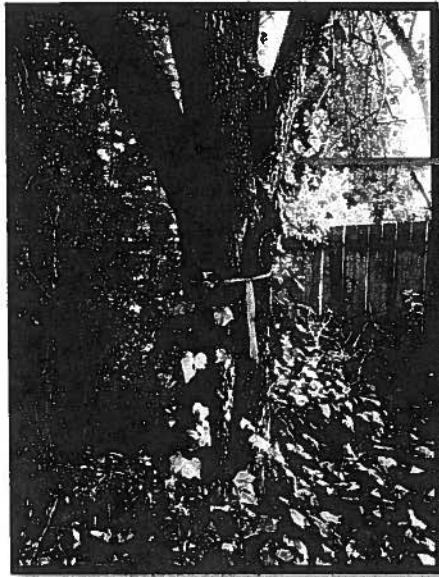


Photo 1 shows the location of the weak branch attachment on Tree 2.

Photo 2



Photo 2 shows the poor branch attachment on Tree 3.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Photo 3

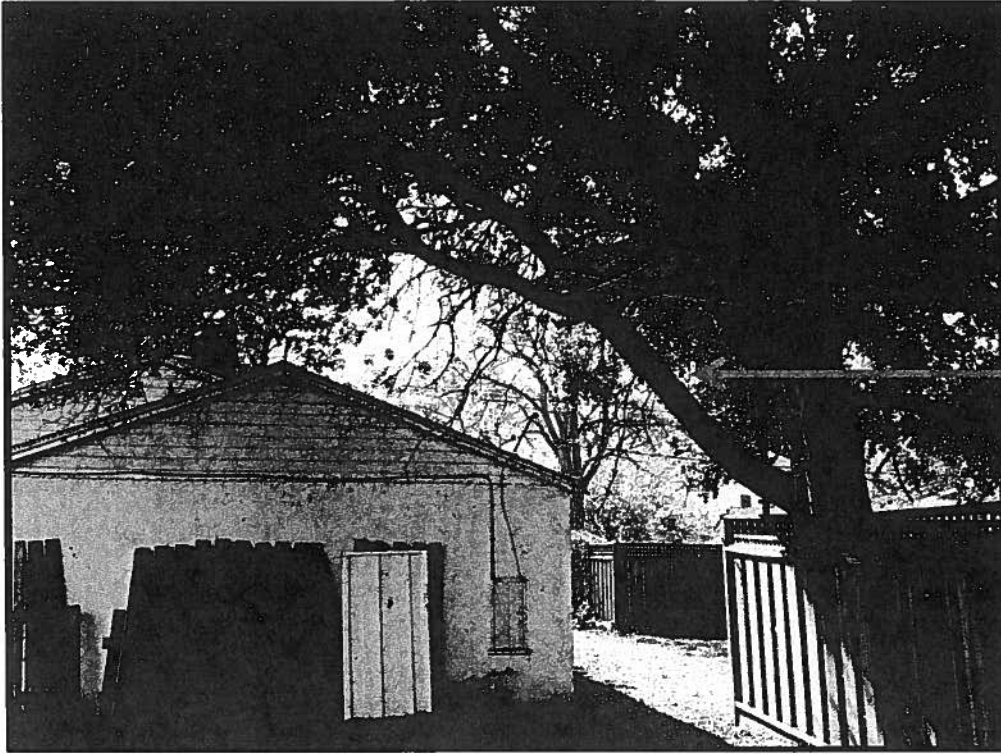


Photo 3 shows the limb that requires either removal or reduction to provide adequate clearance for the proposed construction.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A
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Photo 4

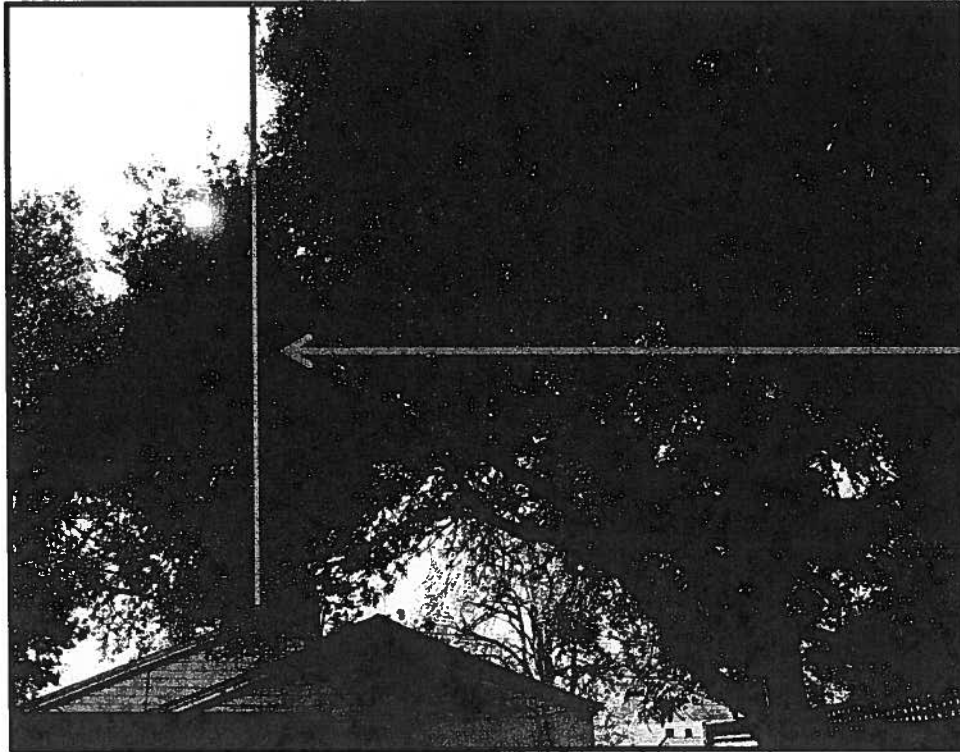
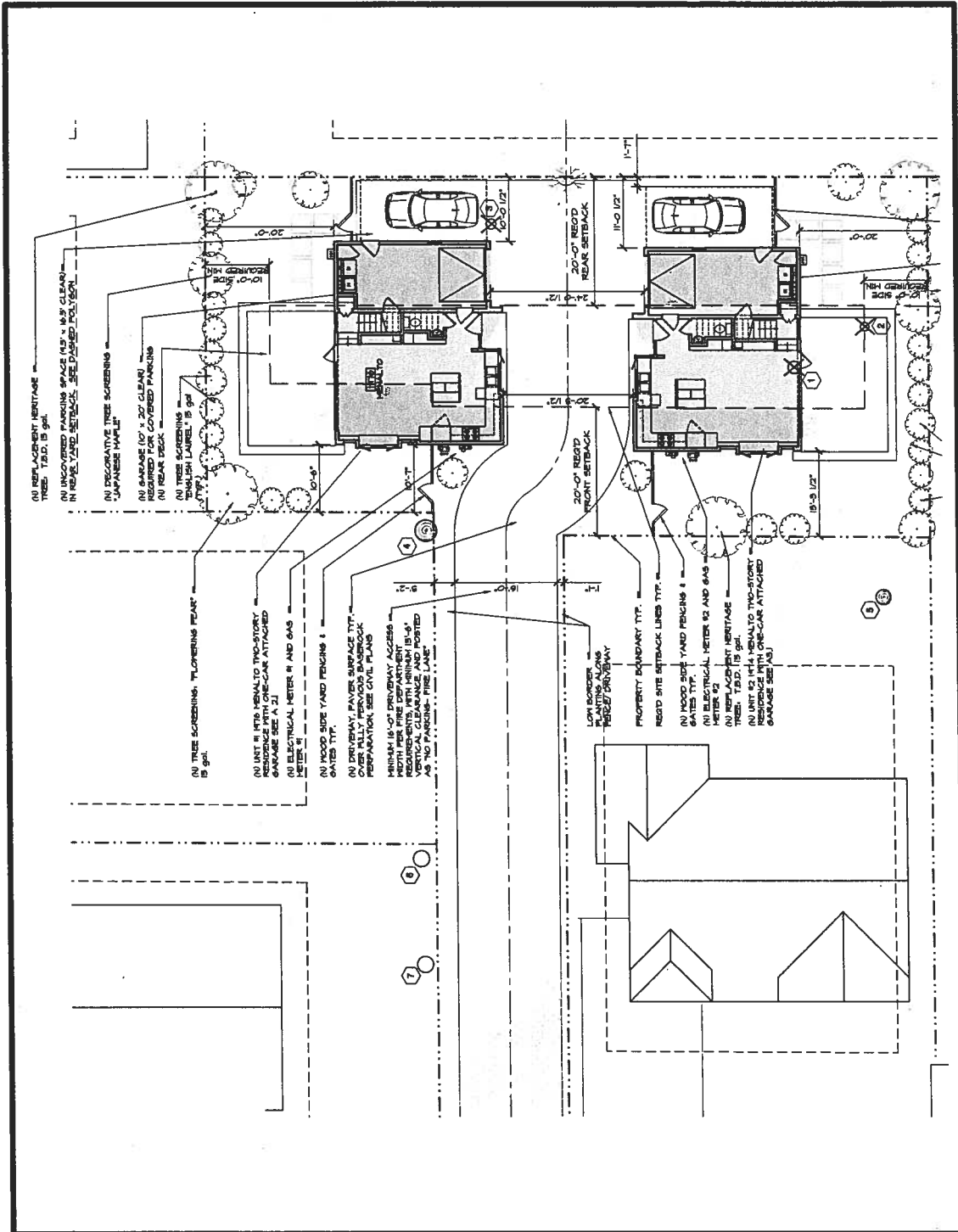


Photo 4 shows how the lower limb on Tree 4 is extended beyond the profile of the upper crown of the tree.

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A
11/14/2012

Appendix C – Tree Map



Tree Report for 1976 Menalto, LLC
 Ned Patchett, Certified Arborist WE-4597A
 11/14/2012

Appendix D – Arborist Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees. They recommend measures to enhance the beauty and health of trees and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below the ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for a specified period of time. Likewise, remedial treatments like any medicine cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.



Ned Patchett

Certified Arborist WE-4597A

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Appendix E – Certification of Performance

I, Ned Patchett, certify;

- That I have personally inspected the tree and the property referred to in this report. I have stated my findings accurately. The extent of the evaluation and appraisal is stated in the attached report and the Terms of Assignment;
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with the parties involved;
- That the analysis, opinions and conclusions within this report are my own;
- That my analysis, opinions and conclusions were developed and this report has been prepared accordingly to commonly accepted arboricultural practices;
- That no one provided significant professional assistance to the consultant, except as indicated within the report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I further certify that I am an International Society of Arboriculture Certified Arborist, and have been involved in the practice of arboriculture and the study of trees for over 10 years.

Signed: Ned Patchett

Date: 11/14/12

Tree Report for 1976 Menalto, LLC
Ned Patchett, Certified Arborist WE-4597A

11/14/2012

Neighbors in Favor of Heritage Tree Protection

NOV 29 2012

Appeal of Planning Commission decision regarding 1976 Menalto Avenue LLC,

City Clerk's Office
City of Menlo Park

We neighbors request the following appeal be accepted and heard by the City Council regarding the approval of plans for 1976 Menalto Avenue, approved on November 21, 2012 based on the following variance provided:

- Variance changing front setback of property from Menalto to O'Connor Street.

This variance was granted as the developer indicated he would not be able to realize his intent to build two single family homes on his lot due to the irregular shape of the lot. We request this appeal based on the facts presented herein, that the developer can, with certainty, build his proposed development within the allowable setback from Menalto without the requested variance by making a few simple modifications to the location of the residences.

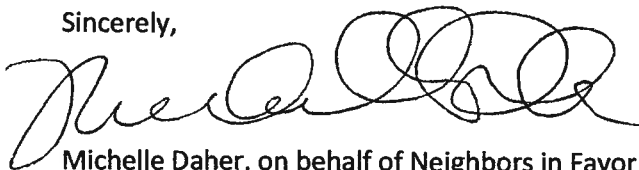
If the City Council grants this appeal and thereby requires the developer to adjust their plans, this would enable the surrounding neighbors to continue to enjoy a majority of the intact tree canopy that is presently at this site and have significantly less impact from idling vehicles (parking is presently proposed directly underneath a neighbor's living room window).

Allowing the developer to proceed with his present proposal will certainly be at detriment to these Neighbors in Favor of Heritage Tree Protection as at least three heritage trees will be certainly removed, and long term damage is a likely outcome to a significant heritage tree whose majority root zone lies within the 1976 Menalto parcel.

As the proposed development has, in no way, a front setback from O'Connor Street, providing the variance will indicate that development is of higher priority than maintaining heritage trees within our City. An arborist report is pending, regarding the potential for damage to the significant heritage tree (with trunk located at 106 O'Connor Street).

Allowing the variance is a strain on the neighborhood and has caused 22 of the immediate residents, great concern. Find the attached letter indicating support of modifying existing plans, which expresses the concerns of the undersigned residents, all of whom are a party to this petition for appeal.

Sincerely,



Michelle Daher, on behalf of Neighbors in Favor of Heritage Tree Protection, Willows Neighborhood.

Neighbors in Favor of Heritage Tree Protection

Dear Planning Commissioners and 1976 Menalto Avenue LLC,

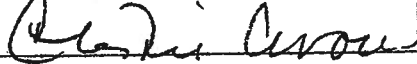
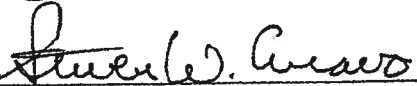
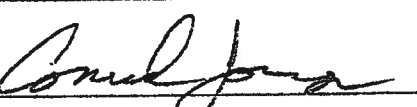



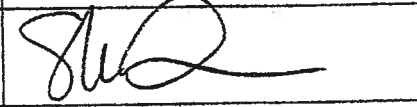
We undersigned neighbors request the following modifications be applied to the proposed plans for 1976 Menalto Avenue:

- Redesign site plan to comply with existing City of Menlo Park Tree Ordinance to ensure that the remaining heritage tree canopy is not negatively impacted by this development.
- Modify plans to ensure that the parking from the proposed development minimizes potential impact to neighbors.
- Cluster the footprint of the proposed houses to minimize the impact on the canopy of the trees.
- The neighbors at 106 O'Connor Street request to be informed of any work to be performed within the 30 foot root protection zone of the Coast Live Oak Heritage tree living on their property and that they are invited to be present to supervise any work being done within said protection zone.

The attached as "Attachment A" is the alternative plan, as provided by the Developer, is our unanimous preference as a good starting point for a potential compromise on the above issues. This plan would be further enhanced by bringing the development back to the minimum allowable distance from 120 O'Connor St, which would further ensure root-zone protection of our neighborhood heritage oak.

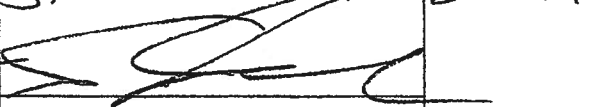




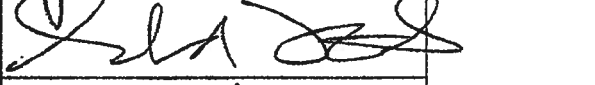
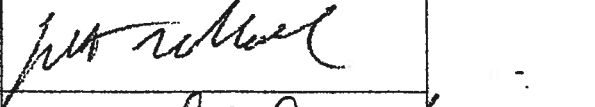

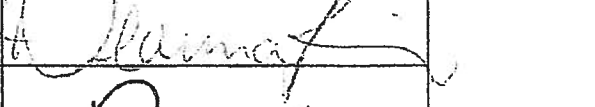

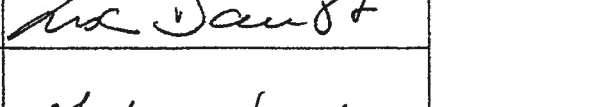

Sincerely,

Neighbors

Name	Address	Signature
Christine Curavo	101 O'Connor St	
Steven W. Curavo	101 O'Connor St.	
Conrad Jones	101 Walnut St.	
Diane Marvica	1989 Menalto Ave	
Lawrence Lee	1968 Menalto Ave	
Bin Hu	1968 Menalto Ave	
Shannon Tholee	116 O'Connor St	

Mickie Winkler 1962-A Menalto RD Winkler
 I support a variance to which neighbors agreed, to move house 5ft toward 120 menalto. And allow neighbors to observe the work in Root zone.

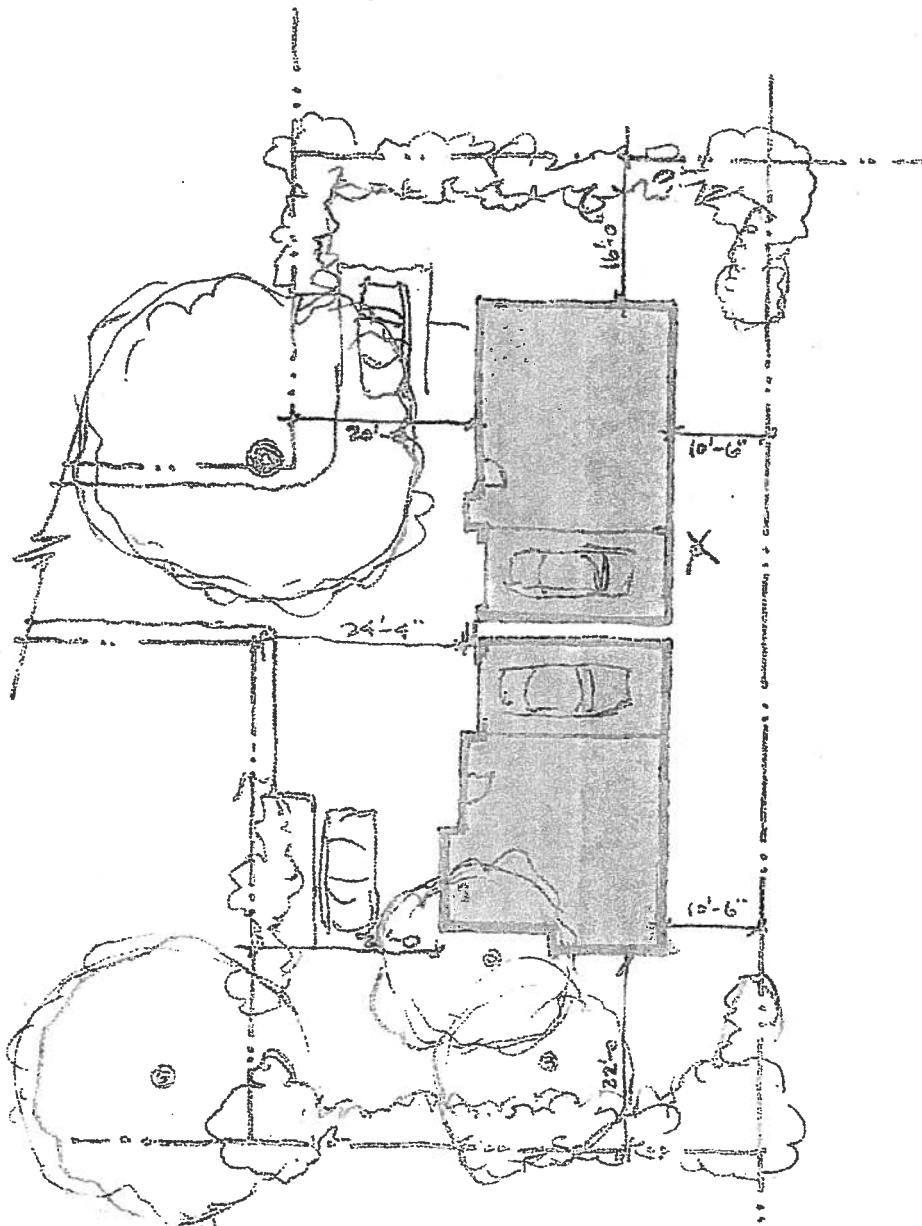
Neighbors in Favor of Heritage Tree Protection

Name	Address	Signature
Michelle Dalton	106 O'Connor St	Michelle Dalton
Felix Tamme	130 O'Connor St	
Stephen Moran	120 O'Connor St	
Linda F Wagner	127 O'Connor St	LINDA F WAGNER
WILLIAM J WAGNER	127 " " "	
Cathleen Moran	120 O'Connor St	
JASON WADSWORTH	116 O'Connor St.	
MANFRED KOPISCH	106 O'CONNOR ST.	
SCOTT MARSHALL	124 O'CONNOR ST.	
Daniel Kopisch	106 O'CONNOR ST	
Deanna Lin	124 O'CONNOR ST	
DR. ALEXANDER LENHART	107 O'CONNOR ST	
Lisa Baust	107 O'CONNOR ST.	
Philipp Kopisch	106 O'CONNOR ST	

Neighbors in Favor of Heritage Tree Protection

Attachment A: Neighborhood's Preferred Option

1976 Menalto



- o HOMES CAN BE ROTATED & ADJUSTED TO CENTER TOGETHER ON THE LOT
- o STRUCTURES CAN COMPLY WITH 125% FRONT SETBACK
- o NO SIGNIFICANT CHANGE TO SIDE YARD SETBACKS
- o UNCOVERED PARKING WOULD REQUIRE VARIANCE APPROVAL FOR FRONT YARD LOCATION
- o LARGER STRUCTURAL MASSING OF BOTH TOGETHER



Marshall

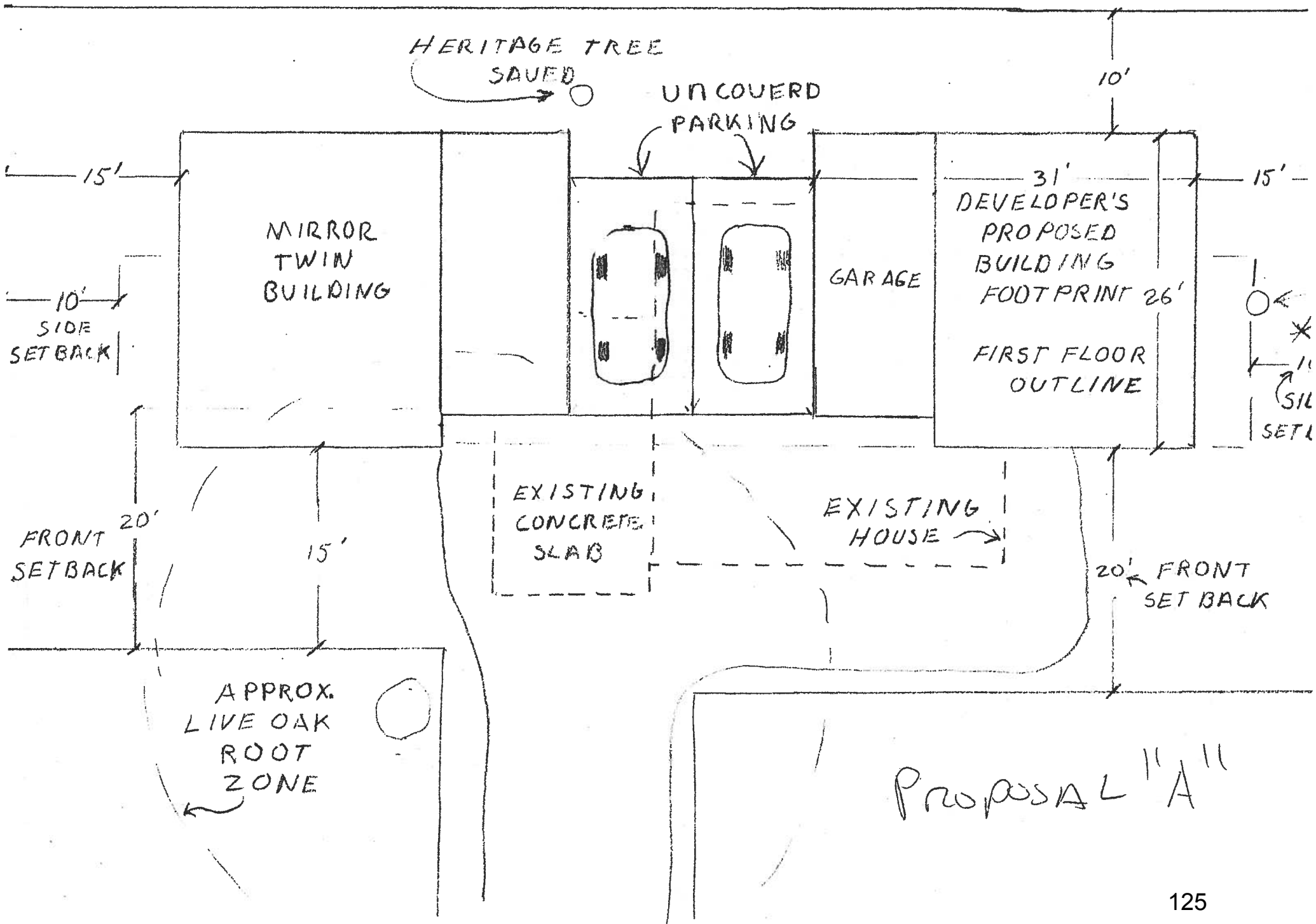
CONSTRUCTION & ELECTRIC

CA LIC #482673 B, C-10

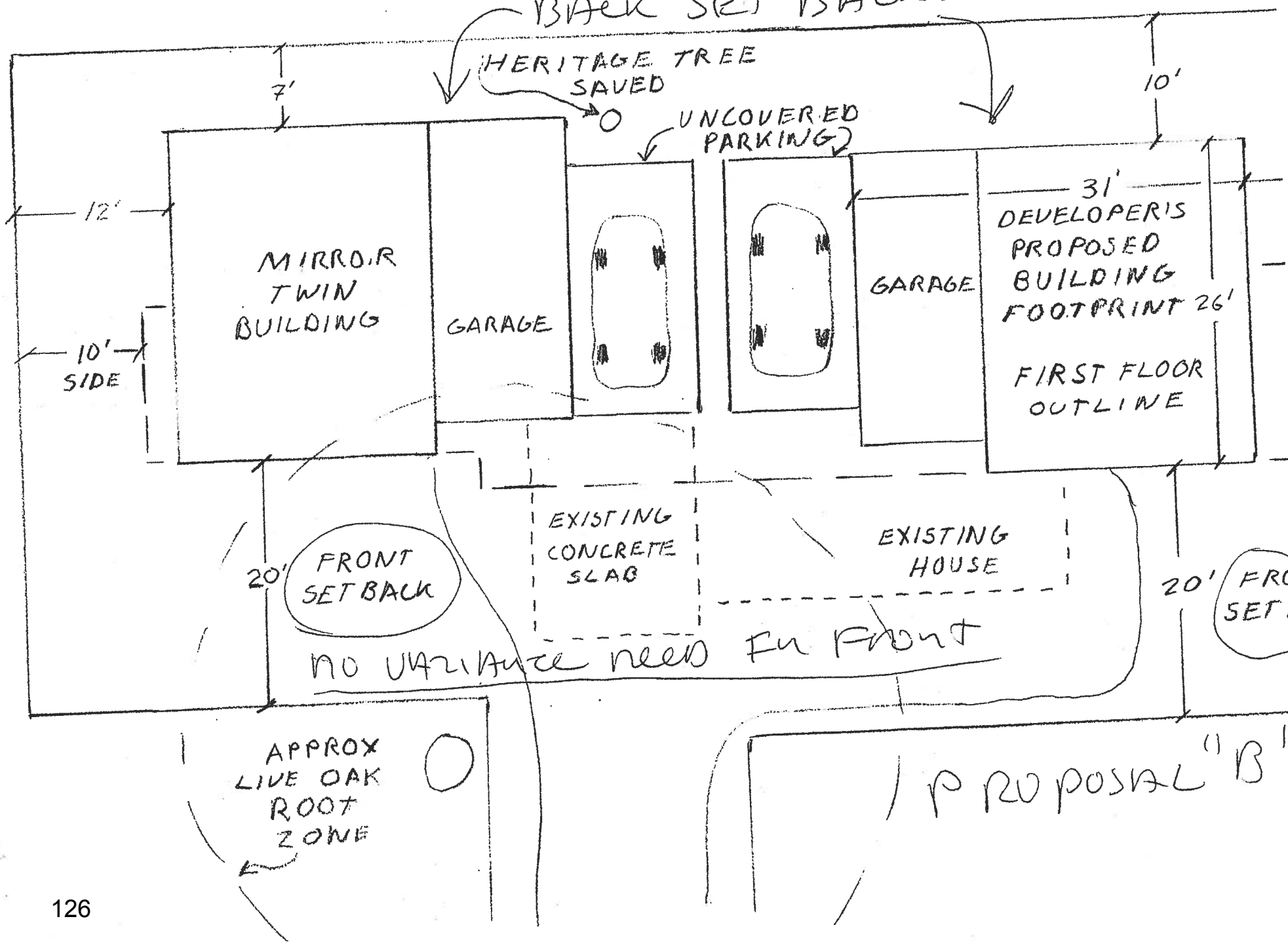
Neighbor's Proposal

- SAVES TWO HERITAGE TREES
- MOVES NORTH UNIT 23' to 25' FEET AWAY FROM LIVE OAK
- DOES NOT REQUIRE FRONT SET BACK VARIANCE
- REDUCES HANDSCAPING FOR PARKING
- REMOVES CAR FROM REAR OF BUILDING PROVIDE FOR A BACK YARD!
- BUILDER CAN SWITCH SLIDING DOOR STAIRS W/ WINDOW DOWN STAIRS (no other design changes needed)
- REDUCES BUILDING COST
LESS HANDSCAPING NEEDED
MORE ROOM FOR LANDSCAPING

SCOTT'S CELL 207-6951



One VARIANCE ONLY!
BACK SET BACKS



12/19/12

1976 Menalto, LLC
1976 Menalto Ave.
Menlo Park, CA 94025

Re: Review of Site and Arborist Report

To Whom It May Concern:

Assignment

It was my assignment to inspect the site, existing trees, development plans and review the Arborist Report prepared by Ned Patchett to see if it describes the situation in a fair and professional manner.

Summary

Ned Patchett has done such a thorough report and there is no need for me to repeat all of his findings. His facts are all correct and I would only add slight clarifications on certain items (highlighted below).

I agree that the three trees on site (#1-3) should be removed and replaced because of their poor health &/or structure.

I agree that the one Oak limb should be removed from Oak #4, that this can happen without harm to the tree and I would add that this entire Oak needs to be cared for, or it will experience a major limb failure in its future. I would stress that this whole tree needs trimming and cabling to keep it safe and healthy.

I would also stress that the two Monterey Pines in the neighbor's yard (#6 & 7) are in Fair – Poor Health, on the decline one tree leans, and this owner should consider removal of these trees sooner rather than later.

Discussion

Trees #1, #2, & #3 (seen in images to right) are well documented in Mr. Patchett's report and have been approved by the Town for removal. I concur with these findings. These trees have low value & structural problems that merit their removal in order to reasonably develop the property. I recommend these trees be removed as per the report.



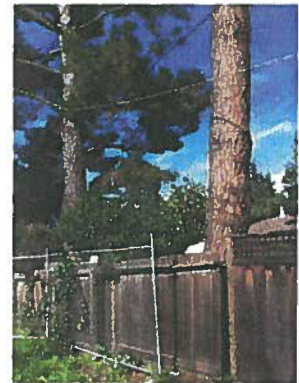
Tree #4 is the Live Oak located on the neighbor's property (see images to right). Mr. Patchett has done an excellent job describing this tree and the need to properly protect this tree during the development of 1976 Menalto Ave. His Tree Protection recommendations must be followed. If his recommendations are followed this tree will tolerate the proposed development. The contractor must be well aware of these protection measures and agree to adhere to them.



Mr. Patchett describes the need to remove one limb (seen in image to right – limb to far right – also in his Photo 3, Appendix B). In my opinion this limb should be removed during the cooler months (Nov – March) and that its removal will have no negative impacts on the tree.

It is also my opinion that the remainder of this tree needs care or it is susceptible to future limb failures. Pruning to reduce end weight, remove dead wood and the installation of cables will help prevent future limb failures. This work should all be done under the guidance of an ISA Certified Arborist.

Trees #6 & #7 are located on the neighbor's property and can be seen in the two images (right). These trees are located very close to the property line and they are currently in decline. Monterey Pines do not live for a long period of time and these trees are over mature. The trees are beginning to thin and this is likely caused from Pine Pitch Canker (see image right). Monterey Pines do not recover from this state of decline. This is an optimal time for the neighbor to remove these trees.



The recommendation to remove the Pines is only a recommendation and observation. The proposed development does not threaten the health of these trees if Mr. Patchett's recommendations are followed. However, these are large trees and now is an optimal time to remove them, while the existing driveway is in place and new tree planting can be implemented. Again, this is simply a recommendation and observation as a courtesy to the neighbor and the proposed development does not threaten these Pines.

Otherwise I concur with all of the recommendations made by Mr. Patchett. There is no further need for review until trees are being removed and pruned and the tree protection fencing is installed.

Respectfully,
Michael P. Young



**BARRIE D. COATE
and ASSOCIATES**

Horticultural Consultants
23535 Summit Road
Los Gatos, CA 95033
408/353-1052

ATTACHMENT I

**RECOMMENDATIONS FOR TREE CARE AT 1977 MENALTO AVE
MENLO PARK**

Prepared at the Request of:
Michele Daher
106 O'Connor St.
Menlo Park, CA 94025

Site Visit by:
Barrie D. Coate
Consulting Arborist
January 3, 2013

Job #1-13-002

RECOMMENDATIONS FOR TREE CARE AT 1977 MENALTO AVE
MENLO PARK

Assignment

On January 3, 2013, I met Mrs. Daher at her property 1977 Menalto Ave., to inspect a mature coast live oak tree in the back yard and suggest means for its preservation during construction of buildings on the adjacent properties to the east and south.

Summary

In my opinion, it would be possible to construct buildings on the adjacent property to the east and a driveway on the south of this tree without causing its long term decline.

By keeping a distance of 20 feet away from the trunk of the tree in any dimension free of excavation or soil compaction it will be possible to both build buildings on the east and install a driveway on the south of this tree without causing long term decline.

I suggest accomplishing this by;

- a. Keeping actual excavation for construction 20 feet from the trunk of the tree in any dimension.
- b. If necessary redesigning the foundation of the building on the east to be constructed on pier and beam foundation design with the beam laid on top of existing grade if this foundation is closer to the tree than 20 feet.
- c. Constructing any part of the building within 20 feet of the trunk above grade, not of slab on grade.
- d. The driveway to the south should be of pervious materials and excavation not to exceed 4 inches in depth below existing grade.

The surface could be 18 inch wide strips of concrete laid on top of grade minus 4 inches with planter strips between in which either gravel or plants could be installed, allowing pervious surfaces between the driveway strips.

- e. The existing building south east of the tree be demolished from inside with no equipment on open soil.

I would suggest that the area in the Daher property be amended slightly to benefit the root zone of the tree to include;

- a. Excavation of the root collar down to the point where buttress roots are visible within a foot of the trunk and the addition of 4 inches of pervious mulch either organic in nature or of pea gravel



RECOMMENDATIONS FOR TREE CARE AT 1977 MENALTO AVE
MENLO PARK

to prevent compaction of the soil in this area and increase easy oxygen access by roots.



Observations

The tree is a coast live oak (*Quercus agrifolia*), in excellent health, having a dense dark green canopy with 4 to 8 inch annual shoot growth for the last several years and a very full canopy with very little deadwood.



The tree has a 36.8 inch trunk diameter at 3 feet above grade above which the trunk is divided into two codominant leaders.

RECOMMENDATIONS FOR TREE CARE AT 1977 MENALTO AVE
MENLO PARK

An included bark site is seen between these two more or less equal trunks.

A tree house of 64 square feet of surface is built in the canopy at approximately 15 feet above grade.



This platform is primarily over the adjacent property east of the fence.

The tree is heavily infested with Ehrhorn scale, an insect/fungus combination which is not life threatening and easily controlled.

The request by the adjacent land holder on the east and south is to remove one 14 inch diameter east facing limb which emerges at 8 feet above grade from the main trunk and one limb which emerges on the north side directly above the property line fence at 12 feet above grade.

The landholder intends to install a driveway more or less adjacent to the south property line fence under the canopy of the tree.



Recommendations

In my opinion, this trees longevity can be maintained if the following procedures are carefully followed.

1. A tree protection fence composed of 6 foot high chainlink material mounted on 2 inch galvanized iron posts must be installed 20 feet from the trunk of the tree on the east and south sides to form a 3/4 of a circle once the adjacent building is removed.
2. The adjacent existing building must be removed from the inside of the building with demolition equipment standing on the existing building slab.

No demolition equipment should be allowed off that existing slab.

The prescribed fence must be installed as prescribed to surround the existing building immediately after the building structure is removed.

If the existing slab is to be removed that must be done by a tractor standing on currently undisturbed slab floor, breaking up the slab floor into pieces that can be hand loaded and those loaded into a tractor which is standing on previously undisturbed slab, backing up as the pieces are loaded into the tractor.

Immediately after the slab floor is removed the fence 20 feet from the trunk of the tree must be installed in the space previously occupied by the slab.

3. Remove the east facing limb which emerges at 7 feet above grade back to the branch bark ridge.

This should only be done by a certified arborist who agrees to follow the ANSI 300 Pruning Regulations.

4. Remove either the entire north facing limb which emerges at 12 feet above grade or better yet remove only the 10 inch diameter branch which divides from that limb at 4 feet from the trunk leaving an 8 inch diameter limb directly above the fence line.

These removals would leave a useable though reduced canopy and not cause permanent harm to the tree.

5. Have the woody parts of the tree sprayed this winter with emulsifiable oil to coat the undersides of all branches to begin control of the Ehrhorn scale.
6. Have a certified arborist perform a site inspection at;
 - a) After the fences have been installed but before the building is demolished.
 - b) When the adjacent building is being demolished.
 - c) To confer with a certified arborist who will do the branch removal.

RECOMMENDATIONS FOR TREE CARE AT 1977 MENALTO AVE
MENLO PARK

- d) To review the plans which are designed to comply with these requirements.

Respectfully submitted,



Barrie D. Coate

BDC/sl

Encl.: Assumptions and Limiting Conditions



**BARRIE D. COATE
and ASSOCIATES**

Horticultural Consultants
23535 Summit Road
Los Gatos, CA 95033
408/353-1052

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor in any opinion rendered as to the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this appraiser/consultant.
6. The report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser's/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraiser/evaluation/diagnostic reporting techniques and procedures, as recommended by The International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise state. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

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Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Barrie D. Coate
ISA Certified Arborist
Horticultural Consultant

January 17, 2013

JAN 17 2013

City Clerk's Office
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

RECEIVED

Re: 1976 Menalto Environmental Quality Commission Appeal

On November 19, 2012 the Planning Commission approved our proposed development for the property at 1976 Menalto Avenue by a 6-0-1 vote. [Note: The project had previously been in front of the Planning Commission for a Study Session on September 24, 2012 and the one commissioner who abstained from the 11/19/12 vote was not on the commission at the time of the study session.] As part of the 11/19/12 vote, the Planning Commission approved the removal of three heritage trees located on the property.

A neighbor appealed the three heritage tree removals to the Environmental Quality Commission ("EQC"). The Planning Staff Report recommended that the EQC deny the neighbor appeal and uphold the Planning Commission decision. The EQC addressed the matter at their January 9, 2013 meeting. During that meeting, the EQC denied the neighbor appeal for 2 of the 3 trees. The EQC approved the neighbor's appeal as it relates to the one Southern Magnolia tree that was approved for removal by the Planning Commission. The EQC justified their rationale for upholding the appeal as they "wanted the City Council to weigh in on the issue" as opposed to coming to a definitive decision of their own. **This letter shall serve as my formal appeal to the City Council of the EQC decision to grant the neighbor appeal as it relates to the Southern Magnolia.**

The Planning Commission has reviewed this project on multiple occasions. I purposely sought a study session (held on 9/24/12) to seek the Planning Commission's guidance for this project. At that study session, the Planning Commission gave me very clear direction for the project. The final design of the project was driven by the Planning Commission's direction to pursue a specific setback configuration, which resulted in the Magnolia being located within the footprint of the western unit. Developing around the Magnolia tree would push the units closer to the left side property line, which would result in greater impacts to the neighbors adjacent to this property, and would not be consistent with the Planning Commission's direction for the project.

In addition to the Planning Commission's directives, we are also bound by a number of other restrictions that we must adhere to. These restrictions include, but are not limited to, items such as the transportation department requirement for back-up distances and clearances, a planning restriction that a variance cannot be granted for more than a 50% encroachment in to the setback, etc. In order to work within all of these various constraints and in order to follow the very clear directives that the Planning Commission provided, it is necessary to remove the Southern Magnolia as it sits within the (already very constrained) building envelope for the property. Designing around the Magnolia would not be consistent with the guidance given by the Planning Commission. Even


the alternative designs that the neighbors included in their appeal to the EQC do not save the Magnolia tree.

In addition, we have proactively produced two arborist reports. The first report by Ned Patchett is extremely thorough and planning staff agrees that this report goes well beyond what is typically seen in an ordinary arborist report. Furthermore, even after the Planning approval on 11/19/12, we proactively engaged a second arborist, Michael Young, to look at the trees further. This arborist came to the same conclusion. His report states: *"I agree that the three trees on site (#1-3) should be removed and replaced because of their poor health &/or structure."* It goes on further to say: *"Trees #1, #2, & #3 are well documented in Mr. Patchett's report and have been approved by the Town for removal. I concur with these findings. These trees have low value & structural problems that merit their removal in order to reasonably develop the property. I recommend these trees be removed as per the report."*

Section 13.24.040 of Menlo Park's Heritage Tree Ordinance outlines the factors to be used in determining whether there is good cause for permitting removal of a heritage tree. In this case we meet not only one but two of the factors. Factor #2 – it is necessary to remove the tree in order to construct proposed improvements to the property; Factor #8 – there are not reasonable and feasible alternatives that would allow for the preservation of the tree.

The Southern Magnolia is not in great shape and we would be replacing that tree with a tree that is properly placed on the lot that would allow it to flourish for years to come. We have been extremely thorough in following both the explicit direction provided by the Planning Commission for the site plan and in engaging multiple arborists to assess the Southern Magnolia. We respectfully request that the City Council restore the decision reached unanimously (with the 1 new commissioner abstaining) to remove the Southern Magnolia.

Sincerely,



Billy McNair

Owner, 1976 Menalto Avenue



**BARRIE D. COATE
and ASSOCIATES**

Horticultural Consultants
23535 Summit Road
Los Gatos, CA 95033
408/353-1052

January 7, 2012

Michelle Daher
106 O'Connor Street
Menlo Park, CA 94025
michelle@kopisch.com

Mrs. Daher,

A full report regarding preservation of the Oak tree in your back garden will be coming later in the week. Perhaps this brief summary will be beneficial for your Tuesday meeting.

In summary, the tree can certainly be protected during construction on the adjacent property if a sufficient proportion of the root system remains undisturbed.

A secure 6' chain link fence installed 20' from the trunk **before** any demolition or construction equipment arrives on-site will be the most important protective device.

No impervious surface should be installed closer than 20' from the trunk of the tree.

Demolition of the existing building southeast of the tree must be done from inside the building.

The driveway south of the tree should be two concrete or backstop tracks with unpaved surface between to allow maximum pervious surface beneath the canopy. The "tracks" could set in a maximum of 4" excavation but without compaction exceeding 85%.

The removal of one 30' long east facing limb and several 6-8" diameter branches from a north facing limb should not cause harm if properly removed.

I hope this is of some help.

Sincerely,

BDC:ph

Barrie D. Coate

12/19/12

1976 Menalto, LLC
1976 Menalto Ave.
Menlo Park, CA 94025

Re: Review of Site and Arborist Report

To Whom It May Concern:

Assignment

It was my assignment to inspect the site, existing trees, development plans and review the Arborist Report prepared by Ned Patchett to see if it describes the situation in a fair and professional manner.

Summary

Ned Patchett has done such a thorough report and there is no need for me to repeat all of his findings. His facts are all correct and I would only add slight clarifications on certain items (highlighted below).

I agree that the three trees on site (#1-3) should be removed and replaced because of their poor health &/or structure.

I agree that the one Oak limb should be removed from Oak #4, that this can happen without harm to the tree and I would add that this entire Oak needs to be cared for, or it will experience a major limb failure in its future. I would stress that this whole tree needs trimming and cabling to keep it safe and healthy.

I would also stress that the two Monterey Pines in the neighbor's yard (#6 & 7) are in Fair – Poor Health, on the decline one tree leans, and this owner should consider removal of these trees sooner rather than later.

Discussion

Trees #1, #2, & #3 (seen in images to right) are well documented in Mr. Patchett's report and have been approved by the Town for removal. I concur with these findings. These trees have low value & structural problems that merit their removal in order to reasonably develop the property. I recommend these trees be removed as per the report.



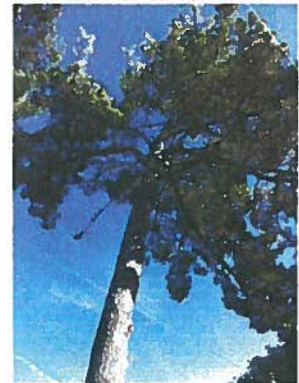
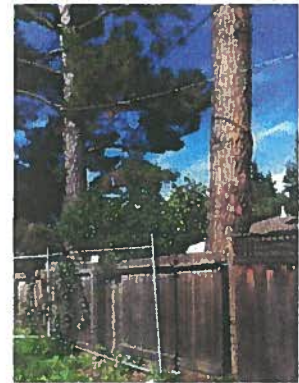
Tree #4 is the Live Oak located on the neighbor's property (see images to right). Mr. Patchett has done an excellent job describing this tree and the need to properly protect this tree during the development of 1976 Menalto Ave. His Tree Protection recommendations must be followed. If his recommendations are followed this tree will tolerate the proposed development. The contractor must be well aware of these protection measures and agree to adhere to them.



Mr. Patchett describes the need to remove one limb (seen in image to right – limb to far right – also in his Photo 3, Appendix B). In my opinion this limb should be removed during the cooler months (Nov – March) and that its removal will have no negative impacts on the tree.

It is also my opinion that the remainder of this tree needs care or it is susceptible to future limb failures. Pruning to reduce end weight, remove dead wood and the installation of cables will help prevent future limb failures. This work should all be done under the guidance of an ISA Certified Arborist.

Trees #6 & #7 are located on the neighbor's property and can be seen in the two images (right). These trees are located very close to the property line and they are currently in decline. Monterey Pines do not live for a long period of time and these trees are over mature. The trees are beginning to thin and this is likely caused from Pine Pitch Canker (see image right). Monterey Pines do not recover from this state of decline. This is an optimal time for the neighbor to remove these trees.



The recommendation to remove the Pines is only a recommendation and observation. The proposed development does not threaten the health of these trees if Mr. Patchett's recommendations are followed. However, these are large trees and now is an optimal time to remove them, while the existing driveway is in place and new tree planting can be implemented. Again, this is simply a recommendation and observation as a courtesy to the neighbor and the proposed development does not threaten these Pines.

Otherwise I concur with all of the recommendations made by Mr. Patchett. There is no further need for review until trees are being removed and pruned and the tree protection fencing is installed.

Respectfully,
Michael P. Young



ADMINISTRATIVE SERVICES

Council Meeting Date: February 12, 2013

Staff Report #: 13-018

Agenda Item: F-1

REGULAR BUSINESS: Review and Modification of the City's Fund Balance Policy and Use of One-Time Revenues; Approval of a Funding Mechanism for Comprehensive Planning and Capital Projects; Approval of Establishment of Separate Infrastructure Maintenance and Capital Projects Funds

RECOMMENDATION

Staff recommends approval of certain modifications to the General Fund Reserve Policy to include a provision for the assignment of reserves for comprehensive planning and capital projects; and approval of the establishment of separate Infrastructure Maintenance and Capital Projects Funds consistent with the new funding structure.

BACKGROUND

As part of the City's implementation of Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* in June 2011, a formal fund balance policy was adopted. The policy explains the five components of fund balance, but focuses on committed fund balance, assigned fund balance, and unassigned fund balance as appropriate resources for policy control. An overall target for these unrestricted fund balances was established. The policy also formally delegates to the City Manager the assignment of fund balance for specific purposes for inclusion in the annual financial reports. (Prior to GASB Statement No. 54, these amounts were reported by the Finance Director as unreserved and designated and did not require City Council delegation.) At that same time, resolutions were adopted which established commitments of the City's General Fund balance by the Council. The policy outlines the City Council's formal commitment of \$6 million of fund balance to be set aside specifically for emergency contingencies defined as a state or federal state of emergency or declaration of a local emergency as defined in Menlo Park's Municipal Code Section 2.44.010. In addition, a formal commitment of \$8 million of fund balance was established for economic contingencies. The policy itself stipulates a goal range of 43-55 percent of General Fund Expenditures to be held in the General Fund as unrestricted fund balance.

One-time Funds

Staff anticipates the receipt of significant, non-reoccurring revenues in the current fiscal year. Dissolution of the former redevelopment agency will result in a distribution of unrestricted assets, to the extent those assets exceed the current obligations that have been scheduled for payment by the (City acting as) Successor Agency. The City will

receive approximately \$1.9 million from the distribution of Housing and Non-Housing liquid assets. In addition, the sale of the former agency's Hamilton Avenue Site is anticipated to yield approximately \$800,000 for the City. These distributions will be reflected as one-time General Fund property tax revenues on the City's financial statements. Finally, the sale of the City-owned Terminal Avenue site to Beechwood School will be accomplished in the current fiscal year and net the City approximately \$775,000. The total impact of these transactions to the General Fund is approximately \$3.5 million. Unlike the one-time payments to be received from the Facebook West Campus (\$1.1 million) and Stanford Medical Center Expansion (\$1.23 million) development projects, these monies will be reflected as General Fund revenues within the fiscal year they are received. Development revenues will be credited directly to the City's Capital Project Fund or other special revenue fund, even if the project(s) to be funded have not yet been identified. In this way, one-time revenues from development projects do not impact/skew General Fund operational results.

The current reserve policy is not silent regarding the use of one-time funds:

Funding of General Fund balance targets

Funding of General Fund balance targets will come generally from one-time revenues, one-time expenditure savings, excess fund balance (e.g., unused or reversed assignment or commitments), and revenues in excess of projected expenditures.

The General Fund reserve was increased in 2011-12 by nearly \$1.9 million, largely the result of departmental expenditure savings that averaged 5 percent of the adjusted budget. (Savings in the Community Development Department appeared to be larger as much of the Housing Element budget was not expended until the current fiscal year.) In addition, pay-off of the former City Manager's housing loan added over \$1 million to the General Fund reserve in October 2012.

In addition, the policy refers to one-time funds in the permissible use of reserves:

Conditions for use and replenishment of reserves

Use of Reserves

It is the intent of the City to limit use of General Fund balances to address unanticipated, one-time needs or opportunities. Fund balances shall not be applied to recurring annual operating expenditures. Reserves will be used to the extent annual expenditures exceed revenues as reported in the City's annual audited financial statements (an operating deficit). Reserves may also be used to allow for an investment in the City's long-term assets as approved by the City Council.

Fund Balances

As noted in the development of recent annual budgets, the focus on fiscal sustainability dictates that long-term funding needs be considered. Fund reserves are a critical factor

of long-term financial planning. Prohibiting unsustainable uses of fund balance preserves the fund balance as a means of rescue from crisis situations. It is also important to create reserves for specific purposes and to record these purposes in the City's reserve policies. Although the emphasis is on the General Fund, activities and balances in all funds require careful tracking. Over time, dwindling fund balances may indicate a future reliance on General Fund appropriations in order to continue services, programs or projects that were intended to be self-sufficient or funded through other means. In addition, the City continues to identify future needs for significant funding that will not be able to be satisfied within the General Fund's short-term operating budget, such as comprehensive planning, technology upgrades and new public facility/ infrastructure improvements.

Because of the approved use of General Fund reserves to provide a lump sum pay off of the CalPERS Safety Side Fund prior to June 30, 2011, the percentage of fund balance as compared to General Fund operations for the year was less than in years prior to the adoption of the policy. Nonetheless, the goal range stated in the policy was still achievable for fiscal year 2010-11 with an unrestricted fund balance (committed, assigned or unassigned) of \$18.17 million. The total General Fund unrestricted fund balance as of June 30, 2012 was \$19.27 million, or 48 percent of the 2012-13 General Fund budget. With the payoff of a former City Manager's housing loan in October, the formerly restricted amount of \$1.08 million can now be considered as additional unrestricted fund balance, bringing the ratio of covered General Fund expenditures to approximately 51 percent.

City of Menlo Park General Fund		
Fund Balance	June 30, 2011	June 30, 2012
Nonspendable:		
Deposits and prepaid items	\$ 205,617	\$ 6,530
Notes Receivable	1,229,409	2,221,061
Committed to:		
Emergency Contingency	\$ 6,000,000	\$ 6,000,000
Economic Stabilization	8,000,000	8,000,000
Assigned to:		
Infrastructure Maintenance	\$ 2,163,200	\$ 2,249,728
Comprehensive Planning	102,000	959,320
GASB 31 Adjustment	1,193	5,146
Other purposes	325,780	279,994
Unassigned:	\$ 1,578,736	\$ 1,776,214
Total General Fund Balance	\$ 19,605,935	\$ 21,497,993

ANALYSIS

Clearly, taking a long-term approach to ensuring good fiscal health for the City's future precludes the application of non-recurring revenues for on-going operational needs. In conjunction with GFOA (Governmental Finance Officer' Association) guidelines, most municipal reserve policies stipulate that operating deficits that are created through dependency on one-time funding for ongoing expenditures should be avoided. However, unfunded or underfunded future liabilities should be identified and included in the City's long-term funding projections. Although many future demands on resources have been identified, several are underscored in the City's 5-Year CIP (Capital Improvement Plan), where capital projects to be funded over a multiyear period are matched to their appropriate funding source. In addition, the CIP documents many unfunded projects, which are desirable but lack a funding source, priority or staff capacity when compared to the funded projects. Specifically, the need for funding Comprehensive Planning projects and General Fund CIP projects (as well as infrastructure maintenance) has been apparent since the 5-Year CIP process was developed several years ago.

Comprehensive Planning Projects

Generally, comprehensive planning is considered a public service (with portions of comprehensive planning required by State law) typically provided in a full-service city. Many municipalities rely on development fees as a funding source for such projects. However, Menlo Park development fees have in the past served only to cover the cost of the development activity itself, so that the cost of processing various development applications was borne by the applicant rather than the taxpayers. Because development revenues are established to cover the associated costs of processing each application (including indirect administrative costs and overhead), an increase in these activities serves to increase the proportion of cost recovery activities within the General Fund. Development activities utilize resources that would otherwise be used in support of comprehensive planning, an investment (particularly in staff time) for which the City's General Fund is not reimbursed. When development activities drop off, these resources are redirected to the often deferred comprehensive planning activities. By using General Fund reserves as the source for comprehensive projects, the City has not specifically connected the level of development activity with the funding of these projects.

A placeholder category of Comprehensive Planning Projects and Studies was first included in the 2010-15 CIP, in conjunction with the Community Development Department's long-term planning process work plan. Recognizing that maintenance of updated comprehensive plans is an integral part of a sound long-term fiscal strategy, a General Fund transfer specifically for the large Comprehensive Planning projects (outlined in the 2012-17 5-year CIP) was initiated. Although the average cost of such projects totaled over \$500,000 annually, a \$250,000 transfer was included as a starting point for this transfer in fiscal year 2012-13. Staff now recommends that a link between this annual transfer and General Fund development activities (as measured by charges for services) be established, and proposes that the annual Comprehensive Planning

Projects Fund transfer be based on a portion of these revenues (based on a three-year rolling average) each fiscal year.

The chart below shows different options for linking the funding of future comprehensive planning activities to the level of current development activities, measured in terms of revenues from charges for services. Starting with a recent history of development revenues (not all fiscal years are shown), three methodologies for calculating a transfer to the Comprehensive Planning Fund are shown. A transfer of 50 percent of the previous three-year rolling average of these revenues is proposed (Option 2) in order to provide the most stable, appropriate source of funds. Two alternative methods of calculating a transfer amount that would link the level of development activities to comprehensive planning needs are also shown. However, basing the transfer on a portion of the *rolling average* allows for a more consistent transfer, in amounts that generally support the amount of comprehensive planning projects listed in the proposed 2013-18 CIP.

<u>Option</u>	<u>Analysis of Development Charges</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>
1	Community Development - Charges for Services	\$745,862	\$1,054,326	\$818,255	\$1,816,590
	Transfer based on 50% of revenues	\$372,931	\$527,163	\$409,128	\$908,295
	Cumulative transfer	\$372,931	\$900,094	\$1,309,222	\$2,217,517
2	Previous 3-year rolling average	\$916,836	\$882,967	\$857,573	\$872,814
	Proposed transfer: 50% of 3-year rolling avg.	\$458,418	\$441,484	\$428,786	\$436,407
	Cumulative transfer	\$687,627	\$1,129,111	\$1,557,897	\$1,994,304
3	Alternate: Excess over 3-year average		171,359		943,776
	Cumulative transfer		\$171,359	\$171,359	\$1,115,134

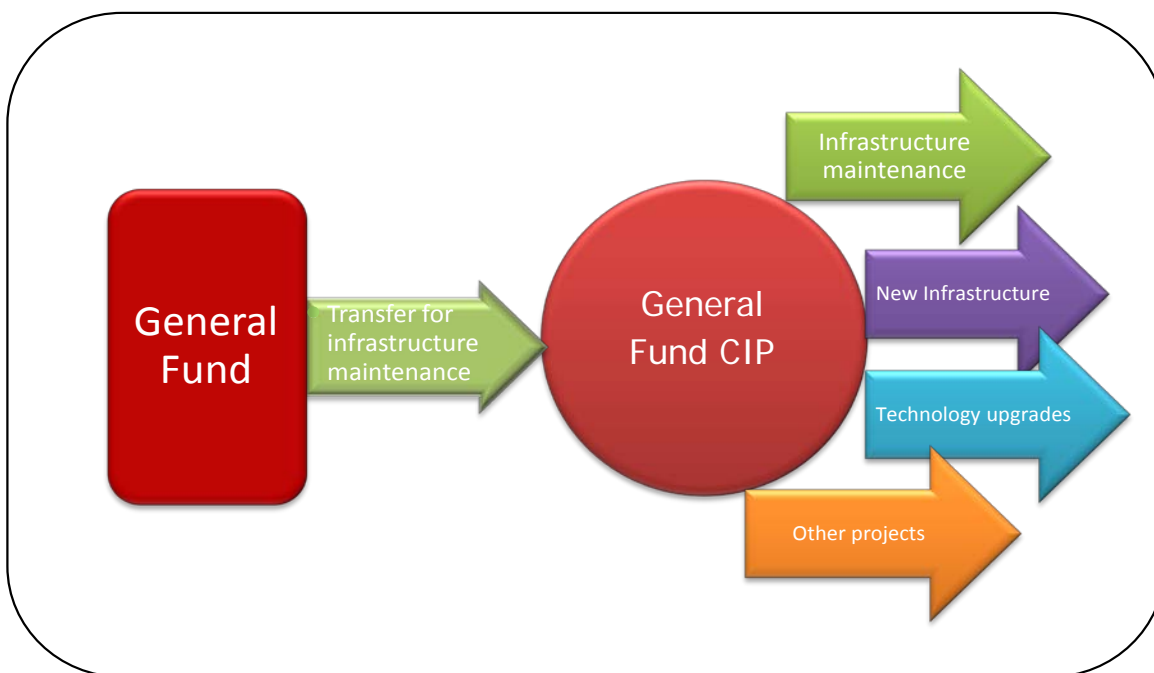
Staff recommends a budgeted transfer from the General Fund to the Comprehensive Planning Fund because the amount would also be an assignment of General Fund Balance at each fiscal year end. Note that because these long-term projects are considered General Fund activities for reporting purposes, the Comprehensive Planning Projects Fund is included as a sub-fund of the General Fund. As such, the proposed annual transfer will NOT reduce General Fund reserves. Amounts that are budgeted within the Comprehensive Planning Projects (sub)Fund but not yet expended are set aside (*assigned* for Comprehensive Planning) in the General Fund reserve balance. (Hence, the 2011-12 assignment of fund balance for Comprehensive Planning was the result of Council's decision to fund the Housing Element from General Fund reserves.) The transfer itself will be eliminated for external reporting purposes. But the internal distinction between comprehensive planning and other General Fund activities will be helpful in discerning the results of annual operations from progress on these long-term planning projects.

Upon completion of the El Camino Real/Downtown Specific Plan, Council approved a specific plan preparation fee in order to apply the \$1,691,000 cost of the plan directly to future development in the project area, based on the square footage of such net new

development. Revenues from this fee will be deposited directly into the Comprehensive Plan Fund, and will offset the amount of the proposed transfer. In this way, funding will not be contingent on development activity in any single year, but will allow for an appropriate amount of support for comprehensive planning projects regardless of the level of activity in any single fiscal year. In addition, revenues from the specific plan preparation fee and any other revenues of the Comprehensive Planning Fund will not be included in the three-year rolling average calculation.

Infrastructure Maintenance versus Other Capital Improvements

As mentioned in the presentation of the 2012-17 5-Year CIP, significant technology upgrades represent another category of capital outlay for which a designated long term funding source or strategy has not been identified. When the City began the practice of transferring General Fund dollars into the General Fund CIP in 2006, the appropriate amount of the transfer was based upon estimates of annual infrastructure maintenance needs with infrastructure defined as City buildings, roads, parks and physical assets. Similar to the Comprehensive Planning projects discussed above, these and other projects were not considered within the General Fund CIP transfer amount, yet are being funded in large part through this source. Over the past year, Staff has considered several options for addressing this funding imbalance, illustrated below.



One option to avoid the use of these funds for projects other than infrastructure maintenance is to increase the \$2.2 million transfer from the General Fund to the General CIP Fund to support the additional projects. This is not the recommended option, as the amount of the increased transfer could vary significantly from year to year, and it would be difficult to track the adequacy of the funding for both infrastructure maintenance and other projects. Staff recommends sequestering infrastructure

maintenance projects into a separate fund, so that such projects continue to be funded adequately and consistently in the City's operating budget. A new fund could be established for all other capital projects, and be funded with one-time revenues as well as specific grants and other restricted revenues approved by the Council (see below). Though funding for this new Capital Projects Fund could vary considerably, the funding for infrastructure maintenance would remain stable.

The amount of the transfer for infrastructure maintenance was established from 2005 estimates of the amount of sustainable investment needed to maintain the City's infrastructure at the existing levels of condition for each type of infrastructure. Separating this funding and the associated projects would allow for a better analysis of the adequacy of the transfer, and help identify any deferrals of any necessary maintenance.

Staff is prepared to analyze the current General CIP Fund to determine those one-time or grant revenues that have been included in the fund. If staff's recommendation is approved, these revenues would be moved to the new Capital Projects Fund, along with the budgets of any directly associated projects for the current fiscal year. The General CIP Fund would then be renamed, Infrastructure Maintenance Fund.

Capital Projects Fund

The money allocated to this (new) fund would provide for the financing of needed capital improvements where there is currently no dedicated funding source such as water funds or impact fee funds. These would be General Fund expenditures that would include: technology upgrades, building construction/upgrades, park enhancements (if not funded out of Recreation In-lieu or Measure T) or other public improvements needed in advance of a separate funding mechanism (such as for the Downtown/ECR Specific Plan). Because projects in this fund would no longer include infrastructure maintenance, these projects would be one-time in nature, and appropriately funded with one-time monies. In addition to one-time revenues, it is recommended that 25% of any fiscal year General Fund surplus be transferred to this fund, if doing so does not decrease the unassigned fund balance to a negative amount.

Summary of Recommendations

Staff recommends Council approval of the following:

- Funding of Comprehensive Planning Projects based on development revenues (Option 2)
- Separation of Infrastructure Maintenance and Capital Projects Fund
- Funding of Capital Projects Fund based on one-time revenues and General Fund surplus

The relationship between the funding of capital projects and the one-time revenues anticipated in the General Fund in the current fiscal year is illustrated below. Appropriation of funds to specific projects can be made by the Council at any time; staff recommendations will be presented within the 5-year CIP and/or with the City's midyear analysis and report.

Revenue	\$ (million)	Fund Balance Increased	Rec'd
2011-12 GF Surplus	1.90	General Fund	
Facebook East Campus	1.10	CIP	
Stanford Med Expansion	1.23	CIP	
RDA Dissolution - Housing	0.58	General Fund	
RDA Dissolution - Other	1.30	General Fund	
Sale of Terminal Ave Site	0.77	General Fund	
Sale of Hamilton Ave (RDA)	0.80	General Fund	
	<u>\$ 7.68</u>		 One-time funds: transfer to Capital Projects Fund

These funding recommendations are reflected in proposed changes to the reserve policy language associated with the *assignment* of General Fund balance at each fiscal year end. Other small edits are made and visible in the “red-lined” version of the policy, attached to this report.

IMPACT ON CITY RESOURCES

Refinement of the fund balance policy tailored to the needs of the City establishes a level of funding that protects against unanticipated events that would adversely affect the financial condition of the City and jeopardize the continuation of necessary public services, while providing appropriate funding for the City’s long-term comprehensive and capital projects.

POLICY ISSUES

Commitment of certain General Fund reserves recognize that resources have been accumulated pursuant to stabilization arrangements or emergencies and are set aside by the highest level of government to adequately safeguard the City’s fiscal health. In addition, the establishment of certain assignments of the General Fund balance indicates the intentions of the Council to fund specific priorities for which the use of prior period revenues is appropriate.

ENVIRONMENTAL REVIEW

Environmental review is not required.

Signature on file
 Carol Augustine
 Finance Director

ATTACHMENTS

- A. Red-lined Current Fiscal Policy, "Fund Balance Policy for the General Fund"

City of Menlo Park

City Council Policy

Department City Council	Page 1 of 4	Effective Date 06-08-2011
Subject Fund Balance for the General Fund	Approved by Motion of the Council on June 7, 2011	Procedure # CC-11-0002

Purpose:

A fund balance policy helps ensure that the City can:

- Quickly respond to unexpected situations such as natural disasters.
- Weather economic recessions and other cyclical revenue downturns while avoiding large variations in taxes and fees or variations in the type and quality of municipal services provided.
- Avoid the need for short-term borrowing to cover delays in revenue receipt.
- Pursue strategic and opportunistic projects or activities.

This policy establishes the amounts the City of Menlo Park will strive to maintain in its fund balance, how the fund balance will be funded, and the conditions under which fund balance may be spent.

Background:

The City of Menlo Park has always maintained a high level of General Fund reserves, which has contributed to good standings with credit rating agencies; provided financial flexibility in economic downturns; contributed a source of investment income for General Fund operations; and assured financial coverage in the event of future emergencies.

Policy:

This Fund Balance Policy establishes the procedures for reporting unrestricted fund balance in the General Fund financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the City against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Finance Director to prepare financial reports which accurately categorize fund balance as per Governmental Accounting Standards Board (GASB) Statement no. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. The policy will be reviewed annually by the Council for revisions as appropriate.

Procedures:

Fund balance is essentially the difference between the assets and liabilities reported in a governmental fund. There are five separate components of fund balance, each of which identifies the extent to which the City is bound to honor constraints on the specific purposes for which amounts can be spent.

- Nonspendable fund balance (inherently nonspendable)
- Restricted fund balance (externally enforceable limitation on use)
- Committed fund balance (self-imposed limitations on use)
- Assigned fund balance (limitation resulting from intended use)
- Unassigned fund balance (residual net resources)

The first two components listed above are not addressed in this policy due to the nature of their restrictions. An example of nonspendable fund balance is inventory. Restricted fund balance is either imposed by law or constrained by grantors, contributors, or laws or regulations of other governments. This policy is focused on financial reporting of unrestricted fund balance, or the last three components listed above. These three components are further defined below.

City of Menlo Park

City Council Policy

Department City Council	Page 2 of 4	Effective Date 06-08-2011
Subject Fund Balance for the General Fund	Approved by Motion of the Council on June 7, 2011	Procedure # CC-11-0002

Committed Fund Balance –

The City Council, as the City’s highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as an ordinance or resolution. These committed amounts cannot be used for any other purpose unless the City Council removes or changes the specific use through the same type of formal action taken to establish the commitment. City Council action to commit fund balance needs to occur within the fiscal reporting period; however the amount can be determined subsequently.

General Fund Emergency Contingency

The City of Menlo Park’s General Fund balance committed for emergency contingencies is established at \$6,000,000. The City Council may wish to increase or decrease this amount, with the goal of providing an amount equivalent to 15-20 percent of the City’s annual operating budget for the General Fund. This range should be sufficient to allow for a quick and decisive municipal response to events such as natural disasters, catastrophic accidents, or other declared emergency incidents. As defined in the resolution establishing this commitment, the specific uses are listed as the declaration of a state or federal state of emergency or a local emergency as defined in the Menlo Park Municipal Code Section 2.44.010. The City Council may, by the affirming vote of three members, change the amount of this commitment and/or the specific uses of these monies.

Economic Stabilization

The City of Menlo Park’s General Fund balance committed for the purpose of stabilizing the delivery of City services during periods of severe operational budget deficits and to mitigate the effects of major economic uncertainties resulting from unforeseen change in revenues and/or expenditures is established at \$8,000,000. The City Council may wish to increase or decrease this amount, with the goal of providing an amount equivalent to 20-25 percent of the City’s annual operating budget for the General Fund. This range serves as a sufficient cushion, safeguarding the City’s fiscal health against fluctuations in revenues and costs due to economic volatility. City Council approval shall be required before expending any portion of this committed fund balance. Access to these funds will be reserved for economic emergency situations. Examples of such emergencies include, but are not limited to:

- An unplanned, major event such as a catastrophic disaster requiring expenditures which exceed the General Fund Emergency Contingency Reserve
- Budgeted revenue taken over by another entity
- Drop in projected/actual revenue of more than five percent of the General Fund’s adopted revenue budget

Assigned Fund Balance –

Amounts that are constrained by the City’s intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance. This policy hereby delegates the authority to assign amounts to be used for specific purposes to the City Manager for the purpose of reporting these amounts in the annual financial statements. A few examples of assigned fund balance follow.

City of Menlo Park

City Council Policy

Department City Council	Page 3 of 4	Effective Date 06-08-11
Subject Fund Balance for the General Fund	Approved by Motion of the Council on June 7, 2011	Procedure # CC-11-0002

- Encumbrances – materials and services on purchase order and contracts which are unperformed
- Reappropriations – appropriated by the Council for specific projects or programs that were not completed and not encumbered by year end
- GASB 31 Adjustment – unrealized investment gains that have been recorded in the financial statements in accordance with GASB 31
- Infrastructure Maintenance Projects – amounts to be transferred to the [General Capital Infrastructure Maintenance](#) Fund for such projects in the subsequent fiscal year adopted budget
- Comprehensive Planning Projects – amounts [remaining unspent in the Comprehensive Planning Project Fund as of the end of each fiscal year, as well as amounts to be transferred to the fund in the subsequent fiscal year adopted budget](#) ~~needed to fully fund such projects as outlined in the 5-Year Capital Improvement Plan for the subsequent fiscal year~~
- [Capital Improvement Projects](#) – amounts to be transferred to the [Capital Improvement Projects Fund](#) for such projects in the subsequent fiscal year adopted budget

Unassigned Fund Balance –

These are residual positive net resources of the General Fund in excess of what can properly be classified in one of the other four categories.

Amounts held in reserve:

The total goal range for the City's unrestricted fund balance (includes Commitments and Assignments of fund balance) is 43% to 55% of General Fund expenditures.

From time-to-time, the Council may find it prudent to set aside funds for an existing need, priority or investment in the community. Amounts in excess of the established target levels may be shown as additional commitments or assignments of the General Fund balance. Such assignments will be reviewed with each fiscal year operating budget to determine if the funding is still necessary or can be released to the General Fund [unrestricted](#) reserves.

Funding of General Fund balance targets:

Funding of General Fund balance targets will come generally from one-time revenues, one-time expenditure savings, excess fund balance (e.g., unused or reversed assignment or commitments), and revenues in excess of projected expenditures.

Conditions for use and replenishment of reserves:

Use of Reserves

It is the intent of the City to limit use of General Fund balances to address unanticipated, one-time needs or opportunities. Fund balances shall not be applied to recurring annual operating expenditures. Reserves will be used to the extent annual expenditures exceed revenues as reported in the City's annual audited financial statements (an operating deficit). Reserves may also be used to allow for an investment in the City's long-term assets as approved by the City Council.

City of Menlo Park		City Council Policy
Department City Council	Page 4 of 4	Effective Date 06-08-2011
Subject Fund Balance for the General Fund	Approved by Motion of the Council on June 7, 2011	Procedure # CC-11-0002

Authority to Use Reserves

The City Manager may authorize use of reserves consistent with the purposes described above, including amounts authorized in the fiscal period's budget.

Replenishment of Reserves

Reserves will be replenished to the extent annual revenues exceed expenditures as reported in the City's ~~annual audited~~ financial statements (an operating surplus). Revenues in excess of expenditures at the end of a fiscal year shall be used to first satisfy committed contingency requirements before appropriating for other uses.

Flow of funds:

Restricted fund balances will be expended before unrestricted fund balances when expenditures are incurred for purposes for which both are available. Unrestricted fund balances will be exhausted in the order of assigned, unassigned, and committed when expenditures are incurred for which any of these fund balances are available.

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ADMINISTRATIVE SERVICES

Council Meeting Date: February 12, 2013

Staff Report #: 13-019

Agenda Item: F-2

REGULAR BUSINESS: Consider authorizing additional staff, appropriating \$100,000 for 2012-13 budget and approximately \$1.2 Million for 2013-14 budget and authorize a new Capital Improvement Project for City Hall improvements, appropriating \$250,000 for the project and authorize the City Manager to execute any necessary contracts associated with the project not to exceed the budgeted amount

RECOMMENDATION

Staff recommends that the City Council address the increase in workload related to current and pending development proposals citywide by taking the following actions:

- Authorize the addition of 9.0 FTE staff members to address the increase of workload related to current and pending development proposals, including converting 2 existing provisional employees to regular employees;
- Appropriate \$100,000 for those positions for fiscal year 2012-13 (prorated);
- Direct staff to reflect those increases in the Fiscal Year 2013-14 budget which is estimated to cost \$1.2 million;
- Appropriate \$250,000 for office furnishings and City Hall improvements to accommodate the staffing adjustment in a new Capital Improvement Project; and
- Authorize the City Manager to award any contracts associated with City Hall improvements not to exceed the budgeted amount.

BACKGROUND

The City finds itself in the enviable position of having an unprecedented number of large and highly complex development projects that either have already been submitted, or that staff believes will be submitted in the 2013 calendar year. Each project, by itself, could eclipse the planning and engineering staff's capacity to accomplish the work in a timely and high quality manner. Combined, the number of projects will overwhelm the City's ability to get the work done in a way that meets both the developer and community needs.

Staff believes that the confluence of the adoption of the Downtown Plan, the Housing Element and the arrival of Facebook, which all occurred in 2012, has contributed to this wave of future work. That, coupled with the fact that the economy in the Silicon Valley

appears to be strengthening, has resulted in pent up demand for development in Menlo Park. All of this will place incredible pressure on the Development Review staff and the City, overall, to respond.

For large projects such as these, the “Development Review” (DR) staff includes all of Community Development (planning and building employees), employees from the Transportation and Engineering Divisions of Public Works, as well as staff from the City Manager and City Attorney’s offices. In the past, it has been through this team effort that development work has been completed in a way that balances community needs.

Staff embraces a work philosophy that begins with a positive end in mind. Every application is considered on its own merits, requiring careful analysis throughout the review process, with an eye towards quality and timeliness. Applications range from small single-family home remodels to full scale commercial/industrial developments. Fundamentally, the City’s development code is highly complex and requires knowledge, advanced judgment, patience and a wide breadth of expertise to process for both applicants and staff. Further, many community members carefully watch City development activities and freely offer insight and opinions as to the impact and worth of such projects. All applicants expect a level of certainty and consistency in reviews by professionals. The analysis provided later in this report, demonstrates that current staffing levels do not support that level of professionalism given the anticipated development activity.

Development Proposals

There are 35 new development projects submitted, or thought to be in preparation for submittal in 2013:

Large-Scale Development Projects

Project	Key Characteristics	Status
Hunter Mixed Use Project (formerly Beltramo’s) • 1460 El Camino Real	• 1.5-acre site • 26,880 sf office • 16 units	• Entitlements granted • Under construction for soil remediation
• 389 El Camino Real	• 1.23-acre site • 26 units	• Entitlements granted • Building permit application under review
Menlo Gateway • 100-190 Independence and 101-155 Constitution	• 694,726 sf office • 230-room hotel • Fitness center • Restaurant	• Entitlements granted • Awaiting building permit application • Annual report to Planning Commission on status
• 20 Kelly Court	• 1.5-acre site • 37,428 sf R&D	• Entitlements granted • Expect building permit submittal in April 2013

Facebook East	<ul style="list-style-type: none"> • Renovation and occupancy of existing campus • Replacement of employee cap with trip cap 	<ul style="list-style-type: none"> • Entitlements granted • Under construction
<ul style="list-style-type: none"> • 1706 El Camino Real 	<ul style="list-style-type: none"> • 10,148 sf medical/dental office 	<ul style="list-style-type: none"> • Entitlements granted • Under construction
Quadrus Building #9 <ul style="list-style-type: none"> • 2484 Sand Hill Road 	<ul style="list-style-type: none"> • 11,392 sf office 	<ul style="list-style-type: none"> • Entitlements granted • Under construction
Quadrus Building #4 <ul style="list-style-type: none"> • 2460 Sand Hill Road 	<ul style="list-style-type: none"> • 32,671 sf office 	<ul style="list-style-type: none"> • Entitlements granted • Awaiting building permit submittal
<ul style="list-style-type: none"> • 702 Oak Grove 	<ul style="list-style-type: none"> • 3,460 sf office • 4 units 	<ul style="list-style-type: none"> • Entitlements granted • Building permit application under review
Facebook West	<ul style="list-style-type: none"> • 22-acre site • One-story building over surface parking • 433,555 sf office 	<ul style="list-style-type: none"> • Entitlements under review with final action expected April 2013
Commonwealth Corporate Center <ul style="list-style-type: none"> • 151 Commonwealth/164 Jefferson 	<ul style="list-style-type: none"> • 13.1-acre site • Two four-story buildings • 259,919 sf office 	<ul style="list-style-type: none"> • Entitlements under review with final action expected in December 2013
Stanford Mixed Use Project <ul style="list-style-type: none"> • 500 El Camino Real 	<ul style="list-style-type: none"> • 8.43-acre site • 357,500 sf total <ul style="list-style-type: none"> ○ Medical – 96,150 ○ Office – 133,350 ○ Housing – 136-152 units ○ Retail – 10,000 	<ul style="list-style-type: none"> • Entitlements under review
SRI Modernization	<ul style="list-style-type: none"> • 63.2-acre site • 5 buildings retained • 13 new buildings • 1.38 million sf R&D • 3,000 employees 	<ul style="list-style-type: none"> • Entitlements under review
MP Fire District – Station #6 <ul style="list-style-type: none"> • 700 Oak Grove 	<ul style="list-style-type: none"> • 16,198 sf site • 8,398 sf new fire station, historic carriage house and vehicle storage • 	<ul style="list-style-type: none"> • Entitlements under review
Sharon Heights Golf and Country Club <ul style="list-style-type: none"> • 2900 Sand Hill Road 	<ul style="list-style-type: none"> • Membership increase 	<ul style="list-style-type: none"> • Entitlements under review

Beechwood School <ul style="list-style-type: none"> • 50 Terminal Avenue 	<ul style="list-style-type: none"> • 2.8 acre-site • Renovation of campus 	<ul style="list-style-type: none"> • Entitlements under review
<ul style="list-style-type: none"> • 1300 El Camino Real 	<ul style="list-style-type: none"> • 3.4-acre site • Possible residential/office project 	<ul style="list-style-type: none"> • Application for entitlements expected in spring or summer
Derry Lane Project <ul style="list-style-type: none"> • 550-580 Oak Grove/540-570 Derry 	<ul style="list-style-type: none"> • 3.45-acre site • Possible housing and/or /commercial project 	<ul style="list-style-type: none"> • Awaiting application for entitlements
Casa on the Peninsula (formerly Glenwood Inn) <ul style="list-style-type: none"> • 555 Glenwood 	<ul style="list-style-type: none"> • 2.25 acre site • Conversion of 138-room senior facility to hotel use 	<ul style="list-style-type: none"> • Application for entitlements expected soon
Park Theater <ul style="list-style-type: none"> • 1275 El Camino Real 	<ul style="list-style-type: none"> • Conversion of theater to commercial use 	<ul style="list-style-type: none"> • Awaiting application for entitlements
Hamilton Avenue Housing <ul style="list-style-type: none"> • 777-821 Hamilton 	<ul style="list-style-type: none"> • 2.1-7.1 acre site depending on sale of neighboring properties • Housing 	<ul style="list-style-type: none"> • Application for entitlements expected in spring or summer • Sale of property pending
Haven #1 – St. Anton Partners <ul style="list-style-type: none"> • 3633-3639 Haven 	<ul style="list-style-type: none"> • 9.7-acre site • 386 rental units 	<ul style="list-style-type: none"> • Application for entitlements expected in spring or summer
Haven #2 – Butler <ul style="list-style-type: none"> • 3645-3665 Haven 	<ul style="list-style-type: none"> • Possible housing project 	<ul style="list-style-type: none"> • Awaiting application for entitlements
Boys and Girls Club <ul style="list-style-type: none"> • 401 Pierce 	<ul style="list-style-type: none"> • 700 sf expansion 	<ul style="list-style-type: none"> • Entitlements under review
MP Fire District Training Facility <ul style="list-style-type: none"> • 2005 Willow 	<ul style="list-style-type: none"> • Rebuild training facility 	<ul style="list-style-type: none"> • Awaiting application for entitlements
MP Police Communications Tower	<ul style="list-style-type: none"> • Replacement of communications tower 	<ul style="list-style-type: none"> • Awaiting application for entitlements
Phillips Brooks School <ul style="list-style-type: none"> • 2245 Avy 	<ul style="list-style-type: none"> • Increase enrollment 	<ul style="list-style-type: none"> • Applications for entitlements expected soon
German American International School <ul style="list-style-type: none"> • 275 Elliott 	<ul style="list-style-type: none"> • Development of new school at 3585 Haven 	<ul style="list-style-type: none"> • Awaiting application for entitlements
MP Emergency Wells <ul style="list-style-type: none"> • City corporation yard 	<ul style="list-style-type: none"> • Development of emergency well 	<ul style="list-style-type: none"> • Council authorization to proceed scheduled for January 22, 2013
<ul style="list-style-type: none"> • 2700-2770 Sand Hill 	<ul style="list-style-type: none"> • New approximately 10,000 sf office building 	<ul style="list-style-type: none"> • Awaiting application for entitlements
Commercial Project/Police Sub-Station (Gary Moiseff) <ul style="list-style-type: none"> • Corner of Willow/Ivy 	<ul style="list-style-type: none"> • 10,000 sf commercial building 	<ul style="list-style-type: none"> • Requires submittal of new building permit application to complete project • Possible submittal for new discretionary permits

<p>Menlo Business Park</p>	<ul style="list-style-type: none"> • Long-term renovation of campus 	<ul style="list-style-type: none"> • Awaiting application for entitlements (likely longer time frame)
<p>Veteran’s Administration • 795 Willow Road</p>	<ul style="list-style-type: none"> • Core housing development 	<ul style="list-style-type: none"> • May include City review and possible discretionary action for some elements
<p>Veteran’s Administration • 795 Willow Road</p>	<ul style="list-style-type: none"> • Right-of-way improvements • Easement for bicycle lane 	<ul style="list-style-type: none"> • Requires City involvement and possible action

The Development Process

Currently, development projects are processed through both the Planning Division in the Community Development Department as well as the Engineering and Transportation Divisions of Public Works Department in order to receive entitlements. During construction, there is also significant demand on both staffs in order to process the entitlements as well as manage the build out of a project. Projects must also be considered by various boards and commissions, most notably the Planning Commission and the City Council and require considerable oversight by both the offices of the City Attorney and the City Manager.

COMMUNITY DEVELOPMENT DEPARTMENT/PLANNING DIVISION

Planning Staffing Levels

The Planning Division staffing levels have been fairly consistent for a number of years with work being conducted by the Department Director and four professional planners. In 2009, one additional planning position was added. The Planning Division operated with the five planning positions until early in 2012. In anticipation of an extended leave by one staff member and an increasing work load, two additional planners were added as provisional employees in the spring of 2012. Their terms are currently set to expire in June 2013. As a result of these additions, the Division operated for most of 2012 with six planners. Beginning with 2013 and the return of the staff member from extended leave, the Division currently operates with seven planners. There will be a reduction to five planners with the expiration of the two provisional positions later in 2013.

From 2006 to 2010, the Division had Master Agreements with two contract planners to perform work as may be needed on various development projects. The services were used for portions of the reviews of the Park Theater and the office projects located at 1706 and 1906 El Camino Real as well as some comprehensive planning work related to the Dumbarton Transit Station. When additional resources were needed in 2012, the need was for employees who would be working in City Hall as a daily part of the professional planning staff, as opposed to project-based planners, which was the primary impetus for using provisional appointments rather than contract services.

Baseline Work

Development projects generally fall into one of two categories: baseline projects and large-scale development projects. Baseline projects are typically smaller projects such as single-family residences, small condominium and townhouse projects of less than five units, small commercial projects, cell antenna requests and hazardous materials use. Large-scale projects are generally larger in size and may include legislative action by the City Council, environmental review, resources from multiple City departments and outside agencies, and/or have known controversy.

The number of baseline projects has grown over the past five years, to a high of 99 projects in 2012. Although the number of baseline projects fluctuated following the downturn in the economy, the City saw a 22 percent increase in baseline projects from 2010 to 2011 and an additional 18 percent increase from 2011 to 2012. Additionally, the Planning Division processes an average of 28 sign applications annually. Table 1 lists the number of baseline project and sign applications received over the past five years.

Table 1
Number of Baseline Projects

Calendar Year	Planning Applications	Sign Applications	Total	Difference
2008	80	32	112	
2009	50	33	83	(-26%)
2010	69	20	89	8%
2011	84	25	109	22%
2012	99	30	129	18%

In looking ahead to 2013, in the first month of the year, ten baseline applications have been filed. If projected out at that rate through the remainder of 2013, there is a potential for at least 120 applications for baseline development. Although the final number of applications for 2013 may differ, it is an indicator that the increases of the past two years will continue.

In addition to small development and sign applications, other functions add to the baseline workload for the Planning Division. These functions include the provision of general information, assistance and review of applicant's initial proposals, review of business licenses, noise-related permits, code violations and similar reviews, participation in regional issues, review of development by neighboring jurisdictions, and budget preparation, supervisory responsibilities and other management-related work. Table 2 below provides the 2012 hours and FTEs for these various functions and shows that 5.3 FTEs were needed to conduct the baseline work. It is expected that this level of activity will continue, based on the continuing high level of development interest.

Table 2
2012 Baseline Planning Activity*

	Mgmt/Supv	Senior Planner	Associate Planner	Assistant Planner	Total Hours	FTE
Baseline Projects/Sign Applications	340	840	1,215	1,245	3,640	2.1
General Assistance/ Miscellaneous Reviews/ Regional Participation	870	1,210	1,350	1,550	4,980	2.8
Budget/Supervision/ Management	700	0	0	0	700	0.4
Total	1,910	2,050	2,565	2,795	9,320	5.3
2012 FTE						8.0
Remaining Capacity for Comprehensive Planning and Large-Scale Development in 2012						2.7

* Based on actual hours for 2012

Although, the Division operated with only 7.0 active FTE in 2012, the following discussion assumes 8.0 FTEs for consistency throughout the analysis. The FTE figure assumes retention beyond June 2013 of the two positions which are currently designated as provisional.

Comprehensive Planning

Comprehensive planning projects are those work efforts which update and maintain the City's key planning documents, including the General Plan and Zoning Ordinance, and which plan for the future of land use and circulation in the City. The City's CIP is the primary document which provides a timeline for comprehensive planning activities, although sometimes projects not foreseen during the preparation of the CIP need to be addressed. Over the past five years, comprehensive planning projects have included the El Camino Real/Downtown Vision Plan and Specific Plan, the Housing Element Update, the Willow Business Area, sustainable building requirements, and fire sprinkler regulation. Given the limitations on staff resources in Community Development and Public Works and the high cost of comprehensive planning efforts, the City has staggered these efforts such that only one or two are occurring at the same point in time. During 2012, the primary work efforts were related to the Specific Plan and Housing Element Update, with the two projects overlapping by a few months. Together, these two projects consumed 2,680 staff hours, or 1.5 FTE in 2012. Table 3 shows these hours layered on top of the baseline work level delineated in Table 2.

Table 3
2012 Baseline + Comprehensive Planning Staff Resources*

	Mgmt/Supv	Senior Planner	Associate Planner	Assistant Planner	Total Hours	FTE
Baseline Work	1,910	2,050	2,565	2,795	9,320	5.3
Comprehensive Planning	1,800	500	230	150	2,680	1.5
Total	3,710	2,550	2,795	2,945	12,000	6.8
2012 FTE						8.0
Remaining Capacity for Large-Scale Projects in 2012						1.2

* Based on actual staff hours for 2012

In 2013, the primary work efforts will be the completion of the Housing Element Update, implementation of programs associated with the Housing Element Update, the start of the 2014-2022 Housing Element Update, and the start of the General Plan Update. The City Council tentatively set this as a goal for 2013. Since work will need to occur simultaneously on the implementation of the Housing Element Update programs, the 2014-2022 Housing Element Update and the General Plan Update, additional staff resources will be necessary.

In light of this, the Planning Division has assigned the planner who returned from extended leave to comprehensive planning in addition to the 1.5 FTE already serving in this capacity. Additionally, it is believed that there will be a need for one additional FTE to keep the comprehensive planning projects on schedule without unduly burdening the review of development projects. This will result in a total of 3.5 FTEs dedicated to comprehensive planning through a combination of time expended at various staffing levels. Table 4 demonstrates the expected breakdown by staffing position per year for 2013 through 2017 for baseline and comprehensive planning work. As shown, the needed staff resources for the baseline work and comprehensive planning creates a staffing deficit for large-scale project review.

Table 4
2013 – 2017 Baseline + Comprehensive Planning Staff Resources Per Year*

	Mgmt/Supv	Senior Planner	Associate Planner	Assistant Planner	Total Hours	FTE
Baseline Work	1,910	2,050	2,565	2,795	9,320	5.3
Comprehensive Planning*	2,100	1,750	2,000	275	6,125	3.5
Total	4,010	3,800	4,565	3,070	15,445	8.8
FTE						8.0
Remaining Capacity for Large-Scale Projects						(0.8)

* Based on staff hours expended on past projects with similar components

Large-Scale Development Projects

As discussed above, the confluence of the Specific Plan, Housing Element Update and the arrival of Facebook has contributed to a significant increase in the number of current and pending large-scale development proposals. Table 5 shows staff hours anticipated for large-scale projects layered on top of the future baseline work and comprehensive planning. The Table assumes that all of the large-range planning projects are being reviewed simultaneously, thereby demonstrating the worst-case scenario for staffing needs. The Table reflects the need for a total of just under seven additional FTEs, exclusive of the retention of the two current provisional employees.

Table 5
Future Baseline + Comprehensive Planning + Large Scale Project Staff Resources
with Large-Scale Projects Considered Simultaneously

	Mgmt/Supv	Senior Planner	Associate Planner	Assistant Planner	Total Hours	FTE
Baseline Work*	1,910	2,050	2,565	2,795	9,320	5.3
Comprehensive Planning*	2,100	1,750	2,000	275	6,125	3.5
Large-Scale Projects**	2,285	6,670	1,050	710	10,715	6.1
Total Need	6,005	9,220	3,845	3,655	26,160	14.9
Current FTE						8.0
Capacity for Large-Scale Projects						(6.7)

* Hours per year

** Estimated from staff hours expended on past projects with similar components

It is highly unlikely that all of the large-scale development projects would be ready to proceed at the same point in time, or even that the community, Commissions and Council would have the band-width to consider such a large number of major development projects simultaneously. For that reason, staff has also assessed the staffing need by spreading the impact of the large-scale projects evenly over a five-year period as shown in Table 6. Although projects will not likely be processed in such an evenly-paced timeline, it helps to understand a more likely scenario.

Table 6
Future Baseline + Comprehensive Planning + Large Scale Project Staff Resources
with Large-Scale Projects Projected over Five Years

	Mgmt/Supv	Senior Planner	Associate Planner	Assistant Planner	Total Hours	FTE
Baseline Work	1,910	2,050	2,565	2,795	9,320	5.3
Comprehensive Planning	2,100	1,750	2,000	275	6,125	3.5
Large-Scale Projects*	457	1,334	210	142	2,143	1.2
Total Need	4,467	5,134	4,775	3,212	17,588	10.0
Current FTE						8.0
Remaining Capacity for Large-Scale Projects						(2.0)

* Estimated from staff hours expended on past projects with similar components

Community Development Department/Planning Division Staffing Proposal

In comparing Table 5 and Table 6, there will be a clear deficit of staffing resources for comprehensive planning and review of anticipated large-scale projects of between 2.0 and almost 7.0 FTE above the current 8.0 FTEs in the Division (6.0 permanent and 2.0 provisional FTEs). Staff recognizes that not all of the large-scale projects will take place simultaneously, and as such, adding 7.0 FTEs is not needed or desirable. However, given the expected timing of the large-scale projects, staff believes that more than a minimum of 2.0 additional FTEs will be necessary to maintain the timeliness of the baseline work, comprehensive planning and large-scale project review. For example, the Division is currently reviewing Facebook West, the Commonwealth Corporate Center, 500 El Camino Real (Stanford proposal), SRI Modernization, Fire District Station #6, Sharon Heights Golf and Country Club membership increase, and Beechwood School renovation. Additionally, applications are expected soon for the conversion of Casa on the Peninsula, the Park Theater, and Philips Brooks School enrollment increase. Immediately following adoption of the Housing Element Update, applications are expected for the 1300 El Camino Real and Derry properties, as well as for the Hamilton and Haven Avenues housing sites.

Staff believes that in order to meet the current and future demand, the following changes should be made to the Planning Division:

- Retention and conversion of the existing 2.0 FTE provisional positions to permanent positions at the Assistant/Associate level;
- Addition of 1.0 permanent FTE assigned primarily to comprehensive planning at the Associate/Senior level; and
- Addition of 2.0 permanent FTE assigned primarily to large-scale project review at the Associate/Senior level.

This will result in an increase of 3.0 FTE above the existing staffing for a total permanent staff of 11.0 FTE. Staff also has considered that this increased level of

staffing may not be immediately necessary, but could be implemented more gradually as the pending large-scale development projects begin to file formal applications. Even with this level of staffing, and certainly with a lower level of staffing, prioritization of the projects is a critical component to the efficient review of the projects.

In large part, the increase in staffing will be associated with increased revenue from the development projects. The Financial Analysis section provides more detail.

Historically, comprehensive planning has not had a cost recovery component. That changed with the Council's adoption, in June 2012, of a new fee for projects in the Specific Plan area. Based on the finding that there is a benefit to applicants as a result of the adoption of the Specific Plan, which reduces costs of future environmental review and development approvals, the Specific Plan Preparation Fee requires all projects within the Specific Plan area to pay \$1.13 per net new square foot of building area as a means of recapturing the \$1.6 million spent in the Plan development. These fees will be directed to the Comprehensive Planning Fund for future comprehensive planning work.

Building Division

The Building Division staff focuses on two primary activities: plan checking and inspection. With regard to plan checking, the Division has 0.75 FTE for the plan checking service, supplemented as needed by the Building Official and Senior Building Inspector. The Plan Checker is responsible for the baseline level projects and the Division's over-the-counter plan check service. Large-scale projects are typically reviewed by contract plan checking firms for their added expertise and additional capacity. Given this way of operating, and acknowledging that the Division will continue to use contract plan check services for large scale projects, no need for increased staffing is anticipated.

With regard to the inspection service, the Division is currently staffed with 3.0 FTE inspectors, including one senior inspector. Over the years, this has been a sufficient level of staffing to handle the baseline work level and one large-scale project simultaneously. With the pending number of large-scale projects that will likely be in construction starting in 2013, there will be a need to increase the inspection capacity. Typically, large-scale projects such as Menlo Gateway, Facebook West, the Commonwealth Corporate Center, 500 El Camino Real, 1300 El Camino Real and Derry sites, and housing sites on Hamilton and Haven Avenues require assignment of a single inspector who can be on site for several hours on a daily basis in order to resolve emerging problems and keep the construction on schedule. Similarly, having multiple projects such as 389 El Camino Real and the Hunter Mixed Use project (formerly Beltramo's) under construction at the same time, while smaller in scale, can add to the demand because the construction typically uses wood rather than steel resulting in a larger number of inspections for the structural elements and, if the projects include residential units, requires more time for detailed inspection of each unit.

Based on having several medium to large-scale projects currently or about to go into construction, including the Hunter Mixed Use project, 389 El Camino Real, 20 Kelly Court, Facebook East, 1706 El Camino Real office building, 702 Oak Grove mixed use building and buildings on the Quadrus campus, an additional 1.0 FTE inspector will be needed to help meet the demand for inspection services.

PUBLIC WORKS DEPARTMENT

The Public Works Department staffing related to development review has remained fairly consistent over the years. These staff members are tasked with many other duties with only a portion of time dedicated to development review activities. Over the years, the requirements of the other duties, such as stormwater requirements, have steadily increased without an increase in staff. These increases have affected the ability of staff to dedicate time to development review activities. Public Works currently contracts out some portions of development review for grading plans and survey work. These contracted services help to reduce the workload and allow projects to move through the system. The contracted services works for certain components of development review, but employees at City Hall are necessary for a bulk of the workload to understand the nuances of the City process and provide effective communication.

Baseline Work

The baseline workload for Public Works includes the numerous programs, services and projects that have been approved by Council or are required by law. The Engineering and Transportation functions in Public Works manage the following municipal programs and services:

- Water
- Storm water quality protection
- Flood control
- Bayfront Park Landfill Requirements
- Capital Improvement Projects
- Heritage Trees
- Garbage, and Recycling
- Maintenance of Traffic Signals and Streetlights
- Signal Timing
- Striping
- Safe Routes to School
- Shuttle Program
- Encroachment Permits
- Neighborhood Traffic Management Program

Many of these functions are federal or state required (i.e. water quality testing and stormwater requirements). The staff members that review development projects and work with comprehensive planning spend the vast majority of their time on other functions within Public Works. Therefore, a portion of time from many staff members is

needed to review and provide comments on development projects. Table 7 shows the baseline information derived from the budget and program tracking systems and indicates 0.5 FTEs remain available for large-scale projects and comprehensive planning.

Table 7
2012 Public Works Baseline Planning Activity*

	Mgmt	Senior Engineer	Associate Engineer	Eng Tech	Inspector	Trans Manager	Trans Staff	Total Hours	FTE
Baseline Work	3240	1518	3506	1690	1706	1515	4325	17,500	10.0
Total	3240	1518	3506	1690	1706	1515	4325	17,500	10.0
Current FTE									10.5
Remaining Capacity for Large-Scale Projects and Comprehensive Planning									0.5

* Based on budget estimates for 2012

Comprehensive Planning

The comprehensive planning project components Public Works is responsible for require close coordination with the Community Development Department. Comprehensive planning projects trigger the need for various studies within Public Works including water master plans, stormwater master plans, significant transportation analysis, and environmental components. Documents and analyses are already staggered over several years, but require significant staff time and consultant work to accomplish. The Table 8 indicates the current staff resources used for Public Works baseline workload and the work on the Housing Element. As the Housing Element was not originally scheduled to be completed this year, other projects have been affected.

Table 8
2012 Public Works Baseline + Baseline Comprehensive Planning Staff Resources*

	Mgmt	Senior Engineer	Associate Engineer	Eng Tech	Inspector	Trans Manager	Trans Staff	Total Hours	FTE
Baseline Work	3240	1518	3506	1690	1706	1515	4325	17,500	10.0
Comprehensive Planning	100	100	75	0	0	250	75	600	0.3
Total	3340	1618	3581	1690	1706	1765	4400	18,100	10.3
Current FTE									10.5
Remaining Capacity for Large-Scale Projects									0.2

* Based on budget estimates for 2012

As the work on the comprehensive planning projects increases, Public Works will need additional resources to maintain the timelines and expectations for completion. It is estimated that Public Works would need an additional 1.5 FTEs as shown in Table 9, below, in order to facilitate the timely completion of the comprehensive planning projects. The Transportation Division represents a large component of comprehensive planning projects and will require a large portion of the resources in Public Works. The rest of the time will be split between the Engineering Division for water, stormwater and environmental analysis as there are many new requirements that will need to be included in the planning documents.

Table 9
2013 – 2017 Public Works Baseline + Comprehensive Planning Staff Resources
Per Year*

	Mgmt	Senior Engineer	Associate Engineer	Eng Tech	Inspector	Trans Manager	Trans Staff	Total Hours	FTE
Baseline Work	3240	1618	3550	1790	1756	1515	4325	17,794	10
Comprehensive Planning	400	500	600	250	0	1250	475	3,475	2.0
Total	3640	2118	4150	2040	1756	2765	4800	21,269	12
Current FTE									10.5
Remaining Capacity for Large-Scale Projects									(1.5)

** Based on budget estimates for similar projects*

Large-Scale Development Projects

Large-scale development projects create a significant workload for Public Works. The entitlement phase includes numerous requirements for review including water, stormwater, environment and transportation. As these projects move from the entitlement phase to the construction phase, the focus moves toward mapping requirements, review of preliminary and final construction plans, construction methods, and stormwater requirements. There is also a significant amount of inspection required during construction to ensure that facilities are constructed correctly, both on and off site.

The range of needed staff will vary based on the influx of projects. Table 10 depicts all proposed projects being handled simultaneously, while Table 11 spreads them over five years. The actual number of FTEs necessary for the workload will likely be somewhere in between. In order to effectively handle the additional workload of the large development projects and the comprehensive planning projects, it is anticipated that Public Works Department would need an additional 4.0 FTEs. There is currently a vacant Assistant Transportation Engineer that can be converted to a Senior Transportation Engineer, thus the total additional Public Works staff needs would be 3 FTEs.

Table 10
Future Public Works Baseline + Comprehensive Planning + Large Scale Project
Staff Resources with Large-Scale Projects Considered Simultaneously

	Mgmt	Senior Engineer	Associate Engineer	Eng Tech	Inspector	Trans Manager	Trans Staff	Total Hours	FTE
Baseline Work	3240	1618	3550	1790	1756	1515	4325	17,794	10.0
Comprehensive Planning	400	500	600	250	0	1250	475	3,475	2.0
Large Scale Projects	1500	4000	3500	0	4100	4200	2000	19,300	11.0
Total	5140	6118	7650	2040	5856	6965	6800	40,569	23.0
Current FTE									10.5
Remaining Capacity for Large-Scale Projects									(12.5)

Table 11
Future Public Works Baseline + Comprehensive Planning + Large Scale Project
Staff Resources with Large-Scale Projects Projected over Five Years

	Mgmt	Senior Engineer	Associate Engineer	Eng. Tech	Inspector	Trans. Manager	Trans Staff	Total Hours	FTE
Baseline Work	3240	1618	3550	1790	1756	1515	4325	17,794	10.0
Comprehensive Planning	400	500	600	250	0	1250	475	3,475	2.0
Large Scale Projects	300	800	700	0	820	840	400	3,860	2.2
Total	4160	3078	5350	1940	2576	3465	5300	25,869	14.2
Current FTE									10.5
Remaining Capacity for Large-Scale Projects									(3.7)

The number of FTEs necessary is tied to the amount of resources added to the Community Development Department. As their resources increase, there needs to be a corresponding increase in resources in Public Works to continue to move the projects forward without creating a bottleneck. It is important to note that the Public Works numbers include the entitlement phase and the construction phase, which also includes inspection on site and within the public right-of-way. Over the last 5 years, there has been a significant increase in the requirements related to stormwater. These requirements are also expected to increase further over time, which will also have a corresponding increase in the number of hours necessary to review each project.

Overall Support

Considering adding such additional staffing will put a strain on the existing administrative support staff. As these positions have been reduced over time, the need to support this additional level of service in the form of accounts receivable/payable, payroll, administrative/clerical support, agenda and staff report preparation, and other sundry duties needs to be taken into consideration. At this time, the staff will look internally first to gauge the changing administrative needs. If the needs arises, staff may return with an additional request for staffing.

Analysis

Like all industry, predicting staffing and production certainty many years out is difficult to do. Planning for booms and busts is part of the business cycle; getting it right is as much art as science. The City of Menlo Park is currently in a development boom. Predicting when this period of growth might wane is not possible at this time. Based upon the number of known and pending applications before the City, staff foresees a five-year time horizon before any type of slowing or reversal may occur. Creating capacity to properly manage this work is critical so that we can adequately serve our community. This organization has re-positioned itself in the market and has been operating at a barebones level for several years. Some of the effects are showing. It is time to begin to reinvest in the organization so that it can respond to service demands placed upon it. The approach the Council takes will also signal to the development community your commitment to a business friendly environment that can continue to balance the needs of the developers and residents for the long term.

There are a number options to adjust the City's capacity to do the work.

1. Hold our staffing levels constant and approach the work on a first come-first served basis. In all likelihood, this would result in the City putting placing into a queue and informing applicants (ranging from home owners to major developers) that their project will be taken up as soon as capacity allows. The wait for applicants would depend up the queue. In some cases, the wait could be as long as 12 months.
2. Increase staff capacity through
 - a) Hiring full-time staff;
 - b) Hiring provisional staff; or
 - c) Contracting staff.

An explanation of each follows.

a) Hiring full-time staff

The benefits of hiring additional full-time staff to absorb the workload are numerous. Certainly, concern for quality control of the product, greater commitment to the work,

the project and the community, and better project management are primary. The commitment to public service cannot be underscored enough. In house staff will more likely have a greater sense of ownership for any project they work on knowing that it will reflect on them in the future.

The costs of hiring skilled staff are the perceived cost of bringing on full-time public employees and the job rights that follow a permanent employee, particularly when this work is completed. The ebb and flow of the workload is difficult to predict. As with all services, when the funding for the service discontinues, so too will the employees providing the service.

Hiring new full-time staff will take up to 120 days followed by an organizational learning curve of an additional six months. This approach would have the staff on board by June 2013 and fully up and running towards the end of the calendar year.

b) Hiring provisional staff

Provisional staff are employees who work for the public agency, typically full-time and benefited, but have a term end for their work. For example, the City presently has two provisional staff member in the Planning Division who were hired to back-fill an employee on medical leave as well as in anticipation of Facebook and other projects. Provisional employees are a great solution when there is a known beginning and end to the work.

The downside of provisional workers is that they are not bound by the term of the work; they can leave when they want. Provisional employees may have personal reasons for not choosing full-time permanent work, but most public employees today prefer certainty in their tenure. Retaining provisional employees can be difficult if a permanent position arises elsewhere. Provisional employees do not typically cost any less, there is just certainty at the end of the term.

Hiring new provisional staff will also take up to 120 days followed by an organizational learning curve of an additional six months. This approach would have the staff on board by June 2013 and fully up and running towards the end of the calendar year.

Bringing on provisional staff may require the City to meet and confer with the impacted bargaining groups.

c) Contracting Staff

Contracting development review work could prove difficult in this particular economy. While Menlo Park has experience contracting elements of the development review work (e.g., environmental review, legal, specialized engineering, inspection, etc.), contracting some of the daily development review work could prove a challenge and identifying quality contract staff who can work in the Menlo Park environment might

be expensive. Similar to provisional staff, any assurance of long tenure may be uncertain.

Contracting is an option chosen by many agencies during the recent economic decline. Typically, the work contracted is ongoing and has a specific and narrow scope (e.g., custodial maintenance). Work requiring teams of people, judgment, specific local knowledge and experience are the types of work that, if affordable, should be considered for in-house staff.

Contracting the work may require the City to meet and confer with the impacted bargaining groups. Management staff would have to be careful in assuring that the contract employees don't unintentionally fall in to the category of City employee. To avoid this, the work would need to be constructed.

Historically, contracting staff work has been viewed as a means of supplementing existing staff and is often believed to be less expensive than retaining new staff. In recent conversations with local planning contracting agencies, the current hourly rate for contracted staff often exceeds the fully-recovered hourly cost of in-house staff.

Finally, hiring contract planners would require the staff to prepare different scopes of work and related requests for proposals from various vendors followed by an evaluation and selection process that would likely take up to 180 days. Final contract negotiations, selection and award by City Council would likely occur in September 2013. Similar to both scenarios above, the learning curve for contractors would take approximately six months.

IMPACT ON CITY RESOURCES

For the sake of discussion only, each professional staff member would cost approximately \$150,000 annually, depending on skill level and market demand. With the nine requested staff members, Council would be appropriating an additional \$1.2 million for costs with a budget offset of \$724,000 in anticipated revenues. Further, given that development review work is fully cost recovered, the fiscal impact for hiring staffing for development review would be negligible. The rates charged for development review by any staff member fully captures that employee's full cost as well as overhead. The same is true for building inspection – the cost of the building permit is "sized" to cover the City's total cost to provide the inspection.

Comprehensive Planning, however, is not currently recoverable in a direct fee, although the City did adopted a fee following the adoption of the Specific Plan to incrementally recover the cost of developing the Plan over time. As referenced earlier, the City expects to fully recoup the nearly \$1.7 million over the next three years (depending on success of projects in the downtown). For example, should the Stanford project along the El Camino Real be developed, Stanford's fee for the Downtown Plan will likely exceed \$500,000.

The Public Employee Retirement System (PERS) future liability is often referenced when mentioning City employment. Many focus on the City's Unfunded Actuarial Liability, which is the difference between the Actuarial Accrued Liability and Assets. According to John Bartel, the City's independent actuary, the Actuarial Accrued Liability is the value of benefits (not provided by future investment returns) due to service that has already been rendered (i.e. past service). The day you hire a new employee, since they have no past service, their Actuarial Accrued Liability is zero. Consequently, a new employee does not have any impact on the City's Unfunded Actuarial Liability. In other words, the unfunded liability reflects all past and current hires in the organization, not future hires.

Mr. Bartel continues, "while imperfect, the household mortgage helps to exemplify this. Assume that your home mortgage applies to the Unfunded Actuarial Liability. Here's the way it works:

1. The City's Unfunded Actuarial Liability is the difference between the Actuarial Accrued Liability (AAL) and Assets. The AAL is the value of benefits (not provided by future investment returns) due to service that has already been rendered (i.e. past service). The AAL grows each year by Normal Cost and Interest on the AAL and gets reduced by benefit payments.
2. The Assets grow each year by contributions and Investment earnings and get reduced by benefit payments.
3. The UAAL (the difference between AAL and Assets) changes from one year to the next based on the difference between (1) and (2).
4. Contributions include payment for Normal Cost and payment on the UAAL. Since Normal Cost and benefit payments are included in both (1) & (2), they cancel each other out in item (3).

This means, if we assume no gains and losses, the UAAL grows each year based on interest on the UAAL offset by payment on the UAAL. The principal payment is then the difference between the actual payment and interest on the UAAL.....this is exactly how a home mortgage works, this is why I like the analogy. However, where the analogy breaks down is that the UAAL is due to prior service, whereas a home mortgage is not associated with prior service."

As these developments are completed, depending on the type of development (mixed-use, housing, commercial office, etc.), the impact to the City's bottom line will increase (e.g., property taxes, sales taxes, public benefit, etc.). For example, once completed, Facebook is expected to generate \$15 million over 15 years while the Menlo Gateway project is expected to generate at least \$2 million annually. Given that the City wants to realize the benefits of these projects, the City will be required to properly invest, upfront, in order to realize these financial gains.

City Hall Improvements

As the staffing adjusts to absorb the anticipated influx of new work, staff will need to be accommodated in the City Hall. Given that space in the Community Development and Public Works /Engineering is at capacity on the 1st floor, CD and PW teams will be faced with splitting up to accommodate the growth in staffing. Through various space planning strategies, staff continues to evaluate the most productive use of existing vacant 2nd floor space to accommodate the need. Much of Administrative Services might be relocated and consolidated into different work spaces. At the same time, certain minor renovations throughout the City Hall might need to be made to best utilize all of the spaces for professional quality work. Space planning, furnishing and minor remodeling could cost up to an additional \$250,000. These costs would not qualify for cost recovery related to the increase in development work, but some of these costs could be offset through the overhead. No matter how the program is staffed, modifications to City Hall will be necessary.

As a means of expediting these improvements, staff would suggest that, following a formal bidding process, that Council provide authorization for the City Manager to award contract(s) to the lowest responsible bidder(s) for the needed furnishings and improvements to the City Hall.

Based upon the above analysis, the following should be directed for inclusion in the Fiscal Year 2012-13 General Fund budget.

• Adoption of a CIP to fund furnishing and building Improvements	\$250,000
• One month of costs (June)	<u>100,000</u>
<i>Total 12-13 Estimated Cost</i>	\$350,000

Further, based upon the above analysis, the following should be directed for inclusion in the Fiscal Year 2013-14 budget.

	General Fund	Comp Plan Fund
• Convert of 2 existing provisional planners to regular employees	\$ 0	\$ 0
• Add 3.0 Planners (estimated average overall cost)	300,000	150,000
• Add 1.0 Building Inspector (estimated average cost)	150,000	
• Add 4.0 Engineers (estimated average cost)	375,000	225,000
Offset savings from eliminated Assistant Engineer	(35,000)	
Estimated Fee Revenue	<u>(723,750)</u>	
<i>Total 13-14 Estimated Cost</i>	\$66,250	<u>\$375,000</u>

POLICY ISSUES

This recommendation creates the staff capacity to address several of the Council's recently defined goals for the coming year, including focusing resources on important comprehensive planning processes, allowing development projects to progress more efficiently through the approval process and in a more business-friendly manner, renewing the community's infrastructure and supporting tax-generating development that supports a sustainable budget. The investment now in additional staff capacity creates sustainable revenue for the future and will allow continued advancement of the community in alignment with Council goals.

Conclusion

The City finds itself at an interesting, if not welcomed nor unforeseen, crossroads. Over the past several years, the City Council put into motion a number of strategic decisions that have led to an unprecedented number of imminent development projects. The adoption of the Downtown Specific Plan, the recruitment of social media giant Facebook, and the completion of the Housing Element all coupled with the strengthening local economy have unleashed what staff believes is a long pent-up demand for a presence in Menlo Park. The sheer number of projects speaks to the City's prime location in the Silicon Valley and the desire for many businesses to be a part of our community.

In order to increase the organizational capacity to accommodate this new level of work, staff undertook a significant analysis of the anticipated workload projected by these new developments.

ENVIRONMENTAL REVIEW

Environmental review is not required.

Signature on file
Alex D. McIntyre
City Manager

Signature on file
Arlinda Heineck
Community Development Director

Signature on file
Charles W. Taylor
Public Works Director

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS: None

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: February 12, 2013

Staff Report #: 13-020

Agenda Item #: F-3

REGULAR BUSINESS: Approve the Median Island and Right-of-Way Landscape Maintenance Service Request for Proposals

RECOMMENDATION

Staff recommends that the City Council approve the Median Island and Right-of-Way Landscape Maintenance Service Request for Proposals (RFP), and direct staff to proceed with distribution to obtain bids.

BACKGROUND

On March 15, 2011, staff presented budget savings strategies to the City Council. During this time, the budget forecast for future years showed expenditures exceeding revenues for the next ten years and the necessity to potentially utilize general fund reserves.

One of the budget saving strategies presented was to consider whether cost savings could be achieved by contracting out median and right-of-way landscape maintenance services. Council requested staff to develop and issue a RFP to qualified landscape maintenance companies to determine if cost savings could be achieved as long as the level of service remained the same.

During this same time, staff resources were diverted to focus on the possible acquisition of Flood Park from San Mateo County. The preparation of the RFP was placed on hold until Flood Park was resolved. At present, the Flood Park situation has been resolved and the County has provided adequate funding for the park.

ANALYSIS

In determining how to best develop the RFP, staff reviewed numerous RFP's from other cities for landscape maintenance services. The RFP includes detailed maps of all median and right-of-way landscape areas currently being maintained by City staff. The table below shows the size of areas currently maintained.

MAINTENANCE AREA	AREA SIZE
Medians Islands	11.8 acres (516,000 sq. ft.)
Right-of-Way	21.2 acres (924,000 sq. ft.)
Downtown Streetscape Parking Plazas	10 acres (435,000 sq. ft.)

Staff has prepared a detailed specification that would capture both general and technical requirements needed to provide a comparable reflection of services currently provided by City staff. The maintenance areas have also been divided into funding areas. For example, a separate trust fund by the Developer of the Vintage Oaks subdivision was established when the subdivision was constructed in order to maintain the perimeter landscaping. Also the Downtown Parking Permit Fund funds 3/4 of a Full Time Equivalent (FTE) park staff.

The Parks staff is divided into three groups; one group maintains the sports fields (including school fields) and one group serves west of the railroad tracks and the other serving east of the railroad tracks. Each of these groups is responsible for maintaining parks, City facility landscaping and medians and right-of-way in their assigned areas.

The key components of the RFP are as follows:

- The proposals will be evaluated on a “best value evaluation”. Criteria used in evaluating the contractor’s abilities will include: cost, ability to provide service, previous performance and references, quality of service, responsiveness, and unspecified value-added offerings by the contractor.
- Costs have been broken down to reflect each of the four maintenance areas: medians, rights-of-way, downtown streetscape/parking plazas, and the Vintage Oaks Subdivision. This allows a realistic cost in each area maintained and its different funding sources.
- Contract is for a four-year term with the option to extend for additional four one-year terms based on satisfactory review of the contractor’s performance. Either party can terminate agreement with 90-day notice.
- Provides details on the technical aspect of the work to be completed by the contractor’s staff covering area frequency levels for all duties, such as mowing, edging and aerification of turf areas and fertilization requirements, as well as tree, shrub and groundcover maintenance procedures. Step-by-step instructions on how to carry out annual turf renovations and complete details on irrigation management, repair and testing are provided in this section. It also contains sections detailing disease and pest control, plant material requirements, and direction on litter, leaf and debris control. A specific section has been added to convey the high level of service provided for the maintenance of the downtown area by City staff which is above the normal maintenance requirements.

- Contractor would be required to propose the staff hours planned to accomplish the work. They are required to indicate the following: A) the work forces' position and title, B) minimum qualifications of each member of the work force, and C) the anticipated annual hours each work force member is expected to complete. This information will help show the commitment of each contractor in performing the work and whether a contractor is providing an accurate proposal in comparison to other proposals.
- A 12-month guarantee on materials and workmanship for any extra work performed during the life of the contract is included.
- In order to maintain the level of service, staff has developed a rating form to be completed monthly with the contractor. Samples of the inspection rating form are included in the RFP. These forms allow staff to deduct percentages from the monthly payments to reflect any deficiencies on the part of the contractor to meet the requirements for each area as stipulated in the RFP.
- Detailed aerial views and street level perspectives that describe each area are included to provide insight to the contractors who are interested in bidding.
- The staff hired by the contractor will be required to go through a background check and have all required certifications. Contractor shall have an office and staff available within 45 miles of the City in order to respond to emergencies.

Staff is recommending the City Council take this opportunity to review the RFP, provide comments pertaining to its details and approve for distribution. If approved, staff will begin the process of sending the RFP to contractors best suited to perform the specifications detailed.

Advantages of Contract Service Delivery

Contracting provides a consistent flow of labor whereas the current service has a disrupted flow of labor when factoring in vacation and sick leave. Under a contract, service labor hours are consistent due to the availability of staff. In addition, outsourcing shifts a number of costs to the contractor, particularly employee related costs such as training, workers' compensation, insurance, vehicle maintenance, hiring and retirement.

Disadvantages of Contract Service Delivery

By retaining its own workforce, the City has the ability to deploy employees in a strategic manner that provides for greater flexibility than would be available under a contract for services where work schedules are more routine and less flexible. Currently, the Parks Maintenance section can be assigned tasks that fall outside their scheduled routine (e.g. moving furniture, special event set-up, traffic control, etc.) whereas contract employees would require adequate notice; moreover, the City would incur costs for the additional work not specified in the contract. Additionally, the Parks

Maintenance section is part of the Public Works Department crew for the purpose of deploying a larger workforce to unforeseen circumstances such as inclement weather which can cause major flooding and fallen trees.

The Public Works Department has an on-call group of employees who are trained to respond to a variety of calls during non-working hours which includes park staff responding to emergencies. This crew is on-call 365 days of the year and last fiscal year they responded to over 100 calls. Reduction in permanent staff reduces trained personnel for emergencies. In addition, permanent employees are required by State statute to report to work during emergencies. Contract employees could be used during an emergency, but the City would be restricted on what the City could use them for due to lack of training and knowledge of City facilities.

Staffing Levels

The current budget for the City to provide median and right-of-way services which includes the Vintage Oaks and Downtown areas is \$324,600. This includes salary, benefits, training, equipment, materials, and supplies. This cost does not include utilities (\$130,800) and administrative staff time (\$48,600) which will continue to be charged to this program in managing the contract if this service is contracted out.

The \$324,600 consists of \$170,600 from the General Fund, \$82,800 from the Downtown Parking Permit Fund, \$17,200 from Vintage Oaks Landscape Fund and \$54,000 from the Garbage Service Fund. The maintenance of the landscaping around Vintage Oaks has been contracted out since the City took over maintenance of the perimeter landscaping and the subdivision was completed. Approximately 5 years ago the City Council approved funding \$54,000 from the Garbage Service Fund to fund portion of the park staff time when collecting garbage along the right-of-way.

FUNDING	EMPLOYEE STAFFING	COST
	2.35 FTE .75 FTE Seasonal Employee	\$324,600
General Fund	1.0 FTE .75 FTE Seasonal Employee	\$170,600
Downtown Parking Fund	.75 FTE	\$82,800
Vintage Oaks Fund	0	\$17,200
Garbage Fund	.6 FTE	\$54,000

If the City Council decides to contract out Median Island and Right-of-Way Landscape Maintenance Services, the cost of two (2) FTE, the .75 FTE seasonal and operating expenses is \$289,600. This would be the cost to compare against the contract proposal. The \$289,600 is \$35,000 less than the current budget of \$324,600 due to not being able to eliminate a portion (in this case .35 FTE) of a position. Therefore the .35 FTE would be moved to other services in the parks section. Out of the \$289,600, \$135,600 is from the general fund.

Refuse Collection City Park/Facilities

In January 2011, the City contracted Recology to service waste and recycling. In the previous contract with Allied Waste, waste and recycling pickup in parks and City facilities was included at no cost to the City; however, this service was not included in the new contract with Recology. In order for Recology to service waste and recycling at parks and City facilities and not incur additional costs, the waste and recycling bins must be located within five feet of the street or driveway. Recology provided a service quote to provide waste and recycling pickup in City parks and facilities (similar to the level of service previously received from Allied) at a cost of over \$300,000. In the 2012-13 budget, staff included an additional \$30,000 in the operating budget for the City parks and facilities with the intent to use seasonal employees to assist staff with this extra work. The funding provided has not been sufficient due to increased use of City parks prompting additional staff time to complete services. This has reduced the service in other areas of Park maintenance. In addition, the waste that is collected can be heavy at times and there is a concern about possible work injuries. Staff has included the cost to provide this service in the RFP. Staff is using the RFP to get costs of this service and will be bid separately then the Median Island and Right-of-Way Landscape Maintenance Services.

Wages

In previous discussions concerning contracting out services, the City Council raised questions concerning the wages that contractors pay their workers. The prevailing wage rate for a landscape maintenance laborer is \$8.69/hour including benefits as determined by the State of California. The RFP requires the contractors to meet this requirement. Some Cities have chosen to require "Living Wage" in order to insure that workers receive a livelihood that allows a full time worker to provide food, housing, health care, child care, and basic transportation for themselves and their families. These policies prevent the use of taxpayer dollars to subsidize employers who pay low wages and encourage firms to compete for city contracts on quality of service and productivity. If the Council is interested in establishing a "Living Wage" requirement, staff will need to research and return at a future date with more information.

Schedule

If the RFP is approved by City Council, staff will continue the process following the schedule below. Recommendations will be presented to the City Council in July or August 2013.

February	Send RFP to contractors
March	Mandatory pre-proposal meeting with contractors
April	Proposals due to City
April/May	Proposals reviewed and rated based on criteria
May/June	Meeting with preferred contractor to discuss proposal
July/August	Recommendation to City Council

IMPACT ON CITY RESOURCES

There is no direct impact on City Resources associated with the action of this report.

POLICY ISSUES

The RFP should be carefully reviewed to confirm that the level of service meets the expectations of the City Council. The RFP requires the proposals to meet the State of California prevailing wage requirements, but does not currently require a “Living Wage”.

Signature on File
 Dave Mooney
 Parks Supervisor

Signature on File
 Ruben Niño
 Assistant Public Works Director

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS:

- A. Request for Proposal

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REQUEST FOR PROPOSALS
FOR
MEDIAN AND RIGHT-OF-WAY
LANDSCAPE MAINTENANCE SERVICES



February 2013

**PROPOSALS MUST BE RECEIVED SEALED AND
CLEARLY MARKED ON THE OUTSIDE WITH
"MEDIAN AND RIGHT-OF-WAY
LANDSCAPE MAINTENANCE SERVICES"**

**PROPOSALS MUST BE RECEIVED PRIOR TO 2 P.M. ON _____, 2013
AT:**

**CITY OF MENLO PARK
MAINTENANCE DIVISION
333 BURGESS DRIVE
MENLO PARK, CA 94025**

**PROPOSALS MAY BE SUBMITTED BY MAIL OR DELIVERED DIRECTLY TO THE
ABOVE ADDRESS PRIOR TO THE DATE AND TIME SPECIFIED ABOVE.**

**REQUEST FOR PROPOSALS
FOR
MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES**

The City of Menlo Park is requesting proposals for MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES per the attached specifications. Your proposal must be submitted as described in the attached Request for Proposal. Additional documentation may be added if desired. Please review the entire package before submitting your proposal. Incomplete submissions may be rejected as non-responsive. Our goal is to have the successful contractor providing services as soon as possible after selection. The agreement will be for four (4) years with up to four additional one-year optional extensions.

A mandatory pre-bid meeting is scheduled for 9:00 A.M. on _____, 2013 at 333 Burgess Drive, Menlo Park, CA 94025.

The award shall be based on a best value evaluation. Criteria used for the evaluation will include: cost, ability to provide service, previous performance and references, quality of service, responsiveness to specifications, and unspecified value-added offerings by the Contractor. The awarding authority's determination and selection shall be final.

The selected Contractor is expected to sign a contract. A sample contract is attached which includes the scope of services. You must consider the terms and conditions in the sample contract to be part of your proposal. Please read the insurance requirements and general provisions carefully. Please do not execute the contract at this time.

The City reserves the right to reject any or all proposals or any part of the proposal, to waive minor defects or technicalities, or to solicit new proposals.

Please direct questions about the proposal specifications to Dave Mooney, Parks Supervisor, at (650) 330-6780.

Company _____	Auth. Signature _____
Address _____	Print Name _____
City, State, Zip _____	Title _____ Date _____
Phone Number _____	Fax Number _____
Email _____	

LIST OF SUBMITTALS

The following items must be submitted with your proposal. Omissions may be cause to consider your proposal non-responsive in the City's sole discretion.

- Completed Proposed Cost of Service Chart
- Contractor's Statement of Financial Responsibility
- Contractor's Statement of Technical Ability and Experience
- Contractor's Statement of Ability to Provide Services
- Contractor's Statement of Unspecified Value-Added Offerings
- Contractor's Statement of Compliance with Insurance Requirements
- Contractor's Listing of Subcontractors

CONTRACTOR'S PROPOSED COST OF SERVICE

The matrix below describes items upon which the City requests a proposal. **Please note that you will be paid monthly one/twelfth (1/12) of your proposed annual cost. The actual payments made to the Contractor will be based on the Contractor's actual work performed for the City consistent with the terms and conditions of the contract documents. If the City accepts the Contractor's Proposal it is estimated the Contractor would begin work on October 1, 2013.**

The undersigned declares he/she has carefully examined the locations of the work, read the Request for Proposal, examined all specifications, and hereby proposes to furnish all labor, materials, equipment, transportation, and services required to do all the work in this MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES Agreement in accordance with the specifications of the City of Menlo Park, and the General Provisions and that he/she will take in full payment therefore the following unit prices for each item complete, to wit:

DRAFT

MEDIAN LOCATIONS

Bid Item #	Description/Locations	Annual Cost Per Site For Year 1	Annual Cost Per Site For Year 2	Annual Cost Per Site For Year 3	Annual Cost Per Site For Year 4
1	<u>Sand Hill Road Median Landscape</u> (Highway 280 – Oak Avenue)	\$	\$	\$	\$
2	<u>Sharon Park Drive Median Landscape</u> (Sand Hill Road – Klamath Drive)	\$	\$	\$	\$
3	<u>Siskiyou Drive Island Landscape</u> (Monte Rosa Drive – Klamath Drive)	\$	\$	\$	\$
4	<u>Trinity Drive Island Landscape</u> (Klamath Drive – Tioga Drive)	\$	\$	\$	\$
5	<u>Stone Pine Lane Island Landscape</u> (El Camino Real – Forest Lane)	\$	\$	\$	\$
6	<u>Ravenswood Avenue Island</u> (El Camino Real – Alma Street)	\$	\$	\$	\$
7	<u>Middlefield Road Island</u> (Ringwood Avenue – Seminary Drive)	\$	\$	\$	\$
8	<u>Ravenswood Avenue Triangle</u> Ravenswood Avenue / Middlefield Road	\$	\$	\$	\$
9	<u>Ringwood Avenue Island Landscape</u> Ringwood Avenue / Bay Road	\$	\$	\$	\$
10	<u>Felton Gables Islands</u> Felton Drive / Tudor Drive	\$	\$	\$	\$
11	<u>El Camino Real Median Landscape</u> (Creek Drive – Encinal Avenue)	\$	\$	\$	\$
12	<u>Hidden Oaks Court Island</u> Hidden Oaks Court	\$	\$	\$	\$
13	<u>Willow Road Median Landscape</u> (Alma Street – Hamilton Avenue)	\$	\$	\$	\$

14	Woodland Avenue Islands (Menalto Avenue – Oak Court)	\$ _____	\$ _____	\$ _____	\$ _____
15	Pope Street/Laurel Avenue Island Pope Street / Laurel Avenue	\$ _____	\$ _____	\$ _____	\$ _____
16	Ivy Drive Center Islands (Willow Road – Market Place)	\$ _____	\$ _____	\$ _____	\$ _____
17	Iris Lane Center Islands (Van Buren Road – Del Norte Avenue)	\$ _____	\$ _____	\$ _____	\$ _____
18	Market Place Island Market Place (Alpine Avenue/ Ivy Drive)	\$ _____	\$ _____	\$ _____	\$ _____
19	Marsh Road Median Landscape (Scott Drive – Railroad Crossing)	\$ _____	\$ _____	\$ _____	\$ _____
20	Chilco Street Island Landscape (Bayfront Expressway – Railroad Crossing)	\$ _____	\$ _____	\$ _____	\$ _____
21	Teresa Court Island Teresa Court	\$ _____	\$ _____	\$ _____	\$ _____
22	Chester Street Traffic Circle Chester Street at Arnold Way	\$ _____	\$ _____	\$ _____	\$ _____
23	Deanna Drive Island Deanna Drive	\$ _____	\$ _____	\$ _____	\$ _____
24	Haven Avenue Island Haven Avenue at Marsh Road	\$ _____	\$ _____	\$ _____	\$ _____
25	Bay Road Island Bay Road at Willow Road	\$ _____	\$ _____	\$ _____	\$ _____
26	Laurel Street and Burgess Drive Islands Laurel Street and Burgess Drive	\$ _____	\$ _____	\$ _____	\$ _____

Subtotal A \$ _____ \$ _____ \$ _____ \$ _____

RIGHT-OF-WAY LOCATIONS

Bid Item #	Description/Locations	Annual Cost Per Site For Year 1	Annual Cost Per Site For Year 2	Annual Cost Per Site For Year 3	Annual Cost Per Site For Year 4
27	<u>Sand Hill Road</u> Highway 280 – Oak Avenue	\$	\$	\$	\$
28	<u>Alpine Road</u> Sand Hill Road – County Sign	\$	\$	\$	\$
29	<u>Branner Drive</u> Sand Hill Road – 2395 Branner Drive	\$	\$	\$	\$
30	<u>Oak Avenue</u> Vine Street – 1870 Oak Avenue	\$	\$	\$	\$
31	<u>Creek Drive</u> Southside of Creek Drive from El Camino Real – Arbor Road	\$	\$	\$	\$
32	<u>San Mateo Bike Bridge</u> San Mateo Drive	\$	\$	\$	\$
33	<u>Middlefield Road</u> Seminary Drive - Fire Station (Eastside only)	\$	\$	\$	\$
34	<u>Santa Cruz Avenue</u> Northside Santa Cruz Avenue at Orange Avenue	\$	\$	\$	\$
35	<u>Alma Street</u> Westside Alma Street from Oak Grove Avenue – East Creek Drive (including tree islands)	\$	\$	\$	\$
36	<u>Van Buren Road</u> Van Buren Road (Bay Road – Iris Lane)	\$	\$	\$	\$
37	<u>Bay Road</u> Eastside Bay Road (Heritage Place – Van Buren Road)	\$	\$	\$	\$

38	Bay Road Bay Road (Ringwood Avenue – Marsh Road)	\$ _____	\$ _____	\$ _____	\$ _____
39	Pierce Road Westside Pierce Road (Del Norte Avenue – Newbridge Street)	\$ _____	\$ _____	\$ _____	\$ _____
40	Chester Street Bulb Outs Arnold Way – Menalto Avenue	\$ _____	\$ _____	\$ _____	\$ _____
41	Willow Road (West) Clover Lane – Highway 101	\$ _____	\$ _____	\$ _____	\$ _____
42	Willow Road (East) Highway 101 – Railroad Crossing	\$ _____	\$ _____	\$ _____	\$ _____
43	Woodland Avenue Southside Woodland Avenue Middlefield Road – Euclid Avenue	\$ _____	\$ _____	\$ _____	\$ _____
44	Hamilton Avenue Streetscape Carlton Avenue – Chilco Street	\$ _____	\$ _____	\$ _____	\$ _____
45	Ginger Street Hamilton Avenue – Sandalwood Street	\$ _____	\$ _____	\$ _____	\$ _____
46	Sandalwood St Westside Sandalwood Street (Ginger Street - end)	\$ _____	\$ _____	\$ _____	\$ _____
47	Ivy Drive Plaza Ivy Drive Chilco Street – Almanor Avenue	\$ _____	\$ _____	\$ _____	\$ _____
48	Scott Drive Fence Line Scott Drive	\$ _____	\$ _____	\$ _____	\$ _____
49	Lee Drive Lee Drive at Valparaiso Avenue	\$ _____	\$ _____	\$ _____	\$ _____

Subtotal B \$ _____ \$ _____ \$ _____ \$ _____

DOWNTOWN STREETScape / PARKING PLAZA LOCATIONS

Bid Item #	Description/Locations	Annual Cost Per Site For Year 1	Annual Cost Per Site For Year 2	Annual Cost Per Site For Year 3	Annual Cost Per Site For Year 4
50	<u>Santa Cruz Avenue Walkways</u> Including side streets Merrill Street – University Avenue	\$	\$	\$	\$
51	<u>Santa Cruz Avenue Islands</u> Doyle Street – University Avenue	\$	\$	\$	\$
52	<u>Parking Plaza 1</u> Santa Cruz Avenue to Oak Grove Avenue (between Maloney Street and Chestnut Street)	\$	\$	\$	\$
53	<u>Parking Plaza 2</u> Santa Cruz Avenue to Oak Grove Avenue (between Chestnut Street and Crane Street)	\$	\$	\$	\$
54	<u>Parking Plaza 3</u> Santa Cruz Avenue to Oak Grove Avenue (between Crane Street and University Drive)	\$	\$	\$	\$
55	<u>Parking Plaza 4</u> Santa Cruz Avenue to Menlo Avenue (between University Drive and Evelyn Street)	\$	\$	\$	\$
56	<u>Parking Plaza 5</u> Santa Cruz Avenue to Menlo Avenue (between Evelyn Street and Crane Street)	\$	\$	\$	\$
57	<u>Parking Plaza 6</u> Santa Cruz Avenue to Menlo Avenue (between Crane Street and Chestnut Street)	\$	\$	\$	\$
58	<u>Parking Plaza 7</u> Santa Cruz Avenue to Menlo Avenue (between Chestnut Street and Curtis Street)	\$	\$	\$	\$

59	<u>Parking Plaza 8</u> Santa Cruz Avenue to Menlo Avenue (between Curtis Street and Doyle Street)	\$ _____	\$ _____	\$ _____	\$ _____
60	<u>Transit Station</u> Merrill Street (between Santa Cruz Avenue and Ravenswood Avenue)	\$ _____	\$ _____	\$ _____	\$ _____

Subtotal C \$ _____ \$ _____ \$ _____ \$ _____

VINTAGE OAKS SUBDIVISION LOCATIONS

Bid Item #	Description/Locations	Annual Cost Per Site For Year 1	Annual Cost Per Site For Year 2	Annual Cost Per Site For Year 3	Annual Cost Per Site For Year 4
61	<u>Middlefield Road</u> Seminary Drive - Ringwood Avenue (eastside only)	\$ _____	\$ _____	\$ _____	\$ _____
62	<u>Ringwood Avenue</u> Middlefield Road -Arlington Way (southside only)	\$ _____	\$ _____	\$ _____	\$ _____
63	<u>Arlington Way</u> Ringwood Avenue to end along the Seminary Oaks Subdivision (westside only)	\$ _____	\$ _____	\$ _____	\$ _____
64	<u>Coleman Avenue</u> Santa Monica Avenue to end of Seminary Oaks Subdivision (westside only)	\$ _____	\$ _____	\$ _____	\$ _____
65	<u>Santa Monica Avenue</u> Coleman Avenue -445 Santa Monica Avenue (northside only)	\$ _____	\$ _____	\$ _____	\$ _____

Subtotal D \$ _____ \$ _____ \$ _____ \$ _____

TRASH / RECYCLING BINS

Bid Item #	Description/Locations	Annual Cost Per Site For Year 1	Annual Cost Per Site For Year 2	Annual Cost Per Site For Year 3	Annual Cost Per Site For Year 4
66	<u>Nealon Park</u> 9 trash bins and 5 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
67	<u>Stanford Hills Park</u> 6 trash bins and 2 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
68	<u>Sharon Park</u> 11 trash bins and 2 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
69	<u>Willow Oaks Park</u> 7 trash bins and 2 recycling	\$ _____	\$ _____	\$ _____	\$ _____
70	<u>Jack Lyle Park</u> 8 trash bins and 3 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
71	<u>Fremont Park</u> 6 trash bins and 3 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
72	<u>Belle Haven School</u> 2 trash bins	\$ _____	\$ _____	\$ _____	\$ _____
73	<u>Ivy Plaza</u> 4 trash bins and 2 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
74	<u>Market Place Park</u> 6 trash bins 1 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
75	<u>Sharon Hills Park</u> 6 trash bins and 1 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
76	<u>Seminary Oaks Park</u> 5 trash bins 2 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
77	<u>Burgess Park</u> 16 trash bins and 10 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____

78	<u>Civic Center</u> 14 trash bins and 7 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
79	<u>Onetta Harris Community Center Complex</u> 10 trash bins and 1 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
80	<u>Hamilton Park</u> 5 trash bins and 5 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
81	<u>Kelly Park</u> 6 trash bins and 4 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
82	<u>Tinker Park</u> 2 trash bins and 1 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
83	<u>Bedwell Bayfront Park</u> 5 trash bins and 2 recycling bins	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal E		\$ _____	\$ _____	\$ _____	\$ _____

EXTRA WORK

D1	*Extra Work per year	Stipulated Amount	<u>\$10,000.00</u> (Annual Amount)
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***Extra Work payments made to the CONTRACTOR will be based on the CONTRACTOR'S actual work performed for the City, consistent with the terms and conditions of the contract documents, and may be different from the prices estimated above. Extra Work is not guaranteed.**

Note: This Agreement is subject to prevailing wage laws, Labor code Section 1770 et seq.

SUBTOTALS	2013-14	2014-15	2015-16	2016-17
Subtotal A	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal B	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal C	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal D	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal E	\$ _____	\$ _____	\$ _____	\$ _____
Extra Work	\$10,000	\$10,000	\$10,000	\$10,000
TOTAL ANNUAL COST	\$ _____	\$ _____	\$ _____	\$ _____

In the event of a discrepancy between site yearly bid item, subtotal bid and total annual cost, the site yearly bid items shall govern.

Price(s) given above are firm for 150 calendar days after date of proposal opening.

Addendum(a) No(s). _____ has/have been received and is/are included in this proposal.

The Undersigned has checked carefully all of the above figures and understands that the City will not be responsible for any error or omission on the part of the Undersigned in preparing this proposal.

The Undersigned agrees that in case of default in executing the required City Contract with the necessary insurance policies within twenty (20) calendar days from the date of award of agreement by the City, the City may at its option and without providing further notice to the apparent best value Contractor administratively authorize the award of the contract to the Best Value Contractors in descending rank.

Print Name

Title

Signature

MINIMUM CONTRACTOR QUALIFICATIONS

The Contractor is required to have a minimum of five (5) years in business performing commercial landscape maintenance and irrigation system repair.

EVALUATION OF PROPOSAL

1. The Contractor shall not be relieved from assuming all responsibility for properly estimating the difficulties and the cost of performing the services required with this specification, because of failure to investigate the conditions or the Contractor failure to become acquainted with all the information concerning the services to be performed.
2. Awards shall be based on a best value evaluation. Criteria used for the evaluation will include: cost, ability to provide service, previous performance and references, quality of service, responsiveness to specifications, and unspecified value-added offerings by the Contractor. The City reserves the right to reject any or all proposals or to award only subtotals to multiple Contractors based upon best value evaluation. The awarding authority's determination and selection shall be final.
3. Each Contractor, by the submission of a proposal, assents to each and every term and condition set forth within this specification and attached agreement and, upon award, agrees to be bound thereby.
4. Any proposal which is incomplete, conditional or obscure, or which contains irregularities of any kind, may be cause for rejection in the City's sole discretion.
5. It is the Contractor's responsibility to ensure that all addenda issued are incorporated in their submitted proposal. Failure to acknowledge and incorporate addenda may be cause for a City determination of Contractor's "non-responsiveness."
6. If a Contractor takes any exceptions to any part of these specifications as written, or as amended by any Addenda subsequently issued, they must do so in writing at the time of proposal submission. Failure to do so will be construed as acceptance of all provisions of the specifications.
7. Contractor shall submit one original proposal marked "**Master**" and four copies of the proposal. Electronic submissions need only one copy of the proposal.

CONTRACTOR'S STATEMENT OF TECHNICAL EXPERIENCE AND REFERENCES

The Contractor is required to state what work of a similar character to that included in the proposed Contract he/she has successfully performed and give references, with telephone numbers, which will enable the City to judge his/her responsibility, experience and skill and business standing. The Contractor is required to provide a minimum of five (5) references where work was performed within the past five (5) years of a similar size and nature to this contract. An attachment can be used.

Date Contract Completed	Name and Address of the Employer	Contact Persons Name and Telephone Number	Type of Work	Amount of Contract

CONTRACTOR'S STATEMENT OF ABILITY TO PROVIDE SERVICES

The Contractor is required to make a statement of how services will be provided. Include: Time period between award and start of service, number of personnel to be used providing services, experience of personnel, numbers and type of equipment to be used, how quickly urgent but unplanned services can be provided, and any other information you can offer that will help determine your ability to provide contracted services. The Contractor is required to submit data that indicates the use of a uniform and detailed method by which he or she proposes to define, schedule, record, update and process installation, repair and maintenance tasks and service reports. This program shall be computer generated.

The City of Menlo Park reserves the right to evaluate the competency and responsibility of all proposing service companies and to evaluate the ability of any proposing company to perform all conditions of the contract to assure the award of this contract to a firm able to produce the quality of service required and intended by these specifications.

The Contractor's employees will be required to pass a background check. The City of Menlo Park will notify the Contractor in writing of the acceptability of the Contractor's and employees. The Contractor agrees the City of Menlo Park will be the sole judge of the suitability of the Contractor's employees to perform any work on City of Menlo Park owned or maintained property. Subcontractors may be required to pass a background check if they will be on City property on a regular basis as determined by the City.

(ATTACH CONTRACTOR'S STATEMENT OF ABILITY TO PROVIDE SERVICES HERE)

CONTRACTOR'S STATEMENT OF UNSPECIFIED VALUE-ADDED OFFERINGS

List items or services you are offering in addition to those required by the attached specifications or scope of work, offered as part of your proposal and included in your proposal pricing, if any. If none, please state "none." An attachment may be used.

LISTING OF SUBCONTRACTORS

The Contractor is required to furnish the following information relative to the subcontractors he/she proposes to use. An attachment may be used.

If all work is to be done without subcontractors, please state “none.” An attachment may be used.

NAME UNDER WHICH SUBCONTRACTOR IS LICENSED	LICENSE NUMBER AND CLASS	ADDRESS AND TELEPHONE	TYPE AND PORTION OF WORK SUBCONTRACTOR WILL DO

CONTRACTOR'S STATEMENT OF COMPLIANCE WITH THE CITY OF MENLO PARK'S INSURANCE REQUIREMENTS

The Contractor must attach either of the following items to this page, and submit with his/her proposal:

1. Certificates of insurance showing conformance with the City's contract insurance requirements herein for:
 - Comprehensive General Liability Insurance
 - Automobile Liability Insurance
 - Workers' Compensation Insurance
 - Employer's Liability Insurance

OR

2. Statement with an insurance carrier's notarized signature stating that the carrier can, and upon payment of fees and/or premiums by the Vendor, will issue to the Vendor policies of insurance for Comprehensive General Liability, Automobile Liability, Workers' Compensation and Employer's Liability in conformance with the requirements herein and Certificates of Insurance to the City showing conformance with the requirements herein.

All certificates of insurance and statements of willingness to issue insurance for auto policies offered to meet the specification of this contract must:

1. Meet the conditions stated in the included contract for each insurance company that the Vendor proposes.
2. Cover any vehicle used in the performance of the contract, used onsite or offsite, whether owned, non-owned or hired, and whether scheduled or non-scheduled. The auto insurance certificate must state the coverage is for "any vehicle" and cannot be limited in any manner.

Within twenty (20) calendar days after the City's notification of award of contract to the Contractor, all required insurance documents must be submitted to the City. Contractor's failure to provide the City-required insurance certificates showing specified coverage within this time frame may be cause for the contract award to be rescinded in the City's sole discretion.

Contractor's Acknowledgement (signature)

**AGREEMENT FOR
MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES
(Insert Name of Contractor)**

THIS AGREEMENT is made and entered into as of the _____ day of _____, 20____, by and between the CITY OF MENLO PARK, a municipal corporation, ("City"), and _____, a _____, ("Contractor").

RECITALS

- A. City requires the professional services of a landscape maintenance contractor that is experienced in maintaining facilities, parks and trails areas landscape.
- B. Contractor has the necessary experience in providing professional services and advice related to landscape maintenance services.
- C. Selection of Contractor is expected to achieve the desired results in an expedited fashion.
- D. Contractor has submitted a proposal to City and has affirmed its willingness and ability to perform such work.

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, City and Contractor agree as follows:

1. SCOPE OF WORK

City retains Contractor to perform, and Contractor agrees to render, those services ("Services") that are defined in attached Exhibit "A", which is incorporated by this reference in accordance with this Agreement's terms and conditions.

2. STANDARD OF PERFORMANCE

While performing the Services, Contractor will exercise the reasonable professional care and skill customarily exercised by reputable members of Contractor's profession practicing in the Bay Area, and will use reasonable diligence and best judgment while exercising its professional skill and expertise.

3. TERM

The term of this Agreement will be effective for a period of four (4) years from the date first above written. The City Manager may amend the Agreement to extend it for four (4) additional one (1) year periods or parts thereof in an amount not to exceed _____ dollars (\$_____) per Agreement year. Extensions will be based upon a satisfactory review of Contractor's performance, City needs, and appropriation of funds by the City Council. The parties will prepare a written amendment indicating the effective date and length of the extended Agreement. Either the City or the Contractor may decline to confirm the renewal of the contract for any reason whatsoever, which shall render the renewal option null and void.

4. TIME IS OF THE ESSENCE

Time is of the essence for each and every provision of this Agreement.

5. COMPENSATION

The total fee payable for the Services to be performed during the initial Agreement term will be _____ dollars (\$_____). No other compensation for the Services will be allowed except for items covered by subsequent amendments to this Agreement.

If an increase in compensation for service in succeeding option periods is requested, the Contractor must provide detailed supporting documentation to justify the requested rate increase. The requested increase will be evaluated by the City, and the City reserves the right to negotiate, accept or reject the Contractor's requested compensation increase. This Agreement's annual compensation terms may be adjusted by a mutually agreeable amount based on and no greater than the San Francisco Consumer Price Index changes over the previous year period. Requests for price changes must be made by the Contractor in writing sixty (60) days before the end of the then-current agreement period and is subject to negotiation or rejection by the City.

6. STATUS OF CONTRACTOR

Contractor will perform the Services in Contractor's own way as an independent contractor and in pursuit of Contractor's independent calling, and not as an employee of City. Contractor will be under control of City only as to the result to be accomplished, but will consult with City as necessary. The persons used by Contractor to provide services under this Agreement will not be considered employees of City for any purposes.

The payment made to Contractor pursuant to the Agreement will be the full and complete compensation to which Contractor is entitled. City will not make any federal or state tax withholdings on behalf of Contractor or its agents, employees or subcontractors. City will not be required to pay any workers' compensation insurance or unemployment contributions on behalf of Contractor or its employees or subcontractors. Contractor agrees to indemnify City within thirty (30) days for any tax, retirement contribution, social security, overtime payment, unemployment payment or workers' compensation payment which City may be required to make on behalf of Contractor or any agent, employee, or subcontractor of Contractor for work done under this Agreement. At the City's election, City may deduct the indemnification amount from any balance owing to Contractor.

7. PREVAILING WAGES TO BE PAID

The general prevailing rate of wages for each craft or type of worker needed to execute the contract shall be those as determined by the Director of Industrial Relations pursuant to Sections 1770, 1773 and 1773.1 of the Labor Code. Pursuant to Section 1773.2 of the Labor Code, a current copy of the applicable wage rates is on file in the Office of the City Engineer. The contractor to whom the contract is awarded shall not pay less than the said specified prevailing rates of wages to all workers employed by him or her in execution of the contract.

8. SUBCONTRACTING

Contractor will not subcontract any portion of the Services without prior written approval of City. If Contractor subcontracts any of the Services, Contractor will be fully responsible to City for the acts and omissions of Contractor's subcontractor and of the persons either directly or indirectly employed by the subcontractor, as Contractor is for the acts and omissions of persons directly employed by Contractor. Nothing contained in this Agreement will create any contractual relationship between any subcontractor of Contractor and City. Contractor will be responsible for payment of subcontractors. Contractor will bind every subcontractor and every subcontractor of a subcontractor by the terms of this Agreement applicable to Contractor's work unless specifically noted to the contrary in the subcontract and approved in writing by City.

9. OTHER CONTRACTORS

The City reserves the right to employ other Contractors in connection with the Services.

10. INDEMNIFICATION

Contractor agrees to indemnify and hold harmless the City and its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses including attorney's fees arising out of the performance of the work described herein caused by any negligence, recklessness, or willful misconduct of the Contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

The parties expressly agree that any payment, attorney's fee, costs or expense City incurs or makes to or on behalf of an injured employee under the City's self-administered workers' compensation is included as a loss, expense or cost for the purposes of this section, and that this section will survive the expiration or early termination of this Agreement.

11. INSURANCE

Contractor will obtain and maintain for the duration of the Agreement and any and all amendments, insurance against claims for injuries to persons or damage to property which may arise out of or in connection with performance of the services by Contractor or Contractor's agents, representatives, employees or subcontractors. The insurance will be obtained from an insurance carrier admitted and authorized to do business in the State of California. The insurance carrier is required to have a current Best's Key Rating of not less than "A-:V".

11.1 Coverages and Limits

Contractor will maintain the types of coverages and minimum limits indicated below, unless the City Manager approves a lower amount. These minimum amounts of coverage will not constitute any limitations or cap on Contractor's indemnification obligations under this Agreement. City, its officers, agents and employees make no representation that the limits of the insurance specified to be carried by Contractor pursuant to this Agreement are adequate to protect Contractor. If Contractor believes that any required insurance coverage is inadequate, Contractor will obtain such

additional insurance coverage, as Contractor deems adequate, at Contractor's sole expense.

11.1.1 Commercial General Liability Insurance

\$1,000,000 combined single-limit per occurrence for bodily injury, personal injury and property damage. If the submitted policies contain aggregate limits, general aggregate limits will apply separately to the work under this Agreement or the general aggregate will be twice the required per occurrence limit.

11.1.2 Automobile Liability

If the use of an automobile is involved for Contractor's work for City, \$1,000,000 combined single-limit per accident for bodily injury and property damage.

11.1.3 Any Auto Coverage

Insurance must cover any vehicle used in the performance of the contract, used onsite or offsite, whether owned, non-owned or hired, and whether scheduled or non-scheduled. The auto insurance certificate must state the coverage is for "any auto" and cannot be limited in any manner.

11.1.4 Workers' Compensation and Employer's Liability

Workers' Compensation limits as required by the California Labor Code and Employer's Liability limits of \$1,000,000 per accident for bodily injury. Workers' Compensation and Employer's Liability insurance will not be required if Contractor has no employees and provides, to City's satisfaction, a declaration stating this.

11.1.5 Additional Provisions

Contractor will ensure that the policies of insurance required under this Agreement contain, or are endorsed to contain, the following provisions:

11.2.1 The City will be named as an additional insured on General Liability.

11.2.2 This insurance will be in force during the life of the Agreement and any extensions of it and will not be canceled without thirty (30) days prior written notice to City sent by certified mail pursuant to the Notice provisions of this Agreement.

11.2.3 Prior to City's execution of this Agreement, Contractor will furnish certificates of insurance and endorsements to City.

11.3 Failure to Maintain Coverage

If Contractor fails to maintain any of these insurance coverages, then City will have the option to declare Contractor in breach, or may purchase replacement insurance or pay the premiums that are due on existing policies in order to maintain the required coverages. Contractor is responsible for any payments made by City to obtain or maintain insurance and City may collect these payments from Contractor or deduct the amount paid from any sums due Contractor under this Agreement.

11.4 Submission of Insurance Policies

City reserves the right to require, at anytime, complete and certified copies of any or all required insurance policies and endorsements.

12. BUSINESS LICENSE

Contractor will obtain and maintain a City of Menlo Park Business License for the term of the Agreement, as may be amended from time-to-time.

13. ACCOUNTING RECORDS

Contractor will maintain complete and accurate records with respect to costs incurred under this Agreement. All records will be clearly identifiable. Contractor will allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of records and any other documents created pursuant to this Agreement. Contractor will allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

14. OWNERSHIP OF DOCUMENTS

All work product produced by Contractor or its agents, employees, and subcontractors pursuant to this Agreement is the property of City. In the event this Agreement is terminated, all work product produced by Contractor or its agents, employees and subcontractors pursuant to this Agreement will be delivered at once to City. Contractor will have the right to make one (1) copy of the work product for Contractor's records.

15. COPYRIGHTS

Contractor agrees that all copyrights that arise from the services will be vested in City and Contractor relinquishes all claims to the copyrights in favor of City.

16. NOTICES

The name of the persons who are authorized to give written notices or to receive written notice on behalf of City and on behalf of Contractor under this Agreement.

<u>Name</u>	<u>Phone number</u>

Each party will notify the other immediately of any changes of address that would require any notice or delivery to be directed to another address.

17. CONFLICT OF INTEREST

City will evaluate Contractor's duties pursuant to this Agreement to determine whether disclosure under the Political Reform Act and City's Conflict of Interest Code is required of Contractor or any of Contractor's employees, agents, or subcontractors. Should it be determined that disclosure is required, Contractor or Contractor's affected employees, agents, or subcontractors will complete and file with the City Clerk those schedules specified by City and contained in the Statement of Economic Interests Form 700.

Contractor, for Contractor and on behalf of Contractor's agents, employees, subcontractors and consultants warrants that by execution of this Agreement, that they have no interest, present or contemplated, in the projects affected by this Agreement. Contractor further warrants that neither Contractor, nor Contractor's agents, employees, subcontractors and consultants have any ancillary real property, business interests or income that will be affected by this Agreement or, alternatively, that Contractor will file with the City an affidavit disclosing this interest.

18. GENERAL COMPLIANCE WITH LAWS

Contractor will keep fully informed of federal, state and local laws and ordinances and regulations which in any manner affect those employed by Contractor, or in any way affect the performance of the Services by Contractor. Contractor will at all times observe and comply with these laws, ordinances, and regulations and will be responsible for the compliance of Contractor's services with all applicable laws, ordinances and regulations.

19. DISCRIMINATION AND HARASSMENT PROHIBITED

Contractor will comply with all applicable local, state and federal laws and regulations prohibiting discrimination and harassment.

20. DISPUTE RESOLUTION

If a dispute should arise regarding the performance of the Services the following procedure will be used to resolve any questions of fact or interpretation not otherwise settled by agreement between the parties. Representatives of Contractor or City will reduce such questions, and their respective views, to writing. A copy of such documented dispute will be forwarded to both parties involved along with recommended methods of resolution, which would be of benefit to both parties. The representative receiving the letter will reply to the letter along with a recommended method of resolution within ten (10) business days. If the resolution thus obtained is unsatisfactory to the aggrieved party, a letter outlining the disputes will be forwarded to the Director of Public Works. The Director of Public Works will consider the facts and solutions recommended by each party and may then opt to direct a solution to the problem. In such cases, the action of the Director of Public Works will be binding upon the parties involved, although nothing in this procedure will prohibit the parties from seeking remedies available to them at law.

21. TERMINATION

In the event of the Contractor's failure to prosecute, deliver, or perform the Services, City may terminate this Agreement for nonperformance by notifying Contractor by certified mail of the termination. If City decides to abandon or indefinitely postpone the work or services contemplated by this Agreement, City may terminate this Agreement upon written notice to Contractor. Upon notification of termination, Contractor has five (5) business days to deliver any documents owned by City and all work in progress to City address contained in this Agreement. City will make a determination of fact based upon the work product delivered to City and of the percentage of work that Contractor has performed which is usable and of worth to City in having the Agreement completed. Based upon that finding City will determine the final payment of the Agreement.

Either party upon tendering ninety (90) days written notice to the other party may terminate this Agreement. In this event and upon request of City, Contractor will assemble the work product and put it in order for proper filing and closing and deliver it to City. Contractor will be paid for work performed to the termination date; however, the total will not exceed the lump sum fee payable under this Agreement. City will make the final determination as to the portions of tasks completed and the compensation to be made.

22. COVENANTS AGAINST CONTINGENT FEES

Contractor warrants that Contractor has not employed or retained any company or person, other than a bona fide employee working for Contractor, to solicit or secure this Agreement, and that Contractor has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon, or resulting from, the award or making of this Agreement. For breach or violation of this warranty, City will have the right to annul this Agreement without liability, or, in its discretion, to deduct from the Agreement price or consideration, or otherwise recover, the full amount of the fee, commission, percentage, brokerage fees, gift, or contingent fee.

23. CLAIMS AND LAWSUITS

By signing this Agreement, Contractor agrees that any Agreement claim submitted to City must be asserted as part of the Agreement process as set forth in this Agreement and not in anticipation of litigation or in conjunction with litigation. Contractor acknowledges that if a false claim is submitted to City, it may be considered fraud and Contractor may be subject to criminal prosecution. Contractor acknowledges that California Government Code sections 12650 et seq., the False Claims Act applies to this Agreement and, provides for civil penalties where a person knowingly submits a false claim to a public entity. These provisions include false claims made with deliberate ignorance of the false information or in reckless disregard of the truth or falsity of information. If City seeks to recover penalties pursuant to the False Claims Act, it is entitled to recover its litigation costs, including attorney's fees. Contractor acknowledges that the filing of a false claim may subject Contractor to an administrative debarment proceeding as the result of which Contractor may be prevented to act as a Contractor on any public work or improvement for a period of up to five (5) years. Contractor acknowledges debarment by another jurisdiction is grounds for City to terminate this Agreement.

24. JURISDICTIONS AND VENUE

Any action at law or in equity brought by either of the parties for the purpose of enforcing a right or rights provided for by this Agreement will be tried in a court of competent jurisdiction in the County of San Mateo, State of California, and the parties waive all provisions of law providing for a change of venue in these proceedings to any other county.

25. SUCCESSORS AND ASSIGNS

It is mutually understood and agreed that this Agreement will be binding upon City and Contractor and their respective successors. Neither this Agreement or any part of it nor any monies due or to become due under it may be assigned by Contractor without the prior consent of City, which shall not be unreasonably withheld.

26. ENTIRE AGREEMENT

This Agreement, together with any other written document referred to or contemplated by it, along with the purchase order for this Agreement and its provisions, embody the entire Agreement and understanding between the parties relating to the subject matter of it. In case of conflict, the terms of the Agreement supersede the purchase order. Neither this Agreement nor any of its provisions may be amended, modified, waived or discharged except in a writing signed by both parties.

27. AUTHORITY

The individuals executing this Agreement and the instruments referenced in it on behalf of Contractor each represent and warrant that they have the legal power, right and actual authority to bind Contractor to the terms and conditions of this Agreement.

CONTRACTOR:

*By: _____
(sign here)

(print name/title)

(e-mail address)

*By: _____
(sign here)

(print name/title)

(e-mail address)

CITY OF MENLO PARK, a municipal corporation of the State of California

By: _____
City Manager

MANNER OF PERFORMING SERVICES

PART I

GENERAL SPECIFICATIONS

0.0 SCHEDULING OF WORK- CONTRACT START UP

- 0.01 CONTRACTOR shall, within three months after commencement of services, bring all sites subject to this agreement to the level set forth in the specifications as follows:
- 0.01.1 Shrubs- fertilize using Nitra King 19-4-4 at one (1) pound of actual nitrogen at one pound per 1,000 square feet or approved equal. Diagnose and treat all diseased or unhealthy plants. Provide report of diagnosed/treated plants.
- 0.01.2 Groundcover- Plant new groundcover to match existing or as directed by the every 12" triangular spaced to fill in bare areas, Fertilize using Nitra King 19-4-4 at one (1) pound of actual nitrogen at one pound per 1,000 square feet.
- 0.01.3 Trees - Prune all trees to specification. Establish tree ring if needed. Prior to trimming trees with branches greater than two (2) inches in diameter, the Contractor shall contact Contract Administrator.
- 0.01.4 Irrigation- Perform start-up irrigation system check and repair all heads, swing joints and lateral lines, valves, raising and adjusting heads/nozzles as necessary. All valve boxes shall be identified with heat-branded markings as directed by the CONTRACT ADMINISTRATOR.
- 0.01.5 Mulch- Install Preen 2 Cu. Ft. Midnight Black Preen Mulch mulch size 0" to 1-1/2" or approved equal in all planters, tree rings and other designated areas in minimum of two (2").
- 0.01.6 Turf- Aerate and fertilize all turf using Nitra King 19-4-4 at one (1) pound of actual nitrogen at one pound per 1,000 square feet. All weeds shall be treated using selective post emergent herbicide until weeds are eradicated.
- 0.01.7 Contractor understands that it is assuming maintenance responsibility of medians and right-of-way in "as is" condition and during the three (3) month start there is no additional cost to the City.

1.00 GENERAL REQUIREMENTS

- 1.01 The premises shall be maintained with a crisp, clean appearance and all work shall be performed in a professional, workmanlike manner using quality equipment and materials.
- 1.02 CONTRACTOR shall provide the labor, materials, equipment, tools, services and special skills necessary for the provision of grounds and landscape maintenance services, except as otherwise specified hereinafter. The premises shall be maintained to the highest of standards at no less than the frequencies set forth herein.
- 1.03 CONTRACTOR is hereby required to render and provide landscape and grounds maintenance services including, but not limited to; shaping, trimming and training of trees, shrubs and ground cover plants; fertilization; cultivation; weed control; control of all plant diseases and pests; sweeping; irrigation and drainage systems; litter pick up; removal of illegal dumps; plant replacement and all other maintenance required to maintain attractive median and right-of-way landscape.
- 1.04 Upon commencement of work under this CONTRACT, CONTRACTOR shall be fully equipped and staffed; thoroughly familiar with CONTRACT requirements and prepared to provide all services required. Failure to provide full services from the first day of work under this CONTRACT may result in deductions from payment.
- 1.05 CONTRACTOR shall be responsible to correct any maintenance deficiencies, which may exist upon commencement of work under this CONTRACT.
- 1.06 CONTRACTOR shall, during the term of this CONTRACT, respond to all emergencies, to the satisfaction of the CONTRACT ADMINISTRATOR, within one (1) hour of notification.
- 1.07 The CONTRACTOR shall perform a weekly maintenance inspection during daylight hours of all areas within the premises. Such inspection shall be both visual and operational. It shall include operation of all irrigation systems to check for proper condition and reliability. CONTRACTOR shall take immediate steps to correct any observed irregularities, and submit a written report regarding such circumstances to the CONTRACT ADMINISTRATOR.
- 1.08 CONTRACTOR shall clearly identify and equip each vehicle used at said areas with decals on the exterior right and left front door panels, identifying the CONTRACTOR'S name, address and phone number. All vehicles and equipment used in this proposal shall be in operable working condition, clean appearance without visible damage, dirt, graffiti, etc.
- 1.09 CONTRACTOR shall report to the CONTRACT ADMINISTRATOR all observations of: graffiti and other vandalism; illegal activities; transient camps; missing or damaged equipment or signs; hazards or potential hazards.

- 1.10 CONTRACTOR shall incorporate and comply with all applicable Best Management Practices (BMPs) during the completion of this agreement. All work must be in compliance with the most current Regional Water Quality Control Board (RWQCB) permit, City of Menlo Park Municipal Code and the City of Menlo Park Stormwater Permit incorporated herein by reference.
- 1.11 CONTRACTOR shall indicate in her/his proposal methods of compliance, equipment utilized to insure compliance, training of staff and experience in compliance with environmental regulations. If in the opinion of the CONTRACT ADMINISTRATOR, the CONTRACTOR is not in compliance with this provision City reserves the right to implement BMPs to the maximum extent practical, and deduct payment due or back charge the CONTRACTOR for implementation with a 15% markup for administration and overhead.
- 1.12 CONTRACTOR shall prior to submitting bid and during contract period possess all licenses and permits required for the performance of the work required by this contract (except business license must be obtained prior to start of work). Minimum License are:

Pest Control Advisor
Irrigation Technician
C-27

The contractor shall provide a copy of all required licenses with the proposal except the business license.

- 1.13 CONTRACTOR shall maintain a local office with a competent representative who can be reached during normal business hours or emergencies who is authorized to make decisions on matters pertaining to this contract with the City. Field facilities that support daily operations must be within 45 miles of the City.
- 1.14 CONTRACTOR during inclement weather that prevents normal maintenance operation as determined by the City shall clean drains, gutters or other drainage structures within the contracted area. The CONTRACTOR shall not work during incremental weather that may cause damage to any landscaped area within the scope of this contract.

CONTRACTOR after heavy windstorms or other inclement weather that impacts sites under this agreement shall bring in extra staff to clean all areas within two (2) days at no cost to the City. This includes, but not limited to, litter, fallen branches, soil erosion and cleaning debris from the surface of storm drains adjacent sites. Drain inlets shall be cleaned as necessary adjacent sites to avoid flooding during incremental weather.
- 1.15 CONTRACTOR shall be responsible for replacing all plants/shrubs/trees ground cover that die for any reason including vandalism of comparable size and quality.

Trees shall be replaced with a minimum 15 gallon tree approved by the CONTRACT ADMINISTRATOR.

- 1.16 In general, all service levels shall remain the same after the initial CONTRACTOR start up. The City may upgrade planting or irrigation systems and during the construction this portion of the scope of work will be removed from the CONTRACT until the project is complete.
- 1.17 The CONTRACT ADMINISTRATOR will provide copies of any current forms and plans that are available.
- 1.18 Water is paid for by the City where available. Some areas do not have irrigation systems and CONTRACTOR will be responsible for providing water if needed to maintain landscaping.
- 1.19 It is up to the CONTRACTOR to visit every site and prepare each bid according to the needs of that site. The size of the areas is for estimate purposes and it is the responsibility of the CONTRACTOR to verify sizes.
- 1.20 All organic waste (including leaves, grass clippings, brush, branches and tree parts) resulting from work performed under this contract shall be disposed of at a licensed compost/green waste facility. CONTRACTOR shall submit receipts listing tons of organic waste recycled and the names and address of the processing company.

2.00 MEDIAN AND RIGHT-OF-WAY AREAS TO BE MAINTAINED

- 2.01 The median and right-of-way landscape areas to be maintained under the provisions of this CONTRACT are located at the following areas:

MEDIAN LOCATIONS

Sand Hill Road Median Landscape	Sand Hill Road (Highway 280 – Oak Avenue)
Sharon Park Drive Median Landscape	Sharon Park Drive (Sand Hill Road – Klamath Drive)
Siskiyou Drive Island Landscape	Siskiyou Drive (Monte Rosa Drive – Klamath Drive)
Trinity Drive Island Landscape	Trinity Drive (Klamath Drive – Tioga Drive)
Stone Pine Lane Island Landscape	Stone Pine Lane (El Camino Real – Forest Lane)
Ravenswood Avenue Island	Ravenswood Avenue (El Camino Real – Alma Street)
Middlefield Road Island	Middlefield Road (Ringwood Avenue – Seminary Drive)

Ravenswood Avenue Triangle	Ravenswood Avenue – Middlefield Road
Ringwood Island Landscape	Ringwood Avenue – Bay Road
Felton Gables Islands	Felton Drive – Tudor Drive
El Camino Real Median Landscape	El Camino Real (Creek Drive – Encinal Avenue)
Hidden Oaks Court Island	Hidden Oaks Court
Willow Road Median Landscape	Willow Road (Alma Street – Hamilton Avenue)
Woodland Avenue Islands	Woodland Avenue (Menalto Avenue – Oak Court)
Pope/Laurel Island	Pope Street – Laurel Avenue
Ivy Drive Center Islands	Ivy Drive (Willow Road – Market Place)
Iris Lane Center Islands	Iris Lane (Van Buren Road – Del Norte Avenue)
Market Place Island	Market Place (Alpine Avenue – Ivy Drive)
Marsh Road Median Landscape	Marsh Road (Scott Drive – Railroad Crossing)
Chilco Street Island Landscape	Chilco Street (Bayfront Expressway – Railroad Crossing)
Teresa Court Island	Teresa Court
Chester Street Traffic Circle	Chester Street at Arnold Way
Deanna Drive Island	Deanna Drive
Haven Avenue Island	Haven Avenue at Marsh Road
Bay Road Island	Bay Road at Willow Road
Laurel Street and Burgess Drive Islands	Laurel Street and Burgess Drive

RIGHT-OF-WAY LOCATIONS

Sand Hill Road	Highway 280 – Oak Avenue
Alpine Road	Sand Hill Road – County Sign
Branner Drive	Sand Hill Road – 2395 Branner Drive
Oak Avenue	Vine Street – 1870 Oak Avenue
Creek Drive	Along Creek Drive from El Camino Real – Arbor Road
San Mateo Bike Bridge	San Mateo Drive

Middlefield Road	From Seminary Drive to Fire Station (eastside only)
Santa Cruz Avenue	Northside Santa Cruz Avenue at Orange Avenue
Alma Street	Westside Alma Street (Oak Grove Avenue – East Creek Drive(including tree islands))
Van Buren Road	Van Buren Road (Bay Road – Iris Lane)
Bay Road	Bay Road (Heritage Place – Van Buren Road)
Bay Road	Bay Road (Ringwood Avenue– Marsh Road)
Pierce Road	Pierce Road (westside) (Del Norte Avenue – Newbridge Street)
Chester Street Bulb Outs	Arnold Way – Menalto Avenue
Willow Road (west)	Willow Road (Clover Lane – Highway 101)
Willow Road (east)	Willow Road (Highway 101 – Railroad Crossing)
Woodland Avenue	Middlefield Road – Euclid Avenue (adjacent to the creek only)
Hamilton Avenue Streetscape	Hamilton Avenue (Carlton Avenue – Chilco Street)
Ginger Street	Hamilton Ave. – Saddlewood Street.
Saddlewood Street	Westside of Saddlewood Street (Ginger Street – south end)
Ivy Drive Plaza	Ivy Drive (Chilco Street – Almanor Avenue)
Scott Drive Fence Line	Scott Drive
Lee Drive	Lee Drive at Valparaiso Avenue

DOWNTOWN STREETScape / PARKING PLAZA LOCATIONS

Santa Cruz Avenue Walkways	Merrill Street – University Avenue
Santa Cruz Avenue Islands	Doyle Street – University Avenue
Parking Plaza 1	Santa Cruz Avenue to Oak Grove Avenue (between Maloney Street and Chestnut Street)
Parking Plaza 2	Santa Cruz Avenue to Oak Grove Avenue (between Chestnut Street and Crane Street)

Parking Plaza 3	Santa Cruz Avenue to Oak Grove Avenue (between Crane Street and University Drive)
Parking Plaza 4	Santa Cruz Avenue to Menlo Avenue (between University Drive and Evelyn Street)
Parking Plaza 5	Santa Cruz Avenue to Menlo Avenue (between Evelyn Street and Crane Street)
Parking Plaza 6	Santa Cruz Avenue to Menlo Avenue (between Crane Street and Chestnut Street)
Parking Plaza 7	Santa Cruz Avenue to Menlo Avenue (between Chestnut Street and Curtis Way)
Parking Plaza 8	Santa Cruz Avenue to Menlo Avenue (between Curtis Way and Doyle Street)
Transit Station including bike locker and fountain	Merrill Street (between Santa Cruz Avenue and Ravenswood Avenue)

VINTAGE OAKS SUBDIVISION

Middlefield Road	Between Seminary Drive and Ringwood Avenue (eastside only)
Ringwood Avenue	Between Middlefield Road and Arlington Way (southside only)
Arlington Way	Between Ringwood Avenue to end along the Seminary Oaks Subdivision (westside only)
Coleman Avenue	Between Santa Monica Avenue to end of Seminary Oaks Subdivision (westside only)
Santa Monica Avenue	Between Coleman Avenue and 445 Santa Monica Avenue (northside only)

TRASH / RECYCLING BINS

Nealon Park	9 trash bins and 5 recycling bins
Stanford Hills Park	6 trash bins and 2 recycling bins
Sharon Park	11 trash bins and 2 recycling bins
Willow Oaks Park	7 trash bins and 2 recycling
Jack Lyle Park	8 trash bins and 3 recycling bins
Fremont Park	6 trash bins and 3 recycling bins
Belle Haven School	2 trash bins
Ivy Plaza	4 trash bins and 2 recycling bins

Market Place Park	6 trash bins 1 recycling bins
Sharon Hills Park	6 trash bins and 1 recycling bins
Seminary Oaks Park	5 trash bins 2 recycling bins
Burgess Park	16 trash bins and 10 recycling bins
Civic Center	14 trash bins and 7 recycling bins
Onetta Harris Community Center Complex	10 trash bins and 1 recycling bins
Hamilton Park	5 trash bins and 5 recycling bins
Kelly Park	6 trash bins and 4 recycling bins
Tinker Park	2 trash bins and 1 recycling bins
Bedwell Bayfront Park	5 trash bins and 2 recycling bins

2.02 CONTRACTOR acknowledges personal inspection of the Median/Right-of-Way areas and the surrounding areas, and has evaluated the extent to which the physical condition thereof will affect the services to be provided. CONTRACTOR accepts the premises in their present physical condition, and agrees to make no demands upon CITY for any improvements or alterations thereof.

3.00 PAYMENT AND INVOICES

3.01 The CONTRACTOR shall present monthly invoices, for all work performed during the preceding month. Said invoice shall include all required certifications and reports as specified hereinafter. The invoice shall be submitted on or before the fifth (5th) day of each month in the amount of the compensation to be paid by the CITY for all services rendered by the CONTRACTOR under the terms and conditions of this CONTRACT. Said payment shall be made within thirty (30) days upon receiving the invoices, providing that all work performed during the preceding month has been inspected and accepted by the CONTRACT ADMINISTRATOR and that applicable certifications reports have been submitted in accordance with the provisions of this CONTRACT.

3.02 Monthly invoices:

3.02.1 Monthly invoices shall be prepared separately for median and right-of-way areas, in the following format:

Invoice 1 – Medians:

Location	Account Number	Monthly Cost
Sand Hill Road Median Landscape	100-20503-5502	\$xxx.xx
Sharon Park Drive Median Landscape		\$xxx.xx
Siskiyou Drive Island Landscape		\$xxx.xx
Trinity Drive Island Landscape		\$xxx.xx
Stone Pine Lane Island Landscape		\$xxx.xx

Ravenswood Avenue Island	\$xxx.xx
Middlefield Road Island	\$xxx.xx
Ravenswood Avenue Triangle	\$xxx.xx
Ringwood Avenue Island Landscape	\$xxx.xx
Felton Gables Islands	\$xxx.xx
El Camino Real Median Landscape	\$xxx.xx
Hidden Oaks Court Island	\$xxx.xx
Willow Road Median Landscape	\$xxx.xx
Woodland Avenue Islands	\$xxx.xx
Pope/Laurel Island	\$xxx.xx
Ivy Drive Center Islands	\$xxx.xx
Iris Lane Center Islands	\$xxx.xx
Market Place Island	\$xxx.xx
Marsh Road Median Landscape	\$xxx.xx
Chilco Street Island Landscape	\$xxx.xx
Teresa Court Island	\$xxx.xx
Chester Street Traffic Circle	\$xxx.xx
Deanna Drive Island Landscape	\$xxx.xx
Haven Avenue Island	\$xxx.xx
Bay Road Island	\$xxx.xx
Laurel Street and Burgess Drive Islands	\$xxx.xx
TOTAL MONTHLY COST	\$x,xxx.xx

Invoice 2 – Right-of-Ways:

Location	Account Number	Monthly Cost
Sand Hill Road	100-20503-5502	\$xxx.xx
Alpine Road		\$xxx.xx
Branner Drive		\$xxx.xx
Oak Avenue		\$xxx.xx
Creek Drive		\$xxx.xx
San Mateo Bike Bridge		\$xxx.xx
Santa Cruz Avenue		\$xxx.xx
Alma Street		\$xxx.xx
Van Buren Road		\$xxx.xx
Bay Road (East)		\$xxx.xx
Bay Road (West)		\$xxx.xx
Pierce Road		\$xxx.xx
Willow Road (North)		\$xxx.xx
Willow Road (South)		\$xxx.xx
Woodland Avenue		\$xxx.xx
Hamilton Avenue Streetscape		\$xxx.xx
Ivy Drive Plaza		\$xxx.xx
Scott Drive Fence Line		\$xxx.xx
Lee Drive		\$xxx.xx
TOTAL MONTHLY COST		\$x,xxx.xx

Invoice 3 – Downtown Streetscape / Parking Plazas:

Location	Account Number	Monthly Cost
Santa Cruz Avenue Walkways	758-20503-5502	\$xxx.xx
Santa Cruz Avenue Islands		\$xxx.xx
Parking Plaza 1		\$xxx.xx
Parking Plaza 2		\$xxx.xx
Parking Plaza 3		\$xxx.xx
Parking Plaza 4		\$xxx.xx
Parking Plaza 5		\$xxx.xx
Parking Plaza 6		\$xxx.xx
Parking Plaza 7		\$xxx.xx
Parking Plaza 8		\$xxx.xx
Transit Station		\$xxx.xx
TOTAL MONTHLY COST		\$x,xxx.xx

Invoice 4 – Vintage Oaks Subdivision:

Location	Account Number	Monthly Cost
Middlefield Road	505-20503-5502	\$xxx.xx
Between Seminary Drive and Ringwood Avenue (eastside only)		
Ringwood Avenue		\$xxx.xx
Between Middlefield Road and Arlington Way (southside only)		
Arlington Way		\$xxx.xx
Between Ringwood Avenue to end along the Seminary Oaks Subdivision (westside only)		
Coleman Avenue		\$xxx.xx
Between Santa Monica Avenue to end of Seminary Oaks Subdivision (westside only)		
Santa Monica Avenue		\$xxx.xx
Between Coleman Avenue and 445 Santa Monica Avenue (northside only)		
TOTAL MONTHLY COST		\$x,xxx.xx

Invoice 5 – Trash/Recycling Bins:

Location	Account Number	Monthly Cost
<u>Nealon Park</u>	100-20503-5502	\$xxx.xx
9 trash bins and 5 recycling bins		
<u>Stanford Hills Park</u>		\$xxx.xx
6 trash bins and 2 recycling bins		

<u>Sharon Park</u>	\$xxx.xx
11 trash bins and 2 recycling bins	
<u>Willow Oaks Park</u>	\$xxx.xx
7 trash bins and 2 recycling	
<u>Jack Lyle Park</u>	\$xxx.xx
8 trash bins and 3 recycling bins	
<u>Fremont Park</u>	\$xxx.xx
6 trash bins and 3 recycling bins	
<u>Belle Haven School</u>	\$xxx.xx
2 trash bins	
<u>Ivy Plaza</u>	\$xxx.xx
4 trash bins and 2 recycling bins	
<u>Market Place Park</u>	\$xxx.xx
6 trash bins 1 recycling bins	
<u>Sharon Hills Park</u>	\$xxx.xx
6 trash bins and 1 recycling bins	
<u>Seminary Oaks Park</u>	\$xxx.xx
5 trash bins 2 recycling bins	
<u>Burgess Park</u>	\$xxx.xx
16 trash bins and 10 recycling bins	
<u>Civic Center</u>	\$xxx.xx
14 trash bins and 7 recycling bins	
<u>Onetta Harris Community Center Complex</u>	\$xxx.xx
10 trash bins and 1 recycling bins	
<u>Hamilton Park</u>	\$xxx.xx
5 trash bins and 5 recycling bins	
<u>Kelly Park</u>	\$xxx.xx
6 trash bins and 4 recycling bins	
<u>Tinker Park</u>	\$xxx.xx
2 trash bins and 1 recycling bins	
<u>Bedwell Bayfront Park</u>	\$xxx.xx
5 trash bins and 2 recycling bins	
TOTAL MONTHLY COST	\$x,xxx.xx

- 3.03 Invoices for approved Extra Work shall be in a format acceptable to the CONTRACT ADMINISTRATOR, including attachments, such as copies of suppliers' invoices, which the CONTRACT ADMINISTRATOR may require to verify CONTRACTOR'S billing. Invoices for Extra Work shall be submitted on separate invoices. Unless otherwise requested by the CONTRACT ADMINISTRATOR, one invoice shall be submitted for each discrete and complete item of Extra Work.
- 3.04 In the event the CITY transfers title or maintenance responsibility of the premises or a portion thereof, this CONTRACT shall continue in full force and effect, except said portion, at the discretion of the CONTRACT ADMINISTRATOR, may be deleted from the premises to be maintained and the CONTRACT sum shall be reduced accordingly.

- 3.05 The CONTRACT ADMINISTRATOR may, at his discretion, add new Median/Right-of-Way areas to be maintained and/or require additional services. The CONTRACTOR shall be compensated for the additional Median/Right-of-Way areas or services that are designated after the date of the commencement of this CONTRACT based on the submission of an approved maintenance bid, consistent in all respects with this CONTRACT, and shall contain all information as required in the REQUEST FOR BIDS. The bid cost shall not exceed the cost to provide maintenance for similar Median/Right-of-Way areas being maintained under this CONTRACT.
- 3.06 Additional compensation may be authorized at the discretion of the CONTRACT ADMINISTRATOR, subject to CITY budgetary conditions, for work deemed necessary by the CONTRACT ADMINISTRATOR due to extraordinary incidents or circumstances.

4.00 ENFORCEMENT, DEDUCTIONS AND LIQUIDATED DAMAGES

- 4.01 The CONTRACT ADMINISTRATOR shall be responsible for the enforcement of this CONTRACT on behalf of CITY.
- 4.02 The CONTRACT ADMINISTRATOR shall prepare and implement an INSPECTION RATING SYSTEM to be used to verify monthly payments and deductions from payments (see sample rating system as Appendix A). This form and system may be modified at the discretion of the CONTRACT ADMINISTRATOR. The CONTRACTOR agrees to be so evaluated by said system and bound by the ratings and/or deductions from payments indicated in the monthly INSPECTION RATING SYSTEM report. To avoid deductions from payment, CONTRACTOR must receive a rating of 95 or higher per Median/Right-of-Way areas as described in Section 2.01.
- 4.03 If, in the judgment of the CONTRACT ADMINISTRATOR, CONTRACTOR is deemed to be non-compliant with the terms and obligations of the CONTRACT, the CONTRACT ADMINISTRATOR, may, in addition to other remedies provided herein, withhold the entire monthly payment, deduct pro-rata from CONTRACTOR'S invoice for work not performed, and/or deduct liquidated damages. Notification of the amount to be withheld or deducted from payments to CONTRACTOR will be forwarded to the CONTRACTOR by the CONTRACT ADMINISTRATOR in a written notice describing the reasons for said action. The monthly INSPECTION RATING SYSTEM report shall constitute reason for any deductions so imposed.
- 4.04 The parties agree that it will be impracticable or extremely difficult to fix the extent of actual damages resulting from the failure of the CONTRACTOR to correct a deficiency within the said specified time frame. The parties hereby agree that a reasonable estimate of such damages is One Hundred Fifty Dollars (\$150.00) per day per Median/Right-of-Way area, as described in Section 2.01. CONTRACTOR shall be liable to CITY for liquidated damages in said amount. Said amount shall be deducted from CITY'S payment to CONTRACTOR; and/or

having given five (5) working days notice to the CONTRACTOR to correct the deficiencies, if after said 5 days the CONTRACTOR fails to complete the required corrections, CITY may correct any and all deficiencies using alternate forces. The total costs incurred by completion of the work by alternate forces will be deducted and forfeited from the payment to the CONTRACTOR.

- 4.05 The action above shall not be construed as a penalty but as adjustment of payment to CONTRACTOR to recover cost or loss due to the failure of the CONTRACTOR to complete or comply with the provisions of this CONTRACT.

5.00 INSPECTIONS, MEETINGS, & REPORTS

- 5.01 CITY reserves the right to perform inspections, including inspection of CONTRACTOR'S equipment, at any time for the purpose of verifying CONTRACTOR'S performance of CONTRACT requirements and identifying deficiencies.

- 5.02 The CONTRACTOR or his authorized representative shall meet with the CONTRACT ADMINISTRATOR or his representative on each site at the discretion and convenience of the CONTRACT ADMINISTRATOR, for walk-through inspections. All routine maintenance functions shall be completed prior to this meeting.

- 5.03 At the request of the CONTRACT ADMINISTRATOR, the CONTRACTOR, or his appropriate representative, shall attend meetings and/or training sessions, as determined by the CONTRACT ADMINISTRATOR, for purposes of orientation, information sharing, CONTRACT revision, description of CITY policies, procedures, standards, and the like.

- 5.04 CONTRACTOR shall provide to the CONTRACT ADMINISTRATOR such written documentation and/or regular reports as the CONTRACT ADMINISTRATOR deems necessary to verify and review CONTRACTOR'S performance under this CONTRACT and to provide to the CONTRACT ADMINISTRATOR pertinent information relative to the maintenance, operation, and safety of the Median/Right-of-Way areas.

6.00 EXTRA WORK

- 6.01 The CITY may award Extra Work to the CONTRACTOR, or to other forces, at the discretion of the CONTRACT ADMINISTRATOR. New or unforeseen work will be classified as "Extra Work" when the CONTRACT ADMINISTRATOR determines that it is not covered by CONTRACT unit prices or is significantly different than the CONTRACTOR'S other work areas. Areas added that are of similar size and scope to the CONTRACTOR'S current work shall be compensated as indicated in Section 3.05.

Areas that do not meet the criteria indicated in Section 3.05 are subject to adjustment in payment in accordance with Extra Work. Extra Work shall be performed by agreement between the CONTRACT ADMINISTRATOR and the

CONTRACTOR or on a NEGOTIATED PROPOSAL AND ACCEPTANCE basis in accordance with Section 7.00 or on a TIME AND MATERIALS basis in accordance with Section 8.00.

- 6.02 If the CONTRACT ADMINISTRATOR determines that the Extra Work can be performed by CONTRACTOR'S present work force, CONTRACT ADMINISTRATOR may authorize modification of the CONTRACTOR'S Routine Operations Schedule or Annual Calendar in order to compensate CONTRACTOR for performing said work.
- 6.03 Prior to performing any Extra Work, the CONTRACTOR shall prepare and submit a written proposal including a description of the work, a list of materials, and a schedule for completion. No work shall commence without written approval of the CONTRACTOR'S proposal by the CONTRACT ADMINISTRATOR. This proposal is subject to acceptance or negotiation by the CONTRACT ADMINISTRATOR.
- 6.04 In the event that CONTRACTOR'S proposal for Extra Work is not approved, the CONTRACT ADMINISTRATOR reserves the right to perform such work with other forces or to compel the CONTRACTOR to perform the work on a TIME AND MATERIALS basis. Invoices for EXTRA WORK on a TIME AND MATERIALS basis are subject to CONTRACTOR markup in accordance with the Section 8.00.
- 6.05 When a condition exists which the CONTRACT ADMINISTRATOR deems urgent, the CONTRACT ADMINISTRATOR may verbally authorize the work to be performed upon receiving a verbal estimate from the CONTRACTOR. However, within twenty-four (24) hours after receiving a verbal authorization, the CONTRACTOR shall submit a written estimate, consistent with the verbal authorization, to the CONTRACT ADMINISTRATOR for approval.
- 6.06 All Extra Work shall commence on the specified date established and CONTRACTOR shall proceed diligently to complete said work within the time allotted.

7.00 NEGOTIATED PROPOSAL AND ACCEPTANCE

- 7.01 The CITY may award work to the CONTRACTOR, at the discretion of the CONTRACT ADMINISTRATOR. New work will be awarded on a negotiated proposal and acceptance basis as when the CONTRACT ADMINISTRATOR determines that it is appropriate to negotiate a fixed price for work in lieu of utilizing unit prices. Payment for Work shall be performed by negotiated agreement between the CITY and the CONTRACTOR or on a TIME AND MATERIALS basis in accordance with section 8.00.
- 7.02 Prior to performing any work, the CONTRACTOR shall prepare and submit a written proposal including a description of the work, a list of materials, and a schedule for completion. No work shall commence without written approval of the CONTRACTOR'S proposal by the CONTRACT ADMINISTRATOR. This

proposal is subject to acceptance or negotiation by the CONTRACT ADMINISTRATOR.

7.03 All work shall commence on the specified date established and CONTRACTOR shall proceed diligently to complete said work within the time allotted.

8.00 TIME AND MATERIALS

8.01 In the event that the CONTRACT ADMINISTRATOR determines that work requested is of an unknown duration, not easily quantified or the CONTRACTOR'S proposal for work is not approved, the CONTRACT ADMINISTRATOR reserves the right to perform such work with other forces or to compel the CONTRACTOR to perform the work on a TIME AND MATERIALS basis.

8.02 The CONTRACT ADMINISTRATOR may direct CONTRACTOR to proceed by allowing him/her to use the following rates or percentages as added costs for the markup of all overhead and profits:

- 1) Labor..... 15
- 2) Materials..... 15
- 3) Equipment Rental 15
- 4) Other Items and Expenditures15

9.00 CONTRACTOR'S DAMAGES

9.01 All damages incurred to existing Median/Right-of-Way areas by the CONTRACTOR'S operation shall be repaired or replaced, by the CONTRACTOR or by other forces of comparable size and species, all at the discretion of the CONTRACT ADMINISTRATOR, all at the CONTRACTOR'S expense.

9.02 All such repairs or replacements, which are directed by the CONTRACT ADMINISTRATOR to be done by the CONTRACTOR, shall be completed within the following time limits.

- A. Irrigation damage shall be repaired or replaced before the next scheduled watering cycle.
- B. All other damages to landscape, turf, Median/Right-of-Way areas shall be repaired or replaced within five (5) working days.

9.03 Damaged trees and shrubs shall be repaired or replaced in accordance with the following maintenance practices:

- A. Trees: Minor damage such as bark lost from impact of mowing equipment shall be remedied by a qualified tree surgeon or arborist. If damage results in loss or significant compromise to the health or quality of a tree, the damaged tree shall be removed and replaced to comply with the specific instructions of the CONTRACT ADMINISTRATOR.

- B. Shrubs: Minor damage may be corrected by appropriate pruning. Major damage shall be corrected by removal and replacement of the shrub.

10.00 COMMUNICATIONS AND EMERGENCY RESPONSE

- 10.01 The CONTRACTOR shall, during the term of this CONTRACT, maintain a single telephone number, toll free to a Bay Area region area code, at which the CONTRACTOR or CONTRACTOR'S responsible employee may be contacted at any time, twenty-four hours per day, to take the necessary action regarding all inquiries, complaints and the like, that may be received from the CONTRACT ADMINISTRATOR or other CITY personnel. For hours beyond a normal 7:00 AM to 4:30 PM business day, an answering service shall be considered an acceptable substitute for full time twenty-four hour coverage, provided that the CONTRACTOR responds to the CITY by return call **within one hour** of the CITY'S original call.
- 10.02 Whenever immediate action is required to prevent possible injury, death, or property damage, CITY may, after reasonable attempt to notify the CONTRACTOR, cause such action to be taken by alternate work forces and, as determined by the CONTRACT ADMINISTRATOR, charge the cost thereof to the CONTRACTOR, or deduct such cost from any amount due to the CONTRACTOR.
- 10.03 All complaints shall be abated as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the CONTRACT ADMINISTRATOR. If any complaint is not abated within 24 hours, the CONTRACT ADMINISTRATOR shall be notified immediately of the reason for not abating the complaint followed by a written report to the CONTRACT ADMINISTRATOR within five (5) working days. If the complaints are not abated within the time specified or to the satisfaction of the CONTRACT ADMINISTRATOR, the CONTRACT ADMINISTRATOR may correct the specific complaint and the total cost incurred by the CITY will be deducted and forfeit from payments owing to the CONTRACTOR from the CITY.
- 10.04 The CONTRACTOR shall maintain a written log of all communications, the date and the time thereof and the action taken pursuant thereto or the reason for non-action. Said log of complaints shall be open to the inspection of the CONTRACT ADMINISTRATOR at all reasonable times.

11.00 SAFETY

- 11.01 CONTRACTOR agrees to perform all work outlined in this CONTRACT in such a manner as to meet all accepted standards for safe practices during the maintenance operation and to safely maintain stored equipment, machines, and materials or other hazards consequential or related to the work; and agrees additionally to accept the sole responsibility for complying with all CITY, County, State or Federal requirements at all times so as to protect all persons, including CONTRACTOR'S employees, agents of the CITY, vendors, members of the

public or others from foreseeable injury, or damage to their property. CONTRACTOR shall make weekly inspections for any potential hazards at said Median/Right-of-Way areas and keep a log indicating date inspected and action taken.

- 11.02 It shall be the CONTRACTOR'S responsibility to inspect, and identify, any condition(s) that renders any portion of the premises unsafe, as well as any unsafe practices occurring thereon. The CONTRACT ADMINISTRATOR shall be notified immediately of any unsafe condition that requires major correction. CONTRACTOR shall be responsible for making minor corrections including, but not limited to; filling holes in ground, turf or paving; using barricades or traffic cones to alert patrons of the existence of hazards; replacing valve box covers; and the like, so as to protect members of the public or others from injury.
- 11.03 CONTRACTOR shall notify the CONTRACT ADMINISTRATOR immediately of any occurrence on the premises of accident, injury, or persons requiring emergency services and, if so requested, shall prepare a written report thereof to the CONTRACT ADMINISTRATOR within three (3) calendar days following the occurrence. CONTRACTOR shall cooperate fully with the CITY in the investigation of any such occurrence.

12.00 TRAFFIC CONTROL

- 12.01 Prior to any work in the public right-of-way, the CONTRACTOR shall submit typical traffic control plans for approval for work performed in the CITY right-of-way. The CONTRACTOR shall submit supplementary traffic control plans for unusual circumstances that are out of the ordinary for right-of-way maintenance. A traffic control system consists of closing traffic lanes or pedestrian walkways in accordance with the details shown on the plans, California Manual on Uniform Traffic Control Devices (FHWA MUTCD 2003 Revision 1, as amended for use in California). The provisions in this section will not relieve the Contractor from its responsibility to provide such additional devices or take such measures as may be necessary to maintain public safety.
- 12.02 When lanes are closed for only the duration of work periods, all components of the traffic control system, except portable delineators placed along open trenches or excavation adjacent to the traveled way, shall be removed from the traveled way and shoulder at the end work period. If the Contractor so elects, said components may be stored at selected central locations, approved by the Engineer, within the limits of the right-of-way. The closing of lanes on major streets will have restricted hours due to traffic volumes in which lanes can be closed and may require work to occur at night or early mornings.
- 12.03 The CONTRACTOR shall comply with all requirements of the City Traffic Engineer and shall bear all costs of required traffic control including, but not limited to signs, cones, markers, flagmen, barricades etc.

13.00 HOURS AND DAYS OF MAINTENANCE SERVICES

- 13.01 The basic daily hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. (except the Downtown area. Work may begin at 11PM), which shall be considered normal work hours as may pertain to any other provision of the CONTRACT. Work in the Downtown area shall be performed so that it does not affect business and customers of business.
- 13.02 CONTRACTOR shall provide staffing to perform the required maintenance services during the prescribed hours **five (5) days per week, Monday through Friday**. Any changes in the days and hours of operation heretofore prescribed shall be subject to approval by the CONTRACT ADMINISTRATOR.
- 13.03 The use of power tools is prohibited daily prior to 8:00 a.m. and all day on Saturdays, Sundays and Holidays. Exceptions will be considered in areas that will not affect residential properties.

14.00 MAINTENANCE SCHEDULES

- 14.01 The CONTRACTOR shall, within thirty (30) days after the effective date of this CONTRACT, submit work schedules to the CONTRACT ADMINISTRATOR for review and approval. Said work schedules shall identify required operations and delineate the time frames for performance. An Annual Calendar shall include all required operations that occur less than monthly. A Routine Operations Schedule shall include all tasks required at least monthly. Sample Annual Calendar and Routine Operations Schedule formats are included in Appendices B & C.
- 14.02 The CONTRACTOR shall submit revised schedules when actual performance differs substantially from planned performance, and from time to time as requested by the CONTRACT ADMINISTRATOR. Said revisions shall be submitted to the CONTRACT ADMINISTRATOR for his review and approval, within five (5) working days prior to the original or revised scheduled time for the work, whichever is earlier.

15.00 CONTRACTOR'S STAFF AND TRAINING

- 15.01 The CONTRACTOR shall provide sufficient personnel to perform all work in accordance with the specification set forth herein.
- 15.02 CONTRACTOR'S personnel shall possess the minimum qualifications for the position in which each is working, as set forth in Attachment B.
- 15.03 CONTRACTOR is encouraged to provide on-going systematic skills training, and to promote participation in, and certification by professional associations. CONTRACTOR'S systematic skills training program, and certifications required by the CONTRACTOR for employees in a given position, should be noted in the Attachment B.

- 15.04 Each crew of CONTRACTOR'S employees shall speak the English language proficiently. For the purposes of this section a crew is understood to be any individual worker or group of workers who might be working as part of this proposal.
- 15.05 The CONTRACT ADMINISTRATOR may at any time give CONTRACTOR written notice to the effect that the conduct or action of a designated employee of CONTRACTOR is, in the reasonable belief of the CONTRACT ADMINISTRATOR, detrimental to the interest of the public patronizing the premises. CONTRACTOR shall meet with representatives of the CONTRACT ADMINISTRATOR to consider the appropriate course of action with respect to such matter and CONTRACTOR shall take reasonable measures under the circumstances to assure the CONTRACT ADMINISTRATOR that the conduct and activities of CONTRACTOR's employees will not be detrimental to the interest of the public patronizing the premises.
- 15.06 The CONTRACT ADMINISTRATOR may at any time order any of the CONTRACTOR'S personnel removed from the premises when, in the reasonable belief of the CONTRACT ADMINISTRATOR, said CONTRACTOR'S personnel is objectionable, unruly, unsafe, or otherwise detrimental to the interest of the CITY or the public patronizing the premises
- 15.07 The CONTRACTOR shall require each of his personnel to adhere to basic public works standards of working attire including pant, uniform shirts and/or vests clearly marked with the CONTRACTOR'S company name and employee name badges as approved by the CONTRACT ADMINISTRATOR. Sufficient changes shall be provided to present a neat and clean appearance of the CONTRACTOR'S personnel at all times. Shirts shall be worn and buttoned at all times. CONTRACTOR'S personnel shall be equipped with proper shoes and other gear required by State Safety Regulations. Brightly colored traffic vests or reflectors shall be worn when personnel are working near vehicular traffic.
- 15.08 The CONTRACTOR shall include an irrigation specialist who can correctly troubleshoot problems in the field and make appropriate repairs
- 15.09 The CONTRACTORS PERONNEL WILL BE REQUIRED TO HAVE A BACKGROUND CHECK. The following information must be submitted no less than 30 days prior to any employee's start of work:
- Full Name
 - Social Security Number
 - California Driver's License or ID number
 - Birth Date
 - Address

The records check will include finger printing; Department of Justice wanted person system, California Drivers License check, San Mateo County warrant check and review of any local record. The City will be responsible for the costs associated with this process for the first 10 contractor employees. Additional checks required beyond the initial 10 during the lifetime of the contract shall be

borne exclusively by the contractor. The City reserves the right to approve/refuse any prospective employees of the contractor as a result of the background check.

15.10 The CONTRACTOR shall have on staff a PCA (Pest Control Advisor).

15.11 The CONTRACTOR shall have a employee assigned to the job as supervisor for the duration of the contract. He/She must have a minimum of four (4) years experience in landscape supervision, with experience or training in turf management, pest control, soils, fertilizers and plant and weed identification.

15.12 The CONTRACTOR's employees shall have a minimum two (2) years experience of landscape maintenance experience or education.

16.00 NON-INTERFERENCE - NOISE

16.01 CONTRACTOR shall not interfere with the public use of the premises and shall conduct its operations as to offer the least possible obstruction and inconvenience to the public or disruption to the peace and quiet of the area within which the services are performed.

16.02 In the event that the CONTRACTOR'S operations must be performed when persons of the public are present, CONTRACTOR shall courteously inform said persons of any operations that might affect them and, if appropriate, request persons to move out of the work area.

16.03 CONTRACTOR shall be subject to local ordinances regarding noise levels with regard to equipment operations. CONTRACTOR shall not use any power equipment prior to 8:00 a.m. or later than 6:00 p.m. Further, any schedule of such operations may be modified by CONTRACT ADMINISTRATOR in order to insure that the public is not unduly impacted by the noise created by such equipment.

17.00 USE OF CHEMICALS

17.01 All work involving the use of chemicals shall be in compliance with all Federal, State and local laws and will be accomplished by or under the direction of a State of California Licensed Pest Control Operator.

17.02 Chemical applications shall strictly conform to all governing regulations. CONTRACTOR'S staff applying chemicals shall possess all required licenses and certifications.

17.03 Records of all operations, including applicators names stating dates, times, methods of application, chemical formulations, and weather conditions shall be made and retained according to governing regulations.

17.04 All chemicals requiring a special permit for use must be registered with the County Agricultural Commissioner's Office and a permit obtained.

17.05 Material Safety Data Sheets (MSDS) and sample labels shall be provided to the CONTRACT ADMINISTRATOR for all products and chemicals used within the City.

PART II
TECHNICAL SPECIFICATIONS

18.00 MOWING

- 18.01 Mowing operations shall be performed in a workmanlike manner that ensures a smooth surface appearance without scalping or allowing excessive cuttings to remain. Clippings need not be collected unless clippings are excessive and/or visible, or as directed by the CONTRACT ADMINISTRATOR.
- 18.02 Turf shall be mowed with a mower appropriate to the particular turf type being mowed. Equipment shall be properly maintained, clean, adjusted, and sharpened.
- 18.03 All mowing equipment shall be thoroughly washed following each mowing operation and prior to being transported to any other site.
- 18.04 Mow turf to the following heights or as directed by the CONTRACT ADMINISTRATOR:
- A. Bermuda: $\frac{3}{4}$ inch – 1 inch.
 - B. Cool season turf including bluegrass, perennial rye and fescues: 1 $\frac{1}{2}$ inches – 2 inches.
- 18.05 Mowing operations shall be scheduled Monday through Friday.
- 18.06 Walkways shall be cleaned immediately following each mowing.
- 18.07 Mowing operations shall be scheduled at times of low public use.
- 18.08 Mowing frequency shall be a minimum of one (1) time per week while turf is actively growing so as to maintain the required heights listed in section 18.04.

19.00 TURF AND GROUND-COVER EDGING

- 19.01 All turf edges shall be kept neatly edged. All grass invasions into adjacent areas shall be eliminated.
- 19.02 **String trimmers shall not be used to trim around trees.** Turf and groundcover shall be maintained a minimum of one (1) foot from the trunks of trees by use of appropriate chemicals.
- 19.03 A 36-inch diameter circle shall be maintained around young trees with immature bark or caliper of less than 6 inches. Circles may include a watering basin, and/or a 2-3 inch deep layer of mulch, where appropriate, as directed by the

CONTRACT ADMINISTRATOR. Circles shall be kept free of weeds and grasses by use of appropriate chemicals.

- 19.04 Turf and groundcover shall be trimmed or limited around valve boxes, meter boxes, backflow devices, park equipment and other obstacles; and around sprinklers as needed to provide optimum water coverage.
- 19.05 All groundcover and flower bed areas shall be kept neatly edged and free of grass invasion.
- 19.06 Walkways shall be cleaned immediately following each mechanical edging.
- 19.07 **Frequency** of mechanical edging of turf shall be at every mowing.
- 19.08 **Frequency** of ground cover edging shall be as needed so that no encroachment occurs across boundaries.
- 19.09 Chemical edging of turf and groundcover boundaries may be performed, subject to approval of the CONTRACT ADMINISTRATOR, in a manner that ensures a defined turf edge and limits turf encroachment into beds or across boundaries where it is impractical to edge mechanically. A twelve (12) inch barrier width shall be considered normal.

20.00 AERIFICATION

- 20.01 Aerate all turf areas by using a device that removes $\frac{3}{4}$ " cores to a depth of two (3) inches at not more than six (6) inch spacing.
- 20.02 CONTRACTOR shall assure that turf areas to be aerified are properly and evenly moist prior to aerification operation.
- 20.03 Remove or shred cores so that they are not unsightly or a nuisance.
- 20.04 CONTRACTOR shall flag all irrigation heads, valve boxes, quick-couplers, and the like, prior to commencing aeration operations. CONTRACTOR shall be responsible for any damage to irrigation, boxes, pavement, etc. from aerifier and other equipment.
- 20.05 Aerification frequencies shall be as follows:
 - A. Aerate all turf areas **three (3) times per year**. Aeration shall take place during the months of March, June and September.

21.00 TURF RENOVATION

- 21.01 Turf areas shall be renovated one (1) time per year.

21.02 Cool season turf including bluegrass, ryegrass and fescues shall be renovated during the aeration in March. Bermuda and other warm season turf shall be renovated during June renovation period.

21.03 CONTRACTOR shall use the following maintenance specification for turf renovation on city median and right-of-way areas.

1. Irrigation;

Irrigation system shall be checked and repairs made to insure proper operation and coverage of all areas to be renovated prior to beginning work. Two five minute cycles shall be programmed onto irrigation controllers at proper intervals during the day after renovations are completed to assure area remains evenly moist during seed germination period. These will be in addition to regularly programmed watering schedules.

2. Aeration;

Aeration shall be done by using $\frac{3}{4}$ " hollow core aeration tines in two directions as to achieve adequate coverage. Fields shall be thoroughly irrigated prior to aerating to assure proper aeration depth (minimum 3"), and all irrigation boxes, valves and heads shall be flagged to limit any damage to system. Cores shall be shredded or removed.

3. Fertilization;

All turf areas shall be fertilized using 21/7/14 slow release fertilizer evenly distributed with broadcast spreaders at a rate of 6 lb's of "N" per 1,000 square feet. Fields shall be watered after fertilizer application to avoid damage to turf grass.

4. Overseeding;

All turf areas shall be overseeded using either broadcast or slit seeding methods. Seed should be distributed at a rate of not less than 8 lb's per 1,000 square feet and should be a blend of Perennial Ryegrass and Kentucky Bluegrass at an 80% to 20% ratio or blend consistent with existing turf conditions. Seed shall be from a certified/tested lot with a minimum 95% germination rate and 0% weed seed. Overseeded areas should be promptly topdressed to ensure good seed to soil contact and to promote germination.

5. Topdressing;

All turf areas shall be topdressed using high quality material that best matches existing root zone soil types, and shall be free of glass, rocks or other debris. Samples should be provided to appropriate contact for approval prior to purchase. Topdressing material shall be distributed using a dedicated drop-type topdresser at a uniform rate not to exceed $\frac{3}{8}$ " in depth.

22.00 WATERING AND IRRIGATION

- 22.01 All landscaped and turf areas shall be irrigated, as required to maintain adequate growth and appearance, with a schedule most conducive to plant growth. The delivery of adequate moisture to the landscaped areas shall include, but not be limited to: hand watering, operation of manual valves, proper utilization of automatic controllers and valves. All watering and irrigation shall be done in accordance with the provisions of the California Water Conservation in Landscaping Act (AB 2717, AB 1881) and the City of Menlo Park Water Efficient Landscaping Ordinance.
- 22.02 CONTRACTOR shall insure that personnel operating irrigation systems are **fully trained** in all phases of landscape irrigation systems, thoroughly familiar with the particular equipment in use, and fully equipped and capable of performing proper programming and operation of the irrigation systems.
- 22.03 CONTRACTOR shall be responsible for performing all specified irrigation tasks including, but not limited to: testing, adjustments, repairs, replacements, and supplemental watering. CONTRACTOR shall notify the CONTRACT ADMINISTRATOR immediately of any deficiencies in irrigation at these sites.
- 22.04 Irrigation controllers shall be programmed by CONTRACTOR, with current schedules provided to the CONTRACT ADMINISTRATOR monthly or sooner if modifications are performed.
- 22.05 Areas not provided with an irrigation system shall be hand watered by the CONTRACTOR. This includes situations where the automatic system is inoperable for any reason. The CONTRACTOR shall be responsible for providing all equipment, such as water trucks, bladders, hoses, couplers and nozzles to accomplish this task.
- 22.07 Watering shall be regulated to avoid interference with any use of roadways, paving or walks.
- 22.08 Controllers shall be set to operate during the period of lowest wind velocity, which would normally occur at night or early morning hours.
- 22.09 Irrigation shall be controlled in such a way as not to cause any excessively wet area, which could be damaged by mowing or other traffic.
- 22.10 No irrigation shall be done during periods of measurable rain without prior approval of the CONTRACT ADMINISTRATOR.

23.00 IRRIGATION MAINTENANCE, REPAIR and TESTING

- 23.01 CONTRACTOR shall provide labor and equipment for maintenance of the irrigation system from the water meter including repairs and replacements

(whether due to damage, malfunction, vandalism, normal wear, or other cause) of all components including the following:

- A. Main lines
- B. Valves (control valves, ball valves, master valves, quick couplers and the like)
- C. Pumps
- D. Automatic controllers and appurtenant devices (ET and rain gauge, antenna, flow sensors and the like)
- E. Backflow devices
- F. Pressure regulators

23.02 CONTRACTOR shall notify CONTRACT ADMINISTRATOR of any damaged, deficient or inoperable irrigation component indicating the location, valve station number, problem, size, and type of irrigation equipment.

23.03 Repair or replacement of irrigation components that are identified as the CONTRACTOR'S responsibility shall be completed **within two (2) working days** of determining damaged or inoperable irrigation component, or sooner to prevent damage to turf or landscaping, or if the repair is otherwise deemed urgent by the CONTRACT ADMINISTRATOR.

23.04 Replacements of irrigation equipment shall be with **originally specified equipment** of the same size and quality or substitutes approved by the CONTRACT ADMINISTRATOR prior to any installation thereof.

23.05 CONTRACTOR'S Irrigation Technician shall be **fully trained** in all phases of landscape irrigation systems, thoroughly familiar with the particular equipment in use; and fully equipped and capable of identifying and isolating problems and performing the proper programming, inspection, testing, repair and maintenance of the irrigation systems. All of CONTRACTOR'S personnel working on irrigation systems, shall be appropriately trained and under the direct supervision of a qualified Irrigation Technician.

23.06 CONTRACTOR'S Irrigation Technician shall be equipped with **RainMaster Pro Max** Radio Remote hand-held remote valve actuator.

23.07 Prior to testing a system, CONTRACTOR shall inspect all irrigated areas; note and mark with a flag marker any dry or stressed areas. During the course of the irrigation test, CONTRACTOR shall determine the cause of the noted deficiency and make needed repairs.

23.08 CONTRACTOR shall sequence controller(s) to each station to check the function of all facets of the irrigation system.

23.09 During irrigation testing CONTRACTOR shall:

- A. Adjust all sprinkler heads to provide correct coverage, uniform precipitation, prevention of runoff and erosion, and prevention of excessive overspray onto adjacent areas.
 - B. Check for, and correct all leaks, including pipes, risers, seals, turrets, etc.
 - C. Clean, flush, adjust, repair or replace any equipment, head or component that is not functioning to manufacturer's specifications.
 - D. Adjust valves and heads to keep all systems operating at manufacturer's recommended operating pressures. Valve throttling and pressure gauging shall be employed to prevent excessive fogging.
 - E. Check valve boxes and covers. Keep boxes and covers uncovered and accessible. Remove excess soil accumulations inside boxes. Repair or replace as needed. Replace and secure cover bolts as needed.
 - F. Check for low-head drainage. Clean, repair or replace malfunctioning or missing anti-drain devices including in-head check valve devices.
- 23.10 Any unresolved system malfunction, damage, or deficiency shall be reported, including effected valve station(s) and other pertinent details, to the CONTRACT ADMINISTRATOR. Said reporting shall be in writing to the satisfaction of the CONTRACT ADMINISTRATOR.
- 23.11 In addition to regular testing, all irrigation systems shall be tested and inspected as necessary when damage is suspected, observed or reported.
- 23.12 CONTRACTOR shall be responsible for performing the annual certification of backflow devices.
- 23.13 All valve boxes shall be identified with heat-branded markings as directed by the CONTRACT ADMINISTRATOR.
- 23.14 CONTRACTOR shall submit as-built drawings of all modifications to irrigation systems, including, piping, relocation of equipment or sprinkler heads, replacement of heads with another make or model, changes in nozzles and the like. As-built changes shall be complete to the satisfaction of the CONTRACT ADMINISTRATOR. As-built drawings shall be made neatly and legibly on a blue-line copy of the irrigation drawings supplied by the CONTRACT ADMINISTRATOR, and shall be submitted within 2 working days of completion of the work.
- 23.15 **Frequencies of irrigation testing shall be two (2) times per month** or more frequently if problems or conditions indicate a need.

24.00 FERTILIZATION

- 24.01 Products and rates of application shall be determined by the CONTRACT ADMINISTRATOR.
- 24.02 CONTRACTOR shall include scheduling of fertilizations on Annual Calendar.
- 24.03 CONTRACTOR shall give written notice to the CONTRACT ADMINISTRATOR at least two City business days in advance of fertilizer application at a given site.
- 24.04 CONTRACTOR shall have all materials delivered to the site in properly labeled, unopened bags. All bags shall be retained on the site for the CONTRACT ADMINISTRATOR'S inspection and shall be removed promptly following inspection.
- 24.05 Application of fertilizer shall be done in sections, determined by the areas covered by each irrigation system. Adequate irrigation shall immediately follow the application of fertilizer to force fertilizer material to rest directly on the soil surface.
- 24.06 **Turf, shrubs and groundcover** areas shall be fertilized at least **four (4)** times per year. **Trees** shall be fertilized at least **two (2)** times per year.

25.00 WEED CONTROL

- 25.01 All areas shall receive diligent control of weeds by employing all industry-recognized, legal methods, as approved by the CONTRACT ADMINISTRATOR and in accordance with the City of Menlo Park Integrated Pest Management Plan.
- 25.02 The following areas shall be kept weed free: shrub areas, ground cover beds, planters, cracks in paved areas, including sidewalks, curbs, asphalt, all hardscape and areas covered with ornamental rock.
- 25.03 All turf, shrub beds, planters, and other landscaped areas shall be maintained weed free.
- 25.04 Chemical applications shall be done **as needed**. Weeds, which grow from, or spread by, underground stolons, tubers, and the like, such as Bermuda Grass, Nutgrass, and Ragweed, shall be controlled using appropriate chemical controls. Said weeds shall not be physically removed until chemical action is complete.
- 25.04 Inspect, spot treat or mechanically remove weeds as necessary. Hand weeding or spot treatment of all areas is to be performed at **least one (1) time per week**.
- 25.05 Apply appropriate pre-emergent herbicides to prevent germination of known problem weeds.

- 25.06 Pre-emergent herbicide materials to be used shall be as approved by the CONTRACT ADMINISTRATOR. Materials to be used shall be those best suited to the control of the target weeds in the given planting.
- 25.07 Pre-emergent herbicide applications shall be carefully scheduled as approved by the CONTRACT ADMINISTRATOR, and shall be made per label instructions for optimum control. Scheduling of pre-emergent herbicide applications shall be reflected on the annual calendar along with notation identifying material name and target weeds.
- 25.08 Pre-emergent herbicide applications shall be made **annually and as required** for optimum control of target weeds.

26.00 TREE, SHRUB AND GROUND COVER MAINTENANCE

- 26.01 CONTRACTOR is responsible for tree work **within fifteen (15) feet of the ground.**
- 26.02 Trimming and pruning of trees and shrubs for vehicular and pedestrian clearance, visibility, access, plant health and appearance shall be done as needed.
- 26.03 All pruning and tree tying shall conform to International Society of Arboriculture (I.S.A) Standards and the specific directions of the CONTRACT ADMINISTRATOR. **CONTRACTOR shall not allow any tree to be topped.**
- 26.04 Clearance: Maintain trees to provide a fourteen (14) foot clearance for branches overhanging beyond curb line into the paved section of roadways. Lower branching may be appropriate for trees in background and ornamental areas. Prune plant materials where necessary to maintain access and safe vehicular visibility and clearance and to prevent or eliminate hazardous conditions.
- 26.05 Shearing: **Only** those plants specifically designated by the CONTRACT ADMINISTRATOR shall be sheared. These plants may also require additional thinning to maintain a healthy condition.
- 26.06 Tree pruning shall be performed with the intent of developing healthy, structurally sound trees with natural form and proportion, symmetrical appearance, and proper vertical and horizontal clearance.
- 26.07 Prune shrubs to encourage healthy growth habits, natural form and proportion. Restrict growth of shrubbery to area behind curbs and within planter beds by pruning. Under no circumstances shall hedge shears be used as a means of pruning.
- 26.08 Tree stakes, two (2) per tree, shall be pentachlorophenol treated lodge pole pine. Stakes shall be placed vertically; 8 to 10 inches from the tree trunk; shall not rub

against any part of the tree during windy conditions; shall be tied using materials and methods as approved by CONTRACT ADMINISTRATOR.

26.09 Plant ties shall be checked frequently and either retied to prevent girdling or removed along with the stakes when no longer required.

26.10 Periodic staking and tying shall be done as needed.

26.11 All structural weaknesses such as split crotches or limbs, diseased or decayed limbs, or severe damage above fifteen (15) feet in height from the ground shall be reported to the CONTRACT ADMINISTRATOR.

26.12 Groundcover

A. Groundcover shall be renovated as needed. Renovation of groundcover shall include mowing, thinning and/or shearing of groundcover and fertilization; and may include bed cultivating and/or mulching, as appropriate to the species and conditions and as directed by the CONTRACT ADMINISTRATOR.

B. All dead, diseased and unsightly branches, vines or other growth shall be removed as they develop.

C. All groundcover areas shall be pruned to maintain neat but natural (not sheared) edges.

D. Except as specifically directed by the CONTRACT ADMINISTRATOR, groundcover plants shall be prevented from climbing utilities, shrubs, trees, and the like.

26.13 Remove all dead shrubs and trees. CONTRACT ADMINISTRATOR shall be notified 48 hours in advance of the removal of any tree or shrub. Trees to be removed measuring greater than ten (10) inches in diameter at breast height (dbh) shall not be removed without authorization from the CONTRACT ADMINISTRATOR.

26.14 All trimming and debris shall be removed and properly disposed of immediately.

26.15 Flowering plants shall be maintained free of excessive spent blooms, flower stalks and the like. Plants shall be renovated following peak bloom, and as needed, to produce optimum color production and plant health. Renovation methods and timing shall be as approved by the CONTRACT ADMINISTRATOR.

27.00 MULCHING

27.01 A minimum three (3) inch layer of approved mulch shall be maintained in all tree, shrub, and groundcover areas. Mulch shall be placed in such a manner as to present a neat appearance, cover all bare soil, and shall not cover plant material or the bases of trees or shrubs.

- 27.02 All areas to receive mulch shall be free of weeds prior to mulching.
- 27.03 Mulch shall be maintained free of litter and foreign matter.
- 27.04 CONTRACTOR shall replenish mulch as required to maintain conditions specified in Section 27.01.
- 27.05 CONTRACTOR shall supply mulch at there expense including all equipment and labor required to move mulch from the stock-pile site(s) and to place mulch in required areas.
- 27.07 Mulching operation shall be accomplished in a timely manner, so that all material is removed and stock-pile site is left clean and level, all to the satisfaction of the CONTRACT ADMINISTRATOR. The CONTRACTOR shall implement appropriate and effective BMP'S to insure storm water pollution prevention compliance for all aspects of mulching operations at the designated storage site(s) and at mulching areas in the field.

28.00 DISEASE AND PEST CONTROL

- 28.01 All landscaped areas shall be maintained free of disease and insects that could cause or promote damage to plant materials including but not limited to trees, shrubs, groundcover and turf.
- 28.02 The CONTRACT ADMINISTRATOR shall be notified immediately of any disease, insects or unusual conditions that might develop.
- 28.03 A disease control program to prevent all common diseases from causing serious damage shall be provided on an as needed basis. Disease control shall be achieved utilizing materials and rates recommended by a licensed California Pest Control Advisor. Disease and pest control shall follow the goals and policies established in the City of Menlo Park Integrated Pest Management Plan.
- 28.04 CONTRACTOR shall eradicate or remove bees, ants, rodents and other pests, which the CONTRACT ADMINISTRATOR deems to be a public hazard or nuisance. CONTRACTOR shall arrange for and assume the expense of such operations, if not under its immediate capabilities, within a 48-hour period after notification from the CONTRACT ADMINISTRATOR.
- 28.05 Gophers and other rodents shall be eliminated immediately by appropriate, approved exterminating techniques (traps, etc.).
- 28.06 Frequency of disease and pest control operations shall be **daily as needed**.

29.00 PLANT MATERIALS

29.01 Plant materials shall conform to the requirements of the Landscape Plan of the area and to "Horticultural Standards" of American Association of Nurserymen as to kind, size, age, etc.

29.02 Plans of record and specifications should be consulted to ensure correct identification of species. Substitutions may be allowed but only with the prior written approval of the CONTRACT ADMINISTRATOR.

29.03 Quality

A. Plants shall be sound, healthy and vigorous, free from plant disease, insect pest or their eggs, and shall have healthy normal root systems and comply with all state and local regulations governing these matters, and shall be free from any noxious weeds.

B. Plant materials shall be symmetrical, and/or typical for variety and species.

C. Trees shall not have been topped.

D. Roots shall not have been allowed to circle or become bound at any stage of growth.

E. All plant materials must be provided from a licensed nursery and shall be subject to acceptance as to quality by the CONTRACT ADMINISTRATOR.

29.04 Plant Materials Guarantee

CONTRACTOR shall replace, at no cost to the CITY, any plant materials planted by CONTRACTOR under this CONTRACT which fail to establish, grow, live and remain in healthy condition , regardless of the reason for said failure, as follows:

A. All trees shall be guaranteed for one year from the date of acceptance of the job by the CONTRACT ADMINISTRATOR.

B. All shrubs shall be guaranteed for ninety (90) days from the date of acceptance of the job by the CONTRACT ADMINISTRATOR.

Nothing in this section shall in any way reduce or remove CONTRACTOR'S responsibility as specified elsewhere in this CONTRACT.

29.05 Newly planted areas shall receive special attention until plants are established. Adequate water shall be applied to promote normal, healthy growth. Proper berms or basins shall be maintained during the establishment period.

30.00 LITTER, LEAF, AND DEBRIS CONTROL

- 30.01 Remove all litter, paper, glass, trash, undesirable materials, silt and other accumulated debris from all areas to be maintained.
- 30.02 Complete policing, litter pick up and supplemental hand sweeping of median and right of way area edges, corners and other areas inaccessible to power equipment shall be accomplished to ensure a neat appearance.
- 30.03 Accumulation of leaves and debris shall be removed, from all landscaped areas except as specifically directed by the CONTRACT ADMINISTRATOR.
- 30.04 Raking should not be used in ground cover or mulched areas except to remove heavy accumulation of leaves and debris. When raking is necessary, it should be done lightly, taking care not to damage plants or displace mulch.
- 30.05 Increases in frequencies of clean-ups for seasonal plant defoliation or clean-up after storms shall be the CONTRACTOR'S responsibility.
- 30.06 Removal of litter shall occur on a **daily basis**.
- 30.07 CONTRACTOR shall employ appropriate safety equipment and procedures for litter removal.
- 30.08 CONTRACTOR shall remove all private signs advertising garage sales, real estate, etc. (including political/campaign signs) on a daily basis from city property. The removed signs shall be returned to CONTRACT ADMINISTRATOR. Posting of such signs are in violation of Municipal Ordinance.

31.00 DOWNTOWN AREA The Downtown area is considered our highest area of maintenance and in addition to the basic service these additional services are included in this area. The Downtown is considered Santa Cruz Avenue from Merrill Street to University Avenue and the side streets that intersect Santa Cruz Avenue from Menlo Avenue to Oak Grove Avenue. In addition, the eight parking plazas.

- 31.01 CONTRACTOR shall power wash Santa Cruz Avenue from Merrill Street to University Avenue twice (2) a year as directed by the ADMINISTRATOR. The scope of work includes all flat work, sidewalks, garbage/recycling cans and plaza areas. Schedule for power washing shall be done during the night and shall be included in the Annual Calendar submitted by the CONTRACTOR.
- 31.02 CONTRACTOR shall provide portable power washing equipment of 13 hp or greater capable of generating 3,500 psi of water pressure to clean flat work, sidewalks and plaza areas.

- 31.03 Measures shall be taken by CONTRACTOR to prevent water encroachment into businesses, buildings and structures.
- 31.04 CONTRACTOR shall insure that methods for cleaning and disposal of waste water meet or exceed BASMAA recommendations as contained in pamphlet "Pollution from Surface Cleaning".
- 31.05 All pedestrian hardscape areas, including but not limited to sidewalks plazas, pedestrian street crossings shall be blown five days a week. Does not include parking plazas.
- 31.06 All site amenities, including but not limited to benches, hand rails, City electrical boxes, bicycle racks, kiosks, garbage and recycling cans shall be completely wiped clean with a germicidal cleaner once a week. Site amenities that are made out of a metal shall be polished to a high luster with an approved product once per week.
- 31.07 All shrubs and groundcover areas shall be highly detailed weekly. At no time shall any dead leaves, flowers or branches exist. The intent is to prune the plant without the average lay person noticing cuts.
- 31.08 All trees branches below 15 ' over the vehicular areas and 8' feet over pedestrian areas shall be pruned monthly. The intent is to prune the tree without the average lay person noticing cuts_
- 31.09 CONTRACTOR shall clean up the recycling container areas in the Parking Plazas twice a week which includes organizing recycling and removal of garbage.
- 31.10 CONTRACTOR shall clean street name signs three times a year along Santa Cruz Avenue.
- 31.11 CONTRACTOR shall clean drinking fountains twice a week using a germicidal cleaner and products to assure that drinking fountains are clean and polished. The CONTRACTOR shall remove any mineral build up, algae, debris, stains, etc. so that drinking fountain is 100% clean and polished. Should the drinking fountain be plugged that dismantling the fountain is required the CONTRACTOR shall notify the ADMINISTRATOR so City staff can make repairs.
- 31.12 Contractor shall maintain tree wells which consist of decomposed granite/bricks so that there is no greater than one half inch (1/2") differential in tree well from sidewalk.

31.00 MAINTENANCE FREQUENCIES

The following maintenance frequencies shall apply to the following tasks on **Medians**.

Daily	1	Bi-Monthly	5
Weekly	2	Quarterly	6
Bi-Weekly	3	Semi-Annually	7
Monthly	4	As Needed	8

Irrigation Maintenance	
Controller Programming	6
Repairs	5
Testing	5
Turf Maintenance	
Mowing	2
Edging	2
Trimming	2
Weed Control	4
Clipping Removal	2
String Trim	2
Fertilize	6
Aerate/Thatch/Seed	7
Pest Control	8
Renovation	8
Visual Inspection	2
Planters & Ground Cover Maintenance	
Edging	4
Trimming	6
Cultivate	7
Weed Control	4
Fertilize	6
Pest Control	8
Shrub Maintenance	
Weed Control	4
Trimming	6
Pruning	6
Fertilize	6
Pest Control	8
Tree Maintenance	
Trim	7
Fertilize	7
Re-Stake/Check	8
Pest Control	8
Hardscape Maintenance	
Gutters, Curbs, Sidewalks, Roadways,	5
Miscellaneous Asphalt and Concrete	5
Trash and Litter Pickup	2

The following maintenance frequencies shall apply to the following tasks on **Right-of-Ways**.

Daily	1
Weekly	2
Bi-Weekly	3
Monthly	4

Bi-Monthly	5
Quarterly	6
Semi-Annually	7
As Needed	8

Irrigation Maintenance	
Controller Programming	6
Repairs	5
Testing	5
Turf Maintenance	
Mowing	2
Edging	2
Trimming	2
Weed Control	4
Clipping Removal	2
String Trim	2
Fertilize	6
Aerate/Thatch/Seed	7
Pest Control	8
Renovation	8
Visual Inspection	2
Planters & Ground Cover Maintenance	
Edging	4
Trimming	6
Cultivate	7
Weed Control	4
Fertilize	6
Pest Control	8
Shrub Maintenance	
Weed Control	4
Trimming	6
Pruning	6
Fertilize	6
Pest Control	8
Tree Maintenance	
Trim	7
Fertilize	7
Re-Stake/Check	8
Pest Control	8
Hardscape Maintenance	
Gutters, Curbs, Sidewalks, Roadways	5
Miscellaneous Asphalt and Concrete	5
Trash and Litter Pickup	2

The following maintenance frequencies shall apply to the following tasks on **Downtown Streetscape / Parking Plazas.**

Daily	1
Weekly	2
Bi-Weekly	3
Monthly	4

Bi-Monthly	5
Quarterly	6
Semi-Annually	7
As Needed	8

Irrigation Maintenance	
Controller Programming	6
Repairs	5
Testing	5
Turf Maintenance	
Mowing	2
Edging	2
Trimming	2
Weed Control	4
Clipping Removal	2
String Trim	2
Fertilize	6
Aerate/Thatch/Seed	7
Pest Control	8
Renovation	8
Visual Inspection	2
Planters & Ground Cover Maintenance	
Edging	4
Trimming	6
Cultivate	7
Weed Control	4
Fertilize	6
Pest Control	8
Shrub Maintenance	
Weed Control	4
Trimming	4
Pruning	4
Fertilize	6
Pest Control	8
Tree Maintenance	
Trim	7
Fertilize	7
Re-Stake/Check	8
Pest Control	8
Hardscape Maintenance	
Gutters, Curbs, Sidewalks, Roadways,	1
Miscellaneous Asphalt and Concrete	1
Trash and Litter Pickup	1

The following maintenance frequencies shall apply to the following tasks on **Vintage Oaks Subdivision**.

Daily	1
Weekly	2
Bi-Weekly	3
Monthly	4

Bi-Monthly	5
Quarterly	6
Semi-Annually	7
As Needed	8

Irrigation Maintenance	
Controller Programming	6
Repairs	5
Testing	5
Turf Maintenance	
Mowing	2
Edging	2
Trimming	2
Weed Control	4
Clipping Removal	2
String Trim	2
Fertilize	6
Aerate/Thatch/Seed	7
Pest Control	8
Renovation	8
Visual Inspection	2
Planters & Ground Cover Maintenance	
Edging	4
Trimming	6
Cultivate	7
Weed Control	4
Fertilize	6
Pest Control	8
Shrub Maintenance	
Weed Control	4
Trimming	6
Pruning	6
Fertilize	6
Pest Control	8
Tree Maintenance	
Trim	7
Fertilize	7
Re-Stake/Check	8
Pest Control	8
Hardscape Maintenance	
Gutters, Curbs, Sidewalks, Roadways,	2
Miscellaneous Asphalt and Concrete	2
Trash and Litter Pickup	2

32.00 TRASH / RECYCLING BINS

32.01 Contractor shall be responsible for emptying trash bins and recycling bins twice a week on Monday and Fridays.

32.02 Contractor shall empty trash bins by 11am on designated days.

32.03 The City will provide containers that can be placed at the curb for Recology to pick up. It shall be the responsibility of the Contractor to get the trash and recycling to these containers on the designated days.

32.04 The City may add or delete trash bins or recycling bins and the cost shall be adjusted based upon the Contractors cost for the specific site and percent of individual cost of each trash or recycling bin.

32.05 CONTRACTOR shall clean trash bins and recycling bins three times a year using a germicidal cleaner and products to assure they are clean. Should the trash bins and recycling bins need repair the CONTRACTOR shall notify the ADMINISTRATOR so City staff can make repairs.

EXHIBIT B
CONTRACTOR’S WORK FORCE

The CONTRACTOR shall set forth in Attachment B to the proposed CONTRACT:

- A. Each labor or supervisory position by title that will make up the CONTRACTOR’S work force needed to provide the described services.
- B. A sufficiently detailed explanation of the minimum qualifications for a person working in each position title, including any required certifications.
- C. The minimum annual man-hours for each position title that the CONTRACTOR proposes to commit to the performance of the described services.
- D. A list and description of the qualifications of other pertinent staff that are not to be directly committed to this project but who will be available to support, consult, perform Extra Work, and the like.
- E. A description of CONTRACTOR’S systematic skills training program.

The information provided in this attachment is for the purposes of determining the CONTRACTOR’S commitment and preparedness to perform the DESCRIBED SERVICES, and assuring that the CONTRACTOR’S bid is reasonable and complete. Nothing in this Attachment shall in any way be construed to remove, lessen, or relieve the CONTRACTOR from any responsibility prescribed by the CONTRACT.

CONTRACTOR may attach additional pages to describe Minimum Qualifications, if needed. Label any such pages “Attachment B - Additional Information” along with the appropriate position title(s) corresponding to this form.

CONTRACTOR’S WORK FORCE

A. POSITION TITLE	B. MINIMUM QUALIFICATIONS	C. TOTAL ANNUAL HOURS
1.		
2.		
3.		
4.		
5.		
6.		
7.		

8.		
9.		
10.		

D. Other Staff Support Title	Description / Qualifications
1.	
2.	
3.	
4.	
5.	

E. Description of CONTRACTOR'S employee training program

EXHIBIT C
GUARANTEE

To the City of Menlo Park,

The undersigned guarantees the construction and installation of the work performed as Extra Work included in this project:

Should any of the materials or equipment prove defective or should the work as a whole prove defective, due to faulty workmanship, material furnished or methods of installation, or should the work or any part thereof fail to operate properly as originally intended and in accordance with the Specifications, due to any of the above causes, all within twelve (12) months after date on which said work of this CONTRACT is accepted by the CITY, or the CONTRACT termination, whichever is the later, the undersigned agrees to reimburse the CITY upon demand, for its expenses incurred in restoring said work to the condition contemplated in said project, including the cost of any such equipment or materials replaced and the cost of removing and replacing any other work necessary to make such replacement or repairs, or upon demand by the CITY, to replace any such material and to repair said work completely without cost to the CITY so that said work will function successfully as originally contemplated.

The CITY shall have the unqualified option to make any needed placements or repairs itself or to have such replacements or repairs done by the undersigned. In the event the CITY elects to have said work performed by the undersigned, the undersigned agrees that the repairs shall be made and such materials as are necessary shall be furnished and installed within a reasonable time after the receipt of demand from the CITY. If the undersigned shall fail or refuse to comply with his obligations under this guaranty, the CITY shall be entitled to all cost and expenses, including attorneys' fees, reasonably incurred by reason of the said failure or refusal.

CONTRACTOR'S Name

Address

Name and Title of Signer (Please Type or Print)

Signature

Date

Appendix A

SAMPLE

**CITY OF MENLO PARK
 MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES
 INSPECTION RATING FORM**

SITE: Ivy Drive Plaza

INSPECTOR: John Doe 07/30/12

Category Description	Possible Points	Previous Period	Rating This Period
Irrigation Maintenance	10	9	10
Turf Maintenance	25	20	23
Planters & Ground Cover Maintenance	15	15	15
Shrub Maintenance	15	15	15
Tree Maintenance	5	5	5
Hardscape Maintenance	5	5	5
Trash & Litter Pickup	25	20	19
Rating Totals	100	89	92
Deduction Percent			

Deduction Percent	3
	0.03
<hr/>	
Adjusted Payment Formula	
Monthly Payment	\$1,181.04
Deduction Amount	\$35.43
Adjusted Monthly Payment	\$1,145.61

SAMPLE

APPENDIX A

**CITY OF MENLO PARK
MEDIAN AND RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES**

INSPECTION RATING FORM

SITE: VINTAGE OAKS SUBDIVISION

INSPECTOR: JOHN DOE

07/30/12

Category Description	Possible Points	Previous Period	Rating This Period
Safety	8	8	8
Knowledge of Contract Requirements	6	6	6
Staffing	9	8	8
Equipment & Vehicles	7	7	7
Performance of Additional Work	7	7	7
Observation and Reporting	6	6	6
Emergency Response	8	7	7
Response to Requests	8	6	6
Office and Communications	7	7	7
Invoicing	6	6	6
Schedule and Reports	7	7	7
Meeting Preparation and Attendance	6	6	6
Administrative Support	7	7	7
Supervision of Operations	8	8	8
Rating Totals	100	96	96
Deduction Percent			0

Deduction Percent 0
0.00

Adjusted Payment Formula
Monthly Payment \$X,XXX.XX
Deduction Amount \$0.00
Adjusted Monthly Payment \$X,XXX.XX

APPENDIX B

ROUTINE OPERATIONS SCHEDULE

Project: _____

Approval _____

CONTRACT ADMINISTRATOR

Revised Date: _____

HOURS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
7:00							
7:30							
8:00							
8:30							
9:00							
9:30							
10:00							
10:30							
11:00							
11:30							
12:00							
12:30							
1:00							
1:30							
2:00							
2:30							
3:00							
3:30							
4:00							
4:30							
5:00							

ANNUAL CALENDAR

Project: _____ Approval: _____
 CONTRACT ADMINISTRATOR DATE

Revised Date: _____

TASK	JANUARY				FEBRUARY				MARCH				APRIL		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
IRRIGATION															
Testing															
TURF															
Mowing															
Edging															
Trimming															
Pruning															
Weed Control															
Clipping Removal															
String Trim															
Fertilize															
Aerate/Thatch															
Pest Control															
Visual Inspection															
PLANTERS/GROUND COV															
Edging															
Trimming															
Cultivate															
Weed Control															
Fertilize															
Pest Control															

ANNUAL CALENDAR

Project: _____ Approval: _____
 CONTRACT ADMINISTRATOR DATE

Revised Date: _____

TASK	JANUARY				FEBRUARY				MARCH				APRIL		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
SHRUB															
Weed Control															
Trimming															
Pruning															
Fertilize															
Pest Control															
TREE															
Trim															
Fertilize															
Restake/Check															
Pest Control															
HARDSCAPE															
TRASH / LITTER REMOVAL															

ANNUAL CALENDAR

Project: _____ Approval _____
 _____ CONTRACT ADMINISTRATOR _____ DATE

Revised Date: _____

TASK	MAY				JUNE				JULY				AUGUST		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
IRRIGATION															
Testing															
TURF															
Mowing															
Edging															
Trimming															
Pruning															
Weed Control															
Clipping Removal															
String Trim															
Fertilize															
Aerate/Thatch															
Pest Control															
Visual Inspection															
PLANTERS/GROUND COV															
Edging															
Trimming															
Cultivate															
Weed Control															
Fertilize															
Pest Control															

ANNUAL CALENDAR

Project: _____ Approval _____
 _____ CONTRACT ADMINISTRATOR _____ DATE

Revised Date: _____

TASK	MAY				JUNE				JULY				AUGUST		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
SHRUB															
Weed Control															
Trimming															
Pruning															
Fertilize															
Pest Control															
TREE															
Trim															
Fertilize															
Restake/Check															
Pest Control															
HARDSCAPE															
TRASH / LITTER REMOVAL															

ANNUAL CALENDAR

Project: _____ Approval _____
 _____ CONTRACT ADMINISTRATOR _____ DATE

Revised Date: _____

TASK	SEPTEMBER				OCTOBER				NOVEMBER				DECEMBER		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
IRRIGATION															
Testing															
TURF															
Mowing															
Edging															
Trimming															
Pruning															
Weed Control															
Clipping Removal															
String Trim															
Fertilize															
Aerate/Thatch															
Pest Control															
Visual Inspection															
PLANTERS/GROUND COV															
Edging															
Trimming															
Cultivate															
Weed Control															
Fertilize															
Pest Control															

ANNUAL CALENDAR

Project: _____ Approval _____
 _____ CONTRACT ADMINISTRATOR _____ DATE

Revised Date: _____

TASK	SEPTEMBER				OCTOBER				NOVEMBER				DECEMBER		
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
SHRUB															
Weed Control															
Trimming															
Pruning															
Fertilize															
Pest Control															
TREE															
Trim															
Fertilize															
Restake/Check															
Pest Control															
HARDSCAPE															
TRASH / LITTER REMOVAL															

Right of Way

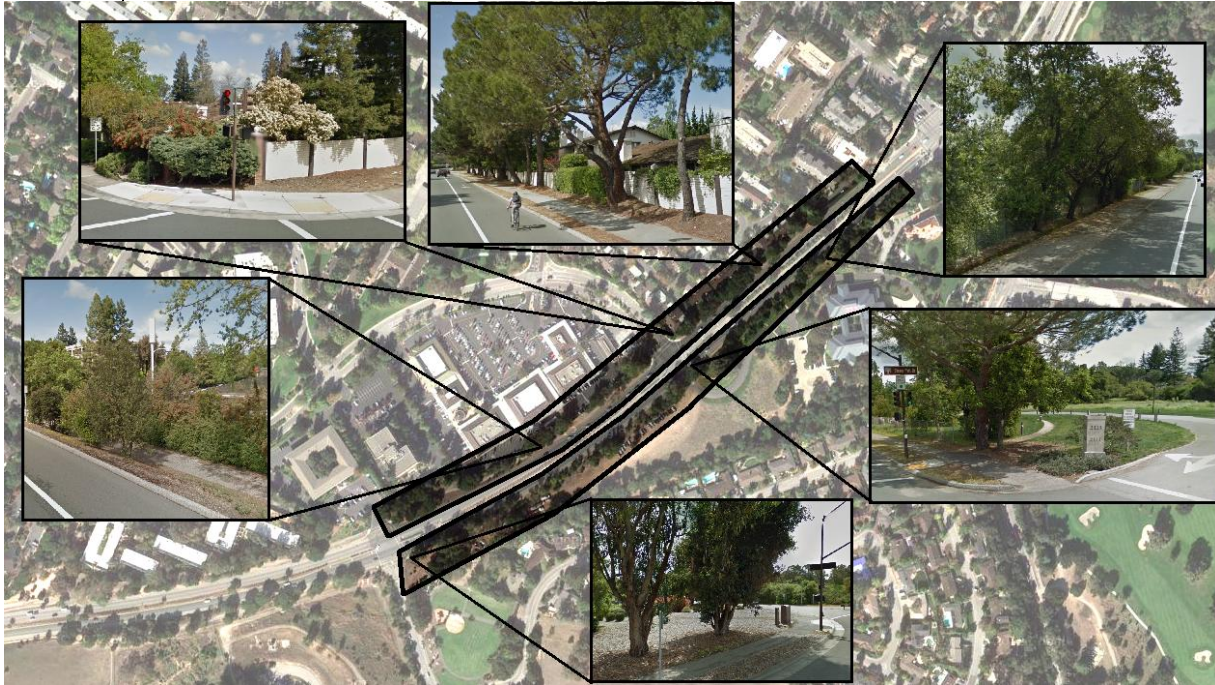
Type	Right of Ways
Location	Oak Ave. at back of Oak Knoll Elementary School, from Vine St. to 1870 Oak Ave.
Size	20800 ft ²



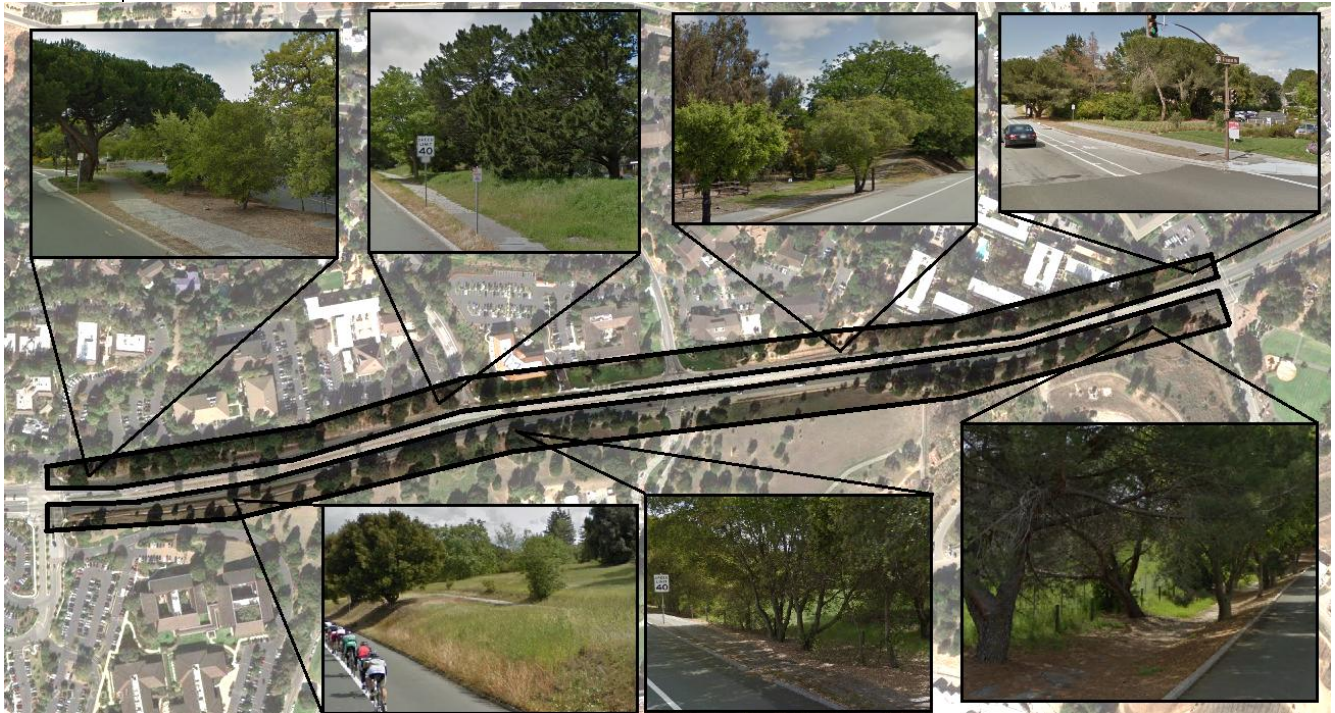
Type	Right of Ways
Location	Sand Hill Rd. from Oak Ave. to Santa Cruz Ave.
Size	38800 ft ²



Type	Right of Ways
Location	Sand Hill Rd. from Santa Cruz Ave. to Branner Dr.
Size	87200 ft ²



Type	Right of Way
Location	Sand Hill Rd. from Branner Dr. to 2725-2775 Sand Hill Rd. (intersection near Rosewood Sand Hill)
Size	184800 ft ²



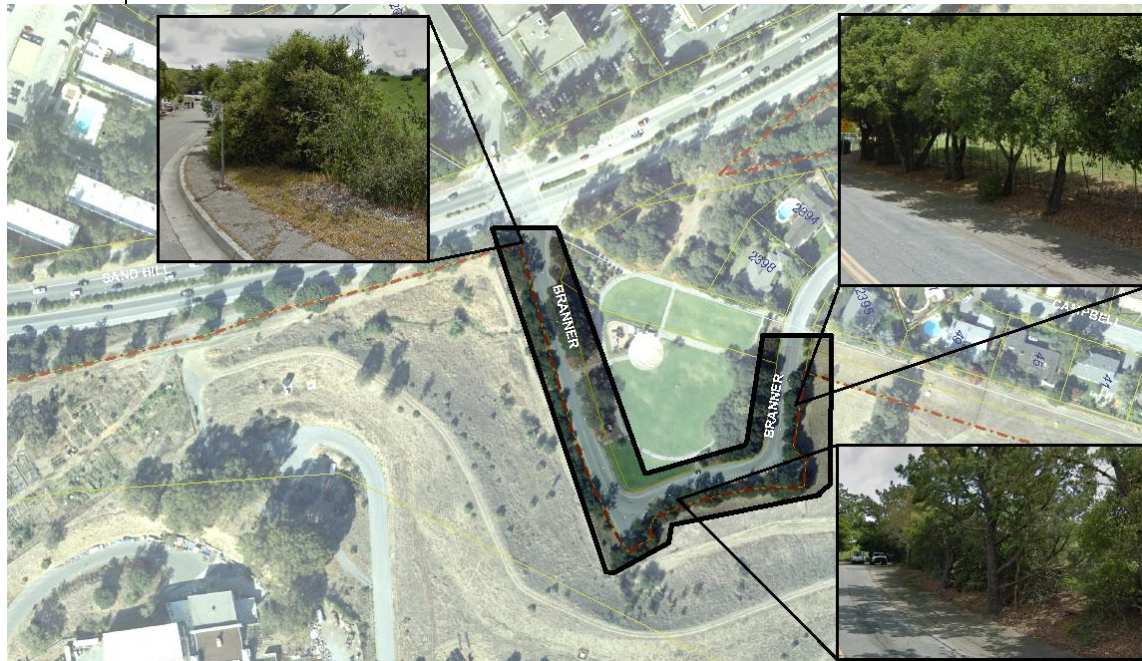
Type	Right of Way
Location	Sand Hill Rd. from Rosewood Sand Hill to Junipero Serra Fwy. (I-280)
Size	72100 ft ²



Type	Right of Ways
Location	Alpine Rd. (and Santa Cruz Ave.) from Sand Hill Rd., near Western side of Stanford Golf Course
Size	57500 ft ²



Type	Right of Way
Location	Branner Dr. from Sand Hill Rd. to 2395 Branner Dr.
Size	9700 ft ²



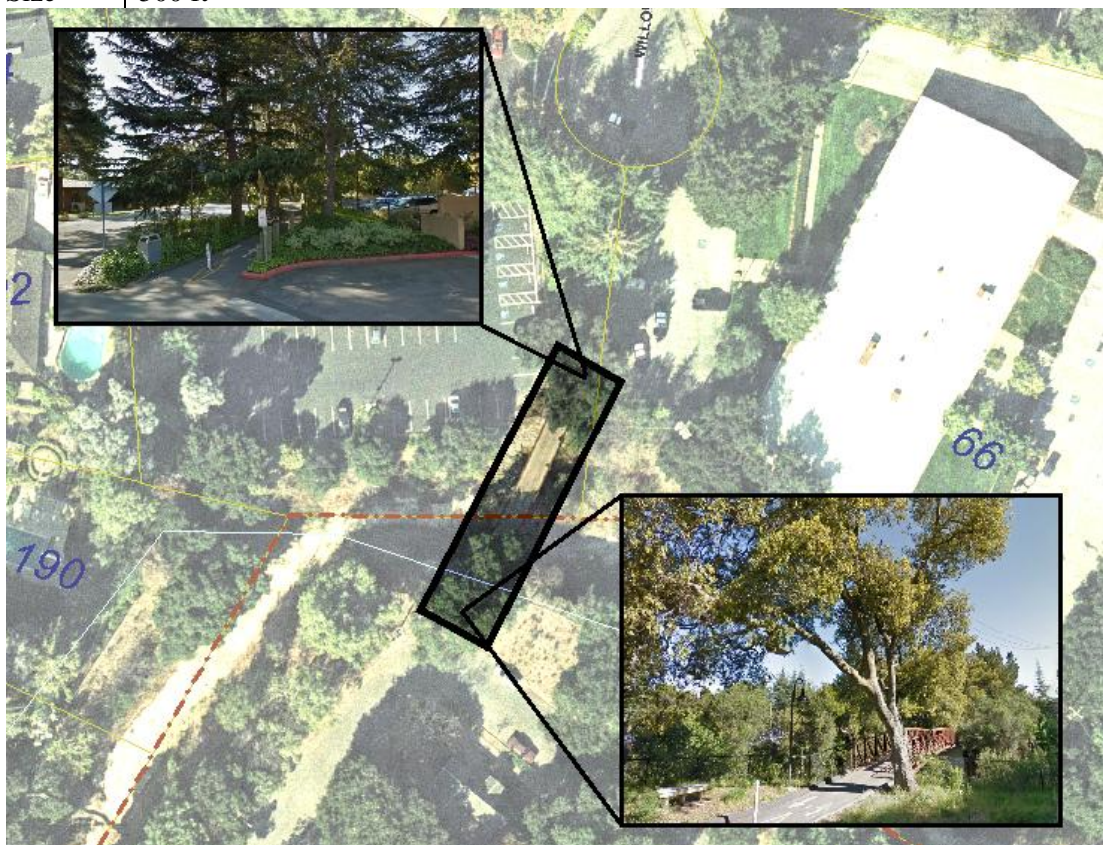
Type	Right of Way
Location	Creek Dr. from El Camino Real to Arbor Rd.
Size	10000 ft ²



Type	Right of Way
Location	San Mateo Bike Bridge near 99 San Mateo Dr.
Size	1000 ft ²



Type	Right of Way
Location	Willow Pl. Bike Bridge near 66 Willow Pl.
Size	500 ft ²



Type	Right of Way
Location	Santa Cruz Ave. (North Side) from N. Lemon Ave. to Orange Ave.
Size	1800 ft ²



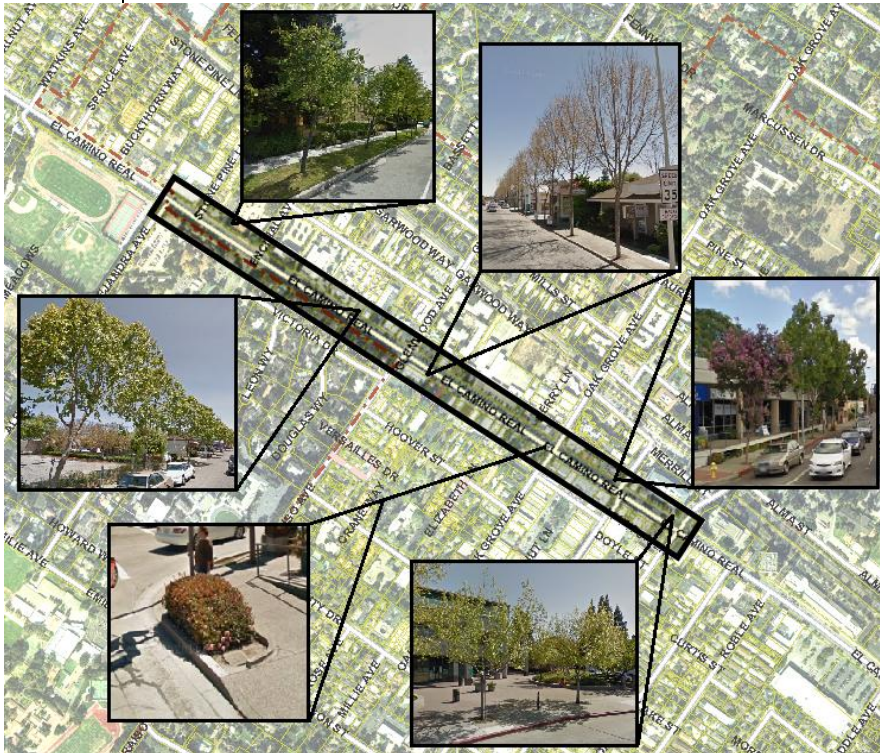
Type	Right of Way
Location	Alma St. (South Side) from Oak Grove Ave. to Ravenswood Ave.
Size	10000 ft ²



Type	Right of Way
Location	Alma St. (South Side) from Ravenswood Ave. to E. Creek Dr.
Size	38300 ft ²



Type	Right of Way
Location	El Camino Real from Alejandra Ave. to Ravenswood Ave.
Size	11700 ft ²



Type	Right of Way
Location	El Camino Real from Ravenswood Ave. to E. Creek Dr.
Size	21600 ft ²



Type	Right of Way
Location	Van Buren Rd. from Bay Rd. to Iris Ln.
Size	21500 ft ²



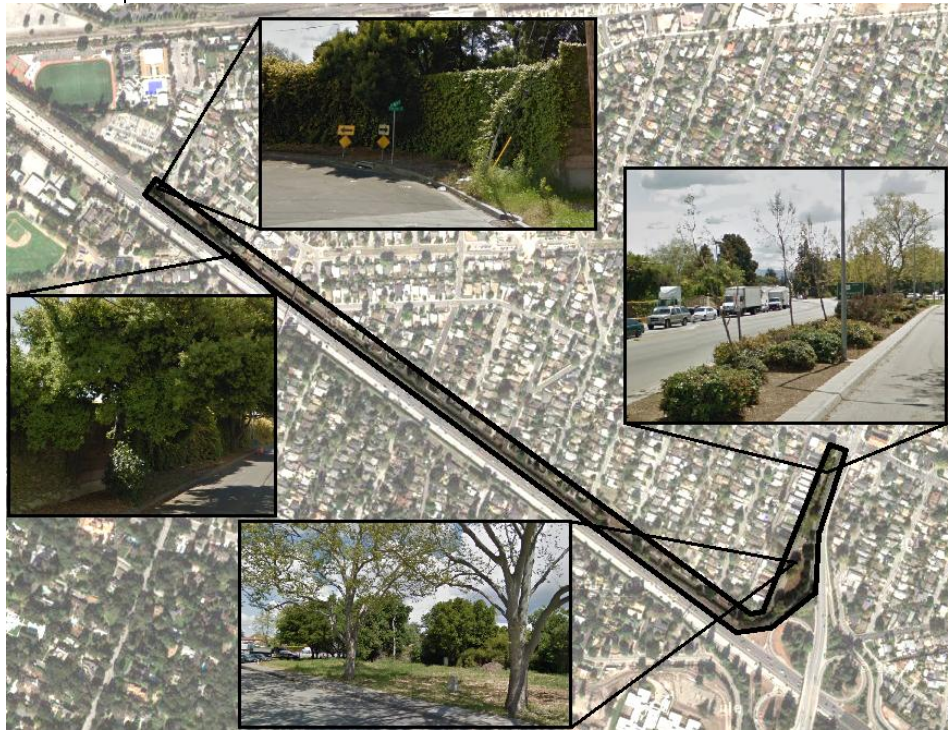
Type	Right of Way
Location	Bay Rd. (East Side) from Heritage Pl. to Van Buren Rd.
Size	20000 ft ²



Type	Right of Way
Location	Bay Rd. from Ringwood Ave. to Marsh Rd.
Size	69900 ft ²



Type	Right of Way
Location	Pierce Rd. (South Side) from Newbridge St. and Willow Rd. to Del Norte Ave., sound wall along 101
Size	26500 ft ²



Type	Right of Ways – Bulb Outs
Location	Chester St. (four bulb outs) between Arnold Way and Menalto Ave.
Size	120 ft ² (30 ft ² each)



Type	Right of Way
Location	Willow Rd. (North Side) from 101 to RR.
Size	42200 ft ²



Type	Right of Way
Location	Willow Rd. from Chester St. to Gilbert Ave.
Size	21500 ft ²



Type	Right of Way
Location	Willow Rd. from Gilbert Ave. to Clover Ln.
Size	2200 ft ²



Type	Right of Ways
Location	Woodland Ave. (South side, along creek) from Middlefield Rd. to Menalto Ave.
Size	12000 ft ²



Type	Right of Ways
Location	Woodland Ave. (South side, along creek) from Menalto Ave. to Euclid Ave.
Size	11600 ft ²



Type	Right of Way
Location	Hamilton Ave. from Chilco St. to Carlton Ave.
Size	5000 ft ²



Type	Right of Way
Location	Scott Dr. (fence line)
Size	54600 ft ²



Type	Right of Way
Location	Lee Dr. at Valparaiso Ave.
Size	600 ft ²



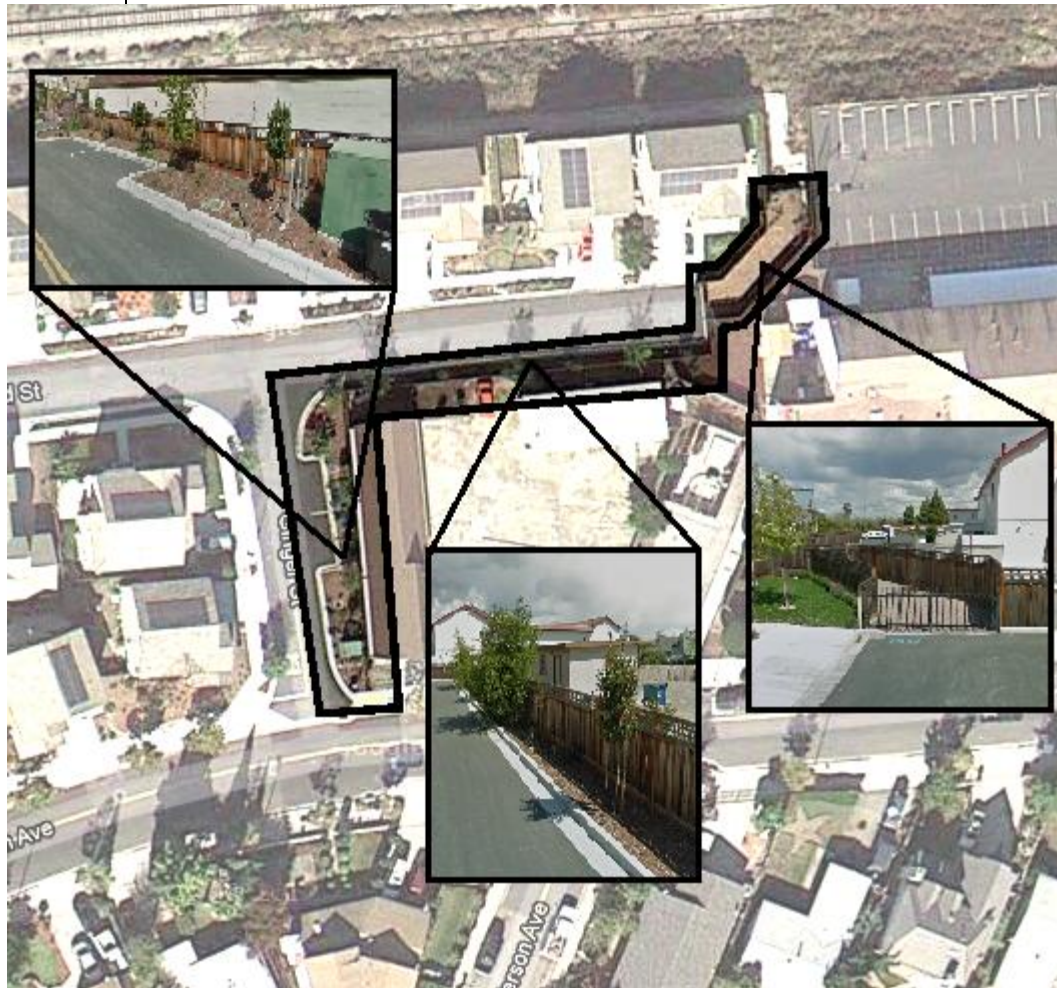
Type	Right of Way
Location	Marsh Rd. between RR Crossing and Bay Rd.
Size	8800 ft ²



Type	Right of Way
Location	Lot at Ivy Dr. and Hill Ave.
Size	8000 ft ²



Type	Right of Way
Location	Ginger St. and Sandewood St.
Size	2200 ft ²



Medians

Type	Median Islands
Location	Sand Hill Rd. from Rosewood Hotel to Branner Dr.
Size	48400 ft ²



Type	Median Islands
Location	Sand Hill Rd. from Branner Dr. to Santa Cruz Ave.
Size	20400 ft ²



Type	Median Islands
Location	Sand Hill Rd. from Santa Cruz Ave. to Oak Ave.
Size	5000 ft ²



Type	Median Islands
Location	Sharon Park Dr. from Sand Hill Rd. to Monte Rosa Dr.
Size	10400 ft ²



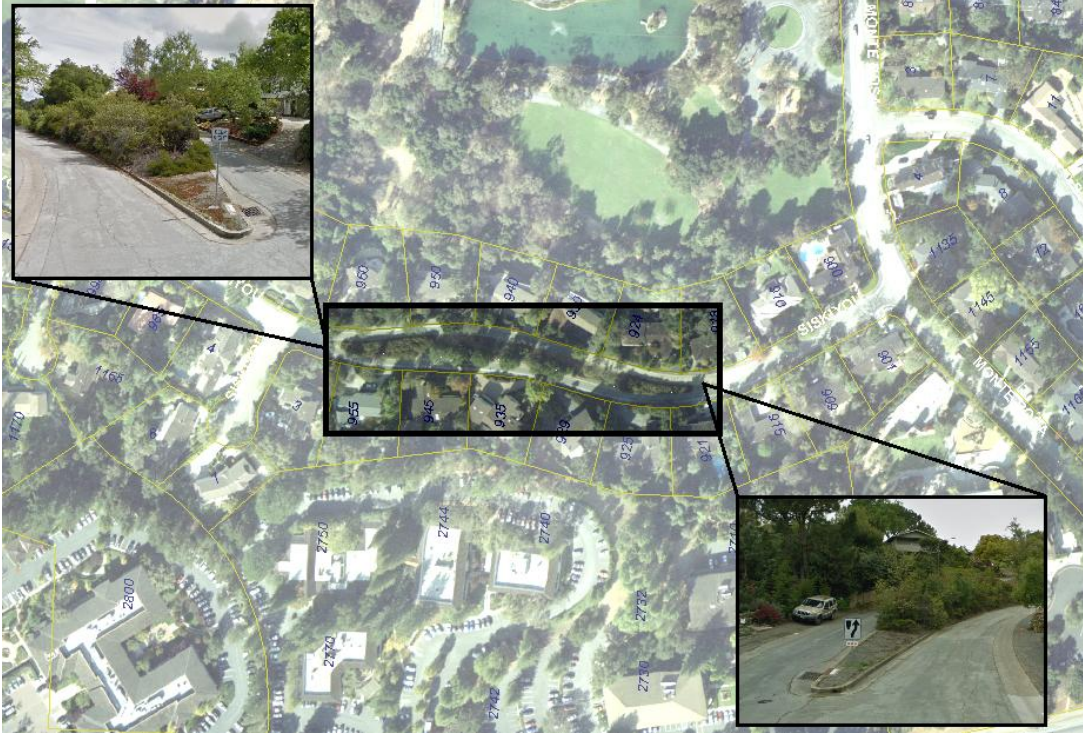
Type	Median Islands
Location	Sharon Park Dr. from Monte Rosa Dr. to Olympic Ave.
Size	40900 ft ²



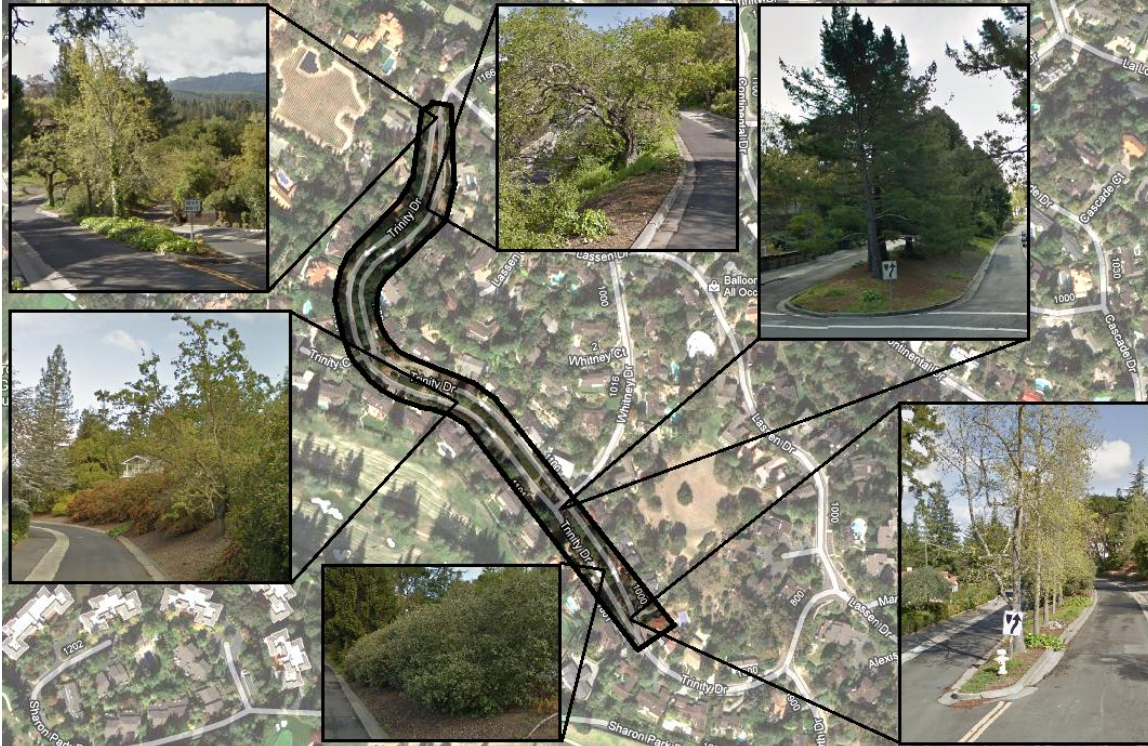
Type	Median Islands
Location	Sharon Park Dr. from Olympic Ave. to Klamath Dr.
Size	85500 ft ²



Type	Median Island
Location	Siskiyou Dr. between Monte Rosa Dr. and Siskiyou Pl.
Size	16500 ft ²



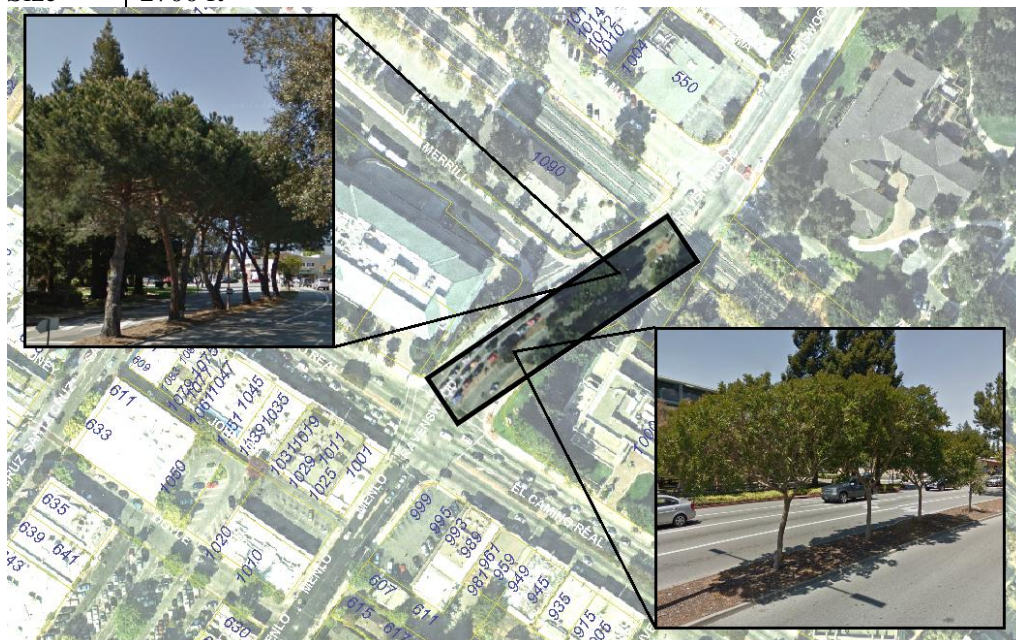
Type	Median Islands
Location	Trinity Dr. between Klamath Dr. to Tioga Dr.
Size	45000 ft ²



Type	Median Islands
Location	Stone Pine Ln. from El Camino Real to Forest Ln.
Size	3400 ft ²



Type	Median Island
Location	Ravenswood Ave. from El Camino Real to Alma St.
Size	2700 ft ²



Type	Median Islands
Location	Ravenswood Triangle at Middlefield Rd. and Middlefield Rd. between Ringwood Ave and Seminary Dr.
Size	5000 ft ²



Type	Median Island
Location	Ringwood Ave. by Sonoma Ave. and Oakwood Pl.
Size	11700 ft ²



Type	Median Islands
Location	Lennox Ave. from Felton Dr. to Tudor Dr. and Arden Rd. from Felton Dr. to 260 Arden Rd.
Size	5200 ft ²



Type	Median Islands
Location	El Camino Real from Encinal Ave. to Santa Cruz Ave.
Size	21100 ft ²



Type	Median Islands
Location	El Camino Real from Santa Cruz Ave. to 525 El Camino Real (Safeway)
Size	7000 ft ²



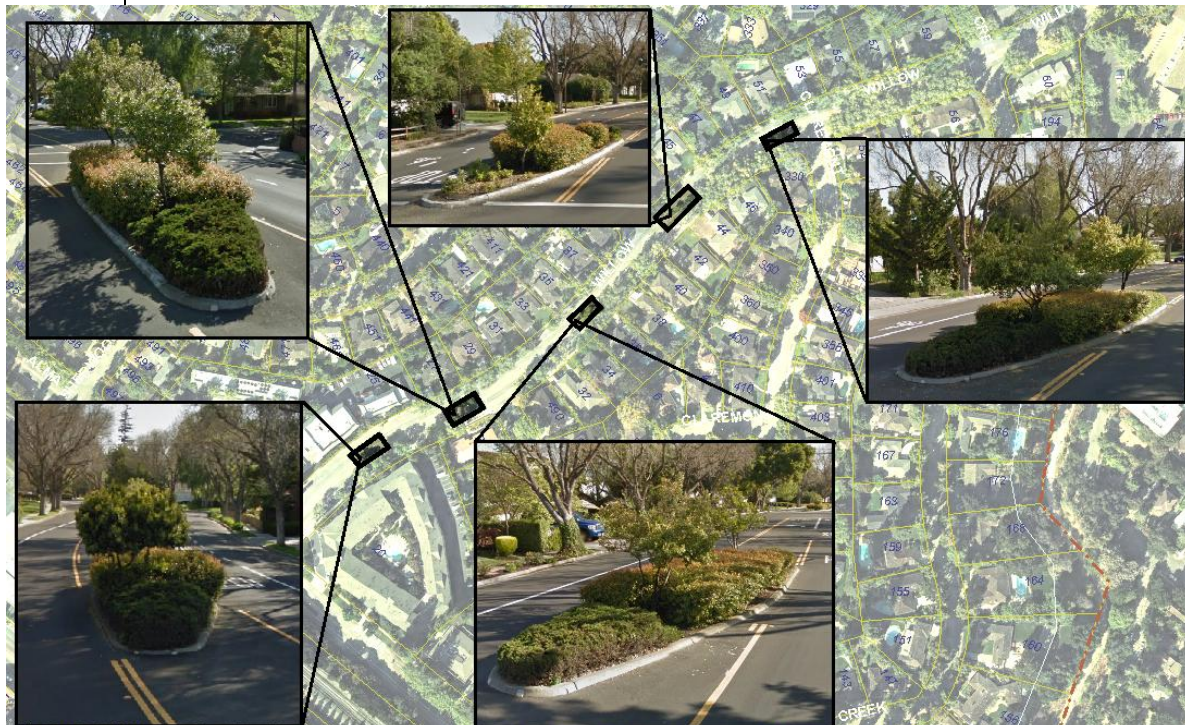
Type	Median Islands
Location	El Camino Real from 525 El Camino Real (Safeway) to Alma St.
Size	4300 ft ²



Type	Median Island
Location	Hidden Oaks Court
Size	400 ft ²



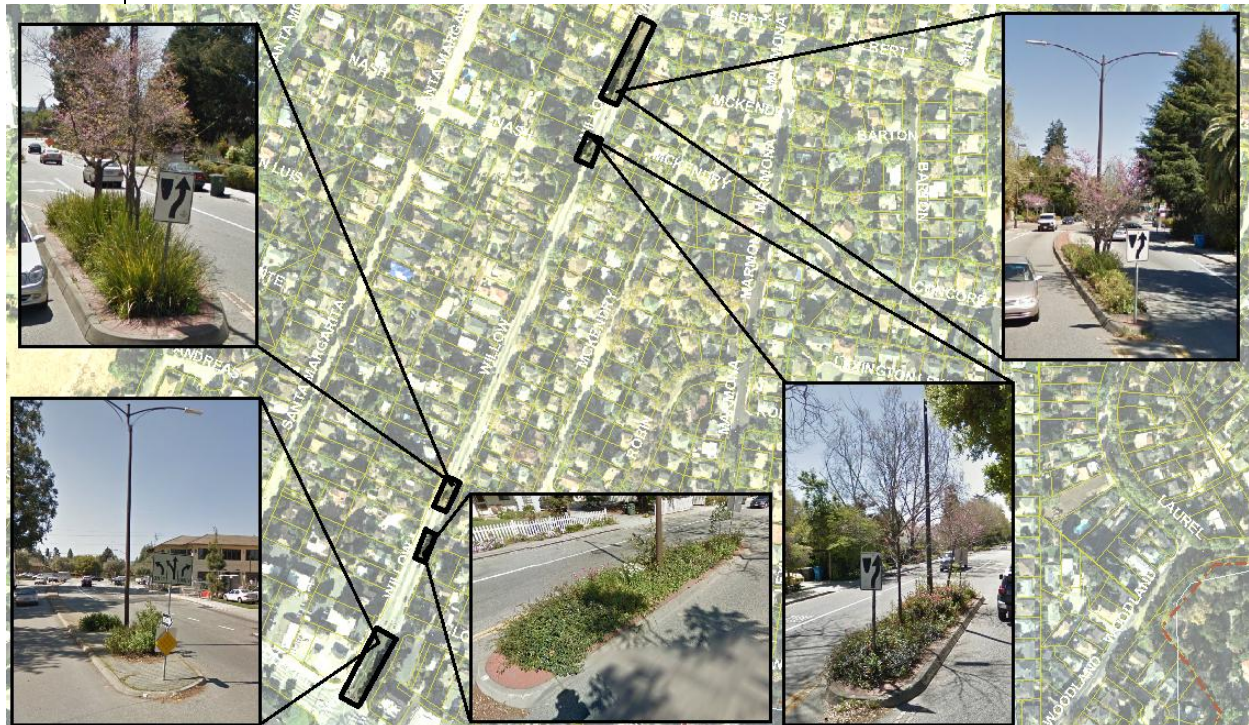
Type	Median Islands
Location	Willow Rd. from Alma St. (fronting 20 Willow Rd.) to Claremont Way (fronting 330 Claremont Way)
Size	1600 ft ²



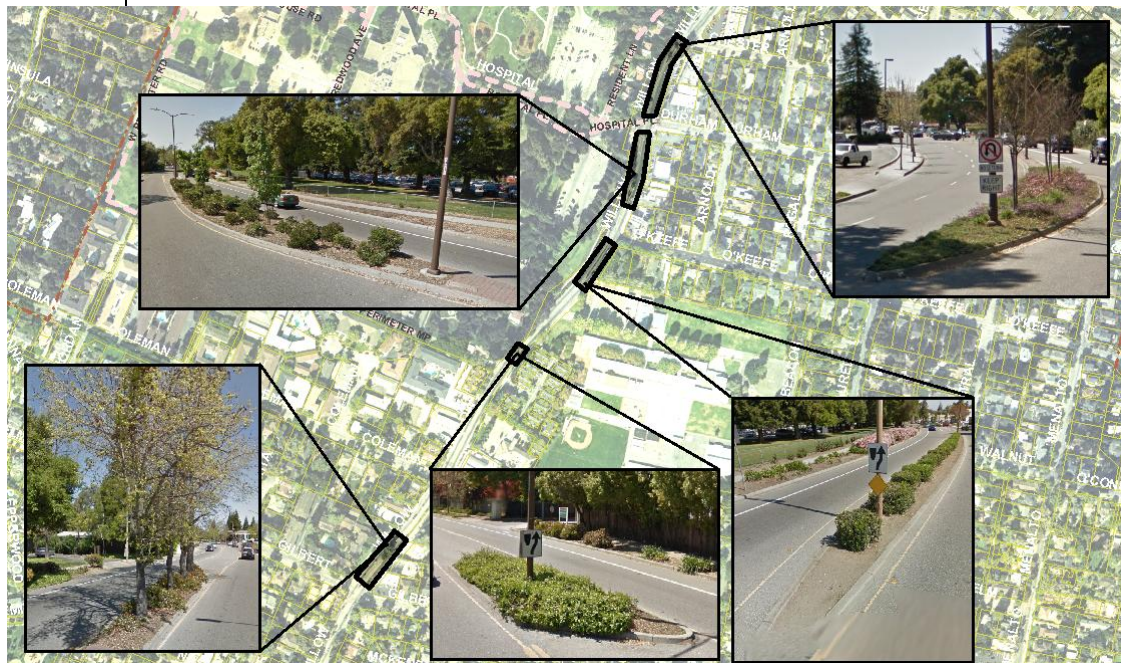
Type	Median Islands
Location	Willow Rd. from Claremont Way (fronting 55 Willow Rd.) to Middlefield Rd. (fronting 85 Willow Rd.)
Size	2200 ft ²



Type	Median Islands
Location	Willow Rd. from Middlefield Rd. to Gilbert Ave. (South)
Size	1600 ft ²



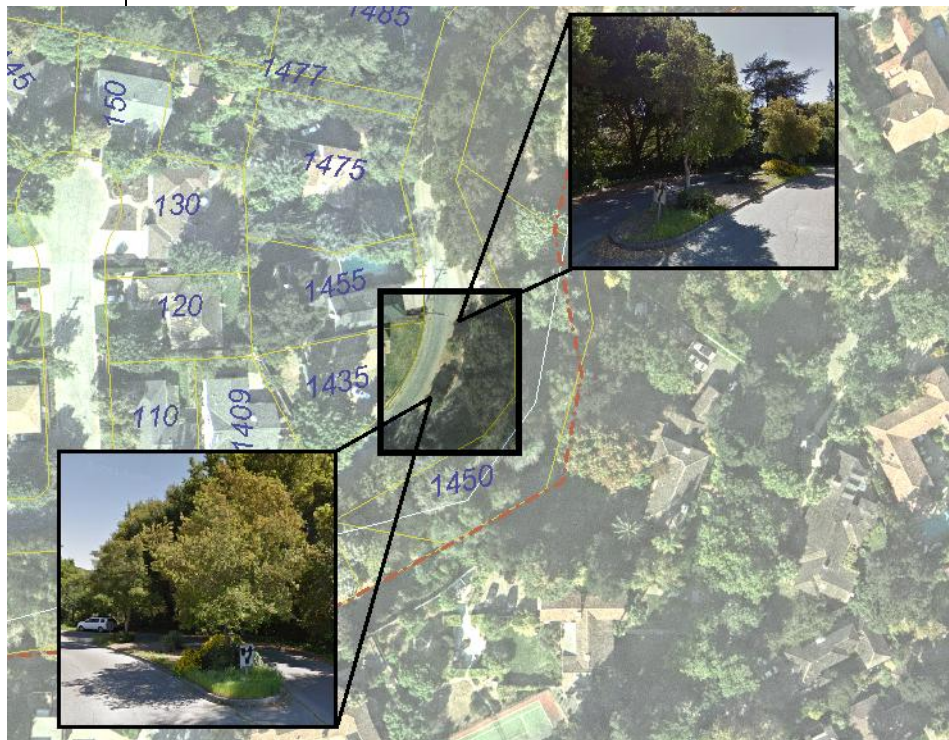
Type	Median Islands
Location	Willow Rd. from Gilbert Ave. (North) to Chester St.
Size	3200 ft ²



Type	Median Islands
Location	Willow Rd. from Newbridge St. to Hamilton Ave.
Size	15800 ft ²



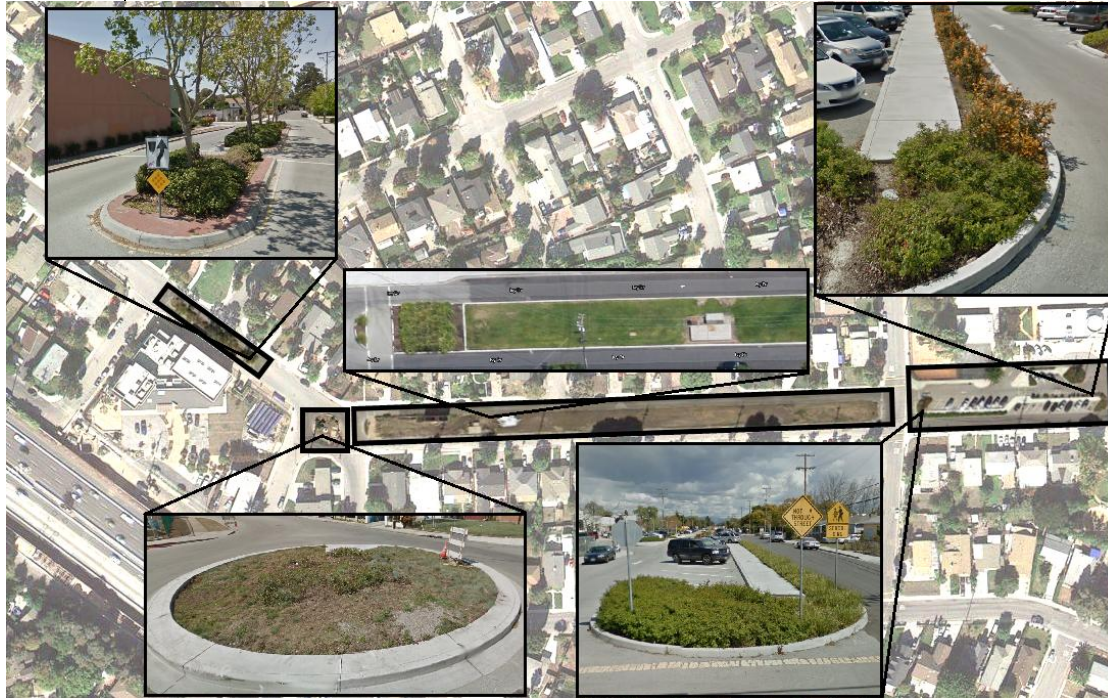
Type	Median Island
Location	Woodland Ave. from Menalto Ave. to Oak Ct.
Size	800 ft ²



Type	Median Island
Location	Pope St. and Laurel Ave.
Size	4200 ft ²



Type	Median Islands
Location	Market Pl. and Ivy Dr. from Market Pl. to Ivy Dr. Plaza at Almanor Ave.
Size	31400 ft ²



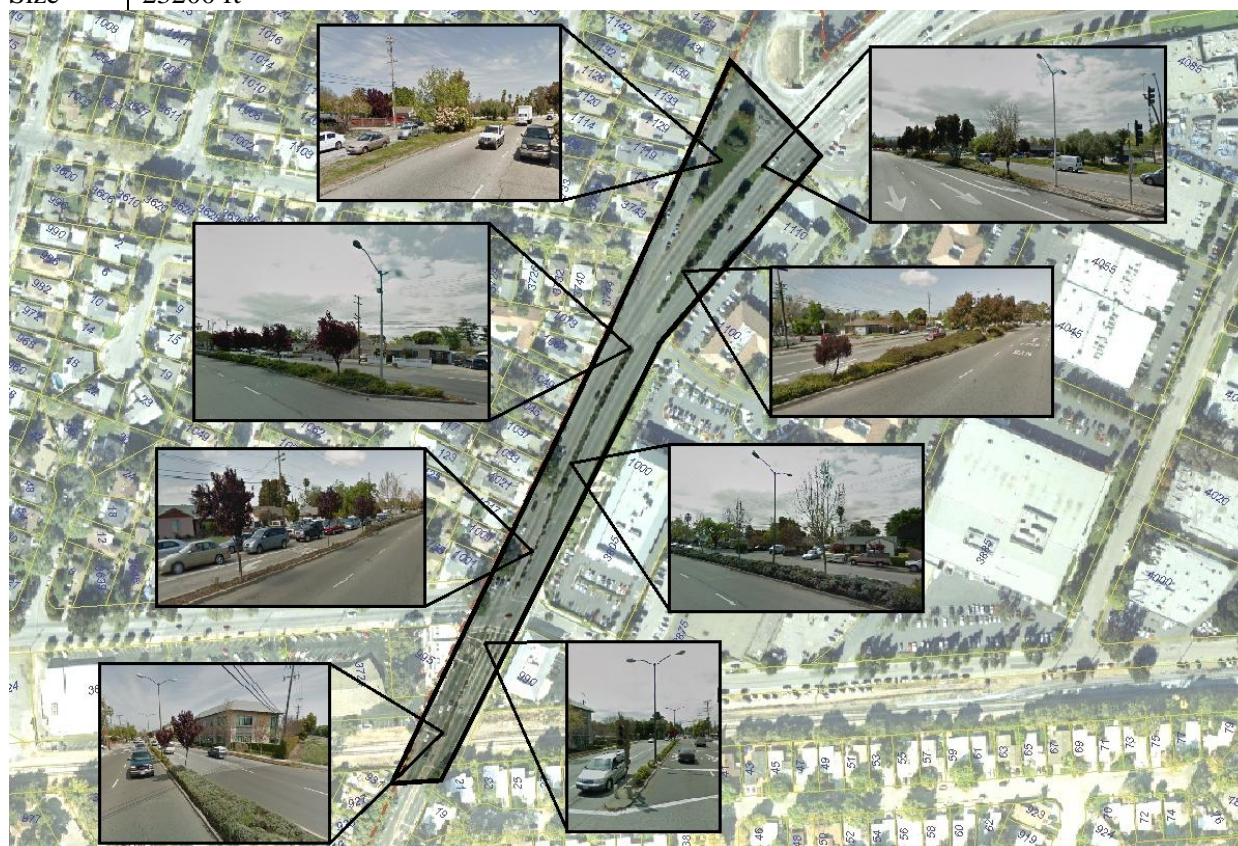
Type	Median Islands
Location	Ivy Dr. from Ivy Dr. Plaza at Henderson Ave. to Willow Rd.
Size	53400 ft ²



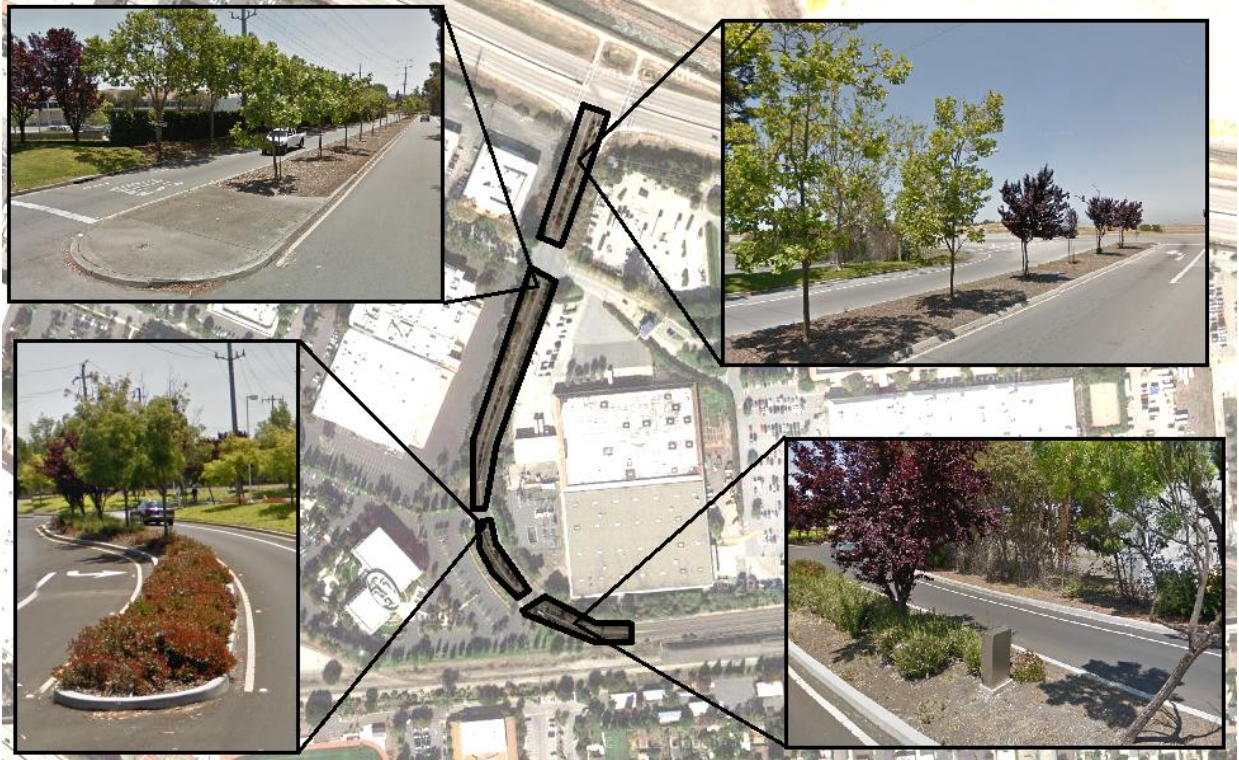
Type	Median Islands
Location	Iris Ln. near Flood Park to Van Buren Rd.
Size	11600 ft ²



Type	Median Islands
Location	Marsh Rd. near Scott Dr. to Railroad Tracks
Size	23200 ft ²



Type	Median Islands
Location	Chilco St. near Southern end of 300 Constitution Dr. to CA-84
Size	15700 ft ²



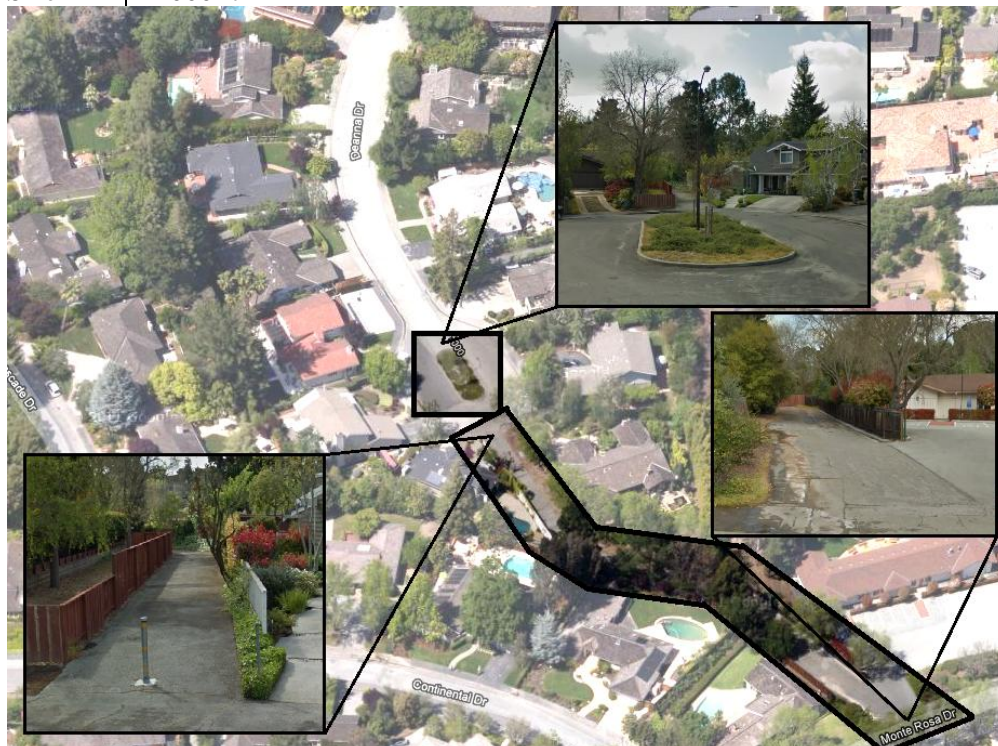
Type	Median Island
Location	Theresa Ct.
Size	300 ft ²



Type	Median Island
Location	Chester St. at Arnold Way.
Size	200 ft ²



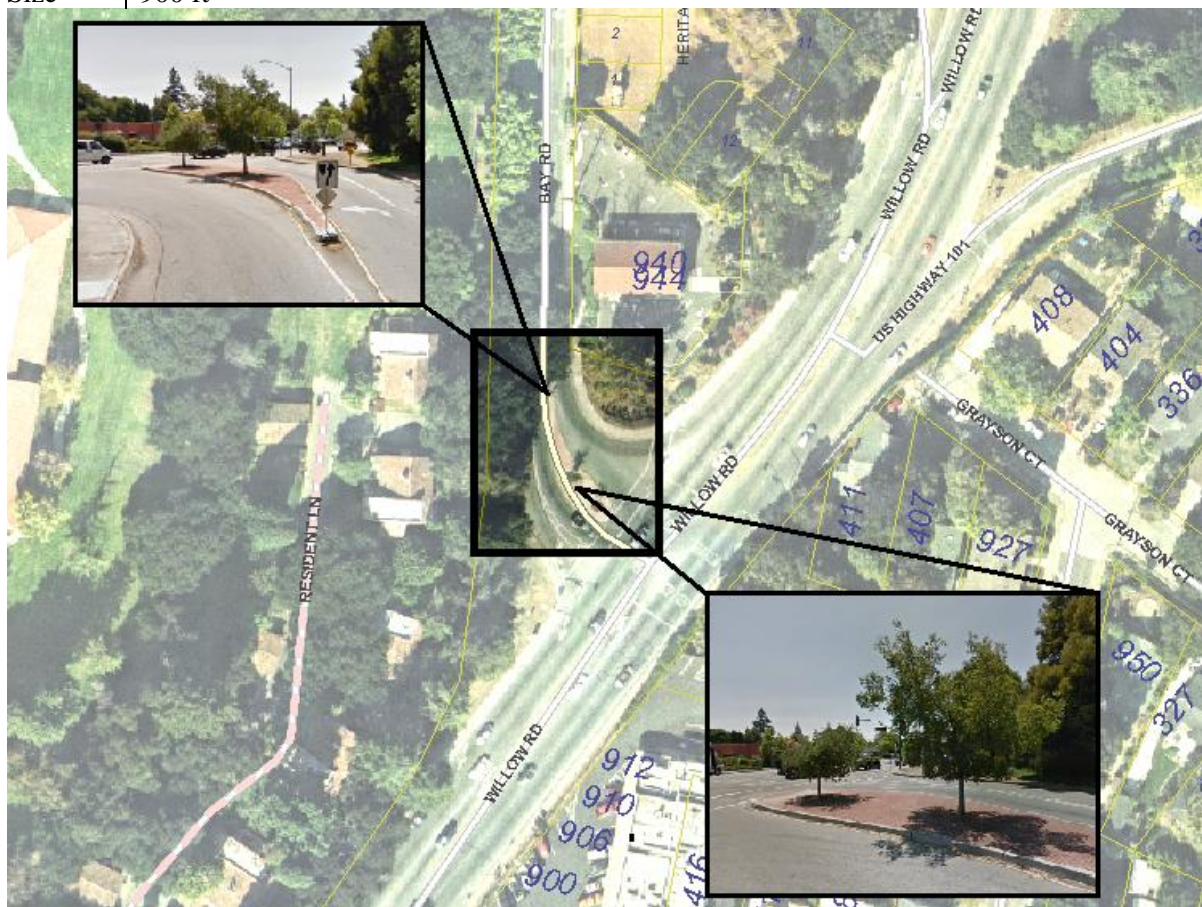
Type	Median Island and Alleyway
Location	Deanna Dr. and between Deanna Dr. and Monte Rosa Dr.
Size	12000 ft ²



Type	Median Island
Location	Haven Ave. at Marsh Rd.
Size	1300 ft ²



Type	Median Island
Location	Bay Rd. at Willow Rd.
Size	900 ft ²



Type	Median Islands
Location	Laurel St. and Burgess Dr. intersection
Size	4000 ft ²

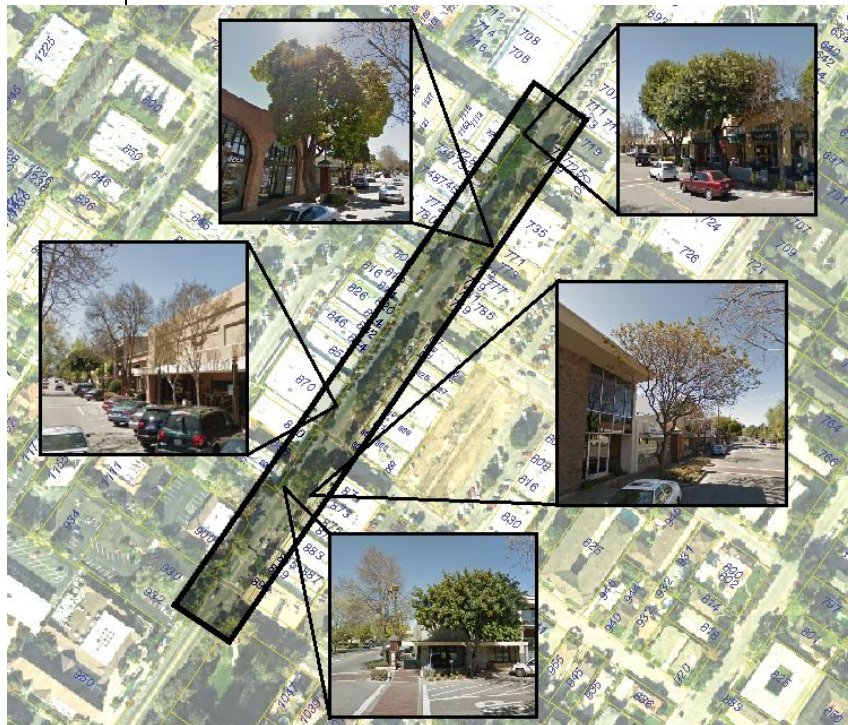


Downtown/ Parking Plazas

Type	Right of Way
Location	Santa Cruz Ave. from Merrill St. to Chestnut St.
Size	3000 ft ²



Type	Right of Way
Location	Santa Cruz Ave. from Chestnut St. to University Dr.
Size	2400 ft ²



Type	Right of Ways
Location	Doyle St. and Curtis St. off of Santa Cruz Ave.
Size	200 ft ²



Type	Right of Ways
Location	Chestnut St. off of Santa Cruz Ave.
Size	400 ft ²



Type	Right of Ways
Location	Crane St. off of Santa Cruz Ave.
Size	100 ft ²



Type	Right of Ways
Location	Evelyn St. and University Dr. off of Santa Cruz Ave.
Size	600 ft ²



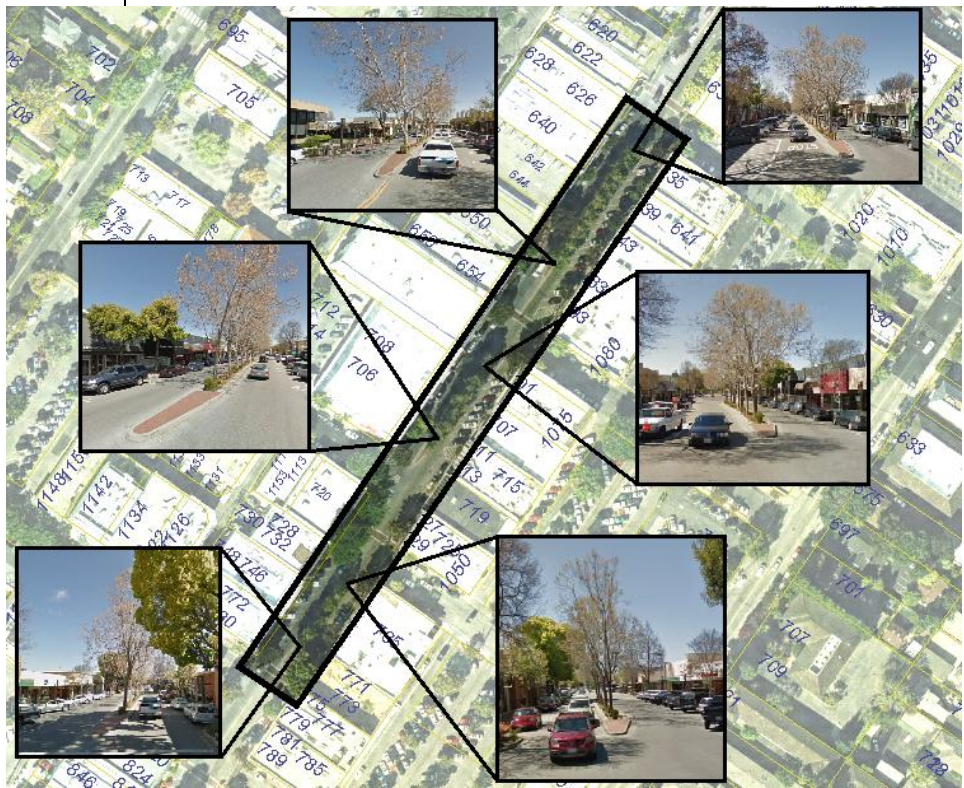
Type	Right of Ways
Location	Parking Plazas 1-8 off of Santa Cruz in Downtown area
Size	412800 ft ²



Type	Right of Ways
Location	Transit Station on Merrill St. between Santa Cruz Ave. and Ravenswood Ave.
Size	12400 ft ²



Type	Median Islands
Location	Santa Cruz Ave. from Doyle St. to Crane St.
Size	2200 ft ²



Type	Median Islands
Location	Santa Cruz Ave. from Crane St. to University Dr.
Size	1100 ft ²



Vintage Oaks Subdivision

Type	Right of Ways
Location	Back of parcels in Seminary Oaks Subdivision (Ringwood Ave. and Arlington Way, Middlefield Rd. and Seminary Dr., Santa Monica Ave. and Coleman Ave.) and Santa Monica Ave. from Fire Station to Seminary Oaks Park
Size	54100 ft ²



Type	Median Islands
Location	Seminary Dr. from Middlefield Rd. to Gloria Cir.
Size	4800 ft ²



Trash/ Recycling Locations

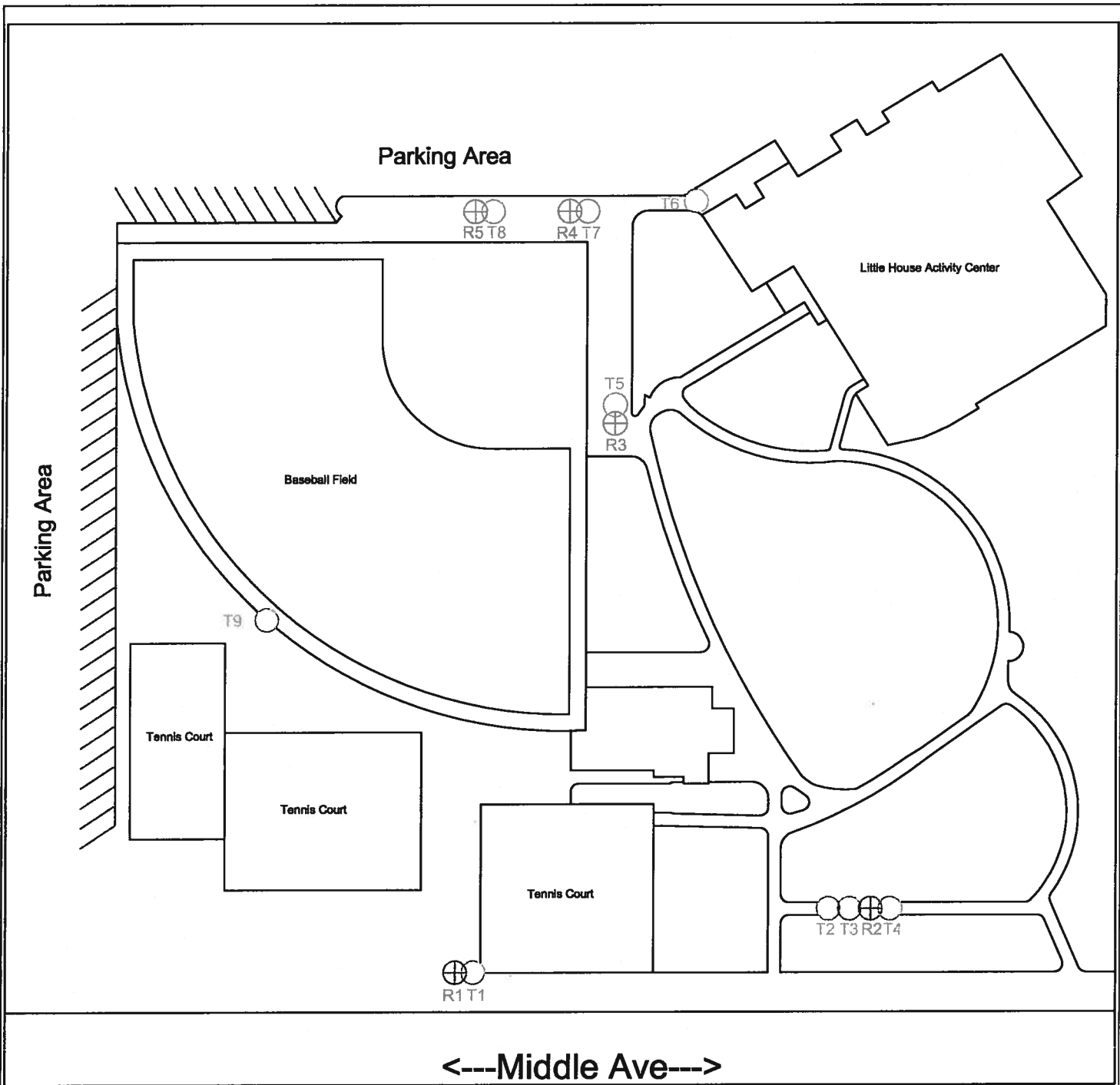


NEALON PARK NOTES:

1. THERE ARE A TOTAL OF NINE (9) TRASH CANS AND FIVE (5) RECYCLING BINS
2. T1 AND R1 CAN BE PICKED UP FROM MIDDLE AVENUE. T6, T7, T8, R4 AND R5 CAN BE PICKED UP FROM THE PARKING SPACE.
3. T2, T3, AND T4 CAN BE PICKED UP FROM MIDDLE AVENUE.
4. T9 CAN BE PICKED UP FROM THE PARKING LOT BY THE TENNIS COURTS AND BASEBALL FIELD
5. T5 CAN BE PICKED UP FROM THE PARKING LOT BY THE LITTLE HOUSE ACTIVITY CENTER AND BASEBALL FIELD
6. R2 CAN BE PICKED UP FROM MIDDLE AVENUE.
7. R3 CAN BE PICKED UP FROM THE PARKING AREA BY THE LITTLE HOUSE ACTIVITY CENTER AND BASEBALL FIELD
8. ESTIMATED TRASH DISTANCE: 1050 FEET
9. ESTIMATED RECYCLING DISTANCE: 850 FEET

ABBREVIATIONS:

- | | |
|-----------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | R3: RECYCLING BIN 3 |
| T4: TRASH CAN 4 | R4: RECYCLING BIN 4 |
| T5: TRASH CAN 5 | R5: RECYCLING BIN 5 |
| T6: TRASH CAN 6 | |
| T7: TRASH CAN 7 | |
| T8: TRASH CAN 8 | |
| T9: TRASH CAN 9 | |



DATE _____
 DRAWN BY _____
 CHECKED BY _____
 SURVEYED BY _____

APPROVED: _____
 ASSISTANT DIRECTOR OF PUBLIC WORKS
 CITY OF MENLO PARK

NO.	BY	DATE	REVISION

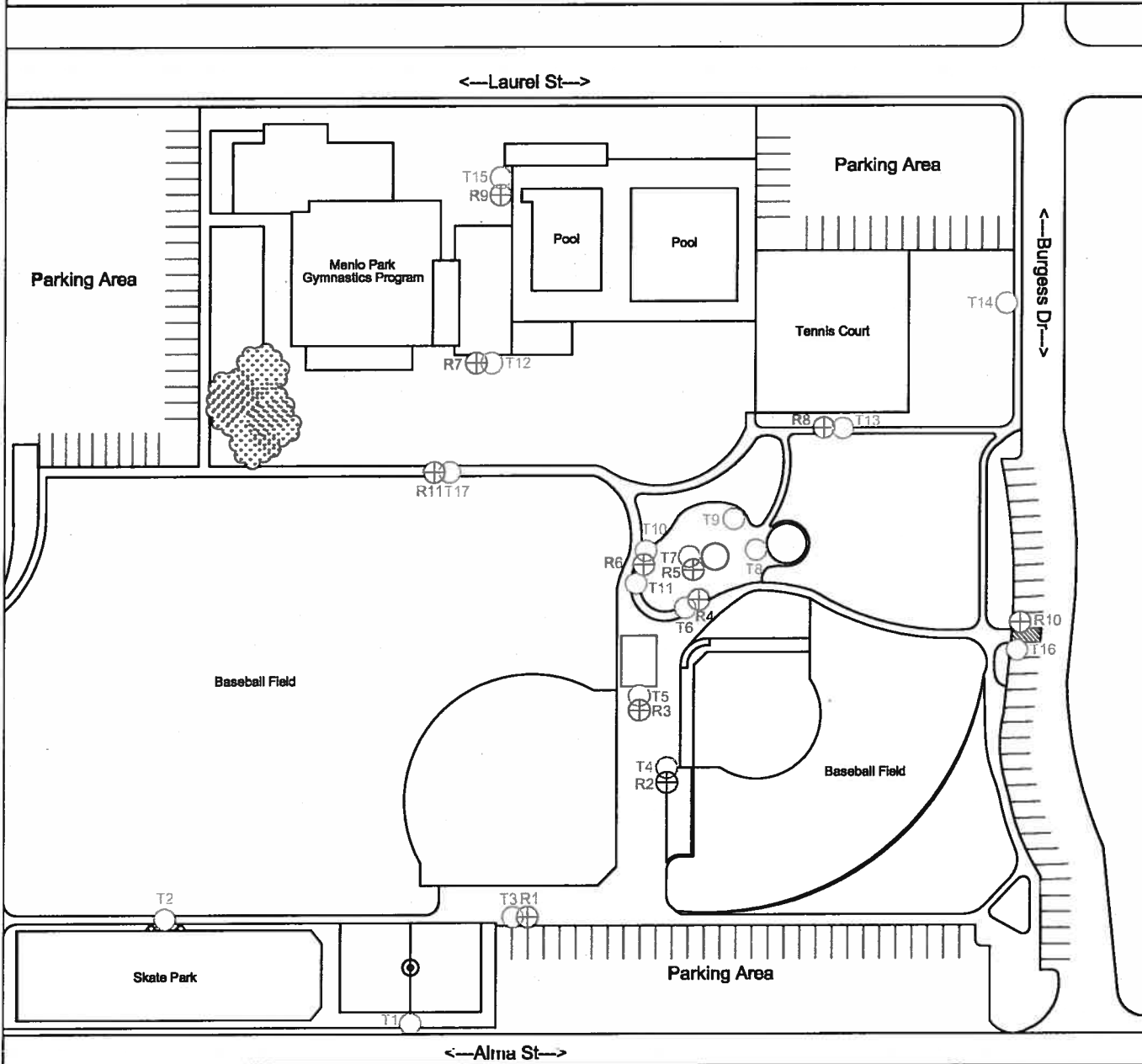
CITY OF MENLO PARK
ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94025-5488
 PHONE (650) 350-6740 FAX (650) 327-5487

NEALON PARK
 TRASH AND RECYCLING BIN LOCATIONS

SHEET
 1
 OF 20 SHEETS
 PROJ. NAME
 309

Match Line

See Attachment



Match Line

See Attachment

BURGESS PARK, POOL, AND GYM NOTES:

1. THERE ARE A TOTAL OF SIXTEEN (16) TRASH CANS AND TEN (10) RECYCLING BINS
2. T1 CAN BE PICKED UP FROM ALMA STREET. T3 AND R1 CAN BE PICKED UP FROM THE PARKING AREA BY ALMA STREET. T14, T16, AND R10 CAN BE PICKED UP FROM BURGESS DRIVE.
3. T2 CAN BE PICKED UP FROM THE PARKING AREA BY ALMA STREET
4. T4 CAN ALSO BE PICKED UP FROM THE PARKING SPACE BY ALMA STREET. FROM THERE, CONTINUE TO PICK UP T5, T6, T7, T8, T9, T10, T11, AND T17; THEN BACK TO PARKING SPACE
5. T12 CAN BE PICKED UP FROM THE PARKING AREA BY LAUREL STREET
6. T13 CAN BE PICKED UP FROM BURGESS AVENUE
7. T15 CAN BE PICKED UP FROM LAUREL STREET
8. R2 CAN BE PICKED UP FROM THE PARKING AREA BY ALMA STREET. FROM THERE CONTINUE TO PICK UP R3, R4, R5, R6, AND R11, AND THEN BACK TO THE PARKING AREA
9. R7 CAN BE PICKED UP FROM LAUREL STREET
10. R8 CAN BE PICKED UP FROM BURGESS AVENUE.
11. R9 CAN BE PICKED UP FROM LAUREL STREET
12. ESTIMATED TRASH DISTANCE: 2500 FEET
13. ESTIMATED RECYCLING DISTANCE: 1850 FEET

ABBREVIATIONS:

- | | |
|-------------------|-----------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | R3: RECYCLING BIN 3 |
| T4: TRASH CAN 4 | R4: RECYCLING BIN 4 |
| T5: TRASH CAN 5 | R5: RECYCLING BIN 5 |
| T6: TRASH CAN 6 | R6: RECYCLING BIN 6 |
| T7: TRASH CAN 7 | R7: RECYCLING BIN 7 |
| T8: TRASH CAN 8 | R8: RECYCLING BIN 8 |
| T9: TRASH CAN 9 | R9: RECYCLING BIN 9 |
| T10: TRASH CAN 10 | R10: RECYCLING BIN 10 |
| T11: TRASH CAN 11 | |
| T12: TRASH CAN 12 | |
| T13: TRASH CAN 13 | |
| T14: TRASH CAN 14 | |
| T15: TRASH CAN 15 | |
| T16: TRASH CAN 16 | |

DATE: _____
 SCALE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 SURVEYED BY: _____

APPROVED: _____
 SPECIAL ASSISTANT DIRECTOR OF PUBLIC WORKS
 CITY OF MENLO PARK
 DATE: _____



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ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94025-8488
 PHONE (650) 350-6740 FAX (650) 387-5467

BURGESS PARK, POOL, AND GYM
 TRASH AND RECYCLING BIN LOCATIONS

SHEET
2
 OF 20 SHEETS
 PROJECT NAME: _____
 DATE: _____

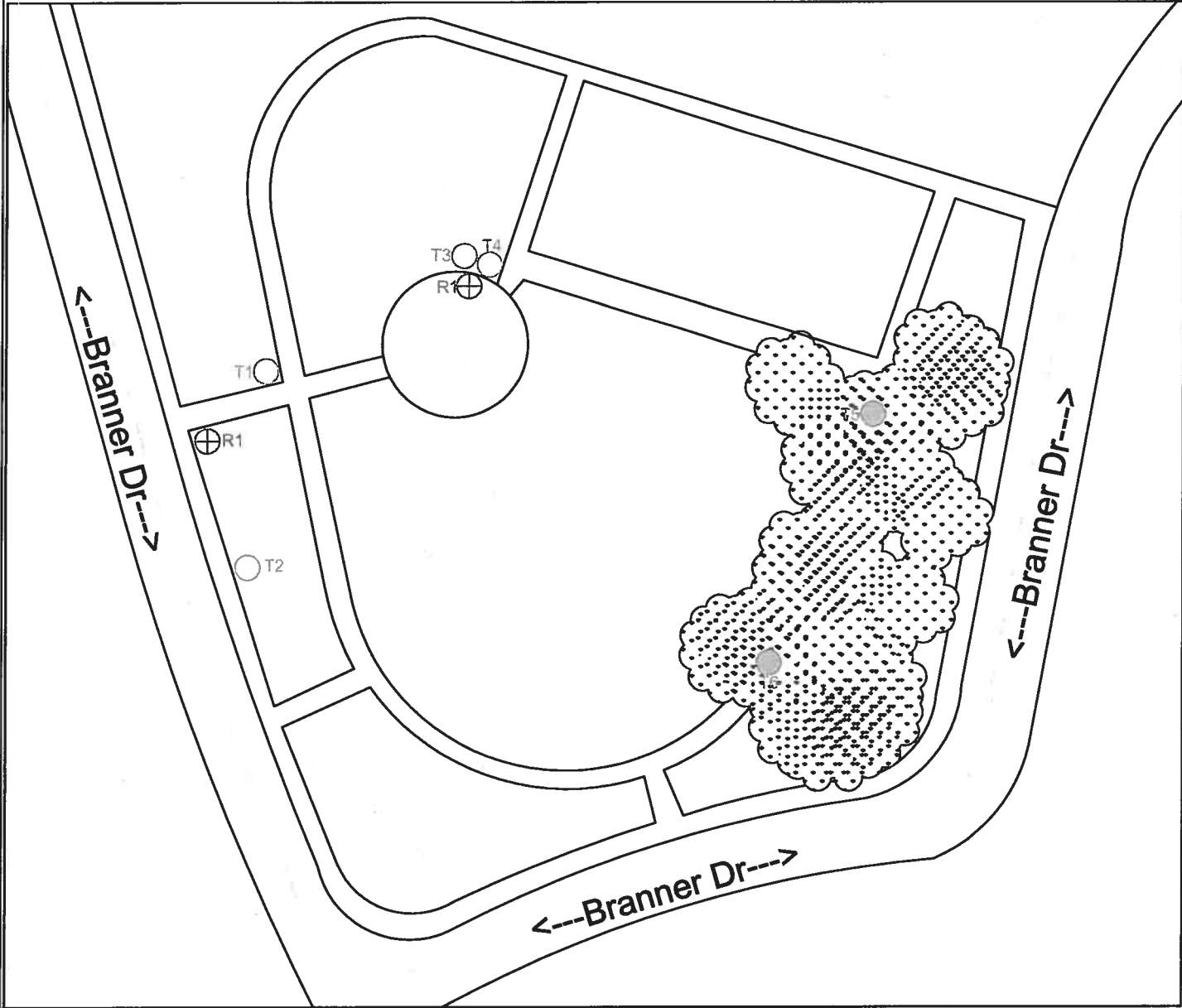
1/2

STANFORD HILLS PARK NOTES:

1. THERE ARE A TOTAL OF SIX (6) TRASH CANS AND ONE (2) RECYCLING BINS
2. T2 CAN BE PICKED UP FROM BRANNER DRIVE
3. T1 CAN BE PICKED UP FROM BRANNER DRIVE. THEN MOVE ON TO PICK UP T3, AND T4, AND FROM T4 BACK TO BRANNER DRIVE
4. T5 CAN BE PICKED UP FROM BRANNER DRIVE
5. T6 CAN BE PICKED UP FROM BRANNER DRIVE
6. R1 CAN BE PICKED UP FROM BRANNER DRIVE
7. ESTIMATED TRASH DISTANCE: 850 FEET
8. ESTIMATED RECYCLING DISTANCE: 350 FEET

ABBREVIATIONS:

- | | |
|-----------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | |
| T4: TRASH CAN 4 | |
| T5: TRASH CAN 5 | |
| T6: TRASH CAN 6 | |

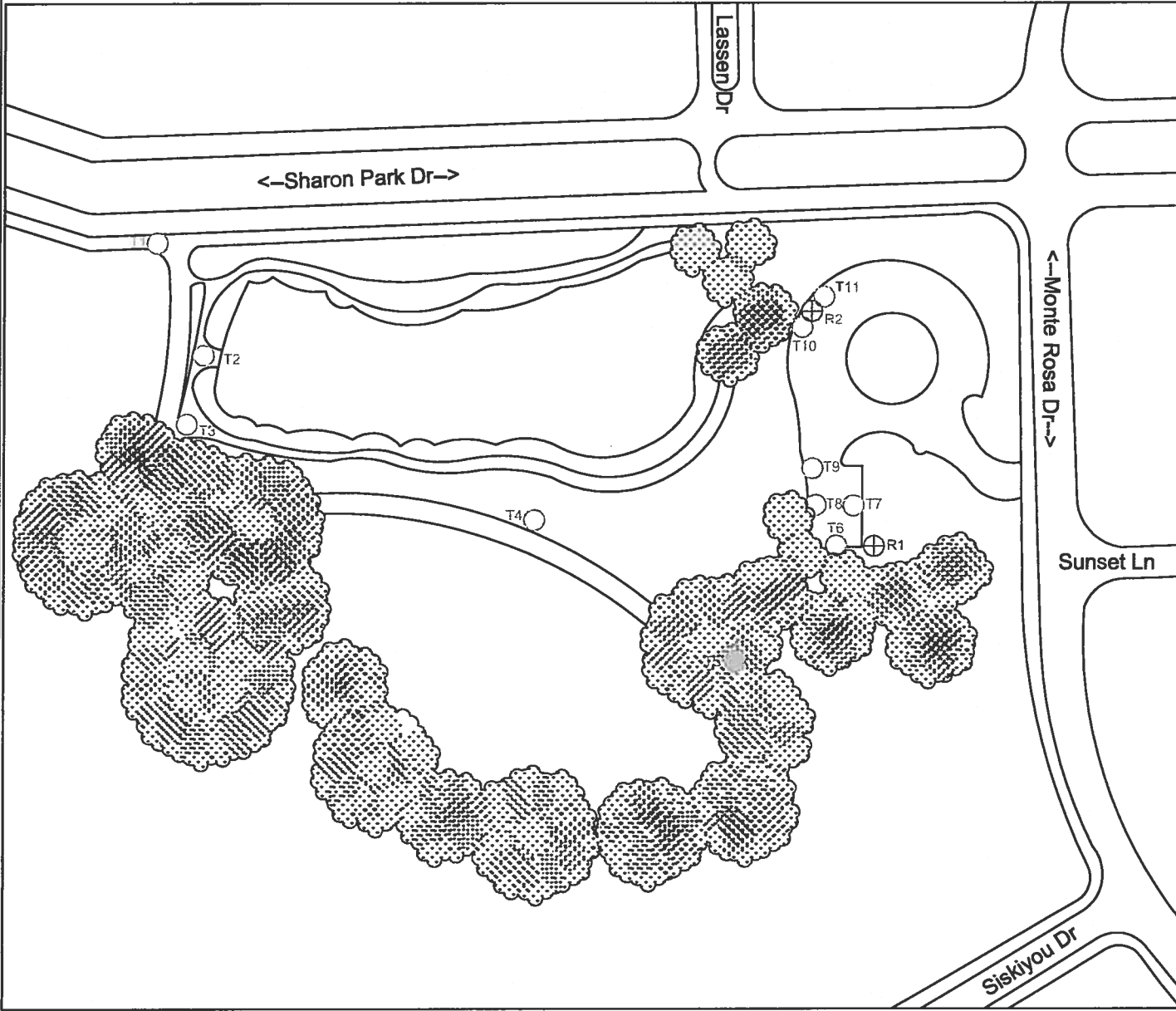


SHARON PARK NOTES:

1. THERE ARE A TOTAL OF NINE (9) TRASH CANS AND ONE (1) RECYCLING BIN
2. T1 CAN BE PICKED UP FROM SHARON PARK DRIVE. T6, T7, T8, T9, T10, T11, R1, AND R2 CAN BE PICKED UP FROM THE PARKING AREA BY MONTE ROSA DRIVE
3. T5 CAN BE PICKED UP FROM THE PARKING AREA, AND FROM THERE PICK UP T4
4. T2 CAN BE PICKED UP FROM SHARON PARK DRIVE, AND FROM THERE PICK UP T3
5. ESTIMATED TRASH DISTANCE: 1050 FEET
6. ESTIMATED RECYCLING DISTANCE: 0 FEET

ABBREVIATIONS:

- | | |
|-------------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | |
| T4: TRASH CAN 4 | |
| T5: TRASH CAN 5 | |
| T6: TRASH CAN 6 | |
| T7: TRASH CAN 7 | |
| T8: TRASH CAN 8 | |
| T9: TRASH CAN 9 | |
| T10: TRASH CAN 10 | |
| T11: TRASH CAN 11 | |



DATE: _____	APPROVED: _____
SCALE: _____	_____
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DESIGNED BY: _____	_____
CHECKED BY: _____	_____
SUPERVISED BY: _____	_____



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ENGINEERING DIVISION
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 PHONE (650) 320-8740 FAX (650) 327-5487

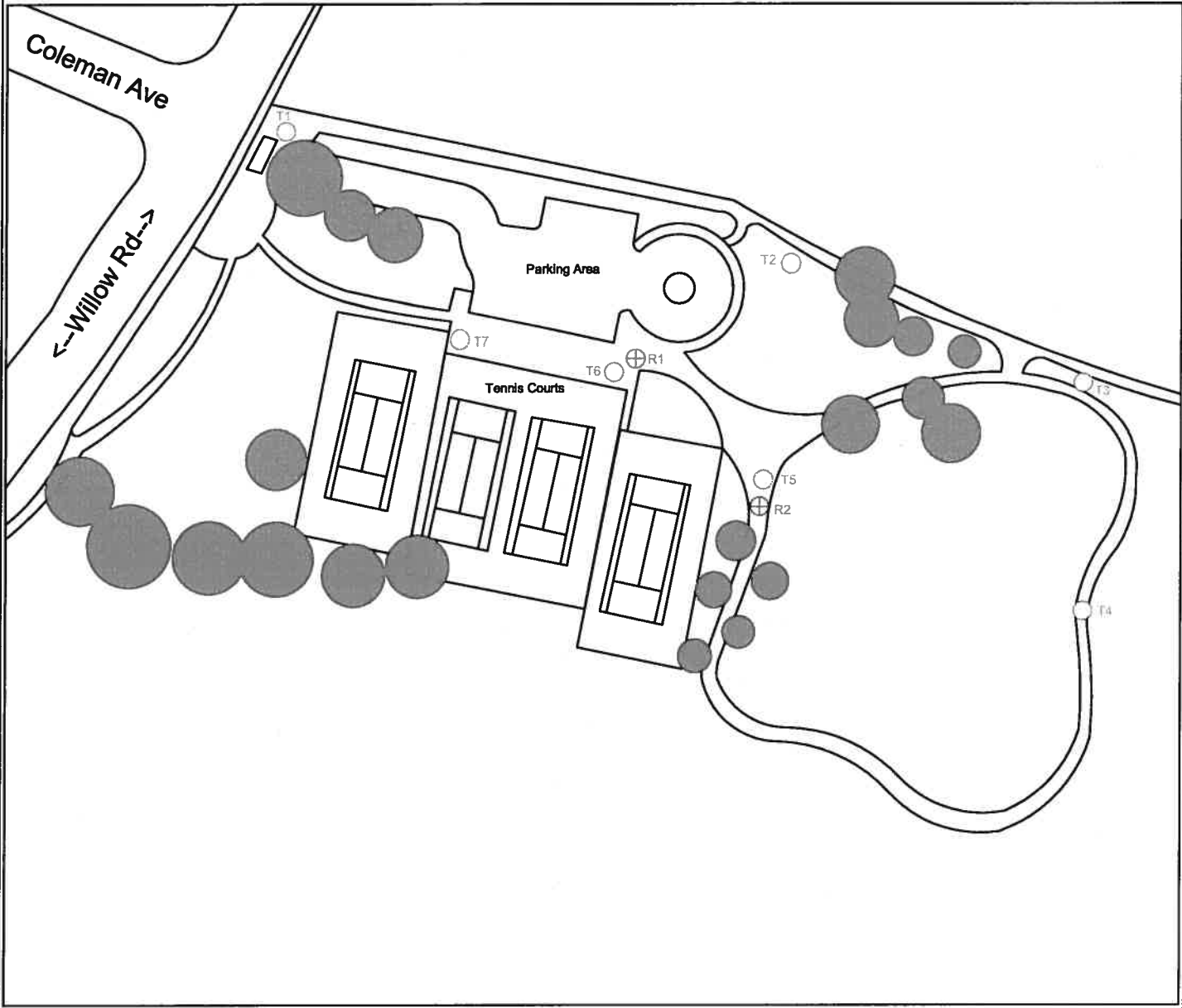
SHARON PARK
 TRASH AND RECYCLING BIN LOCATIONS

WILLOW OAKS PARK NOTES:

1. THERE ARE A TOTAL OF SEVEN (7) TRASH CANS AND TWO (2) RECYCLING BINS
2. T1 CAN BE PICKED UP FROM WILLOW ROAD
3. T7 CAN BE PICKED UP FROM THE PARKING AREA.
4. T6 CAN ALSO BE PICKED UP FROM THE PARKING AREA. FROM THERE T5, T3, AND T4 CAN BE PICKED UP
5. T2 CAN BE PICKED UP FROM THE PARKING AREA
6. R1 CAN BE PICKED UP FROM THE PARKING AREA. THEN, R2 CAN BE PICKED UP FROM R1
7. ESTIMATED TRASH DISTANCE: 1100 FEET
8. ESTIMATED RECYCLING DISTANCE: 300 FEET

ABBREVIATIONS:

- | | |
|-----------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | |
| T4: TRASH CAN 4 | |
| T5: TRASH CAN 5 | |
| T6: TRASH CAN 6 | |
| T7: TRASH CAN 7 | |



DATE	
DRAWN BY	
DESIGNED BY	
CHECKED BY	
REVIEWED BY	

APPROVED:	
<small>ROBERT W. BASS, ASSISTANT DIRECTOR OF PUBLIC WORKS</small>	
<small>CITY OF MENLO PARK</small>	
DATE	
SCALE	
BY	
DATE	



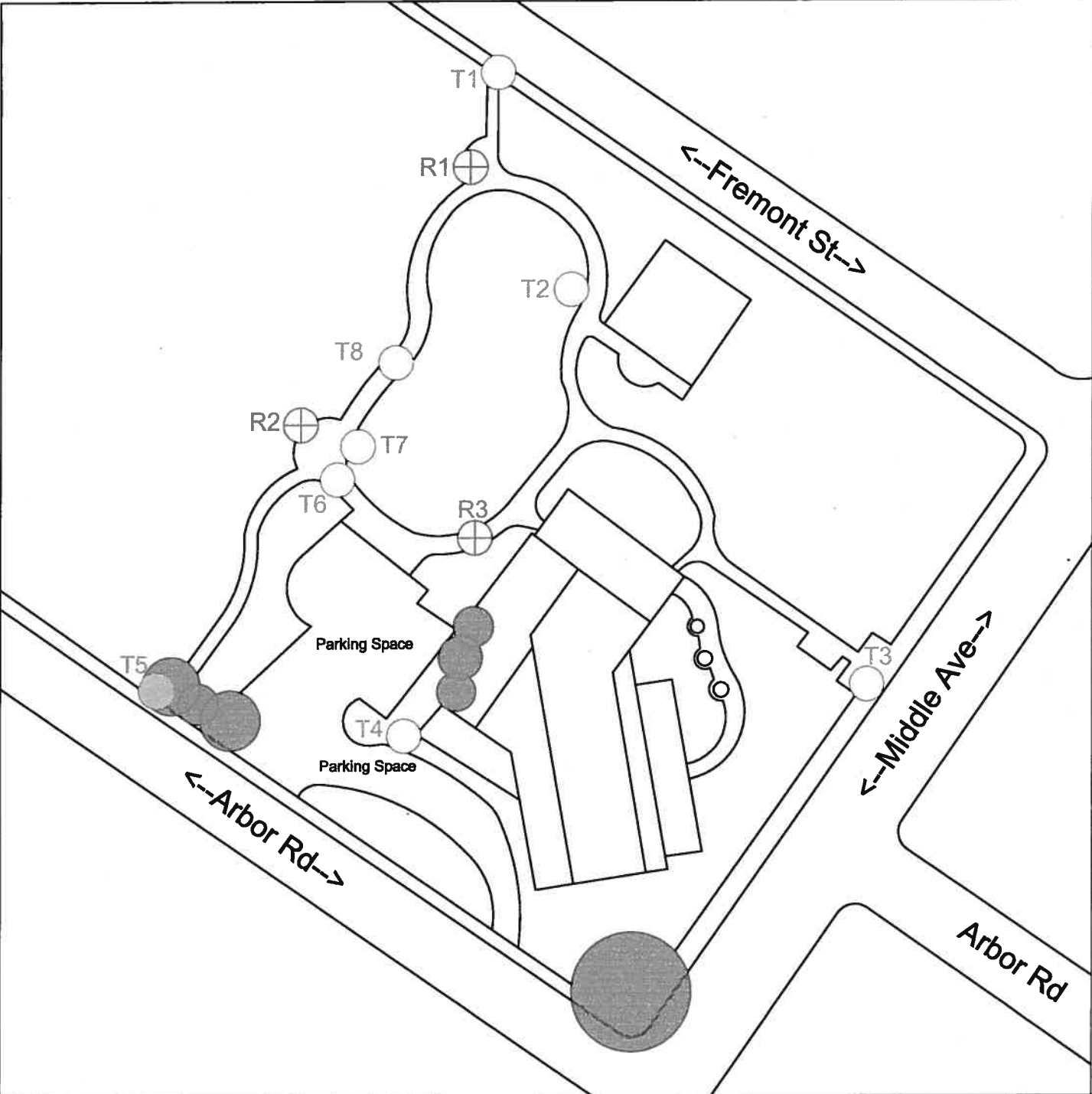
CITY OF MENLO PARK
ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94025-3483
 PHONE (650) 320-9740 FAX (650) 327-5497

WILLOW OAKS PARK
 TRASH AND RECYCLING BIN LOCATIONS

313

SHEET	5
OF	20 SHEETS
PROJ. NAME	
DATE	

4



JACK LYLE PARK NOTES:

1. THERE ARE A TOTAL OF EIGHT (8) TRASH CANS AND THREE (3) RECYCLING BINS
2. T3 CAN BE PICKED UP FROM MIDDLE AVENUE, T1 FROM FREMONT STREET, T4 FROM THE PARKING SPACE, AND T5 FROM ARBOR ROAD
3. T2 CAN BE PICKED UP FROM FREMONT STREET.
4. T6 CAN BE PICKED UP FROM THE PARKING SPACE BY ARBOR ROAD. THEN T7 AND T8 CAN BE PICKED UP AFTER T6
5. R1 CAN BE PICKED UP FROM FREMONT STREET
6. R3 CAN BE PICKED UP FROM THE PARKING AREA BY ARBOR ROAD. THEN R2 CAN BE PICKED UP
7. ESTIMATED TRASH DISTANCE: 600 FEET
8. ESTIMATED RECYCLING DISTANCE: 300 FEET

ABBREVIATIONS:

- | | |
|-----------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | R3: RECYCLING BIN 3 |
| T4: TRASH CAN 4 | |
| T5: TRASH CAN 5 | |
| T6: TRASH CAN 6 | |
| T7: TRASH CAN 7 | |
| T8: TRASH CAN 8 | |

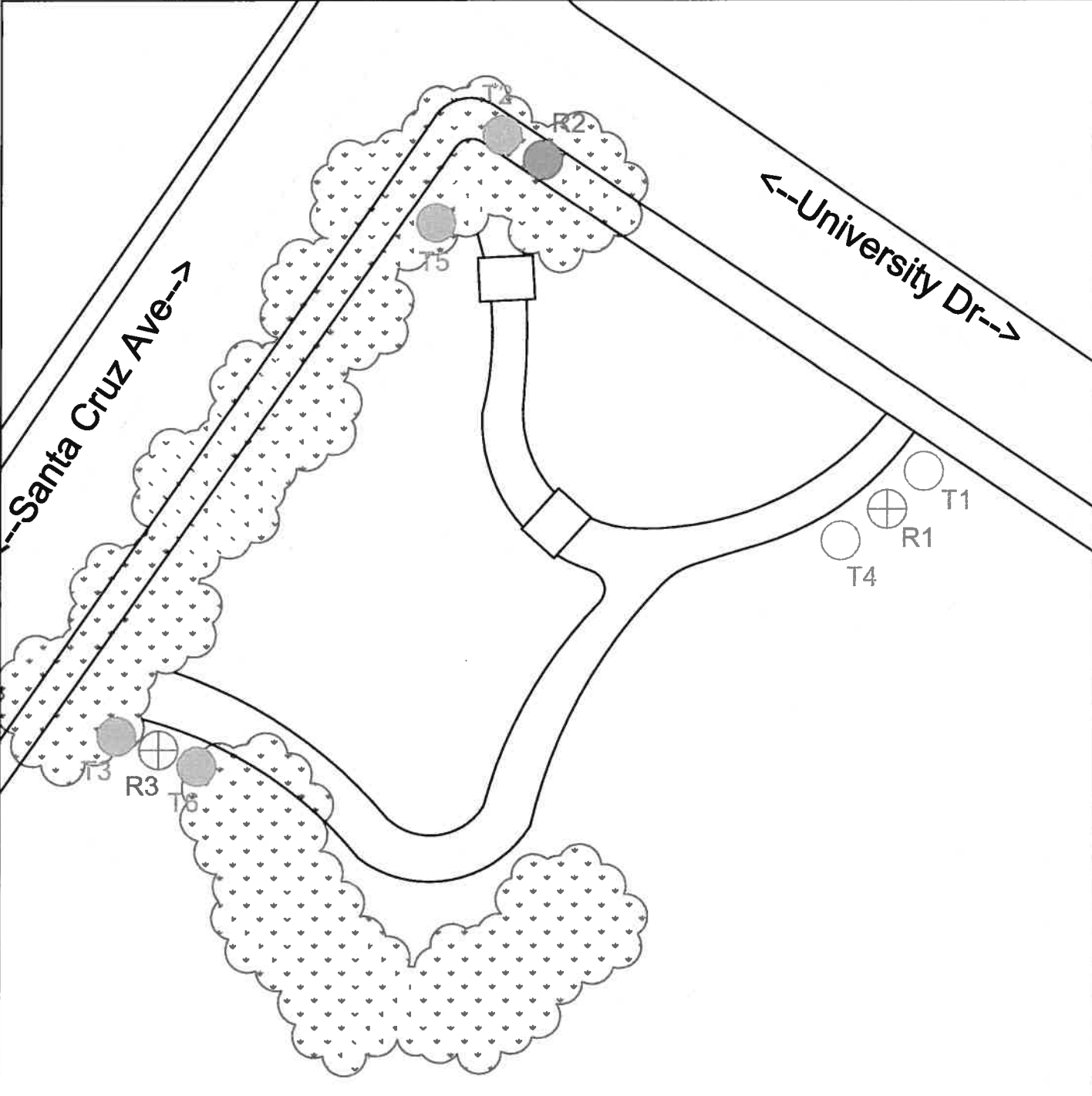
DATE: _____
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 CHECKED BY: _____
 SURVEYED BY: _____

APPROVED: _____
 CITY OF MENLO PARK
 DEPARTMENT OF PUBLIC WORKS
 DATE: _____



CITY OF MENLO PARK
ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94028-3483
 PHONE (650) 320-0740 FAX (650) 327-5487

JACK LYLE PARK
 TRASH AND RECYCLING BIN LOCATIONS



FREMONT PARK NOTES:

1. THERE ARE A TOTAL OF THREE (3) TRASH CANS AND 3 RECYCLING BINS
2. T1, T2, T4, R1 AND R2 CAN BE PICKED UP FROM UNIVERSITY DRIVE. T3, T5, T6, AND R3 CAN BE PICKED UP FROM SANTA CRUZ AVENUE
3. ESTIMATED TRASH DISTANCE: 0 FEET
4. ESTIMATED RECYCLING DISTANCE: 0 FEET

ABBREVIATIONS:

- | | |
|-----------------|---------------------|
| T1: TRASH CAN 1 | R1: RECYCLING BIN 1 |
| T2: TRASH CAN 2 | R2: RECYCLING BIN 2 |
| T3: TRASH CAN 3 | R3: RECYCLING BIN 3 |
| T4: TRASH CAN 4 | |
| T5: TRASH CAN 5 | |
| T6: TRASH CAN 6 | |

DATE: _____	APPROVED: _____
DRAWN BY: _____	REVIEWED BY: _____
DESIGNED BY: _____	CITY OF MENLO PARK
CHECKED BY: _____	
SERVICES BY: _____	



CITY OF MENLO PARK
ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94025-3483
 PHONE (650) 850-0740 FAX (650) 887-5487

FREMONT PARK
 TRASH AND RECYCLING BIN LOCATIONS

315

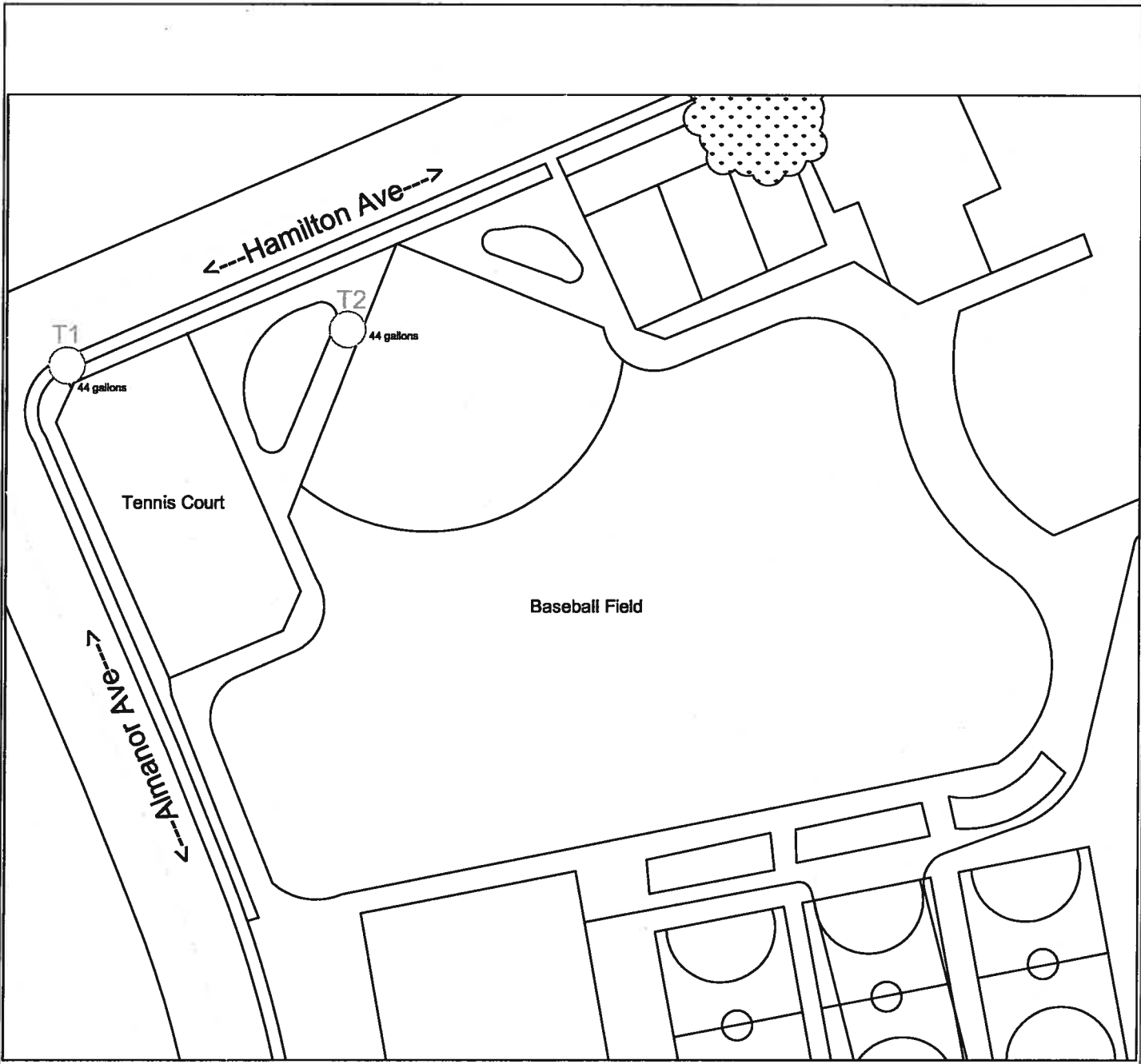


BELLE HAVEN SCHOOL NOTES:

1. THERE ARE A TOTAL OF TWO (2) TRASH CANS
2. T1 CAN BE PICKED UP FROM HAMILTON AVENUE
3. T2 CAN BE PICKED UP FROM ALMANOR AVENUE
4. ESTIMATED TRASH DISTANCE: 600 FEET
5. ESTIMATED RECYCLING DISTANCE: 0 FEET

ABBREVIATIONS:

- T1: TRASH CAN 1
 T2: TRASH CAN 2



DATE: _____
 SCALE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 SURVEYED BY: _____

APPROVED: _____
 CITY ENGINEER

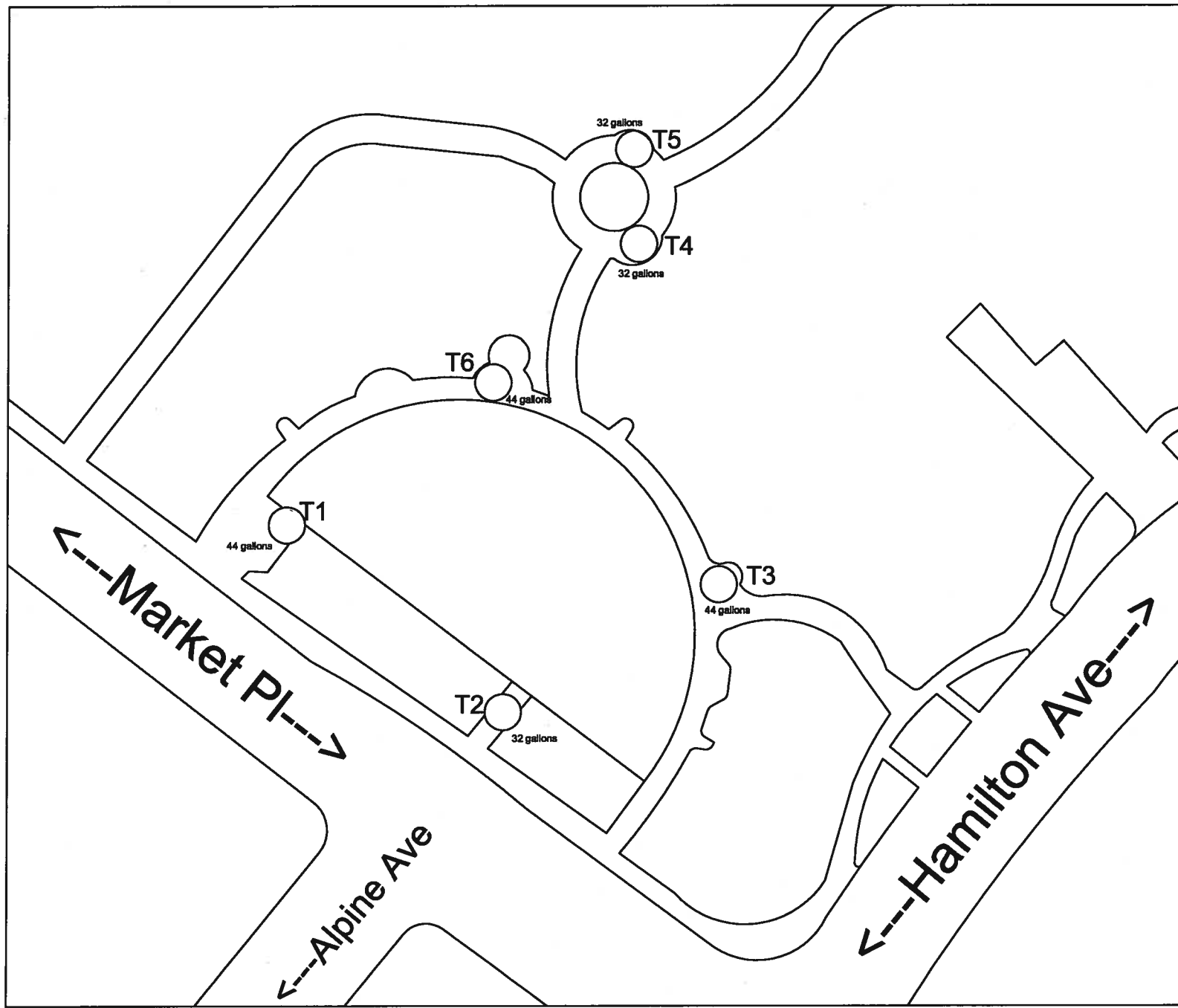
NO.	BY	DATE	REVISION



CITY OF MENLO PARK
ENGINEERING DIVISION
 701 LAUREL STREET, MENLO PARK, CA 94025-3483
 PHONE (650) 326-0740 FAX (650) 327-5487

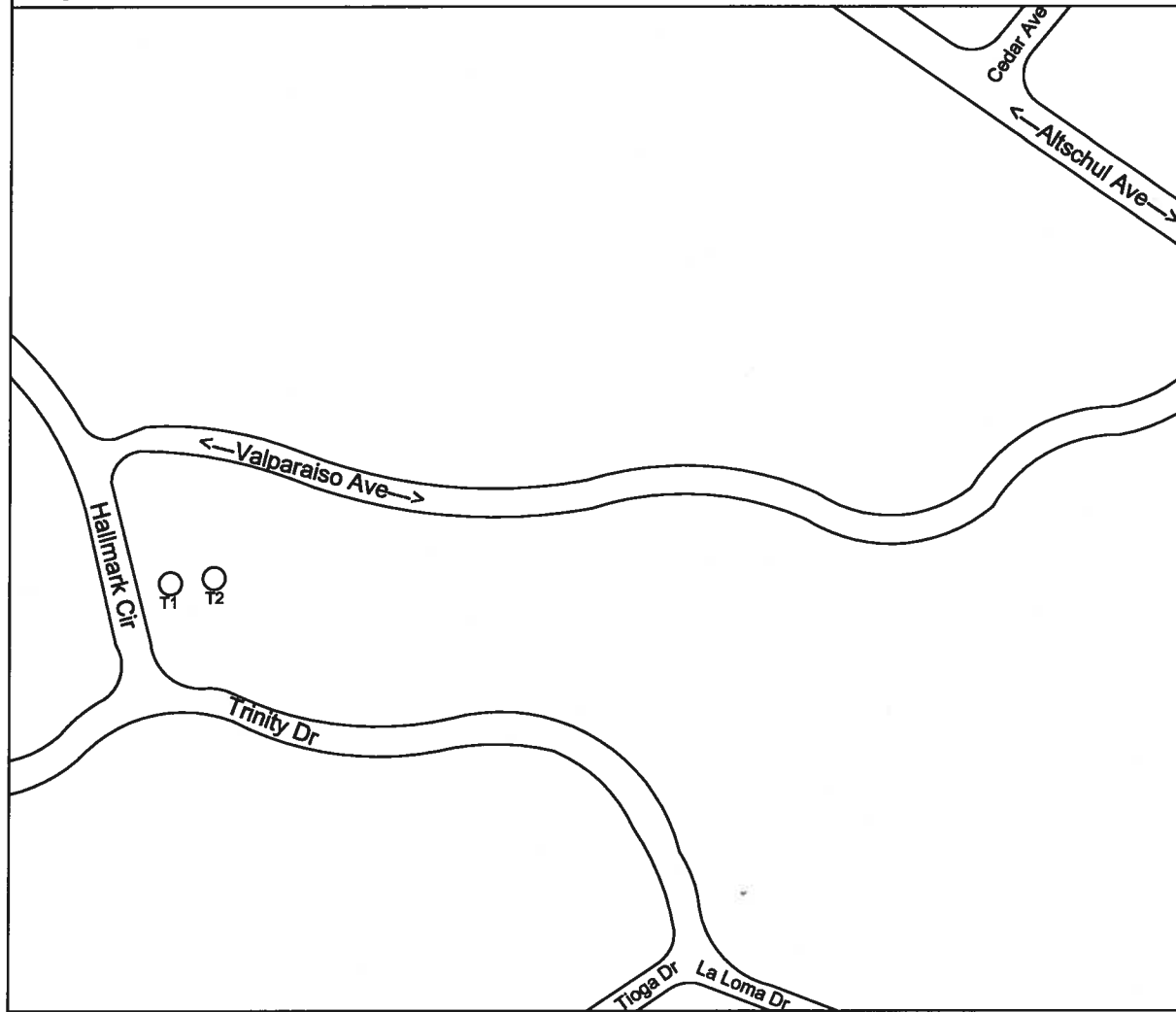
BELLE HAVEN SCHOOL
 TRASH AND RECYCLING BIN LOCATIONS

SHEET
 9
 OF 20 SHEETS
 FIELD NAME



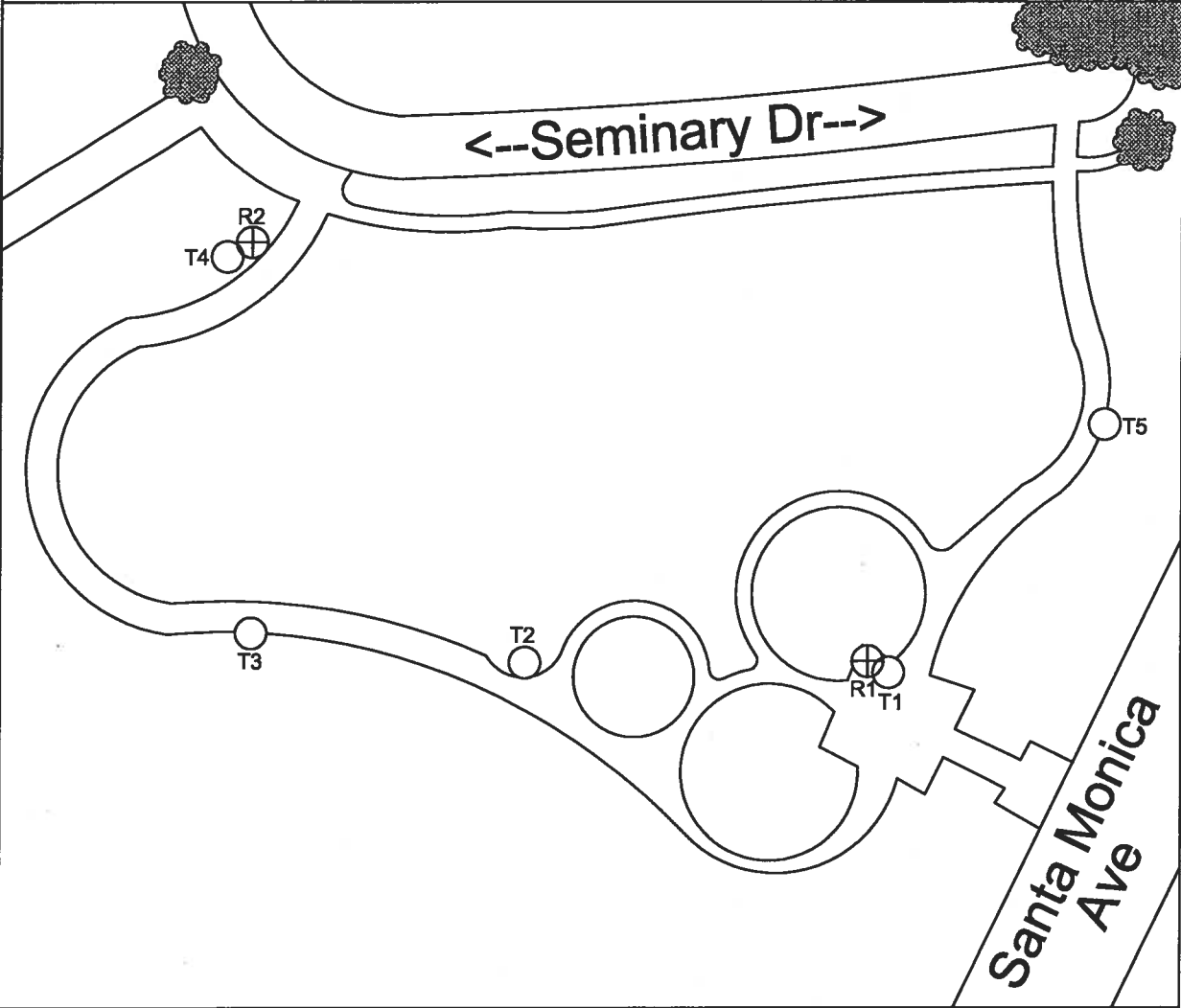


Sharon Hills Park





Seminary Oaks Park



AN



CITY OF MENLO PARK

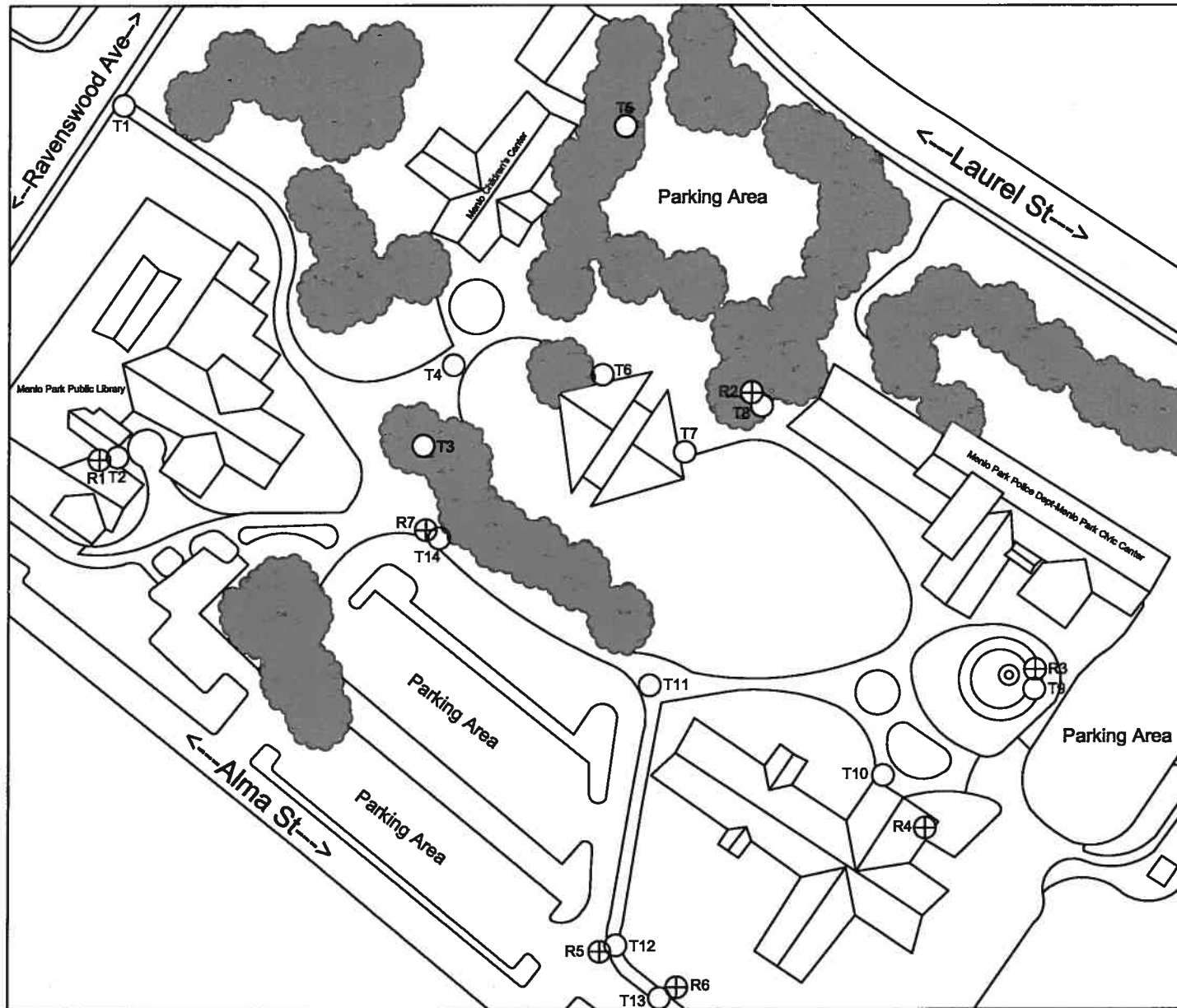
BAYFRONT PARK



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Match Line

See Attachment



Match Line

See Attachment



CITY OF MENLO PARK

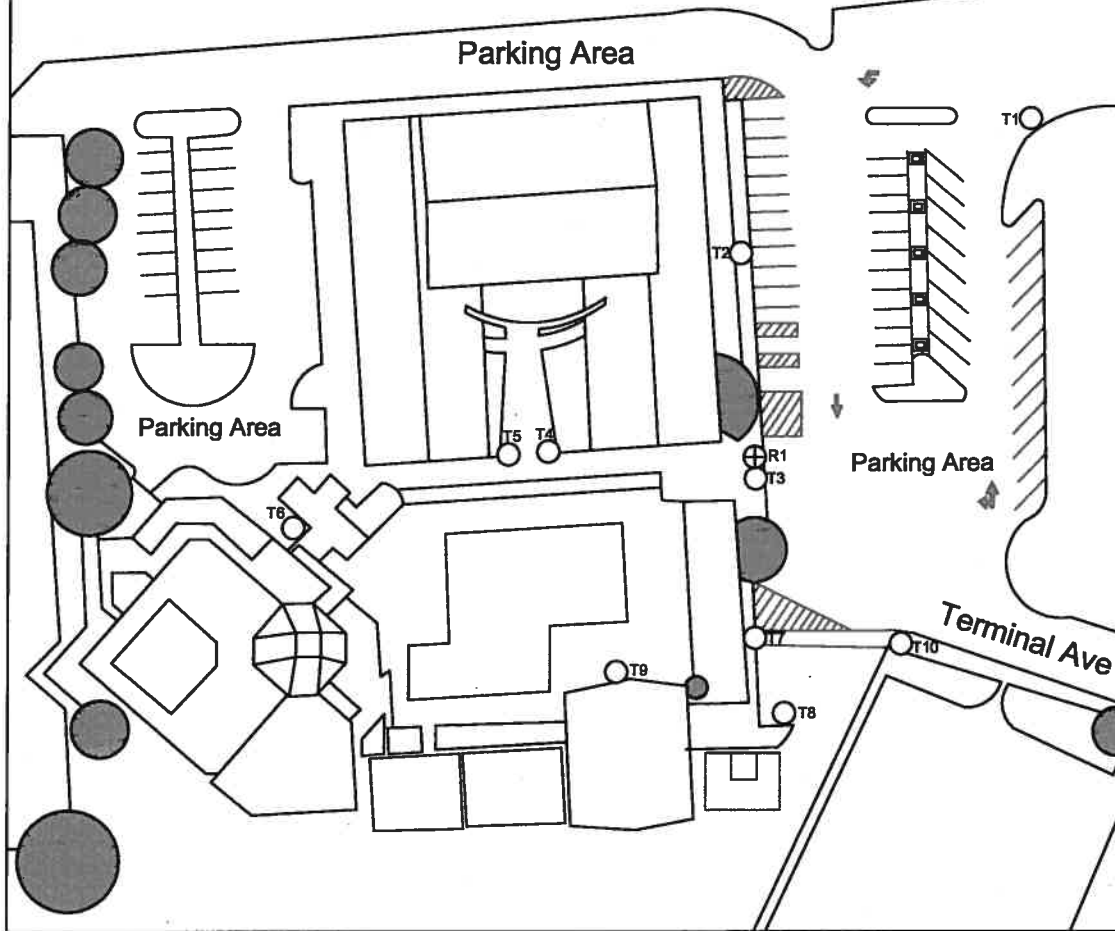
BURGESS PARK
MCC, Admin, Recreation,
Library, Gatehouse

Match Line

See Attachment

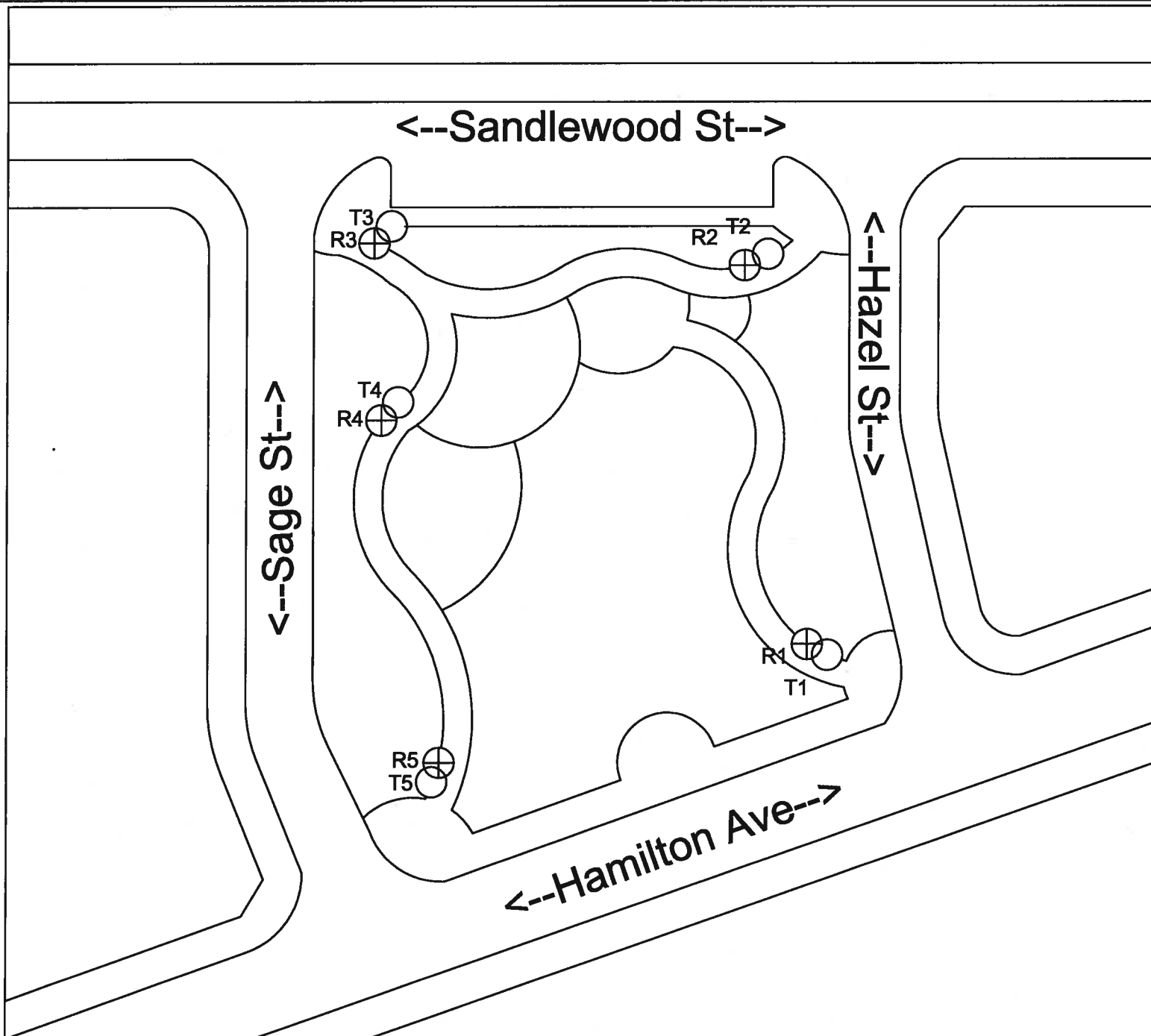


Onetta Harris

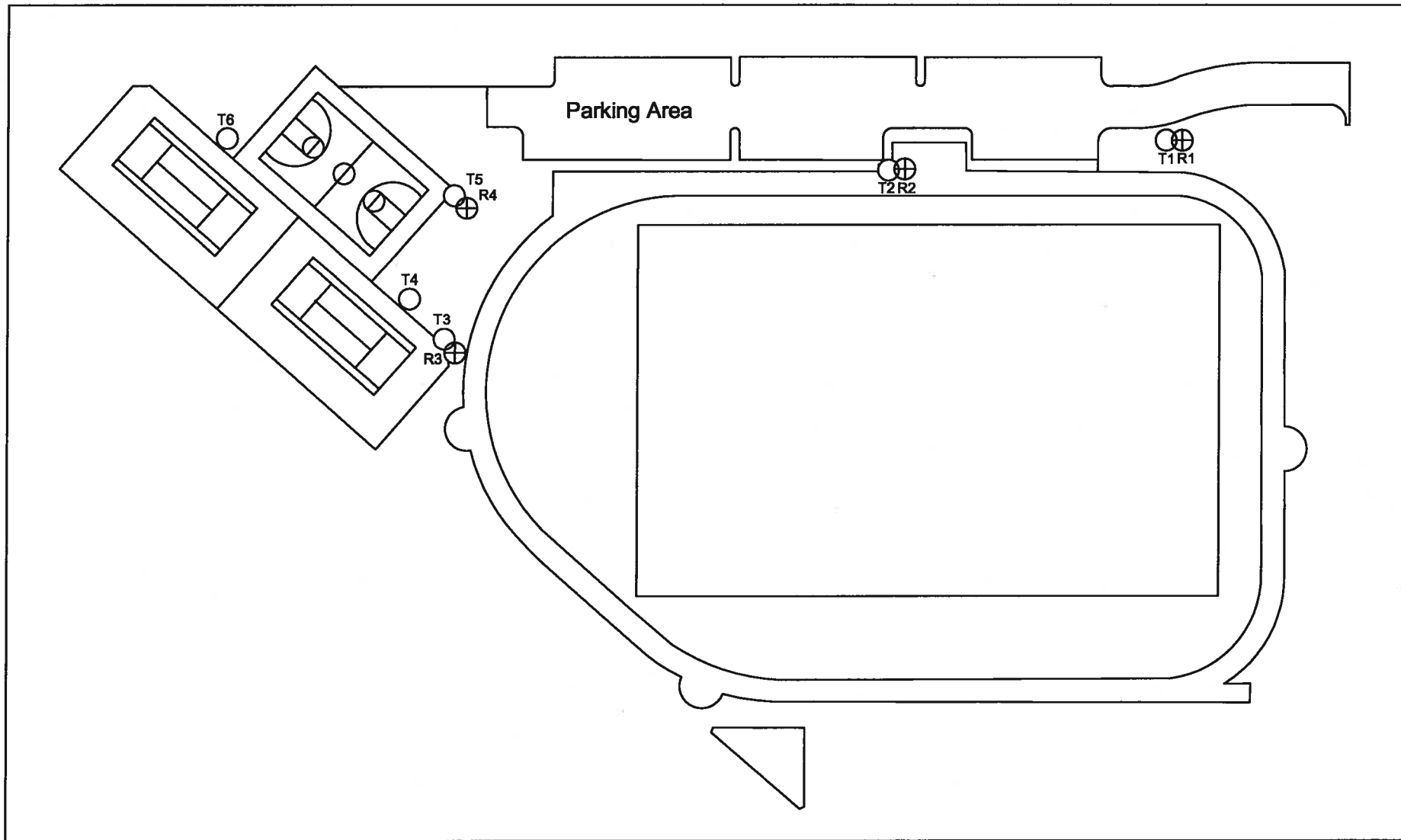


Match Line

See Attachment



Match Line
See Attachment



Match Line
See Attachment



CITY OF MENLO PARK

KELLY PARK

325

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ADMINISTRATIVE SERVICES

Council Meeting: February 12, 2013

Staff Report #: 13-021

Agenda Item #: F-4

REGULAR BUSINESS: Council discussion and possible recommendation on various seats for determination at the next City Selection Committee meeting scheduled for February 22, 2013

RECOMMENDATION

Staff recommends City Council discuss the applicants to provide guidance to the Mayor on the various seats that will be selected at the next City Selection Committee meeting scheduled for February 22, 2013 (Attachment A).

BACKGROUND

There are seven regional seats that have vacancies through the San Mateo County Council of Cities. There are multiple applicants which will require a vote by the Council of Cities representatives to determine the formal appointment.

The Association of Bay Area Governments (ABAG) appointment will be to fulfill an unexpired term through June 30, 2013.

The Local Agency Formation Commission (LAFCo) appointment will be to fulfill an unexpired term through the first Monday in May 2013.

The San Mateo County Transit Authority (SMCTA) appointment (Northern Judicial Cities) will be to fulfill an unexpired term through December 31, 2013.

Housing Endowment and Regional Trust (HEART) has four seats that will expire as of February 28.

The deadline to submit letters of interest is February 8, which is after the time the Council packet will be distributed. Included as Attachment A are the letters received to date. Any additional letters received will be provided to the Council at the meeting of February 12, 2013.

The City Selection Committee meeting will take place on February 22, 2013. According to the bylaws for Council of Cities, the Mayor is the voting member for each city.

This item is on the agenda for the Council to provide input to the Mayor for voting purposes at the February 22 City Selection Committee meeting.

IMPACT ON CITY RESOURCES

There is no cost associated with this item.

POLICY ISSUES

The proposed action is consistent with existing policy and Council's direction to staff.

Signature on File
Margaret S. Roberts, MMC
City Clerk

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS:

- A. List of appointments with applicants listed



CITY COUNCIL 2013

PEDRO GONZALEZ, MAYOR
KARYL MATSUMOTO, MAYOR PRO TEM
MARK ADDIEGO, COUNCILMEMBER
RICHARD A. GARBARINO, COUNCILMEMBER
PRADEEP GUPTA, COUNCILMEMBER

BARRY M. NAGEL, CITY MANAGER

OFFICE OF THE MAYOR

February 7, 2013

Dear San Mateo County Mayors and Council Members:

Please accept this letter of interest for the seat on the ABAG Executive Board recently vacated by Sepi Richardson.

I currently serve as the Alternate Representative to ABAG and take it upon myself to attend as many meetings as possible so that I keep abreast of ongoing activities. I would like to continue to be a part of the ABAG Committee by filling the vacant Executive Board seat and playing a role in its mission to serve the Cities of San Mateo County.

In addition to my previous experience within ABAG, my other City Council experience includes:

- South San Francisco Councilmember since 2000, Mayor in 2003, 2008 and 2013
- Liaison on Oyster Point Advisory and Community Preservation Task Force
- Representative on the San Francisco Bay Area Water Emergency Transportation Authority (WETA) and San Mateo County Water Transit Advocates (WTA)
- Subcommittee member of the Downtown Area Redevelopment and City Facilities Naming
- Housing Endowment and Regional Trust (HEART)
- Housing our People Effectively (HOPE)
- Resource Management and Climate Protection Task Force (RMCP)

I am aware of the important role ABAG plays in our region and look forward to supporting its ongoing efforts.

Thank you for your consideration.

Sincerely,

Pedro Gonzalez, Mayor
City of South San Francisco



City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

Phone (650) 259-2334 Fax (650) 259-2415

E-Mail: nholober@ci.millbrae.ca.us

NADIA V. HOLOBER

Vice Mayor

February 4, 2013

Honorable Mayor and Councilmembers
of the Cities of San Mateo County

Dear Honorable Mayor and Councilmembers:

I am writing to express my interest in serving on the Local Agency Formation Commission (LAFCo) in the position recently vacated by Brisbane Councilwoman Sepi Richardson, and to respectfully ask for your support. I previously served on the LAFCo Board, including a term as Chair and a term as Alternate member before that. I vacated the seat when I was "termed out" of office in Millbrae, and since have been re-elected to the City Council. I worked diligently as a member of LAFCo and am very excited about the opportunity to resume my service.

During my previous tenure on the LAFCo Board, LAFCo began service reviews of local agencies and districts. We worked to assist local districts to better achieve open meeting, general transparency and responsible budgeting standards, and to provide an unbiased outside look toward achieving the districts' goals of improving efficiency and reducing costs. We considered requests from dozens of applicants wishing to annex to sewer and utility service districts, and considered spheres of influence and future boundaries of the various districts. As a land use and government law attorney, I find the work of LAFCo very interesting and immensely gratifying, as it coincides so closely with the work I do in my "day job."

I have over a decade of experience on the Millbrae City Council and am a former Mayor of my City. I have had the privilege over the years of serving the Cities of our County in several capacities. I have served as Chair of both the Council of Cities and Libraries Joint Powers Authority, and have served on many of the County's various transportation and air quality committees. In addition, I have represented the Cities of our County as an Association of Bay Area Government Executive Board member and am currently an Alternate member.

If elected again to the LAFCo Board, I will serve with the equal commitment that I have served previously on the LAFCo Board and in these other positions. I truly enjoy working with all of the Cities of San Mateo County and am asking for the opportunity to work toward advancing our Cities' mutual goals and interests in this very important position.

I respectfully ask for your City's vote for my appointment to represent the Cities of San Mateo County as your LAFCo representative. The vote is scheduled for the next City Selection Committee meeting on Friday, February 22, 2013. Thank you for your consideration.

Yours very truly,

A handwritten signature in blue ink that reads "Nadia V. Holober".

Nadia V. Holober
Vice Mayor, City of Millbrae
Cell: (650) 740-3125



PEDRO GONZALEZ, MAYOR
KARYL MATSUMOTO, MAYOR PRO TEM
MARK ADDIEGO, COUNCILMEMBER
RICHARD A. GARBARINO, COUNCILMEMBER
PRADEEP GUPTA, PH.D, COUNCILMEMBER

BARRY M. NAGEL, CITY MANAGER

OFFICE OF THE CITY COUNCIL

February 4, 2013

Dear Honorable Mayors and City Council Members,

I am following up on my letter dated January 10, 2013 regarding my interest in the LAFCo seat. As this seat is now vacated by Sepi Richardson, I want to reiterate my continued interest.

As stated in my previous letter, I have filled in for Sepi at several meetings. I have read the meeting minutes and studied the decisions of the Committee. I feel I am well prepared to serve as your representative on LAFCo.

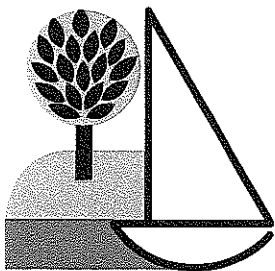
It is my hope to serve in this capacity and fulfill my promise to make decisions in the best interests of the Cities and County. I am confident that I will effectively and efficiently serve as your representative.

Thank you for your careful consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard A. Garbarino".

Richard A. Garbarino, Councilmember
City of South San Francisco



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

February 4, 2013

TO: Mayors and City Councilmembers of San Mateo County

RE: Board Position of the Housing Endowment and Regional Trust (HEART)

Dear Mayors and Councilmembers:

I am seeking election to the position of Board Member of HEART. I have served as an elected councilmember for the City of Foster City for 6 years and selected Mayor for 2 years. I currently serve on the HEART JPA. I am very active with the Samaritan House and Boards and Committees around the County and appreciate the confidence of my colleagues by supporting me in these endeavors.

I ask my peers of the City Selection Committee to consider my appointment to the HEART Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pam", is written in black ink. The signature is fluid and stylized, with a large initial "P" and a long, sweeping tail.

Pam Frisella, Mayor
City of Foster City



CITY OF BRISBANE

50 Park Place
Brisbane, California 94005-1310
(415) 508-2100
Fax (415) 467-4989

February 4, 2013

To: My colleagues on the San Mateo County City Councils

Re: HEART Board Re-Appointment

I am writing to express my interest in continuing to serve as a representative on the Housing Endowment and Regional Trust (HEART) Board. I was appointed in August, 2012 and have found serving on this board to be a very important and rewarding experience.

My interest in affordable housing programs in San Mateo County is of particular concern at this time due to the recent elimination of redevelopment agencies and the effect this has had on affordable housing projects.

I have been on the Brisbane City Council for over three years. Prior to that, I served on the Brisbane Planning Commission for over eight years.

I have been an active supporter and volunteer for Rebuilding Together Peninsula which also serves to help low income families with their housing needs. And, I am currently serving as the representative on the City's Low and Moderate Housing Sub-Committee.

My interest in preserving and making affordable housing available to San Mateo County residents is why I ask for your consideration in continuing to serve on this Board.

Thank you.

Sincerely,

Cliff Lentz
Councilmember, City of Brisbane





COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: February 12, 2013
Staff Report #: 13-023

Agenda Item #: I-1

INFORMATION ITEM: Update on the Housing Element Meeting Schedule

This is an information item and does not require Council action.

OVERVIEW

The City is in the process of updating the Housing Element of the General Plan in compliance with State law and a Court Order.

On December 11, 2012, the City Council approved an updated project schedule as represented in Attachment A. In January of this year, the Housing Element Steering Committee held its final meeting and the City hosted two community workshops. The next milestone is the release of the Environmental Assessment, Fiscal Impact Analysis, and other documents in late February. The approved schedule then calls for two Council meetings in early March 2013 – a study session on March 5 and a regular business item on March 12 regarding Council direction on which sites to rezone. The March 5 meeting has a number of other items scheduled on it and the March 12 meeting is devoted solely to the Housing Element. Given that there may not be adequate time on March 5 for sufficient public comment within the 2-hour study session window and in order to minimize the number of meetings the public would need to attend, staff believes it would be best to focus all of the Housing Element topics into the meeting of March 12. The recommended meeting procedure for March 12 would be as follows:

- Presentations on the Environmental Assessment and Fiscal Impact Analysis, feedback received at community workshops, and recommendation on which sites to pursue for rezoning to higher density residential uses;
- Public comment;
- Council questions; and
- Council direction on which sites to pursue for rezoning to higher density residential uses.

Staff intends to proceed with this consolidated meeting on March 12, 2013 unless directed otherwise by the City Council.

IMPACT ON CITY RESOURCES

The impacts of the Housing Element Update will be evaluated in a fiscal impact analysis that will be prepared concurrent with the Environmental Assessment. The fiscal impact analysis will identify potential revenue and cost impacts to the City and other districts such as schools and fire of the Housing Element and the General Plan Consistency Update. Work on the analysis has commenced and is expected to be completed in late February 2013.

POLICY ISSUES

The Housing Element update process will consider a number of policy issues including issues related to the rezoning of properties and increasing of residential densities in the city.

ENVIRONMENTAL REVIEW

Government Code Section 65759 provides that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring a city's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment under State Housing Element law, but a more truncated Environmental Assessment is required. The content of the Environmental Assessment will substantially conform to the required content for a draft environmental impact report. Work on the analysis has commenced and is expected to be completed in late February 2013.

Signature on file
Justin Murphy
Development Services Manager

Signature on file
Arlinda Heineck
Community Development Director

PUBLIC NOTICE: Public notification was achieved by posting the agenda, at least 72 hours prior to the meeting, with this agenda item being listed. In addition, the City sent an email update to subscribers to the project page for the proposal, which is available at the following address: <http://www.menlopark.org/athome>. This page provides up-to-date information about the project, allowing interested parties to stay informed of its progress. The page allows users to sign up for automatic email bulletins, notifying them when content is updated or meetings are scheduled.

ATTACHMENTS

- A. Remaining Schedule of Meetings and Other Activities



Remaining Schedule of Meetings and Other Activities

Prepared for December 11, 2012
City Council Meeting

Revision of the City of Menlo Park Housing Element and Consistency Update to the City of Menlo Park General Plan



City Council (CC) Meeting



Housing Element Steering Committee Meeting



Other City Commission Meeting



Community Outreach Activity (separate from public hearings and commission meetings)



Meetings with Stakeholders



Review by (or Meetings with) HCD Staff or Others

Commission Meetings The primary City commissions reviewing the Housing Element are the Planning Commission (PC) and the Housing Commission (HC). City Commissions reviewing the Consistency Update to the City's General Plan include the PC and the HC plus the Environmental Quality Commission (EQC), Transportation Commission (TC), Bicycle Commission (BC), and the Parks and Recreation Commission (PRC).

Meetings and Activities Expected to Occur from December 2012 Through May 2013

Meetings and Activities Occurring Between May 2012 and November 2012 Related to the Revision of the City of Menlo Park Housing Element and Consistency Update to the City of Menlo Park General Plan

Summary of Activities to Date:

Setting Direction for the Work: May 22, 2012 City Council Meeting to approve Settlement Agreement, GP/HE Work Program and membership of the Housing Element Steering Committee

Five (5) Housing Element Steering Committee meetings conducted between June and September 2012

Stakeholder outreach interviews and meetings and public comments received through the City's website

Two Community Workshops conducted in August 2012

Work initiated on the Environmental Assessment and Fiscal Impact Analysis

Public work sessions to review the Preliminary Draft Housing Element (HC, PC and CC)

Submittal of the Draft Housing Element to HCD October 31, 2012

60-Day HCD Review of Draft Housing Element Nov and Dec 2012



Modifications to the Draft Housing Element Based on HCD Comments

Meeting Type and Date	Meeting Location	Meeting Purposes
Commission Meetings Dec 2012	Meetings at Menlo Park Civic Center	<ul style="list-style-type: none"> EQC, TC, BC, PRC, HC and PC Review of the Consistency update to the Menlo Park General Plan at Public Work Sessions Provide Feedback to Staff
Steering Comm Meeting #6 Jan 10 2013	Arrillaga Family Gymnastics Center	<ul style="list-style-type: none"> Review Public Comments and Provide Direction Based on HCD Review of the Draft Housing Element Provide Direction on the Approach for the Community Open House, Feedback from the Community and Noticing for Future Activities
Community Open House Jan 29-30 2013	Civic Center and Senior Center	<ul style="list-style-type: none"> Review Comments from HCD Present Preliminary Direction on Housing Element Implementation and Bundles of Properties for Possible Rezoning to Higher Density Housing Provide Opportunity for Q&A and Feedback
Release of Documents Feb 27 2013	Announce the Availability of Documents	<ul style="list-style-type: none"> Documents Available for Public and Stakeholder Review: Environmental Assessment (EA) Fiscal Impact Analysis (FIA) Draft General Plan Consistency Update (GPU) Draft Zoning Ordinance Text Amendments (ZO)
CC Study Session Mar 5 2013	City Council Chambers	<ul style="list-style-type: none"> Review Comments and Directions from the Community Outreach Review HCD Comments
CC Direction Mar 12 2013	City Council Chambers	<ul style="list-style-type: none"> Provide Direction on the Specific Sites to be Rezoned for Higher Density Housing
Release of Documents Mar 27 2013	Announce the Availability of Documents	<ul style="list-style-type: none"> Documents Available for Public and Stakeholder Review: Revised Draft Housing Element (changes based on HCD comments and additional discussion on Available Sites based on March 12 City Council direction) Draft Zoning Text and Map Amendments
HC Meeting April 3 2013	Menlo Park City Hall	<ul style="list-style-type: none"> Review Directions from Community Outreach, the EA and the FIA Provide Direction on the Revised Draft Housing Element and Zoning Changes for Consideration by the Planning Commission and the City Council
PC Public Hearing April 8 2013	City Council Chambers	<ul style="list-style-type: none"> Review Directions from Community Meetings and Outreach Consider the EA, FIA and other Material Recommend General Plan Consistency Amendments, Revised Draft Housing Element and Zoning Text and Map Amendments to the City Council
CC Study Session April 16 2013	City Council Chambers	<ul style="list-style-type: none"> Review Directions from Commission Meetings and Community Outreach Review General Plan Amendments, Revised Draft Housing Element and Zoning Text and Map Amendments
CC Public Hearing April 30 2013	City Council Chambers	<ul style="list-style-type: none"> Adopt the General Plan Consistency Amendments, Revised Draft Housing Element and Introduce Zoning Text and Map Amendments
CC Meeting May 7 2013	City Council Chambers	<ul style="list-style-type: none"> Final Adoption of Zoning Text Amendments and Rezoning

→ Environmental Assessment (EA) and Fiscal Impact Analysis (FIA) →

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